

GEORGE MASON UNIVERSITY
MINUTES OF THE FACULTY SENATE EXECUTIVE COMMITTEE MEETING
Wednesday, October 18, 2017, 9:00 a.m. – 10:30 a.m.
Johnson Center Meeting Room A (rm. 324)

Present: Alan Abramson, Mark Addleson, Lisa Billingham, Shannon Davis, Timothy Leslie, Keith Renshaw, Suzanne Slayden, Girum Urgessa, S. David Wu; Representatives of Ad Hoc Institutional Conflict of Interest Policy Committee (Matthew Karush, Chris Kennedy, David Kuebrich, Bethany Letiecq); Representative from the External Academic Relations Committee (David Kravitz)

I. Approval of Minutes of September 19, 2017: The minutes were approved.

II. Announcements

- Reminder: EC meeting with President Cabrera: Friday, Nov. 3 at 11:00 am in the Presidential Conference Room, same place as last year, 5th floor Merten Hall.
- Rector Davis attends FS Meeting November 1, 2017

III. Progress reports, business, and agenda items from Senate Standing Committees

A. Academic Policies – Suzanne Slayden

The committee received the summer 2018 calendar from the Registrar's Office and sent it back because it lacked proportional Add and Drop deadlines. This time we explained how to calculate them. A complicated issue, as summer has different meeting patterns and so they may have to have different deadlines. The Faculty Senate voted many years ago to establish proportional deadlines for classes which do not meet for 15 weeks.

We still have not received the AY 2020-21 calendar; the first calendar integrating Wiley with the academic calendar. Traditional to present to the Faculty Senate in fall, encouraged the Provost Office to ask for this. Provost Wu noted the last iteration included 7 ½ weeks terms; the AP Committee has never seen (received) it. Provost Wu saw a finalized version yesterday. Professor Slayden stressed the importance of sufficient time for the AP Committee's review of the calendar before presenting it to the Faculty Senate, as well as to see if the Faculty Senate has any questions.

Study Elsewhere is to be continued. As affirmed by the Faculty Senate at the October 4, 2017 meeting, there is no requirement to have a Termination from the Major policy in place before limiting repeats in certain courses. We will meet with Jeannie Brown Leonard, Dean, Student Academic Affairs - Advising, Retention, and Transitions to discuss limiting repeats throughout the university. She had brought up the issue last Spring.

B. Budget and Resources – Tim Leslie

Budget Model: We had a two hour meeting with Sr. Vice President J.J. Davis about the budget model. Current model integrates about 55% of university revenue. Cross-college degrees, indirect research money to be (later) integrated. Not looking at credits, FTE, just dollars. For

tuition, the instructing department gets 80% of the value, while the major department gets 20%. We are working on the communication plan. Colleges can now actually have balances – keep 80% of their net at the end of the year, so there can be multiple-year plans now, institutional arc of this.

How are we (university as a whole) doing? Every college in AY 16-17 net positive except the Law School; but not accounting for research money feels like an incomplete score. How are people doing in terms of revenue to maximize it? With more out-of-state students and enrolling more students per course.

Questions/Discussion:

Provost Wu clarified under the old system; we had no idea of unit expenses, a big part of work in the new budget model to figure out who brought in what and how much they spent to do so. The goal is transparency of the system.

How were allocations to units made under the old system?

Provost Wu: Most of the funding which used to go to me is now going to units; he has to go to the deans and beg.

Chair Leslie: There were challenges in the old system. A \$9M gap between actual revenue and projections from colleges.

Provost Wu: Now everything is based on actual revenues.

Other questions included how it would be helpful to know comparative data; roll out of communications, income per credit, and questions about public posting.

B. Faculty Matters – Alan Abramson and Girum Urgessa

Nothing for agenda, following up on FEA, department chairs, term faculty and non-tenured faculty serving as dept. chairs.

C. Nominations – Mark Addleson

D. We have filled an important hole on the Export Compliance Committee:

Kathryn Laskey (VSE – SEOR) is nominated to serve as faculty representative to the University's Advisory Board for Export Compliance

E. Organization and Operations – Lisa Billingham

We are working on bulleted report on ombudsperson, waiting to hear back from JJ, will follow up with her. No agenda items.

