



**MINUTES OF THE REGULAR FACULTY SENATE MEETING
HELD ON JANUARY 11, 2019
AT 1957 E STREET NW/STATE ROOM**

Present: President LeBlanc, Provost Maltzman, and Parliamentarian Charnovitz; Deans Akman and Jeffries; Executive Committee Chair Marotta-Walters; Registrar Amundson; Professors Agnew, Bukrinsky, Cordes, Costello, Dugan, Griesshammer, Gutman, Harrington, Lewis, Lipscomb, McDonnell, McHugh, Pintz, Price, Roddis, Rohrbeck, Sarkar, Schumann, Schwartz, Sidawy, Tekleselassie, Wilson, Wirtz, Yezer, Zara, and Zeman.

Absent: Deans Brigety, Feuer, Goldman, Mehrotra, and Morant; Interim Deans Deering, Riffat, and Wahlbeck; Professors Briscoe, Cottrol, Dickinson, Esseesy, Galston, Markus, Mylonas, Pelzman, Rehman, Tielsch, and Wallace.

CALL TO ORDER

The meeting was called to order at 2:15 p.m.

APPROVAL OF THE MINUTES

The minutes of the December 7, 2018, Faculty Senate meeting were approved unanimously without comment.

REPORT: Annual Report on Research (Bob Miller, Vice President for Research)

Speaking from the attached slides, Dr. Miller outlined the components of the Office of the Vice President for Research (OVPR) and outlined upcoming efforts and strategic directions within the research office. He noted that the technology commercialization component is now housed within Faculty Affairs, better speaking to its efforts to advance GW faculty as opposed to research specifically.

Dr. Miller noted that total federal and non-federal research dollars are continuing the upward trajectory of the past several years, indicating that, while it is typical for non-federal funding to lag behind federal funding numbers, there is room for GW to do more toward bringing in more non-federal research dollars. He expressed the need to support and engage GW's principal investigators (PIs) in a broad spectrum of research activities in order to continue this upward movement. In terms of a real return on investment to the university, Dr. Miller noted that indirect costs are increasing beyond the pace of inflation; this brings more money back to the institution which can, in turn, be fed back into the research enterprise. He reminded the Senate that research is a cost to GW. How much of a cost it is remains an important question, and he noted that he is beginning to look into this more closely, as the answer to this question reflects how efficiently GW conducts the business

of research and provides insights into how efficiency might be enhanced (e.g., through the use of shared core facilities).

The majority of sponsored research activities at GW take place in health-related areas (in the Biostatistics Center (BSC), the School of Medicine and Health Sciences (SMHS), the Milken Institute School of Public Health (GWSPH), and others). Engineering and social sciences comprise most of the remaining sponsored research activity at GW, with smaller numbers in the arts and humanities. Dr. Miller noted that this reflects where most universities are in terms of research fields. The Columbian College of Arts and Sciences (CCAS), SMHS, GWSPH, and the School of Engineering and Applied Science (SEAS) have the largest number of PIs, with many schools steadily growing their PI numbers over the past few years. Dr. Miller expanded on these data to look at interdisciplinary research connections at GW, noting that, as the university grows its research portfolio, it will be critical to do so in an interdisciplinary and interactive fashion. GW has multiple skill sets in multiple schools, and Dr. Miller noted the importance of looking for opportunities GW can tap to grow existing as well as create new interactions among its various units.

Dr. Miller then turned to topics currently under consideration at OVPR, including operational enhancement, strategic planning, the research ecosystem review, and promoting the research workforce, particularly through undergraduate research.

The research ecosystem review is well underway, with the phase 1 working groups having completed their work. These groups will soon present recommendations stemming from their work to the President and Provost, including comments on how to enhance flexibility, efficiency, and efficacy. Dr. Miller noted how impressed he has been with the effort and energy of the working groups and expressed his thanks to Professors McDonnell, Sarkar, and Briscoe for their leadership in this effort. Next steps include a collaborative implementation plan and resource identification based on the phase 1 report review. Next, phase 2 working groups will be launched; they will look closely at core facilities, postdoctoral recruiting and hiring, and big data and high-performance computing infrastructure.

Dr. Miller spoke next about how non-sponsored research is supported at GW. He noted that, under President LeBlanc's guidance, funding has been increased for the University Facilitating Fund (UFF) as well as for the Cross-Disciplinary Research Fund (CDRF). Increased investment in non-sponsored research is important, as is determining measures of GW's success following these investments. Dr. Miller noted that, while research success is typically measured in terms of dollars received and spent, non-sponsored research requires different measures, such as books, creative works, elections to societies, academies, and commissions; citations, and Fulbright scholarships, among others. These measures reflect productivity and reputation, and it is important for faculty to see that OVPR is campaigning for them to be positioned for recognition. Dr. Miller noted that, internally, GW Research Days presentations have seen a 56% increase since 2014, and the vast majority of graduating seniors who self-identify as participating in a research experience at GW reported being either satisfied or very satisfied with that experience.

OVPR's 2019 focus includes a number of efforts geared toward continuing to develop reputation and to support multidisciplinary research efforts, non-funded scholarship, and clinical and translational research. OVPR will also continue to work to establish a strong workforce pipeline at GW, collaborate with university partners to enhance big data and high-performance computing, and identify further opportunities at the Virginia Science and Technology Campus (VSTC). He noted a

willingness and enthusiasm in GW's research and scholarship community to engage in the work necessary to keep GW competitive in the broader research world.

President LeBlanc thanked Dr. Miller for this thorough report and noted that he has received a formal request to delay the phase 1 working groups' report until after the February 1 meeting of the Senate Research committee in order to allow that committee an opportunity to weigh in on the report with their approval.

Professor Zara asked whether OVPR has thought about how to quantify GW's interactions with non-funding governmental agencies, noting that this collaborative work is valuable but doesn't provide research dollars to the university. He added that previous inquiries around this topic were dismissed as these interactions do not come through the formal grants process. Dr. Miller responded that GW will need to be creative in terms of how it develops a mechanism to track this—and other non-monetary interactions—and that the best avenue may be through Faculty Affairs rather than through OVPR. President LeBlanc added that the Association of American Universities (AAU) has struggled with how to measure research productivity much as GW does, with researchers outside the federal funding fields long feeling that they are not represented in existing reports of productivity. The AAU has made efforts to correct this; President LeBlanc suggested that perhaps GW should consider adopting the measures that the AAU is using in this area.

Professor Sarkar noted that, when he arrived at GW, he was particularly interested in cross-disciplinary work with the medical school, but was cautioned that this type of work might be challenging at the university due to existing administrative structures. Dr. Miller responded that he does not perceive specific hurdles in place at GW to prevent interdisciplinary work involving the medical school but that one of the reasons more work like this hasn't happened may be that, while individual projects have emerged and been supported, there hasn't been an understanding of the collective importance of doing cross-disciplinary work. This is part of why the research ecosystem work is so important; it moves the conversation away from anecdote and toward areas of significance. He noted that, put simply, the university needs to reduce hurdles to interdisciplinary research and to ensure that the reputational benefits and rewards for this work are appropriately distributed to those doing the work.

Professor Tekleselassie noted that faculty located off campus have concerns about how they can best be supported by OVPR in their work, particularly with regard to infrastructure issues. Dr. Miller responded that solutions need to be driven in part by efficiencies. He noted his enthusiasm for supporting distant faculty but also the need to consider resource allocation. Technology allows for a lot of remote work, but core facility needs, for example, can't move to a PI's remote location, while a need for access to electronic equipment and library resources can be bridged by technology. He admitted he hasn't spent a lot of time considering this need but that it is an issue that can be discussed further.

Professor Griesshammer asked how GW can obtain good information about best practices at other universities. Additionally, he noted, change costs money, and he wondered what the university community can do to support OVPR in its efforts to improve the research ecosystem, considering that some measures might be implemented easily with little to no costs, while others will likely require long-term investment. Dr. Miller responded that the university has a network of connections at multiple institutions at a number of levels, and OVPR needs to engage them to learn what's working well for them and import these ideas. The resource question, he noted, is critical. First, of

course, funding requests can be made of the administration. Another route, though, is pursuing opportunities to link with external funders such as corporate partners or the federal government in order to enhance the infrastructure. Some things must come from internal resources, as grants cannot be written for things like workflow programs or additional research staff members. GW, broadly, needs to show it is a good steward of those resources and that it will be as efficient and effective in the utilization of those resources as possible in order to enhance the reputation of the university. President LeBlanc added that the best way to ensure the correct distribution of credit for research with multiple PIs is to have them document it, much as joint patent holders must. The PIs determine the balance of credit and document it; this is required for the distribution of indirect cost recoveries as well as credit for work performed.

