



# Faculty Senate

The Faculty Senate will meet on Friday, January 12, 2018, at 2:10pm  
in the State Room (1957 E Street NW).

## AGENDA

1. Call to order
2. Approval of the minutes of the meeting held on December 8, 2017
3. REPORT: Banner/EAS Update (Loretta Early, Chief Information Officer)
4. RESOLUTION 18/1: To Amend the *Faculty Code* as to Criteria and Procedures for Appointments, Reappointments, and Promotion of Regular Faculty with Non-Tenure-Track Appointments (Jeff Gutman, Chair, Professional Ethics & Academic Freedom Committee)
5. RESOLUTION 18/2: To Amend Procedures for the Implementation of the *Faculty Code* to Clarify the Roles of the School-Wide Personnel Committee, a Dean, and the Provost (Jeff Gutman, Chair, Professional Ethics & Academic Freedom Committee)
6. RESOLUTION 18/3: To Amend the *Faculty Code* Article X. A., Rights, Privileges, and Resolution of Disputes under the *Code* (Jeff Gutman, Chair, Professional Ethics & Academic Freedom Committee)
7. UPDATE: Status of procedures to implement Senate Resolution 17/4 Recommending the Adoption of Guidelines for Exercising and Defending Academic Freedom (Jeff Gutman)
8. Introduction of Resolutions
9. GENERAL BUSINESS
  - a) Nominations for election of new members to Senate standing committees
    - a. Educational Policy: Michelle Arcieri (Interim Director, Student Financial Assistance) and Lisa Schwartz (Assistant Professor/SMHS)
    - b. Research: Debarati Banik, Post-Doctoral Representative (SMHS)
  - b) Reports of Standing Committees
    - a. Educational Policy: Interim Report
  - c) Report of the Executive Committee: Professor Sylvia Marotta-Walters, Chair
  - d) Provost's Remarks
  - e) Chair's Remarks
9. Brief Statements and Questions
10. Adjournment

Elizabeth A. Amundson, Secretary

**Resolution 18/1**  
**A RESOLUTION TO AMEND THE *FACULTY CODE* AS TO CRITERIA AND  
PROCEDURES FOR APPOINTMENTS, REAPPOINTMENTS, AND PROMOTION OF  
REGULAR FACULTY WITH NON-TENURE-TRACK APPOINTMENTS**

**WHEREAS:** Article IV.A.6. (c) of the *Faculty Code* provides:

“Decisions regarding appointments, re-appointments, and promotion of regular faculty for non-tenure-track positions at the rank of professor shall be based on published criteria that are substantially comparable (though not necessarily identical, to the published criteria that would be applied to faculty members serving in tenure-track appointments in the applicable department or nondepartmentalized school.”

**WHEREAS:** The first sentence of Article IV.B.2. of the *Faculty Code* provides:

“Each school shall establish and publish written criteria, consistent with paragraph B.1, on which promotion to the ranks of associate professor and professor will be based, including any appropriate distinctions between the criteria for tenure-track and tenured faculty and those for non-tenure-track faculty members due to the different nature of their appointments. . . . ”

**WHEREAS:** It is essential that promotion of regular, non-tenure-track faculty to the ranks of associate professor and professor give appropriate weight to the terms of their appointments, which assign different percentages of effort to research, teaching, and service; and

**WHEREAS:** Maximum clarity is essential to an orderly and fair promotion process; and

**WHEREAS:** It is not immediately apparent that Article IV.A.6.(c) is modified by the provisions of Article IV.B.2; and

**WHEREAS:** Failing to clarify the substance of the process will likely lead to misunderstanding, misapplication, and other problems in applying the criteria used in promotion decisions for non-tenure-track faculty;

**NOW, THEREFORE,**

**BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY**

That Article IV.A.6. (c) of the *Faculty Code* is amended by inserting the clause shown in all capitals:

Decisions regarding appointments, re-appointments, and promotion of regular faculty for non-tenure-track positions at the rank of professor shall be based on published criteria that are substantially comparable (though not necessarily identical, AS INDICATED IN SECTION IV.B.2) to the published criteria that would be applied to faculty members serving in tenure-track appointments in the applicable department or nondepartmentalized school.

