

Professional Concerns Committee

Minutes for October 19, 2023

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

Members in Attendance: S. Alexander, T. Anderson, K. Ankem, R. Brice, K. Fuegen, R. Gall, J. Gilbert, P. Hare, K. Katkin, J. Mader-Meersman, A. Miller, M. Nakamura, J. Nolan, T. O’Callaghan, M. Providenti, H. Riffe, I. Saad, J. Washburn-Moses, M. Washington, M. Whitson, M. Zacate

Guests in Attendance: J. Bloch, M. Cecil, J. Farrar, G. Hiles, K. Horine, S. Kim, A. Lipping, R. McDade, S. Sloan, J. Vest

Members Not in Attendance: W. Darnell, L. Manchise, B. Russ, J. Sanburg, K. Sander

1. Call to Order, Adoption of the Agenda
 - The meeting was called to order at 3:16pm.
 - The agenda was approved as distributed.
2. Approval of the minutes from the October 5 meeting
 - The minutes from the October 5 meeting were approved with the following amendments:
 - 1. Pg 4: “Currently, NTTs can be let go...” changed to “Currently, NTTRs can be let go...”
 - 2. Pg 2. “Support for proposal from SOTA” changed to “Support for proposal from Art and Design.”
 - 3. Pg 2 “School of Kinesiology, Counseling & Rehab Science supports the proposal” changed to “Representative from School of Kinesiology, Counseling & Rehab Sciences supports the proposal.”
 - 4. Pg 4. “One PCC member cannot support the proposal without another section addressing non-teaching NTTRs” changed to “One PCC member cannot support the proposal without another section addressing the evaluation of NTT faculty.”
3. Chair’s Report and Announcements
 - The faculty regent is departing in December. The Faculty Senate Elections Committee met to determine when and how a new regent ought to be elected. They decided to hold an election this semester to fill the vacancy (term: January 1 through June 30, 2024). There will be a separate election next spring for the regular term (3 years; beginning on July 1, 2024). Nominations to fill the vacancy are being accepted until November 1. It is anticipated that there will be an open forum with faculty regent candidates on November 17. Voting would take place in late November. This is a six-month appointment.

- The policy on policies workgroup (J. Bloch, J. Farrar, K. Fuegen, G. Garber, K. Katkin) met to discuss the way the university approves policies. There was general agreement that the current process creates confusion and is unnecessarily complicated. We are working toward creating a new policy process that is transparent, efficient, and honors collegial governance. The proposal we are considering would exempt Faculty Handbook policies, as well as those of Staff Congress and SGA.
- The KY CPE has proposed reducing performance-based funding from \$97 million to \$27 million in its recommendation to the legislature. Instead, they are recommending an increase in base funding. This is a concern for NKU, because we receive \$750 less per student than other regional public institutions. An increase in base funding at the expense of performance funding would exacerbate inequity across the Kentucky institutions. John Farrar is writing an op-ed letter to convey his concerns.

4. Discussion item: contract renegotiation with Academic Partnerships

BACKGROUND:

- The process of renewing the AP contract is going through the collegial governance process. There will be a presentation at Faculty Senate on 10/30/2023 during which the Provost will discuss the contract renegotiation with AP. The contract renewal appears to be not an “if” but a “how.” Faculty well-being is the main concern. How have the recommendations made by PCC and approved by Faculty Senate last spring affected the renegotiation process?

DISCUSSION:

- The Provost thanked PCC for its work on AP. The most common comment during last spring’s listening sessions: negotiate contract with AP. NKU is already a preferred partner (50% tuition share for preferred, 70% for not-preferred). NKU is AP’s 4th largest partner. Prior to last year, AP showed no interest in renegotiating. B. Brown, J. Alltop, and M. Cecil met with AP’s CEO, CFO, and president and they are now negotiating. They offered to lower their share to 47% and shared more information about their business. OPMs were authorized by a change in the Federal Higher Education Act in 2011. Concerns have been raised by Congress about the fairness of OPM contracts. Our AP partner was purchased by a private equity group. In FY23 NKU shared \$18M and AP’s direct marketing costs were \$10M. AP’s direct cost to acquire an NKU student is \$3800. AP’s profit margin has been 10-12%. The 3% share return for mature programs will cut AP’s profit by about a third. NKU countered the offer: 1) shrink share of mature programs more, if we add \$5M to our payment to AP, their share goes to 44%; 2) new programs (where most of AP’s costs are) start with 50% margin, as business goes up, AP’s share goes down 1% as we approach \$25M in payments; 3) invest in process improvement on campus. NKU asked for 3 years of \$100K for process improvement, AP agreed to do this every year (starting in January). Right

now NKU pays AP even if a student does not pay NKU – AP has agreed to split this and share the burden.

