Professional Concerns Committee
Minutes for February 15, 2024

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


Members Not in Attendance:  L. Manchise, I. Saad, J. Sanburg

1. Call to Order, Adoption of the Agenda
   • The meeting was called to order at 3:16pm.
2. Approval of the minutes from the February 1, 2024 meeting
   • The February 1 minutes were adopted.
     o The date of the minutes approved in item #2 of the 2/1/24 minutes was corrected to 1/18/2024.
3. Chair’s Report and Announcements
   • The executive committee met on Monday. Ryan Padgett provided a brief presentation on the transition to direct admissions at NKU. Direct admission means that a college makes an offer of admission before a student has applied. If a high school senior meets the minimum GPA requirement, they are automatically admitted. Students within 100 miles of NKU will be targeted. Application fees will be waived. Direct admissions will be phased in this fall. There were questions from the executive committee about which students will be targeted, and the effect of direct admissions on in-person recruitment in high schools and financial aid timelines.
   • The executive committee also reviewed a proposal for changes to Faculty Senate representation. Last spring, a working group of the Faculty Senate was formed to study and make recommendations for representation of schools. A proposal was distributed to Senators on February 14. The proposal introduces the opportunity for schools and departments with many faculty members to be represented by more than one Senator. Senators will discuss the proposal during the next Senate meeting, February 26.
     • Our next meeting is on March 21
4. Reports from special committees
• K. Fuegen reported on the Grievances subcommittee. The subcommittee will be meeting soon to suggest revisions to the grievances policy. Up to this point the committee has been gathering input.

5. Unfinished business: Discussion of higher education bills under consideration in the Kentucky legislature

- House Bill 9 (diversity, equity, and inclusion):
- House Bill 228 (performance evaluation of faculty):
  [https://apps.legislature.ky.gov/record/24rs/hb228.html](https://apps.legislature.ky.gov/record/24rs/hb228.html)
- Senate Bill 6 (divisive concepts):

**BACKGROUND:**
SB6 was approved on Tuesday with a substitution. “Divisive concepts” was replaced with “discriminatory concepts.” An example of a “discriminatory concept” would be the suggestion that one race or sex is inherently inferior or superior to another race or sex. There are several other examples (see the link above). SB6 would still need to be reconciled with HB9.

**DISCUSSION:**
- The work of the legislature needs to be completed by April 15.
- HB9 has the word “emergency” attached. What does that mean? Answer: This means the bill would go into effect immediately after passage rather than waiting 90 days after the end of the legislative session.
- President Short-Thompson provided an email address, president@nku.edu, to share concerns with her. There is a list of people question and concerns can be directed to which include President Short-Thompson, Provost McGill, Eric Gentry, Jenny Sand, Senate President Farrar, and Faculty Regent Spataro.
- There is a part of SB6 that reads:
  (5) If a public postsecondary education institution employs or contracts an individual whose primary duties include diversity initiatives, then:
  (a) The individual's duties shall include efforts to strengthen and increase intellectual diversity among the students and faculty of the public postsecondary education institution at which they are employed; and
  (b) At least fifty percent (50%) of the individual's duties shall be allocated to mentoring and providing academic coaching and related learning support activities necessary for the academic success of students who are eligible to receive a federal Pell grant. An institution shall document the allocation of the duties of each individual whose primary duties include diversity initiatives to ensure compliance with this paragraph.
  [....]
  (7) Nothing in this section shall be interpreted to:
  (a) Prohibit public postsecondary education institutions from training students or
employees on the nondiscrimination requirements of federal or state law;
(b) Infringe on the rights of freedom of speech protected by the First Amendment to the Constitution of the United States or Section 3 of this Act;
(c) Infringe on the rights of academic freedom of faculty in public postsecondary education institutions; ....

- K. Katkin reports talking with G. Garber and agreeing that the best move forward is for the university to specifically define what falls within the scope of academic freedom.
- It is difficult to react when the text of the bill is rapidly changing. We can contact our representatives. [Do not use your NKU email.]
- The numbers on the bills do not represent a bill’s priority. Any bill can come up for a vote when party leadership decides.