IV. Other Committees/Faculty Representatives

Institutional Conflict of Interest (ICOI) Committee: Chair Renshaw welcomed members of the ICOI Committee (ICOIC) present today. A draft was distributed prior to today's meeting. Members of Executive Committee had read the draft prior to the meeting. Chair Renshaw acknowledged the significant amount of work that went into this draft. He reminded all of the process by which the group was formed and their charge, asked representatives for a brief history of their process, what resources they consulted in developing the draft, and urged that everyone focus on broad issues, not wordsmithing.

A summary of discussion around key issues is as follows:

- ICOIC representatives related difficult back-and-forth at times with VP of Advancement, and noted that the VP of Advancement stepped off the committee, citing legal advice due to a lawsuit that was brought by Transparent GMU (a student group formerly advised by the Chair of the ICOIC) against the GMU Foundation (of which the VP of Advancement is also the President). ICOIC representatives questioned the need for this, whereas members of Executive Committee expressed that this appeared reasonable – and further noted that having the former faculty advisor of the student group serving as the Chair of the ICOIC could be seen as a COI in and of itself.
- ICOIC members also related difficulties getting needed information to complete their work. Most recently, Deb Crawford (VP of Research, member of ICOIC) submitted a request to VP of Advancement, but no ICOIC members were aware of a response.
 - Provost Wu noted that Deb Crawford had talked with him, as well, about the request for information. He further stressed that GMUF is a legally separate entity from the university. GMUF has to determine whether they can divulge the information requested. He attended an Economic Higher Education Summit in Richmond along with representatives from the other Virginia institutions. Every single public university in VA is dealing with this issue. Industry of philanthropy has to take into consideration practices of donors and VA law. Other VA institutions are nervous about lawsuits, not just UVA – this lawsuit has nationwide ramifications.
- Much discussion centered around why the draft focused solely on Gift Acceptance, to the exclusion of other issues potentially related to ICOI.
 - ICOIC representatives responded that they had already covered intellectual property issues in a prior policy, and that Gift Acceptance seemed crucial to potential issues of ICOI. Without an understanding of where money comes from, there is no way to determine if there could be a COI for the institution or any unit within the institution. ICOIC members expressed particular concern about (a) anonymous, restricted gifts (allowing anyone to donate with potential conditions attached) and (b) the inability to view gift agreements. ICOIC members expressed that these factors made it impossible to determine if a COI might exist.
 - Chair Renshaw noted that one of the main problems with the current draft is that it doesn't really address COI management. As a Research I institution, when you get funding from external sources, we have a whole system set up for COI. Process in research goes through the Office of Sponsored Programs (OSP), with clear parameters. We do not have the same process for the GMU Foundation, a 501(c) (3). So when money is transferred to the university, we have no oversight or way to determine if there is a COI; we want to set up an oversight process which mirrors OSP functions.
- Provost Wu noted that research grants and philanthropy do have some parallels, but with one significant difference: IRS has rules for charitable contributions to be deductible. It is your right

as a donor to tell the university what to do with (donation), but then you cannot control what happens once the money is donated.

