

Professional Concerns Committee

Minutes for April 7, 2022

Virtual Meeting (on Zoom Conferencing Software), 3:30 pm

Members in Attendance: S. Alexander, R. Brice, T. Cata, K. Fuegen, R. Gall, P. Hare, J. Herman, J. Kaiser, K. Katkin, K. Munte, M. Nakamura, M. Providenti, H. Riffe, G. Sun, J. Washburn-Moses M. Washington, M. Whitson

Guests in Attendance: J. Bloch, J. Farrar, G. Hiles, S. Kim, A. Ndoeye, P. Kapadia, P. McCartney, J. Vest

Members Not in Attendance: W. Darnell, L. Dynan, B. Green, B. Karrick, A. Miller, G. Newell

1. Call to Order, Adoption of the Agenda

- a) The meeting was called to order at 3:30pm.
- b) "Additional Business" was added to the agenda.
- c) SOTA Representative added an issue related to advisors.
- d) The agenda was adopted unanimously.

2. Approval of the minutes from the March 17, 2021 meeting

- a) Draft minutes from the March 17 meeting were approved without dissent.

3. Chair's Report and Announcements

From the Chair's notes:

The Faculty Senate met March 28.

- a) President Vaidya provided clarification regarding KY HB 9. The bill provides a funding stream for charter schools in KY. The president was surprised to learn that, of the two pilot projects associated with the bill, one will be in northern Kentucky. He reported not having been consulted regarding any role NKU might play in the authorization of charter schools in KY. The President fielded many calls from upset superintendents in the region. The bill now reads that NKU "may" be involved. The President indicated that he would involve all stakeholders in the conversation about whether NKU should be involved in this process. Governor Beshear has vowed to veto the bill.
- b) University Legal Counsel Joan Gates is leaving. I will serve on the search committee. The committee will be co-chaired by Bonita Brown and Tammy Knochleman. I want to represent the interests of the faculty. Please share your

ideas about what skills, background, or interests the university general counsel should have.

- c) Anticipate town hall meetings about a comprehensive plan related to compensation. Compensation is contingent on state appropriations and enrollment growth. Two-thirds of revenue comes from tuition.
- d) Provost Cecil stated that a group of faculty is developing a measure of faculty morale and disengagement. There will be a survey, possibly distributed in fall. He wants people to feel more engaged and valued. He thanked the faculty for their adaptability and resilience through COVID-19.
- e) Provost Cecil gave an update on the student success hub: A team of 11 advisors began March 1. They are meeting with department advisors to learn how to advise students in navigating their majors. A major goal is to improve retention.
- f) Faculty Regent Baranowski reported that the BoR approved a 1.97% tuition increase for undergraduate tuition. No word yet on if tuition will change.
- g) Faculty Senate President Farrar is seeking faculty involvement in Success by Design Moon Shot teams. The teams will consider best practices related to registration holds, emergency/retention grants, and the transfer pipeline. This is largely a staff effort, but we need faculty input. Email Bonita Brown to volunteer.
- h) Budget Chair Bloch summarized the results of the faculty budget survey. There were over 200 responses (34% response rate). Highest priorities were raises, equity and compression, and reimbursing the TIAA cuts (2020-2021).
- i) Senate approved changes to the program leading to the Associate of Arts in Integrative Studies. The changes are intended to make the program more flexible. Previously six credit hours of upper division coursework needed to come from one major. With the change, the required upper division hours can come from more than one program.
- j) There was a faculty conversation last Friday in the digitorium about two issues: 1) a possible new RPT platform and 2) academic program review. Responses to new platform were negative. There were concerns about adding additional work for programs that are already accredited.

Update from J. Vest: The faculty feedback from the conversation was that a change from Canvas to a new RPT platform would not be beneficial and they are not going forward with that.

4. Unfinished Business: Discussion of proposed revisions to the Values and Ethical Responsibilities policy

BACKGROUND:

The policy applies to all faculty, staff, administrators, board members, anyone employed by the university, anyone speaking on behalf of the university. It addresses academic matters, avoiding conflicts of interest, promoting health and safety, etc. An internal auditor and member of HR staff proposed additions to the policy: 1) whistleblower protections and 2) investigating alleged reported illegal or dishonest activity.

Problems: “Illegal or dishonest activity” is not addressed elsewhere in the policy. Unethical behavior may not be illegal or dishonest. Whistleblowers need to be protected when reported unethical behavior.

Faculty Advocate P. McCartney and PCC Chair K. Fuegen met and proposed new edits. J. Bloch shared these edits with the Internal Auditor and HR who adopted nearly all the suggestions from PCC.

Still need to discuss the language “Illegal or dishonest activity.” Whistleblower protections have been expanded to include *any* reported violation of the policy (not just illegal or dishonest violations).

Faculty Advocate (FA) P. McCartney addresses PCC:

Initial position: “illegal and dishonest activity” needed to be removed as much as possible.

The document says university community members are expected to comply with university policies, local laws – that covers criminal activity. This policy has been used in the past regarding criminal activity.

The Values and Ethical Responsibilities policy is very important –the first thing the FA directs faculty to read when there is a potential ethical issue.

DISCUSSION:

- Thanks given to P. McCartney for his work.
- Adding “or violation of the policy” language is a sufficient revision making the “illegal and dishonest activity” language acceptable.
- P. McCartney: Review of changes, Look at Section II, Entities Affected. Propose changing the last line “These individuals may be referred to as ‘community members’” to “These individuals *are* referred to as ‘community members’ within this policy.”
- P. McCartney: BoR members are not recognized as employees but they need to be recognized as community members in this policy.
- P. McCartney: Under subsection “Promote a Culture of Compliance,” in the sentence

“No employee is permitted to engage in retaliation...” “employee” should be changed to “community member.”

-- P. McCartney: Same in Section IX “unprofessional business behaviors with employees.”

-- Section on Investigating does not identify where responsibility lies. Suggestion – it could be cut down to just the very last sentence: *“Each area with investigative authority shall carry out investigative activities in accordance with appropriate laws and established procedures within its discipline and regulatory policies and guidelines.”* And add cross reference to the procedures in the Handbook.

-- PCC appears amenable to the changes suggested so far.

-- Should the FA be listed in this section under “Investigating”?

-- P. McCartney: the FA shouldn’t be too deeply involved. FA is a guide. FA gives suggestions about which procedures to follow.

-- Who should these things be reported to? Supervisor and HR referenced in the draft. Suggestion – make references to Handbook, i.e. Fac. Senate Complaint or Grievance processes.

5. New Business: discussion of proposed revision to Faculty Handbook section 16.2.1 -- Professional Ethics and Responsibilities: Introduction

BACKGROUND

These Handbook sections are relevant to “Values and Ethical Responsibilities” Policy. The Handbook could be updated to align with the AAUP statement. New to the AAUP statement: “Professors do not discriminate against or harass colleagues.” The Handbook references expectation for outside activities – that is not in the AAUP document. Should we replace 16.2.1 (which was drawn from an AAUP statement) with the updated AAUP statement?

DISCUSSION:

-- Opposition voiced to suggested changes. 1) People should have this as their full time job and not be working other jobs and 2) the non-discrimination language could be used to escalate minor conflicts.

-- Suggestion to replace “he” and “she” with “they.” No objections.

-- Include non-discrimination language has an aspirational value?

-- Support voiced for including non-discrimination language if it is made clear this section is aspirational. Make it clear these are not a basis for discipline.

-- Suggestion: remove entire section and not include aspirational content in the Handbook?

-- Support given for keeping the section.

-- Suggestion: keep the section, state in an introduction that these are aspirational values, and cite the AAUP. – Support given for this idea.

6. Additional Business: Advisors and Uncompensated Work

BACKGROUND:

Advising staff/faculty on 10 month contracts, some of whom teach classes, would like a more equitable work environment. Years ago they received summer stipends. They are now being asked to do part-time work in the summer without fair compensation. Raises that faculty receive should be factored into their summer salary. Also, advisors are not sure if they are scheduled to work in the summer. They would like to know earlier so they can plan their summer time. There is major salary compression. Also, summer pay does not go toward retirement.

Would PCC want to take up this issue?