6. Unfinished business: Discussion of meaning of academic freedom at NKU

BACKGROUND:
The policy is in the Handbook 16.3. A PCC member has brought forth the suggestion that the Academic Freedom statement explicitly state that “faculty members have the right of freedom to participate as responsible citizens in university affairs.”

DISCUSSION:
- K. Ankem MOVED that we amend the Academic Freedom statement in the Handbook, section 16.3 to allow faculty the freedom to choose whether to participate in activities that are based on ideologies which is especially important to faculty who constitute a small percentage based on demographics.

    Continuing, the current statement in 16.3 “The University has an obligation to recognize and protect freedom of inquiry, teaching, and research in all facets of the academic community” was described as unclear. The suggestion is to replace that with “The University has an obligation to recognize and protect freedom of inquiry in teaching and research. Additionally, the university will recognize that faculty members are allowed freedom in participating as responsible members in all facets of the academic community.” This will cover teaching, research, and service.

- A member noted that service is covered in the ethical values statement which addresses the ethical value of participating in shared governance. A suggestion was made to align the Academic Freedom statement and Values and Ethical Responsibilities policy by using the same language.

    o Response: This is still limiting the statement to shared governance. The issue is faculty having to participate in activities related to ideologies.
    o K. Katkin: The justification for academic freedom is the search for truth which is not consistent with having ideologies. The search for truth should involve shedding ideologies.
Response: faculty members should have the freedom to participate in activities they want to participate in.

PCC member requests an example of an activity.

Response: For example, asking an applicant to write a DEI statement, a mandatory DEI training. DEI is an ideology.

K. Fuegen suggested looking at the statement on Academic Freedom in WKU’s Handbook: “II.C. Academic Freedom: The University subscribes to the following principles: (1) faculty members are entitled to freedom in the classroom in discussing their disciplines and in selecting teaching aids and library materials; (2) faculty members are entitled in their areas of specialization to freedom in research and investigation and in the publication of results; and (3) faculty members are entitled to freedom in participating as responsible citizens in community affairs.” The suggestion is to focus on item 3 of WKU’s statement. Is that a fair representation of representative Ankem’s perspective?

Response: Yes.

Question from member: Is that what the second paragraph of NKU’s statement already says? “The University recognizes that all faculty members are private persons and members of their respective learned professions. When they speak or write as private persons, they have the same rights and obligations as other private persons. Although faculty members are free, in public activities and statements, to identify their University affiliation, they have special obligations to be accurate, prudent, and respectful of others so that no false impression of University sponsorship or endorsement is created.”

Is this about outreach or participation?

Response: The concern in the motion is about participation. Does the university have the right to make DEI training mandatory?

Question: Is this an issue of academic freedom? Academic freedom would be the right to state a disagreeing opinion, not the right to not participate.

PCC member states that they couldn’t imagine someone being mandated by the university to do DEI training.

Response: In COI, it’s mandated in the APR forms.

- PCC member who participated in COI’s subcommittee that drafted the APR forms says this is not a mandate.
- Also noted that the COI’s APR is a college level policy, not a university policy.
- PCC member states that the DEI question is for data collection only, in the same way there are questions about experiential learning or working with Mayerson.
  - Response: there is a statement on the APR form that at least one activity is required.
ii. K. Fuegen: PCC is not looking at COI’s policy but rather at the Faculty Handbook 16.3. PCC does not have the privilege to tell COI faculty how to handle internal COI matters or policies created and agreed upon by COI faculty.

iii. Response: The request is to modify the statement on Academic Freedom so that it can be used to allow the faculty freedom to decide to participate or to not participate in these activities.

- K. Fuegen: The question for PCC: should we amend the statement on academic freedom to include a sentence to the effect that “the university has an obligation to recognize that faculty members have freedom in participating as responsible citizens in service activities.” If there is no additional discussion, this can be a voting item at the 3/21/24 PCC meeting.
  - PCC member suggests that language would create a problem for the functioning of the university if faculty could decline service activities that are assigned by a chair. For example, a chair might assign reviewing scholarship applications. If this motion goes forward, the language would need to be more targeted. Chairs need to be able to assign tasks.
  - PCC member suggests it is not a good time to make changes to the Academic Freedom policy considering a new policy will be drafted if the bills in the KY legislature pass.
  - Opinion that WKU’s policy seems clear, consider using it.
  - In the next meeting the PCC can vote on the motion, or the motion can be rescinded, or the PCC member making the motion could confer with other PCC members regarding the motion.
    - K. Ankem: Let’s move to a vote.

