



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 nationally recognized programs in the particular candidate's field.

WHEREAS, Article IV.D.4. should be amended to ensure that the school department from which a tenure or promotion recommendation originates has an opportunity to review and to respond to any additional information obtained by the School-Wide Personnel Committee.

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 C.2.b.i.1.iii of the *Code* Procedures should no longer exempt the School of Nursing from the requirement that tenured professors constitute at least half of the Dean’s Search Committee because the School of Nursing now has sufficient tenured faculty to satisfy the requirement.

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 or research that are nationally recognized peer research universities* in the particular candidate's field. 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:

With advance notice and in consultation with the department, the School-Wide Personnel Committee may request and gather additional information, documentation, or clarification regarding recommendations they are considering. Any additional information obtained by the School-Wide Personnel Committee shall be shared with the referring department, and the Department may provide a written response to that information. 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 and deleting the text lined-out:

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
February 8, 2019

Adopted as Amended by the Faculty Senate
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