DISCUSSION:

- Thumbs up, no objections.
- A. Ndoye: The status of the advisors, faculty or professional staff, was a discussion between the advisors and their Deans. There is an opportunity for advising staff on 12 month contracts who teach UNV 101 to get a stipend. Advising faculty have 10 or 12 month contracts. During the current transition, the summer need to be covered with details being worked out by the Deans.
- Some of the advisors are willing to meet with PCC Chair.
- Faculty are in the same position. All faculty and staff are experiencing compression, doing more without compensation. This issue should be discussed more broadly.
- Noted that faculty salaries for summer teaching have not increased since 2000.

ACTION:

K. Fuegen will discuss this issue with the PCC representative who brought this forward. PCC will continue this discussion.

7. Unfinished Business: Discussion of proposed changes to the Faculty Senate constitution

Topic delayed until a later meeting.

8. Adjournment

- a) The meeting adjourned at 4:34pm.

Submitted,
M. Providenti, Secretary

CONSTITUTION OF THE FACULTY SENATE NORTHERN KENTUCKY UNIVERSITY

- approved by the Faculty Senate on November 28, 2016 -
- approved by the General Faculty on January 23, 2017 -
- approved by the Board of Regents on March 15, 2017 -

ARTICLE I. FUNCTIONS AND PURPOSES

- A. The Faculty Senate is the official representative body of the General Faculty of Northern Kentucky University.
- B. The purposes of the Faculty Senate are to:
- 1) Provide a forum for the faculty to propose policy and to discuss all matters relating to the wellbeing of the University.
 - 2) Allow the faculty to participate effectively in the enactment of university policies.
 - 33) Conduct studies deemed essential to the progress of the University.
 - 4) Evaluate university policies, programs, and practices and recommend such improvements as seem warranted.
- C. As the representative of the General Faculty, the Senate shall be a counselor to the University president in matters of faculty concern. When the University president disagrees with a recommendation of the Senate, ~~he/she may request~~ the Senate ~~may be requested~~ to reconsider its decision at its next regular meeting or at a special meeting called for that purpose. The University president or ~~his/her~~ designee shall provide the Senate with the reasons for ~~the his/her~~ disagreement. The Senate shall reconsider its decision, giving due weight to the University president's reasons. If the Senate and University president cannot agree, the University President, at the request of the Senate, shall report the Senate's views to the Board of Regents.

ARTICLE II. POWERS

- A. The General Faculty assembled in meeting has all powers necessary to implement the functions enumerated in ARTICLE I.
- B. All powers of the General Faculty are exercised through the Faculty Senate, except as limited by ARTICLE VIII, B and H.

ARTICLE III. MEMBERSHIP

- A. The General Faculty shall consist of all tenured ~~and~~ tenure-track ~~faculty~~, and full-time, non- tenure track renewable faculty.
- B. For the purpose of election to, and service on, the Faculty Senate, ~~the~~ Faculty is defined as ~~General Faculty who spend 25% or less of their time in an~~

~~administrative appointment~~ 50% or more of their time in teaching and/or research/creative activity, including professional librarians, and who have held a faculty appointment for at least one academic year before assuming a Senate seat.

Commented [JF1]: Include service here also?

C. Part-time faculty may have three voting members of the Faculty Senate elected from nominees of current part-time faculty. Part-time faculty with one academic year of service are eligible for election to Faculty Senate. Election to Faculty Senate is not a guarantee of continuing employment.

Commented [JF2]: Include Adjunct here also? According to the Handbook, technically adjunct faculty are paid more than 50% by non-University funds. PT does not equal adjunct, though that is the common vernacular.

Commented [JF3]: Three is a more or less random number. It gives a voice, but not much real power. I looked into trying to be representative (by college for instance), but couldn't come up with anything that made sense to me.

D.

C. All questions of eligibility for the senate membership shall be resolved by the Executive Committee of the Faculty Senate.

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ARTICLE IV. ELECTION OF MEMBERS

A. All members of the General Faculty are eligible to vote in Faculty Senate elections.

A.B. No later than September 20 of each year, the president of the Faculty Senate shall appoint a member of the general faculty from each college offering degrees to constitute an Elections Committee. Members of the Election Committee may not be candidates for election to the Faculty Senate. This committee shall preside over all elections sponsored by the Faculty Senate.

Commented [JF4]: Push this later? September 20 is a challenge because it is difficult to get nominees this early in the academic year. What about second week of October? We'll have had two Senate meetings by then.

B.C. Members of the Faculty Senate shall be elected as follows:

1) The Senate consists of representatives from each department, ~~and~~ at-large representatives of the colleges and schools, ~~and at-large representatives of adjunct faculty~~. (In further descriptions, any reference to ~~college-department~~ shall also refer to *school*.) For election purposes, Learning PLUS, First Year Programs, and Honors shall be considered a single department not affiliated with a college-or-school. The Stealy Library faculty shall be given the same status as a college for voting purposes. The College of Law, including the Law Library, shall be considered an academic college. It shall be entitled to one Senator plus additional Senators as determined by the Executive Committee. Any ~~p~~Professional ~~c~~Colleges which may be added to the University in the future shall be treated in a similar fashion. Graduate Programs shall be entitled to one Senator, chosen by a vote of the graduate faculty in an election conducted by the Graduate Council. Only full-time faculty who have taught at least one graduate course in the preceding two semesters are eligible to serve as the Graduate Programs representative.

2) The number of at-large Senators from each college shall be proportional to the ~~General Faculty~~ total faculty as determined by the Executive Committee by September 15th of each year based on the Fall Semester faculty roster. For purposes of calculating numbers of Senators, only faculty eligible to vote for Senators shall be counted. Department Senators shall make up 2/3 of the Senate and shall be seated immediately upon the formation of a new academic

department for their specified term of office. The total number of at-large Senators shall be adjusted to make-up 1/3 of the Senate and shall be elected in the normal elections cycle. Deviations from the 2/3 department, 1/3 at-large representational ratio shall be corrected through the normal elections cycle.

3) Within each college, every department or school elects one Senator. Eligible colleges elect additional Senators to fill out their allocations of at-large Senators.

4) All Senators shall serve for two-year terms, with approximately one-half being elected each year. The term of office shall run from July 1st through June 30th.

5) Election of faculty Senators other than those elected by departments shall be presided over by the Elections Committee of the Faculty Senate.

6) By no later than ~~March 1, the tenth week of the Fall semester,~~ those departments whose Senator's term shall expire on June 30th ~~of the next calendar year~~ shall elect, ~~from those not already elected to the Faculty Senate,~~ a representative from among their faculty. One may not serve concurrently as both an at-large Senator and as a departmental Senator.

7) By no later than ~~April 1 the twelfth week of the Fall semester,~~ the Elections Committee shall provide all eligible faculty members with ballots listing those faculty members within their college who, in writing, have consented to stand for election to the Faculty Senate as an at-large Senator. Each eligible faculty member may vote for as many candidates as there are available seats in ~~his/her/their~~ college. The Elections Committee shall tabulate the ballots and submit the results to the Faculty Senate by the ~~April~~ ~~December~~ meeting of the Faculty Senate.

8) ~~All newly elected senators shall assume office on July 1st.~~ Vacancies

Commented [JF5]: Redundant

a) Vacancies of one semester or more in departments shall be filled by a vote of their respective faculty. Notification of the results shall be made in writing to the president of the Faculty Senate.

b) Vacancies of one semester or more in at-large ~~positions or part-time Senators~~ shall be filled from the election results of the most recent election ~~of~~ that respective constituency college. In case of a tie the selection shall be by a coin flip conducted by the Chair of the Elections Committee in the presence of the tied candidates. If no candidates are available from that ~~college constituency,~~ then the position shall remain vacant until the next regular election.

c) Vacancies of less than one semester shall be filled by the absent Senator appointing an alternate with consultation of the president of the Faculty Senate. This alternate must be a full-time faculty member from the same constituency the absent Senator was elected to represent.

d) Vacancies of one semester or more shall be filled through a special election.

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Commented [JF6]: redundant

d) _____

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ARTICLE V. OFFICERS

A. The Officers of the Faculty Senate shall be the President, Vice President, Secretary, Faculty Advocate, and the Chairpersons of all standing committees elected as provided herein. The Vice President shall serve as presiding officer in the absence of the President.

B. Ex Officio, non-voting Officers of the Faculty Senate shall be the Faculty Regent, Parliamentarian, and Chairperson of the Graduate Council. Other Officers, if not serving as a Senator, shall have a vote in Senate.

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C. The Officers of the Faculty Senate shall serve in their respective positions as the

officers of the General Faculty.