Professor Dugan noted that she was struck by the data presented on the (relatively high) number of PIs in CCAS and the (relatively low) percentage of sponsored research brought in by the social sciences and the arts. She asked whether this disconnect between the number of PIs and the amount of non-hard science research might be a way to measure non-sponsored research, if in fact that explains this apparent disconnect. Dr. Miller responded that the CCAS numbers would need to be broken down further in order to explain this completely and that his office would do so in order to provide a better picture of research by CCAS faculty.

Professor Price asked what comprises the “other” category on the figure illustrating interdisciplinary research at GW and whether GW tracks what universities it partners with on research projects, noting that this could be a measure of reputation. Dr. Miller responded that the “other” category consists of GW research and scholarship centers that are not housed within a school (e.g., the Global Women’s Institute). He noted that GW hasn’t systematically monitored interactions with other institutions but that this is an interesting idea.

Professor Wilson noted that the School of Business (GWSB) is not well represented in the overall PI count (and asked what the ratio is of PIs to total faculty per school). He asked whether this might be seen as an opportunity for OVPR to help cultivate research within GWSB to bring up these numbers. Dr. Miller responded that he met with Dean Mehrotra last week to discuss exactly this issue, which is very much on OVPR’s agenda. He agreed that it would indeed be a good data point to consider what proportion of faculty in each school are PIs.

RESOLUTION 19/3: To Amend the *Faculty Code* (2) (Jeff Gutman, Chair, Professional Ethics & Academic Freedom Committee)

Professor Gutman thanked the approximately twenty-five members of the Professional Ethics and Academic Freedom (PEAF) committee who have worked very collaboratively on these issues during the fall semester. PEAF has been working under a strict deadline to address requests for rule changes in time for the Board of Trustees to begin its review of the *Code* in February. The committee has tried to address as many of these as quickly as possible, and Professor Gutman noted that the work done is the result of collaboration and consensus.

Professor Gutman invited questions, concerns, or motions on Resolution 19/3, attached to these minutes. President LeBlanc noted that one proposed revision is a regular review process for the Provost, which does not currently exist in the Code. The Provost pointed this out to the President and asked that such a review be codified in the *Faculty Code*.

Professor Yezer noted that the first amendment permits the Provost to extend or suspend the review of a faculty member without consultation with the department. He asked whether the phrase “after consultation with the department” might be added to include a requirement that the department be consulted before the Provost moves forward with such a decision. President LeBlanc suggested a hypothetical example of an individual being investigated for sexual harassment who also has a deficient academic record. In such a case, a pause on the process might be warranted due to the perception that the committee has prejudged the faculty member in question due to the harassment allegations; this in turn could be seen as influencing the tenure decision and might lead to legal action if tenure is denied. In these cases, the most appropriate course of action is to stop the non-investigative process. President LeBlanc stated that, in a case such as this, the Provost would certainly communicate the fact of an investigation with the dean and the department chair but that consultation with the full department would not be appropriate as the full department personnel would not be aware of the investigation.

Professor Cordes asked whether, if a candidate’s academic record leads to a vote not to grant tenure or promotion, a simultaneous investigation of misconduct would then delay a personnel decision about the candidate. Professor Gutman responded that, if the process is underway but not complete, the process would stop at the point of the disciplinary issue arising. The idea is not to permit an unproven allegation to damage the integrity of the academic process. President LeBlanc noted that the proposed amendment states that the Provost **may** extend or suspend the process and that he or she may do so with the consent of the candidate.

Professor Dugan asked whether similar language exists in the *Code* for someone who is bringing an accusation of misconduct against another party. Professor Gutman responded that the current amendment does not address a situation in which the complainant is the individual under consideration for promotion or tenure and that there is not a rule in the *Code* for that scenario.

Professor Yezer asked whether the proposed regular review of the Provost creates extra bureaucracy, given that the President is likely confident in his/her abilities to evaluate the Provost’s performance. Vice Provost Bracey noted that the Provost requested this continuance provision be written into the *Code*. He noted that the Provost has successfully conducted the type of review for the deans; the approach seems to be working well and has been well received. The Provost wanted to implement a Provost review process that mirrors the successful one now in place for the deans. The President’s office will conduct the Provost review, but there is precedent and guidance that can be provided based on the existing process at the decanal level.

Debate on the first resolving clause began. Professor Griesshammer spoke in favor of the clause, noted that it would be easy to come up with obvious hypothetical examples in which automatically postponing a review would be the obvious solution – or in which letting the process run its course would be the only option. However, he stated, the clear-cut case is rare, with borderline or questionable cases being far more common. The wording “may extend or suspend” provides that flexibility. He noted that, as a faculty member who has to sit in judgment of a tenure case, he would not want to know about a corresponding, parallel investigation; rather, he would simply need to know that something or someone put the process on hold for good reasons. Knowing those reasons would only serve to prejudice the evaluators of the tenure case.

Professor Lipscomb asked whether there is a corresponding provision around promotion cases. President LeBlanc noted that the tenure clock includes hard and fast rules that are not applicable to

the rank promotion process. Professor Gutman concurred with the President's point, noting that further revisions along these lines may certainly be proposed in the future but that the potential need for that revision should not preclude the Senate taking action on the current question.

Professor Roddis agreed with the President that it is a reasonable expectation that the Provost will communicate with a department chair about a tenure case that should be paused due to a parallel investigation. However, she noted, this doesn't always happen. She expressed her support for the idea of a separation between a disciplinary review and a tenure review, noting, however, that the Provost should be taking faculty recommendations into account when making a determination about extending or pausing a review, as the faculty recommendation sets the probationary period for a given faculty member. Professor Gutman responded that the question of departmental notification was not one that was raised during PEAFF's discussions. President LeBlanc noted that, in the recent case at the University of Rochester, every faculty member was involved in one way or another, meaning that there was no possibility of unbiased feedback. In a claim of misconduct, there is no role for the department; a misconduct case would need to move directly to top administration. Debate on the first resolving clause concluded.

Debate on the second resolving clause began. Professor Griesshammer asked for clarification on this clause, noting that, as he reads it, if a serious policy violation is identified during the tenure review process, some committees may have already voted to advance a candidate. He asked whether his interpretation of the clause is correct in that those earlier decisions in the process would not be revisited in light of the finding of a violation and that such a finding would only impact the recommendations of committees and individuals who have not yet made their recommendations. Professor Gutman responded that this interpretation is correct.

Professor Cordes noted that the implication of this clause is that a faculty member who had already been granted tenure and then was found to have committed a serious policy violation would need to be disciplined as a tenure-holding faculty member; the earlier tenure decision would not be revisited.

Professor Lipscomb asked how a candidate who has successfully passed through the departmental and school-wide personnel committee stages of the tenure review and then was found to have committed, for example, research fraud, would not be reevaluated by the previous committees in light of that finding. She noted that the faculty members involved in the earlier-stage decisions would certainly want to revisit those decisions. Professor Gutman responded that the question becomes whether subsequent decisions or conclusions based on alleged bad behavior should have a retroactive effect.

Professor Wirtz spoke in favor of the current wording. He expressed his understanding of and empathy for Professor Lipscomb's point but noted that a review committee takes action based on all the information available at that point. That committee's decision may then be checked at a later point (by the Provost or the President) upon the emergence of additional information. Debate on the second resolving clause concluded.

Debate on the third resolving clause began. Professor McHugh asked whether staff might be added to the list of constituents to be consulted in the Provost review. Professor Gutman indicated that he would consider the addition of staff to the constituent listing a friendly amendment. Vice Provost Bracey noted that the "including but not limited to" would cover the inclusion of staff. Professor Gutman expressed that excluding staff from the list has a negative connotation and that he would

support their explicit addition to the clause. The amendment to the resolution was approved. Debate on the third resolving clause concluded.

Professor Gutman moved to close debate on the resolution and to call a vote on it. The motion was unanimously approved, and the resolution passed unanimously.

Professor Marotta-Walters moved to add Resolutions 19/4 and 19/5, attached, to the agenda for consideration. Debate began on the motion. Professor Wirtz reported that GWSB faculty are concerned about Resolutions 19/4 and 19/5, not necessarily because of their content but because of the timeframe for review prior to Senate consideration of the resolutions. This is an important process, and GWSB faculty feel strongly about having time to discuss this. He noted that there is no need for an emergent process on this; the resolutions may be taken up by the Senate at its next meeting. The reason these resolutions were not presented in that manner is due to the fact that the Board of Trustees chair wants *Code* amendments on the agenda of the February board meeting; the only way to keep to that schedule is to discuss these resolutions today. This has forced undue speed, and he asked for a vote not to entertain these two resolutions today but rather at the February Senate meeting.

