

**GEORGE MASON UNIVERSITY**  
**DRAFT MINUTES OF THE FACULTY SENATE MEETING**  
**APRIL 25, 2018**  
**Robinson Hall B113, 3:00-4:15 p.m.**

**Senators present:** Alan Abramson, Mark Addleson, Dominique Banville, Jim Bennett, Alok Berry, Lisa Billingham, Virginia Blair, Melissa Broeckelman-Post, Carol Cleaveland, James Conant, Shannon Davis, Betsy DeMulder, Charlene Douglas, Christy Esposito-Smythers, Michael Gilmore, Michael Greve, Tamara Harvey, Dimitrios Ioannou, Rebecca Jones, Diana Karczmarczyk, Chris Kennedy, David Kravitz, David Kuebrich, Timothy Leslie, Bethany Letiecq, Jeremy Rabkin, Karen Reedy, Keith Renshaw, Gregory Robinson, Pierre Rodgers, Esperanza Roman-Mendoza, Joe Scimecca, Suzanne Slayden, June Tangney, Susan Trencher, Girum Urgessa, Iosif Vaisman, Jenice View, Shelley Wong, S. David Wu, Masoud Yasai.

**Senators absent:** Peggy Agouris, Kevin Avruch, Kenneth Ball, Henry Butler, Ángel Cabrera, Julie Christensen, Rick Davis, David Gallay, Mark Ginsberg, Bijan Jabbari, Aditya Johri, Larry Kerschberg, Germaine Louis, Robert Matz, Kumar Mehta, Daniel Menascé, Maury Peiperl, Mark Rozell, Catherine Sausville, Solon Simmons, Emily Vraga, John Zenelis.

**Visitors present:** La Shonda Anthony, Director, Academic Integrity; Eve Dauer-Wong, University Registrar; Rector Tom Davis; Michelle Lim, Director, Strategic HR Services and Faculty Consulting, Human Resources/Payroll; Janette Muir, Associate Provost, Academic Initiatives and Services; Claudia Rector, Assistant Provost, Academic Affairs; Shelley Reid, Director for Teaching Excellence, Stearns Center for Teaching and Learning; Bethany Usher, Associate Provost, Undergraduate Education; Kyle Warfield, Equal Opportunity Specialist, Compliance, Diversity and Ethics.

**I. Call to Order:** Chair Keith Renshaw called the meeting to order at 3:00 p.m.

**II. Approval of the Minutes of March 28, 2018:** The minutes were approved.

**III. Announcements**

Rector Davis thanked Chair Renshaw for his introduction. He noted that the visit was a time to hear from the faculty. One current key issue is that the state does not have a budget but is hopeful for one by the first day of the new fiscal year (July 1, 2018). He thanked Senator Dick Saslaw for getting more money for us; we have good relationships across the board.

The Rector noted the surprise announcement from the state about the new Virginia cybercenter to be located in northern Virginia and run by Virginia Tech. Because we are ranked nationally in cybersecurity, we hope to work with them.

The Rector discussed two news articles about GMU.

Article #1 discussed the purchase of exams as described in a story about a recent death of a student. The Rector did not understand the context of the story and asked the faculty for clarification.

A Senator noted the problem is some of the exams had been bought by the university to administer to students, and evidently it is against the law for unauthorized people to distribute such exams that will be given for academic credit. Another Senator noted that this kind of access had historically given students in some organizations or who could afford it an additional privilege.

The Rector had two sets of questions. Why not make more exams public and who shared the specifics of this case with this newspaper? Senators vigorously debated the need to have exam questions made public (focusing on the course, the content, the purpose of the class, the provision of access to all rather than a few students). Questions of whether faculty should be required to put everything online and the ramifications for student academic integrity were posed. The Rector noted his interest in discussing these issues further. Chair Renshaw offered to facilitate this discussion in the future, for those interested.

Article #2 focused on funding given by the Koch Brothers. The Koch brothers have given to many universities. The Rector noted that funding will be taken but if donors try to tell us who to hire or fire, we won't take it. We need to maximize funding to the university. We receive anonymous contributions, but we are moving forward to make donor agreements available for review. We are trying to figure out how to get more donations. The vast majority of the money received goes to specific schools for specific purposes, meaning it is stipulated for something like faculty hires. It does not go into the general fund.

Senators asked questions about getting access to redacted agreements or non-standard agreements in order to understand any strings that may be attached to these stipulated funds. Other Senators noted concerns with funds being used to hire faculty but then later the university being stuck with paying for them. Does this process lock up future funds that would have gone to others?

The Rector noted the need to be more transparent with agreements but that if we are able to fund positions in one year from donations, that means that other positions could be funded from the general fund. General monies are for hiring in general, not for certain hires. Faculty are the key asset of the university, and is unequivocally proud of the ideological and other kinds of diversity found among the faculty.

Senators noted concerns about reputation given that the discussion is focused on the monies received from Koch. Other Senators expressed concern about the long-term costs of accepting funds for short-term goals, including the tendency to move toward contingent faculty in order to save money, possibly in response to having to fund lines after gifts are over. This has implications for faculty governance.

One Senator noted that the funds were accepted to support growth in departments, especially Economics, as there is need to teach the increase in students.

Chair Renshaw sees a lot of appetite to find a venue to work on the issues of transparency with regards to gifts and faculty governance. He noted that despite all of the interest in engagement on this issue, there was only one nominee to the BOV Development Committee. He encouraged faculty to keep this in mind for the future.

