

## Professional Concerns Committee

### Minutes for October 20, 2022

#### Hybrid Meeting (SU 109 and Zoom Conferencing Software), 3:15 pm

**Members in Attendance:** R. Brice, W. Darnell, J. Elliot, K. Fuegen, R. Gall, P. Hare, J. Herman, W. Herzog, K. Katkin, Y. Kim, A. Miller, N. Mihindikulasooriya, M. Nakamura, M. Providenti, H. Riffe, J. Washburn-Moses, M. Washington, M. Whitson

**Guests in Attendance:** J. Bloch, M. Cecil, G. Hiles, S. Kim, P. McCartney

**Members Not in Attendance:** S. Alexander, K. Ankem, B. Green, L. Manchise, I. Saad, H. Schellhas

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1. Call to Order
  - a) The meeting was called to order at 3:18pm.
2. Adoption of the Agenda
  - a) The agenda was adopted as distributed.
3. Approval of the minutes
  - a) September 1 meeting minutes were adopted with a minor correction regarding the nepotism policy (section 8. K).
  - b) September 15 meeting minutes were adopted as distributed.
4. Chair's Report and Announcements

From the Chair:

- a) September Faculty Senate meeting
  - There was a presentation by Alyssa Mathews and Madison Garrott regarding Observer Access in Canvas for athletics advisors. Advisors would like to have observer access to the courses that athletes are enrolled in. They would be able to access the student athlete's grades as well as the course announcements, modules, syllabus, and unlocked files. Would ALL advisors like to have this kind of access? Should faculty instructors have the option to opt out (automatic opt-in), or should the default option be opt-in?

-- Senators discussed a proposed change to the Faculty Senate constitution that would grant part-time faculty representation on Senate. The issue is controversial. Several questions were raised (e.g., Who would they represent: their department or part-time faculty? Are their interests at odds with those of

full-time faculty?) There was also recognition that some issues that are brought before the Senate (e.g., grade submission deadlines in 7-week courses) would be of interest to part-time faculty.

-- President Vaidya stated that enrollment is lower than expected. Institutional aid is in excess of benchmarks. Instructional costs have risen more rapidly than revenues. Fewer high school graduates in KY are going to college (reduced from 55% to 50%).

-- Of the three pillars in Success by Design, the university was laser-focused on retention and career-readiness. We may not have devoted enough effort to access. We are competing with other institutions for students.

-- The president takes responsibility for the fact that access and enrollment these past few years was not what it should have been.

-- Provost Cecil indicated that enrollment is down about 3%. The Office of Financial Aid was unprepared for the number of students who had arrived without having completed a FAFSA. Many students dropped during the first two weeks of the semester.

-- Students are applying to more schools now (waived application fees, test optional policies). More students are seeking employment out of high school. We need to market ourselves better (this region is growing, campus is safe). Marketing needs to be targeted and strategic: who are the students we want to attract? Adult learners need a certain set of courses and certain skills.

b) A financial and strategic update (October 6):

-- The gist is that the university has an \$18.7 million budget shortfall. \$5 million of the shortfall is due to lower than expected enrollment, \$8 million stems from excesses in institutional financial aid, \$5.7 million comes from unbudgeted recurring expenditures. There will be reductions in spending over the next two and a half years. Instructional costs will be cut by \$6.7 million. Deans will be expected to reduce costs by \$4.1 million over 3 fiscal years. There will be an additional \$2.4 million cut from academic functions. This includes reductions in administrative support and reorganizing support units—including Steely Library—into one unit. Faculty will lose their jobs.

-- More details:

There will be a separation incentive plan proposed to the Board of Regents in November. If approved, the administration will put out a proposal. They will make offers to those who apply. This is a budget-enhancing plan.

Class sections are likely to become larger. There may be fewer sections of the same course. There may be investment in degree programs that are growing.

Regarding curriculum, there is likely to be an emphasis on stackable certificates. For example, maybe several courses can be grouped together to form a certificate. Students may acquire multiple certificates. Argument: Fewer jobs require a Bachelor's degree today than five years ago. But students still need to develop critical thinking skills. Adult learners want stackable certificates. Should general education courses be project-based? Competency-based?

Faculty Regent Michael Baranowski stated that the Board is asking tough questions about how we ended up with an \$18 million shortfall. There will be an accounting. He suggested that the persons who caused the problem are no longer at NKU.