Professor Marotta-Walters spoke in favor of keeping both resolutions on today's agenda today. While this is about meeting the Board of Trustees February agenda, not discussing the resolutions today means that the Board will meet on these issues without Senate input. Some discussion—even if the resolutions aren't passed today—would provide further faculty input to bring to the Board's February meeting.

Professor Costello asked whether there is a respectful way to ask the Board to delay their review of these proposed changes. President LeBlanc responded that, from the Board's perspective, these questions have been under discussion for over a year, and their timetable was established well before the start of the academic year. These are complex issues requiring discussion, but the Board's timeline was established some time ago, and they will likely not understand why the Senate only had thirty-six hours to consider these two resolutions.

Professor Wirtz responded that the time constraint is due to the fact that these are very tough issues, and he doesn't at all want to deprecate the yeomen's work done by PEAf and the Faculty Senate Executive Committee (FSEC). They have been debating these issues back and forth for some time, and the PEAf recommendations now on the table have not been available to the full faculty for adequate review and feedback.

Professor Cordes agreed with Professor Marotta-Walters that 19/4 and 19/5 should be discussed today. Having said that, he noted some complexities in each resolution, citing the example of the evaluation of specialized faculty. While it seems logical that they should be evaluated in a manner consistent with how similar faculty are evaluated at other institutions, it is not clear how this would be accomplished.

Professor Griesshammer noted that when items have been discussed on short notice previously, the Senate has often found issues that cannot be resolved on the floor and has voted to defer further discussion and a vote until the next meeting. The full Senate did have thirty-six hours to consider these resolutions. PEAf, the FSEC, and members of the administration and Board have fuller knowledge of these issues based on their work drafting these resolutions, but that does not apply to

the full Senate or the full faculty. He noted that there is no need for a vote today but that the discussion would be valuable to inform him what potential issues were.

Professor Yezer asked whether the resolutions might be discussed, and then tabled by motion at any point during debate. Parliamentarian Charnovitz responded that, during debate, a motion may be made to recommit if it becomes clear the resolution isn't ready to be voted upon. The resolutions can then be brought back to the next meeting. Professor Wirtz expressed his concern that he does not feel informed enough to represent the GWSB faculty interests on these two resolutions.

Professor Marotta-Walters moved to discuss resolution 19/4. The motion failed to achieve a supermajority. Professor Marotta-Walters then moved to discuss resolution 19/5. The motion failed to achieve a supermajority.

INTRODUCTION OF RESOLUTIONS

None.

GENERAL BUSINESS

- I. Nominations for election of 2018-2019 Senate standing committee chairs and members
None.
- II. Reports of the Standing Committees
An interim report from the Professional Ethics and Academic Freedom committee was received. Outstanding reports should be submitted to Jenna Chaojareon at jenno@gwu.edu.
- III. Report of the Executive Committee: Professor Sylvia Marotta-Walters, Chair
The full report of the Executive Committee is attached to these minutes. Professor Marotta-Walters provided the following highlights from her report:
 - Regarding the *Faculty Code* review, there will be a comment period during the Board's review of proposed changes. Professor Gutman will join Professor Marotta-Walters at the Board's Academic Affairs Committee in February. The Committee will discuss all of the resolution content between February and May 2019. There is an opportunity for faculty input during that period; this input will come via Professors Marotta-Walters and Gutman. The Board will vote on code revisions at its May meeting.
 - The President will discuss the institutional culture initiative's survey data, which are now being released. Professors Marotta-Walters and Price are serving on this initiative's leadership team, providing faculty input to the process. This team will be charged with implementing strategies based on the data from the assessment.
 - Through PEAFF, the Senate continues to review the Title IX and Equal Opportunity policies. The Department of Education currently has Title IX out for comment until the end of this month. Some of the language in those revisions will contradict the language in the policies the Board approved last

May. PEAf is studying this and will have further recommendations in the form of resolutions for Senate consideration.

- There are three grievances: two in GWSB and one in CCAS.
- The Senate's February 8 meeting will include a report from the ESIA dean; the GSEHD dean will report in March.
- Please submit any items for consideration at the next FSEC meeting to Professor Marotta-Walters by January 18.

IV. Provost's Remarks:

Vice Provost Bracey reported in Provost Maltzman's absence, noting that the Provost

- welcomes the faculty back after winter break;
- asks that all faculty turn in grades and remind others of the importance of doing so in a timely fashion; and
- sends his best wishes for the start of the new semester.

V. President's Remarks:

- The President expressed his appreciation for the extensive work done by Professor Gutman and the PEAf committee.
- Welcome back from the winter break and best wishes for the spring semester.
- The decision to close the university for the week between Christmas and New Year's has resulted in more positive feedback than any other policy decision implemented to date. The decision is illustrative of the work being done around issues of culture at GW. It developed out of conversations around office closures prior to three-day weekends. Eliminating early closures prior to three-day weekends ensures consistent service for faculty, staff, and students, and the closure between Christmas and New Year's—in conjunction with pulling back birthday leave for employees with 10 years or more of service—adds just one net vacation day to the calendar. This is the first of many conversations around these issues and decisions that need to be made.
- Many GW community members are affected by the partial government shutdown. An infomail went out this morning with links to resources for those needing assistance.
- In December, the restructuring of the Medical Faculty Associates (MFA) was completed. GW and the MFA now have a structure that much better aligns their collective strategic futures.
- GW has raised \$60.5 million thus far this year, running ahead of the same point last year. This projects out to exceeding the university's annual goal for philanthropy (\$115 million).
- The President continues to travel around the country to meet with alumni and donors. Several trips have involved work with major donors.
- The institutional culture initiative assessment results were released today. The President noted that he is trying to be very transparent about what was learned through this process, The survey had an excellent response rate,

suggesting a pent-up demand for people to be heard. The survey utilized questions on 1-5 scale but also provided an opportunity for verbatim comments. The Disney Institute followed up the survey with 176 focus groups and random interviews. Four themes were identified as needing work: leadership; communication and collaboration challenges; inadequate appreciation, recognition, and care; and challenges to service excellence. The issues raised are not insurmountable but are critically important, and the President stated that he has heard the real plea that GW take this initiative seriously. These are not new issues, and it is past time to act on them.

- The dean searches in CCAS and SEAS are proceeding on schedule.
- Starting this fall, students can earn a BS in the Elliott School for International Affairs (ESIA). This is a milestone that came directly out of town halls where students revealed that they couldn't double major in ESIA and in a STEM discipline because ESIA did not offer a BS degree. This left a dual degree (a BA and a BS) as the only option for these students, which is nearly impossible to complete in four years under accreditation standards. The faculty and dean of ESIA worked together to make this great academic development happen.
- The student experience team is looking carefully at how the new student orientation is done. The past experience has been a short visit of a few days by a subset of the incoming class. This requires two visits to campus (one for orientation and one for move-in) for families, and students do not orient as a class. Orientation will now be done the week prior to the start of classes. This will provide more opportunities for advisor meetings and peer-to-peer relationship building.
- Deputy Executive Vice President & Treasurer Ann McCorvey will be moving to Davidson College to become their Vice President for Finance and Administration and Chief Financial Officer. President LeBlanc thanked her for her leadership and contributions to GW.
- The Board of Trustees will conduct a 360 review of President LeBlanc this spring, which is a regular feedback mechanism that was agreed upon when the president was hired. The review is likely to be conducted in March via an outside entity conducting interviews with stakeholders.
- Nelson Carbonell's service as the Board of Trustees chair (and as a Board member) ends this year, and June will bring a new Board chair. The Board has an internal nomination process and will elect the new chair in May. The Board retreat in June will be the first official meeting of the new chair.
- Rice Hall is coming down, and all occupants have now moved to new locations. The President's office is on the first floor of 1918 F Street. Mark Diaz's office is on the garden terrace level, and the Provost's office is on the second floor of that building.

BRIEF STATEMENTS AND QUESTIONS

Professor Cordes asked whether GW has any arrangements in place to assist federal employees with cash flow problems and tuition bills. President LeBlanc responded that he does not know exactly what the financial aid office is doing; he referred the group to the resource page from today's

infomail to see what links are available there. He noted that Veterans Affairs benefits are flowing, so those students are covered. He noted that he would ask someone to follow up with the Financial Aid office on this question.

Professor Dugan asked whether the winter break closure might be extended to facilities employees as well as regular staff. President LeBlanc responded that GW has a carefully delineated notion of “essential personnel” that is used to determine who works on official holidays and in the face of emergencies. GW must have facilities and safety and security personnel on campus during shutdowns as well as other select employees (based on the nature of their work). Essential employees do receive other time off and are not penalized for their status.

