

GEORGE MASON UNIVERSITY
MINUTES OF THE FACULTY SENATE
MARCH 27, 2013
Robinson Hall B113, 3:00 - 4:15 p.m.

Senators present: Dominique Banville, Scott Bauer, Sheryl Beach, Jim Bennett, Alok Berry, Lisa Billingham, John Cantiello, Rick Coffinberger, Arie Croitoru, Charlene Douglas, Robert Dudley, Daniel Garrison, Janos Gertler, Mark Houck, Dimitrios Ioannou, Kathryn Jacobsen, Dan Joyce, David Kuebrich, Ning Li, Jerry Mayer, Linda Monson, Star Muir, Elavie Ndura, Jim Sanford, Suzanne Slayden, June Tangney, Susan Trencher, Phil Wiest, Stanley Zoltek.

Senators absent: Kenneth Ball, Andrea Bartoli, Doris Bitler Davis, Ángel Cabrera, Jack Censer, Vikas Chandhoke, Lloyd Cohen, Yvonne Demory, Cody Edwards, Mark Ginsberg, Jorge Haddock, Ghassan Husseinali, Bruce Johnsen, Jian Lu, Harold Morowitz, Peter Pober, Daniel Polsby, Thomas Prohaska, William Reeder, Edward Rhodes, Pierre Rodgers, Steven Rose, Mark Rozell, Joe Scimecca, Suzanne Scott, Bob Smith, Lesley Smith, Debra Sprague, Peter Stearns, Susan Tomasovic, Iosif Vaisman, Anand Vidyashankar, Jenice View, John Zenelis.

Visitors Present: Khushboo Bhatia, Student Government Liaison; Jessica Cain, Employee Relations Specialist, Human Resources/Payroll; Pat Donini, Employee Relations Director/Deputy Director HR, Human Resources/Payroll; Esther Elstun, Professor *emerita*, Modern and Classical Languages; Linda Harber, Associate Vice President, Human Resources/Payroll; James Harvey (SOM), Faculty Representative to the BOV Development Committee; Michelle Lim, Human Resources Faculty Business Partner; Michelle Marks, Vice Provost for Academic Affairs.

I. Call to Order: The meeting was called to order.

II. Approval of the Minutes of February 6 and February 13, 2013: The minutes were approved as distributed.

III. Announcements

Chair June Tangney noted this meeting was rescheduled from the snow day that did not happen. Rector Clemente is not able to come today. He was scheduled for March 6th. He will be coming on April 24th and Dave Roe (President, GMU Foundation) will be coming April 3rd that is in one week, to our regularly scheduled meeting, along with President Cabrera on that date.

Frank Allen Philpot (SOM) has been appointed to serve as Faculty Senate representative to the new GMU Communications Group. This is a new group that is being put together across the university to try to be more effective in communicating our new vision.

IV. New Business - Committee Reports

A. Senate Standing Committees

Executive Committee – June Tangney, Chair

I want to convey to you what happened at the last Board of Visitors meeting. As you may recall, at our last Senate meeting, we reviewed and approved a range of different amendments to the Faculty Handbook that was discussed at length at various points with key members of the BOV, who brought it to the BOV last week. The BOV and APDUC decided that they would accept the amendments having to do with

promotion and tenure which, as you recall, removed the BOV from the promotion and tenure appeals process, but they declined to approve any other changes, including changes to our procedures for doing presidential searches, as well as quite a number of housekeeping items. The sense from the Rector and from Visitor Mendelsohn was that they would like to take a look at the entire Handbook and not do it piecemeal. It leaves me quite speechless, because that could take many decades. It is a fairly lengthy document that the Faculty Handbook Committee has worked very hard on over many years and with much input from you. So where we're at now: the Provost, who is concerned about this development, has set up essentially a peace summit meeting between Suzanne Slayden, myself, and one of the BOV members who was particularly involved in this. We will meet April 1st and will give you an update. I think the general message from the provost is let's not overreact, let's not take this as sand thrown in our faces, but instead hope that we can resolve this in a way that doesn't create undue tensions between the BOV – and I have to say – this is a minority of the BOV members. This was a surprise to many people on the BOV. Let's see if we can settle this before our next meeting. We will give you a full update at that point. Are there any questions?

A Senator asked: If only one person or two of the BOV members objected, then didn't it require a majority of the BOV?

Chair Tangney: Well they voted not to proceed with it. And frankly, I'm not sure that everyone on the BOV actually had looked in great detail at the kind of housekeeping changes that we were taking to the BOV.

A second Senator observed. If in fact it was determined that the BOV would take a unilateral look at making changes, I'm not saying that's going to happen, but if that were the case, then obviously it would not be a Faculty Handbook. So I'm wondering whether it would be anything like process that we have done in the past. Would the Handbook as it is now, stand, until a new Handbook replaced it, for instance, over a period of years?

Chair Tangney: The Handbook stands, it is an agreement between us. We have a few amendments that were passed around the P & T appeals process. But the other changes have not been approved, so we have the Handbook that we had several months ago, apart from the P&T appeals process.

Follow up: And that would be considered to go forward

Chair Tangney: I certainly think that we consider that to go forward. There is no sense from the BOV that they were suspending the Handbook at the time, they just wanted more time to examine the entirety.

A third Senator: Didn't we already learn last year that there are parts of the Handbook that are aspirational and parts that are contractual? So when you say the Faculty Handbook is to go forward, what it means is whatever the BOV wants to change a part of the Handbook that is aspirational, they have the power to do so already.

