

MINUTES OF THE REGULAR FACULTY SENATE MEETING HELD ON JANUARY 12, 2018 <u>AT 1957 E STREET NW/STATE ROOM</u>

- Present: President LeBlanc, Vice Provost Bracey, Parliamentarian Charnovitz, and Registrar Amundson; Deans Dolling, Goldman, and Jeffries; Executive Committee Chair Marotta-Walters; Professors Agca, Briscoe, Bukrinsky, Cline, Cordes, Costello, Griesshammer, Gutman, Markus, McDonnell, McHugh, Parsons, Pintz, Price, Rohrbeck, Sarkar, Schumann, Sidawy, Tielsch, Wallace, Watkins, Wilson, Wirtz, and Zara.
- Absent:Provost Maltzman, Deans Akman, Brigety, Choudhury, Eskandarian, Feuer, Morant,
and Vinson; Professors Agnew, Corry, Cottrol, Dickinson, Esseesy, Galston,
Harrington, Khoury, Lewis, Lipscomb, Nau, Pelzman, Rehman, Roddis, and Zeman.

CALL TO ORDER

The meeting was called to order at 2:13 p.m. by Executive Committee Chair Marotta-Walters due to President LeBlanc's expected late arrival. She requested and obtained the approval of the Senate to reorder today's agenda as needed to accommodate the President's arrival.

APPROVAL OF THE MINUTES

The minutes of the December 8, 2017, Faculty Senate meeting were approved unanimously without comment.

REPORT: Banner/EAS Update (Chief Information Officer Loretta Early)

Ms. Early joined GW as Chief Information Officer on July 1, 2017. She prefaced her remarks by introducing herself, noting that she has worked in higher education as an information technology (IT) professional for over 25 years. She began her career in the private sector, working as a business analyst on Wall Street. Her IT career began at the College of William & Mary and continued at the University of Oklahoma.

Ms. Early referenced the attached slides in her comments to the Senate. She noted that, upon her arrival at GW, she was asked to focus in part on making recommendations for the next steps and considerations for the university regarding its enterprise systems; that process, or enterprise resource planning (ERP), is just beginning. Part of the need for this assessment is due to Ellucian, which is the university's vendor for Banner. Ellucian notified their customer base that maintenance and

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support for Version 8, the platform GW employs, will be discontinued at the end of calendar 2018. This impacts functionality including regulatory patches for financial aid, W2 processing, and the forms platform driving many business processes. GW is one of 1600 customers impacted by this announcement. From a broader perspective, the higher education landscape has changed significantly (particularly in the area of student expectations, business needs, and technology offerings) since many institutions first implemented these types of systems twenty years ago.

An assessment of the ERP environment, focusing particularly on Banner, was conducted in Spring 2017. Ms. Early noted that she has spent some time reviewing that report and is also spending at least two days per week on the Foggy Bottom campus (the balance of her time is spent at the Virginia Science & Technology Campus) and welcomes the opportunity to meet with campus constituents. She has been conducting such meetings and attending the monthly meetings of the school IT directors since her arrival and is now formulating recommendations for President LeBlanc and the leadership team. Many of these recommendations are not surprising and draw not just on campus feedback but also on intelligence gleaned from a very collaborative higher education IT field that readily shares case studies, insights, and recommendations with peer institutions. In formulating recommendations for GW, Ms. Early is reaching out to industry professionals in the ERP space as well as peer institutions who are at or beyond GW's planning cycle point.

Before purchasing and implementing a new system, Ms. Early noted that GW has an opportunity to look at the way the university does things through a new lens, assessing whether all the current steps are necessary and whether work can be streamlined to be made easier and more transparent. This process should consider how services can be improved for faculty, students, and staff.

In her slides, Ms. Early provided some sample questions that will be used in work with campus task forces and advisory groups. More questions will emerge as more is learned about the current landscape, challenges faced, and areas of focus for improvement.

In parallel with an exploration of GW's ERP environment and next steps, maintenance and support must be continued for the essential business operations that depend upon the Banner environment. This will require that GW upgrade and migrate many existing forms to Banner's Version 9 platform. GW's Department of IT (DIT) has built a test environment and is working with Ellucian as well as with GW's key business units to complete migration and testing of essential functions by September 2018.

