



# Northeastern

TO: Senate Agenda Committee  
FROM: Faculty Handbook Committee  
DATE: April 8, 2023  
SUBJECT: Final report for 2022-23

The Faculty Handbook Committee had 10 meetings during the academic year. The committee carried out the specific charges assigned by SAC. The charges were addressed as follows with recommendations:

**1. Review the Handbook for internal inconsistencies, inconsistencies with other University documents, and for language or content that may need updating. Where changes to the Handbook are warranted, the Committee shall propose a resolution with model language for inclusion in the Handbook. Specific areas for review (in addition to any other areas the committee identifies):**

- a. Compensation module: merit review process: identify any recommendations to improve transparency and accountability.**
- b. Follow up on IP/Copyright module and policy and its potential removal from the faculty handbook.**
- c. Changes necessary to any aspect of the Handbook given the global presence of the university and faculty across multiple campuses.**

- Regarding this charge overall, committee members reviewed the language of the Faculty Handbook, consulted with colleagues and other relevant committees to identify areas of concern, and developed recommendations accordingly.

- Regarding charge **1a**, committee members requested data and documentation from various units of the University needed to identify areas of inconsistency or insufficient transparency in the application of the merit review process. This research is not yet complete.

- Regarding charge **1b**, the committee met with Deb Franko, Senior Vice Provost and Andrew Curtin, Director of Intellectual Property in the Office of General Counsel, to receive a proposal from the administration to revise or remove the sections of the Faculty Handbook pertaining to intellectual property. We conducted further research into policies at peer institutions to develop a recommendation.

- Regarding charge **1c**, the committee recommends that the Faculty Senate adopt Resolution 1b. The committee otherwise paused work on considering Handbook implications of faculty across multiple campuses in light of the pending amendments to the Faculty Senate by-laws to expand Senate representation, including the addition of senators from Mills College at Northeastern University.

- Related to this charge generally, the committee received a request from Deb Franko, Senior Vice Provost, to consider handbook revisions to allow appointments of non-tenure-track research faculty to reside in Institutes, rather in a Department (or equivalent “unit”) level as currently required. We discussed the potential implications of

this change when Institutes are not housed within degree-granting colleges and schools of the University. Specific concerns raised were the representation of these faculty in the Senate and other bodies as well as the financial implications of this move for affected departments.

### Recommendations

- A. The committee recommends that work by this committee on **Charge 1a, Compensation Module** and **Charge 1c, Faculty Across Multiple Campuses** be continued into the next academic year.
- B. The committee recommends that the Faculty Senate adopt **Resolutions 1a and 1b, Intellectual Property and Copyright** (attached) to replace the Faculty Handbook modules titled “Patent and Copyright” and “Instructional Media”, respectively, with new institutional Policy on Trade Secrets, Policy on Patents, and Policy on Copyrights, and requiring that further modifications of that Policy be subject to a prior vote of the Faculty Senate.
- C. The committee recommends that the Faculty Senate adopt **Resolution 1c, Adding Mills College to the College Faculties** (attached).
- D. At this time, the committee does not yet recommend revising the handbook to allow for the appointments of non-tenure-track research faculty to reside in Institutes rather than Departments. The committee recommends that work on this charge continue into the next academic year and that additional data be shared with the committee regarding how many faculty and which departments this change might affect. Input from the leadership of these departments would also be valuable in helping guide any resolution.

## **2. Review the past resolution related to FTNTTF non-renewal and provide recommended updates to the faculty handbook.**

- The committee reviewed the handbook language and AAUP guidelines, researched the NTT and TT appointment and non-renewal process across units of the University and at peer institutions, and developed recommendations accordingly.

### Recommendations

- A. The committee recommends that the Faculty Senate adopt **Resolution 2a, Terms for FT NTT Faculty at the Assistant Level** (attached) to revise the Faculty Handbook to provide for appointments of not less than two years.
- B. Due to litigation, the committee suspended deliberation on this issue.

**3. Review Faculty Senate Bylaws section 3.c.1.a: composition: elections: general regulations and make recommendations regarding eligibility of faculty with administrative duties/titles to serve as senators.**

- The committee reviewed this charge, considered the implications of setting various eligibility criteria, and developed a recommendation accordingly.

Recommendation

A. The committee recommends that the Faculty Senate adopt [Resolution 3](#), **Faculty Senate Eligibility** (attached) to revise the Faculty Handbook to define Administrative Faculty and to exclude Administrative Faculty from eligibility to be elected as a Senator.

