

GEORGE MASON UNIVERSITY
MINUTES OF THE FACULTY SENATE EXECUTIVE COMMITTEE MEETING
MONDAY, JULY 13, 2020
ELECTRONIC MEETING – 1:00 – 2:00 pm

Present: Lisa Billingham, Melissa Broeckelman-Post, Shannon Davis (chair), Mark Ginsberg, Carol Kissal, Timothy Leslie, Bethany Letiecq, Kumar Mehta

I. Approval of Minutes of April 20, 2020: The minutes were approved.

II. Announcements

Interim Provost Ginsberg:

Safe Return to Campus

- Safe Return to Campus plan for the Fall semester has been submitted to SCHEV last week. SCHEV is responsible for reviewing the plans for all the public universities in the Commonwealth.
- The submitted plan is comprehensive and thoughtful, and expecting response from SCHEV in another week. Though no issues are anticipated, we are prepared to address any issues they may raise or clarifications that might be required.
- The plan will provide a blueprint and a framework for the campus operations and planning as we approach the Fall semester.
- Registrar and the academic units continue to plan and make progress on structuring the course offerings and their modalities along with scheduling. We expect greater clarity by end of the week as the university attempts to organize and manage the complexity of offering approximately 11,000 class sections in one form or another.
- Shares concerns as COVID infection rates continue to rise in many parts of the country, and hopeful. However, decisions would be made based on what situation is in August (at the time of reopening).

Enrollment:

- Enrollment figures are encouraging, and in comparison, with same time last year:
 - Across the university, in-state freshmen are down slightly less than 1%
 - Freshmen enrollment are down 3.5%
 - Transfer students: In-state transfers are up by little over 1%, but overall transfer students are down by little over 1%
 - Graduate student enrollment for fall is up across the board by approx. 11%
 - Credit hour enrollments are down about 2.5%

- International students
 - Mason has approximately 3,400 international students on F-1 visa, and there is some uncertainty with respect to restrictions on students on F-1 visa.
 - Mason is coordinating with other universities in advocating against the policy and restrictions imposed.

Discussion

- According to the restrictions announced by the Federal government -- should the university have to pivot to all online due to local conditions in Virginia, F-1 students would be required to leave the country. Are we constructing some plans for those students in order to support them in their potential need to exit and then have to come back to campus?

Interim Provost Ginsberg stated that university does not know the implications of the pivot because government has not provided rules or guidance to the universities. He hopes that if university pivots (or needs to), these courses could be considered as hybrid.

He conveyed support expressed by President Washington as well as faculty he has had conversation with – wanting to do everything we can to support and protect our international students.

- Questions about independent studies and what counts as a hybrid: if the Registrar has listed the course as not online, for example: independent study is not listed as online.

Interim Provost Ginsberg: He agreed it was based on registrar listing the course as online, and mentioned that there is a formula based on the proportion of classes that must be non-online.

Follow-up: Hypothetical situation: Let us say we have classes that are hybrid, that meet in the classroom part of the time. Say we allow students to join the class synchronously online. Is it theoretically possible that we could list the class as hybrid if the instructor is in the classroom but none of the students are?

Interim Provost Ginsberg shared that his understanding is that the intent of the directive is -- it is not where the instructor is but where the students are. He believes the directive is inline with policy prescriptions being offered for opening K-12 schools.

- Some universities have made the decision to have last class for Fall semester before Thanksgiving.

Interim Provost Ginsberg informed that Mason has not yet made any decisions regarding post-Thanksgiving but expects to in early Fall.

Senior Vice President Carol Kissal:

- In addition to all the work on Safe Return to Campus planning, work is ongoing for the Master Plan, infrastructure and technology assessments. All of the big major projects that were in progress prior to COVID, are continuing.
- Financial Planning/Budgeting:
 - It is a moving target with evolving situation on both revenue and cost sides.
 - Regarding budget gap – noted that she would share the information as soon as university has it.
 - There is ongoing planning to try close budget gap for Fall without taking personnel actions. She shared that it would require use of a lot of the reserves, which has longer-term implications.
 - They plan to present risk mitigation strategies to BOV in a few weeks.
 - Fiscal outlook is expected to change when state legislature convenes in August. At the level of the state, early in the pandemic -- the forecast was dire but now is expected to be far less of an impact. She expressed hope that this would mean that no additional state cuts would come in Fall. However, additional budget cuts from the State may require further actions in Fall which may necessitate personnel actions. She reiterated it is her hope to not have to do that.

Discussion:

- Senator expressed appreciation for prioritizing health and safety of faculty, students and staff; and inquired about any information on testing protocols that may be available to share.