In considering the initial scope of GW's ERP exploration, the recommendation was put forward to focus on processes and activities that directly impact the student experience and success. DIT and Enrollment Management and Retention teams will help facilitate these conversations and discussions around campus. Prior to choosing a new system, these groups will envision the desired future state of the relevant services. Faculty and students will have a large voice and many opportunities to be engaged in these conversations through a variety of communication channels.

A fit-gap assessment will be conducted to prepare the case for change. Ms. Early noted that many present may have heard buzz about Workday from colleagues at other institutions. Workday is a new ERP system; its popularity is largely due to its ability to personalize the experience of using the system based on the user's role at an institution. Workday Student System is the newest module, and some schools have begun implementing this system. Fortunately, GW has six to nine months to

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spend looking at processes and desired improvements, and additional vendors will likely emerge as possible options for GW during that time frame.

Ms. Early closed her remarks by noting that she invites contact via email at <u>learly@gwu.edu</u>.

Professor Griesshammer asked for more specific information about community outreach and engagement of end users—who will be contacted and chosen for input. Ms. Early responded that over 100 people were interviewed as part of the initial assessment of the current environment; that list can be made available to the Senate. She noted that the next round of advisory and governance groups has not yet been established.

Professor Parsons asked whether the current review includes an assessment of the budgeting software used by the treasurer's office, given that it is reportedly primitive and creating difficulties across the research and budgeting enterprise. Ms. Early noted that the focus for the current ERP assessment will be on day-to-day student experiences. However, other systems that interface with the student experience will also be assessed. Professor Parsons asked whether other major universities have integrated these systems successfully or are working in a patchwork environment. Ms. Early responded that, while some schools have systems that integrate entirely, most have systems that have to be joined. Even schools staying on the Ellucian platform or moving to the Workday platform still have other systems (e.g., research, enrollment) that need to be integrated with the primary system.

Professor Wirtz recalled that the initial adoption of Banner was extremely difficult and met with a lot of resistance. He noted his understanding from Ms. Early's comments that a decision has been made, for continuity purposes and given the number of system modifications GW uses in Banner, to implement the new version of Banner. He asked whether this gives Banner a distinct advantage in the ERP assessment process or whether GW would be subject to a similarly wrenching experience in moving to an entirely different system. Ms. Early responded that her early discussions revealed an assumption that GW would adopt Workday; she emphasized that this decision has not yet been made. GW's ERP process will focus on student processes and activities and must also consider concerns about Ellucian's future viability and sustainability. The company has a good roadmap, but 1600 schools needing support through the end of Version 8 translates to concerns about their ability to guide all of their clients through such a sizable transition. Any transition to a new system would entail an 18-24 month process.

Professor Griesshammer agreed that a focus on student workflow is a great idea but inquired about the personnel/hiring side of GW's Banner operations. He noted that DIT has a poor track record of transitioning and of rolling out changes in systems at very awkward times during the academic year (e.g., days before classes begin). Any transition should optimally include extensive beta testing by small groups and extended rollout periods. Ms. Early responded that her experience as an IT leader has led her to be very cognizant of the pace of change. She noted that attending the regular meetings of the school IT directors will assist in identifying optimal times (including paying attention to the academic calendar) and effective communications for system rollouts and changes.

Professor Marotta-Walters noted that there doesn't appear to be a mechanism other than email to track the status of a request in GW's enterprise systems. She asked whether the programs under consideration offer the ability to track workflow at any point in the process. Ms. Early responded

that this is an expectation of end users based on their experiences in other areas (e.g., online shopping), and this is an important element of any system GW is considering.

GENERAL BUSINESS (part 1 of 2)

- I. <u>Nominations for election of new members to Senate Standing Committees</u>
 a. Educational Policy: Michelle Arcieri (Interim Director, Student Financial Assistance) and Lisa Schwartz (Assistant Professor/SMHS)
 - b. Research: Debarati Banik, Post-Doctoral Representative (SMHS)

All three nominations were approved by unanimous voice vote.

