

GEORGE MASON UNIVERSITY
DRAFT MINUTES OF THE FACULTY SENATE
MARCH 4, 2009
Robinson Hall B113, 3:00 – 4:18 p.m.

Senators Present: David Anderson, Ernest Barreto, Sheryl Beach, Kristine Bell, James Bennett, Alok Berry, Doris Bitler, Deborah Boehm-Davis, Phillip Buchanan, Claudio Cioffi-Revilla, Rick Coffinberger, Lloyd Cohen, Jose Cortina, Nada Dabbagh, Yvonne Demory, Betsy DeMulder, Lloyd Griffiths, Frances Harbour, Allen Hughes, David Kuebrich, Linda Monson, Jean Moore, Janette Muir, Star Muir, Peter Pober, Larry Rockwood, Pierre Rodgers, James Sanford, Joe Scimecca, Suzanne Slayden, Peter Stearns, Susan Trencher, Iosif Vaisman, Harry Wechsler, Phil Wiest, Peter Winant, Michael Wolf-Branigin, John Zenelis, Stanley Zoltek.

Senators Absent: Heibatollah Baghi, Rei Berroa, Jack Censer, Vikas Chandhoke, Sara Cobb, Sharon deMonsabert, Rutledge Dennis, Penelope Earley, Gary Galluzzo, Kingsley Haynes, Allison Hayward, Mark Houck, Richard Klimoski, Howard Kurtz, Alan Merten, Daniel Polsby, Jane Razeghi, William Reeder, Suzanne Scott, Ray Sommer, June Tangney, Tojo Thatchenkery, Shirley Travis, Nigel Waters.

Visitors Present: Mark Broderick, Vice President, University Development and Alumni Affairs; Lorraine Brown, Professor of English; Pat Donini, Employee Relations Director and Deputy Director, Human Resources; Sarah Eckman, Vice President, Graduate and Professional Student Association; Esther Elstun, Professor *Emerita*, Modern & Classical Languages; Alan Falconer, Associate Dean for Corporate Outreach, COS; Linda Harber, Associate Vice President, Human Resources and Payroll; Thomas Hennessey, Chief of Staff; Robin Herron, Editor, *Daily Gazette*, Office of Media & Public Relations; Susan Jones, University Registrar; Sharon Pitt, Executive Director, DOIT; John Savage, Director, Advanced Academic Computing, DOIT; Bill Sutton, Associate Professor/Associate Chair, Electrical and Computer Engineering; Dr. Ernst Volgenau, Rector.

I. Call to Order: The meeting was called to order at 3:03 p.m.

Chair Suzanne Slayden welcomed Rector Volgenau to the Faculty Senate for his semi-annual address.

Rector Volgenau stated that he would discuss his priorities as Rector as well as the priorities of the entire BOV, and then take questions and comments. Both he and the Board are especially concerned about the current deep recession and its implications for GMU-especially the reduction in funding from Richmond (that is likely to continue for the foreseeable future). In addition, GMU's endowment has declined. It is essential that the University develop other income sources, but the current economic climate is not conducive to gaining substantial private donations. The Rector said that technical or detailed questions about fundraising plans should be directed to Marc Broderick (VP for University Development and Alumni Affairs), who would be speaking later in the

meeting.

The Rector explained that the BOV has re-organized its structure. The earlier five committees have been replaced with two committees: one deals with tactical matters, the other with strategy. In addition to fulfilling its on-going fiduciary responsibilities, the Board will devote more time to strategy, especially fund-raising issues. The Rector explained that the BOV must be well informed about University programs, but it is also crucial that members have time to “roll up their sleeves and get work done.” The BOV is undertaking an important initiative to identify alternative funding sources. Vice Rector Knox Singleton chairs Strategic Committee C which is charged with this task. In addition to members of the BOV, the Committee also includes representatives from the local business community.