Chair Tangney: Well, it's been pointed out by a minority of the BOV that they can do anything they want including (pause) get rid of the Handbook, and I said, well, that would be a riot and is that what you want? And the answer was no. We obviously feel very strongly about this Handbook, this agreement that we have with the administration and with the BOV. I think it's important that we not overreact to what I see as a minority on that Board and try to work this through with the assistance of the Provost, who is very sympathetic to this situation.

A Senator: It seems to be a very powerful minority.

Chair Tangney: I would say that the Rector is very powerful.

A fourth Senator: I don't understand the difference where we place the minority and the majority. Is this something that they vote on as a body and the majority of them decide? In that case that is not a minority.

Chair Tangney: My understanding is that two individuals made this decision. The decision was conveyed during the APDUC committee meeting. That recommendation went forward to the BOV itself. My sense is that most people didn't see a big problem with waiting for another meeting to take a look at this. And there was some discussion about we need to look at the entire thing. So I think that the person who ultimately recommended that they not accept all of the changes is the person who was tasked to look through the entire Handbook and that's what he recommended. But now I think there is discomfort. Certainly there are quite a number of BOV members who are oriented towards working together with the faculty and who appreciate the fact that we have a strong Handbook, that reflects the fact that we are invested in this university, that we are invested in shared governance, and that's a plus. So I get that sense from quite a number of Visitors that obviously, there are differences of opinion. So I ask that you allow us to try to work this out with the small number of parties who were involved in this, and then see where we're at in a week.

A fourth Senator: Do we have any information to suggest that actions like this are occurring at other state universities in Virginia, or does this seem to be a George Mason thing?

Chair Tangney: I have no knowledge of any other Handbook issues.

Follow Up: Along with what we read in the newspapers and occurred at UVA in the last year or so. Putting them together, it's discouraging, to say the least, here.

Chair Tangney: I think it's of concern to some of the Visitors because of the UVA thing. They don't want to go down that path. We have generally had a very good working relationship. I think what's ironic is that one of the major areas that was not accepted had to do with the presidential search, which was to get around the problem that we had last year.

A fifth Senator: Do you sense that they know the Handbook or maybe they needed a little time to read through it?

Senator Slayden, Chair of the Faculty Handbook Revision Committee: There are a couple of problems. The man who was tasked with reading the entire Handbook, when we first started discussing the Presidential Search section, has yet to do that. He was supposed to make the report in January, and he said he didn't know that. He was supposed to make a report in March and he hadn't done that. And so he says our Handbook is significantly different, well that's true, somebody ventured to suggest that perhaps it is significantly better, but that didn't go over. When they said they didn't want to do it piecemeal, it occurs to me they didn't want to look at all our housekeeping changes last time, vote to approve those, and then not approve the Presidential search. That's what they're really looking at. And if you look at the UVA Handbook— it didn't take long to go through all the Handbooks in Virginia to find out what they're saying about the presidential search,— UVA says the Visitors will determine how a presidential search is undertaken — that's one sentence, that's all it is. So now it seems with Peter Stearns' intervention which came perfectly toned and tuned — the message he wrote to the Visitors — there's some tension because of this, there's a little bit of backpedalling

Chair Tangney: But we will try to move that along. We have in the Handbook a statement that the percent(age) of term faculty should not exceed twenty-five percent. And currently the Provost has indicated that we are slightly over, actually in violation of the Handbook, at 26%. He had requested we change that to 30%. The general sense from the Executive Committee that I wanted to bring to you is that this is a big issue. As it's written in the Handbook, it only addresses part of the picture -full-time, term, tenure-track and tenure. It doesn't take into account adjunct faculty. And so we thought it was important — not necessarily to act on this hastily — to send it back to the Handbook Committee to study and also have been in touch with Michelle Marks, who heads up the Strategic Plan process, and that as part of the strategic planning, that we really take a hard look at the different classes of faculty that we have and think about how we can make the best use of these resources on campus and what the balance should be.

A sixth Senator: Didn't we have a number of years ago we had an agreement in writing as part of the Handbook, with the President and the Provost, that a majority of our faculty would be tenured/tenure-line?. What is the figure today? What is the percentage of the faculty that are tenured, tenure-line. What percentage of our courses are being taught by tenure and tenure-line faculty and term faculty? Chair Tangney will request the request this information.

A fourth Senator: When we last did a full revision of the Handbook 25% was a higher number than we had been originally talking about/compromise greater than 20%, that supposedly gave flexibility as some parts of the university have more term faculty than others. So I am concerned that this number keeps going up, realize it is tied into budgets.

Chair Tangney: One of the issues was teaching load. Do we want to teach more? Or have more term faculty? That does not answer the question about the use of adjuncts and whether that goes up or down and it seems to me that is a much bigger issue.

Professor and Senator emerita Esther Elstun: I simply wanted to call attention to the fact that the 25% was not plucked out of thin air. The recommendation of our accrediting agency (SACS) was that the percentage not exceed 25%.

Chair Tangney: That's really important to know. Thank you. Other comments?

An eighth Senator: Is it by department or across the university?

Chair Tangney: Across the university. Suzanne Slayden put together some very interesting tables that show that percentage varies dramatically across colleges and units. This is university-wide.

Follow Up: Regarding the question about do you want to teach more? It is related to how much funding we're asked to generate. If you have to generate funds for research, that has to pay for it

Chair Tangney: In our vision statement now, research is a primary focus. We do need people to do research, absolutely. We have very valuable term faculty and adjunct faculty.