- II. <u>Reports of Senate Standing Committees</u>: An interim report from the Educational Policy Committee was distributed to the Senate and is included with these minutes.
- III. <u>Report of the Executive Committee: Professor Sylvia Marotta-Walters, Chair:</u> Please see the attached full report of the Executive Committee (FSEC) presented by Professor Marotta-Walters. Professor Marotta-Walters highlighted the following sections of her report:
 - <u>Guidelines for implementing the academic freedom resolution</u>. Following a great deal of positive collaboration between Art Wilmarth and the Provost's office, there is concurrence on the part of key Professional Ethics and Academic Freedom (PEAF) and central administration leaders regarding the implementation of this resolution. PEAF will now consider the results of this work as a full committee. Contingent upon a favorable outcome in committee, this issue will come to the Senate by the end of the spring term.
 - <u>Online/hybrid task force</u>. The Educational Policy Committee is working with the Provost's office to obtain further follow-up on the task force's report and involving more areas of the university. The Provost will report to Educational Policy next week with the goal of assessing what best practices the Provost's office can provide in this area. This report and subsequent committee discussion are expected to lead to a resolution for Senate consideration.
 - <u>Sexual harassment policy update</u>. The Faculty Senate Executive Committee (FSEC) and PEAF have begun the process of reviewing the language of the current GW sexual harassment policy as it relates to relationships on campus. PEAF is collecting and synthesizing information on how GW's policy concurs with or deviates from policies at other institutions. The issues involved are complicated and highly nuanced, and GW's current policy errs on the side of ambiguity and needs review. Resolutions on this issue are expected by the end of the spring term.
 - <u>Grievances</u>. There are three active grievances: two are in mediation, and one has reached the hearing stage.
 - <u>Next FSEC meeting</u>. The next meeting of the FSEC will be held on Friday, January 26, 2018; resolutions and agenda item requests should be submitted by January 19, 2018.

• <u>February Senate meeting</u>. Director Mary Ellsberg will report to the Senate on the Global Women's Institute, and Vice Provost Chris Bracey will update the Senate on the faculty survey component of dean evaluations. Vice President Chalupa's annual report on research has been deferred from January to April.

<u>UPDATE</u>: Status of procedures to implement Senate Resolution 17/4 Recommending the Adoption of Guidelines for Exercising and Defending Academic Freedom (Jeff Gutman, Co-Chair, Senate Committee on Professional Ethics and Academic Freedom)

Professor Gutman noted that Professor Marotta-Walters's update on this issue was comprehensive. He confirmed that Vice Provost Bracey and Professor Wilmarth worked very hard together to craft modifications to this resolution. At the next PEAF meeting (in two weeks), the committee will consider these modifications and then make them available to the Senate faculty for approval later in the year.

Professor Marotta-Walters invited questions on this issue. There were none, but Professor Costello asked a question related to an item on the FSEC report. She inquired about the process to solicit additional info (beyond what the task force report identified) regarding which GW schools have online programs. Professor Marotta-Walters deferred the questions to Professor Wirtz, who noted that the Educational Policy committee is in the process of taking up the sequelae from the task force report; the only formal information currently available is what was contained in that report. The committee is now awaiting the Provost's report next week; it is not yet clear whether part of this report will explicate a method for collecting this additional data. However, the committee anticipates that the Provost's report will lead to a joint Senate-administration collaboration that certainly will contain these details.

<u>RESOLUTION 18/1</u>: 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)

Professor Gutman noted that the *Faculty Code* was recently and significantly amended; that revision resulted in a few "glitches" that merit correction. PEAF has been working its way through these issues, Professor Gutman noted that Resolutions 18/1 and 18/2 are non-substantive changes from the *Code* "glitch" list intended to clarify the intent of the code. Both correct minor, technical points.

Professor Cordes reported that the Columbian College of Arts and Sciences (CCAS) met in December and approved a change to its bylaws that is consistent with this resolution, namely, to establish a set of procedures for evaluating non-tenure track faculty for promotion. Professor Cordes noted that his remaining question is what the content of these letters should be, given the varying nature of non-tenure track faculty responsibilities. He inquired whether the schools should determine a model or whether this should this be prescribed based on the intended duties of a given faculty position; he asked where there is a role for the Senate here. Professor Gutman responded that how the *Code's* provisions are implemented is up to the individual school entities via their bylaws; as long as the bylaws are consistent with the *Code*, there isn't a problem.