Professor Griesshammer noted that, upon reading the institutional culture survey results, he was struck by how candid it is. There is no sugar-coating, but this should not be taken as a sign of weakness. Rather, it is a sign of strength that the university is owning up to mistakes made, discussing them openly and freely, and working on them. He expressed his confidence that this is a healthy process. It is, of course, not the perfect survey, but it provides a good baseline, and the university now has in writing what its stakeholders always knew. The survey finding demonstrates how much people care about making GW a better place. President LeBlanc expressed his appreciation for this comment, noting that this is the spirit in which the institutional culture team took the survey results. If university leadership does not face the results honestly, things will not improve. Most universities wouldn’t obtain, much less report on, this kind of feedback, but this survey needs to give leadership a roadmap for where the institution goes next.

Professor Cordes noted that he has worked closely with Ann McCorvey over the course of her time at GW and that her departure is Davidson’s gain and GW’s loss.

Professor Sarkar asked what the issues were with the MFA structure that led to the need for a better alignment with GW’s mission. President LeBlanc responded that GW’s clinical medical enterprise is a partnership among three distinct corporate entities: the George Washington University and its medical school, the physician practice plan (the MFA), and UHS, a for-profit hospital operator. Each entity has its own boards, mission, goals, and strategies, and all three come together to provide clinical medicine at GW Hospital and in the community. One challenge has been achieving strategic alignment for these three entities. While there are inherent challenges to aligning a for-profit hospital operator with a not-for-profit educational institution, the same cannot be said of a university and a physician practice plan; all of GW’s peers do so. The involvement of a for-profit entity is highly unusual; that structure is what GW has struggled with, particularly as the partnership has been locked in twenty-year-old contract language that does not accommodate changes in health care that have occurred over that time. For example, if a decision is made at a federal level to disseminate funding to hospitals and not to physician practices, the current contract has no mechanism to ensure that the hospital share that funding with the physicians.

The President affirmed that it is not in GW’s best interests to be operating a hospital, but he does feel the physicians and the medical school could be in much closer alignment. In discussions with MFA leadership, and with UHS, the university proposed a structure that would align the MFA with the university by bringing the MFA into the university in a structure in which the MFA maintains its corporate integrity (with its own board and corporate identity), but there is a sole corporate structure with the university as the umbrella structure. This gives the university certain reserve powers to strategically align the structures; these include the power to appoint board members at the MFA and

the power to approve the CEO and budget of the MFA. This also benefits the MFA as it consolidates them on the university's balance sheet. When they proceed to borrow funds, they do so as a corporate member of the university's structure as opposed to a stand-alone physician practice. Getting reserve powers doesn't solve the problems, but it provides the avenue through which problems can be solved; this is the next step. Using this new reserve power, President LeBlanc appointed Ellen Zane, a very talented individual who previously ran the Tufts medical center, as the chair of the MFA board. This provides direct strategic alignment between the GW and MFA boards. The President reinforced that the MFA is GW—the physicians are the faculty of GW's medical school, their building is on GW's campus, and their colors are buff and blue.

There is no proposal to take over the operation of GW Hospital, but aligning the physician practice with the medical school is nowhere near being in the hospital business. With that said, Wards 7 and 8 in DC's East End have a serious lack of health care facilities. GW would welcome the opportunity to be part of that solution. District Health Partners (DHP), which was created to capture the partnership between UHS and GW, made a proposal to the city under which UHS would operate a new hospital and MFA physicians would be the physicians at that hospital. Debate on this issue became complicated as issues of unionization at the new hospital and the impact this might have on Howard University were raised. GW has said from the beginning (in consultation with MFA leadership) that GW would be happy to have its physicians at the new hospital as long as they are properly compensated. These conversations will continue into the spring. There will continue to be more changes as the health care environment continues to evolve.

ADJOURNMENT

The meeting was adjourned at 4:25 pm.

RESEARCH UPDATE

ROBERT H. MILLER, Ph.D.
VICE PRESIDENT FOR RESEARCH

January 11, 2019

RESEARCH UPDATE

PRESENTATION OUTLINE

- ▶ Components of OVPR
- ▶ Sponsored Projects Metrics
- ▶ Update on the Research Ecosystem Review
- ▶ What is In Process
- ▶ Non-sponsored Research Highlights
- ▶ What is To Come

RESEARCH UPDATE

MAJOR COMPONENTS OF OVPR

THE GEORGE WASHINGTON UNIVERSITY
WASHINGTON, DC

- ▶ Sponsored and Non-Sponsored Research
- ▶ Research Integrity and Compliance
- ▶ Technology Commercialization*
- ▶ Innovation & Entrepreneurship
- ▶ Industry & Corporate Research
- ▶ Core Facilities
- ▶ Special Programs
- ▶ International Research