Academic Policies - Sheryl Beach

Catalog Copy Addition: Final Exams

Suggested addition below: final

Catalog Copy Addition

Final Exams

Undergraduate courses usually culminate with a final exam. Except in predominantly laboratory courses, **final** exams may not be given during the last week of classes. Exams may not exceed the scheduled length of two hours, 45 minutes. Changes in location or time of in-class final exams must be approved by the appropriate department chair and dean. A professor who is considering assigning a take-home exam or significant end-of-semester paper or project should inform the students at the beginning of the semester. Such assignments should be distributed by the beginning of the last week of classes so that students can coordinate them with preparation for other exams. Students must not be required to submit exams before the date of the regularly scheduled exam for a course. Retaking final exams is not permitted. Students who have more than one examination scheduled at the same time or more than two examinations scheduled on the same day should consult their instructors to explore whether they can make other arrangements. If campus-wide disruptions to class meeting schedules occur during the semester (e.g., due to severe weather), a revised final exam schedule may be issued. In this event, students and faculty are expected to adhere to the revised schedule. **The examination period may be prolonged, and individual exams may be shifted to the last day of the revised exam period.**

[Last sentence was approved at the February meeting of the Faculty Senate.]

The motion was approved.

Budget & Resources – Susan Trencher, Chair

The Independent Study Survey is in abeyance for the moment, but we'll get back to that.

Summer School Funding: A new email will be sent out asking any full-time faculty member who requested to be allowed to teach a course in the summer if were they turned down in any unit to please notify us. The intention of the survey done by Budget and Resources last year was to make sure everybody was aware of the practice/wording in the Faculty Handbook ([Section 3.3 Summer Salary](#)) that says that full-time faculty can teach a course as long as it is consistent with scheduling and other kinds of things, so there are various kinds of addendums to that. It has come to our attention that this has not been fully funded, which was the intention of our inquiry last year. So instead of chairs, we will be asking individual faculty to let us know if they put forward their names for summer teaching and were not given the opportunity or not allowed to discuss the opportunity

Salary Data was a bit delayed this year. My understanding is that the information comes from HR and goes to somebody in the Budget Office. They then have to turn that material into a format that we can post. So we now have that data – it was brought to the Executive Committee this week. There were some questions about the format in which this occurs, so now we have to go back to go look and see what the different columns actually represent. As soon as it is ready to be posted, we will send out a message.

Finally, Senator Houck and I attend the university-level budget committee meetings, and provided a brief report. The University is still projecting growth in funding from a variety of sources, which includes meeting enrollment targets, research, and donor monies. The shortfall in meeting enrollment target caused an issue with the fall budget. It is somewhat redressed by admitting more students for the fall semester than we have ever done before. You can't make that money back, but you can certainly stop falling, and that's basically happened. It is important to note that the shortfall in admissions in the summer did not result in an inability of the university to meet its financial obligations. One of the things that is a factor, but not an overall factor, for example, law schools nationwide are experiencing a shortfall in enrollment. There are discussions at the level of the ABA to make law degrees two years instead of three. The Law School is going to offer financial incentives in the form of scholarship money to everyone they admit. Because they have a shortfall that money has to come from the general fund of the university. On the other hand, the law school charges premium tuition, and was regularly giving part of that money back to the university general fund. In some sense this is a balancing act. Tuition is obviously a factor in university finance. There are a number of reasons why tuition cannot rise at same level as it has been rising for years. There is a nationwide discussion about student loans. The Board of Visitors will decide the tuition increase level in May (current discussion is that they will allow it to rise between 2-3%). Overall GMU did better in the funding cycle in the Governors' Budget than expected and better than many of the other universities in the state.

Question: Some years ago, when the salary information was posted, to ensure that there was a column that specified stipends and bonuses; because those amounts are far larger than anyone assumed, and so they made the base salary not representative of what was being paid. There seems to be some inequity across the campus and sometimes within the same departments. Is there a magic number of students required for a summer class to be offered?

Chair Tangney: I believe that is decided dean by dean.

A fourth Senator: To look at another way in which faculty sign up to teach over summer and take on a humungous load, many, many multiples of the tuition. So on the one hand, is there an appropriate level of funding, and how do we divide that up? On the other hand, creates a lot of inequities; it didn't used to be a problem. Some faculty asked being asked – sometimes they are more than willing to do it - to teach large sections in summer and takes opportunities away from other faculty and from students to have an occasional small classes.

Senator Trencher: It is unit-by-unit, because two years ago summer school was decentralized. Before that, summer school was run by the university, through the Provost Office. This seems to have added to various kinds of demands of faculty, because it is now at the local unit. So there is no university strategy for this and I think that may be something the Senate might want to take up. The criteria used to be if the class filled to the extent that the faculty salary would get paid, the class would go forward, but now there are units that are setting higher limits than that for the class to go forward.

Faculty Matters – Jim Sanford, Chair

Senator Sanford presented two reports, they contain no action items.

Faculty Evaluation of Administrators Survey

Attachment A

First of all, the committee has spent quite a bit of time over the last few months reviewing the questions on the Faculty Evaluation of Administrators survey . We've attempted to improve them, we looked back and found that they really haven't changed at least this millennium, I'm not sure how much before that. The survey is about to go out, hopefully for the better. The questions are fairly parallel. There is a question for example on leadership, for each of the levels of president, provost, and dean/director, as well as questions on transparency, staff and staff activities. Both the President and Dean have questions having to do with fundraising. The Provost does not, as it is not in the job description of the Provost. So essentially there are some fairly major changes in the questions themselves. I asked Star (Muir) as parliamentarian whether the changes had to be approved by the entire Senate, and the answer was it depends on how we did it the first time around. Looking back, the Senate never approved the questions through the committee who did it initially, so this does not require action, but we'll certainly take comments, although at this point I don't think we could change anything for this year. Had this meeting occurred at the beginning of March, we could have; this is just about to go out.