- Why does NKU pay AP for students who do not pay us?
 - Provost: That was in the original agreement. It is not a large amount of money.
- Provost: With these contract changes NKU should see an additional \$38-40M (cumulative) over the next 5 years. Also, increased revenue due to 12 new programs and an additional 1000-1500 students over the next 5 years [Note: the document shared by the Provost after the meeting states there are 13 new programs beginning in fall 2024]. These are our projections. AP is also sharing their projections with us.
- Provost: NKU told AP we wanted some programs out. There is a list of 13 programs to remove. However, none of those 13 programs want to be removed.
- That does not include Social Work.
 - Provost: There will be a meeting with Social Work to crunch the numbers, it could be a program that is pulled out.
- Provost: Also asked for more robust exit clause in the event of changes with OPMs or AP's finances. G. Garber wrote the clause. AP asked for an extension of 8 additional years, NKU countered with 5, AP agreed. The new end date would be 2031.
- Provost: the 47% share would start in January, 1 2024. This would mean a \$1M reduction in NKU's expenses for spring and summer.
- What does AP cost us per year?
 - Provost: we will be paying less. We get \$40M in revenue and have a \$20M expense. In the spring, the expense would go down \$1M.
- The initial PCC/Senate recommendation on AP said there should be an analysis of every AP program to determine how many students need to be enrolled to generate revenue. Was there such an analysis?
 - Provost: The revenue doesn't work that way – it all goes in the general fund. There is a mix of faculty teaching AP and non-AP.
 - Is there a spreadsheet?
 - Provost: We have to take all the money coming in from AP, parse all the faculty workloads related to AP which change every seven weeks, to determine costs. This is not simple. What other costs are related to this? Count university overhead against this? Some part-timers are not university employees. Count the cost of the library against the part-timers? Admin salaries? The accounting looks at the university as a whole.
 - It is difficult to determine the precise costs because judgement calls are made about what is and isn't counted regarding costs to the university.
 - Provost: Yes, that's correct. AP programs don't have physical locations but NKU does and has to pay for them.

- Can we negotiate the students who come to NKU as traditional students and then move into the online program? NKU pays half the tuition for those students. If AP does nothing to recruit the student, why are we still paying AP?
 - Provost: The new AP contract is not finalized. That issue hasn't been but can be raised.
 - "Most of us wanted the contract to end" but admins wanted to renegotiate. Many faculty don't want to leave AP only because the contract has been renegotiated and there is concern that removing a program could lead to a push to end those 7 week classes.
 - Provost: How would we identify those students not recruited by AP? There are 5000 AP students.
 - Any student that started as a traditional NKU student.
- Provost: There is a document that summarizes what has just been presented. That document will be shared.
- There is concern in PCC/Senate recommendations about perceived high pressure tactics to admit students who are unprepared, to weaken curriculum, to push students through. Can the faculty be assured with this new revenue share we won't see those high-pressure tactics anymore?
 - Provost: Where is the pressure coming from?
 - Sam Langley.
 - Provost: If people are being pressured to lower standards, please let the Provost know. This is unacceptable. This needs to be a systematized way to communicate these concerns. Could we create an advisory group around the AP, AOL catalog? A place where people could safely voice concerns (e.g. in the case of adjuncts) which could be elevated to the administration. There was a lot of pressure in 2017-18 to put these programs together without resources – some of this complaint could be due to that.
 - Isn't there only one designated person who can speak to AP about faculty issues and concerns?
 - Provost: The designated person is Sam Langley. We need to provide a system for faculty to raise concerns.
- What if AP is bought out or goes bankrupt in the next few years? Could they make cuts that would negatively affect us?
 - Provost: We think that is unlikely. The private equity group also owns Canvas (possibly) and other big names. We investigated, we think they are solid, and we have an exit clause.
 - Is the exit university or program?
 - Provost: Can always remove programs at any time with an MOU with AP at any time.
 - Don't we have to stay through the contract and then teach out?
 - Provost: We would have to teach out anyone in a program by a certain date. But that certain date is not necessarily the end of the contract.