Provost Wu:

There have been a lot of events over the past month or so. The Annual Teaching Awards was well attended, celebrating teaching excellence. The Provost congratulated Star Muir (CHSS – Communications), recipient of the David J. King Teaching Award. The workshop on April 20<sup>th</sup> for Curriculum Impact Grants was well-attended. The seed grant applications are due June 1<sup>st</sup>. Faculty did not have to be part of workshop to apply. We hosted a university wide symposium to address the opioid crisis. Governor Ralph Northam was here. A lot of faculty teams worked on this; it truly involved many departments across the university.

The Provost discussed the Smart Growth Initiative. He and Sr. VP J.J. Davis hosted two town hall meetings to engage community how to go to the next step. Over the next 5-6 years to grow to 45,000 students from where we are now. Very likely we will grow 500 new faculty, mostly tenure track, as this is connected to our accreditation. We will need the same number of staff (500), so there will be a net gain of 1,000 people. This will have impacts on parking, space, classrooms, etc. We cannot afford to grow without more intentional support. GMU is driving enrollment growth in the Commonwealth and we need faculty and staff to support that growth.

The Provost noted that the new budget model is putting money into the colleges' hands that used to be in the Provost office. Colleges have the ability to hire, and the resources to do so, to support the academic core of the institution. The Provost is not going to influence searches as faculty need to be the drivers of making hiring decisions and that will be protected.

A Senator asked about our past growth as our tenure-track faculty numbers are not growing but that of the term and contingent faculty have been. What is meant by intentionality and how will it be implemented? Another Senator asked whether the colleges can determine what is meant by the academic and choose to pursue their own hiring. Another Senator asked about the potential bill that comes with accepting funding from outside organizations to hire faculty that is for a limited time.

The Provost reiterated that it is up to the faculty to decide what the academic core is, that some areas are in more demand than others, and that colleges need to decide how best to use their resources. He also noted that outside supporters fund different parts of the university for different reasons but that if faculty decide to take a gift, they must be doing so to support their mission.

A Senator asked why we needed to continue to grow as they were concerned about the quality of students rather than our quantity. Other institutions have a much lower acceptance rates. The Provost replied that as a public institution we need to consider our

public mission to provide opportunity and access to the public. Many people do not have access but we can provide it. And our graduates earn the highest starting salaries in the Commonwealth so we are providing something good for the public.

#### IV. Special Orders

- Election of Faculty Senate Chair 2018-19

The Chair Pro Tem, Charlene Douglas, assumed the Chair. The floor was opened for nominations. Keith Renshaw was nominated. No other nominations were made from the floor. Moved and seconded to close nominations. Keith Renshaw was re-elected Faculty Senate Chair for 2018-19.

Renshaw thanked the Senate and appreciates your confidence. He noted the term of the Faculty Senate Chair begins following Commencement (result of changes to the Senate By-Laws approved this year.

#### V. Committee Reports

##### A. Senate Standing Committees

Executive Committee - Keith Renshaw

*Advancement/GMU Foundation Q&A*

Questions and answers provided on link: [Link to attachment](#)

Significant national attention on lawsuit, told they cannot answer/comment.

Senators can submit clarification questions, please email Chair Renshaw with any questions to be collated.

Discussion and questions focused on the relationship between GMUF and University Advancement, noting the overlap in personnel across the two groups. Chair Renshaw encouraged faculty to check it out if you are interested, please send additional questions. Once the lawsuit is finalized, they will be able to answer them.

Academic Policies – no report

[Link to annual report](#)

Budget and Resources – nothing to add.

[Link to annual report](#)

Faculty Matters - nothing to add.

[Link to annual report](#)

Nominations

[Link to annual report](#)

Mark Addleson is retiring, so we need a replacement for him on the Nominations Committee. Melissa Broeckelman-Post was nominated. No further nominations were made from the floor and she was elected. Chair Renshaw asked the Nominations Committee members to get together briefly after the meeting.

Organization and Operations

[Link to annual report](#)

*Faculty Support Liaisons - Lisa Billingham, Chair*

The draft presented is the result of four months of work and has been vetted by the University legal team. This is a pilot program for a faculty support liaison team built from across colleges. For the first year, this would be restricted to tenured faculty with knowledge of university workings; training for those selected

will occur in August. As a note, liaisons would not be advocates but rather someone who can sit in meetings and be another set of ears. We would make sure that all faculty knew about this program if passed.

## **ATTACHMENT A**

### **DRAFT**

#### **Faculty Support Liaison Pilot Program**

#### **Background**

Each Academic Year, individual faculty may be involved in investigations primarily initiated by Compliance, Diversity and Ethics (CDE), University Audit, and Research Integrity. These faculty may be the subject of a complaint made by another member of the community, may be involved as witnesses, or may initiate a complaint.

During these formal and informal investigations, as well as other situations where faculty attempt to resolve work-related problems, faculty members typically are in need of support. Common questions that come up during these proceedings include: the process, timeframe, and potential consequences/outcomes. Employee Relations and Organizational Development (HR/Payroll) (ER) has historically supported faculty who seek advice, guidance, information, and support during these investigatory processes and will continue to do so. ER can sometimes handle the demand; though not when there is a conflict between the support role and the administrative responsibilities held by ER. Faculty sometimes informally seek out other faculty for the same purpose - information gathering, advice, support. However, these faculty may not be equipped with the level of knowledge needed to provide adequate support or information.

#### **Proposal**

We propose to identify, train and advertise specific faculty members as Faculty Support Liaisons (FSL). Employee Relations and Organizational Development (HR/Payroll) ER will lead the effort and training with collaboration and support of the Employee Assistance Programs (EAPs), the Provost's Office, and other university areas/resources as needed.

