Report of the Institutional COI Committee, 2018

The Institutional COI Committee (ICOIC) has continued its work to create a comprehensive Institutional COI policy consistent with AAUP principles of academic freedom, transparency, faculty governance, and service to the public good. Last year we revised University Policy 4003 governing the research, development and patenting of intellectual property so that it incorporated these key principles. This year we have attempted to make a similar type of revision to the University’s Gift Acceptance Policy, University Policy 1123. The basic issue we have addressed is how to reconcile a donor’s right to privacy with a faculty’s need for sufficient information about gift agreements to guarantee their academic integrity.

However, the ICOIC has experienced difficulty obtaining sufficient information from the GMU Foundation to develop an adequate understanding of the scope of its activities and how it processes various types of gifts and grants. We began asking for this information in November. Chair Keith Renshaw assisted us in these negotiations. Some of our communications went only to the Foundation; others included President Cabrera and Provost Wu. We hoped to develop a policy that would be the product of shared university governance. In addition to the questions we submitted, we also proposed the Faculty Senate devote a large part of a meeting, or a special meeting (in December, January or early February), to a discussion with representatives from the Foundation and Administration. The purpose of the meeting would be to explain the concerns and policy objectives of the ICOIC, and for the ICOIC and entire Senate to achieve a better understanding of the work of the Foundation and concerns the Administration and Foundation might have about the proposals of the ICOIC.

The Administration and Foundation replied that, at the advice of the University’s lawyers, they should not participate in such a public program because it might involve discussion of issues relevant to the lawsuit between the Foundation and the student organization “Transparent GMU”-- over whether the Foundation’s records should be subject to the Virginia Freedom of Information Act. The Foundation did agree to respond to at least some of the questions posed by the ICOIC. On April 12, we received some answers and have been told we will receive more information, though we don’t know when.

As the ICOIC waited for information from the Foundation, it begin working on a related matter: namely, developing a better understanding of how academic units and centers use the monies they receive from the Foundation and what are the existing mechanisms of oversight of these expenditures and the activities they fund.

The ICOIC met eleven times and frequently engaged in extensive email communication.