Comment: Chair Suzanne Slayden referenced an announcement made in November by the Provost’s Office regarding delays in approval for term faculty contracts (from December) until January. The proposal was considered at a BOV Executive Committee meeting and subsequently approved. As this was a change in provisions of the Faculty Handbook, there was a need for the Faculty Senate to be informed, but it wasn’t.

Rector Volgenau apologized for this error, stating there was no intention to circumvent the Faculty Senate. He asked (Chief of Staff) Tom Hennessey to make a point in the future of calling it to the Board’s attention when its actions require it to consult with the Faculty Senate.

Comment: A recent decision was made about the RAK Campus [to end the program], about which the Faculty Senate was not consulted, although the Senator surmised the Senate would have strongly endorsed the decision.

Rector Volgenau responded that while all meetings of the BOV are open (unless personnel matters are being discussed) and should be announced, sometimes subjects discussed may be sensitive and need to be acted upon in a timely and coherent manner by the BOV, the Central Administration, and the Office of Public Relations.

Question: Does Strategic Committee C have specific fundraising targets/goals?

Rector Volgenau explained that the Committee, which consists of two Visitors and four external members, has only met 3 or 4 times so far. At this early stage, they have not developed specific goals.

Question: Who is GMU’s partner in the RAK project?

Rector Volgenau said he was not sure of the partner’s name, but it included a direct representative of the UAE government. When doing business in the Middle East, one finds there are closer ties between business and government than in the U.S.—these ties may even include members of the royal family. If partner does not have a formal government position, he is tied in with monarch who runs the state. We can speculate as

to why our partners backed off. Perhaps they were influenced by the global recession. The State did not have much in the way of oil revenues, and it had speculated in real estate.

Question: The Faculty Senate has spent a lot of time discussing President Merten's compensation. I have argued (against this); that it is not our business to debate over what he earns. Instead the Senate should hold the Board accountable for the contracts it provides. Has the Board given sufficient consideration to this matter? The President's substantial salary increase and bonus creates a morale issue, given that faculty received no raises this year. How will the BOV provide leadership on this issue?

Rector Volgenau: A principal role of the BOV is to set performance criteria for President Merten, then evaluate his performance. The process has been improved somewhat over the past three years. President Merten has volunteered to forgo his salary increases for 2008 and 2009 with no prompting from the BOV. His five-year contract (runs) through August 2011. You cannot just change a contract willy-nilly. As far as the bonus goes, that is the principal way we judge his performance in terms of agreed-upon criteria. It is not an easy job to be a university president. The Rector estimates that President Merten puts in 60-70 hours per week. In addition, Mrs. Merten is an unpaid partner in some of his work. Rector Volgenau does not denigrate teaching. He has taught a lot himself. However, it is not appropriate to compare the job of teaching several courses per semester with the responsibilities of serving as the President – they are two different types of jobs. Even in government, distinctions are made between salaries based upon levels of responsibility.

Question: Before the next presidential contract is given, could the Faculty Senate be involved in the discussion of the job description and performance criteria?

Rector Volgenau said he would be willing to raise this issue with the BOV, although he doubts they would agree to Senate participation in defining the terms of the President's contract or in the negotiation process. The BOV believes this is a private matter between the executive and the Board. Evaluation of the President's performance involves confidential matters and is done in private session. However, the President's compensation is public information.

Question: If the President's job is so demanding, perhaps it should be re-designed, maybe divided among two less-highly-paid administrators?

Rector Volgenau observed that such a division of labor would be unusual. The standard practice at most universities is to have a provost as head of academic affairs and a president with several deputies.

Question: The last time you were here [November, 2008], performance criteria for the upcoming year had not yet been established. Have these criteria now been established for the next fiscal year? When will they become available?

Rector Volgenau: Three years ago, the BOV was late in pulling criteria together. Then the year before last, criteria were refined and improved. This year's performance criteria have been finalized. The Rector does not personally object to sharing these with the Senate, but he asks Dr. Hennessey to check if it is against University policy to do so.

Question: Many of us have responsibility over externally-funded research projects. Is the BOV considering how GMU might best benefit from a spike in research funding from the federal stimulus package? Businesses are currently making plans to capitalize on the stimulus bill. Is GMU doing similar planning?