- D. Officers serve at the pleasure of the Faculty Senate. An officer may be removed by a two-thirds vote of Senators present and voting. Any vacancy created by the removal or resignation of an officer should be filled by special election of the Faculty Senate

- E. The President of the Faculty Senate shall serve as the Grand Marshall of the University. The Chase College of Law selects its own Grand Marshall.
- F. The President of the Faculty Senate, upon assumption of office, shall serve as representative of the General Faculty to the Senate. The departmental, independent program, or college membership vacancy created shall be filled in accordance with Article IV, section C.B.1.
- ~~F.G. All full-time, tenured faculty are eligible to run for the position of Faculty Advocate.~~

ARTICLE VI. ELECTION OF OFFICERS

- A. Before the first meeting of the Spring Semester, the incumbent President of the Faculty Senate shall call and preside at a special session with the sole purpose to elect Faculty Senate officers for the next session beginning on July 1 ~~of the newly elected senators and senators whose terms do not expire at the end of the current Senate session. The purpose of this special meeting is to elect Faculty Senate officers for the next session.~~ Nominations may be submitted to the incumbent President of the Faculty Senate prior to the special meeting or may be made from the floor during the meeting. Terms of office shall be for one year. ~~A session for the Faculty Senate and its officers begins on July 1st.~~ Officers must meet the Senate membership requirements as specified in ARTICLE III, but do not have to be Senators.
- ~~B. Before the final meeting of the Spring Semester, the Elections Committee shall conduct an election to choose the Faculty Advocate for the following year. The Elections Committee shall issue a call for nominations at least one month before the election. All full-time, tenured faculty are eligible to run for the position of Faculty Advocate.~~

ARTICLE VII. COMMITTEES

There shall be seven standing committees of the Faculty Senate: the Executive Committee; the Budget Committee; the University Curriculum Committee; the Faculty Benefits Committee; the Teaching Enhancement and Effectiveness Committee; the Professional Concerns Committee; and the General Education Committee. ~~Departments and Colleges shall determine which faculty serve on these standing committees.~~

- A. The Budget Committee, University Curriculum Committee, Faculty Benefits Committee, and Professional Concerns Committee ~~may~~ include one ~~elected~~ representative from each academic department, or independent program elected by the faculty of the department, school, or program. ~~not already represented by a senator.~~
- B. The General Education Committee (GEC) and The Teaching Effectiveness and Enhancement Committee (TEEC) ~~shall consist of at least one member from each College. Representatives shall be chosen by the Faculty Senate President in~~

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consultation with the Senate Executive Committee membership are chosen according to their respective bylaws and approved by the Faculty Senate Executive Committee. At a minimum, there will be at least one member from each College.

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- C. The Executive Committee shall consist of the officers of the Faculty Senate, including *ex officio* officers, and it shall be chaired by the President of Faculty Senate.
- D. Reassigned time or stipends shall be allotted to the following members of the Executive Committee:

President – 50% reassigned time
 Curriculum Chair – 25% reassigned time
 Faculty Benefits Chair – 25% reassigned time
 Professional Concerns Chair – 25% reassigned time
 Budget Committee Chair – 25% reassigned time
 General Education Committee Chair – 25% reassigned time
 Teaching Enhancement and Effectiveness Committee Chair – 25% reassigned time
 Faculty Advocate – 25% reassigned time
 Vice President – stipend (amount set by Provost)
 Secretary – stipend (amount set by Provost)
 Parliamentarian – stipend (amount set by Provost)

E. The following duties shall be the specific responsibilities of the Executive Committee:

- 1) It shall function as the official representative body of the faculty when the Faculty Senate is not in session and may take whatever emergency action it deems necessary. Such action shall be presented for approval to the Faculty Senate at its next regular meeting.
- 2) It shall cause matters approved by the Faculty Senate to be conveyed to the president of the University for appropriate action, and shall report the action taken to the Faculty Senate.
- 3) It shall serve as a committee on committees to work with the administration in forming university committees and in appointing their membership when appropriate.
- 4) It shall receive the written reports of the committees of the Faculty Senate.
- 5) It shall refer such matters as are designated by the Faculty Senate for action by the appropriate committee.
- 6) It shall prepare the agenda for meetings of the Faculty Senate. Committee recommendations intended for Senate action shall be so designated on the agenda.
- 7) It shall insure that nominations and elections are carried out as specified in the Constitution.

~~FF.~~ The following duties shall be the specific responsibility of the Budget Committee:

- 1) It shall review, analyze, receive updates on, recommend and report to the Faculty Senate on all matters pertaining to the budget, including the following:
 - a) The Council on Postsecondary Education's (CPE) biennial budget development process and the University's input into it, including the

CPE's capital and operating recommendations for funding NKU and each of the public institutions.

- b) The University's annual operating budget in at least the preliminary, intermediate and final stages of its development.
 - c) Salary data relating to the university salary policy and appointment.
 - d) Major capital expenditure proposals submitted by the administration.
- 2) It shall serve as an advisory board to the Executive Committee and our representative to the Coalition of Faculty Senate Leadership (COSFL) to ensure that faculty interests are represented by COSFL at the state level.

G. The following duties shall be the specific responsibility of the University Curriculum committee.

- 1) It shall make recommendations to the Faculty Senate, and through it to the University administration, in all areas of curriculum policies and procedures and curriculum-related definitions with the exception of those policies and procedures that fall under the purview of the Chase College of Law.
- 2) It shall periodically review, evaluate, and make recommendations concerning such policies and procedures. In examining proposals it shall apply criteria including pedagogy, academic quality, staffing, and available resources.
- 3) Recommendations of the University Curriculum Committee do not require full Faculty Senate approval except for changes to the general education program (including new general education courses), new programs, substantive program changes and changes to the UCC bylaws. No curriculum changes may be made without approval by the regular curriculum process.

H. The following duties shall be the specific responsibility of the Faculty Benefits Committee:

- 1) It shall review, evaluate, and make recommendations concerning those policies, procedures, and programs related to faculty benefits; such as those policies dealing with insurance, retirement, salary schedules, academic leaves, summer fellowships, institutional project grants, deferred compensation, the credit union, travel allowance, and reassigned time.
- 2) It shall process applications of and make recommendation on candidates for Faculty Sabbatical Leaves, Faculty Project Grants, Faculty Summer Fellowships and other programs assigned by the Faculty Senate.

I. The following duties shall be the specific responsibility of the General Education Committee:

- 1) It shall review, evaluate, and recommend General Education policies, including oversight, revisions to, and assessment of the General Education Program.

J. The following duties shall be the specific responsibility of the Professional Concern Committee:

- 1) It shall provide a forum for the faculty to propose policy and to discuss all matters relating to the wellbeing of the University.
- 2) It shall review, evaluate, and make recommendations concerning policies relating to the general academic and professional concerns of the faculty, both full and part-time.
- 3) It shall review, evaluate, and make recommendations regarding all policies procedures and practices related to governance of the university.

K. The following duties shall be the specific responsibility of the Teaching Enhancement and Effectiveness Committee:

- 1) It shall review, evaluate, and recommend policies regarding the evaluation and enhancement of teaching.
- 2) It shall review, evaluate, and recommend student policies regarding all matters of concern to the faculty.

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. Consultations with the Faculty Advocate when providing this assistance is not a breach of confidentiality for the faculty member or Faculty Advocate.
- 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.

~~NN. No later than September 20 of each year, the president of the Faculty Senate shall appoint a member of the general faculty from each college offering degrees to constitute an Elections Committee. Members of the Election Committee may not be candidates for election to the Faculty Senate. This committee shall preside over all elections sponsored by the Faculty Senate.~~

ARTICLE VIII. MEETINGS

- A. The ~~G~~general ~~F~~faculty shall meet as appropriate; the meeting to be convened by the President of the Faculty Senate, the President of the University, the Provost, or the Executive Committee of the Faculty Senate.
- B. Should a petition, signed by at least 10 percent of the General Faculty as exhibited on the official roster, requesting a meeting of the General Faculty and indicating proposed items of business be filed with the President of the Faculty Senate, the Executive Committee shall call a meeting of the General Faculty to consider those

matters. Such a meeting shall be held not later than fourteen calendar days, exclusive of holidays, from the filing date of the petition. The filing of a petition challenging

Senate action shall be interpreted as a declaration that the General Faculty is asserting its jurisdiction.