Discussion:

A ninth Senator: At one time there were different scaling for different questions. Has that been corrected?

Senator Sanford: No, there's still the 1-4 for these (questions) and I think the overall evaluation is 1-5. I'm not sure what the history of that was, but we didn't touch the actual scaling.

Follow Up: But why not?

Senator Sanford: We were interested in the content this time around.

A seventh Senator: In the interest of consistency, I would like to see the same gender neutral language that is used for deans and directors applied to president and provost as well.

Senator Sanford: We talked about that, and that came up in the Executive Committee too. But the President and Provost, of course, are males for now. But that can be changed when it occurs to she or her. It doesn't seem to make much sense to use she or he when we are talking about one person.

Follow Up: How often do we change these questions?

Senator Sanford: That would not be a change of anything other than the pronoun. So if our next Provost, for example, was female, then we'll change the Provost to she. That was the agreement by the Faculty Matters Committee and most of the Executive Committee, not all of them.

Question: Did you remove anything, or make additions to leadership?

Senator Sanford: There are changes, we removed some things. Some questions seemed to be outdated. There were some things deleted, some modifications, and then the additions.

Senator Billingham, a member of the Faculty Matters Committee: One of the things we found was questions, as we do in traditional research, we ask the question three different ways. So we decided instead of having 15 or 16 questions, that if we had things that were asking the same question, we did some deletion in trying to make things more succinct. In taking the survey in past years myself, I often felt that several levels under same leader, I was answering the same question. So we tried to minimize that without taking anything out that was an important evaluative point.

A tenth Senator: Perhaps next time you do this, you simply say something like the Provost, Peter Stearns...so you would have an annual report archived, and you want to go back a couple of years, it would be very easy to check which person you report about, that would take out the issue whether was male or female, just put the name. It makes it clearer if you want to look at the archival material and see what the reports are saying.

Senator Sanford: Maybe we can still do that this year.

Criminal Background Checks

Senator Sanford: You may remember that in September we reported for the committee that Human Resources and upper-level administrators had initiated a background check that was universal for all new employees and everybody changing positions, that took effect, I think it was last June (2012). The Faculty Senate and faculty in general were not involved in that. So Dave Kuebrich and I met with Linda Harber and Jessica Cain several times during the summer. We reported back in [September](#) that this now applies to every new employee, faculty or staff, and everybody presently employed that changes positions. It does not include the promotion from assistant to associate; but if you go from professor to associate dean or something like that, that will require a background check. Before there were only selected positions that required criminal background checks. This was implemented as a universal policy essentially last June. The Senate asked us to go back and review this and we did – along with Dave and Linda and Jessica from Human Resources. The committee was very much divided, as faculty in general tend to be about whether this should be universal. Some people think there should only be targeted background checks –e.g. if you have someone working with children. Others, including some committee members, think this is not a bad policy to require that everybody undergo a background check at the time of hiring or changing positions.

We decided to request HR/Payroll fill out an end-of-academic-year report going from April 1st to March 31st each year answering seven questions (below) without getting into specifics as far as being able to identify somebody. So this will be a report included in the April or May meeting of the Faculty Senate.

Questions for Human Resources & Payroll regarding criminal background checks

1. How many criminal background checks were conducted between April 1 last year and March 31 this year?
2. How many criminal background checks covered full-time faculty? Adjunct faculty?
3. How many potential employees or individuals changing positions within the university refused to allow HR&P to conduct background checks? How many of these were potential or actual faculty members?
4. How many individuals failed to be hired or to change positions within the university because of the outcome of background checks? How many of these were faculty?

5. How many people were terminated due to background checks? How many of these were faculty?
6. How much did it cost the university to conduct background checks during the reporting period?
7. Were there any violations of confidentiality or other aspects of the Background Investigation Policy during the reporting period? Without compromising confidentiality, explain.

Discussion:

A tenth Senator: Does the background check include examination of social media?

Linda Harber: No, the background check vendor does not check social media.

Chair Tangney: Does this require a vote?

Senator Sanford: No. My personal opinion is after about two years we will see that we're spending tens of thousands of dollars for no benefit if we check everybody. But that's for the future, to be determined. Linda and her staff have agreed to produce this at the end of the academic year.

A sixth Senator: If we go out and commit any crimes and get arrested, we are supposed to report that to Human Resources, is that correct?

Linda Harber: To your supervisor.

Follow Up: To your supervisor. And is the supervisor to report it to Human Resources?

Linda Harber: We don't have that many of those, but yes.

Follow Up: When I mentioned this earlier, there were a couple of issues that should be clarified. The issues are (1) Civil Disobedience, (2) Appealing an arrest. It's kind of inappropriate to have planning like that in place, especially when our leading faculty professional organization thinks that blanket background checks are a bad idea. I'm uncomfortable with that. I like what the committee has done, but still would like to see Faculty Senate disapprove of the present policy.

An eleventh Senator: . One of the questions asks if I ever had a moving traffic violation? If I didn't see a no stop on red sign, I have to disclose that, and that's part of my criminal background check?. If that happens next week, I have to go tell my supervisor that I turned right on red and got in trouble for it.