Sr. VP Kissal noted that she has daily conversations about tests and testing protocols with the Interim Provost. They are undertaking this in consultation with public health officials. She would be sharing detailed plans when decision on options and their implementation plans have been made.

Interim Provost Ginsberg added that a workgroup involved in testing was meeting in the afternoon. A number of faculty are involved in looking at testing protocols, randomization models, with potential for both surveillance and prevalence testing. Last week, a lot of work was performed by faculty from Statistics, CHHS and several other units to provide technical advice and recommendations. Additionally, a meeting has been scheduled with the Fairfax County Dept. of Health and with

members of the VA Dept of Health. He acknowledged the right to raise concerns about procurement of appropriate materials, as this continues to be a challenge across the country.

- Dr. Washington mentioned a lot of elements related to racial and ethnic justice in his meetings with faculty and staff. Are there thoughts about the best way to move forward? and, when to move forward?

Interim Provost Ginsberg shared his understanding that President Greg Washington will be communicating some specific plans soon (next week or so). He has asked to convene a group to help and advise him on some aspects. He conveyed that it is an important agenda for the university, and an area of great importance to President Washington.

Follow-up - Chair Davis requested that Interim Provost Ginsberg please convey to President Washington that the university has experts, specifically on these issues, who can assist. As he begins to roll out plans, the faculty are ready to be beside him.

Interim Provost Ginsberg did not know the specific faculty members involved in the group President Washington asked to talk with. He expressed great confidence that this is an area where President Washington has had a great deal of experience and has demonstrated remarkable progress previously. Interim Provost Ginsberg believes that President Washington will bring a sense of commitment and informed action.

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

A. Academic Policies – no direct report.

Chair Davis shared that Instructional Continuity (IC) team has started to list out some policies that could be considered as academic policies for the Fall semester and potentially beyond. These would need to be taken up by the Academic Policies Committee and followed up by Senate for discussion and review.

Chair Davis also noted that there are the issues concerning local level policies that would be responsive to COVID-19 and issues in the fall.

The IC team is starting to parse out what those different levels of policies might be, what truly is a policy, what is a set of guidance or best practices. In next few weeks, after IC team has made some decisions, it is expecting to present to MCCT for policy management.

B. Budget and Resources – Tim Leslie

The newest proposal coming to the UBPAC to only count budgetary flows as they apply to the first major. This is rooted in history of systems where could not track more than two degrees. Having done a budgetary tracking system based on the first major, while not a wrong answer – it demonstrates the situation where system is driving decisions rather than the other way around.

Discussion:

- Chair Davis noted that with big push on interdisciplinary and multidisciplinary programs and degrees, these have seen a lot of growth. There has conversation about how to track that in Banner. Chair Davis wondered whether the majors are affected / impacted by this (and if we know)? Also, how the system limitations will potentially influence the ability of future multidisciplinary/interdisciplinary majors to arise?
- UBPAC is not aware, but noted that the Budget Model Group is discussing it.
- Sr. VP Kissal noted that form follows function. If we want to track interdisciplinary programs, then the system will be designed to do that.
- Chair Davis noted the interdependence between the curricular aspects and budgeting model. It would be helpful for all involved in the interdisciplinary programs to know that the budget model does not necessarily preclude or inhibit the ability to be creative in this space – particularly for the cross-college programs.

C. Faculty Matters – Bethany Letiecq

Concerns regarding the stipend and contracts associated development of some of the online courses. These course development activities were compensated with a stipend (\$4000) and required faculty to sign a contract. The issues are:

- Criteria for course and faculty selection for compensated development was not transparent or known.
- Issue regarding copyright -- University gets your grant of copyright, that the University will retain a non-exclusive license. In a digital era where course content and delivery is all hosted online – such overly broad licensing is of concern, and speaks to the need to revisit that copyright policy going forward.
- There are lots of other issues regarding the contracts that can be discussed.

Follow-up:

Chair Davis noted that a number of these questions that were forwarded on to the IC group and were also shared with the Provost's Office and Renate Guilford (Associate Provost for Academic Administration) in particular. Renate Guilford has been working with the Stearns Center to send out these contracts. There are questions that can be answered (based on her understanding):

- Individuals colleges invited faculty to participate and evaluated the individuals.
- Colleges sent the final list of participants to the Stearns Center.
- To meet need for support beyond capacity of the Stearns Center, a service contract was set up with Wiley for providing instructional designers.
- Individuals were not required to work with a designer
- Regarding the stipend, Senior VP Kissal is better positioned to provide clarification.