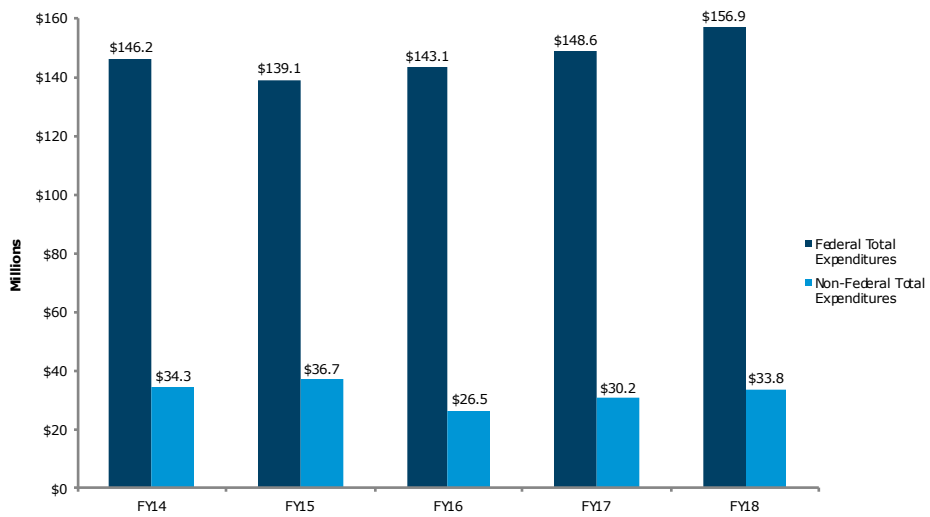
*Reports to Faculty Affairs

THE GEORGE WASHINGTON UNIVERSITY

RESEARCH UPDATE

YEAR-END TOTAL EXPENDITURES FEDERAL VS. NON-FEDERAL

THE GEORGE WASHINGTON UNIVERSITY
WASHINGTON, DC

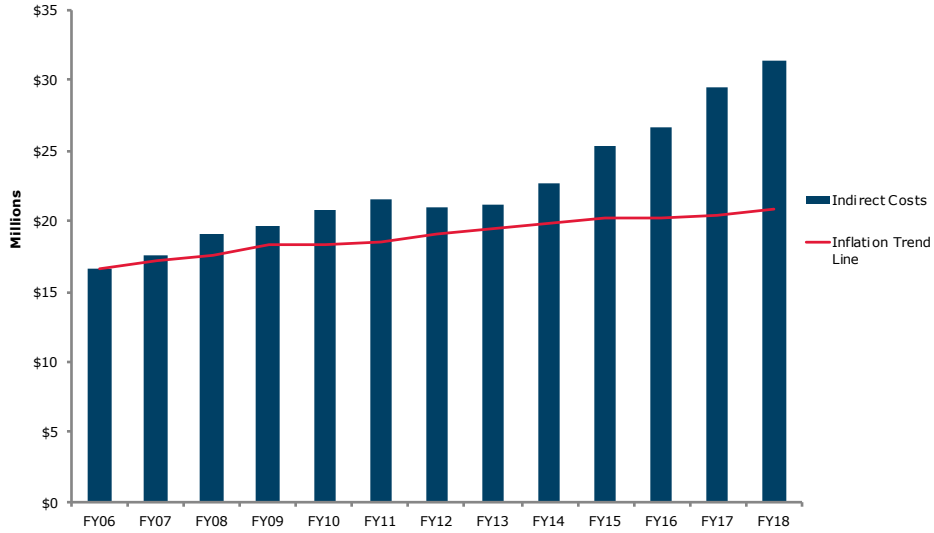


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RESEARCH UPDATE

THE GEORGE WASHINGTON UNIVERSITY
WASHINGTON, DC

INDIRECT COSTS BY YEAR WITH INFLATION TREND LINE
FISCAL YEARS 2006–2018

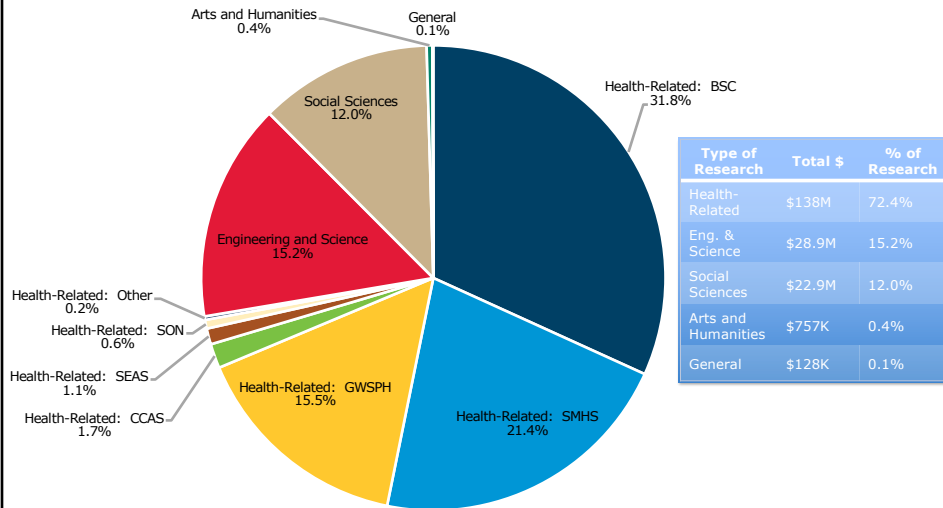


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RESEARCH UPDATE

THE GEORGE WASHINGTON UNIVERSITY
WASHINGTON, DC

TOTAL EXPENDITURES BY TYPES OF RESEARCH
FISCAL YEAR 2018

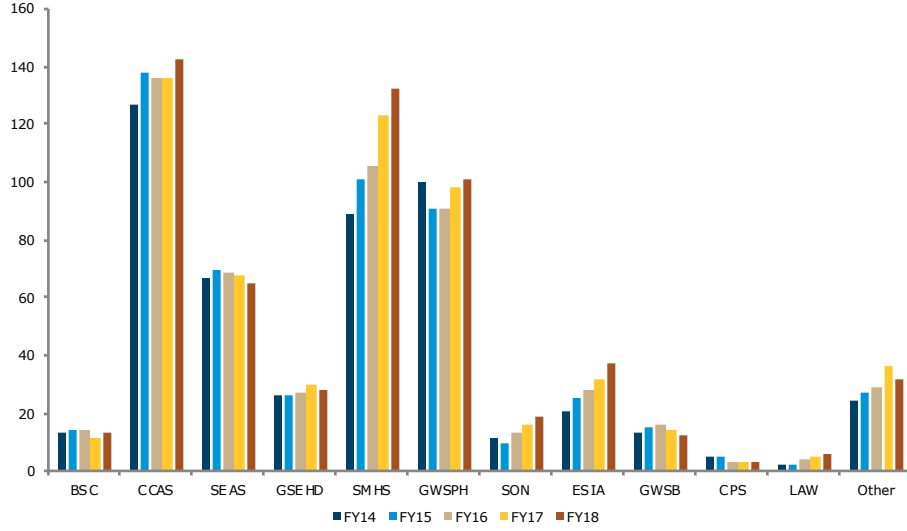


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RESEARCH UPDATE

THE GEORGE WASHINGTON UNIVERSITY
WASHINGTON, DC

NUMBER OF PRINCIPAL INVESTIGATORS BY SCHOOL / UNIT
FISCAL YEARS 2014–2018

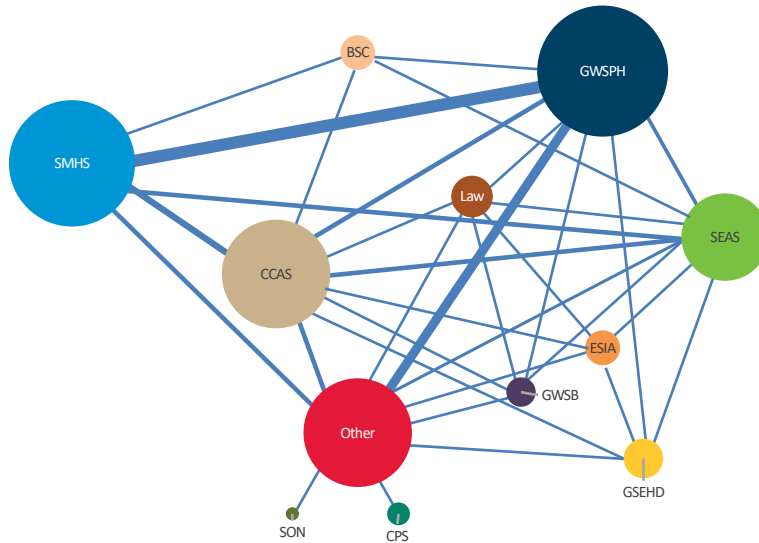


THE GEORGE WASHINGTON UNIVERSITY

RESEARCH UPDATE

THE GEORGE WASHINGTON UNIVERSITY
WASHINGTON, DC

CROSS-DISCIPLINARY RESEARCH
RELATIONSHIP AMONG SCHOOLS FOR PROJECTS WITH CROSS-SCHOOL PIs



THE GEORGE WASHINGTON UNIVERSITY

RESEARCH UPDATE

IN PROCESS

THE GEORGE
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- ▶ Operational Enhancement
- ▶ Institutional Strategic Planning
- ▶ Research Ecosystem Review
- ▶ Promoting Undergraduate Research

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RESEARCH UPDATE

RESEARCH ECOSYSTEM REVIEW UPDATE

THE GEORGE
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- ▶ Phase I working groups completed their work
 - ▶ Pre-award processes
 - ▶ Post-award processes
 - ▶ Research integrity and compliance for all research and scholarly work
 - ▶ Non-sponsored research and scholarship
- ▶ Phase I report due to the President and Initiative Leadership on January 11, 2019
- ▶ Next steps
 - ▶ Phase I report review, develop implementation plan and identify resources
 - ▶ Launch Phase II working groups
 - ▶ Core facilities
 - ▶ Postdoctoral recruiting and hiring
 - ▶ Big data/high-performance computing infrastructure

THE GEORGE WASHINGTON UNIVERSITY

RESEARCH UPDATE

POSTDOCTORAL FELLOWS AND STUDENT RESEARCHERS

THE GEORGE
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- ▶ Working to launch an office for postdoctoral affairs
- ▶ Exploring ways to enhance support for undergraduate research by coordinating with GW Libraries and Academic Innovation and Enrollment and Student Experience

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RESEARCH UPDATE

CONTINUED INCENTIVES FOR RESEARCH

THE GEORGE
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- ▶ Research Enhancement Incentive Award (REIA)
- ▶ University Facilitating Fund (UFF)
- ▶ Humanities Facilitating Fund (HFF)
- ▶ Cross-Disciplinary Research Fund (CDRF)
- ▶ International Travel Grants
- ▶ Conference/Seminar Series Support
- ▶ OVPR Faculty Awards
- ▶ Undergraduate Research Awards
- ▶ Research Illustration Support

THE GEORGE WASHINGTON UNIVERSITY

RESEARCH UPDATE

NON-SPONSORED FACULTY RESEARCH & SCHOLARSHIP

THE GEORGE
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- ▶ >134 Books (2017-2018)
 - ▶ 102 by CCAS Faculty
 - ▶ 26 by Elliott School Faculty
- ▶ >214 Creative Works (2017-2018)
 - ▶ Exhibits, performances, film, compositions, etc.
- ▶ 11 medical/health faculty elected to societies, academies and commissions

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RESEARCH UPDATE

NON-SPONSORED FACULTY RESEARCH & SCHOLARSHIP

THE GEORGE
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- ▶ Seven top-ranked Law School faculty for citations in family law; law and economics; law and social science; legal academia; originalist scholarship; public law; and IP/cyberlaw
- ▶ Three faculty among top 1% by citations in field and year by Web of Science (2018)
 - ▶ Economics & Business; Clinical Medicine; and Cross-Field
- ▶ Four Fulbright Scholars (2017-2018)
- ▶ Two National Academy of Inventors Fellows (2017-2018)

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RESEARCH UPDATE

NON-SPONSORED STUDENT RESEARCH & SCHOLARSHIP

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- ▶ 662 posters presented at 2018 GW Research Days
 - ▶ 56% increase since 2014
 - ▶ 129 unique faculty mentors on Day 1
- ▶ Majority of graduating seniors who self-identify as participating in a research experience at GW were satisfied or very satisfied with:
 - ▶ Content and subject of their research (90%)
 - ▶ Technical skills acquired (87%)
 - ▶ Faculty mentorship (82%)
- ▶ Students scheduled over 525 face-to-face appointments with staff of the Center for Undergraduate Fellowships and Research
- ▶ >2,150 participants in GW New Venture Competition since 2009; at least 79 companies launched

