

**A RESOLUTION TO AMEND THE FACULTY CODE WITH
RESPECT TO THE PARTICIPATION OF RESEARCH FACULTY IN
CERTAIN GOVERNANCE MATTERS IN THE SCHOOL OF PUBLIC HEALTH
AND HEALTH SERVICES (09/3)**

WHEREAS, as further explained in the Report of the Committee on Professional Ethics and Academic Freedom attached to this Resolution as Appendix A, since 2002 the Faculty Senate has actively encouraged and supported efforts by the School of Public Health and Health Services (“SPHHS”) to achieve its aspirations for academic excellence and to build a national and international reputation as a preeminent school of public health; and

WHEREAS, the Procedures for the Implementation of the Faculty Code (“Procedures”) provide that the regular, active-status faculty of each school is responsible for the following governance matters within that school: (i) the adoption of written procedures for the governance of the school pursuant to Part A of the Procedures, (ii) the appointment, promotion and tenuring of faculty pursuant to Part B of the Procedures, (iii) the appointment of academic administrative officers pursuant to Part C of the Procedures, and (iv) the development of curriculum and academic programs pursuant to Part D of the Procedures (“Code-specified governance matters”); and

WHEREAS, Article I.B.1 of the Faculty Code specifies: “. . . the proportion of regular, active-status faculty serving in non-tenure accruing appointments shall not exceed 25 percent in any school, nor shall any department have fewer than 50 percent of its regular, active-status faculty appointments either tenured or tenure-accruing;” and

WHEREAS, Article I.B.1 of the Faculty Code applies to the faculty of all schools in the University except for the faculties of the Law School and the College of Professional Studies as well as “Medical Center faculty who are stationed at affiliated institutions”; and

WHEREAS, a footnote on page 18 of the Faculty Code states: “In the governance of the Medical Center, all faculty eligible for membership in the Medical Center Faculty Assembly shall be eligible to participate whenever the term 'regular' faculty appears in this document;” and

WHEREAS, the Medical Center Faculty Organization Plan states that the voting membership of the Medical Center Faculty Assembly includes regular professors, clinical professors, professorial lecturers, adjunct professors, and research professors; and

WHEREAS, the SPHHS has a large number of research faculty who do not hold regular, active-status appointments but who actively participate in Code-specified governance matters in the SPHHS by virtue of the footnote on page 18 of the Faculty Code; and

WHEREAS, the footnote on page 18 of the Faculty Code was originally intended to allow clinical and research medical faculty to participate in Code-specified governance

matters in the Medical Center because of the key roles played by those faculty in medical education with its strong emphasis on practice-based instruction, as contrasted with the primarily academic and scholarly roles that regular, active-status faculty are required to fulfill in other schools in the University; and,

WHEREAS, the footnote on page 18 of the Faculty Code was added in the mid-1970's, long before the SPHHS was established in 1997 as a separate school within the Medical Center; and,

WHEREAS, the composition of the regular, active-status faculty of the SPHHS has not complied with Article I.B.1 since the founding of the SPHHS in 1997, and since 2002 the Faculty Senate and its Committees have made sustained efforts to persuade the SPHHS to come into compliance with Article I.B.1. of the Faculty Code; and

WHEREAS, Article I.B.1. of the Faculty Code plays a vital role in supporting the University's commitments to academic excellence and shared governance because:

- (1) Article I.B.1. ensures that, in the non-excluded entities, most regular, active-status faculty members will have an opportunity to earn tenured status and, accordingly, will have strong incentives to achieve excellence in teaching and scholarship by satisfying peer-reviewed standards of academic rigor, independence and objectivity; and
- (2) Article I.B.1 further ensures that, in the non-excluded entities, (i) faculty members who participate in Code-specified governance matters in the University and its schools and departments will be regular, active-status faculty members who are engaged in all three major areas of faculty responsibility (namely, teaching, productive scholarship, and service) as set forth in Articles IV.A.6.b) and IV.B.1 of the Faculty Code, and (ii) the predominant group of such faculty members will have the opportunity to earn tenured status and thereby obtain appropriate independence in carrying out the shared responsibility of regular, active-status faculty for deciding Code-specified governance matters pursuant to Article IX of the Faculty Code and Parts A through D of the Procedures;

WHEREAS, during the Faculty Senate's efforts to encourage the SPHHS to come into compliance with Article I.B.1. of the Faculty Code, the Senate has become aware of the very significant role played by research faculty in Code-specified governance matters in the SPHHS, by reason of the inclusion of research faculty in the footnote on page 18 of the Faculty Code and their resulting exclusion from the requirements of Article I.B.1.; and

WHEREAS, the Faculty Senate has determined, based on the purposes and objectives of Article I.B.1., that research faculty of the SPHHS should not be granted authority to participate in Code-specified governance matters in the SPHHS; and

WHEREAS, in all matters that are not Code-specified governance matters, this Resolution does not affect the rights of research faculty of SPHHS to participate in the governance of the SPHHS or to participate in the governance of the Medical Center pursuant to the Medical Center Organizational Plan;

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

1. That, in Article I.B.1. of the Faculty Code, the phrase "The foregoing shall not apply to the Medical Center faculty who are stationed at affiliated institutions" shall be amended to read "The foregoing shall not apply to the faculty of the School of Medicine and Health Sciences who are stationed at affiliated institutions."
2. That the asterisked footnote to Part A of The Procedures for the Implementation of the Faculty Code ("Procedures"), on page 18, be amended to read as follows:

In the governance of the School of Medicine and Health Sciences, all faculty of that School who are eligible for membership in the Medical Center Faculty Assembly shall be eligible to participate whenever the term "regular" faculty appears in this document.