- C. No meeting of the General Faculty called by the Executive Committee shall be held unless an agenda prepared by that committee is distributed to all members of the General Faculty at least five business days prior to the meeting date.
- D. The Faculty Senate shall meet at least once each month during the academic year, unless deemed unnecessary by the Executive Committee. Special meetings may be called at any time during the course of the year, including the summer, by the President of the Faculty Senate or its Executive Committee. Regular meetings shall ordinarily be on the fourth Monday of each month; emergency changes of date may be made by the Executive Committee.
- E. The Executive Committee shall appoint a temporary chairperson should neither the President nor the Vice-president be in attendance.
- F. All meetings of the Faculty Senate shall be open to the University community. Any member of the General Faculty present shall receive floor privileges upon request; however, these privileges shall not include the right to introduce or second motions or to vote. Other members of the academic community may be granted floor privileges with the same restrictions by a majority vote of the Senate. Only duly elected senators or their designated alternates in attendance may introduce or second motions or vote.
- G. Agenda items and supporting information shall be submitted to the Executive Committee at least fourteen calendar days prior to the scheduled Senate meeting. Items may also be placed on the agenda by the Executive Committee on its own motion of any member of the Senate, or by petition signed by at least ten members of the general faculty at least five business days in advance of the Faculty Senate meetings.
- H. Minutes of the previous meeting of the Faculty Senate and an agenda for the next meeting shall be distributed to all members of the Faculty Senate at least five business days prior to the subsequent Senate meeting. A second copy shall be sent to each senator for posting and review by all faculty. Actions of the Faculty Senate shall become final fourteen calendar days, exclusive of holidays, following the official distribution of said minutes, unless the General Faculty asserts its jurisdiction.

ARTICLE IX. FACULTY REGENT

The Faculty Regent shall report regularly to the Faculty Senate, and through it to the General Faculty, on those matters, which are coming before the Board of Regents and shall report action taken on such matters.

ARTICLE X. RULES OF ORDER

A majority vote is defined as a majority of those present and voting. An abstention shall not count as a vote. In the absence of any other special rules of order, which the General Faculty or the Faculty Senate may adopt, Robert's Rules of Order Newly Revised (latest

edition) shall govern the conduct of the meetings.

ARTICLE XI. QUORUM

A quorum for a Faculty Senate meeting shall be 50 percent of its members.

ARTICLE XII. STANDING COMMITTEE'S BYLAWS

Each standing committee shall maintain its own bylaws. All amendments are subject to the approval of Faculty Senate.

ARTICLE XIII. SEVERABILITY

The invalidation of any portion of this constitution shall not affect the validity of any other portion of the constitution.

ARTICLE XIV. EFFECTIVE DATE

This constitution becomes effective upon approval by the Board of Regents and becomes part of the Faculty Policies and Procedures Manual.

ARTICLE XV. AMENDMENTS

This constitution may be amended at any meeting of the General Faculty by a two-thirds majority of those present and voting, provided the proposed amendment was included in the agenda and was available to the members of the General Faculty for one week prior to the meeting. The approved amendment becomes operative upon ratification by the Board of Regents.

ARTICLE III. MEMBERSHIP

- A. The General Faculty shall consist of all tenured and tenure-track faculty, and full-time, non-tenure track renewable faculty.
- B. The provost, associate/vice provosts, deans, assistant/associate deans, and school directors/department chairs are not considered to be General Faculty for the purpose of the faculty senate.
- C. All questions of eligibility for the senate membership shall be resolved by the Executive Committee of the Faculty Senate.

Commented [KF1]: New language; not in FS President's proposed revisions.

ARTICLE IV. ELECTION OF MEMBERS

- A. All members of the General Faculty are eligible to vote in Faculty Senate elections.
- B. No later than October 15th of each year, the president of the Faculty Senate shall appoint a member of the general faculty from each college offering degrees to constitute an Elections Committee. Members of the Election Committee may not be candidates for election to the Faculty Senate. This committee shall preside over all elections sponsored by the Faculty Senate.
- C. Members of the Faculty Senate shall be elected as follows:
 - 1. The Senate consists of representatives from each department, at-large representatives of the colleges and schools. (In further descriptions, any reference to *department* shall also refer to *school*.) For election purposes, Learning PLUS, First Year Programs, and Honors shall be considered a single department not affiliated with a college. The Steely Library faculty shall be given the same status as a college for voting purposes. The College of Law, including the Law Library, shall be considered an academic college. It shall be entitled to one Senator plus additional Senators as determined by the Executive Committee. Any professional colleges which may be added to the University in the future shall be treated in a similar fashion. Graduate Programs shall be entitled to one Senator, chosen by a vote of the graduate faculty in an election conducted by the Graduate Council. Only full-time faculty who have taught at least one graduate course in the preceding two semesters are eligible to serve as the Graduate Programs representative.

Commented [KF2]: Current language states September 20. FS President and Elections Committee concur that a later date is desirable.

2. The number of at-large Senators from each college shall be proportional to the General Faculty as determined by the Executive Committee by September 15th of each year based on the Fall Semester faculty roster. For purposes of calculating numbers of Senators, only faculty eligible to vote for Senators shall be counted. Department Senators shall make up 2/3 of the Senate and shall be seated immediately upon the formation of a new academic department for their specified term of office. The total number of at-large Senators shall be adjusted to make-up 1/3 of the Senate and shall be elected in the normal elections cycle. Deviations from the 2/3 department, 1/3 at-large representational ratio shall be corrected through the normal elections cycle.

3. Within each college, every department or school elects one Senator. Eligible colleges elect additional Senators to fill out their allocations of at-large Senators.

4. Senators shall serve for two-year terms, with approximately one-half being elected each year. The term of office shall run from July 1st through June 30th.

5. Election of faculty Senators other than those elected by departments shall be presided over by the Elections Committee of the Faculty Senate.

6. By no later than the tenth week of the Fall semester, those departments whose Senator's term shall expire on June 30 shall elect a representative from among their faculty. One may not serve concurrently as both an at-large Senator and as a departmental Senator.

Commented [KF3]: Current language in constitution. FS President proposes different timing.

7. By no later than the twelfth week of the Fall semester, the Elections Committee shall provide all eligible faculty members with ballots listing those faculty members within their college who, in writing, have consented to stand for election to the Faculty Senate as an at-large Senator. Each eligible faculty member may vote for as many candidates as there are available seats in their college. The Elections Committee shall tabulate the ballots and submit the results to the Faculty Senate by the meeting of the Faculty Senate.

Commented [KF4]: Current language in constitution. FS President proposes different timing.

8. Vacancies

a) Vacancies of one semester or more in departments shall be filled by a vote of the respective faculty. Notification of the results shall be made in writing to the president of the Faculty Senate.

b) Vacancies of one semester or more in at-large shall be filled from the election results of the most recent election of that respective constituency. In case of a tie the selection shall be

by a coin flip conducted by the Chair of the Elections Committee in the presence of the tied candidates. If no candidates are available from that constituency, the position shall remain vacant until the next regular election.

c) Vacancies of less than one semester shall be filled by the absent Senator appointing an alternate with consultation of the president of the Faculty Senate. This alternate must be a full-time faculty member from the same constituency the absent Senator was elected to represent.

ARTICLE V. OFFICERS

- A. The Officers of the Faculty Senate shall be the President, Vice President, Secretary, Faculty Advocate, and the Chairpersons of all standing committees elected as provided herein. The Vice President shall serve as presiding officer in the absence of the President.
- B. *Ex Officio*, non-voting Officers of the Faculty Senate shall be the Faculty Regent, Parliamentarian, and Chairperson of the Graduate Council. Other Officers, if not serving as a Senator, shall have a vote in Senate.
- C. The Officers of the Faculty Senate shall serve in their respective positions as the officers of the General Faculty.
- D. Officers serve at the pleasure of the Faculty Senate. An officer may be removed by a two-thirds vote of Senators present and voting. Any vacancy created by the removal or resignation of an officer should be filled by special election of the Faculty Senate.
- E. The President of the Faculty Senate shall serve as the Grand Marshall of the University. The Chase College of Law selects its own Grand Marshall.
- F. The President of the Faculty Senate, upon assumption of office, shall serve as representative of the General Faculty to the Senate. The departmental, independent program, or college membership vacancy created shall be filled in accordance with Article IV, section C.
- G. All full-time, tenured faculty are eligible to run for the position of Faculty Advocate.