7. New business: Discussion of subcommittee draft of policies for full-time faculty with renewable and temporary appointments

BACKGROUND:
The PCC did not write a new NTT policy. This draft was developed in A&S. The Inclusive Excellence committee in A&S gathered survey data on faculty wellbeing in A&S. Job security for NTTs was a concern that emerged. The Inclusive Excellence committee in A&S decided to look at the policies regarding NTTR and NTTT faculty as a way to boost morale and belonging among NTT faculty and provide job security. This recommendation was shared with all the deans and the provost for feedback. There were focus groups in A&S with TT and NTT faculty. The feedback was incorporated into the proposal that came to PCC. In January 24, the proposal was referred to a PCC subcommittee. The proposal could be a voting item in March 2024.

DISCUSSION:
- Subcommittee Chair J. Wasburn-Moses: The A&S proposal was discussed in 4 or 5 PCC meeting prior to the subcommittee. In those meetings, the same concerns
were consistently shared. The subcommittee focused on (1) titles/ranks, (2) how many ranked levels, (3) oversight and promotion procedure, and (4) length of contracts. The new draft still does not fully address the concerns of the faculty.

- K. Fuegen: It is unlikely that there will be a draft that will satisfy all faculty concerns. However, we could fix unsatisfactory aspects and move forward with a policy that better describes the importance of NTT faculty.

- A PCC member questioned the use of title “instructor.” Is that title what people preferred? Isn’t “lecturer” preferred?
  - Response: The original language was “Teaching Professor.” “Lecturer” implies a limited pedagogical approach; instructor is a broader term. The term “instructor” appears in the Handbook but it appears to be unused in practice.
  - Provost: It’s a legacy term. J. Vest: In practice it is obsolete.
  - J. Vest: What is the argument behind lecturer (to lecture), instructor (to instruct), or professor (to profess) and the justification for not using the recommended terms?
  - Response: There was concern about using “professor” for faculty without terminal degrees.
  - PCC member recalls concerns about the title “professor” being used without the rigor of the RPT process. Adding “teaching” to the title implies that teaching is not a focus for tenure-track faculty. This is a teaching institution.
  - The representative from Media & Communication read feedback from NTT and TT faculty in that department: [See addendum below]

- T. O’Callaghan: From the perspective of teaching historical linguistics, names matter. Suggestion to talk about titles with colleagues in our departments. What titles are used at other universities? A problem at NKU is that we don’t do things the way other institutions do. In a way, the names matter more than anything else.

- PCC member: The subcommittee did look at benchmarks in KY and elsewhere. “Instructor” is commonly used. “Lecturer” is often a lower rank than instructor. These are different contract types and the positions need to be defined by how they differ. We need to address the culture at NKU to address the issue of people feeling valued.

- CHHS representative reports using the title “Clinical Assistant Professor.” The problem is in the promotion process. Lecturer has a path of promotion, but Clinical Assistant Professor does not have a path. If titles are changed, will there be a promotion process?
  - Suggestion that the problem needs to be addressed in Handbook 1.7.
  - J. Vest: Offered clarification that section 1.7 places the onus on the school or department to define a promotion path. CUPA HR data define NTT faculty as Teaching Instructor/Lecturer, Teaching Assistant Professor, Teaching Associate Professor, and Teaching...
Professor with salaries corresponding to those levels. NKU uses that data.

- Question for CHHS representative: Is there a difference between Clinical faculty and professor of practice in CHHS? Answer: Not necessarily. They prefer Professor of Practice. Could we agree to one name and promotion process for NTT ranks across the university?

- PCC member suggests using “Professor of Practice/Teaching Professor” in the Handbook. The criteria are the same so they can be defined together. Teaching Professor, Professor of Teaching?

- T. O'Callaghan: The issue is the impact of names. Names have a huge impact on how people feel about their job. Many faculty involved in this discussion are not NTTs and we should be aware of that.