3. That, following adoption of the foregoing amendments by the University's Board of Trustees, the Dean of the School of Public Health and Health Services ("SPHHS") shall take appropriate steps, in collaboration with the faculty of the SPHHS, to develop governance procedures for the SPHHS (including appropriate school and departmental bylaws) that shall bring the SPHHS into full compliance with Parts A through D of the Procedures not later than December 31, 2010.
4. That the Dean of the SPHHS shall submit a report to the Faculty Senate Executive Committee not later than January 31, 2011, describing the steps taken by the SPHHS to achieve full compliance with Parts A through D of the Procedures.
5. That the report by the Dean of the SPHHS referred to in Paragraph 4, above, shall also (i) describe the progress made by the SPHHS in moving toward full compliance with Article I.B.1 of the Faculty Code and (ii) provide an estimated date for achieving full compliance with that provision.

Committee on Professional Ethics and Academic Freedom of the Faculty Senate
March 3, 2010

Adopted as amended March 12, 2010

APPENDIX A

COMMITTEE REPORT ON THE RESOLUTION TO AMEND THE FACULTY CODE WITH RESPECT TO PARTICIPATION OF RESEARCH FACULTY IN CERTAIN GOVERNANCE MATTERS IN THE SCHOOL OF PUBLIC HEALTH AND HEALTH SERVICES (09/3)

Since 2002 the Faculty Senate has actively encouraged and supported efforts by the School of Public Health and Health Services (“SPHHS”) to achieve its aspirations for academic excellence and to build a national and international reputation as a preeminent school of public health.

Article I.B.1 of the Faculty Code requires that at least 75% of the regular, active-status faculty members in each school must hold either tenured or tenure-accruing appointments, except for (i) the faculties of the Law School and the College of Professional Studies, and (ii) faculty in the Medical Center who are “stationed at affiliated institutions”. It also requires that at least 50% of the regular, active-status faculty members in each department of a school must hold either tenured or tenure-accruing appointments, except for (i) the faculties of the Law School and the College of Professional Studies, and (ii) faculty in the Medical Center who are “stationed at affiliated institutions”.

Article I.B.1. of the Faculty Code plays a vital role in supporting the University’s commitments to academic excellence and shared governance because it ensures that:

- (1) Most regular, active-status faculty members will have an opportunity to earn tenured status and, accordingly, will have strong incentives to achieve excellence in teaching and scholarship by satisfying peer-reviewed standards of academic rigor, independence and objectivity;
- (2) Faculty members who participate in the areas of governance of the University and its schools and departments that are specified in the Faculty Code (as described below) will be regular, active-status faculty members who are engaged in all three major areas of faculty responsibility (namely, teaching, productive scholarship, and service to the University, professional bodies and the public) as set forth in Articles IV.A.6.b) and IV.B.1 of the Faculty Code; and
- (3) The predominant group of such faculty members will have the opportunity to earn tenured status and thereby obtain appropriate independence in carrying out the shared responsibility of regular, active-status faculty in deciding the following crucial academic matters related to departmental, school and University governance as specified in the Procedures for the Implementation of the Faculty Code (“Procedures”): (i) the adoption of written procedures for the governance of

the school pursuant to Part A of the Procedures, (ii) the appointment, promotion and tenuring of faculty pursuant to Part B of the Procedures, (iii) the appointment of academic administrative officers pursuant to Part C of the Procedures, and (iv) the development of curriculum and academic programs pursuant to Part D of the Procedures (hereinafter collectively referred to as “Code-specified governance matters”).

The SPHHS is a school that is subject, without exception, to the requirements of Article I.B.1. of the Faculty Code. As shown on Figure 1 attached to this Report, the composition of the regular, active-status faculty of the SPHHS has not complied with Article I.B.1. since the founding of the SPHHS in 1997.

For more than seven years, the Faculty Senate and its Committees have made sustained efforts to persuade the SPHHS to come into compliance with Article I.B.1. of the Faculty Code, including:

- (1) On April 14, 2002, the Faculty Senate adopted Resolution 01/11, in which the Faculty Senate called on the Dean of the SPHHS to develop a plan to bring the SPHHS into compliance with Article I.B.1 by the Fall semester of 2007, but the SPHHS failed to develop such a plan or achieve such compliance;
- (2) In May 2008, the Executive Committee of the Faculty Senate sent a memorandum to the Dean of the SPHHS, in which the Executive Committee requested that the Dean of the SPHHS provide, not later than September 19, 2008, a detailed, comprehensive plan to bring the SPHHS into compliance with Article I.B.1. within a reasonable period not to exceed five years;
- (3) On September 24, 2008, Interim Dean Josef J. Reum of the SPHHS sent the Executive Committee a preliminary draft of a plan to bring the SPHHS into compliance with Article I.B.1 within the requested five-year period, and the Executive Committee referred Interim Dean Reum’s draft compliance plan to a Special Joint Subcommittee on Compliance by the SPHHS with the Faculty Code (“Joint Subcommittee”),
- (4) Interim Dean Reum submitted a revised compliance plan on February 2, 2009, and the Joint Subcommittee advised the Faculty Senate, at its meeting on March 13, 2009, that the revised compliance plan appeared to be feasible and appeared to provide a reasonable basis for bringing the SPHHS into compliance with Article I.B.1 by 2013.
- (5) Based on information provided by the Office of Medical Center Faculty Affairs and Program Development (“OMCFAPD”), which is reflected on Figure 1, the number of regular, active-status faculty with tenured or tenure-accruing appointments in the SPHHS increased from 17 in 2007 to 29 in 2009, while the number of regular, active-status faculty with non-tenure-accruing (“NTA”) appointments increased from 20 to 30.

- (6) The Joint Subcommittee submitted a report to the Faculty Senate Executive Committee on October 26, 2009 (“Joint Subcommittee Report”), which expressed “reservations on the validity of the [the SPHHS compliance] plan as well as the guidelines being used to implement the proposed plan,” and the Report further explained that “our reservations center around the lack of specific Faculty Code compliance criteria and processes needed for legitimate search establishment and operations and [faculty appointment, promotion and tenure committee] selection and tenure issues.” The Joint Subcommittee Report specifically noted a “lack of formal processes and criteria for faculty (and indeed Dean) selection, promotion and tenure” decisions at the SPHHS.
- (7) The Joint Subcommittee submitted a further report to the Faculty Senate Executive Committee on February 4, 2010, which stated that “[t]he Joint Subcommittee continues to have concerns about the lack of specific [faculty appointment, promotion and tenure] criteria and process employed by SPHHS.” The report added, however, that its “overall judgment is that SPHHS continues to make good progress toward Code compliance and it is possible that in 2011 or 2012 the goal of the required number of tenured/tenure-track faculty will be met.”

Since 2008, in the course of its efforts to persuade the SPHHS to come into compliance with Article I.B.1. of the Faculty Code, the Faculty Senate and its Committees have become aware of the very significant (and potentially decisive) role played by research faculty in Code-specified governance matters in the SPHHS:

- (1) In the fall semester of 2008, the Faculty Senate Executive Committee began to discuss with the University administration the launching of a search for new dean of the SPHHS that would comply with the Faculty Code.
- (2) During the course of those discussions, the Executive Committee learned that the SPHHS has a large number of research faculty who do not hold regular, active-status appointments, but who actively participate in Code-specified governance matters in the SPHHS pursuant to an asterisked footnote to Part A of the Procedures, on page 18. That footnote provides: “In the governance of the Medical Center, all faculty eligible for membership in the Medical Center Faculty Assembly shall be eligible to participate wherever the term ‘regular’ faculty appears in this document”. The faculty ranks which are eligible for membership in the Medical Center Faculty Assembly, and which are therefore designated as ‘regular’ faculty for purposes of the footnote on page 18 of the Procedures, are listed in Attachment 1.
- (3) The footnote on page 18 of the Procedures was added to the Faculty Code in the mid-1970s, long before the founding of the SPHHS in 1997. That footnote was intended to provide Code-specified governance rights in the University’s Medical Center to clinical medical faculty and research medical faculty who worked in the four existing units of the Medical Center, all of which provided medical education

- and medical care services at that time (namely, the School of Medicine and Health Sciences, the University's Hospital, the University's Health Plan, and the University's Medical Faculty Associates). The footnote on page 18 of the Procedures recognized the key roles played by clinical medical faculty and research medical faculty in medical education with its strong emphasis on practice-based instruction, as contrasted with the primarily academic and scholarly roles that regular, active-status faculty are required to fulfill in other schools in the University
- (4) Neither the Faculty Senate nor the University's Board of Trustees specifically discussed whether the footnote on page 18 of the Procedures should be interpreted as allowing research faculty to participate in Code-specified governance matters in the SPHHS when the SPHHS was established as a new school within the Medical Center in 1997.
 - (5) The number of research faculty in the SPHHS has grown rapidly in recent years, during the same period of time that the Faculty Senate has repeatedly called upon the SPHHS to come into compliance with Article I.B.1 of the Faculty Code. According to information provided by OMCFAPD and shown on Figure 1 attached to this Report, the number of research faculty in the SPHHS has increased from 11 in 2002 to 26 in 2007 and 45 in 2009.
 - (6) Research faculty in the SPHHS have joined with NTA faculty to exercise significant influence over Code-specified governance matters in the SPHHS since the school's founding, as indicated by (i) service by research faculty as voting members of committees that determine the appointment, promotion and tenure of regular, active-status faculty members within the SPHHS, and (ii) most recently, the refusal by research faculty and NTA faculty in the SPHHS to agree to a Dean's search process that would conform to Part C.2. of the Procedures by establishing a core search committee consisting solely of tenured faculty members. Instead, despite the intervention of the Executive Vice President for Academic Affairs, the core search committee established for the current Dean's search in the SPHHS includes five tenured faculty members, two faculty members who hold NTA appointments and two research faculty.
 - (7) In combination, the NTA regular, active-status faculty and the research faculty of SPHHS, who totaled 75 in 2009, have the potential to exercise control over Code-specified governance matters in the SPHHS. In contrast, only 28% (29 of 104) of the faculty members in the SPHHS in 2009 were regular, active-status faculty members with tenured or tenure-accruing appointments (see Figure 1, attached).
 - (8) A review of the Columbia University Faculty Handbook and the policies and procedures issued by the office of the dean of The Johns Hopkins University Bloomberg School of Public Health reveals no comparable provisions that grant research faculty the level of participation in governance that they have in the SPHHS. Research faculty members at these two prominent schools of public

health are recognized in various ways, but they are not given full and equal participation in governance with respect to core academic issues.