Sr. VP Kissal sought clarification regarding the stipend portion of the question.

Senator Letiecq: The clarification needed for: a) Equity and b) Source of funds.

Equity: the reasoning for only providing 150 faculty this option of compensated course development. When, conceivably, most of the faculty are developing online course content. Also, that not all faculty were made aware of the opportunity for participating.

Source of funds: Particularly because the university is engaging a private-entity (Wiley) and there is lack of clarity around this engagement.

Sr. VP Kissal: She could not speak to the selection process of participants since it was undertaken by individual units. Regarding the source of funds -- it is all tuition revenue. She emphasized that the university felt the need to support the effort for development of online courses and course content.

Discussion:

- Another Senator shared own experience at how selection happened and concurred regarding the lack of clear communication and transparency in how participants were selected. There was also no conversation or discussion involved in deciding which courses to prioritize or how to decide on participants.
- Another Senator noted from experience that the selection of courses and individuals were conducted transparently and in accordance with prioritizing the need to provide support to faculty who have never taught online.
- It was noted how Stearns Center has worked hard to make more resources and guidance available to all faculty engaged in developing online courses and content.

Chair Davis noted that this was another empirical example of the differential way in which the colleges share information and transmit opportunities to faculty. She emphasized that it was critical for us to consider that the ways in which opportunities for faculty develop may not be equal across colleges because of the ways in which decisions are made within colleges.

Senator Letiecq raised a few additional points of concern:

- The contract is an employment contract, and this specification raises numerous legal issues as to:
 - Requirement for course refresh every 3 years.
 - Who is responsible and obligated to refresh the course?
 - An employment contract should allow for negotiation to prevent “one size fits all”. The current contract did not.
- A concern is also that the language within the contract is very open-ended.
 - It gives the university a non-exclusive open-ended license to use any of the materials that the university needs.
 - This is different from when it was just sharing syllabi. Now with fully packaged courses including content and delivery including videos, lectures, etc. -- the question is: How can the university use that under that licensing agreement?
- [University Policy 4002: Copyright in University Works](#) uses the term *designee* not *designees*. She noted that if the BOV wanted it to say designees, then they should have made it plural. It is a singular term because issues of copyright are so meaningful to faculty and academic freedom, that this is protected space.
 - She noted that there have been liberties taken that have raised the hackles of faculty, and faculty deeply care about these issues. Even assigning two people as designees when the policy denotes singularity raises questions about the university upholding its policy.
- Need for clarity regarding the contract between the university and Wiley. To understand if Wiley is considered a third party, or whether there are any other arrangements that may allow deployment of the content and materials for market assessment and delivery.

Chair Davis shared that from her conversations with Stearns Center:

- Regarding course refresh every 3 years is that it is an explicit communication that all faculty are expected to keep their courses up to date.
- She shared that her understanding is that the intent behind the stipend with this contract is to support efforts of faculty involved in the development of course. Once developed, the course belongs to the faculty member to own and choose to use or not.
- She recognized that the language in some of these questions are about the specific contract itself. Without that language, not everybody is able to see the specific points that are being addressed here. There were specific concerns about the

university's ability to take a fully developed course and having it taught by someone else other than faculty who developed it.

- Thanked Senator Letiecq for raising the points and hoped that these questions and others will be addressed during the upcoming town hall.

Senator Letiecq raised COVID related concerns from the Faculty Matters committee:

Concern about the acknowledgement of risk at the end of the COVID training.

She noted the ongoing national debate about the implications for students, faculty, and staff. While it is not a liability waiver -- the acknowledgement of risk can potentially be used should someone attempt to sue the university in future. She raised concerns:

- The need to make the pledge mandatory and a condition for return to work
- Why is it not sufficient that individuals take the training and pass be the condition for returning to work?

Another COVID related concern for faculty is:

- Requirement of needing to fill out the high-risk form when seeking accommodations.
- There's confusion as to under what circumstances is faculty expected to fill out this form. Do they have to fill out the form if they have negotiated online course offerings?
- Besides confusion, there's real concerns regarding the required information disclosure and need for it.

Chair Davis shared that she too has received several emails from faculty expressing similar concerns about the form. She noted that there have been attempts to clarify in MCCT meetings, and that she has been having conversations seeking clarification. She shared that it was also on the agenda for the upcoming EMEC meeting.

Chair Davis noted that next meeting of the Faculty Senate Executive Committee is scheduled for August 3rd and would like to have a meeting before then to address all of the questions. Meg will be following up to identify the time for follow-up meeting to address the remaining items on the agenda.

Respectfully submitted,
Kumar Mehta
Secretary