The Statement on Collegial Governance reminds us that good faith consultation prior to decision making leads to less adversarial relationships between faculty and administrators. The Provost has made himself available on Fridays for lunches (open slots 11/4, 11/18, 12/2, 12/9). There are numerous campus financial update meetings (open slots now through 11/7). The President suggests this will be handled much like the Success by Design process, the exit from KERS, and the 5 by 5 compensation plan – where multiple voices led to a satisfactory outcome.

#### DISCUSSION:

-- We need to add specific agenda items to PCC's next meeting to address specific ways Senate should be responding to the budget crisis.

-- It is important to note the Statement on Collegial Governance. The budget meeting and Provost lunches are not a part of collegial governance, they are attacks on collegial governance. Collegial Governance happens through faculty bodies, not meetings with individual faculty members in which administrators listen selectively and the ideas selected by administrators are called input from the faculty. Collegial Governance is when the faculty votes and the administration has to specifically respond to the items approved by faculty vote. Success by Design was not an example of shared governance and the KERS exit was not subject to shared governance. The faculty need to bring proposals up through PCC to Senate for a vote. Don't talk about cuts to athletics -- instead, vote on a cut to athletics in Senate. The faculty needs to not accept procedure that attempts to limit input from faculty bodies.

-- In the chat: "I agree..." and "Thanks!"

-- Question about increased class sizes. Will that be across the board 25-30? This requires faculty input.

-- Provost: there is no across the board decision. This should be left up to deans,

chairs, faculty, and staff to figure out what student needs are.

-- Many people are under the impression that decisions have already been made, that we will do away with chairs, replace chairs with deans, and reorganize into schools. If this is true, why would we consider getting rid of chairs and not deans? Chairs are immersed in programs.

-- Provost: There is no plan to eliminate chairs. There is too little savings moving from departments to schools. The change needs to be organic and collaborative. Reducing deans is a possibility. Spending on administration has increased and it needs to be reduced.

-- Comment on the statement that "there would be investment in degree programs that are growing." These are code words for bad stewardship of the university. This means following fads and letting valuable programs dissipate. This thinking leads to lower enrollment. UK, UofL, and UC all increased enrollment. We are telling students who want conventional majors to go elsewhere because we specialize in trendy majors. The faculty need to work through collegial processes and vote to prevent valuable programs from being undermined. Administrative thinking over the past 3-4 years has not worked out well and these are the years the faculty voice has been most marginalized.

-- In the Chat: "Branding NKU as providing great opportunity for academically well prepared students is important going forward."

-- These have also been years of increasing disengagement and fragmentation.

-- Faculty feel they are not being heard. Faculty are not here for money (no real raises in 20 years, students graduating make more money than their professors). Faculty are concerned now than ever.

-- Faculty did not feel heard at recent listening session (President and Provost not in attendance for this particular meeting). Felt insulting, a waste of time. Felt like decisions had already been made. Why speak up if nothing changes and you make yourself a target?

-- In the Chat: "I was at the same meeting."

-- It is not Collegial Governance for the administrators to take ideas from the faculty in listening sessions to the board of regents. Faculty need to vote on the ideas going to the administrators.

-- Provost: "I am listening." Talking to Senate President about how to take these issues though Senate.

-- Learning Commons – the library's physical infrastructure is not capable of supporting relocated programs. Concerns that relocation will happen without necessary investment in infrastructure.

-- Provost: There will be a faculty group to define the Academic Commons. There will be a capital request next January (1/2024) to remodel the library and update infrastructure. Faculty, staff, and students will be involved in those discussions. Ideas by 3/2023, talk to Staff Congress and Faculty Senate, to BoR 6/2023. Nothing will be moved into the library until the building is ready. Administrative and supervisory structures can be changed in the meantime.

- How can these voices be formalized through PCC?
- PCC Chair will talk to Senate President to coordinate agendas.
- Concerns about morale. Senior faculty say they have never been this worried. We need to hear reassurances.
- Provost: Toxic positivity is also bad. There will be disruptions to campus. The discussion needs to be real. We will solve this problem but it's difficult work. People deserve to be mad. People will lose their jobs.
- Looking at this budget, it is clear the faculty are not seen as resources to be cultivated, they are seen as costs to be minimized.
- In the Chat: "Has there been out-reach to students who left NKU in the first two weeks to see what drove their decisions?"
- In the Chat: "An issues of concern is that because of the emphasis on short term certifications, faculty are wondering if NKU is shifting from a focus on education to training."
- The administration costs more than the faculty but the cuts are looking at faculty. Administrative cuts should have been the first thing considered.
- Provost: "Administrative cuts were the first bullet point on my list."

5. Voting item: Shall we include language in the Faculty Handbook that explicitly states that conversations between faculty members and the Faculty Advocate regarding reappointment, promotion, and tenure matters, performance review, and grievances are confidential?