THE GEORGE WASHINGTON UNIVERSITY

RESEARCH UPDATE

2019 FOCUS

THE GEORGE
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- ▶ Identify resources to build national and international reputation
- ▶ Develop a mechanism to further promote multidisciplinary research
- ▶ Identify best practices for supporting non-funded research and scholarship
- ▶ Expand clinical and translational research
- ▶ Establish a robust workforce pipeline
- ▶ Collaborate with university partners to enhance big data and high-performance computing
- ▶ Identify opportunities at the Virginia Science and Technology Campus

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RESEARCH UPDATE

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Thank you

THE GEORGE WASHINGTON UNIVERSITY

RESEARCH UPDATE

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CROSS-DISCIPLINARY RESEARCH
NUMBER OF PROJECTS OPEN SINCE FY 12 WITH CROSS-SCHOOL PIs

	BSC	CCAS	SEAS	GSEHD	SMHS	GWSPH	SON	ESIA	GWSB	CPS	Law	Other	Total
BSC		1	2	0	2	2	0	0	0	0	0	0	7
CCAS	1		12	3	21	15	0	3	1	0	2	11	68
SEAS	2	12		2	13	8	0	1	1	0	1	6	44
GSEHD	0	3	2		0	2	0	1	0	0	0	1	9
SMHS	2	21	13	0		43	0	0	0	0	0	15	92
GWSPH	2	15	8	2	43		0	0	1	0	3	27	99
SON	0	0	0	0	0	0		0	0	0	0	1	1
ESIA	0	3	1	1	0	0	0		0	0	1	1	7
GWSB	0	1	1	0	0	1	0	0		0	1	1	5
CPS	0	0	0	0	0	0	0	0	0		0	3	3
Law	0	2	1	0	0	3	0	1	1	0		2	10
Other	0	11	6	1	15	27	1	1	1	3	2		68

THE GEORGE WASHINGTON UNIVERSITY



A RESOLUTION TO AMEND THE *FACULTY CODE* (2) (19/3)

WHEREAS, A pending disciplinary review for a serious violation of a university policy may adversely affect a tenure candidate's request for tenure and such effect would be unfair if the candidate is ultimately cleared of the disciplinary charge. Article IV.A.3.1 should be amended to permit the Provost, with the candidate's consent, to extend the probationary period or to suspend an ongoing tenure review until the disciplinary process is complete.

WHEREAS, Findings of violations of university policy during a candidate's review may be a basis for a concurrence or non-concurrence; such findings should not be given retroactive effect, but may be considered in a future stage of the review process.

WHEREAS, The President's review of the Provost should incorporate the views of the university's constituents and involve an established process and timetable.

NOW, THEREFORE,

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

1. Article IV.A.3.1(b) should be amended to add:

5): The Provost, upon written notice to the candidate for tenure and with the candidate's consent, may extend the probationary period beyond the period set forth in paragraph c) below, or suspend an ongoing tenure review, pending the outcome of a university review of allegations of a serious violation of university policies (such as those on sexual and gender-based harassment and interpersonal violence, non-discrimination, prohibited relationships with students, research integrity, conflict of interest, misuse of university assets, and threats or acts of violence), of allegations of serious misconduct, or of criminal charges raised against a faculty member.

2. Article IV.E.1 should be amended to add:

iv.: A documented finding of a serious violation of university policies (such as those on sexual and gender-based harassment and interpersonal violence, non-discrimination, prohibited relationships with students, research integrity, conflict of interest, misuse of university assets, and threats or acts of violence), serious misconduct, or criminal violation. Such findings shall not be a basis to reconsider recommendations made at earlier stages of the review process, but rather will be considered at subsequent stages.

Proposed Changes to the Procedures for the Implementation of the Faculty Code

3. Section C.3 should be amended by adding the following after the existing text:

Continuance. The President shall meet with Provost annually to discuss the Provost's past performance and future goals. The President shall also periodically initiate a comprehensive review of the Provost that systematically solicits input from the university's constituents, including but not limited to faculty, vice presidents, vice provosts, Deans, trustees, alumni, staff, and students. A comprehensive review shall include the following steps:

- 1. The President shall discuss with the Provost, at the time of the Provost's appointment or reappointment, the criteria by which the President will review the Provost.*
- 2. The comprehensive review shall occur at least every three years.*
- 3. The process for comprehensive review shall be established by the President.*
- 4. The President shall provide to the Faculty Senate Executive Committee a summary of the general conclusion of the review with respect to the established criteria of the Provost's performance. The details of the final evaluation shall be conveyed only to the Provost, and the Board of Trustees.*

Faculty Senate Committee on Professional Ethics and Academic Freedom
January 11, 2019

Adopted as amended by the Faculty Senate
January 11, 2019



A RESOLUTION TO AMEND THE *FACULTY CODE* (3) (19/4)

WHEREAS, There is currently no explicit mention in the *Faculty Code* regarding the criteria and procedures for the appointment, reappointment and promotion of specialized faculty. Article IV.A.6 should be amended so that schools and departments adopt criteria for the appointment and reappointment of specialized faculty, and those criteria should ensure that their reappointment and/or promotion is consistent with the terms of their appointment or reappointment letters.

WHEREAS, The first sentence of Article IV.C identifies GW as a preeminent research university. To ensure GW's continued preeminence, the standard for excellence in scholarship for candidates for tenure should be clarified by stating that tenure is reserved for faculty members whose scholarly accomplishments are considered excellent when compared with successful candidates at similar stages of their careers in institutions of higher education that have preeminent programs in the particular candidate's field or program.

WHEREAS, Under Article IV.D.4, a professor may be recused from voting as a member of the School-Wide Personnel Committee on a candidate's application for tenure or promotion, but that professor may have valuable information regarding the candidate's scholarship and other accomplishments. The SWPC should be permitted to obtain that information through the department in the normal course, i.e., through the professor's participation in the departmental review process to develop a full record of understanding the candidate without compromising the reason for recusal.

WHEREAS, Part B.1. of the *Procedures for the Implementation of the Faculty Code* (Code Procedures) currently requires that faculty of each school create a committee to make recommendations to the Dean on the allocation of regular tenure-track appointments within the school. Those recommendations may serve as a source of important guidance to the Dean. Concern has been expressed that some of those recommendations may have been ignored because the Dean did not respond to them. Part B.1. of the Code Procedures should be amended to require the Dean to report back on the allocation of tenure-track appointments.

WHEREAS, Part C.2.b.i of the Code Procedures should be amended to provide a modest degree of flexibility in the rule that currently states that only tenured full professors may chair Dean's search committees, and to clarify that the search committee and Provost should establish procedures for the selection of the Dean consistent with rules of the school.

WHEREAS, Part D.4 of the Code Procedures should be amended to provide the College of Professional Studies with additional flexibility in designating its degrees while (1) retaining the requirement that the College may not issue degrees that duplicate or utilize the same names as degrees issued by other schools in the University, and (2) requiring transcripts relating to degrees and certificates conferred by the University to students in the College to identify the College as the unit in which those students were enrolled, and diplomas for students in the College to be signed by the College's Dean.

WHEREAS, Part E.7 of the Code Procedures should be amended to provide that if the Provost, when reviewing a grievance decision, finds that relevant information was not obtained by the Hearing Committee or by the Dispute Resolution Committee, the Provost should provide that information to the relevant Committee and request that Committee to reconsider its decision within 45 days. When the Provost determines that a final decision by a Hearing Committee or the Dispute Resolution Committee (following any such reconsideration) should not be implemented for compelling reasons, the Provost should provide his or her determination (including a statement of such compelling reasons) to the President, and the President, rather than the Board of Trustees, should issue the final decision on the grievance.