Linda Harber: No, not moving vehicles. You don't have to report moving vehicles to your supervisor. That is usually initially part of your initial application, when you are disclosing all the information.

Follow Up: But even on the initial application, that has nothing to do with the job I'm applying for. The fact that it's on there is a little bit concerning.

Linda Harber: I understand the concern, but it's not taken into consideration if you are not driving a vehicle on campus. There are very few people who are major drivers on campus that this would apply to.

A sixth Senator: It should be targeted, not blanket.

Linda Harber: That piece of the policy is in the original policy from 2006, it's not new.

A fourth Senator asks for clarification. If one has to report or is expected to report when they are arrested, that's very different from when you've been convicted. I don't know what the numbers are, but there are lots and lots more people who are arrested and charged with having committed crimes that are never actually found guilty, they're exonerated. Even when someone is convicted, we have appeals procedures, sometimes take years. So if one is not officially guilty of a crime until the appeal is over. All of those are issues. I'm afraid if we report arrests, many people would look at that as if you were arrested, you must be guilty, you must have done it. That's not our criminal justice system,

Senator Sanford: It is convictions you have to report, not arrests, right?

Linda Harber: Yes.

Senator Sanford: That's good. You can be arrested walking out of here if you want, you wouldn't have to report it unless you were convicted.

A twelfth Senator: suggested including a question about how many faculty have reported subsequent convictions to Human Resources?

Senator Sanford: I don't think anything's changed since we last met with the people from Human Resources but, I think, historically there has not been a faculty member who has not been hired or has not been allowed to change positions as a result of the criminal background check. Particularly for faculty, if we come back two years from now and say we spent \$35K on criminal background checks and we got nothing. We can use that \$35K in other ways.

A second Senator: It is your personal business if you've been convicted of a crime. I don't know what's going on in various work spaces, but as a citizen, people are not going to go around and say it; they may not even tell their family members. Conviction does not mean you lose your right to your work, or to lose the right to your own business, and we should frame a statement to that effect.

A ninth Senator: This whole thing has a certain Gestapo element to it. I can see us developing a targeted kind of thing, very specific, like people who deal with children at the Child Development Center. Just as a sweeping kind of thing, I just find it very distasteful.

Several Senators objected to the term "Gestapo," and raised concern about that term in particular during Passover.

A thirteenth Senator: A lot of things are wrong without being Nazi.

A ninth Senator: What I mean it's sort of statist and prying and

A thirteenth Senator: Ok, you say that. But Nazi rhetoric really is alienating, offensive and doesn't belong here.

A ninth Senator: I'm not a politically correct person anyway.

A thirteenth Senator: I'm not talking about political correctness, I'm talking about insulting people in the room. You are saying that people in this room are involved in a Gestapo tactic, and I'm sorry, but that is the exact word you used.

A ninth Senator: But I am talking about a policy, not about people.

A thirteenth Senator: If you know anything about the Gestapo, you know that is a completely inappropriate thing to say. I think you should withdraw it and apologize.

A ninth Senator: I don't withdraw it.

Chair Tangney: It is important that we have a discussion about this and I think we've gotten a little bit off track. I think to be careful about one's words is important, because they can carry a lot of weight.

A fourteenth Senator: I will be a little countercultural. I have no problem with this policy if implemented well and carefully and the information is treated confidentially. We can be here talking about any number of policies, that, if implemented poorly or insensitively, or without appropriate confidences, are very objectionable. I am at the College of Education and Human Development and our employees and interns are in schools, working with children. There has always been an expectation that these kinds of checks be done. And I'm not sure that's any different for those of us who are working with 18 and 19 year-olds.

Chair Tangney: Well it sounds like we have a mechanism for gathering data, to find out how this policy is actually implemented in a day-to-day sort of way, and that data after a couple of years to re-examine the situation.

A fifteenth Senator: I have a technical question with respect to questions 4 and 5. When we ask how many, and the number is very low, aren't we in the position potentially of compromising identity of people?

Senator Sanford: The original questions had something with that (phrase). At Linda's and Jessica's suggestion that was removed for that very reason.

Linda Harber: It will be a number with no identification, school or department. We wouldn't give it to you if violating confidentiality, it's very important.

Follow Up: The only concern is, for example, if only one person, it might lead to revealing who that person is. Suggests response "too small to report", or something like that.

A sixteenth Senator: Let me complicate this a little bit. The justice system affects certain groups of people differently than others. Is there any way Human Resources could be aware of that in the collection

of data, since I'm seeing this as a mechanism of getting us more informed, so that we have an idea. Some of these things may backfire in terms of pushing us backwards into some of the areas of our visions, like diversity that we are hoping to further in the next era. So we try to make the truth finding as complete and as comprehensive as possible, so that we are truly informed of what's going on.

A second Senator: This is just a point of information. Can we separate the notion of having to report if you've been arrested or convicted from the rest of this? Can we speak to them or have a motion on them separately?

Senator Sanford: Having to report a conviction was in the original policy from the time it was implemented several years ago. So there's nothing new there. This has to do with the universality of it. The committee was tasked to look into this because that was a significant policy change that was kind of pushed on us; issue that we did not have any input into it.

Nominations – Jim Bennett, Chair

Jason Dunick (CHSS) is nominated to serve as faculty representative to the Parking Appeals Committee. No other nominations were made from the floor and the nominee was unanimously elected.