- ICOIC members noted that we see leaked donor agreements (elsewhere) that shows that donors sometimes have voting rights on faculty hiring committees. This clearly shows IRS rules not being enforced, but because we don't have access to donor agreements, we cannot see the terms.
- There was discussion about how many gifts are anonymous, of what size those gifts are, who knows the names of anonymous donors, etc.
 - The notion of redacted gift agreements from anonymous donors being made available was discussed.
 - Senator Abramson stated that he appreciated the concerns, but anonymous giving has a long tradition, and we need to balance it against transparency.
 - ICOIC members noted that many reasons people give anonymously would not raise concern of institutional COI – under their draft policy, faculty would likely say it meets appropriate criteria and remain anonymous.
- Chair Renshaw also raised questions about the likely workload of the proposed faculty committees in the draft proposal.
 - ICOIC members responded that it was impossible to know what the workload might be, due to lack of response to requests for basic data from GMU Foundation (GMUF). They noted the last request came from Deb Crawford (VP of Research, who is a member of the ICOIC). Chair Renshaw noted that it would be good to get an update from her.
- The ICOIC Chair noted that they consulted AAUP principles on Faculty Governance, and statements from Higher Education and Governing Boards (administration boards' professional organization). He noted that faculty has primacy for curriculum matters. In 2014 the AAUP published latest statement on these precepts.
 - It was noted that the AAUP doesn't have much on gift acceptance principles, but that the AAUP statements offered guiding ethic, principles.
 - Chair Renshaw pointed out that the draft ultimately proposed *exclusive* governance by faculty – not *shared* governance – as any non-unanimous votes from the Gift Acceptance Committee would be referred to a 5-person, all-faculty committee, per the draft proposal.
- We want to stay focused on principles and use those to develop *something that will work*. We cannot simply set policy related to gift acceptance, such that a five member faculty committee has the ultimate say. It's outside the scope of our expertise, and does not represent *shared* governance – it is more about *exclusive* governance by faculty. In addition, the BOV would never approve this. How can we make it workable?
 - ICOIC members indicated that this draft is an attempt to uphold principles of AAUP, to create a model document. They are trying to determine ways for faculty to get involved, to increase from zero voice to 50% voice? So how do we engineer faculty to get oversight voice, chute? Maybe not all gifts, but very specific gifts which are anonymous and restrictive.

- ICOIC Letiecq stated that this is not a new conversation. The Faculty Senate opened this up in 2011, asking same question, but ended up not being able to build relationships.
- Chair Renshaw noted that this group and this committee is different, as it the administration, as compared to 2011. We have the opportunity to do something real here – it won't be easy, but we want to get something accomplished. We have to find some way to get meaningful involvement on this. Can we push hard? Yes, but we need to go with a *rational* approach.
- Multiple members of Executive Committee noted that the draft reads like an attack on Koch “dark money”.
 - The ICOIC representatives expressed surprise and indicated they were simply trying to move us toward shared governance.
 - ICOIC member Kennedy suggested splitting policy into two, so not to devolve into diatribe about Koch. Maybe just ask that any anonymous agreement be shared in redacted (not to identify donor) form.
- Before having to leave, Provost Wu stated the following: Very sympathetic to your reasons and rationale. I agree that we need to look at places to establish checks and balance, and we need a dialogue to accomplish that. At the same time, we have to understand the reality of what fundraisers are trying to do. There is not a lot you can do about common practices in the domain of philanthropy. This is especially true given how small our fundraising activities are right now, due to the youth of our university. We don't want to tie our hands behind our backs as we try to catch up in fundraising to meet where we should be given our size. The intent of fundraising, first and foremost, is to try to get more resources for institution – can only achieve by having common ground.
- Discussion concluded by addressing next steps:
 - Members of ICOIC asked for help to set up a meeting with Janet Bingham – Chair Renshaw offered to try to facilitate this.
 - Also need to get an update on status of request submitted by Deb Crawford – Chair Renshaw offered to facilitate this.
 - ICOIC members indicated that their draft needed further work before wider dissemination.
 - ICOIC members expressed support for the idea of redacted anonymous donor agreements being made public.
 - Senator Slayden recommended remaining focused on Gift Acceptance as the next step in ICOI, before moving onto other areas, as it would be too much to cover in a single meeting.
 - Senator Leslie recommended writing the entire draft based on things that happen on the “Mason side,” not the Foundation side.
 - ICOIC member mentioned that Janet Bingham is an employee of GMU *and* the GMUF, whereas most foundations are separated from university campuses to avoid COI.

- Some discussion about whether to request involvement of President Cabrera – that was deemed premature.
- ICOIC members indicated discussion and feedback had been helpful in shaping next steps.
- Chair Renshaw indicated great excitement about the strides to date. He stated that Mason is the right university to be on the forefront of this. He will send his notes on the draft to the ICOIC and asked others to do the same. He also reaffirmed that he will work to facilitate necessary contacts with administration.