ARTICLE VI. ELECTION OF OFFICERS

Before the first meeting of the Spring Semester, the incumbent President of the Faculty Senate shall call and preside at a special session with the sole purpose to elect Faculty Senate officers for the next session beginning on July 1. Nominations may be submitted to the incumbent President of the Faculty Senate prior to the special meeting or may be made from the floor during the meeting. Terms of office shall be for one year. Officers must meet the Senate membership requirements as specified in ARTICLE III but do not have to be Senators.

16.2. PROFESSIONAL ETHICS AND RESPONSIBILITIES

16.2.1. INTRODUCTION

The professor, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognizes the special responsibilities placed upon him/her. The primary responsibility to the faculty member's discipline is to seek and to state the truth as he/she sees it.

To this end, the professor devotes energies to developing and improving scholarly competence.

The faculty member accepts the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge as well as to practice intellectual honesty.

Although subsidiary interests may be followed, these interests must never seriously hamper or compromise the faculty member's freedom of inquiry.

As a teacher, the professor encourages in students the free pursuit of learning. The professor holds before students the best scholarly standards of the particular discipline. He/she demonstrates respect for the student as an individual, adheres to the proper role as an intellectual guide and counselor, makes every reasonable effort to foster honest academic conduct, and assures that the evaluation of students reflects their true merit. The faculty member respects the confidential nature of the relationship between professor and student. He/she avoids any exploitation of students for private advantage, acknowledges significant assistance from them, and protects their right to hold and support dissenting viewpoints in matters of opinion.

As a colleague, the professor has obligations deriving from common membership in the community of scholars. He/she respects and defends the free inquiry of his/her associates. In the exchange of criticism and ideas the professor shows due respect for the opinions of others. The professor acknowledges academic debts and strives to be objective in professional judgment of

colleagues. The faculty member accepts his/her share of responsibilities for the governance of the University.

As a member of the university, the professor seeks above all to be an effective teacher and scholar. Although the faculty member observes the stated regulations of the University, provided they do not contravene academic freedom, he/she maintains a right to criticize and seek revision. The professor determines the amount and character of the work he/she does outside the University with due regard to his/her paramount responsibilities within it and in accordance with the requirements set forth in 16.4, Policies and Expectations for Outside Activities. When considering the interruption or termination of his/her service, the professor recognizes the effect of that decision upon the program of the University and gives due written notice of these intentions.

As a member of the community, the professor has the rights and obligations of any person under the laws of the United States and the Commonwealth of Kentucky. The professor measures the urgency of these obligations in the light of his/her responsibilities to his/her discipline, students, profession, and to the University. When the professor speaks or acts as a private person, he/she avoids creating the impression of speaking or acting for the University. As a person engaged in a profession that depends upon freedom for its health and integrity, the professor has a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

VALUES & ETHICAL RESPONSIBILITIES

POLICY NUMBER: HYB-VALUES-ETHICS

POLICY TYPE: HYBRID

RESPONSIBLE OFFICIAL TITLE: PRESIDENT OF THE UNIVERSITY

RESPONSIBLE OFFICE: OFFICE OF THE PRESIDENT

EFFECTIVE DATE: UPON BOARD APPROVAL –

NEXT REVIEW DATE: BOARD APPROVAL PLUS FOUR (4) YEARS –

SUPERSEDES POLICY DATED: 5/18/2016

BOARD OF REGENTS REPORTING (CHECK ONE):

☒ PRESIDENTIAL RECOMMENDATION (CONSENT AGENDA/VOTING ITEM):

☐ PRESIDENTIAL REPORT (INFORMATION ONLY)

I. POLICY STATEMENT

Northern Kentucky University (NKU) is entrusted with resources by students, parents, taxpayers, sponsors, alumni, donors, and other constituencies with the responsibility to fulfill our educational mission. This trust and responsibility require a commitment to ethical standards to assure others that our activities are executed to serve the mission of the university. This policy documents value and ethical standards at NKU.

II. ENTITIES AFFECTED

This policy applies to faculty; staff and administration; members of the Board of Regents; any individual employed by the university, using university resources or facilities, receiving funds administered by the university; and other representatives when speaking or acting on behalf of NKU. These individuals may be referred to as “community members.”

III. ANNUAL ACKNOWLEDGEMENT

Understanding your responsibilities as a member of the NKU community is important in maintaining ethical standards across campus and ensuring compliance with federal and state laws.

Annually, all faculty members, staff members, administrators, **and members** of the Board of Regents will acknowledge their awareness and understanding of this policy. **A refresher course will be provided by Human Resources each year to facilitate this acknowledgement.**

IV. CORE VALUES

The NKU community is committed to these core values:

- Excellence
- Integrity
- Inclusiveness
- Innovation
- Collegiality

As a reflection of these core values, NKU community members strive to behave ethically, and with integrity and common sense, at all times. University community members seek to fulfill obligations towards students, co-workers and other members of the university community with honesty and transparency, and to behave according to the highest ethical and professional standards of conduct.

NKU is committed to tolerance, inclusion, and respect for others, regardless of differences. All members of the NKU community strive to treat others with professional courtesy and civility, regardless of position or status, and to work cooperatively with others. University community members seek to promote equality and collaboration among faculty, staff, and administrators. NKU provides equal access to programs, facilities, and employment and seeks to foster positive campus change through greater diversity, equity, inclusion, and accountability.

V. ETHICAL RESPONSIBILITIES

In addition to following these guidelines, the faculty, staff, administrators, student workers, members of the Board of Regents, and other affiliated individuals in conducting the affairs of NKU will comply with all federal, state, and local laws and regulations as well as university policies, procedures, and codes in the performance of job-related duties. The values, principles, and standards of conduct in this policy are supported through university policies, procedures, and guidelines that provide guidance for making decisions consistent with NKU's commitment to responsible and ethical behavior.

All NKU faculty, staff, administrators, and members of the Board of Regents who are members of occupations or professions that have established standards or codes of ethics shall, in addition to the responsibilities referenced in this document, be bound by the standards of conduct and/or codes of ethics that apply to such occupations or professions.

The university and community members have the following ethical responsibilities:

Manage Responsibly

University community members who supervise, instruct and/or advise faculty, staff, and student workers are entrusted with significant responsibility. Those university community members are expected to:

- Foster an environment of transparency and integrity;
- Ensure compliance with applicable laws, policies, regulations, and workplace rules;
- Evaluate performance impartially and conscientiously to ensure that the evaluation of each individual's performance reflects the true merit of that work;
- Ensure access to and delivery of proper training on applicable workplace and educational rules, laws, policies, and procedures (including these principles);
- Foster opportunities for intellectual growth and professional development both on and off campus;
- Promote a productive, innovative, and professional atmosphere that encourages dialogue and is responsive to concerns; and
- Avoid making unreasonable job demands.

Protect and Preserve University Resources

University members are responsible for integrity in the stewardship of resources entrusted to us and are expected to:

- Exercise responsible and ethical behavior regarding stewardship of university resources;
- Protect university property, equipment, data and other assets of the university;
- Prevent waste, abuse, and misuse of university resources;
- Follow guidelines, procedures, and/or manuals regarding the use of financial assets, including university procurement cards;
- Comply with government grants and contract terms and conditions;

- Follow sound financial practices, including accurate financial reporting, controls and processes to protect assets, and responsible fiscal management; and
- Engage in appropriate accounting and monitoring.

Promote a Culture of Compliance

NKU is committed to meeting legal requirements as well as fostering a culture of ethics and compliance. University community members are expected to:

- Be aware of, understand, and comply with laws, regulations, contracts, and university policies and procedures applicable to their duties;
- Seek to prevent, detect and report suspected compliance violations to the appropriate university official. Supervisors will ensure that reports of violations within their area of responsibility are properly resolved, including disclosure to any authority as appropriate; and
- Participate in mandatory education opportunities required of faculty, staff, administrators, and student workers.

NOTE: As explained in section IX (Whistleblower Protection) below, no No employee is permitted to engage in retaliation, retribution, adverse employment consequences or any form of harassment against an individual for a good faith report of misconduct or other ethics or compliance-related concern, or participation in an investigation of a good faith report of misconduct, ethics or compliance-related concern or retaliation.