We are conducting elections for Faculty Representatives to the Board of Visitors. We have five openings, and I'd like to congratulate Jim Harvey for being the only one nominated and running for the Development Committee, so congratulations on your election even though no ballots have been cast.

Organization & Operations – Star Muir, Chair

Allocation of Senate Seats 2013-2014. Senator Muir noted there were no changes in the allocation from the previous year.

From: Star Muir, Chair, Organization and Operations Committee, Mason Faculty Senate

Subject: Apportionment of Senate Seats for 2013-2014

Date: February 24, 2013

Process: The Senate Charter, in Section 1.B., provides the rules for apportioning Senators among the academic units. The Committee on Operations and Organization is charged with performing the calculations and determining the allocation of Senate seats.

Summary of Results: The details of the calculations are provided on the attached chart. Here is a summary of the results:

- The allocation of Senators to all academic units remains unchanged.
 - As in the previous year, ICAR (now the School for Conflict Analysis and Resolution) and the Krasnow Institute 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 SCAR and Krasnow together are represented by one Senator.
- Data: As in previous years, these results are based on Instructional Faculty FTE data provided by Institutional Research and Reporting. Thanks go to Dr. Kris Smith, Associate Provost for IRR, and Mr. John Dooris, Institutional Research Analyst, who were instrumental in providing the data. 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..." The data used in the calculations are the official census data as of Fall 2012. These are the latest official Instructional Faculty FTE data that were available on February 1, 2013.

Academic Unit	Status	Instructional Faculty		Research Faculty	
		2012 HC	2012 FTE	2012 HC	2012 FTE
College of Education and Human Development	Full Time	126	126.0	4	4.0
	Part Time	181	54.0	2	1.4
	Total	307	180.0	6	5.4
College of Health and Human Services	Full Time	80	80.0	9	9.0
	Part Time	104	38.3	1	0.9
	Total	184	118.3	10	9.9
College of Humanities and Social Sciences	Full Time	383	383.0	33	33.0
	Part Time	256	108.4	8	6.0
	Total	639	491.4	41	39.0
College of Science	Full Time	199	199.0	82	82.0
	Part Time	52	19.7	8	3.3
	Total	251	218.7	90	85.3
College of Visual and Performing Arts	Full Time	70	70.0	1	1.0
	Part Time	90	34.2		
	Total	160	104.2	1	1.0
School for Conflict Analysis and Resolution	Full Time	20	20.0	3	3.0
	Part Time	18	6.3	2	1.4
	Total	38	26.3	5	4.4
Krasnow Institute	Full Time	10	10.0	13	13.0
	Part Time	1	0.3	2	1.5
	Total	11	10.3	15	14.5
School of Management	Full Time	82	82.0		
	Part Time	54	19.4		
	Total	136	101.4	0	0.0
School of Law	Full Time	37	37.0	10	10.0
	Part Time	69	19.3	1	0.9
	Total	106	56.3	11	10.9
School of Public Policy	Full Time	44	44.0	6	6.0
	Part Time	24	7.3	5	2.0
	Total	68	51.3	11	8.0
Volgenau School of Engineering	Full Time	141	141.0	20	20.0
	Part Time	139	50.5	12	6.1
	Total	280	191.5	32	26.1
Academic Unit Total	Full Time	1192	1192.0	181	181.0
	Part Time	988	357.6	41	23.4
	Total	2180	1549.6	222	204.4

Academic Unit	% of total Instructional FTE	x50	2012-13 Allocation	2013-14 Allocation	Change
College of Education and Human Development	0.12	5.81	6	6	0
College of Health and Human Services	0.08	3.82	4	4	0
College of Humanities and Social Sciences	0.32	15.86	16	16	0
College of Science	0.14	7.06	7	7	0
College of Visual and Performing Arts	0.07	3.36	3	3	0
School for Conflict Analysis and Resolution	0.02	0.85	1	1	0
Krasnow Institute	0.01	0.33	0	0	0
School of Management	0.07	3.27	3	3	0
School of Law	0.04	1.81	2	2	0
School of Public Policy	0.03	1.66	2	2	0
Volgenau School of Engineering	0.12	6.18	6	6	0
Academic Unit Total	1.00	50.00	50	50	0

B. Other Committees/Faculty Representatives

Update from Professor James Harvey, Faculty Representative to the BOV Development Committee

Most of you know there are five standing committees to the Board of Visitors, one of which is Development. The charge in the by-laws of the Board of Visitors is to make recommendations to the Board on all matters regarding fundraising. I've had the pleasure of being included in the Standing Committee on three different meetings. Rector Clemente and Dr. Cabrera were present at each of these meetings. It's clear to me they are very interested in development activities. David Roe (President of the GMU Foundation) will be speaking to you, as soon will Dr. Cabrera. Let me give you four topics that I can talk about, perhaps can be a source of questions for these folks.

- 1- Presentation by an outside consultancy that talked about how universities staff development. There are many different models.
- 2- As you may be aware of, Marc Broderick has resigned and taken another position in private industry. There is a search committee currently for the Vice President of Development. We have a couple of new people on campus: hope you get the opportunity to know. One of them is Laura Gleason, who comes to us from the Smithsonian, a very, very sharp and impressive person
- 3- The Foundation has reconfigured its portfolio by getting rid of its outside management team at a savings of \$100,000/year. Currently they are managing endowment using index funds – essentially the endowment is in 65% equities and 35% fixed income, for relatively conservative to aggressive balance.
- 4- Relationship between George Mason and GMU Foundation Inc. receiving considerable scrutiny right now. That's probably all I can talk about that.