David Kravitz and Bethany Letiecq then reported for the External Academic Relations Committee. They are trying to “front load” agenda with inputs from various groups (Admin, Faculty Senate) prior to engagement with the Faculty Senate of Virginia, which meets this Oct 28th to set its agenda for VHEAD and lobby days in January. We hope to identify priorities that we can 1) take to FSV to build cross-institution collaborations; and 2) develop Mason-centered efforts. We are particularly interested in priorities that the Faculty Senate shares with Mason Admin and those that may be particularly important to the faculty.

Here’s the list of priorities offered by Mark Smith and Paul Liberty:

- Financial aid and compensation top on the list. Working with other institutions –this is a good one to share with FSVA.
- Getting Mason more money per student, to be equitable with other VA universities. Mason receives \$2-3,000 less per year per student, compared to other doctoral programs in Virginia. Not for shared agenda with FSVA.
- Research and research funding. Mason recently recognized as R1 – but we need to have more translational research to support this effort (VRIC and GoVirginia build collaborative research opportunities with state, private industry, other universities)
- Capital Construction: Hoping to secure \$10 million for wireless infrastructure – redundancy system, bandwidth--possibly shared goal among insts...
- Building partnerships (e.g., Mason-NVCC ADVANCE)...pathways to 4 yr inst...
- Build counseling programs specifically to better match veterans’ needs. (NOT for FSVA; Focused on Masters in Social Work (from Administration)
- Online Virginia Network

Several EXC members commended the committee, didn’t see anything missing. Chair Renshaw noted that, given Mason’s relative youth, fighting for additional money will always be an issue. Mason has accounted for 48% of enrollment growth in the state of Virginia over the past 10 years, and the administration is using that to try to argue for more resources.

EARC members noted that FSVA also has a white paper showing the importance of Higher Education to the state. Chair Renshaw thanked the External Academic Relations Committee for being so integrated with FSVA. They also plan to attend Higher Education Advocacy Day in Richmond in January, and also meet for coffee with local legislators before Higher Education Advocacy Day. Local legislators – in fact, most in Northern VA, are very supportive of higher ed in general, and of Mason.

V. New Business, Updates, and Discussion

- Brad Edwards potential visit to Faculty Senate November 1, 2017
 - Discussion: To ask him to delay visit until Spring Term 2018.
 - Senator Dominique Banville (Faculty Athletic Representative) would also like to speak.
- Undergraduate Council Bylaws (prior changes, broader changes?) See [Attachment B](#)
 - Issue with Bylaws: Doesn't say what they are supposed to do; they are sorely lacking in procedures. (Cites example of inconsistency in explaining with some courses were OK and others were not). Another example of a committee trying to make policy. Faculty have a vested interest in curricular matters – they should not have them held up without responses/reasons. The Council needs to have published procedures.
 - Another EXC member who serves as Chair of Curriculum for CHSS (in interim capacity) shares these concerns. For example, what does reviewing mean? How is the Council to communicate results? Monitoring means what? Susan Trencher is the faculty rep to the Graduate Council; she is also very concerned about similar issues there.
 - Senator Leslie asked what in particular people wanted to see a procedure for? Efforts to make it more faculty friendly?
 - After brief discussion, it was noted to send Tim Leslie an email listing what you want to see. He serves as Faculty Senate representative to the Undergraduate Council.
 - Not for inclusion on the Nov. 1, 2017 FS Agenda.
- Workload/summer teaching
 - The Provost Office is interested in this in terms of overload; off-load teaching, especially for some units who wish to have flexibility in terms of what they teach. Reference to concrete suggestions made at the [April 10th EXC meeting](#) where we gave them very specific topics.
- Are Deans requesting appropriate feedback from faculty on P&T guidelines?
 - Provost Wu thinks this is going on --- (e.g. expectations) in some colleges it is not clear faculty are engaged. Discussion of handling of second level committee reps in various colleges. It was not enough to tell people they could not vote twice. It constitutes a conflict of interest if you already voted at the first level committee. To continue discussion at our next meeting.