- A guest asked there is data on the number of NTTR, NTTT who are teaching without a terminal degree? In Theatre and Dance all NTTs have terminal degrees.
  - The representative from English responds that there are many M.A.s teaching ENG 101.
  - Provost: The numbers by department/discipline vary. The data could be collected.
  - Representative from Computing and Analytics indicates NTTs in their department do not have terminal degrees which is a problem if the title “Teaching Professor” is used since it suggests a terminal degree. Only a few master’s degrees are terminal.
    - NKU has Clinical Professors and Professors of Practice without terminal degrees.
    - Response: The terms “clinical” and “of practice” change the meaning of the title. But TTs with terminal degrees also teach. Suggestion to use a different, unspecified, term.

- The Handbook requires significant professional experience to be a professor of practice. In Media and Communication and other fields, professional experience is teaching. Some NTTs have been teaching a long time but cannot apply to be professors of practice because they lack professional experience.

- A PCC member presented the opinion of not liking the creation of Clinical Professor and Professor of Practice ranks. It normalizes a shift away from TT lines. The university should hire TT faculty to handle most of the faculty workload. NTT faculty should be hired to fill in gaps on a temporary basis. It was explicitly stated this is not an anti-NTT position but a reluctance to move forward with the proposal that could normalize the reduction of TT lines.
• One member agrees with this position and stated that academic freedom is attached to tenure.
  o The PCC member from Computing and Analytics stated the opinion that the percentage of NTT faculty substantially increased last year.
  o Representative from Biology reports department in favor of respectful titles for NTTs. Suggestion to use “instructor” title for NTTs without terminal degree and use assistant, associate, and full for those with terminal degrees.
  o A guest states that the Adjunct Professor title is already being used for NTTs.
    ▪ J. Vest: The term “adjunct” is used in common parlance but it is not an official rank currently in use in the Handbook. The Handbook terminology in use is part-time faculty.
  o Suggestion that using different titles for different degrees could be counterproductive if the goal of the proposal is to improve morale.
  o A guest from Biology states that NTTs with non-terminal degrees do the same work as those with terminal degrees. If the titles change, will we also be changing the workload? The trend is away from tenure-track positions. TT faculty should support NTTs who in turn would support TTs. A search for the title “assistant instructor” on Indeed.com only locates jobs at the YMCA and Planet Fitness.
    ▪ PCC member states that better titles for NTTs on their CVs would help them more toward TT lines, if not here, at other universities. An example was given of another university using the title “Visiting Assistant Professor” for NTTs. Students already call NTTs “Professor.”
  o A PCC member stated NKU’s wellbeing is important too. TT lines are the life-blood of the university. NTT faculty support TT faculty. We shouldn’t give titles just to make someone “feel better.”
    ▪ A guest to PCC rebutted the statement that NTT faculty work in the service of TT faculty. NTTs teach, do service, and mentor students.
  o Suggestion from PCC member to discuss the sticking points with our department colleagues. There is a sense of broad support for the overall goal of the proposal but disagreement about details. Try to get a sense from your departments for what we can agree upon.

8. Future Business: faculty workload policy

BACKGROUND:
The workload policy sets a maximum for TT-lines only. There is no maximum workload for NTTs. PCC needs to discuss the maximum workload for NTTs, should it be the same as TTs, and what constitutes workload including research and creative activities and service.

9. Adjournment (4:40pm)

Submitted,
M. Providenti, Secretary

Addendum:

*These comments were read to the PCC on 2/15/2024 by the representative from Media & Communication:*

1. Changing their job title to instructor feels as if their work is being minimized. An instructor of record title does not acknowledge their contributions to curriculum development, assessment, and service to the school, college, and university. Seems like it applies more to an adjunct role/ part-time/ teaching assistant level.
   a. - the term professor or lecturer is preferred and I have been provided with some names and examples of non-tenured persons, without PhDs holding the title “Educator Professor” at UC.
   b. - another recommendation was to consult CUPA to align with industry standards in job descriptions/titles.
2. The handbook changes seem aimed at making sure that NTT/Rs know that they are not tenure-track/tenure.
3. The review process puts additional work/burden on lecturers/instructors such as submitting a letter of evidence of effectiveness, when the current process (at least in our college) has been that the chair submits that letter based on their performance reviews.
4. There is also concern that these proposed changes have not been widely circulated through different schools and colleges and that individual PCC members may vote and influence the vote of these changes on behalf of the school/college based on their own beliefs.
5. Firm deadlines about when renewal decisions should be made was appreciated, as long as those policies are followed.