Rector Volgenau: Interesting you mention that. At my company, we are making a chart of how stimulus monies will be distributed to the various federal departments and agencies. It is not yet known how the governmental units will use these dollars. There will be a lag time between when the units receive the monies and when they are disbursed or otherwise spent. The Rector believes the University should attend to this distribution of funds, so it can optimize its chances of receiving increased federal support. He is cautiously optimistic about GMU's chances. The BOV will address this issue.

Comment: It seems that your earlier comment implies the President works more hours than the Faculty. If so, it should be stated for the record that many faculty work 60-70 hours per week. There is an obvious morale problem when the BOV gives a bonus to President, but Faculty are not eligible for raises. Somehow this situation must be addressed.

Rector Volgenau responded that he wants to listen, learn, and share faculty perspectives with other BOV members. "I understand what you're saying –improved faculty compensation is a priority."

Comment: Apart from the issue of the specific amount the President makes, and whether or not it is justified, the fact is that it simply creates a morale problem when he gets pay increases and faculty don't.

Question: Earlier, you stated that President Merten is "foregoing" his raise? Has he agreed to "forego" it or only to "defer" it?

Rector Volgenau: I believe in his conversation with me he used the term "forego."

Question: Has the President agreed to "forego" both his bonus and his 5% raise?

Rector Volgenau: I believe he has agreed to forego his salary increase but not the bonus. I discussed President Merten's compensation with him, but I cannot discuss the details of this communication. It is confidential.

Comment: With all due respect for you personally, I believe it is the responsibility of the Board to oversee the activities of the President, and I want to call to your attention that the Faculty Senate passed a resolution ([RESOLUTION SEEKING SOLIDARITY](#))

[AND SHARED SACRIFICE BETWEEN FACULTY AND THE CENTRAL ADMINISTRATION DURING THE CURRENT ECONOMIC CRISIS – November 18, 2009](#) which called for the President to donate his salary increase and bonus to need-based student financial aid. This motion was sent to the President by the Senate Secretary, and he simply responded that he had received it. After some discussion, two follow-up motions were passed at the next Faculty Senate meeting ([January 21, 2009](#)) to which President Merten again simply responded to the effect that “You are in receipt of my answer.” Following this, the President released a statement to the campus newspaper in which he presented his general position on these issues. There is something contemptuous about this. I know you are not the President and not responsible for how he responds to faculty, but I and other faculty find his behavior troubling.

Rector Volgneau: Duly noted. Does anyone know of other university presidents in the Commonwealth of Virginia who are giving up their bonuses?

Comment: We do not have specific information about Virginia presidents, but we know there are presidents in other states who are doing so.

Rector Volgneau: The Board looks at comparative statistics about the bonuses paid to other Virginia presidents, but in doing so, we must also take into consideration the total compensation package. We normalize figures and try to make sure President Merten is not paid too much or too little.

Comment: It would be helpful if this comparative information were shared with the Faculty Senate.

Rector Volgneau: This is public information.

Comment: We appreciate your efforts at transparency and will be sorry to see you go as Rector.

Rector Volgneau: Do you know something I don't? (Laughter).

The rector concluded his presentation by observing that in his own company, he has encouraged a policy of “Honesty in Service”--not just compliance with the law but honesty in all things. This includes honesty in dealing with customers and to speak up honestly in company meetings. There is no monopoly on the best ideas; it does not matter whether they come from the boss or from employees. It is okay to disagree, but it should be done with civility and respect. These values exist within this University – it is up to each of us to encourage them everywhere.

II. Approval of the Minutes of February 11, 2009: the minutes were approved as distributed.

III. Announcements

An award will be presented to Professor and Senator *emerita* Esther Elstun by the AAUP at Damons directly following this meeting. Congratulations to Professor Elstun!

Professor Phil Buchanan has been appointed as Faculty Representative to the BOV Audit Committee.

