The following motions as written below (with the specified amendment to Motion I) were approved at the May 2, 2018 meeting of the George Mason University Faculty Senate.

Preface to Motions I and II

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.

**APPROVED AMENDMENT:**
The online database should also include a categorization of the type of donor entity. Categories should include but not necessarily be limited to (a) individual, (b) for-profit organization, (c) non-profit organization, and/or (d) foreign entity. Furthermore, the online database should include an internal but confidential code for each redacted donor, such that it is possible to identify multiple gifts given by the same donor entity, without identifying the donor.
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, these 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.”)

Preface to Motion III

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.