Professor Costello noted that she saw no role for the Senate here, as each school functions differently and should establish its own guidelines. Professor Wirtz followed up this comment,

noting that the intent of this resolution is to clean up the code so that review procedures are consistent, not to prescribe how the schools implement these procedures to conduct their reviews.

Professor Wilson noted some confusion in the *Code* language in this area. Professor Gutman noted that PEAF did not wordsmith the *Code* language itself when correcting this glitch; however, recommendations for amendments to *Code* language may be submitted to PEAF for consideration.

Professor Price suggested that the key is how the solicitation letter goes out requesting a review letter; this can denote what the components of a given position are and therefore set different expectations for reviewers. Professor Griesshammer also noted that criteria for tenure track and non-tenure track positions need to be published by the schools before a review process begins so that a rubric can be reproduced.

Professor McHugh asked whether the issue at hand is the criteria or the review process itself and whether the goal is having an identical process for tenure vs. non-tenure track reviews or identical criteria. Professor Costello noted that there are indeed two systems for promoting an individual on a tenure track as opposed to a non-tenure track; these are two different lines of progress with comparable criteria. Professor Gutman noted that the only purpose of this resolution is to make it clear that the criteria are not necessarily identical across these review processes. Professor Sidawy offered an example from the medical school, noting that tenure track faculty must demonstrate excellence in all three areas (research, teaching, and service), while non-tenure track faculty must demonstrate excellence in two of these three areas and some competence in the third area; every school will have a different approach.

Resolution 18/1 carried by unanimous voice vote.

<u>RESOLUTION 18/2</u>: 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)

Professor Gutman noted that, as with Resolution 18/1, this resolution requests a technical clarifying amendment to make it clear that the recommendation made could be positive or negative. There is no substantive process change recommended via this resolution.

Resolution 18/2 carried by unanimous voice vote.

<u>RESOLUTION 18/3</u>: 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)

Professor Gutman noted that Resolution 18/3 is not part of the *Code* glitch list; this matter came to the attention of PEAF during its business this year. The intent of the resolution is to make it clear, consistent with actual practice, that availing oneself of the grievance process is voluntary, not mandatory. The case law that has developed in this area is consistent with that outcome, and the resolution clarifies that point.

Professor Griesshammer requested clarification on who triggers (or not) the process. Reading "shall" as "must" suggests that the process is automatic and doesn't require someone to trigger it. Under the current resolution, is it possible that one party could trigger the process and the other

party not agree to participate? Professor Gutman responded that the idea here is that the prospective grievant "may" avail themselves of the grievance process should they choose to do so. The current wording ("shall") implies a requirement to do so, when this is not the intent of the framers of the rule. Professor Griesshammer asked whether it is clear, then, that once one party opts to use the grievance process, the other party can't deny that action. Professor Gutman responded in the affirmative. Professor Griesshammer stated that he would like to see a clarification that it is in the grievant's purview to utilize the grievance process and that, if they choose to do so, the process will occur without impediment.

Professor Wirtz noted that part of the legislative history of the current resolution lies in case law. Several years ago, the courts gave great deference to the university in terms of adjudicating issues that came before it and wouldn't entertain cases that hadn't gone through the university's grievance process. The case law has changed dramatically such that the courts will now entertain cases that haven't gone through an internal grievance process. The current wording of the *Code* limits cases from proceeding to the courts until an internal grievance process has been followed. This resolution loosens that requirement to match current case law, permitting a faculty member to go directly to the courts rather than having to proceed with a grievance process first. In his view, this is to the betterment of the faculty member.

Professor Griesshammer proposed an amendment to add the words "by the grievant" at the end of the amended sentence. The proposed amendment was seconded, and discussion was opened on the amendment.

Professor Parsons spoke against the amendment, noting his reluctance to make changes to the *Code* without very careful consideration. If the Senate determines that this is an important issue, it should be returned to PEAF for consideration.