Professor Harvey thanked Senate chair June Tangney for mentoring him in his first year on the committee. Professor Jim Finkelstein also serves as Faculty Representative to the Development Committee. He has a two-year appointment. I have a one-year appointment.

Chair Tangney thanked Professor Harvey for his service and the update. Because we have two representatives to most of the standing committees, we are now in the process of conducting elections so that they're staggered, so we don't have two new people coming on at the same time. That's the reason for the one year term. Professor Bennett corrected Professor Harvey by reminding him he has a two-year term as he has just been re-elected.

Brief Overview of the Strategic Planning Process – Michelle Marks, Vice Provost for Academic Affairs

Chair Tangney introduced Professor Michelle Marks, who is going to speak briefly. Now that we have a vision, where do we go from here?

To share what we know now about the Strategic Planning Process, in terms of the process itself, but also the timeline, and the general phases we will be going through. The first thing is that we separated our process with coming up with a strategic vision which we have just gone through as a university, from the strategic planning phase. Not all universities do it that way, most of them combine the process. President Cabrera separated that into two phases. That initial Strategic Vision process which we've just completed and was just approved by the Board at its last meeting, came up with a new vision and also a set of seven commitments. The seven commitments essentially say Give us a direction of how we're going to move forward in terms of committing to expanding our research, expanding our animated learning, expanding executive and distance education, things that will bring alternative revenue streams, attention to efficiencies at the university. But what they don't say is how we are going to do it. And so the Strategic

Plan Process will be a set of goals and strategies saying how we are going to achieve those seven commitments.

There will essentially be three components to this. The first is the development of an umbrella strategic plan which will take those seven commitments as a table of contents and build out some high level goals under them. A lot of the working reports that we collectively generated have suggestions for strategies in them and those will be filled out as well. Right now we have some preliminary work going on with Vice President Wayne Sigler modeling some enrollment scenarios. We want some of the financial implications ultimately with a ten year frame on this. We want to be able to say what kind of initial funding will be there for the directions we decide to go. Our peer institution plans, our local institution plans, basically state not only that they are going to go forward, but talk financially about how they are going to go forward in this direction. So we have some preliminary research underway in those areas right now. We also have lots of information that was generated from the Vision process, and that work will happen this spring.

A second piece, which all of you will be involved with as well, is Academic Planning. We've already been talking with the deans about the process going forward. Essentially, each academic unit will be asked to put forward their own academic unit plan. That process will primarily occur in September and October. However, we are talking with deans now about how they want to set up their own process, which will have faculty involvement. We're not going to dictate the way they do it, but we are making available some resources in terms of facilitation, data, etc., to prepare for a fairly quick two month process of academic unit planning in early fall.

The third piece, which is not so much related to academic unit planning, although actually it is, is all the non-academic unit planning that occurs. That includes the facilities master plan, the ten-year deep level facilities planning effort that is run out of our facilities shop. They work deeply with the academic units to talk about the type of classrooms, buildings, research space, etc. that is needed. There is also the Comprehensive Campaign the fundraising campaign, that will go public about a year from now.

There are a handful of other plans, including research plans, and other pieces as well. Aligning these various planning efforts so that we can get the academic planning component of this completed or at least well underway and then have the technology planning, the facilities planning, etc. fall in line/staggered after that. The Board expects a completed strategic plan by December, which effectively means November is our deadline, because we've got to get it to the Board before that. That's pretty aggressive, especially because the summer falls right in the middle of that time period. I hope that you'll invite me back to tell you more. If you have additional thoughts, I would be happy to work with you off-line or with Executive Committee.

VI. Other New Business

Chair Tangney presented the following resolution, which was put together because we did not approve, as a faculty, the amended Faculty Handbook language with percentages of faculty representations on the committees:

Resolution for an Open and Faculty-Oriented Search Process for the New Provost

Whereas, the Provost is the Chief Academic Officer of the University, responsible for myriad issues that address curriculum quality, professional integrity, and the value of academic degrees at George Mason University; and

Whereas, faculty input into the selection of the Chief Academic Officer is critical to ensure confidence and strong relationships based on respect, fairness and transparency; and

Whereas, there is no convincing, public evidence that closed, or “confidential” searches result in a superior candidate pool;

Be it resolved that the Faculty Senate strongly recommends that the hiring committee for the next Provost of George Mason University be composed of at least 55% faculty (with at least half of these elected by the General Faculty), and that the hiring process involves the opportunity for the General Faculty to meet with candidates (plural) before any final selection has been made so that meaningful feedback can be solicited and processed before the final appointment.

The resolution was approved.

Chair Tangney asked for unanimous consent to add a last minute item to the agenda for today. It is time sensitive to talk about the timing of evaluations with the news that we are receiving a raise. Do I hear any objection to adding this to business. (No objections were raised).

Provost Stearns is very concerned, he has been having trouble with email – he really went the extra thirty years to get messages in to me from Pakistan. The issue here is that the Faculty Handbook specifies that we be evaluated annually for raises. We have just received word from the General Assembly, there is one final step that needs to happen April 15th, that we may get a 3% raise. What the state needs is an evaluation early, not in September, but now, so that that raise can go into effect in September (not December). So the Provost is asking is if we would be willing to temporarily relax the Handbook statement regarding the timing of annual evaluations for this year only so that we can get that information into the system that would be used to allocate the raises.