#### **Appointment**

Liaisons will represent a variety of academic units and should be a diverse representation of the faculty. One and two academic year (renewable) appointments are recommended. Overlap of individuals serving in the roles will be critical to promote cross-training and provide continuity of knowledge management and service.

In recognition of the importance of the work and the time commitment, a \$2,000 yearly stipend or a course release will be offered to faculty who undertake these roles.

#### **Eligibility**

Tenured faculty ( for the purposes of this pilot program) are eligible to serve in the Faculty Support Liaison role. Faculty will submit relevant materials to be considered for the role. Materials will be evaluated based on a number of factors, such as experience in and familiarity with various regulations, policies, procedures and other aspects of the University.

### **Guiding Principles/Charges of the Faculty Support Liaisons**

Faculty Support Liaisons would be a neutral, informal, and confidential resource group. A set of guidelines and training procedures will be created to help guide the Faculty Support Liaisons.

An annual roster of Faculty Support Liaisons will be provided to all faculty members who are involved in all inquiries, or investigations initiated by Compliance, Diversity and Ethics (CDE), University Audit, Research Integrity, or through Faculty Handbook procedures. The faculty members may choose to contact an FSL with whom he or she would be able to discuss their issues and concerns.

#### ***Neutrality***

The Faculty Support Liaison will aim for achieving fair outcomes and encourage people to act decently and fairly.

#### ***Informality***

The Faculty Support Liaison will be an informal resource and will not arbitrate, adjudicate, testify, or participate in any formal process. If an individual wishes to report a problem or make a complaint, the Faculty Support Liaison will direct the individual to the appropriate person, office, or procedure.

#### ***Confidentiality***

The Faculty Support Liaison will not identify the individual or his/her confidences without permission, except in situations involving imminent risk of physical harm, child abuse, or other issues requiring mandatory reporting. Each liaison will be required to sign a confidentiality agreement.

#### ***Disclosure Agreements***

In recognition of every faculty member's responsibility as a mandatory reporter per Title IX, Faculty Support Liaisons will sign an agreement to clarify how this defines their role. Also, similar responsibilities relate to hearing allegations of fraud which require mandatory reporting.

#### ***What a Faculty Support Liaison will do***

Provide a neutral, informal, and confidential person for a faculty member to discuss the current issue or situation;

Refer faculty to other offices or departments that may be able to provide support or resources to assist in seeking resolution or conclusion to the matter;

Attend meetings or interviews that are a part of the investigatory processes of CDE, University Audit, or Research Integrity as a support person;

Help faculty navigate the various processes that are a part of any investigation related to a complaint in which they may be involved, and provide support or coaching to them throughout the process.

***What a Faculty Support Liaison will not do:***

Provide advice on a particular course of action with regard to an investigation.

Advocate for faculty during their involvement in interviews, meetings, or other discussions related to the complaints or issues being investigated,

Implement or execute actions that may be determined as part of the resolution of an issue.

**Budget**

For internal and external training resources, annual budget cost would be around \$7,500 to \$10,000.

Additional budget will be required to provide stipends and course release (amount TBD).

**Plan**

Training of group: August 2018

Implementation: Fall 2018

**Monitor and Evaluate Plan**

Parameters for evaluation will be determined in the Spring of 2019.

The Program will be evaluated annually beginning in the Fall of 2019 by the Faculty Senate Executive Committee and Faculty Support Liaison Team.

[End of Appendix A]

**Discussion:**

Many senators spoke requesting that the university needs to have a paid ombudsperson as this seems to be best practice at other universities. There was a suggestion that Mason at one time had an ombudsperson and that we should move in that direction instead of this proposal. There is concern that faculty need someone with knowledge and the ability to advocate for them when they are in an employment-related situation in which they are afraid. Provost Wu said that he advocates for an ombudsperson but supports this pilot program to have a better understanding of the effectiveness of the model.

One senator noted that this would at least address the need of faculty to have specific help, especially in employment-related actions that where the ultimate result could be termination. Even if this is not perfect, it is a pilot, meaning we

should vote for it and refine it after the pilot year. Faculty members in trouble need support.

Question: Is the compensation \$2000 or a Course Release? Answer: One or the other, yes.

**A motion to adjourn the meeting until May 2, 2018 was made, seconded, and approved (4:21pm).**

Remarks for the Good of the Faculty from Chair Renshaw: Senator Stanley Zoltek was at Mason for over thirty years. Senators were encouraged to honor him by attending the memorial at the Mason Club after the meeting (5-7 pm).

**GEORGE MASON UNIVERSITY**  
**DRAFT MINUTES OF THE FACULTY SENATE MEETING**  
**APRIL 25, 2018 continued May 2, 2018**  
**Robinson Hall B113, 3:00-4:15 p.m.**

**Senators present:** Alan Abramson, Mark Addleson, Jim Bennett, Alok Berry, Lisa Billingham, Virginia Blair, Melissa Broeckelman-Post, Carol Cleaveland, James Conant, Shannon Davis, Betsy DeMulder, Charlene Douglas, Christy Esposito-Smythers, Michael Gilmore, Michael Greve, Dimitrios Ioannou, Aditya Johri, Rebecca Jones, Chris Kennedy, Larry Kerschberg, David Kravitz, David Kuebrich, Timothy Leslie, Bethany Letiecq, Kumar Mehta, Daniel Menascé, Jeremy Rabkin, Keith Renshaw, Gregory Robinson, Esperanza Roman-Mendoza, Catherine Sausville, Joe Scimecca, Suzanne Slayden, June Tangney, Susan Trencher, Girus Urgessa, Iosif Vaisman, Jenice View, Shelley Wong, S. David Wu.