Professor Slayden has discussed emergency preparedness questions with David Farris (Director of Emergency Preparedness and Response, Environmental Health & Safety). His responses and links to additional information are posted on the Faculty Senate website at <http://www.gmu.edu/facstaff/senate/QA/QA-links.htm> Interns were sent out to post emergency preparedness flyers in classrooms. A statewide tornado drill will take place soon.

A new link-- [Mason Ideas: Submit Ideas for Addressing Financial and Educational Challenges \(faculty, staff and students are encouraged to submit their ideas\)](#) --has been posted on the Budget Office website. Everyone is encouraged to participate.

IV. New Business – Committee Reports

A. Senate Standing Committees

Executive Committee – no report

Academic Policies – Janette Muir, Chair

Many of you are familiar with the (course) repeat policy (beginning in 2004). Mostly the policy has worked OK, but there are pockets of problems. An issue was brought to the AP Committee's attention by the School of Management; the following resolution is presented for your consideration:

Resolution: Statement of Academic Termination for Undergraduates at George Mason University

(to be inserted on page 40 of the University Catalog, following GPA Retention Levels)

Termination from the Major

Undergraduate students in any Retention Category may be reviewed for possible termination by their dean. Termination from a major – or from all majors in a college -- may be imposed as a result of excessive repeating of required courses without achieving the minimum standard, and for other evidence of continued failure to make adequate progress toward completion of the major. Students must be informed a semester in advance, and given a chance to meet the standard or appeal. Once a termination decision has been made, a letter of termination is sent to the student by the dean or director of the school, college, or institute, and notification of termination from the major is affixed to the student's academic record. Students who are terminated are no longer eligible to take courses in the program, but may transfer to a different major within the University to complete their undergraduate degree.

Additional insertions for catalog clarity:

Catalog page 33:

For undergraduate classes not repeatable for credit, undergraduate degree students may repeat courses for which they seek a higher grade. **Different academic programs may restrict repeats of certain departmental or college courses in the major. Excessive repeats may result in termination from the major by a student's dean.**

Catalog page 34:

Note that individual programs may disallow students from retaking certain high-demand courses simply for the purpose of improving their grade. **Programs may also require departmental permission for students to repeat certain department, school or college courses.**

Background

In Fall of 2004, the current policy on repeating courses went into effect. Since that time students have opted to repeat classes mostly when they have needed to replace unsatisfactory grades for courses required by specific majors, or in some cases, when they have wanted to improve their overall GPA. In most units, there are currently no limits to repeating a class, but the most recent class taken is the one that counts for GPA requirements.

The result of such a liberal repeat policy is that, in some cases, students have repeated a course multiple times to improve their grades. In a small number of classes, these excessive repeats (well over 5 times), have continued to be met with little success in the class. The consequences of the course repeat policy is that (1) students unable to pass a course continue to take seats away from those students who are trying to take the course for the first or second time; (2) students waste a great amount of time and money repeating courses that they are not well suited for; and (3) students are demoralized by continual failed attempts to achieve a minimum passing grade.

Individual units currently have the capacity to limit the amount of repeats for specific courses. Indeed, this option is already happening in the College of Health and Human Development. Most units on campus, however, do not have a mechanism in place to enable an honest discussion with a student regarding her or his aptitude for a specific degree path. A termination policy for undergraduates, much like the current graduate-level policy, would enable an individual unit to more effectively counsel a student who may not be performing well and to guide the student toward a different academic pathway at the University.

Discussion: The AP Committee examined a lot of data, including a record of 35 repeats for one course. Most repeats occur in math and science courses; these students are not trying to raise their grades from B's to A's but to improve upon Ds and F's. This data does not include cases in which students drop a course during the first 2/3rds of the semester. After due consideration, the Committee decided not to impose a limit on the number of times a student could repeat a course but rather to leave this decision to the local academic units.