Professor Wirtz noted that PEAF has long been viewed as the keeper of the *Code*. This may be a benign change, but it is not a good precedent to have the Senate amending the *Code* on the fly. The amendment should either be voted down or sent back to PEAF to discuss the implications of these words. He noted his discomfort with the Senate changing *Code* language without the full endorsement of PEAF.

A motion was made and seconded to recommit the resolution to PEAF for consideration of the proposed amended language to the *Code*. The motion carried by hand vote (19 in favor, 5 opposed, 1 abstention).

INTRODUCTION OF RESOLUTIONS

None.

GENERAL BUSINESS (part 2 of 2)

- IV. Provost's Remarks (made by Vice Provost Bracey in Provost Maltzman's absence):
 - The Provost noted his support for the two resolutions passed today but noted that the Board of Trustees will still need to review these items. That

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review will only occur after all the schools have successfully updated their school rules to conform to the revised *Faculty Code*.

- The Provost has completed his review of sabbatical review applications; faculty members should be receiving sabbatical notices electronically and by postal mail. He asked that Senators inform their colleagues in the schools that these communications are en route.
- The comprehensive review process for deans is underway. The Provost's office has solicited feedback regarding Deans Dolling (SEAS) and Vinson (CCAS) thus far. The Provost anticipates that his office will initiate additional reviews in the near future and that Vice Provost Bracey will provide the Senate with an update on the status of the decanal review process at the next Senate meeting.
- V. <u>President's Remarks</u>:
 - The President spoke about the long-awaited report issued on the sexual harassment case at the University of Rochester, which was issued yesterday. The university president resigned before the report was formally issued; he stated that he had not read the report but was resigning in the interest of healing the university. This was the first of what President LeBlanc suspects will be many resignations. It appears that this problem began with a terrible policy and then escalated from there. This is one reason why it is very important that GW carefully review and then amend its policy. This case was a disaster for the University of Rochester. One person's actions brought down the university president, other leadership, and a nationally ranked department. All of higher education is vulnerable, and vulnerability is reduced with good policy; universities nationwide are addressing their policies in light of this case. There will be more discussion on this over the coming semester.
 - University leadership has been thinking about how to contextualize and operationalize its aspirations. An early question is how to measure progress toward these aspirations and what to measure against to determine progress. GW's current concept of "market basket" institutions cannot be explained or described in a sentence; it includes wealthier and poorer schools as well as aspirational and inferior schools. GW needs a better set of tools for measuring progress. Discussions of how to do this will begin with the FSEC and then move to the Senate. The market basket is being used to compare all kinds of things, from policy to costs and endowments. That set doesn't serve GW's purposes in thinking about its aspirations; the university should instead focus on schools that, in some key dimensions, GW aspires to be more like and whose resource bases are similar to ours. This is generally normalized by the endowment per student number as a first order metric, and GW should look at schools with a little more and a little less than GW on this measure. GW should also consider its aspirations and identify appropriate metrics. For example, research intensive institutions are defined by the AAU guidelines, US News & World Report may continue to be a relevant metric for undergraduate measures, and federal research funding is often an important measure, particularly for medical schools.

• The President noted he is looking forward to the spring semester and a continuation of firsts at GW. The spring terms kicks off with a Martin Luther King, Jr. Day of Service on Monday.

BRIEF STATEMENTS AND QUESTIONS

Professor Griesshammer recalled the President asking in his first address to the Senate in September 2017 whether the Senate wanted GW to be a true research university, and waiting for an affirmative response. He noted that change in the administrative side of research support needs money, people, and ideas; therefore, when considering scholarly activity of any kind (not just that which comes with federal dollars), will funding be supplied to implement these changes? Will GW look to hire outside administrative talent to implement changes? Will GW look for best practices at other universities?

President LeBlanc began his response by noting that, some years ago, the University Facilitating Fund had been reduced due to budget constraints; these funds have been restored for the coming year. These awards are largely given in the humanities and social sciences, and this funding restoration demonstrates one specific indicator of the direction GW wants to go. The President noted that he listened to every input on research he received during the fall and, at his inaugural address, committed GW as a research university with the full support of the Board of Trustees. This effort will take money, and questions regarding how funds are allocated and balanced will need to be considered. In the near term, there hasn't been time to craft a FY19 budget that is drastically different from the 5-year plan. Therefore, the university is working in the margins for FY19; over time there will be changes.