**Senators absent:** Peggy Agouris, Kevin Avruch, Kenneth Ball, Dominique Banville, Henry Butler, Ángel Cabrera, Julie Christensen, Rick Davis, David Gallay, Mark Ginsberg, Tamara Harvey, Bijan Jabbari, Diana Karczmarczyk, Germaine Louis, Robert Matz, Maury Peiperl, Karen Reedy, Pierre Rodgers, Mark Rozell, Solon Simmons, Emily Vraga, Masoud Yasai, John Zenelis.

**Visitors present:** Eve Dauer-Wong, University Registrar; Sr. Vice President J.J. Davis; Pat Donini, Assistant Vice President, Human Resources; Linda Harber, Vice President, Human Resources/Payroll and Faculty/Staff Life; Michelle Lim, Director, Strategic HR Services and Faculty Consulting, Human Resources/Payroll; Wendy Mann, Director, Digital Scholarship Center, University Libraries; Janette Muir, Associate Provost, Academic Initiatives and Services; Shernita R. Parker, Director, Organizational Development, Learning, and Coaching, Human Resources/Payroll; Claudia Rector, Assistant Provost, Academic Affairs; Shelley Reid, Director for Teaching Excellence, Stearns Center for Teaching and Learning; Bethany Usher, Associate Provost, Undergraduate Education; Kyle Warfield, Equal Opportunity Specialist, Compliance, Diversity and Ethics.

**Call to Order:** Chair Keith Renshaw called the continuation meeting to order beginning in the agenda where the previous meeting ended, discussing the Faculty Support Liaison. The Special Session on Friday May 4<sup>th</sup> is about Gift Agreements so we will not discuss today.

**V. Committee Reports**

**A. Senate Standing Committees**

Organization and Operations – Lisa Billingham, Chair  
*Faculty Support Liaisons*

The committee is proposing a team. Two of the committee members spoke with people who are ombudsmen, to put this proposal into context:

- One committee member spoke with the ombudsman at the University of Florida (a retired faculty member). They don't see many cases, so there is not a full-time person, on call.
- One committee member spoke with ombudsmen at UVA and Virginia Tech. They relate essentially the same details, that this is a part-time position and it takes a while to learn it.

### Questions and Discussion:

Senators raised questions about the origins of this proposal, its relationship with HR from the faculty perspective, and its relationship with the Grievance Committee.

Chair Renshaw noted that there are complaints of varying natures. The Grievance Committee may handle particular things, Title IX, HR, so if this happens to you, where you can go. Let liaison come with you to meetings, help you to process things. He used the analogy of bringing someone with you to the doctor's office.

Linda Harbor (VP for HR) voiced her support for the proposal as HR there are faculty situations where faculty need to be present to provide support in ways that reflect the faculty experience.

A Senator asked whether there was a preference for an ombudsman, and if so, why wait a year to implement that preference.

Senator Billingham noted that this pilot program would allow for O&O to collect data on the number of cases and report out whether an ombudsman would be the right course of action. We need data to determine our next steps.

One Senator voiced support for this approach, both because the team would be fully trained and available to everyone but also because people would be compensated. Faculty take on a lot of work without compensation and this would provide support for those who do it and would show the importance the university places on the role.

A Senator asked about the training. Senator Billingham noted that the training will begin in August for five people; the program will roll out in September.

**A motion was made and seconded to close debate. The motion was approved. The motion from Organizations and Operations for faculty support liaisons was approved.**

### **B. Other Committees/Faculty Representatives**

Faculty Athletic Representative: Chair Renshaw announced that Dominique Banville was unable to attend the May 2<sup>nd</sup> meeting. She asked if the Faculty Senate could distribute a survey from the NCAA to faculty. There were questions about precedent and purpose that could not be answered without the representative's assistance. Chair Renshaw held off on further discussion because of the remaining questions.

#### Institutional Conflict of Interest Committee

##### *Charge*

Chair Renshaw noted that last year we renewed the committee's charge for an additional year (ending Spring 2018). The Committee noted that in their work over the last year they revised the Intellectual Property Policy to inject needed amount of faculty governance. It was submitted to the administration, not acted upon yet. This year they dealt with donor agreements with the intention to introduce faculty governance and transparency.

#### **Charge: Institutional Conflict of Interest Committee**

- The Faculty Senate and the Administration collaborate to develop a detailed policy for dealing with conflicts of interest arising from private donations, ownership in licensed intellectual property, and other relevant circumstances.
- The resulting policy include instructions for how its provisions are to be implemented.
- The resulting policy be consistent with AAUP guidelines (or, if not, the Committee's report should explain why one or more of these guidelines are inappropriate).
- The committee complete its work and provide a final report to the Senate no later than the Senate's final scheduled meeting of the Spring 2017 semester.

##### *Motions regarding gift acceptance*

#### **Motions from the Institutional Conflict of Interest Committee**

##### Preface

According to the AAUP, "*an institutional [conflict of interest] COI occurs when the financial interests of an institution or institutional officials, acting within their authority on behalf of the institution, may affect or appear to affect the research, education, clinical care, business transactions, or other governing activities of the institution*" (*Recommended Principles to Guide Academy Industry Relationships* [Univ. of IL Press, 2014], p.12).