In response to a question about the extent to which general education courses were being repeated, Professor Muir said the data collected did not specifically address this issue. A Senator pointed out that there is no way to enforce that a student will not repeat a course after removal from a major. The student will then be classified as “undeclared” – and there is no way to block the enrollment of an “undeclared” student. Concern was also expressed about students who withdraw from or fail a course for medical reasons. The response was that such students would be able to repeat the course.

The motion was approved unanimously.

B. Budget and Resources – Rick Coffinberger

No formal report. I attended a University Budget/Planning Committee meeting yesterday. Because of the federal stimulus package passed by Congress, some breathing room exists for one year. The Provost added that the stimulus funding, and thus the “breathing room,” will apply for two years.

C. Faculty Matters – Larry Rockwood

The Committee met today with Linda Harber (Associate Vice President for Human Resources and Payroll) about changes in IRS regulations affecting nine-month faculty paid over 12 months who earn over \$140K. They may be liable for a 20% penalty for paying taxes too late. Human Resources will inform those faculty who should change their payment schedule from twelve to nine months.

The Committee also met with Greg Toney (Executive Director, Auxiliary Enterprises) about free speech issues. The Committee has prepared a list of policy recommendations which Greg will review and share with Larry Czarda (Vice President for Administration), for development of a free speech policy.

The Faculty Evaluation of Administrators survey will be distributed electronically right after spring break.

D. Nominations – no report.

E. Organization and Operations – Susan Trencher, Chair

Professor Ernie Barreto presented the Allocation Report for AY 2009-10. (See Appendix 1). No changes have been made since last year. The chair of O&O will inform the deans and directors.

VI. Remarks for the Good of the General Faculty

Mark Q. Broderick, Vice President for University Development and Alumni Affairs, last visited the Faculty Senate about a year ago. In preparation for the next university-wide comprehensive fund-raising campaign, his office is conducting a feasibility study that includes interviewing 300 top donors. A report will be presented to the BOV at its March 25th meeting. As of January 31, 2009, the university has received \$26.5 million received in gifts and pledges (as compared to \$22.5 million last year and \$9.5 million the

year before). The goal of \$45 million for this year has been pushed back as some high seven-figure gifts have not materialized. More alumni are giving this year, to date, than in any previous year in the history of GMU.

In response to questions raised about the endowment, Broderick stated that currently the University is not making a big effort for endowment donations. Donors wish to make donations that result not in longer-term indirect improvements but in immediate changes to the University. His “guesstimate” is that the current GMU endowment, given the decline in stock portfolios, is in the \$40-50 million range.

VII. Adjournment: The meeting adjourned at 4:18 p.m.

Respectfully submitted,
David Kuebrich
Secretary
Faculty Senate

See following page for Appendix 1 – Allocation of Senate seats AY 2009-10

From: Ernest Barreto

RE: Allocation of senate seats for 2009-2010

1. The Senate Charter states in section I.B. that “By March 1st of each academic year, the Senate Committee on Organization and Operations shall establish the representation from each unit....”
2. The results are as follows (see next page). Comments follow.
 - No changes from last year’s allocation.
 - As in the previous year, ICAR and Krasnow individually do not meet the threshold requirement as defined in Section I.B.1. of the Charter. Thus, they are pooled into a single collegiate unit for the purposes of allocating senate seats. The result is that ICAR and Krasnow together get one senator to represent them.
3. As in the previous year, these results are based on instructional FTE numbers provided to me by Jang Wan Ko (Ph.D.) of Institutional Research and Reporting.
4. The data used in the calculation are the official census data as of Fall 2008. These are the latest official instructional FTE data that are available.

The Senate Charter reads “The number of senators representing each collegiate unit... shall be determined... based on the [FTE size] on February 1st of each year....”

As in previous years, Dr. Ko advised against using data as of February 1st because they are not official, are not complete, and in fact are incorrect. Official census data are released in November and March (“around the 15th”). Therefore, as in previous years, I interpret the Charter to mean “the official data available as of February 1”.