**4. Recommend a standing policy/procedure for ongoing faculty handbook review.**

- The committee reviewed its current structure and procedures in light of the need for ongoing review of the Faculty Handbook.
- Related to this charge and charge 1, the committee discussed the status of Faculty Senate Resolutions adopted pursuant to the Faculty Handbook and consulted with the Senate Agenda Committee on the need to systematically review the state of implementation of past resolutions.

Recommendation

A. The committee recommends that the Faculty Senate adopt [Resolution 4a](#), **Ongoing Handbook Review** (attached) establishing the Faculty Handbook Committee as a standing committee.

B. The committee recommends that the Faculty Senate adopt [Resolution 4b](#), **Annual Review of Past Senate Resolutions** (attached), providing for an annual report by the Provost on the status of adoption and implementation of the prior year's Senate Resolutions.

Respectfully submitted,

David Herlihy, chair  
Mark Henderson  
Joshua Hertz  
Lindsay Portnoy  
Caglar Yildirim

**Resolution 1a**  
**Intellectual Property and Copyright**

WHEREAS The Faculty Handbook module entitled “Patent and Copyright” includes both the University Patent Policy, adopted in 1995, and an Interim Copyright Policy, last revised in 1982; and

WHEREAS The University administration proposes to adopt new University policies on intellectual property; and

WHEREAS The Faculty Handbook Committee recommends that patent and trade secret policies be treated separately from copyright policy. The Committee supports the provisions of the proposed University policies on intellectual property pertaining to patents, trade secrets, and copyright; and

WHEREAS The Committee concludes the Copyright ownership policy issue should not be overshadowed by the University’s patent and technology transfer policy; and

WHEREAS, Every faculty member produces Original Works of Authorship (“Works”), yet only a few faculty members ever produce patentable inventions or develop trade secrets; and

WHEREAS, a separate policy or an overall intellectual property policy with separate sections is preferable so that copyright policy is not lost in the midst of the complications of the patent and/or trade secret policy; and

THEREFORE, BE IT RESOLVED that, upon adoption by the University administration of the new University Policies on Patent and Trade Secrets, consistent with this Resolution, the Faculty Senate shall take steps to remove from the Faculty Handbook the module entitled “Patent and Copyright.”

**Resolution 1b**  
**Intellectual Property and Copyright**

WHEREAS The Faculty Handbook module entitled “Patent and Copyright” includes both the University Patent Policy, adopted in 1995, and an Interim Copyright Policy, last revised in 1982; and

WHEREAS The University administration proposes to adopt new University policies on intellectual property; and

WHEREAS The Faculty Handbook Committee recommends that patent and trade secret policies be treated separately from copyright policy. The Committee supports the provisions of the proposed University policies on intellectual property pertaining to patents, trade secrets, and copyright; and

WHEREAS The Committee concludes the Copyright ownership policy issue should not be overshadowed by the University’s patent and technology transfer policy; and

WHEREAS, Every faculty member produces Original Works of Authorship (“Works”), yet only a few faculty members ever produce patentable inventions or develop trade secrets; and

WHEREAS, a separate policy or an overall intellectual property policy with separate sections is preferable so that copyright policy is not lost in the midst of the complications of the Patent and/or Trade Secret Policy; and

WHEREAS, Instructional Media was not defined in the Faculty Handbook; and

WHEREAS, The Committee recommends the Faculty Handbook be amended to include definitions of Traditional Academic Works and Pedagogical Works; and

WHEREAS The Committee recommends that faculty shall be deemed Authors of all Works created by them, including Traditional Academic Works and Pedagogical Works such that ownership of all rights in and to such Works shall reside solely with the faculty member who creates them; and

WHEREAS The Committee acknowledges certain Works created or developed by a faculty may be considered works made for hire for the university, namely Works created in the course of or pursuant to a grant or agreement for sponsored research between the university and a third party, or pursuant to any written agreement between a faculty member and the university expressly for the production of such Work; and

WHEREAS, The Committee acknowledges certain works created by faculty may be considered works made for hire for the university, namely administrative documents relating to the university's decision-making processes, measures dealing with organizational, administrative or budgetary matters, or other business records which are proprietary to the university.

THEREFORE, BE IT RESOLVED that faculty shall be deemed Authors of all Traditional Academic Works and Pedagogical Works created by them, such that ownership of all rights in and to such Traditional Academic Works and Pedagogical Works shall reside solely with the faculty member who creates them; and

BE IT FURTHER RESOLVED that, upon adoption by the University administration of the University Policy on Copyright, consistent with this Resolution, the Faculty Senate shall take steps to remove from the Faculty Handbook the module entitled "Instructional Media."