To protect against institutional COI, we believe the Faculty Senate, the University Administration and the George Mason University Foundation (GMUF) should collaborate in the creation of a new or revised gift acceptance policy (Policy #1123 -- <https://universitypolicy.gmu.edu/policies/gift-acceptance-policy/>) that fully incorporates AAUP principles of faculty governance, academic freedom, transparency, avoidance of real or perceived conflicts of interest, and service to the public good. The first two principles of the AAUP's *Recommended*

*Principles to Guide Academy Industry Relationships* (p. 4) state:

**PRINCIPLE 1**—Faculty Governance: The university must preserve the primacy of shared academic governance in establishing campuswide policies for planning, developing, implementing, monitoring, and assessing all donor agreements and collaborations, whether with private industry, government, or nonprofit groups. Faculty, not outside sponsors, should retain majority control over the campus management of such agreements and collaborations.

**PRINCIPLE 2**—Academic Freedom, Autonomy, and Control: The university must preserve its academic autonomy—including the academic freedom rights of faculty, students, postdoctoral fellows, and academic professionals—in all its relationships with industry and other funding sources by maintaining majority academic control over joint academy-industry committees and exclusive academic control over core academic functions (such as faculty research evaluations, faculty hiring and promotion decisions, classroom teaching, curriculum development, and course content).

In the spirit of these principles, we offer for consideration the following two motions, which we believe are also consistent with existing principles outlined in the Foundation’s Donor Bill of Rights.

### **I. Motion Concerning Transparency**

The Gift Acceptance Policy shall be amended to ensure that all George Mason University Foundation gift, pledge, and grant agreements are published in a permanent online database for public review within 30 days of formal enactment. For gifts, pledges, and grants for which the donor or grantor has requested anonymity and the Gift Acceptance Committee has determined no real or perceived conflict of interest with regard to values of faculty governance and academic freedom and autonomy exists, donor-identifying information may be redacted.

We call on the Administration and George Mason University Foundation to respond to this request and report back to the Faculty Senate at the September 2018 Faculty Senate Meeting.

#### **Questions and Discussion:**

Several Senators spoke for the need to expand the type of information documented in the database.

A motion to amend was made and seconded: To amend the type of entity should be disclosed if donor information is redacted – whether it is a for-profit or non-profit (entity).

A second motion to amend was made and seconded: To include whether the donor is a foreign entity. Given the similarity to the previous amendment, this was included in the language of the first amendment and would be discussed as one motion.

A third motion to amend was made and seconded. Not only to provide individual clarification, to use a donor internal ID to correlate different agreements (from the same donor). **This amendment was approved.**

The amendment being debated was: “To add categorization of donor entity into public database. May include but not limited to individuals, for-profit, non-profits, foreign entities, with an internal code so you know if one entity is giving multiple gifts.”

Senators’ noted that this motion would facilitate transparency for the entire university community. The committee members noted that the database would not compromise anonymity if donors requested it but would allow for documentation of patterns.

**The motion to amend was approved.**

The motion as amended read: “The Gift Acceptance Policy shall be amended to ensure that all George Mason University Foundation gift, pledge, and grant agreements are published in a permanent online database for public review within 30 days of formal enactment. For gifts, pledges, and grants for which the donor or grantor has requested anonymity and the Gift Acceptance Committee has determined no real or perceived conflict of interest with regard to values of faculty governance and academic freedom and autonomy exists, donor-identifying information may be redacted. Categorization of donor entity should be included in the database, including, but not limited to, individuals, for-profit, non-profits, and foreign entities, with all entities being assigned an internal code in order to determine whether one entity is giving multiple gifts.

We call on the Administration and George Mason University Foundation to respond to this request and report back to the Faculty Senate at the September 2018 Faculty Senate Meeting.”

Discussion on the motion as amended:

Committee members noted that the goal was greater transparency, asking the administration and the GMUF to work with the Faculty Senate to develop a shared process that still protects donor anonymity but also provides greater information to the university community. A Senator asked about the location of the database in the institution, where it would be housed, who would be responsible for maintaining it, and whether there would or could be ramifications if it were not constructed as intended. The committee noted that the database would be housed in the GMUF and they would be responsible for its construction and maintenance.

**A motion was made and seconded to close debate on Motion #1. The motion as amended was approved.**

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## **II. Motion Concerning Faculty Governance**

To allow for shared governance and adequate faculty input, two tenured faculty will be elected by the Faculty Senate to serve on the Gift Acceptance Committee (GAC). These faculty will not require approval from the George Mason University Foundation (GMUF) or University Administration to serve on the GAC. Prior to gift acceptance, these two faculty will evaluate all major gift agreements\* to funds other than the general fund or general endowment for real or perceived conflicts of interest with regard to faculty governance and academic freedom and autonomy. Given the sensitivity of some donors to anonymity, this faculty will pledge to maintain confidentiality. If these faculty determine there are real or perceived conflicts of interest or risk of violation of academic freedom associated with a gift, pledge, or grant, or associated agreement, the full agreement must be reviewed by the full GAC before acceptance. In the event that the GAC approves a gift in spite of faculty representatives' concerns, the GAC must deliver a report to the Executive Committee of the Faculty Senate. This report shall outline the specific concerns raised by the elected faculty members, and any major points of debate. Representatives of the GAC shall respond to follow-up questions from the Faculty Senate Executive Committee. For gifts, pledges, and grants for which the donor or grantor has requested anonymity, donor-identifying information may be redacted from this report.

We call on the Administration to respond to this request and report back to the Faculty Senate at the September 2018 Faculty Senate Meeting.

**\*Definition of "major gift."** We intend this motion to cover the following: (a) any restricted gift with a value greater than \$25,000 OR any gift of any value requiring a "non-standard" gift agreement (as defined by the existing Gift Acceptance Policy); (b) any gift that is given under previously-agreed terms and in which the total amount given exceeds \$25,000 OR in which the previous agreement was "non-standard" in nature; (c) any conditional pledge of any amount, where a "conditional pledge" is defined as "a promise to give only if future and uncertain conditions are met." (See existing Gift Acceptance Policy #1123, Section V, "Ways of Giving.")