NOW, THEREFORE,

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

1. Article IV.A.6 should be amended by adding the language in italics and deleting the text lined out as follows:

6. Criteria and Procedures for Appointments, Reappointments, and Promotion of Regular *and Specialized* Faculty Serving in Non-Tenure-Track Appointments

Each school and each department (except in the case of non-departmentalized schools) shall take the following actions with regard to appointments, reappointments, and promotion of regular *and specialized* faculty serving in non-tenure-track appointments:

a) In accordance with ~~this~~ Article IV and Part B of the Procedures for the Implementation of the Faculty Code, the faculty of each of the foregoing units shall approve and publish the criteria to be applied in making decisions regarding appointments, reappointments, and promotion of regular *and specialized* faculty serving in nontenure-track appointments. These criteria shall be based on the purpose(s) of the non-tenure-track appointments. Each letter of appointment *or reappointment* for a regular *or specialized* faculty member serving in a non-tenure-track appointment shall include appropriate references to the criteria, *weighting of criteria*, and *the purpose(s), of applicable to such appointment.*

b) Decisions regarding appointments, reappointments, and promotion of regular *and specialized* faculty for non-tenure-track positions ~~at a rank lower than the rank of professor~~ *may shall* be based on published criteria *which may* ~~that~~ assign different weights to the factors of teaching ~~ability, productive~~ scholarship, and/or service to the University, professional societies and the public than the published criteria that would be applied to faculty members serving in tenure-track appointments in the applicable department or non-departmentalized school; provided, however, that

1) none of the foregoing factors *as applied to the review of regular faculty* shall be assigned a weight of zero, and each regular faculty member serving in a non-tenure-track position shall be expected to generate evidence of *meeting applicable university, school, and department criteria* for teaching, ~~ability and productive~~ scholarship *and service*; and

2) *such decisions shall be consistent with the terms set forth in the candidate's appointment or reappointment letter.* ~~The weights to be applied to the foregoing factors shall be based on the purpose(s) of the particular non-tenure-track appointments, and such weights shall be explicitly stated in the applicable letters of appointment or reappointment; and~~

~~e) Decisions regarding appointments, re-appointments, and promotion of regular and specialized 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 non-departmentalized school.~~

c) ~~d)~~ Teaching loads and service assignments for all regular faculty in a department or non-departmentalized school should be structured so that during the term of each appointment, consistent with the University's needs, each regular faculty member in that department or school has a reasonable opportunity to generate evidence of *meeting applicable university, school, and department criteria* for teaching, ~~ability and productive~~ scholarship, *and service*.

2. Article IV.C should be amended by adding the text in italics and deleting the text lined out:

Recognizing the significance of the university's commitment when it grants tenure, including to the university's standing as a preeminent research university, tenure is reserved for members of the faculty who demonstrate excellence in scholarship, teaching, and engagement in service and who show promise of continued excellence. Excellence in teaching and engagement in service are prerequisites for tenure, but they are not in themselves sufficient grounds for tenure. Tenure is reserved for faculty members whose scholarly accomplishments are *considered excellent when compared with distinguished in*

~~their fields, and a candidate's record must compare favorably with that of successful candidates in at similar stages in of their careers at institutions of higher education that have preeminent programs peer research universities in the particular candidate's field or program.~~ Upon a specific showing that the academic needs of the ~~University~~ university have changed with respect to a particular position, that factor may also be considered in determining whether tenure shall be granted. The granting of tenure is generally accompanied by promotion to associate professor.

3. Article IV.D.4 should be amended by adding the text in italics:

The School-Wide Personnel Committee may request and gather additional information, documentation, or clarification regarding recommendations they are considering. Recommendations shall be determined by committee members holding equal or higher rank relative to the considered action. Schools shall develop rules for recusal involving potential conflicts of interest for committee members, such as membership in the same department as the candidate. *Members of the Committee who are recused because of membership in the same department may participate in providing information about the candidate to the School-Wide Personnel Committee through their department.*

Proposed Changes to the Procedures for the Implementation of the Faculty Code

4. Section B.1 should be amended by adding the text in italics:

Section B.1 The regular faculty shall establish procedures enabling an elected standing committee or committee of the whole to submit its recommendations *to the Dean* on the allocation of regular, tenure-track appointments within that school. *Following consideration of such recommendations, the Dean shall inform the committee of his or her determination of the appropriate allocation.*

5. Section C.2.b.i.1 should be amended by adding the text in italics:

The Search Committee Composition. When a vacancy in a school's deanship arises, the full-time faculty of the school shall establish a search committee. The full-time faculty of the school has discretion to determine the composition of the search committee, subject to these requires:

- i. The search committee shall include (a) at least five and at most ten full-time faculty members elected by the full-time faculty of the school, (b) the Provost or a representative designated by the Provost, (c) One or two current students, and (d) one or two alumni. The search committee may include other members, in accordance with the procedures approved by a school's full-time faculty. The elected members of the search committee shall elect one of their group (who must hold a tenured appointment, *normally* with the rank of professor) as the chair of the search committee.
- ii. The Chair of the Board of Trustees shall appoint trustees to serve as members of the search committee, the number of which shall ordinarily be one or two.

iii. The elected faculty and appointed trustees shall be voting members. In accordance with procedures approved by a school's full-time faculty, voting rights may be extended to other members, but, except for the School of Medicine and Health Sciences and the School of Nursing, the composition of the search committee must ensure that faculty members with tenured appointments constitute at least a majority of the voting members of the search committee.

iv. Each search committee shall establish criteria for the Dean search, including a position description, and those criteria shall be approved by the school's full-time faculty and the Provost. *Each search committee and the Provost shall in a manner consistent with the procedures and rules of each school, determine the procedures to be utilized for the selection and evaluation of decanal candidates.*

6. Section D.4 should be amended by adding the text in italics and deleting the text lined out:

The College of Professional Studies shall not confer any degree (*whether at the associate's, bachelor's, or master's level*) that duplicates or utilizes the same name as a degree offered by another school *at the University*. ~~Each degree conferred by the College (whether at the associate's, bachelor's, or master's level) shall carry the designation "of Professional Studies."~~ *All transcripts relating to degrees and certificates conferred by the university to students of the College of Professional Studies shall identify the College as the unit of the University in which the student was enrolled, and all diplomas for students of the College shall contain the signature of the College's Dean.*

7. Section E.7 should be amended by adding the text in italics and deleting the text lined out:

In the absence of a timely appeal filed by either party from a decision of a Hearing Committee, or after a decision of the Dispute Resolution Committee, such decision (*including any recommendations*) shall be transmitted to the parties, to the Chair of the Executive Committee of the Faculty Senate, and to the Provost. The decision of the relevant Committee shall be deemed final and shall be implemented by the university unless the Provost determines that there are compelling reasons not to implement the relevant Committee's decision. *Should the Provost determine, prior to making a determination whether compelling reasons exist not to implement the relevant Committee's decision, that relevant information was not obtained by the Committee, the Provost shall provide that information to the Committee and request that it reconsider its decision in light of the information. The Committee shall review the information and advise the Provost whether (and, if so, how) it has changed its decision within 45 days.* ~~In~~ *Thereafter, in the event of such a determination that there are compelling reasons not to implement a final decision made by the relevant Committee, the Provost shall transmit his or her determination (including an explanation of such compelling reasons) and recommendation, and the record of the case, through the President of the university to the Board of Trustees, or, at the election of the*

~~Grievant, solely~~ to the President, with copies to the Grievant and the Chairs of the Dispute Resolution Committee and the Executive Committee of the Faculty Senate, for a ~~prompt~~ *final* decision ~~of~~ by the President *within 45 days*. ~~or the Board of Trustees.~~

Faculty Senate Committee on Professional Ethics and Academic Freedom
January 11, 2019



A RESOLUTION TO AMEND THE *FACULTY CODE* (4) (19/5)

WHEREAS, Articles IV.B and C of the *Faculty Code* (*Code*) should be amended to ensure that evaluative materials are not disclosed to tenure and promotion candidates while their candidacy is considered and that such material should be disclosed, after making appropriate redactions to protect the confidentiality of the reviewer(s), only in cases of a grievance filing.

WHEREAS, Article X.B of the *Code* should be amended to clarify the circumstances and grounds upon which a grievance may be filed.

WHEREAS, Section B.7 of the Procedures for the Implementation of the *Faculty Code* (*Code* Procedures) should be amended to allow the President to receive additional written information from candidates and from the recommending faculty units in promotion and tenure cases in which there have been non-concurrences.

WHEREAS, Part C.2.b.ii 3 of the *Code* Procedures should be amended to permit faculties of schools to designate a committee to provide advice and information to the Provost in connection with the Provost's decanal reviews.

WHEREAS, Part E.4.c.3 of the *Code* Procedures should be amended to be consistent with the confidentiality provisions of Article IV.B and IV.C.

WHEREAS, Part E.6 of the *Code* Procedures should be amended to ensure that a Hearing Committee or the Dispute Resolution Committee may not recommend the granting of tenure or promotion following the completion of a grievance proceeding.

NOW, THEREFORE,

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

1. Article IV.B of the *Faculty Code* should be amended by adding the language in italics as a new paragraph 4 at the conclusion of that section:

4. Information and reviews obtained and evaluations made during the promotion process will not be made available to the candidate for promotion during the

university's consideration of that candidacy. However, following the final promotion decision, upon request, the candidate for promotion may receive internal and external evaluative reviews, appropriately redacted in a manner that preserves the confidentiality of the reviewer(s), after filing a grievance under Article X.B of the Faculty Code, as provided in Part E.4.c.3 of the Procedures for Implementation of the Faculty Code.