The President asked the Senate to imagine that an individual wrote a \$1 billion check to the university today with no restrictions. He walked the group through a thought exercise with the goal of moving the university in the most positive direction toward its shared aspirations on the basis of \$1 billion. If the university doesn't move in that direction, is it because \$1 billion isn't enough or because the university has the wrong priorities? GW will need to think about how to prioritize the resources it has in a very expensive higher education world, and this needs to be considered collectively.

Professor Griesshammer appreciated the comprehensive answer to the first part of his question and reminded the President about the other two parts: Will GW look to hire outside administrative talent to implement changes? Will GW review best practices at other universities? President LeBlanc responded that, generally, GW should always be looking nationally for talent and best practices; this is happening with undergraduate student services and research already.

Professor Parsons noted that there is a great deal of confusion among faculty regarding what the new budget model implies with regard to who is responsible for what from the department level on up to the administration. In Economics, for example, a big increase in enrollments creates a budget problem. Under the old budget model, the department would look at the school students were enrolled in; under the new model, the teaching school is now responsible for covering additional teaching costs without additional inflows.

The President noted his reluctance to wade deeply into a discussion of the budget model without the Provost in attendance to speak to the model specifically. He instead spoke on a principle level,

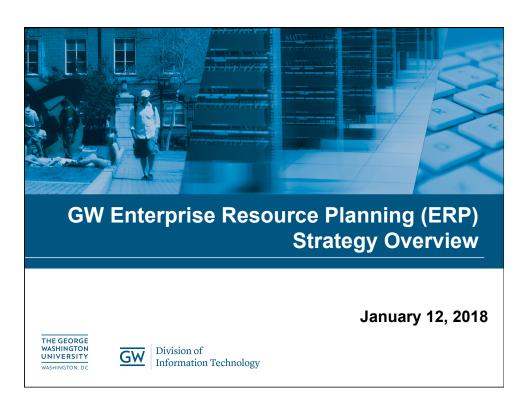
noting that every budget model is intended to ensure that there is both an appropriate incentive and structure for funding the teaching mission. He noted that the budget model doesn't guarantee the full cost of the credit hour. The budget model is a marginal incentive based around the rest of the budget. There is a fundamental misunderstanding about what exactly the per-credit hour dollar that flows to the schools is meant to do. There is an assumption that if a school is told the budget model gives them a certain amount of funding per credit hour, then that is what the cost of delivering a credit hour is; this is not an assumption that is contained in the model. President LeBlanc suggested that the Senate invite the Provost to discuss the budget model more broadly and in more detail.

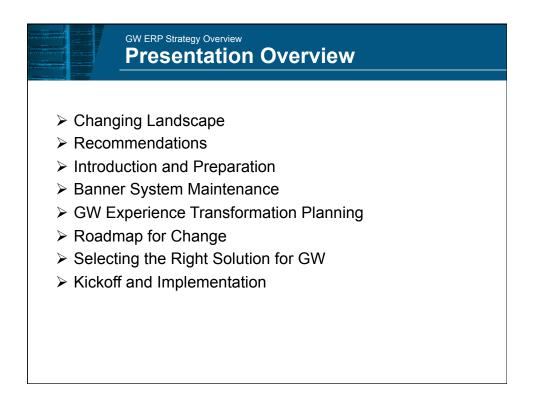
The President noted that some elements of the budget model make sense to him. Giving a specific example, he noted that undergraduates come to a university to experience the full university, not just their school of enrollment record. If the university doesn't have an administrative structure (including a budget model) that allows students to experience the whole university, that detracts from the student experience. Budget models are an attempt to take the "us vs. them" (school vs. school) approach out of the equation. Most higher education budget models are a hybrid; they depend on a specific structure of the transfer between the schools and are based on marginal incentives rather than total cost recovery. There is a lot of subtlety that can take place to ensure that students are allowed to do what they need to do without getting caught up in administrative financial issues. The president asked that, before GW's model is declared failed or problematic, university personnel become educated on what the model actually does, including both what is and isn't working. He suggested that the more the model is understood, the more people will feel their individual entities are being treated faily.