### **Questions and Discussion:**

A Senator asked for clarification whether the two tenured faculty elected by the Faculty Senate must be Faculty Senators. The response is that they do not have to be Faculty Senators.

Discussion centered on what the Gift Acceptance Committee will be doing and the role that the faculty members will play. The ICOIC members noted that the purpose was for some faculty members to be able to see major gift agreements before being signed. The faculty members would report out only when they disagreed with the GAC. A Senator pointed out that there is a faculty representative on the Foundation board, but that person rarely if ever makes a report to the Senate. Several Senators were concerned with the potential vagueness of the definition of "conflict of interest" but also with the implication of what would or could be done with donor agreements should the faculty disagree with the GAC's decision to approve a gift. Some

Senators mentioned that it may be best to postpone this motion and wait until after the summer, given the increased attention the issue of donor agreements has right now. There will be some other committee to look at agreements so this effort may not be needed. Other Senators supported the motion with a note to revisit in September should that be necessary.

**Motion made and seconded to postpone Motion #2 to a future meeting? Not approved.  
Motion made and seconded to close debate. Motion #2 passed.**

*Motion regarding extension of committee*

### **FUTURE EFFORTS OF THE ICOIC**

We want to emphasize that the aforementioned motions I and II do not represent the conclusion of our efforts. In the course of our work, we have requested various data from the GMU Foundation. Despite months of waiting, we have yet to receive the inputs and data necessary to inform our efforts. The GMUF has stated that they have been unable to address our questions because of the on-going Transparent GMU lawsuit. Accordingly, we offer this additional motion:

### **III. Motion to Extend**

The charge of the Institutional Conflict of Interest Committee (ICOIC) be extended for one year.

#### Questions and Discussion:

Several senators expressed concern with the committee to be able to continue its work given the challenges of working with the Foundation and Administration during the current term of operation. Committee members pointed out that there remains much work to be done. Two Senators asked about conflicts of interest of individuals on the committee itself and for the disclosure of an affiliations that may look like a conflict of interest. One committee member emphasized the importance of transparency and noted that he has nothing to do with the lawsuit and will be retiring; a second committee member noted that he had been emailing with Transparent GMU but because of a shared interest and does not see that as a conflict of interest with the charge of the committee. A question was raised about the role of the lawsuit in the ability of the committee to work. The committee members noted that part of the work they have left to do is a result of the Foundation not able to share information during the lawsuit.

**The motion was approved.**

Annual Faculty Senate Evaluation of President/Provost [Attachment A](#)  
Chair Renshaw acknowledged the submission of committee annual reports and evaluation of the President and/or Provost by Committee Chairs. All the reports received are posted on the Faculty Senate website (links below). To date we have not yet received reports from the Grievance Committee or Salary Equity Study Committee.

## Annual Reports

Academic Appeals	<a href="#">Link to annual report</a>
Academic Initiatives	<a href="#">Link to annual report</a>
Admissions	<a href="#">Link to annual report</a>
Adult Learning & Executive Education	<a href="#">Link to annual report</a>
Athletic Council	<a href="#">Link to annual report</a>
Effective Teaching	<a href="#">Link to annual report</a>
External Academic Relations	<a href="#">Link to annual report</a>
Faculty Handbook	<a href="#">Link to annual report</a>
Grievance	<a href="#">Link to annual report</a>
Mason Core	<a href="#">Link to annual report</a>
Minority & Diversity Issues	<a href="#">Link to annual report</a>
Multilingual Academic Support Committee	<a href="#">Link to annual report</a>
Research Advisory Committee	<a href="#">Link to annual report</a>
Salary Equity Study	<a href="#">Link to annual report</a>
Technology Policy	<a href="#">Link to annual report</a>
University Promotion, Tenure, and Renewal Appeal	<a href="#">Link to annual report</a>
Writing Across the Curriculum	<a href="#">Link to annual report</a>
Ad Hoc Institutional COI	<a href="#">Link to annual report</a>
Undergraduate Council	<a href="#">Link to annual report</a>

## VI. New Business

Salary Information Context and Update - JJ Davis, Senior Vice President

Major issue is that as there is no state budget it is hard to get the university budget passed. There is currently no more information on compensation but know that it is a priority. We know it is the number one reason for turnover. Our overall turnover FY 17 is 8.4%. It has been as high as 14%, 16% in previous year. Our six year financial request in 2017-18 noted a need of \$45.8M (a 24% increase in funding) to achieve 100% of salary goal. Next steps include benchmarking by discipline and year in rank; to continue the work done by Adjunct and Term faculty working groups to support these faculty; state advocacy for pay raises (we need help with this, to nudge state); and the deployment of the Budget Model 2.5 as there are more areas of flexibility needed.

Questions and Discussion: Can anything be done about educational benefits for dependents? Sr. VP Davis: We petitioned around this issue. As employees we have educational benefits, but our dependents are not eligible. There needs to be more advocacy to change state law if this is to happen.

Athletics at Mason (Brad Edwards, Director of Intercollegiate Athletics)

Presentation postponed to a future meeting.

## VII. Remarks for the Good of the General Faculty

The BOV meets tomorrow. It is a public meeting. In the interim, Chair Renshaw asked anyone to email motions. Questions are going to President Cabrera's office later today; endeavoring to have formal answer. The location of the Faculty Senate Special Meeting

on May 4<sup>th</sup> (9:30 -11:00 am) changed to Marten Hall room 1201. We are looking into having videoconferencing to the Arlington and SciTech campuses.