2. Article IV.C of the *Faculty Code* should be amended by adding the language in italics as a new paragraph 4 at the conclusion that section:

4. Information and reviews obtained and evaluations made during the tenure process will not be made available to the candidate for tenure during the university's consideration of that candidacy. However, following the final tenure decision, upon request, the candidate for tenure may receive internal and external evaluative reviews, appropriately redacted in a manner that preserves the confidentiality of the reviewer(s), after filing a grievance under Article X.B of the Faculty Code, as provided in Part E.4.c.3 of the Procedures for the Implementation of the Faculty Code.

3. Article X.B of the *Faculty Code* should be amended by adding the language in italics and deleting the lined-out language:

To maintain a grievance, the complaining party must allege that he or she has suffered a substantial injury resulting from *the violation of rights or privileges concerning academic freedom, research or other scholarly activities, tenure, promotion, reappointment, dismissal, or sabbatical or other leave*, arising from:

1. Acts of discrimination prohibited by federal or local law;
2. Failure to comply with the *Faculty Code*, ~~or Faculty Handbook~~, *the terms and conditions of the grieving party's letter of appointment or reappointment*, or other rules, regulations, and procedures established by the university;
3. Arbitrary and capricious actions on behalf of the university, or arbitrary and capricious applications of federal or local statutes and regulations; or
4. Retaliation for exercise of *Code*-protected rights.

Proposed Changes to the Procedures for the Implementation of the Faculty Code

4. Section B.7 of the *Faculty Code* should be amended by adding the language in italics and deleting the lined-out language:

The Provost's decision in such matters shall be final, subject to the remainder of this Paragraph B.7 and Paragraph B.8. Variant or nonconcurring recommendations from a School-Wide Personnel Committee or administrative officer, together with supporting reasons identified in Sections C.1 and E of Part IV of the *Faculty Code*, shall be sent to the Executive Committee of the Faculty Senate. The Executive Committee may seek information and advice and make recommendations to the

department or the appropriate unit thereof, to the School-Wide Personnel Committee, and to the appropriate administrative officers. If concurrence cannot be obtained after opportunity for reconsideration [of the faculty recommendation (whether positive or negative)]¹ 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.~~ *The President will invite the unit making the initial recommendation on tenure or promotion, and the faculty candidate, to provide written explanatory statements to the President. The President will thereafter make a final decision, subject to Paragraph B.8.*

5. Section C.2.b.ii.3 of the *Faculty Code* should be amended by adding the language in italics:

The process for the comprehensive review, established by the Provost, shall generally be consistent across schools, subject to the adjustment for the differing conditions of each school. *The faculty of a school may designate a committee to provide advice and information to the Provost in connection with the Provost's decanal review process.*

6. Section E.4.c.3 of the *Faculty Code* should be amended by adding the language in italics:

The procedure at the hearings shall be informal but shall comply with the requirements of fairness to the parties. The Hearing Committee is not required to comply with rules of evidence applicable in courts of law and may receive any relevant evidence that is not privileged. The Hearing Committee may decline to consider evidence when its probative value is outweighed by considerations of unfair prejudice, confusion of the issues, undue delay, waste of time, or needless presentation of cumulative evidence. The parties shall be entitled to testify on their own behalf; to call as material witnesses any member of the university faculty, administration, or staff and any other person who is willing to testify; to present written and other evidence; and to cross-examine witnesses called by other parties. *Subject to Articles IV.B and IV.C, of the Faculty Code which require appropriate redactions to internal and external evaluative reviews to protect the confidentiality of reviewer(s) in tenure and promotion cases, a party shall be entitled to inspect and copy, in advance of the hearing, all relevant documents in the control of the other party and not privileged and may offer such documents or excerpts therefrom in evidence.*

7. Section E.6 of the *Faculty Code* should be amended by adding the language in italics:

A Hearing Committee and the Dispute Resolution Committee may recommend that the university action being challenged be upheld, modified, reconsidered or remanded under specified conditions, or reversed, in whole or in part, *except that a Hearing Committee and the Dispute Resolution Committee may not recommend the granting of tenure or promotion.* A Hearing Committee and the Dispute Resolution

¹ This addition was approved by the Faculty Senate last year but awaits Board approval.

Committee may not include as part of their recommendations any monetary damages, punitive damages, or any other actions or measures outside of the scope of the underlying university action being challenged.

Faculty Senate Committee on Professional Ethics and Academic Freedom
January 11, 2019

**GWU Faculty Senate
Committee on Professional Ethics and Academic Freedom**

**Interim Report for Fall 2018
Academic Year 2018-2019**

December 2018

As new issues have arisen, our charge has evolved over time. Much of the work of PEAFF this semester has been done in subcommittees.

1. PEAFF has completed work on editing the University's Prohibited Relationships policy. Those edits were presented to the Faculty Senate and approved as Resolution 19/1.
2. PEAFF is in the process of reviewing changes to the University's Equal Employment Opportunity policy. That will be completed in the Spring, 2019.
3. A PEAFF subcommittee has completed a report on proposed changes to the University's Title IX policy. It will be reviewed by the full Committee in the Spring, 2019 semester.
4. A PEAFF subcommittee, working group, and full committee have each met numerous times to review a substantial number of changes to the Faculty Code. Some of those changes have been completed and presented to the Faculty Senate. They were approved as Resolution 19/2. A second group of changes has been approved by the Committee and has been forwarded to the Faculty Senate for approval as Resolution 19/3. The remaining proposals should be finalized in January 2019.

Once completed, the committee will ask the Faculty Senate Executive Committee to revisit our charge for the year as some of those modifications may require revisions to our future work.

Respectfully submitted,

Jeff Gutman
PEAFF Committee chair

Report of the Faculty Senate Executive Committee (FSEC)
January 11, 2019
Sylvia A. Marotta-Walters, Chair

Actions of the Executive Committee

Code Review. As I reported in December, the high level of activity on the part of the Professional Ethics and Academic Freedom (PEAF) committee to meet a January deadline for Code revisions continued and even escalated in the intervening month. Several in person meetings were held by PEAF up to December 20, 2018, and then continued via email over the holiday period, to ensure that as comprehensive a review of the Code as possible could be completed. The resolutions that the Senate will consider today are a product of that effort. The Provost's office also was heavily involved in a dialogue with PEAF during this period, representing the administration's experiences with implementing the Code in the three years since it was adopted

As noted in December, the Senate is working within the Board of Trustees' timeframe so that at the May Board meeting, the entire Faculty Code can be voted upon by the trustees, having had sufficient faculty and administration input and review. As often happens when drafting legislation, the process can be messy but the value of having all participants share in this essential governance activity, makes the effort worthwhile.

Strategic Initiative on Culture. Since I last reported here, there has been an immersion experience by the Culture Leadership Team on site at the Disney Institute in Orlando, Florida, and a series of meetings to discuss with various university constituents, the preliminary findings of the assessment process that was conducted in October. As a reminder, the Chair of the Senate Executive Committee and one Senator, are team members charged with implementing the culture strategic initiative along with other key university leadership. We will continue to represent the faculty as the results of the initial assessment are transformed into actionable strategies to change our culture to one that values service. I will continue to update you through these FSEC reports to ensure that

you are informed as each of the assessment results is addressed by the Culture Leadership Team.

Update on Policy Reviews. PEAf continues to work through small subcommittees to provide faculty input on two policies – one is the Title IX Policy that was adopted by the Board of Trustees in May 2018, without significant faculty input, and the other is the Equal Opportunity Policy which also needs revision to accommodate changes in legislation and policy on the national level. With regards to Title IX, the US Department of Education recently put changes to this legislation out for public comment. Some of the revisions will contradict the recently updated GW policy, and PEAf is working to reconcile and make recommendations that are consistent with the Department of Education’s language, should that language be retained following the public commentary period ending in January 2019. The Senate will address these policies as soon as PEAf moves any resolutions forward for review by the Senate Executive Committee.

Faculty Personnel Matters

Grievances: There are three grievances at present, two in the School of Business and one in Columbian College. The Columbian College grievance is in the early mediation stage.

Upcoming Agenda Items

The February 8, 2019 Senate meeting will have a report from Dean Reuben Brigety on the state of the Elliott School of International Affairs, and in March by Dean Michael Feuer on the Graduate School of Education and Human Development.

Calendar

The next meeting of the Executive Committee will be on January 25, 2019. Please submit items for consideration no later than Friday, January 18, 2019.