5. The Senate Charter also states in Section I.B. that “The directors of the independent institutes shall designate one of their number annually to serve on the Senate.” This is consistent with the description of the ex-officio members listed in Section I.A. Thus, the directors of ICAR and Krasnow can decide between the two of them which one will be the ex-officio member representing both of them.

Apportionment of Elected Senators for 2009/2010

Unit	Allocation	Change
College of Humanities and Social Sciences	17	0
College of Education & Human Development	6	0
College of Health and Human Services	3	0
College of Science	7	0
College of Visual and Performing Arts	3	0
Institute for Conflict Analysis and Resolution/ Krasnow Institute *	1	0
School of Management	4	0
School of Law	2	0
School of Public Policy	2	0
Volgenau School of Information Technology and Engineering	5	0
	Total: 50	0

* Neither ICAR nor Krasnow meet the threshold FTE requirement, so they are pooled for the purpose of allocating senators. The threshold is $[\text{total Univ Instr FTE}]/50$, rounded up.

Faculty Requirements Unit F.T.E., Fall 2008

Academic Division/Unit	Status	Instructional Faculty		Research Faculty	
		2008 HC	2008 FTE	2008 HC	2008 FTE
College of Education & Human Development	FullTime	107	107.0	4	4.0
	PartTime	209	59.5	0	0.0
	Total	316	166.5	4	4.0
College of Health & Human Services	FullTime	66	65.0	8	8.0
	PartTime	90	32.3	1	0.5
	Total	156	97.3	9	8.5
College of Humanities & Social Sciences	FullTime	393	390.6	19	19.0
	PartTime	251	99.9	4	2.8
	Total	644	490.5	23	21.8
College of Science	FullTime	179	174.2	94	94.0
	PartTime	59	19.7	16	5.6
	Total	238	193.9	110	99.6
College of Visual & Performing Arts	FullTime	63	62.5	0	0.0
	PartTime	61	26.4	0	0.0
	Total	124	88.9	0	0.0
Institute for Conflict Analysis & Resolution	FullTime	19	19.0	1	1.0
	PartTime	15	4.0	0	0.0
	Total	34	23.0	1	1.0
Krasnow Institute	FullTime	8	8.0	10	10.0
	PartTime	0	0.0	1	0.5
	Total	8	8.0	11	10.5
School of Management	FullTime	81	79.6	0	0.0
	PartTime	61	20.8	1	0.5
	Total	142	100.4	1	0.5
School of Law	FullTime	39	39.0	8	8.0
	PartTime	65	18.3	4	1.4
	Total	104	57.3	12	9.4
School of Public Policy	FullTime	40	40.0	26	26.0
	PartTime	27	6.8	4	0.6
	Total	67	46.8	30	26.6
Volgenau School of Information Technology & Engineering	FullTime	118	117.5	24	24.0
	PartTime	102	33.5	6	3.4
	Total	220	151.0	30	27.4
Academic Unit Total	Full-Time	1,113	1,102.4	194	194.0
	Part-Time	940	321.2	37	15.2
	Total	2,053	1,423.6	231	209.2

Academic Division/Unit	% of total Instr. FTE	X50 Allocation	08-09 Allocation	09-10 Allocation	Change
College of Education & Human Development	0.12	5.85	6	6	0
College of Health & Human Services	0.07	3.42	3	3	0
College of Humanities & Social Sciences	0.34	17.23	17	17	0
College of Science	0.14	6.81	7	7	0
College of Visual & Performing Arts	0.06	3.12	3	3	0
Institute for Conflict Analysis & Resolution*	0.02	0.81	1	1	0
Krasnow Institute*	0.01	0.28	4	4	0
School of Management	0.07	3.53	4	4	0
School of Law	0.04	2.01	2	2	0
School of Public Policy	0.03	1.64	2	2	0
Volgenau School of Information Technology & Engineering	0.11	5.30	5	5	0
Academic Unit Total	1.00	50.00	50.00	50	0

* Neither CAR nor Krasnow meet the threshold FTE requirement. The threshold is Total Univ Instr FTE/50 rounded up = 29, so they are pooled for the purpose of allocating senators.