**VIII. Adjournment:** The meeting was adjourned at 4:21 p.m.

Respectfully submitted,  
Shannon N. Davis  
Secretary

## ATTACHMENT A

### Evaluation of the President and Provost by Faculty Senate Standing Committees, University Standing Committees, and Ad Hoc Committees AY 2017-18

Responses compiled April 2018.

Note that some committees did not provide responses to each question.

- 1. During the past calendar year has the President or Provost announced initiatives or goals or acted upon issues that fall under the charge of your Committee? If so, was your Committee consulted by the President or Provost in a timely manner before the announcement or action? If not, do you believe your Committee should have been consulted? Would it have been helpful to have had the input of your Committee from the outset?**

#### Responses from Faculty Senate Standing Committees:

**Academic Policies:** The Provost's office will need to implement some policies from the Dept. of Education involving student attendance. The committee has been notified of this and will be consulted further in the coming months.

**Faculty Matters:** During the past year, the President and Provost have been very cooperative in providing our committee, the Faculty Matters Committee, with information that we requested and in meeting with us when we sought a meeting. We also feel that our committee was consulted appropriately on matters of interest to us. We want to express our sincere appreciation to the President and Provost for their collaborative approach, and have no major concerns to register.

**Nominations:** There were no initiatives, goals or issues accounted by the President or Provost that fall under the charge of the Nominations Committee.

**Organization and Operations:** The Organizations and Operations Committee has only had one related task to the Administration. In most cases, this committee creates new committees that would have direct contact with the offices of the Provost/President.

#### Responses from University Standing Committees:

**Academic Appeals:** Not applicable to Academic Appeals Committee.

**Adult Learning and Executive Education:** Yes, the Provost's Office is in the process of hiring a new executive director for the Executive and Professional Education (EPE) program and formed a faculty

search committee to evaluate candidates for this position during the spring 2018 semester. The committee was informed about this by an official in the Provost's Office, who also offered to help set a meeting between the committee members and the new director after a candidate has been hired.

**Athletic Council:** Not Applicable.

**Grievance:** NO.

**Faculty Handbook Revision:** No initiatives or goals fell under the charge of the committee.

**Mason Core:** No, there were not any initiatives or goals directly related to the Mason Core announced this year, though the Strategic Plan update has some outcomes that are partly related to the Mason Core.

**Minority and Diversity Issues:** The impact on our committee was the Diversity, Inclusion and Well-Being Summit. I was included to participate in the Summit as well as other committee members. We were not part of planning nor did we have knowledge of this event. It would have been helpful to be involved from the beginning since that is part of our mission.

**Multilingual Academic Support:** There haven't been major initiatives directly related to multilingual students overall (the absence of that kind of discussion is one of the key reasons for forming the committee!). Some significant discussions about the academic structure of INTO Mason have been going on, and the relevant people in INTO Mason (including committee members) have been invited into those discussions; thus, the committee has been aware of the discussions and had an avenue to connect with them. Similar if less intensive discussions about Mason Korea have also filtered down to and then back up through committee members. Janette Muir has been particularly helpful in connecting with the committee about relevant issues. We can foresee, though, that this informal contact might at some point need to become more formal -- as the exact nature of proposed changes to INTO Mason becomes clearer, for example, or as any curricular adjustments that affect Mason Korea get proposed. The committee has no formal charge to provide oversight, but we can be a very useful group for consultation.

**Writing Across the Curriculum:** The Curriculum Impact Grants were initiated last year. The WAC director was invited by the Associate Provost of Undergraduate Education to support the development of these grants. The committee, however, was not involved.

**Ad Hoc Institutional Conflict of Interest Policy:** Not that I'm aware of, N/A.

2. **Did your Committee seek information or input from the President or Provost or members of their staffs? If so, did they respond adequately and in a timely manner?**

**Responses from Faculty Senate Standing Committees:**

**Academic Policies:** Yes, the committee requested that the Registrar adjust the Summer calendar Add and Drop deadlines so that they are proportional to those for the Fall and Spring. Response was spotty and took a number of months and much committee exertion to complete.

**Nominations:** The Committee sought information from the Provost's staff regarding the appointment to committees of people where the Provost's office has a say in appointments or nominates or appoints individuals to serve on University committees. The staff was helpful and always responded in a timely manner.

**Organization and Operations:** The Organizations and Operations Committee was tasked with the creation of the Faculty Liaison Program, in tandem with JJ Davis and Linda They were very supportive of this new Pilot Training Program. They were very quick to reply to the requests of our committee and were very helpful in connecting us to the appropriate offices for approval. We will propose this Pilot Program in the April 25, 2018 Senate Meeting.

#### **Responses from University Standing Committees:**

**Academic Appeals:** Not applicable to Academic Appeals Committee.

**Adult Learning and Executive Education:** Yes, the committee requested an interview with an official in the Provost's Office, which was accommodated in a timely fashion.

**Athletic Council:** The Athletic Council has a representative of the President and the Provost office at its meetings and they have been fully involved with the matters of the Council and its sub-committees.

**Faculty Handbook Revision:** The committee had extensive meetings with a representative from the Provost's office. However, we did not have the benefit of the Provost's opinion on some critical suggested revisions until late in year when it became more difficult to discuss and revise in a timely manner. As a result, some changes were not incorporated in this year's extensive revision of P&T sections.

**Grievance:** Our committee is required to submit its findings on faculty grievances to the Provost. During the last twelve months, we have submitted no findings. In the past, however, the Provost has either not responded to the committee or responded very slowly. The Provost is not required to respond, but the committee would like to know how the cases it works on have been evaluated by the Provost.