Professor Tielsch asked whether GW has a policy related to the receipt of funding tied to the tobacco industry and its affiliates. The President responded that an interesting issue around this question relates to a situation in which a university has such a policy and a program is awarded a grant that states funding may not be deployed to institutions permitting tobacco money. While that program could then obtain that grant funding, another program might be unable to receive grant funds from a tobacco-related funding source. Dean Goldman noted that GW as a whole does not have such a policy in place, but the School of Public Health (GWSPH) in the past has received funding from the Legacy Foundation, whose funding came about from lawsuit settlements against big tobacco. In order to obtain that funding, the school had to agree that it wouldn't take money from the tobacco industry. GWSPH is now engaged in a discussion with other schools of public health because of current funding from Philip Morris that looks like the Legacy Foundation but is closely tied enough to the industry that research emanating from that entity could be used to burnish the industry's image worldwide.

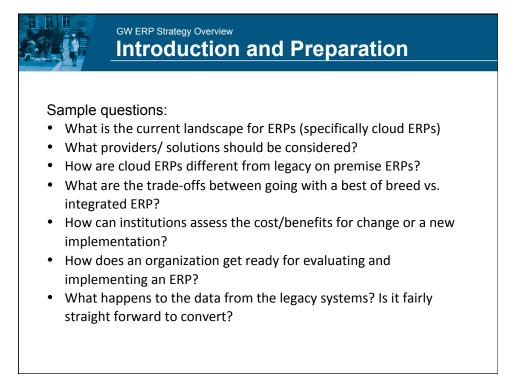
ADJOURNMENT

The meeting was adjourned at 3:49 pm.

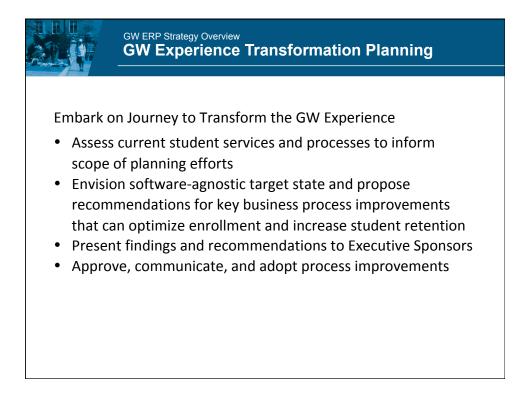


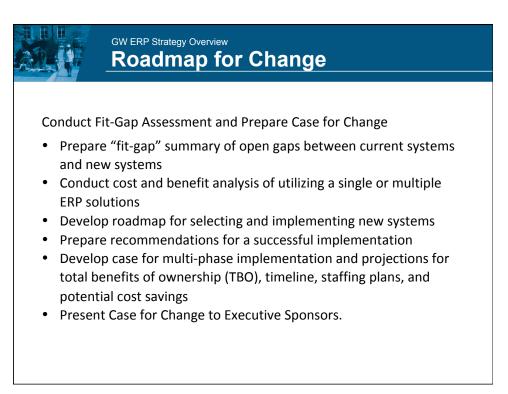


W EXP Strategy Overview Accommendations Consult with industry experts and peer institutions Ensure ongoing support and compliance Engage university leadership and community in case for change Establish governance and advisory groups



Maintenance and support for essential Banner business processes during transformation phase Prepare business case for Banner support upgrade project Approve business case, appoint project team, and select implementation partners Prepare project plan and approve for execution Complete forms migration and testing of essential functions, e.g., W-2 processing, by September 2018







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 nontenure-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-tenuretrack 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

Adopted by the Faculty Senate 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 <u>first sentence</u> 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 <u>third sentence</u> 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 <u>third sentence</u> 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

Adopted by the Faculty Senate 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 <u>third sentence</u> 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 <u>shall</u> 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

Recommitted by the Faculty Senate to the 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 <u>https://facultysenate.gwu.edu/files/2016/07/October-13-Meeting-Minutes-Attachments-12xqxsd.pdf</u>). 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.