As a whole, our lecturers want titles that are dignified and appropriate to the scope of their work and value at NKU. Their feedback also makes clear that they do not feel that the process for recognition and advancement should not put greater burden on the individual, especially when there is no guarantee of compensation or more protection.

End of Addendum
16.3. ACADEMIC FREEDOM
Northern Kentucky University strongly adheres to the long-standing tradition and practice of academic freedom. In order for the University to fulfill its mission and be of service to society, the recognition of the free search for truth and its free expression is paramount. The University has an obligation to recognize and protect freedom of inquiry, teaching, and research in all facets of the academic community. The right of academic freedom will be the right of every faculty member.

The University recognizes that all faculty members are private persons and members of their respective learned professions. When they speak or write as private persons, they have the same rights and obligations as other private persons. Although faculty members are free, in public activities and statements, to identify their University affiliation, they have special obligations to be accurate, prudent, and respectful of others so that no false impression of University sponsorship or endorsement is created.

While the University will vigorously defend the concept of academic freedom, no special immunity from the law will be sought for administrators, faculty, students, or staff. The University does not, however, assume the authority of prosecutor or judge of criminal or civil misconduct that is beyond the jurisdiction of the University or that is not directly related to legitimate University interests. That is the prerogative and duty of appropriate law enforcement agencies and the courts.

If anyone at the University violates the law, that person is subject to the penalties of the law as are all other persons. In general, the University will not impose administrative sanctions for acts that violate the law beyond the civil or criminal penalties imposed by the appropriate law enforcement agency or court. However, some acts that violate the law are also acts that endanger the physical or emotional safety and well being of students, faculty, other members of the University community, or visitors, or are acts that endanger the safety of University property; persons who commit these acts may also be subject to appropriate University sanctions, consistent with due process.

The University recognizes the need for all parties charged with the responsibility of allocating University resources (money, space, personnel, equipment, library resources, etc.) to make such decisions in a fair and unbiased manner, consistent with established University priorities. Resource allocations made with punitive motivations against an academic unit or individual faculty member for positions taken in controversies within or outside the academic community will be considered unauthorized and incompatible with academic freedom. The University will not condone or support such a decision and will make every reasonable effort to correct any inequity that such a decision produces.
1.3. FULL-TIME INSTRUCTORS

Full-time Instructors are faculty who hold the rank of Assistant Instructor, Associate Instructor, Full Instructor, or other titles listed in Section 1.7. Instructors perform full-time teaching and service duties as stipulated by the University and their appointment form along with appropriate service in consultation with the department chair/school director. Instructors are not appointed to a probationary or tenured position, and at no point will accrue time toward tenure.

Faculty holding an Instructor appointment are hired as an Assistant Instructor with a minimum one-year appointment. Subsequent instructor contracts are renewed for an additional two-year appointment, contingent on positive annual performance reviews as well as support from the department chair/school director and dean. The performance review process is on the normal schedule, based upon duties as stipulated in the appointment form. Notification of non-renewal of appointment must be made to the faculty member by March 31.

Faculty holding Instructor appointments are employed as the result of an internal or external search process. At the end of five years in the position, a full-time Assistant Instructor is eligible and may apply for promotion to Associate Instructor. After five years as an Associate Instructor, one is eligible and may apply for a promotion to Full Instructor. Criteria for promotion to Associate Instructor and Full Instructor are established in writing by each academic unit, subject to the approval of the appropriate dean or Vice Provost.

Instructors who are ready to apply for promotion should send a letter to their department chair/school director stating their intent during their normally scheduled annual performance review. This letter should include how they have demonstrated effective teaching and service during their time at NKU and have met the criteria for promotion as outlined by their unit. The recommendation for promotion will then be made by the head of the academic unit, with input from faculty, during the annual performance review in the year of application. The recommendation (positive or negative) will be forwarded to the appropriate dean or Vice Provost, who will make the final decision.