**Mason Core:** We did not seek information or input this year.

**Minority and Diversity Issues:** Yes, there were several staff contact throughout the year and the responses were timely and supportive.

**Multilingual Academic Support:** We have not sought specific information from these offices. We've been pleased at the support from other offices (e.g. Admissions) when we've requested it.

**Writing Across the Curriculum:** N/A

3. Please suggest how you believe the President, Provost and/or their staffs might more effectively interact with your Committee in the future, if necessary.

#### **Responses from Faculty Senate Standing Committees:**

**Academic Policies:** The best interaction is to keep the committee informed of changes, problems, issues in a timely manner.

**Nominations:** There are no recommendations from the Nominations Committee.

**Responses from University Standing Committees:**

**Academic Appeals:** Not applicable to Academic Appeals Committee.

**Adult Learning and Executive Education:** As stated in our committee report, the committee would like to meet with the new director of EPE and other appropriate staff of the Provost's Office in the coming academic year to confer about how this committee might advise and assist in their efforts to expand executive and professional education and adult learning programs as part of the university's strategic plan for 2024.

**Athletic Council:** Can't think of any as they are very responsive when I reach out.

**Faculty Handbook Revision:** The Provost and his representative need to communicate directly with the Faculty Handbook Committee. Although other faculty leaders may offer invaluable perspective, the committee needs to be advised directly about the Provost's opinion on changes. Also, while the FH Committee is responsible for presenting proposed revisions to the Faculty Senate for approval, it cannot likewise inform the Deans. The Deans need to advise the Provost about the proposed revisions and not find out about them in an ad hoc manner from Faculty Senators.

**Grievance:** In the future, it would be most helpful if the Provost would acknowledge receipt of the committee's findings in a timely manner. It would also be helpful to receive a response from the Provost indicating his finding about the cases the committee has submitted. This would help us in the adjudication of future complaints.

**Mason Core:** We already have the Associate Provost of Undergraduate Education as a member of our committee, and she serves as an effective liaison between our committee and the Provost's office.

**Minority and Diversity Issues:** There so many competing priorities and initiatives involved with diversity and inclusion that it would be advisable for the key participants to meet at least quarterly or if not semi-annually for updates and how the faculty senate can become involved.

**Multilingual Academic Support:** Since part of our vision is to see linguistic diversity become one of the many student-diversity markers that are celebrated at Mason -- so that students of all backgrounds who have multiple language fluencies that help them participate in our global society are seen as benefits to the university (as well as receiving support where they may need it) -- we would ultimately like the President, Provost, and their staffs to become comfortable referring to the accomplishments of these students. We're hoping to be able to provide more data to enable such conversations, and to make that available to central administration members at Mason.

**Writing Across the Curriculum:** I'm not certain that the President or Provost have any idea our committee exists. Our work is often overshadowed by initiatives like the those overseen by the SAS/OSCAR office.

**Ad Hoc Institutional Conflict of Interest Policy:** Speaking as chair of the Senate's Institutional Conflict of Interest Committee, I wish the President and Provost, as well as a representative of the Foundation, would meet with the ICOIC, or the entire Senate, to discuss, in general terms, how the University's existing gift-acceptance policy might be revised to allow for adequate faculty governance/participation in gift acceptance procedures and agreements. If not a meeting, then, at least, there should be an extensive written dialogue about these matters in the near future.

This year, the ICOIC tried to arrange for such a meeting and also submitted a set of written questions to the Foundation. (The President and Provost were party to some of these email communications.) We were told such a meeting was impossible because it might involve discussion of issues bearing upon the lawsuit between "Transparent GMU" and the Foundation. We were also told some of our written questions could not be answered, because the information requested was too specific. Although our initial questions were submitted in November, we didn't receive any answers until April 12, and this response only answered some of our questions. We think we will receive additional information, but there's no certainty of this, and no promised timeline.

I believe the President and Provost should assume responsibility to promote a meaningful oral or written dialogue about the University's current gift acceptance policy and how it might be revised to allow for adequate faculty participation. This should occur early in the fall semester. It would be a welcome exercise in shared governance about an important issue of mutual concern and responsibility.

**4. Please relate any additional information you may have regarding interactions between your Committee and the President or Provost or their staff.**

**Responses from Faculty Senate Standing Committees:**

**Academic Policies:** The committee discovered that a substantive paragraph in the Permission to Study Elsewhere policy was dropped from the catalog two years ago. The APAC committee, chaired by the Registrar, authorized this without notification to the Faculty Senate, who approved the policy in 2012. The Academic Policies Committee reminds the university community that almost all the policies in the AP section of the University catalog are approved by the Faculty Senate and may not be removed.

Many years ago, the AP Committee was routinely asked to review the AP section of the Catalog. This request has been made only once in the last 7(?) years. The Provost's office and AP Committee need to reinstitute this procedure.

**Nominations:** As noted, the Provost's staff was both helpful and responsive.

**Responses from University Standing Committees:**

**Academic Appeals:** Not applicable to Academic Appeals Committee.

**Adult Learning and Executive Education:** Nothing further to add.

**Faculty Handbook Revision:** The Provost and his representative were extremely helpful in proposing revisions to the Faculty Handbook.

**Grievance:** None.

**Mason Core:** No additional comments.

**Minority and Diversity Issues:** Only to reiterate, that whenever asked the staff was always available and helpful.

**Multilingual Academic Support:** We have no additional information to suggest.

**Writing Across the Curriculum:** As we have had no interactions, there isn't much to say here.

**Ad Hoc Institutional Conflict of Interest Policy:** See my response to #3.