The unintended consequences of the footnote on page 18 of the Faculty Code clearly undermine Code-compliant faculty governance in the SPHHS and must be remedied if similar problems are to be avoided in the future. Members of the research and NTA faculty in the SPHHS are appointed on short-term contracts (typically for one year), and they therefore may not have the necessary security of employment to express their independent views on Code-specified governance matters in a manner comparable to the independent voice of tenured faculty.

In schools within the University outside the Medical Center, research faculty do not participate in Code-specified governance matters in schools and departments. Research faculty do not hold regular, active-status appointments under Article I.B.1 of the Faculty Code and, instead, hold research staff appointments under Article I.B.4 of the Faculty Code. Consequently, research faculty in all schools within the University are not counted for purposes of applying the 75% and 50% requirements set forth in Article I.B.1. Because research faculty in the SPHHS are not counted for purposes of applying the 75% and 50% requirements under Article I.B.1., it is contrary to the purposes and objectives of Article I.B.1. to permit research faculty to participate in Code-specified governance matters in the SPHHS pursuant to the footnote on page 18 of the Faculty Code.

The Committee on Professional Ethics and Academic Freedom has determined that the SPHHS will not achieve true compliance with Article I.B.1 of the Faculty Code and Parts A through D of the Procedures unless the asterisked footnote on page 18 is amended to remove the SPHHS from the scope of that footnote. Accordingly, the Committee recommends that the Faculty Senate adopt the following resolution. The Committee wishes to emphasize that, except for Code-specified governance matters, the resolution would not affect the rights of research faculty of the SPHHS to participate in the governance of the SPHHS or the governance of the Medical Center pursuant to the Medical Center Organization Plan.

Resolution

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

1. That, in Article I.B.1. of the Faculty Code, the phrase "The foregoing shall not apply to the Medical Center faculty who are stationed at affiliated institutions" shall be amended to read "The foregoing shall not apply to the faculty of the School of Medicine and Health Sciences who are stationed at affiliated institutions."
2. That the asterisked footnote to Part A of The Procedures for the Implementation of the Faculty Code ("Procedures"), on page 18, be amended to read as follows, ~~effective on June 30, 2010:~~

- “In the governance of the School of Medicine and Health Sciences, all faculty of that School who are eligible for membership in the Medical Center Faculty Assembly shall be eligible to participate whenever the term “regular” faculty appears in this document.”
3. That, following adoption of the foregoing amendment by the University’s Board of Trustees, the Dean of the School of Public Health and Health Services (“SPHHS”) shall take appropriate steps, in collaboration with the faculty of the SPHHS, to develop governance procedures for the SPHHS (including appropriate school and departmental bylaws) that shall bring the SPHHS into full compliance with Parts A through D of the Procedures not later than December 31, 2010.
 4. That the Dean of the SPHHS shall submit a report to the Faculty Senate Executive Committee not later than January 31, 2011, describing the steps taken by the SPHHS to achieve full compliance with Parts A through D of the Procedures.
 5. That the report by the Dean of the SPHHS referred to in Paragraph 4, above, shall also (i) describe the progress made by the SPHHS in moving toward full compliance with Article I.B.1 of the Faculty Code and (ii) provide an estimated date for achieving full compliance with that provision.

Committee on Professional Ethics and Academic Freedom of the Faculty Senate
March 3, 2010

Adopted with Resolution 09/3 as amended March 12, 2010

ATTACHMENT 1
RELEVANT SECTION OF THE MEDICAL CENTER
FACULTY ORGANIZATION PLAN

The Medical Center Faculty Organization Plan states in Article II. The Medical Center Faculty Assembly, Section 1. Membership, that:

The voting membership of the Faculty Assembly shall consist of all faculty members in the following grades of academic service:

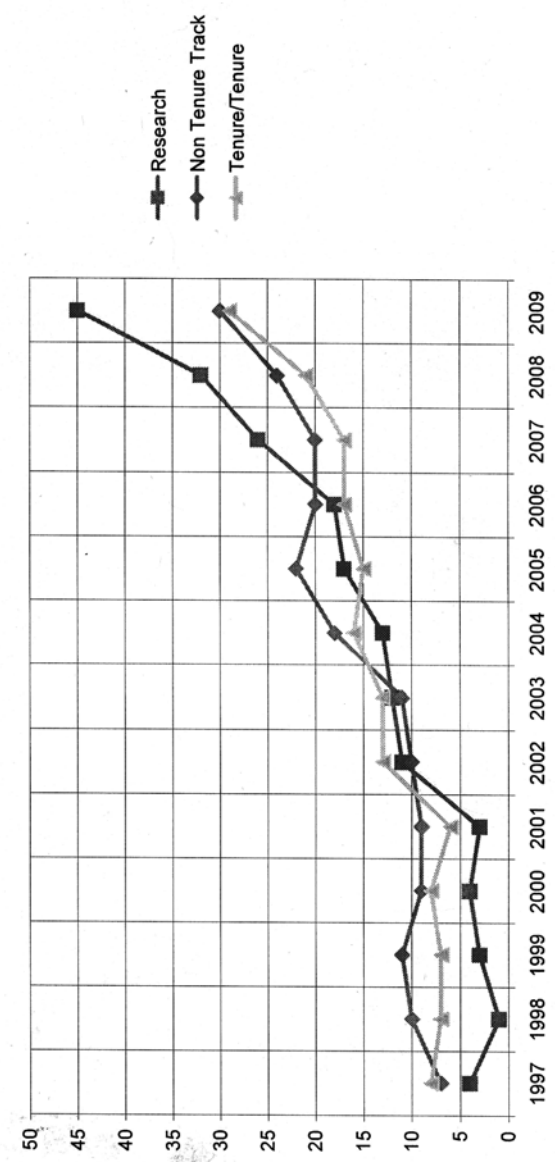
1. Professor, Associate Professor, Assistant Professor, Instructor.
2. Clinical Professor, Professorial Lecturer, Associate Clinical Professor, Associate Professorial Lecturer, Assistant Clinical Professor, Clinical Instructor, Lecturer, Special Lecturer, Adjunct Professor, Adjunct Associate Professor, Adjunct Assistant Professor, Adjunct Instructor.
3. Research Professor, Associate Research Professor, Assistant Research Professor, Research Instructor

In addition, such members of the Administrative Board as might not otherwise be qualified for membership shall be members of the Faculty Assembly.

This list includes the entire range of faculty ranks. “Voting membership” makes no distinction as to tenured or nontenured faculty or if “voting members” hold regular, active-status appointments or research appointments. The footnote on page 18 of the Faculty Code has been interpreted in the Medical Center to mandate that all like-designated faculty members in the SPHHS are eligible to vote in the same manner as regular active-status faculty, regardless of tenure, on all matters pertaining to governance of the SPHHS.

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Non Tenure Track	7	10	11	9	9	10	11	18	22	20	20	24	30
Research	4	1	3	4	3	11	12	13	17	18	26	32	45
Tenure/Tenure Track	8	7	7	8	6	13	13	16	15	17	17	21	29
	19	18	21	21	18	34	36	47	54	55	63	77	104

Figure 1
School of Public Health and Health Services
Non Tenure, Research and Tenure/Tenure Track Faculty 1997- 2009
 ***Prior to 2004 - no tenure track**



Resolution to Amend the *Faculty Code* with Respect to the Participation of Research Faculty in Certain Governance Matters in the School of Public Health and Health Services (09/3)

Faculty Senate, March 12, 2010

School of Public Health and Health Services

SPHHS Web Site

SPHHS: Who We Are

- Established in July 1997, the School of Public Health and Health Services brought together three longstanding university programs in the schools of medicine, business, and education that we have since expanded substantially.
- Today, more than 900 students from nearly every U.S. state and more than 35 nations pursue undergraduate, graduate, and doctoral-level degrees in public health. Our student body is one of the most ethnically diverse among the nation's private schools of public health.

SPHHS Web Site

Academic Departments

1. Environmental and Occupational Health
2. Epidemiology and Biostatistics
3. Exercise Science
4. Global Health
5. Health Policy
6. Health Services Management and Leadership
7. Prevention and Community Health

SPHHS Web Site

Additional Info

- We also offer an array of joint degree programs . . .
- The public health programs of the SPHHS have full accreditation from . . .
- .
- Within the departments, sixteen specialist centers, institutes and special programs are sites for state-of-the-art research and training . . .
- The School's current research portfolio is approximately eighteen million dollars.

SPHHS Web Site

Vision of SPHHS

The George Washington University School of Public Health and Health Services will advance the health of the populations of our local, national, and global communities by:

- Developing tomorrow's leaders in public health and health services
- Creating innovative educational opportunities
- Translating science into policies, programs, and interventions
- Enhancing multidisciplinary collaborations in research, education, and service
- Fostering an environment in which faculty, students, staff, and community partners are empowered to accomplish the School's mission.

Whereas Clauses

Academic Excellence

WHEREAS, as further explained in the Report of the Committee on Professional Ethics and Academic Freedom attached to this Resolution as Appendix A, since 2002 the Faculty Senate has actively encouraged and supported efforts by the School of Public Health and Health Services ("SPHHS") to **achieve its aspirations for academic excellence and to build a national and international reputation as a preeminent school of public health**; and

Role of Faculty Senate

- In 1996, Faculty Senate worked closely with the administration in launching SPHHS
- Since 2002, Faculty Senate has been active in trying to help SPHHS meet its mission through code compliance.
- Joint Subcommittee chaired by Ed Cherian has influenced the SPHHS to move towards Code Compliance with respect to tenured faculty.