**Resolution 1c**  
**Adding Mills College to the College Faculties**

WHEREAS Mills College has been added as the tenth college of the university

BE IT RESOLVED that Section 2 of the College Faculties module in the Northeastern University Faculty Handbook be amended to add “j. Mills College”.

**Resolution 2a**  
**Terms for FT NTT Faculty at the Assistant Level**

WHEREAS the Faculty Handbook module entitled Appointments, Terms and Reappointments, Section B, currently states that the term of appointment for “First level/rank (e.g., Assistant Teaching Professor) is one year”, and

WHEREAS in a competitive hiring market, units of the University report that it would be advantageous to be able to offer initial appointments of a greater duration, THEREFORE

BE IT RESOLVED that the Appointments, Terms and Reappointments module in the Northeastern University Faculty Handbook, Section B be amended to read “First level/rank (e.g., Assistant Teaching Professor) is at least one year and no more than two years”.



**Resolution 3**  
**Faculty Senate Eligibility**

WHEREAS a number of individual faculty members exercise considerable control over the direction and implementation of university governance when they hold an appointment to a college or university administrative role; and

WHEREAS the special role of faculty members with an administrative appointment is recognized several times in the Faculty Senate Bylaws; and

WHEREAS the composition of the Senate is full-time faculty members with six seats set aside to be composed of “administrators who are full-time members of the faculty appointed by the President or their designee”; and

WHEREAS the current bylaws allow that “Each full-time faculty member is eligible to vote and to serve as Senator,” regardless of their concurrent appointment to a college or university administrative role, THEREFORE

BE IT RESOLVED: The Faculty Handbook module entitled Procedural Guidelines in the Appointment and Evaluation of University Administrators shall be amended to include the following as the first sentence in Part A, Item 1:

Administrative Faculty shall mean any faculty member, at the university, college or unit level with authority over matters such as academic affairs, workload, job description, duties, and/or compensation of faculty members, including but not limited to faculty with titles such as Provost, Assistant / Associate Provost, Dean, Assistant / Associate Dean, Director and/or Executive Director.

BE IT FURTHER RESOLVED The Faculty Senate Bylaw 3.c.1.a. be amended to read: Each full-time faculty member, excluding Administrative Faculty, is eligible to vote, and to be elected as a Senator.

**Resolution 4a**  
**Ongoing Handbook Review**

WHEREAS the Faculty Handbook is a living document which provides essential policy pertinent to university governance and faculty rights; and

WHEREAS the Faculty Handbook includes modules governing appointments, promotions, and tenure, rights in teaching, research and scholarship, personnel policies, and academic organization which impacts all members of the university community; and

WHEREAS the Faculty Handbook requires regular review of governance, appointments, promotions, and tenure, rights in teaching, research and scholarship, personnel policies, and academic organization therein; and

WHEREAS the Faculty Handbook should be reviewed on an annual basis by a standing committee of faculty members representative of units across the university, appointed on a rotating basis, THEREFORE

BE IT RESOLVED that the Faculty Senate establishes a Faculty Handbook Committee as a standing committee inclusive of no less than 5 members representative of the degree-granting schools and colleges across the university, appointed by the Senate Agenda Committee to serve 2-year terms, where a minimum of no less than half of the members remain each year to fully support the transition of new members; AND

BE IT FURTHER RESOLVED that the Faculty Handbook Committee will review the faculty handbook on an annual basis, identify and research areas of concern for future action, and identify and propose changes inclusive of recommendations for new resolutions.

**Resolution 4b**  
**Annual Review of Past Senate Resolutions**

WHEREAS, The Faculty Senate is the highest faculty governance body in the University; and

WHEREAS, Resolutions passed by the Faculty Senate address significant matters of University concern and embody the Faculty Senate's contribution to the governance of the University; and

WHEREAS, ensuring the efficacy and implementation of Resolutions passed by the Faculty Senate is a matter of utmost importance in the realization of the University's mission; THEREFORE

BE IT RESOLVED, The Provost shall submit a written Faculty Senate Resolution Status Report to the Faculty Senate, each academic year no later than the first Faculty Senate meeting in January, addressing each Resolution passed by the Senate in the previous academic year, including the status of the implementation of each such Resolution, and in the event of an incomplete implementation or a lack of approval thereof, an explanation and justification in connection therewith.