VI. Agenda Items for November 1, 2017 FS Meeting

- Draft FS Minutes October 4, 2017
- Rector Davis
- Announcements
- FSSC Reports
 - Kathryn Laskey (VSE) nominated to serve as faculty representative to the Export Compliance Board
- Committee Reports
 - External Academic Relations Committee

VII. Adjournment: approximately 10:40 am.

Respectfully submitted,
Meg Caniano
Faculty Senate clerk

Attachment B

By-Laws of the Undergraduate Council (prior proposed changes shown in red)

ARTICLE I: Name

The name of this organization shall be the George Mason University Undergraduate Council (UC).

ARTICLE II: Purpose

The Undergraduate Council is an advisory and legislative board on matters of undergraduate education at George Mason University in accordance with policies set forth by the Board of Visitors.

The principal function of the UC is to review and make recommendations to the Provost on behalf of the University regarding the undergraduate curriculum. This specifically includes:

- a. Reviewing proposals for the creation, modification, or discontinuation of all undergraduate academic degree programs, certificate programs, new bachelor's/accelerated master's programs, minors, and courses;
- b. Monitoring undergraduate program assessment;
- c. Serving in an advisory capacity to the Senate regarding academic policies for undergraduates.

ARTICLE III: Members

Section A: UC Chairperson

1. Appointment:

The Committee Chair shall be **the Associate Provost for Undergraduate Education. If there is no Associate Provost for Undergraduate Education, the chair shall be** a tenured faculty member ~~and shall~~ be appointed by the Provost. The Chair cannot also serve as a faculty representative on the UC. The Chair is not a voting member of the UC.

2. Responsibilities and Duties:

- a. The Chair is responsible for ensuring that UC decisions are coordinated with George Mason University policies, the George Mason University Faculty Senate, and procedures as set forth by the George Mason University Board of Visitors.
- b. The Chair's duties shall include:
 - i. distribution of both the agenda and relevant information to the members of the Committee at least one week in advance of meetings;

- ii. collection and dissemination of the reports of UC committees in advance of UC meetings;
- iii. referral of agenda items to sub-committees of the UC when necessary;
- iv. managing charges and follow-up procedures with sub-committees that have been established by the UC;
- v. presiding at UC meetings;
- vi. overseeing the conduct of all votes among the UC.

Section B: Representatives

1. Representation:

- a. The membership of the UC shall include the Chair and two faculty representatives from each College/School/Academic Institute.
 - i. The first faculty representative shall be appointed by the Dean, while the second shall be a full-time instructional faculty member selected by the academic unit in accordance with its bylaws.
 - ii. One member shall be elected by and from the Faculty Senate.
- b. Non-voting members shall be invited to participate. They may be included from areas such as the following:

Academic Advising, Retention and Transitions (or representative from MAAN)
 Undergraduate Student Government
 Registrar's Office
 Distance Education

- c. The term of membership is two years. In the case of a faculty vacancy, the Dean or Director shall appoint a replacement to complete the term unless the academic unit has provided otherwise for continued representation. Members, including those there by administrative appointment, are limited to three consecutive terms.

2. UC Sub-Committees:

- a. Ad hoc or other sub-committees may be established by the UC as deemed necessary to discharge its functions and responsibilities.
- b. Membership: The Chair and at least one other member of a committee must be members of the UC. Other members of the sub-committee may be appointed by the UC Chair upon approval of the UC.
- c. The charge to a sub-committee shall include the composition, purpose, and completion date.
- d. An ad hoc committee will make a final report to the UC, at which time it will be discharged.

Section C: Meetings

- 1. Regular Meetings: UC meetings shall be held monthly during the academic year.
- 2. Special Meetings: Additional meetings may be called by the Chair, with at least one week's notice, as necessary.

3. Quorum: A quorum consists of two-thirds of the voting members. If a member cannot attend, he or she may appoint a substitute. This substitute may discuss and vote on matters before the Council at that meeting.
4. Super-majority votes: Most decision-making is based on a simple majority vote; for denying program related changes as well as modifying the UC Bylaws, a two-thirds majority vote of approval is required.

ARTICLE IV: Amendment of Bylaws

These bylaws may be amended at any regular meeting of the UC by a two-thirds vote, provided that the amendment has been submitted in writing at the previous regular meeting.

An amendment to the bylaws shall take effect after the approval of the Faculty Senate, the Provost, and the President.