Shared Governance

- Utilize wealth of knowledge and wisdom within the Faculty.
- Excellent Schools have Excellent knowledgeable faculty who can contribute to every aspect of academic activity in the school.
- Opinions and expertise should be utilized as much as possible to get innovative ideas.
- The Search for ideas and opinions should **never be exclusive**.

Why Tenure is Important

- Tenured faculty have **INDEPENDENCE** and are not subject to intimidation and coercion by supervisors or administrators.
- Tenured faculty are **long-term** faculty.
- Tenure faculty are subject to extensive selection and performance criteria applied over a period of many years.
- Tenured faculty must **contribute to all aspects of academic life** (teaching, research, service).

Code-Specified Governance Areas

WHEREAS, the Procedures for the Implementation of the Faculty Code ("Procedures") provide that the **regular, active-status faculty** of each school is responsible for the following governance matters within that school:

- (i) the **adoption of written procedures for the governance of the school** pursuant to Part A of the Procedures,
- (ii) the **appointment, promotion and tenuring of faculty** pursuant to Part B of the Procedures,
- (iii) the **appointment of academic administrative officers** pursuant to Part C of the Procedures, and
- (iv) the **development of curriculum and academic programs** pursuant to Part D of the Procedures ("Code-specified governance matters"); and

Types of Faculty

- Regular Active Status: (FC,)
 - University professor, professor, associate, professor, assistant professor, and instructor Art. I.B.1.
 - Each of the regular, active-status ranks may be
 - **tenure-accruing** or
 - **non-tenure-accruing** as specified in the original letter of appointment Art. I.B.1
 - Shall have the primary responsibility of devoting their time, thought, and energy to the service of the University.
 - Subject to Criteria for Appointment and promotion Art. IV.A.5 and IV.A.6.

Types of Faculty

- Research Faculty

Research Staff: Members of the research staff may be appointed,

- upon **recommendation of the appropriate faculty and officers of the administration**,
- as research professor, associate research professor, assistant research professor, and research instructor.
- Such appointments do **not provide tenure**.

Faculty Code, Article. I.B.4.

Proportion of Tenure / Tenure Track

WHEREAS, Article I.B.1 of the *Faculty Code* specifies: ". . . the proportion of regular, active-status faculty serving in non-tenure accruing appointments shall not exceed 25 percent in any school, nor shall any department have fewer than 50 percent of its regular, active-status faculty appointments either tenured or tenure-accruing; and

The Problem

Exceptions

WHEREAS, Article I.B.1 of the *Faculty Code* applies to the faculty of all schools in the University except for the faculties of the Law School and the College of Professional Studies as well as "**Medical Center** faculty who are stationed at affiliated institutions"; and

Exceptions

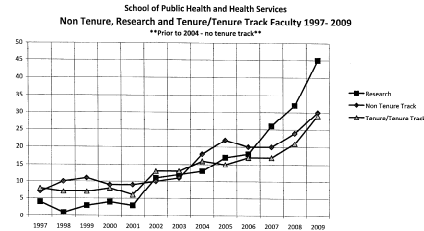
WHEREAS, a footnote on page 18 of the *Faculty Code* states: "In the governance of the Medical Center, all faculty eligible for membership in the **Medical Center** Faculty Assembly shall be eligible to participate whenever the term 'regular' faculty appears in this document;" and

Exceptions

WHEREAS, the Medical Center Faculty Organization Plan states that the voting membership of the Medical Center Faculty Assembly includes regular professors, clinical professors, professorial lecturers, adjunct professors, and **research professors**; and

Exceptions

WHEREAS, the SPHHS has a large number of research faculty who do not hold regular, active-status appointments but who actively participate in Code-specified governance matters in the SPHHS by virtue of the footnote on page 18 of the *Faculty Code*; and



Original Intent of Footnote

WHEREAS, the footnote on page 18 of the *Faculty Code* was originally intended to allow clinical and research medical faculty to participate in Code-specified governance matters in the Medical Center because of the key roles played by those faculty in medical education with its strong emphasis on practice-based instruction, as contrasted with the primarily academic and scholarly roles that regular, active-status faculty are required to fulfill in other schools in the University; and,

WHEREAS, the footnote on page 18 of the *Faculty Code* was added in the mid-1970's, long before the SPHHS was established in 1997 as a separate school within the Medical Center; and,

SPHHS Faculty Code Compliance

WHEREAS, the composition of the regular, active-status faculty of the SPHHS has not complied with Article I.B.1 since the founding of the SPHHS in 1997, and since 2002 the Faculty Senate and its Committees have made sustained efforts to persuade the SPHHS to come into compliance with Article I.B.1. of the *Faculty Code*; and

Purpose of Article I.B.1

WHEREAS, Article I.B.1. of the *Faculty Code* plays a vital role in supporting the University's commitments to academic excellence and shared governance because:

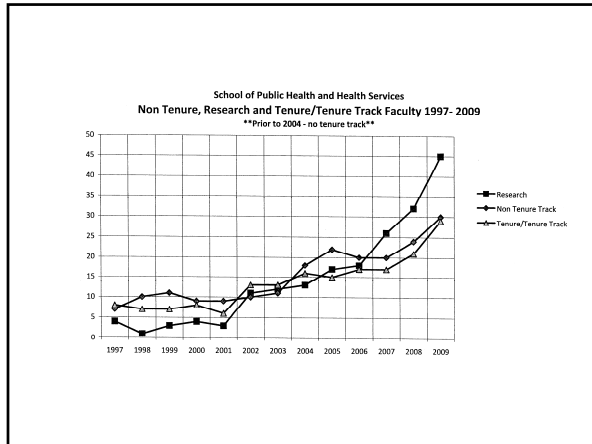
(1) Article I.B.1.ensures that, in the non-excluded entities, most regular, active-status faculty members will have an opportunity to earn tenured status and, accordingly, will have strong incentives to achieve excellence in teaching and scholarship by satisfying peer-reviewed standards of academic rigor, independence and objectivity; and

(2) Article I.B.1 further ensures that, in the non-excluded entities, (i) faculty members who participate in Code-specified governance matters in the University and its schools and departments will be regular, active-status faculty members who are engaged in all three major areas of faculty responsibility (namely, teaching, productive scholarship, and service) as set forth in Articles IV.A.6.b) and IV.B.1 of the *Faculty Code*, and (ii) the predominant group of such faculty members will have the opportunity to earn tenured status and thereby obtain appropriate independence in carrying out the shared responsibility of regular, active-status faculty for deciding Code-specified governance matters pursuant to

Research Faculty in SPHHS

WHEREAS, during the Faculty Senate's efforts to encourage the SPHHS to come into compliance with Article I.B.1. of the *Faculty Code*, the Senate has become aware of the very significant role played by research faculty in Code-specified governance matters in the SPHHS, by reason of the inclusion of research faculty in the footnote on page 18 of the *Faculty Code* and their resulting exclusion from the requirements of Article I.B.1.; and

WHEREAS, the Faculty Senate has determined, based on the purposes and objectives of Article I.B.1., that research faculty of the SPHHS should not be granted authority to participate in Code-specified governance matters in the SPHHS; and



Research Faculty Participate in Non-Code specified Governance Matters

WHEREAS, in all matters that are not Code-specified governance matters, this Resolution does not affect the rights of research faculty of SPHHS to participate in the governance of the SPHHS or to participate in the governance of the Medical Center pursuant to the Medical Center Organizational Plan;

NOW, THEREFORE, BE IT RESOLVED BY THE FACULTY SENATE

1. That, in Article I.B.1. of the *Faculty Code*, the phrase "The foregoing shall not apply to the Medical Center faculty who are stationed at affiliated institutions"

shall be amended to read

"The foregoing shall not apply to the faculty of the School of Medicine and Health Sciences who are stationed at affiliated institutions."

NOW, THEREFORE, BE IT RESOLVED BY THE FACULTY SENATE

2. That the asterisked footnote to Part A of The Procedures for the Implementation of the *Faculty Code* ("Procedures"), on page 18, be amended to read as follows:

In the governance of the School of Medicine and Health Sciences, all faculty of that School who are eligible for membership in the Medical Center Faculty Assembly shall be eligible to participate whenever the term "regular" faculty appears in this document.

NOW, THEREFORE, BE IT RESOLVED BY THE FACULTY SENATE

3. That, following adoption of the foregoing amendments by the University's Board of Trustees, the Dean of the School of Public Health and Health Services ("SPHHS") shall take appropriate steps, in collaboration with the faculty of the SPHHS, to develop governance procedures for the SPHHS (including appropriate school and departmental bylaws) that shall bring the SPHHS into full compliance with Parts A through D of the Procedures not later than December 31, 2010.

Parts A through D of Procedures of FC

- A. **Governance of Departments and Schools***
- B. **Faculty Participation in Action Concerning Faculty Membership**
- C. **Faculty Consultation and Recommendation in the Selection and Continuance of Academic Administrative Officers**
- D. **Faculty Participation in Action Concerning Curriculum**

**NOW, THEREFORE, BE IT RESOLVED BY THE
FACULTY SENATE**

4. That the Dean of the SPHHS shall **submit a report** to the Faculty Senate Executive Committee not later than January 31, 2011, describing the **steps taken by the SPHHS to achieve full compliance** with Parts A through D of the Procedures.

**NOW, THEREFORE, BE IT RESOLVED BY THE
FACULTY SENATE**

5. That the report by the Dean of the SPHHS referred to in Paragraph 4, above, shall also (i) **describe the progress** made by the SPHHS in moving **toward full compliance** with Article I.B.1 of the *Faculty Code* and (ii) provide an **estimated date** for achieving full compliance with that provision.

Conclusion

The PEAFC Committee believes that there is a strong linkage between **academic excellence** and a **strong tenure system intertwined with shared governance**. This resolution embodies this principle.



THE GEORGE
WASHINGTON
UNIVERSITY

MEDICAL CENTER

WASHINGTON DC

SCHOOL OF PUBLIC HEALTH AND HEALTH SERVICES

Lilien F. Robinson
Chair
George Washington University
Faculty Senate
Old Main, Suite 400 1922
F Street NW Washington,
DC 20052

February 19, 2010

Dear Professor Robinson, and Members of the University Faculty Senate,

Thank you for postponing Resolution 09/03 from the January agenda.