Preserve Academic Freedom and Meet Academic Responsibilities

Academic freedom is essential to NKU's mission. University community members are expected to:

- Encourage students in the free pursuit of learning;
- Demonstrate respect for the student as an individual, make every effort to foster honest academic conduct, and assure that the evaluation of student work reflects that work's true merit;
- Respect the confidential nature of the relationship between professor and student;
- Avoid exploitation of students for private advantage and acknowledge significant assistance from them;
- Promote academic freedom, including the freedom to discuss relevant matters in the classroom, with fellow NKU community members, and with the public. Academic freedom includes the freedom to explore all avenues of scholarship, research and creative expression, to participate in the shared governance of the University, and to speak and write as a public citizen without institutional restraint;
- Participate in shared governance of the university
- Where appropriate, assist the university in meeting its public engagement mission;
- Exercise their best professional judgment when writing letters of recommendation or otherwise providing input regarding the manner in which individuals carry out responsibilities expected of or entrusted to them.

The freedom of speech of community members includes the freedom to express their views on matters having to do with their institution and its policies. This freedom should be accorded – and rights to it protected – because grounds for thinking an institutional policy desirable or undesirable must be heard and assessed if the community is to have confidence that its policies are appropriate. The faculty protection for Academic Freedom is described in section 16.3 in the Faculty Policies and Procedures Handbook, which is incorporated herein by reference.

Teach and Conduct Research Ethically

University community members have an obligation to the university and the larger global community as they seek knowledge and understanding. University community members are expected to:

- Propose, conduct, and report research honestly and with integrity;
- Adhere to the practical and ethical professional standards appropriate to a discipline in order to protect people and appropriately care for animals in the context of teaching;
- Protect the welfare and dignity of human participants and properly care for animals in compliance with current federal regulations and NKU Institutional Review Board (IRB), Institutional Animal Care and Use Committee (IACUC), and/or Institutional Biosafety Committee (IBC) policies in the context of research. Individuals uncertain about whether a teaching or research activity is governed by federal guidelines and NKU IRB, IACUC, and/or IBC policies can contact the NKU Office of Research Compliance for guidance;
- Refrain from engaging in copyright infringement or plagiarism;
- Ensure originality of work, provide credit for the ideas of others upon which their work is built; and
- Be responsible for the accuracy of published information; and
- Truthfully report authorship.

Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

Teachers are entitled to freedom in the classroom in discussing their subject.

Avoid Conflict of Commitment and Interest

University community members have a responsibility to maintain objectivity and impartiality when making decisions on behalf of NKU. To ensure objectivity, community members are expected to:

- Base decisions on judgment free from conflicting interest;
- Refrain from using their official position to inappropriately further professional or private interests or the interests of any members of their family;
- When conducting or participating in any transaction, disclose any real or perceived conflict with personal interests and remove himself or herself from further participation; and
- Recuse themselves (i.e., do not participate) in cases where a real or apparent conflict of interest exists.

Carefully Manage Public, Private, and Confidential Information

University community members are the creators, custodians, and stewards of many types of information, much of which is confidential. Access to this information and the individual's right to privacy are governed by both laws and university policies. In order to meet our responsibilities, university community members are expected to:

- Learn and follow laws, regulations, and university policies regarding access, use, protection, disclosure, retention, and disposal of public, private, and confidential information;
- Follow document retention and disposal guidelines;
- Maintain information security using electronic and physical safeguards;
- Protect information quality and integrity;
- Ensure that information provided to the university community and other entities is accurate and consistent; and

- Provide information as needed for other community members to adequately perform job duties.

Promote Health and Safety in the Workplace

All university community members have a shared responsibility to ensure a safe, secure, and healthy campus for all faculty, staff, students, volunteers, and visitors. University community members are expected to:

- Follow federal and state safety laws and university policies and practices, including participating in appropriate education; using appropriate personal safety equipment; and reporting accidents, injuries, and unsafe situations promptly;
- Maintain security, including securing university assets and facilities;
- Report suspicious activities and suspected abuse; and
- Protect the environment, including carefully handling hazardous waste and other potentially harmful agents, materials, or conditions.

VI. VIOLATIONS OF THIS POLICY

Any individual found to have violated the expectations set forth in section IV above may be subject to discipline up to and including termination of employment and criminal prosecution. Any adverse employment action shall be taken only pursuant to applicable institutional handbooks, policies, and procedures. ~~NKU will not tolerate retaliation against any individual who makes a good faith report of a violation.~~

The confidentiality of any whistleblower anyone that is alleged to be in violation of this policy or who reports alleged illegal or dishonest activity will be maintained to the extent possible under applicable state and federal laws. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law, and to provide accused individuals their legal rights of defense. Community members are cautioned, via this provision, that their identity may become known for reasons outside of the control of University administrators and investigators.

VII. NON-DISCRIMINATION STATEMENT

Northern Kentucky University does not discriminate based on national origin, race, color, age, gender, gender identity, gender expression, sexual orientation, religion, physical or mental disability, genetic information, pregnancy, and Uniform Service or veteran status in its education programs, activities, employment, daily operations, or admissions policies, in accordance with all applicable federal, state, and local laws. ~~NKU will not tolerate retaliation against any individual who makes a good faith report of a violation.~~

VIII. REPORTING SUSPECTED ETHICAL OR COMPLIANCE VIOLATIONS

All faculty, staff, and administrators have an obligation to report conduct that violates our Ethical Standards. Examples of violations that should be reported include but are not limited to:

- Fraud, waste, abuse, or misuse of university resources
- Financial misconduct/wrongdoing
- Violation of federal law, state law, university policy, or procedure
- Ethics and/or compliance violations
- Research misconduct
- Harassment

Violations can be reported to:

- Your supervisor
- [Financial and Operational Auditing](#)
- [Compliance and Institutional Ethics](#)
- [Ethics and Compliance Helpline](#)

The NKU Ethics and Compliance Helpline is administered by a third-party and is available 24 hours a day, 7 days a week, 365 days a year. Reports can be made anonymously via the Ethicspoint website (www.nku.ethicspoint.com) or by phone (toll-free) at 855-597-4539.

NOTE: The helpline is **NOT** a 911 or emergency service. Those needing emergency assistance should contact 911 or University Police at 859-572-7777.

IX. WHISTLEBLOWER (ANTI-RETALIATION) PROTECTION

Any community member who acts in good faith to report an alleged violation of this policy or alleged illegal or dishonest activity is referred to as a whistleblower.

A whistleblower is NOT responsible for investigating the alleged illegal or dishonest activity or for determining fault or corrective measures. Appropriate management officials are charged with these responsibilities as discussed in section X below.

NKU will protect against retaliatory behavior towards any whistleblower who, in good faith, reports any action or suspected action taken by or within the University that is illegal, fraudulent, or in violation of any adopted policy of the University. Retaliatory behavior includes, but is not limited to, intimidation, harassment, discrimination, or other acts of retaliation that could result in adverse employment consequences. Adverse employment consequences include, but are not limited to, actions such as termination, compensation decreases, poor work assignments, unsubstantiated poor performance evaluations, or threats of physical harm. Any whistleblower who believes they are being retaliated against must should contact Human Resources immediately or their immediate supervisor or division vice president as soon as possible.

However, the right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated. A commitment to protecting whistleblowers from retaliation does not preclude the University from addressing performance or unprofessional business behaviors or behavioral issues with employees as appropriate. In addition, using this *no retaliation* provision in bad faith (i.e., deliberately making false allegations) is also itself a violation of this policy.

Any community member who retaliates against someone who has reported a concern in good faith will be subject to appropriate disciplinary action as determined by NKU administration, including but not limited to Human Resources, the President, and the Board of Regents.

X. INVESTIGATING ALLEGED VIOLATIONS OF THIS VALUES & ETHICAL RESPONSIBILITIES POLICY

A number of areas within the University have responsibility for routinely conducting investigations of certain types of allegations of improper activity and have dedicated resources and expertise for such purposes. These include, but are not limited to, Legal, Compliance, Internal Audit, University Police, Human Resources and the Title IX Office. In addition, other University parties may become involved in investigations of matters based on their areas of oversight responsibility or topical expertise, such as

Safety and Emergency Management, Risk Management, Institutional Research, and Academic Affairs. Each area with investigative authority shall carry out investigative activities in accordance with appropriate laws and established procedures within its discipline and regulatory policies and guidelines.