#### BACKGROUND:

The Faculty Advocate is present in this meeting. There is a statement in the Senate Constitution that conversation with the Faculty Advocate will remain confidential. However, faculty with concerns will consult that Handbook, not the Constitution. In the previous PCC meeting, it was agreed language would be drafted for the Handbook and placed in the three locations: RPT (Section 3), PR (Section 8), and grievances (Section 14).

#### DISCUSSION:

- MOTION (M. Whitson), SECOND (W. Herzog) "Include statements of confidentiality on conversations with that faculty advocate in the sections of the Handbook that address RPT, PR, and grievances."
- What does confidentiality mean? Can records be subpoenaed? Are faculty really protected?
- Faculty Advocate: This issue has never come up. Doubt it will.
- K. Katkin (Chase Law): Unlikely this problem will come up. There is no recognized legal privilege for Faculty Advocate communications but it is difficult to imagine civil litigations based on conversations between a faculty member and the Faculty Advocate.
- This revision isn't a change in policy, it's only informational. The entire section on the Faculty Advocate in the Constitution (Section VII.L) should be added to the three named sections of the Handbook.

-- Posted in the Chat:

“ART VII.L. The following duties shall be the specific responsibility of the Faculty Advocate:

- 1) He or she shall provide assistance in resolving faculty complaints and concerns.
- 2) He or she shall consult with faculty from each department and school on campus throughout the year in order to better understand faculty concerns. These consultations shall remain confidential unless faculty agree to waive confidentiality.
- 3) He or she shall make policy recommendations to the Executive Committee as appropriate, while at all times maintaining the confidentiality of his or her interactions with individual faculty, unless faculty agree to waive confidentiality.
- 4) He or she shall meet with appropriate administrators as needed.”

-- The proposed revision provides a link to the appropriate section of the Senate Constitution. There is a current revision of the Senate Constitution before Senate, we don't want to address this as a Handbook issue again after the current proposed sections are approved.

-- VOTE: “Do you approve the proposed changes as amended, replace section I with section L, in sections 3, 8, and 14 of the Faculty Handbook that address the confidentiality of conversations between faculty and the Faculty Advocate.” Passed unanimously by voice vote.

ACTION:

-- KF will try to add this to the October or November Senate agenda.

6. Voting item: Shall a person not be permitted to serve on an RPT committee if their spouse or domestic partner is submitting a dossier for reappointment, promotion, or tenure?

BACKGROUND:

Section 3.2 proposed language: “Family members, spouses, or domestic partners of faculty under review may not participate at any level in the RPT process including as a committee member. If a faculty member is unable to serve after being selected to serve on a departmental or school committee, the chair or school director will be responsible for selecting a replacement.”

DISCUSSION:

-- MOTION (J. Herman) SECOND (P. Hare) “Include that language in the Faculty Handbook, we can amend it as needed.”

-- What would be the process if it's at the dean or chair level? Would there be a replacement or would we skip a level?

-- Do we need specific language for this process?

-- Is anyone in this situation now? (unknown, probably not)

-- We should slow this down a month to address this. Suggestion: If someone at any level becomes ineligible, the person one level up should choose a replacement.

**ACTION:**

K. Fuegen will draft some language, get input from K. Katkin, and bring the result back to PCC.

7. Discussion item: In combined departments with only one tenure-line faculty in a given discipline, shall RPT committees be required to include one or more members from other departments?

**BACKGROUND:**

Currently we require everyone be evaluated by faculty within their departments. If there is an insufficient number, faculty from another department or school can be invited to serve. Are we comfortable with faculty being evaluated by faculty outside their discipline but within their department? Or do we want to change the requirement of committee membership to require one or more faculty from other departments who share the same discipline?

**DISCUSSION:**

- Can faculty request an outside evaluator?
- In this particular case, there are enough tenured faculty in the department (5), just not in the discipline, so no outside evaluator is allowed by the current Handbook.
- It should be allowed if the candidate wants it and the committee agrees to it. It should not be up to the candidate alone to prevent cherry picking committee members. It should be reasonable for a candidate to ask for committee members from their discipline. Anything that works for both the candidate and committee should be fine.
- The Handbook says there can be committee members external to the university. Just change the wording to add "or department."
- In the Chat: "Departmental coauthors, for example, are easily allowed on committees while coauthors from outside the dept. are not allowed."

**ACTION:**

This discussion will continue in an upcoming meeting.

8. Adjournment (4:35pm)

Submitted,  
M. Providenti, Secretary