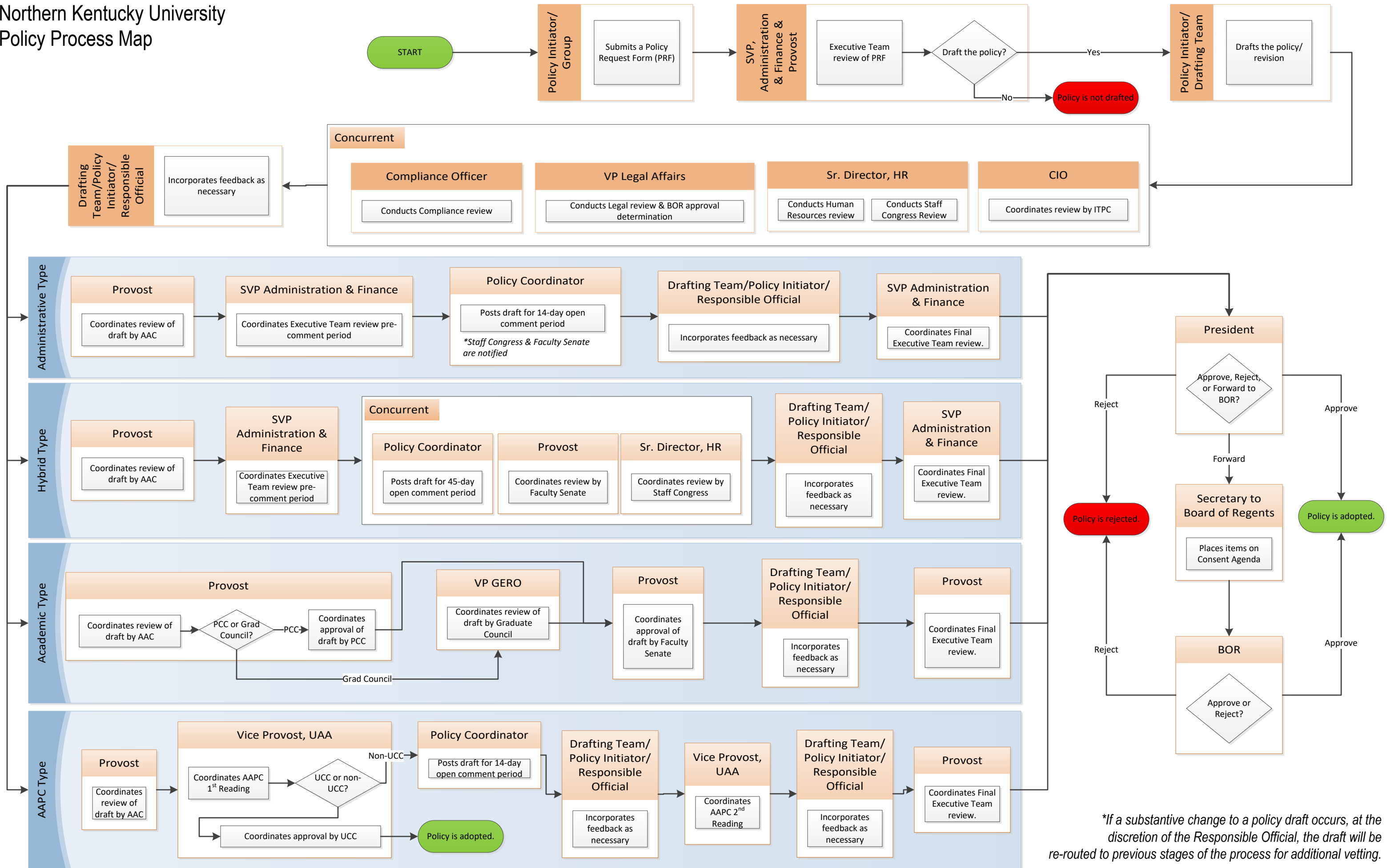
- What about leveling the playing field? For Social Work, it's cheaper to enroll in AP. AP undercuts NKU's program by about \$100/credit hour.
 - Provost: NKU worked with AP to set tuition according to market rates to enroll as many students as possible.
 - Social Work would make money at 100% on a level playing field. For decades Social Work made money, but not now.
 - Provost: Suggestion to sit down and look at numbers with Social Work and Criminal Justice.
 - We are cannibalizing our own programs.
 - Provost: That might be true in some cases. But students are choosing a modality.
 - That would be fine on a level playing field. There is concern we are not putting out a good product.
 - Provost: there are currently 177 students in the AOL Social Work program.
 - Probably 150 of them would have been hybrid.
- In the PCC/Senate recommendation there was a push for program directors and school directors to be part of the conversation with the administration prior to the contact finalization.
 - Provost: We hadn't expected movement on the contract, we got a better deal than we expected, and we pushed forward without stopping to consult along the way. Apologies. Any program can be removed through an MOU at any time. However, there is a significant risk to programs exiting AP. If you go from 177 students to 100....
 - But at 100% tuition, we only need half the students.
 - Provost: Remember, we discount traditional students about 40%. With fewer students, we have to decrease instructional costs.
- AP will provide an additional \$100K per year for the next 8 years for process improvement. Can you elaborate?
 - Provost: We were thinking a Slate expert – the software we have and need it to be customized to our needs. Slate experts have been hired in admissions. Maybe we need a financial aid expert. Generally, process improvement means hiring additional staff.
- In 2016-17 AP said they would double enrollment but that didn't happen. Is there any accountability for AP not fulfilling projections to grow programs?
 - Provost: Health Science *should be* a high growth program. Generally, AP is not as good with non-Health, non-Business, and non-Education programs. But the markets for student interests shift over time. The last year has seen soft interest in Nursing programs. AP puts marketing dollars where they think there are students. Accountability has been raised. There are quarterly meetings with AP. AP is now sharing their projections with us.
 - When NKU has a deficit, we make a cut. But the accountability for AP is that we have a discussion.