While I appreciate the efforts of the Committee on Professional Ethics and Academic Freedom, to monitor compliance with the faculty code, I believe this resolution presents an extraordinary opportunity to revisit the fundamentals of the faculty code light of the spectacular success of the 10-year experiment in the School of Public Health and Health Services.

Our research faculty, in partnership with our tenured, tenure-track, and non-tenure track faculty, have been active and important participants over the history of the school in helping to frame, and to realize, our public health mission as well as our research, service, and teaching, goals and aspirations.

SPHHS research faculty are the primary engine driving our schools extensive and exemplary sponsored project portfolio [the fastest growing in the university, and one of the fastest growing in the nation). All of our PI's bring regular faculty, and countless students, onto their grants. In so doing we have been extending and expanding the integration of research into the academic mission, a core goal identified in the University Strategic Plan for Academic Excellence.

Nearly all research faculty participate in the teaching mission of our school, at levels commensurate with their status as research faculty. While this is not the norm at GWU, it is consistent with our university's explicit aspiration to become a leading research institution. Our research faculty often come to us with fully funded national and international initiatives because of the reputation of our regular faculty, our strategic location, and our commitment to inter, intra, and trans-disciplinary work in teaching, research, service, and leadership.

As one outcome of recent efforts to come into compliance with faculty code re: representation of tenure track faculty, we agreed to Executive Vice President Lehman's request to conduct full searches for new research faculty as needed.

- The initiation of this parallel search process contributed in part to the School's Appointment, Promotion, and Tenure Committee efforts to conduct a thorough review of criteria for each faculty designation, re-examining basic assumptions about the metrics and categories we use to define career excellence and advancement in the field of public health, in teaching, research, service and practice.

We believe we are not in violation of the Faculty Code, rather, we believe we are in the vanguard of where an institution of our caliber ought to be headed in the 21 st Century. Most of our senior research faculty join our ranks with years of field experience addressing the complex issues of public health at the individual, community, nation, and international levels. They provide insight based on understanding grounded in practice. This insight has helped the school set strategic priorities, identify new resources, and create opportunities for students and faculty alike to participate in the scholarship of discovery.

We are proud of our heritage of respect for every member of our faculty without regard to their code directed designation.

The very work of public health requires bringing disparate parties together to understand a problem, assign resources, apply expert knowledge, and bring the decision making process to the level of the community.

The SPHHS community of scholars includes people who have demonstrated excellence in research, in practice, and in teaching. We are very proud of all we have accomplished by not excluding community members from the shared ownership of and commitment to our future. We would be delighted to engage in a broader discussion with the Committee, and with the Faculty Senate, about how GWU might take the success of the School of Public Health and Health Services and use it as a model for true shared governance of an institution on the rise.

One of the most fundamental aspects of any change in governance practice is the potential impact of changes on models on workplace diversity. With this in mind, I ask the members of the senate to again defer any action on this proposed amendment until a thorough legal review of the potential issues related to Pub.L. 88-352, 80 Stat. 241, July 2, 1964, and Title 42-Chapter 126.

Respectfully,

Josef Reum
Interlm Dean
School of Public Health and Health Services

A handwritten signature in black ink, appearing to be 'JR' or 'Josef Reum', written over a faint, larger version of the same signature.

School of Public Health and Health Services

Table 1. Projections for Growth in Tenure (T) and Tenure-Track (TT) Positions as a Proportion of All SPHHS Regular Faculty, by Fiscal Year as of October 13th, 2009 (corrected)

		HISTORICAL DATA					7/1 to 10/13 2009	REMAINDER FY 2010	PROJECTIONS (STEADY STATE)		
		FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2010	FY 2011	FY 2012	
REGULAR FACULTY (INCLUDING TENURED TENURE-TRACK)	# in place June 30 of previous FY	48	46	48	46	40	46	58	69	69	
	# Join during FY	2	5	4	3	9	16 ⁽⁴⁾	12 ⁽⁴⁾	5	5	
	# Leave during FY	4	3	6	9	3	4	1	5	5	
	# in place on June 30 (end) of current FY	46	48	46	40	46	58**	69	69	69	
		T / TT					T + TT				
TENURED / TENURE-TRACK FACULTY ONLY	# in place June 30 of previous FY	15 / 5	15 / 3	14 / 5	15 / 4	14 / 5	16 / 10	34	50	51	
	# Join during Year	0 / 0	1 / 2	1 / 0	0 / 2	3 / 5	1* / 9	17	4	4	
	# Leave during Year	0 / 2	2 / 0	0 / 1	1 / 1	1 / 0	1 / 1*	1	3	3	
	# in place on June 30 (end) of current FY	15 / 3	14 / 5	15 / 4	14 / 5	16 / 10	17 / 19	50	51	52	
PERCENTAGE OF TENURED / TENURE TRACK FACULTY	# as percent of all Regular Faculty on June 30 (end) of current FY	39%	40%	41%	48%	57%	62%	72%	74%	75%	

EOY Tenure/Tenure-Accruing 20 18 19 19 19 26 36

EOY Non Tenure-Accruing 28 28 29 27 21 20 22

* One tenure-track faculty member was awarded tenure.

** This report includes one faculty member (non-tenure accruing) who was on leave as of 10/13/09.