Faculty Senate Committee on Professional Ethics and Academic Freedom  
January 12, 2018

**Resolution 18/2**  
**A RESOLUTION TO AMEND PROCEDURES FOR THE IMPLEMENTATION OF**  
**THE *FACULTY CODE* TO CLARIFY THE ROLES OF THE SCHOOL-WIDE**  
**PERSONNEL COMMITTEE, A DEAN, AND THE PROVOST**

**WHEREAS:** The first sentence of Part B.6. of Procedures for the Implementation of the *Faculty Code* provides:

“The dean and Provost shall promptly notify the relevant department and School-Wide Personnel Committee of any concurrence or non-concurrence with their recommendations.”

**WHEREAS:** The third sentence of Part B.7. of Procedures for the Implementation of the *Faculty Code* provides:

“If concurrence cannot be obtained after opportunity for reconsideration in light of the recommendations of the Executive Committee, the recommendations of the School-Wide Personnel Committee and appropriate administrative officers, accompanied by the recommendation of the department, and the report of the Executive Committee shall be transmitted to the President who will make a final decision, subject to Paragraph B.8.”

**WHEREAS:** Clarity is essential to an orderly and fair process regarding recommendations for promotion, tenure, and appointments with tenure; and

**WHEREAS:** It is not apparent that concurrences or non-concurrences with the recommendations described in Part B.6. and Part B.7. may be either positive or negative; and

**WHEREAS:** Failing to clarify the process will cause misunderstandings and other problems if either a concurrence or non-concurrences occurs;

**NOW, THEREFORE,**

**BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY**

That Part B.6. of the Procedures for the Implementation of the *Faculty Code* is amended by inserting the parenthetical phrase as shown below in all capitals:

“The dean and Provost shall promptly notify the relevant department and School-Wide Personnel Committee of any concurrence or non-concurrence with their recommendations (WHETHER POSITIVE OR NEGATIVE).”

**AND, FURTHER BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY**

That the third sentence of Part B.7. of Procedures for the Implementation of the *Faculty Code* is amended by inserting the parenthetical phrase as shown below in all capitals:

“If concurrence cannot be obtained after opportunity for reconsideration OF THE FACULTY RECOMMENDATION (WHETHER POSITIVE OR NEGATIVE) in light of the recommendations of the Executive Committee, the recommendations of the School-Wide Personnel Committee and appropriate administrative officers, accompanied by the recommendation of the department, and the report of the Executive Committee shall be transmitted to the President who will make a final decision, subject to Paragraph B.8

Faculty Senate Committee on Professional Ethics and Academic Freedom  
January 12, 2018

**Resolution 18/3**  
**A RESOLUTION TO AMEND ARTICLE X. A., RIGHTS,**  
**PRIVILEGES, AND RESOLUTION OF DISPUTES UNDER THIS**  
***CODE***

**WHEREAS:** Article X.A., Rights and Privileges Under this *Code*, provides:

“The rights, privileges, and responsibilities of a faculty member, as conferred by this *Code*, shall be carefully safeguarded in accordance with the highest accepted principles, practices, and procedures of the academic community. An alleged infringement of such rights or privileges or an alleged violation of such responsibilities shall first be considered by the faculty member or members concerned, or by appropriate representatives of the faculty, in cooperation with the responsible administrative officers. If such consideration does not lead to an adjustment satisfactory to the parties involved, the procedures for the implementation of this Article shall be fully utilized.”; and

**WHEREAS:** The third sentence of Article X.A., Rights and Privileges Under this *Code* provides:

“If such consideration does not lead to an adjustment satisfactory to the parties involved, the procedures for the implementation of this Article shall be fully utilized.” (emphasis added); and

**WHEREAS:** Common use of shall is as a mandatory action, or an expression of an instruction or command; and

**WHEREAS:** The case of *Kyriakopoulos v. George Washington Univ.*, 657 F. Supp. 1525 (D.D.C. 1987) decided by the federal district court for the District of Columbia adjudicated issues regarding GWU’s grievance procedure, and the *Code* provisions regarding the grievance procedure interpreted in that case used language identical to the language used now; and

**WHEREAS:** The federal district court held that use of the grievance procedure was *not* mandatory; and

**WHEREAS:** The possible confusion between common use of “shall” and the judicial determination of the meaning of “shall” might mislead grievants or cause them to misunderstand their rights at law versus their rights under the *Code*; and

**WHEREAS:** Clarity is essential to an orderly and fair process for aggrieved faculty members; and

**WHEREAS:** It is prudent to follow judicial guidance for internal processes in resolving disputes at GWU; and

**WHEREAS:** Code language should make it clear that undertaking the grievance process is voluntary, not mandatory;

**NOW, THEREFORE,**

**BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY**

That the third sentence of Article X.A. is amended as follows:

“If such consideration does not lead to an adjustment satisfactory to the parties involved, the procedures for the implementation of this Article ~~shall~~ **may** be fully utilized.”