Eyal Aviv	Terry Hufford	Joseph Pelzman	Ormond
Scott Beveridge	Candice Johnson	Robert Phillips	Megan S
Olivia Blackmon	Ioannis Koutroulis	Marie Price	Philip W
Geoffrey Carter	Jannet Lewis	Pradeep Rau	Anthony
Yuliya Dobrydneva	Lisa Lipinski	Lilien Robinson	Elizabeth
Rohini Ganjoo	Henry Nau	Silvana Rubino-Hallman	Cheryl B
Catherine Golden	Sydney Nelson	Mary Jean Schumann	Michael

Respectfully Submitted, Philip W. Wirtz, Chair

Ormond Seavey Megan Siczek Philip Wirtz Anthony Yezer *Elizabeth Amundson* Cheryl Beil* Michael Feuer** PB Garrett* Peter Konwerski* Forrest Maltzman* Terry Murphy* Oliver Street*

*Ex-Officio

Report of the Executive Committee

January 12, 2018

Sylvia A. Marotta-Walters, Chair

ACTIONS OF THE EXECUTIVE COMMITTEE

Resolution 17/4 on Guidelines for Implementing Academic Freedom. The Professional Ethics and Academic Freedom (PEAF) committee has been working with Art Wilmarth, who was on sabbatical in the fall but continued to work on the guidelines, and with the central administration to reach agreement on clarifying the language of the resolution that was passed by the senate last spring to provide guidelines for exercising and defending academic freedom. That process is now complete, with concurrence on the proposed changes by the central administration and the leadership of the PEAF committee. A new resolution with these agreed clarifications will be taken up by the full PEAF committee at its January meeting, and will be forthcoming to the full senate by the end of the spring semester.

On-Line Programs at GW. At the October 13, 2017 Senate meeting, Professor Emeritus Kurt Darr presented the findings of the Joint Task Force on Online, Hybrid, and Off-Campus Programs. The Task Force was convened jointly by the Senate standing committees on Educational Policy (EdPol) and Professional Ethics and Academic Freedom (PEAF), and highlighted some issues of concern and some recommendations for creating, implementing, and monitoring the online efforts of the University. Since that report, the Educational Policy Committee has been working with the Office of the Provost to involve other entities at the university, which include online courses and programs within their scope of responsibilities. At its January meeting, the EdPol Committee will hear from Provost Maltzman on the status of online education at GW's schools in the context of nationwide best practices. It is expected that the Provost's report to EdPol will form the basis for a joint Senate/administration collaboration to ensure that online education is of the highest academic quality at all GW schools. A resolution presenting the results of that collaboration may then be presented to the Senate.

Review of Language GW Sexual Harassment Policy, Section on

Relationships. At the December senate meeting, I mentioned that PEAF will be reviewing and updating the language used to define the types of relationships that are prohibited among faculty, staff, and students. Since that meeting, the Senate coordinator and I have researched the history of the Sexual Harassment Policy at GW, and central administration has asked for and obtained a review of language used in similar policies at other academic institutions. Profesor Gutman, co-chair of PEAF, circulated a document to the PEAF Committee to review and comment upon prior to the January PEAF meeting. This document, based on policies at GW and other academic institutions, will help clarify the language around who might be covered by the policy, what is the nature of the relationships that are allowed or prohibited, who are potential parties with power over subordinates, and the potential consequences of such relationships. Any potential resolutions arising from these discussions will be brought before the senate for decisions in late spring.

Review of School Rules and Regulations (By-Laws). No change since my last report. The School of Business and the Graduate School of Education and Human Development rules and regulations are the last to be reviewed by the working group.

FACULTY PERSONNEL MATTERS

There are three active grievances, one each in GWSB, GWSPH, and GSEHD. Two of the grievances are in mediation and one is in the hearing stage.

ANNOUNCEMENTS

The next meeting of the Executive Committee is <u>Friday, January 26, 2018</u>. Please submit any reports or drafts of resolutions to the FSEC by Friday, January 19, 2018.

Upcoming Agenda Items

February 9, 2018 Report: Professor Mary Ellsberg, Global Women's Institute

Report: VP Christopher Bracey, Status of Survey for Decanal Evaluation