XI. REFERENCES AND RELATED MATERIALS

REFERENCES & FORMS

- [Faculty Policies and Procedures Handbook](#) (see especially section 16.2 “Professional Ethics and Responsibilities” and 16.3 “Academic Freedom”)
- [Chase Faculty Handbook](#)
- [Code of Student Rights and Responsibilities](#)
- [Chase Student Handbook](#)
- [Graduate Student Honor Code and Appeals Policy](#)
- [Northern Kentucky University Ethics and Compliance Helpline](#)
- [Compliance and Institutional Ethics](#)
- [Frequently Asked Questions re: Reporting Violations](#)

Related Policies and References

- [Intellectual Property](#)
- [Sexual Harassment](#)

Revision history

REVISION TYPE	MONTH/YEAR APPROVED
Revision • Added sections IX and X re: whistleblowing, retaliation, and investigation • Updates, clarifications, formatting, and editing throughout	
Edits/Corrections • Corrected policy to reflect 2016 BoR-approved changes • Made minor edits to formatting, spacing, and punctuation • Corrected the reference to the Faculty Policies and Procedures Handbook on p. 3 to reflect the current numbering system (changed from “section III, Items A-D” to “section 16.3”) • Updated URLs	October 2, 2019
Revision	May 18, 2016
Revision	April 29, 2016

Revision & Name Change	March 1, 2014
Revision & Name Change to "Ethical Principles & Code of Conduct"	July 13, 2005
New Policy–Administrative Regulation (AR-I-1.0-1) – "Statement of Administrative Ethics"	July 29, 1981

VALUES & ETHICAL RESPONSIBILITIES

PRESIDENTIAL APPROVAL

President

Signature

Date

Ashish K. Vaidya

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.)

VICE PRESIDENT AND CHIEF STRATEGY OFFICER

Signature

Date

Bonita J. Brown

VALUES & ETHICAL RESPONSIBILITIES

POLICY NUMBER: ~~HYB-VALUES-ETHICS~~~~RESERVED FOR FUTURE USE~~

POLICY TYPE: HYBRID

RESPONSIBLE OFFICIAL TITLE: PRESIDENT OF THE UNIVERSITY

RESPONSIBLE OFFICE: OFFICE OF THE PRESIDENT

EFFECTIVE DATE: ~~5/18/16~~~~UPON BOARD APPROVAL –~~

NEXT REVIEW DATE: ~~BOARD APPROVAL PLUS FOUR (4) YEARS – 5/18/20~~

SUPERSEDES POLICY DATED: ~~5/18/2016~~~~3/1/2014~~

BOARD OF REGENTS REPORTING (CHECK ONE):

☒ PRESIDENTIAL RECOMMENDATION (CONSENT AGENDA/VOTING ITEM):

☐ PRESIDENTIAL REPORT (INFORMATION ONLY)

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Commented [DK1]: Can this be placed earlier in the policy? Perhaps after section 2. Also include a statement this annually acknowledged in the HR refresher course.

Commented [JB2]: This is moved from section V. I added the sentence suggested above – open to any suggestions for improvement in it.

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Commented [JB3]: Begin paragraph with "No employee" as the "NOTE" and reference is not needed.

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Preserve Academic Freedom and Meet Academic Responsibilities

Academic freedom is essential to NKU's mission. University community members are expected to:

- Encourage students in the free pursuit of learning;
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• ~~Accept his/her/their share of responsibilities for the governance of the university;~~

• ~~Participate in shared governance of the university.~~

• Where appropriate, assist the university in meeting its public engagement mission;

• ~~Accurately evaluate the professionalism of other members of the university community when~~ **Exercise their best professional judgment when** writing letters of recommendation or otherwise providing input regarding the manner in which individuals carry out responsibilities expected of or entrusted to them.

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Commented [JB4]: This wording is less vague.

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Commented [JB5]: This wording is less vague.

The freedom of speech of community members includes the freedom to express their views on matters having to do with their institution and its policies. This freedom should be accorded – and rights to it protected – because grounds for thinking an institutional policy desirable or undesirable must be heard and assessed if the community is to have confidence that its policies are appropriate. The faculty

protection for Academic Freedom is described in sSection 16.3 in the Faculty Policies and Procedures Handbook, which is incorporated herein by reference.

Teach and Conduct Research Ethically

University community members have an obligation to the university and the larger global community as they seek knowledge and understanding. University community members are expected to:

- Propose, conduct, and report research honestly and with integrity;
- Adhere to the practical and ethical professional standards appropriate to a discipline in order to protect people and appropriately care for animals in the context of teaching;
- Protect the welfare and dignity of human participants and properly care for animals in compliance with current federal regulations and NKU Institutional Review Board (IRB), Institutional Animal Care and Use Committee (IACUC), and/or Institutional Biosafety Committee (IBC) policies in the context of research. Individuals uncertain about whether a teaching or research activity is governed by federal guidelines and NKU IRB, IACUC, and/or IBC policies can contact the NKU Office of Research Compliance for guidance;
- Faithfully transmit research findings;
- Refrain from engaging in copyright infringement or plagiarism;
- Ensure originality of work, provide credit for the ideas of others upon which their work is built; and
- Be responsible for the accuracy and fairness of published information; and
- Truthfully report authorship.

Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

Teachers are entitled to freedom in the classroom in discussing their subject.

Avoid Conflict of Commitment and Interest

University community members have a responsibility to maintain objectivity and impartiality when making decisions on behalf of NKU. To ensure objectivity, community members are expected to:

- Base decisions on judgment free from conflicting interest;
- Refrain from using their official position to inappropriately further professional or private interests or the interests of any members of their family;
- When conducting or participating in any transaction, disclose any real or perceived conflict with personal interests and remove himself or herself from further participation; and
- Ensure personal relationships do not interfere with objective judgment in decisions affecting university employment and/or the academic progress of a community member. Recuse themselves (i.e., do not participate) in cases where a real or apparent conflict of interest exists.

Carefully Manage Public, Private, and Confidential Information

University community members are the creators, custodians, and stewards of many types of information, much of which is confidential. Access to this data this information and the individual's right to privacy are governed by both laws and university policies. In order to meet our responsibilities, university community members are expected to:

- Learn and follow laws, regulations, and university policies regarding access, use, protection, disclosure, retention, and disposal of public, private, and confidential information;

Commented [JB6]: It is not clear what this means, and it seems to be redundant with first bullet point in this section.

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Commented [JB7]: It is unclear what "fairness" means in this context. Reporting findings accurately is subsumed under first bullet point in this section.

Commented [DK8R7]: Let's leave in the bullet but take out "and fairness". The author should ensure accuracy of their published work.

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Commented [JB9]: Clarifies meaning.

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- Follow document retention and disposal guidelines;
- Maintain **data information** security using electronic and physical safeguards;
- Protect **data information** quality and integrity;
- Ensure that **data information** provided to the university community and other entities is accurate and consistent; and
- Provide information as needed for other community members to adequately perform job duties.

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Commented [JB10]: Use consistent wording throughout. The heading and first part of the first sentence and the last bullet refers to "information", so why then switch to "data" in the middle.

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Promote Health and Safety in the Workplace

All university community members have a shared responsibility to ensure a safe, secure, and healthy campus for all faculty, staff, students, volunteers, and visitors. University community members are expected to:

- Follow federal and state safety laws and university policies and practices, including participating in appropriate education; using appropriate personal safety equipment; and reporting accidents, injuries, and unsafe situations promptly;
- Maintain security, including securing university assets and facilities;
- Report suspicious activities and suspected abuse; and
- Protect the environment, including carefully handling hazardous waste and other potentially harmful agents, materials, or conditions.

V. ANNUAL ACKNOWLEDGEMENT

~~Understanding your responsibilities as a member of the NKU community is important in maintaining ethical standards across campus and ensuring compliance with federal and state laws.~~

~~Annually, all faculty members, staff members, administrators, and mMembers of the Board of Regents will acknowledge their awareness and understanding of this policy~~

Commented [DK11]: Can this be placed earlier in the policy? Perhaps after section 2. Also include a statement this annually acknowledged in the HR refresher course.

Commented [JB12]: I moved it to section II and added the sentence.

VI. VIOLATIONS OF THIS POLICY

Any individual found to have violated ~~the expectations policies set forth in sSection IV of this policy above~~ may be subject to discipline up to and including termination of employment and criminal prosecution. Any adverse employment action shall be taken only pursuant to applicable institutional handbooks, policies, and procedures. ~~NKU will not tolerate retaliation against any individual who makes a good faith report of a violation.~~

~~The confidentiality of any whistleblower anyone that is alleged to be in violation of this policy or who reports alleged illegal or dishonest activity will be maintained to the extent possible under applicable state and federal laws. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law, and to provide accused individuals their legal rights of defense. Community members are cautioned, via this provision, that their identity may become known for reasons outside of the control of University administrators and investigators.~~

Commented [JB13]: "Policies" is not the right word here.