A second Senator: Expectation that December raise date, which has been in effect for over twenty years, was the result of a budget shortfall, and raises should have been given all these years in August. Would we then be moving into a different cycle? Do we have any knowledge about that?

Chair Tangney: No knowledge at all.

Linda Harber: It's just what they did with the raise this year, they moved the date.

Chair Tangney: And I think the general sense is the money probably is going to be there, April 15th. If we don't, given the state of affairs, we don't want to push this off, we want to take it while it's there.

A second Senator: There is a good deal of discussion that I've heard on campus about whether it's required that merit be paid out ---given the number of years that there has been no raise. There are many people on campus that feel this should be, however it's phrased, a reflection of basically five, six years, with only this time increment. It's especially harmful to play out this merit thing for faculty getting close to retirement, because nobody will ever catch up. But in fact if they are limited in terms of having to pay out a raise pool. Is it a state requirement that merit be paid out in this raise cycle, or could it be paid out according to a unit's wishes?

Chair Tangney: I know there was some thought about looking back further than essentially a year and three-quarters. The concern was for faculty who had been hired relatively recently, they wouldn't have those four years.

A second Senator: (expresses concern) about faculty who have been here for thirty years.

Senator Sanford: But the issue is not how many years you go back, the issue is why isn't this an across the board cost-of-living? We've had nowhere near cost-of-living raises for the better part of a decade.

Linda Harber: I hear what you're saying, I tend to agree. Because the Provost, and I agree with his concern, if you use 2012, all of your new faculty would not even have an evaluation. And you're not addressing this last year, the language in the appropriations act does say merit. Now whether or not the institution could be comfortable with that ---we're not having finalized plans, because it's not signed yet.

A twelfth Senator: It is not necessary to have an exception to the Faculty Handbook. There is language in the Faculty Handbook that takes into account all years when we haven't had raises, as part of your evaluation. I hope nobody will forget that, that we've had several years of evaluations and no raise to accompany it. To have half of a year that needs to be evaluated is an accommodation, it doesn't have to be an exception. Also this across the board raise, merit can be also be cast in the language of satisfactory/not satisfactory. You merit a raise if you are not evaluated as not satisfactory.

Chair Tangney: Happy to hear that maybe we're not violating the Handbook by doing this. This was the concern of the Provost and I think that it really reflects that he respects this Handbook and our feelings about it. He really, really went out of his way to have this message from Pakistan.

A ninth Senator: I always understand the Faculty Handbook as a tripartite signed by three parties: (Administration/Faculty/BOV). Does the Provost want the faculty to make a quick, temporary change to the Handbook? Can we do that, given there are three parties to it?

Chair Tangney: We're not changing the Handbook, we're asked to vote to temporarily relax the Handbook statement about the timing of evaluations for this year.

Follow Up: I think that's a dangerous precedent.

A twelfth Senator: I think it's not necessary, we do our annual evaluations as we always do, and our supervisors ask for updates to be added to them.

Chair Tangey: It is now 4:20. We do not have to act on this today, we can pick up on this again next week.

VII. Remarks for the Good of the General Faculty -none

VIII. Adjournment: The meeting was adjourned at 4:20 p.m.

Respectfully submitted,
Peter Pober
Secretary

ATTACHMENT A

Revised Questions: Faculty Evaluation of Administrators

President:

1. Effectively articulates an appropriate vision for the future of the university.
2. Effectively articulates the mission and goals of the university, both internally and externally.

3. Effectively works with the university community in developing the vision, mission, and goals of the university.
4. Effectively develops relationships between the university and the larger community, including political and business groups and university alumni.
5. Provides effective leadership for the university.
6. Effectively addresses the concerns of the faculty.
7. Is transparent in his actions and decision making.
8. With his staff, undertakes activities appropriate for the office.
9. Has a staff of the appropriate size and make-up to complete his responsibilities.
10. Effectively obtains resources from the Commonwealth.
11. Effectively obtains funding from sources other than the Commonwealth.
12. Ensures equitable distribution of resources across the university.

Provost:

1. Effectively articulates the academic mission and goals of the university, both internally and externally.
2. Effectively works with the university community in developing the academic mission and goals of the university.
3. Effectively promotes a culture of scholarship.
4. Effectively develops relationships between the university and the external community to promote scholarship.
5. Provides effective academic leadership for the university.
6. Effectively addresses the academic concerns of the faculty.
7. Effectively recognizes faculty accomplishments.
8. Is transparent in his actions and decision making.
9. With his staff, undertakes activities appropriate for the office.
10. Has a staff of the appropriate size and make-up to complete his responsibilities.
11. Effectively obtains university funds for academic needs.
12. Ensures equitable distribution of resources across academic units.

Deans/Directors:

1. Effectively articulates the mission and goals of the academic unit.
2. Effectively works with the academic unit in developing its mission and goals.
3. Effectively promotes a culture of scholarship within the academic unit.
4. Effectively promotes collaborative relationships that serve the mission of the academic unit.
5. Provides effective leadership for the academic unit.
6. Effectively addresses the concerns of the faculty.
7. Effectively represents the concerns of the academic unit to the central administration.
8. Effectively recognizes faculty accomplishments.
9. Is transparent in his/her actions and decision making.
10. With his/her staff, undertakes activities appropriate for the office.
11. Has a staff of the appropriate size and make-up to complete his/her responsibilities.
12. Effectively obtains university funds for the academic unit.
13. Effectively obtains funding from non-university sources.
14. Ensures equitable distribution of resources within the academic unit.