Faculty Senate Committee on Professional Ethics and Academic Freedom  
January 12, 2018

# Faculty Senate Committee on Educational Policy

## Interim Report: First Half of 2017-2018 Academic Year

The Educational Policy Committee met on September 15, 2017; October 13, 2017; November 10, 2017; and December 8, 2017. Future meetings are scheduled for January 18, 2018; February 9, 2018; March 9, 2018; and April 13, 2018.

### 1. ONLINE AND HYBRID DEGREE PROGRAMS

At the September meeting, the Committee received and discussed the Report of the Joint Task Force on Online, Hybrid, and Off-Campus Degree Programs. Emeritus Professor Kurt Darr, Task Force Chair, presented the key findings presented in the Task Force Report (available at <https://facultysenate.gwu.edu/files/2016/07/October-13-Meeting-Minutes-Attachments-12xqxsd.pdf>). Following Professor Darr's presentation of the Report to the Senate and Chair Wirtz's discussion with the Online Committee (which raised questions about several of the assertions made in the Report), the Committee asked the Provost to present to the Committee in January recommendations and administrative steps taken to address areas of concern cited in the Report.

### 2. ACADEMIC INNOVATIONS AND ACADEMIC TECHNOLOGY

At the October meeting, the Committee met with Geneva Henry, Dean of Libraries and Academic Innovations; PB Garrett, Senior Associate Dean for Innovation, Teaching, and Learning & Chief Technology Officer; Yordanos Baharu, Executive Director of Academic Enterprise Applications; Katherine Miscavige, Educational Developer; and Kes Shroer, Program Associate. The discussion focused around five primary areas of academic innovation: the University Teaching-Learning Center, the Instructional Technology Lab, the Teaching Network for Early Faculty Learning, the STEMWORKS program, and the new partnership arrangements with existing internal resources (e.g., SMHS, SON). The Committee discussed with our guests extant efforts to bring scholarship and skills to faculty members' teaching through workshops such as the small teaching/course design institute; a new online faculty development course; the online syllabus initiative; the availability of GWorld photos in Blackboard; free video services available for faculty creating online courses; and a number of STEMWORKS initiatives, including WebEx appointments to accommodate online students, Pearson online tutoring facilities, peer coaching, workshops in quantitative course support, and providing consultants to assist in particular substantive areas (such as econometrics).

### 3. ADMISSIONS POLICY

At the November meeting, the Committee met with Laurie Koehler, Vice Provost for Enrollment Management, Costas Solomou, Director of Admissions, and Michelle Arcieri, Interim Director of Financial Aid. There appears to be preliminary evidence that the University's new "test-optional policy" is achieving several salutary outcomes; however, important validation metrics (such as differences between "submitters" and "non-submitters" on screening tests for entry to introductory Economics courses, which the Committee views as an important indicator of the impact of the policy) have not yet been assessed. The Committee discussed with Vice Provost Koehler and her team key metrics upon which the assessment of the University's admissions policy is based, and the preliminary values for these metrics.

### 4. RETENTION POLICY

At the December meeting, the Committee discussed retention policy with Vice Provost Koehler and Oliver Street, Executive Director of Enrollment Retention. Although several metrics suggest that the University's retention rates are improving (particularly with regard to Freshmen), the University still lags behind several peer and aspirant schools in this area. Vice Provost Koehler and Executive Director Street discussed with the Committee several new initiatives that are being implemented to address this issue.

Respectfully Submitted, Philip W. Wirtz, Chair

Eyal Aviv	Terry Hufford	Joseph Pelzman	Ormond Seavey	<i>PB Garrett*</i>
Scott Beveridge	Candice Johnson	Robert Phillips	Megan Siczek	<i>Peter Konwerski*</i>
Olivia Blackmon	Ioannis Koutroulis	Marie Price	Philip Wirtz	<i>Forrest Maltzman*</i>
Geoffrey Carter	Jannet Lewis	Pradeep Rau	Anthony Yezer	<i>Terry Murphy*</i>
Yuliya Dobrydneva	Lisa Lipinski	Lilien Robinson	<i>Elizabeth Amundson*</i>	<i>Oliver Street*</i>
Rohini Ganjoo	Henry Nau	Silvana Rubino-Hallman	<i>Cheryl Beil*</i>	
Catherine Golden	Sydney Nelson	Mary Jean Schumann	<i>Michael Feuer*</i>	

*\*Ex-Officio*