1.4. FULL-TIME TEMPORARY FACULTY

Full-time temporary faculty hold the rank appropriate to their credentials and teaching experience. Normally the appointment rank will be Instructor, Adjunct Professor, or Visiting Professor. Temporary faculty will perform full-time duties as stipulated by the University, but they are not appointed to a probationary or tenured position. At no point will appointees to these positions accrue time toward tenure.
Full-time temporary faculty are expected to carry a full course load and to perform all the duties associated with these teaching responsibilities. Departments/schools may invite them to faculty meetings and may involve them in appropriate committees; they are expected to attend any meetings related to their teaching. Any other assignments or responsibilities should be specified by the department chair/school director at the time of appointment and are subject to the approval of the dean or Vice Provost (or program director). Departments/schools may use this category to employ faculty who have no teaching responsibilities, e.g., grant supported researchers or postdoctoral associates.

Faculty holding a temporary appointment are appointed on a one-year basis. A temporary faculty position appointment may be made after consultation between the department chair/school director and the dean or Vice Provost, with approval by the provost. Temporary faculty appointments are one-year, temporary, terminal appointments that can be repeated.

Full-Time Temporary Faculty are provided with Social Security contributions by the University. In addition, health insurance is provided by the University if the appointment is full-time for the complete academic year. If the appointment is full-time for less than one complete academic year, health insurance is provided by the University as needed to comply with local, state, or federal laws or regulations.
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Faculty holding an Instructor appointment are hired as an Assistant Instructor with a minimum one-year appointment contingent on successful annual performance reviews each year from their department chair/school director. Subsequent instructor contracts are renewed for an additional two (Assistant Teaching Professor) or three-year appointment (Associate Teaching Professor, Teaching Professor, and Distinguished Teaching Professor), contingent on positive annual performance reviews as well as support from the department chair/school director and dean/Vice Provost. The performance review process is on the normal schedule, based upon duties as stipulated in the appointment form. Notification of performance-related non-renewal of appointment must be made to the faculty member by March 31.

Faculty holding Instructor appointments are employed as the result of an internal or external search process. At the end of five years in the position, a full-time Assistant Instructor is eligible and may apply for promotion to Associate Instructor. After five years as an Associate Instructor, one is eligible and may apply for a promotion to Full Instructor. After serving as a Teaching Professor for a minimum of three years, those who can demonstrate significant contributions to teaching and service may apply for a promotion to Distinguished Teaching Professor. Criteria for promotion to Associate Instructor and Full Instructor and Distinguished Teaching Professor are established in writing by each academic unit, subject to the approval of the appropriate dean or Vice Provost. A record of effective performance in teaching is a necessary requirement for promotion.

Instructors who are ready to apply for promotion should send a letter to their department chair/school director stating their intent during their normally scheduled annual performance review. This letter should include how they have demonstrated effective teaching and service during their time at NKU and have met the criteria for promotion as outlined by their unit. The recommendation for promotion will then be made by the head of the academic unit, with input from faculty, during the annual performance review in the year of application. The recommendation (positive or negative) will be forwarded to the appropriate dean or Vice Provost, who will make the final decision.

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Full-time temporary faculty are expected to carry a full course load and to perform all the duties associated with these teaching responsibilities. Departments/schools may invite them to faculty meetings and may involve them in appropriate committees; they are expected to attend any meetings related to their teaching. Any other assignments or responsibilities should be specified by the department chair/school director at the time of appointment and are subject to the approval of the dean or Vice Provost (or program director). Departments/schools may use this category to employ faculty who have no teaching responsibilities, e.g., grant supported researchers or postdoctoral associates.

Faculty holding a temporary appointment are appointed on a one-year basis. A temporary faculty position appointment may be made after consultation between the department chair/school director and the dean or Vice Provost, with approval by the provost. Temporary faculty appointments are one-year, temporary, terminal appointments that can be repeated. After three years, those who continue to hold a visiting faculty appointment should be considered for an Assistant Teaching Professor appointment, if the budget allows.

Full-Time Temporary Faculty are provided with Social Security contributions by the University. In addition, health insurance is provided by the University if the appointment is full-time for the complete academic year. If the appointment is full-time for less than one complete academic year, health insurance is provided by the University as needed to comply with local, state, or federal laws or regulations.