- Provost: NKU can't tell AP where to put their marketing dollars.
- AP doesn't appear to have any monetary consequence.
- Provost: They don't. But they are a for-profit company. They benefit from increasing revenues.
- Should there be something in the contract as a consequence if they don't meet their projections?
- Provost: No OPM works that way. But they should.
- AP is paid per student – they don't get paid if there are empty seats. There is a natural consequence.
- Provost: If they aren't seeing students in a program, they aren't going to market the program.
- If they don't market, they don't see the students. Chicken or egg?
- Is AP trying to help figure out why enrollment might be decreasing in a program?
- Provost: It would be nice if OPMs would share data on why programs declined but that's not how they work. Not working with an OPM would take \$20M in revenue away from the university. We cannot do these online programs without AP. We do not have the strategy and marketing expertise to run online programs.
- If we could go back in time and renegotiate and have all the information we would want, what would that information be?
 - Provost: Detailed marketing information per program. What are they spending to market Social Work. We don't know. Are there other options? There are other OPM-lites where they do the pipeline marketing - you pay once when students matriculate and build infrastructure. But that still takes a lot of start-up money. I would separate the economic systems and keep AP separate from on campus – that would help us to make decisions about programs. AOL programs significantly contribute to two performance metrics that are 70% of performance funding: graduations, credit hours completed, etc. Some programs are doing really well and others not so much.
- Criminal Justice department was told that AP does not advertise programs outside Business and Nursing. Advertising for other programs is lumped together. We could do that marketing ourselves. AP was asked to advertise Criminal Justice to police departments but they said they cannot do that. Most potential students are corrections officials and police officers seeking promotions.
 - Provost: AP has "verticals," clusters of related programs that work as funnels. It's complicated and it is always changing. The issue will be raised with AP.
- AP's scope and boundary is the US, not international. There is a large international potential.

- Provost: AP's focus is the US. Most AP students come from a 100 mile radius. NKU does have some international programs going, e.g. there is a cybersecurity program with Georgia.
 - So we could switch from AP to our own online program?
 - Provost: If we did we wouldn't have 2200 MSN students.
 - We need a list of what AP does for programs. AP doesn't do anything for Social Work.
 - What AP does to market specific programs needs to be part of the regular conversation with AP.
5. Unfinished business: Discussion of proposed changes to Faculty Handbook policies 1.3 (Full-time non-tenure-track renewable faculty) and 1.4 (Full-time non-tenure-track temporary faculty)
- Tabled until November 2 meeting
6. Future Business
- No future business at this time.
 - A member asked to correct a statement from the last meeting regarding support for the proposal for NTT faculty if there is a separate section. The support is for the titles but not for the contracts. Reasons: contracts would be bad for tenure-track, tenured faculty, and some lecturers. If there are 2-3 year contracts, cuts will be made according to likes/dislikes and social capital.
7. Adjournment (4:31pm)

Submitted,
M. Providenti, Secretary

Northern Kentucky University Policy Process Map



**If a substantive change to a policy draft occurs, at the discretion of the Responsible Official, the draft will be re-routed to previous stages of the process for additional vetting.*