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Commented [JB14]: This sentence was originally at the end of section VII.

Commented [DK15R14]: We still feel this is more appropriate near the end of the policy as the items in Sec. IV and the fraudulent reporting discuss in VII are applicable to VI

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Commented [DK16]: Should this be included as part of Section VI as this is protecting the whistleblower and the suspected violator. They both are entitled to confidentiality to the extent possible.

Commented [JB17R16]: I moved this from section IX below.

VII. NON-DISCRIMINATION STATEMENT

Northern Kentucky University does not discriminate based on national origin, race, color, age, gender, gender identity, gender expression, sexual orientation, religion, physical or mental disability, genetic information, pregnancy, and Uniform Service or veteran status in its education programs, activities, employment, daily operations, or admissions policies, in accordance with all applicable federal, state,

and local laws. **NKU will not tolerate retaliation against any individual who makes a good faith report of a violation**

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Commented [JB18]: This sentence should be retained and moved to the end of section VI above.

Commented [JB19R18]: I moved this back here per Deanna's comment above. It had originally been stricken, so moving it back here seems ok.

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VIII. REPORTING SUSPECTED ETHICAL OR COMPLIANCE VIOLATIONS

All faculty, staff, and administrators have an obligation to report conduct that violates our Ethical Standards. Examples of violations that should be reported include but are not limited to:

- Fraud, waste, abuse, or misuse of university resources
- Financial misconduct/wrongdoing
- Violation of federal law, state law, university policy, or procedure
- Ethics and/or compliance violations
- Research misconduct
- Harassment

Violations can be reported to:

- Your supervisor
- [Financial and Operational Auditing](#)
- [Compliance and Institutional Ethics](#)
- [Ethics and Compliance Helpline](#)

The NKU Ethics and Compliance Helpline is administered by a third-party and is available 24 hours a day, 7 days a week, 365 days a year. Reports can be made anonymously [via the Ethicspoint website \(- Website: \[www.nku.ethicspoint.com\]\(http://www.nku.ethicspoint.com\)\) or by phone \(toll-free\)](#)

[Toll-Free Telephone: at 1-855-597-4539.](#)

NOTE: The helpline is **NOT** a 911 or emergency service. ~~If you~~Those needing immediate emergency assistance ~~should~~ contact 911 or University Police at 859-572-7777.

IX. WHISTLEBLOWER (ANTI-RETALIATION) PROTECTION

Any community member who acts in good faith to report ~~an alleged violation of this policy or alleged illegal or dishonest activity is referred to as a whistleblower.~~

A whistleblower is NOT responsible for investigating the alleged illegal or dishonest activity or for determining fault or corrective measures. Appropriate management officials are charged with these responsibilities as discussed in section X below.

~~The confidentiality of who reports alleged illegal or dishonest activity will be maintained to the extent possible under applicable state and federal laws. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law, and to provide accused individuals their legal rights of defense. Community members are cautioned, via this provision, that their identity may become known for reasons outside of the control of University administrators and investigators.~~

NKU will protect against retaliatory behavior towards any whistleblower who, in good faith, reports any action or suspected action taken by or within the University that is illegal, fraudulent, or in violation of any adopted policy of the University. Retaliatory behavior includes, but is not limited to, intimidation, harassment, discrimination, or other acts of retaliation that could result in adverse employment consequences. Adverse employment consequences include, but are not limited to, actions such as termination, compensation decreases, poor work assignments, [unsubstantiated poor performance](#)

Commented [JB20]: Could reword this section to entirely avoid the word "whistleblower", as I don't believe it's used in the Research Misconduct or Sexual Harassment policy. Could just focus on "anti-retaliation" instead?

Commented [DK21R20]: Whistleblower is commonly used term that workers understand and is used in law. If we change this it will make this harder to find for someone considering reporting issues. This could be in parenthesis after "Anti-retaliation Protection" but I would not recommend avoiding this word.

Commented [DK22]: Should this be included as part of Section VI as this is protecting the whistleblower and the suspected violator. They both are entitled to confidentiality to the extent possible.

evaluations, or threats of physical harm. Any whistleblower who believes they are being retaliated against must should contact Human Resources immediately or their immediate supervisor or division vice president as soon as possible.

However, the right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated. A commitment to protecting whistleblowers from retaliation does not preclude the University from addressing performance or unprofessional business behaviors or behavioral issues with employees as appropriate. In addition, using this no retaliation provision in bad faith (i.e., deliberately making false allegations) is also itself a violation of this policy.

Any community member who retaliates against someone who has reported a concern in good faith will be subject to appropriate disciplinary action as determined by NKU administration, including but not limited to Human Resources, the President, and the Board of Regents.

X. INVESTIGATING REPORTED ALLEGED VIOLATIONS OF THIS VALUES & ETHICAL RESPONSIBILITIES POLICY ALLEGED ILLEGAL OR DISHONEST ACTIVITY

A number of areas within the University have responsibility for routinely conducting investigations of certain types of allegations of improper activity and have dedicated resources and expertise for such purposes. These include, but are not limited to, Legal, Compliance, Internal Audit, University Police, Human Resources and the Title IX Office. In addition, other University parties may become involved in investigations of matters based on their areas of oversight responsibility or topical expertise, such as Safety and Emergency Management, Risk Management, Institutional Research, and Academic Affairs. Each area with investigative authority shall carry out investigative activities in accordance with appropriate laws and established procedures within its discipline and regulatory policies and guidelines.

IXI. REFERENCES AND RELATED MATERIALS

REFERENCES & FORMS

- [Faculty Policies and Procedures Handbook](#) (see especially section 16.2 "Professional Ethics and Responsibilities" and 16.3 "Academic Freedom")
- [Chase Faculty Handbook](#)
- [Code of Student Rights and Responsibilities](#)
- [Chase Student Handbook](#)
- [Graduate Student Honor Code and Appeals Policy](#); <https://inside.nku.edu/scra/information/students/graduate-honor-code.html>
- [Northern Kentucky University Ethics and Compliance Helpline](#)
- [Compliance and Institutional Ethics](#)
- [Frequently Asked Questions re: Reporting Violations](#)

Related Policies and References

- [Intellectual Property](#)
- [Sexual Misconduct Harassment](#)

Commented [JB23]: "Should" rather than "must" makes a bit more flexible.

Commented [JB24]: Too hard to define "immediately". Delete.

Commented [JB25]: Add these options if for whatever reason contacting HR is not feasible, e.g., if the charge is being brought against someone in HR or the reporting/whistleblowing individual works in HR.

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Commented [JB26]: "behavioral" is vague – delete.

Commented [DK27R26]: Behavior is different than performance. Let's use "unprofessional business behaviors" instead of removing it.

Commented [JB28R26]: Made this change.

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Commented [JB29]: Should this policy focus only on reporting ethics violations? Or would this change in heading cover others? (e.g., many ethical violations are not illegal or dishonest)

Commented [JB30]: Also add reference to NKU websites where the reporting process is described, e.g., <https://inside.nku.edu/ethics/questions.html> and <https://inside.nku.edu/ethics.html> and <https://inside.nku.edu/ethics/code.html> and <https://secure.ethicspoint.com/domain/media/en/gui/39421/index.html>

- **Reporting Misconduct and Prohibition of Retaliation**

Revision history

REVISION TYPE	MONTH/YEAR APPROVED
Revision - Added sections IX and X re: whistleblowing, retaliation, and investigation - Updates, clarifications, formatting, and editing throughout	
Edits/Corrections - Corrected policy to reflect 2016 BoR-approved changes - Made minor edits to formatting, spacing, and punctuation - Corrected the reference to the Faculty Policies and Procedures Handbook on p. 3 to reflect the current numbering system (changed from "section III, Items A-D" to "section 16.3") - Updated URLs	October 2, 2019
Revision	May 18, 2016
Revision	April 29, 2016
Revision & Name Change	March 1, 2014
Revision & Name Change to "Ethical Principles & Code of Conduct"	July 13, 2005
New Policy—Administrative Regulation (AR-I-1.0-1) – "Statement of Administrative Ethics"	July 29, 1981

Commented [JB31]: I updated the history to note these name changes.

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VALUES & ETHICAL RESPONSIBILITIES

PRESIDENTIAL APPROVAL

President	
Signature	Date
Ashish K. Vaidya	

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.)	
VICE PRESIDENT AND CHIEF STRATEGY OFFICER	
Signature	Date
Bonita J. Brown	