

GEORGE MASON UNIVERSITY
MINUTES OF THE FACULTY SENATE MEETING
APRIL 27, 2016
Robinson Hall B113, 3:00-4:15 p.m.

Senators present: Alan Abramson, Changwoo Ahn, Dominique Banville, Jim Bennett, Alok Berry, Ángel Cabrera, Carol Cleaveland, Lloyd Cohen, Richard Craig, Betsy DeMulder, Charlene Douglas, Pamela Garner, Michele Greet, Jesse Guessford, Mark Houck, Dimitrios Ioannou, Bijan Jabbari, Bruce Johnsen, Larry Kerschberg, Karina Korostelina, David Kravitz, David Kuebrich, Timothy Leslie, Kumar Mehta, Daniel Menascé, Jim Metcalf, Linda Monson, Elavie Ndura, Paula Petrik, Keith Renshaw, Pierre Rodgers, Catherine Sausville, Joe Scimecca, Suzanne Slayden, Susan Trencher, Iosif Vaisman, Jenice View, Phil Wiest, Shelley Wong, S. David Wu, John Zenelis, Stanley Zoltek.

Senators absent: Mark Addleson, Peggy Agouris, Kenneth Ball, Lisa Billingham, Doris Bitler Davis, Deborah Boehm-Davis, Henry Butler, Andrew Carle, James Conant, Rick Davis, John Farina, Mark Ginsberg, Chris Kennedy, Kevin McCrohan, Sarah Nutter, Robert Pasnak, Thomas Prohaska, Mark Rozell, James Steele, June Tangney.

Visitors present: Marisa Allison , Organizer w/MCAL and PhD student, Sociology; LaShonda Anthony, Director, Academic Integrity, University Life; Kushboo Bhatia, Outgoing Student Body President; Jacob Broderick; Deborah Crawford, Vice President for Research; Aurali Dade, Assistant Vice President, Research Compliance, Office of Research Integrity and Assurance; Eve Dauer, University Registrar; Steven Dillingham, Assistant Registrar for Certification; Pat Donini, Assistant Vice President, Human Resources; Basak Durgin, Cultural Studies; Kim Eby, Assoc Provost for Faculty Development/Director, Center for Teaching and Faculty Excellence; Kim Ford, Personnel Project Manager, Provost Office; Linda Harber, Vice President, Human Resources and Payroll and Faculty/Staff Life; Dan Joyce, Associate Professor, School of Dance; Megan Kirk, HR Consultant, HR/Payroll and Vice Chair, Staff Senate; Bethany Letiecq, Associate Professor, College of Education and Human Development; Michelle Lim, Faculty Initiatives Manager, Human Resources/Payroll; Michelle Marks, Vice Provost for Academic Affairs; Janette Muir, Associate Provost for Undergraduate Education; Reem Nadeem, Dan O'Brien, Faculty Senate Liaison, Student Government; Nathan Pittman, Student Body President; Claudia Rector, Assistant Provost for Academic Affairs, Marilyn T. Smith, Vice President/Chief Information Officer, Information Technology Services; Bethany Usher, Director, Students as Scholars, OSCAR/Associate Director, Center for Teaching and Faculty Excellence; Mohan Venigalla, Associate Professor, Civil and Environmental Engineering; Dan Vergano, BF News; Julian B. Williams, Vice President, Compliance, Diversity and Ethics; Renell Wynn, Vice President, Communications and Marketing.

I. Call to Order: Chair Charlene Douglas called the meeting to order at 3:00 p.m.

II. Approval of the Minutes of April 6, 2016: The minutes were approved.

III. Announcements

Chair Douglas introduced President Cabrera, who started by thanking Charlene Douglas for her service as Senate chair. President Cabrera then introduced the newly hired Vice President for Research, Deborah Crawford, who was coming to Mason with 16 years' experience as Vice President of Research at Drexel University, and who had served as director of the International Computer Science Institute at Berkeley for three years.

President Cabrera then discussed the renaming of the School of Law. He stated that he was not surprised about the concern regarding the Scalia naming and its association of the name with the university. During the approval process, the BOV made two requirements that will help insure the inclusiveness and diversity mission of the institution. First, the BOV required that part of the new Scholarship Program would be diversity scholarships. Second, a new committee to be created to see progress the School of Law is making in diversity in both students and faculty. We set up a Diversity and Inclusion Leadership Council this year, co-chaired by Julian Williams (VP for Compliance, Diversity and Ethics) and Rose Pascarell (Vice President, University Life). They have recommendations on where to have the biggest impact. The BOV meets next week to approve the budget. Our needs are several times larger than the funding available, and it is our challenge to make significant funding for diversity inclusion available.

Also regarding the gift, you should know that the funds will come from the GMU Foundation as tuition revenue for University. There is no commitment of new resources by University. In legal education, there has been a bad slowdown in law school applications. The business plan by the new Law school dean requires significant revenues to attract top notch candidates to law school, new faculty lines, and increasing the caliber of students and to push up rankings. The SOL Dean is asking donors to invest in his plan.

We have another gift coming that is very exciting. While not as generous in terms of money, it will be much less controversial as a naming gift for SPGIA. This agreement still has to be approved by BOV. I cannot share all gift agreements, as many of them are confidential gifts to the Foundation. However, I sign when there is a commitment on behalf of the University.

Discussion/Questions:

Senator: Can you clarify how school tuition paid for student will fund centers?

President Cabrera: The extra tuition will allow the SOL to invest tuition revenue to create new faculty lines.

Follow up: My understanding is that tuition covers a lot of expenses (like central administration), and not just the School of Law.

President Cabrera: This is a major infusion of dollars into Law School they would not have otherwise.

Senator: What is the University's financial commitment to the school?

President Cabrera: All the money from scholarship dollars. Two gift agreements with two parties – 1 donor, \$10M, 2nd donor \$20M pledged, contractual agreement.

Follow up: What will it cost is for all the new professors, centers and staff positions?

President Cabrera: It is all within the amount of the additional revenue the scholarships generate.

Senator: This all originated in context of declining admissions nationwide. Gifts will be spent over time. What reason do we have to believe that doing more of the same at the Law School is an improvement?

President Cabrera: Our numbers at the School of Law are bottoming out, stabilizing. There is still a pool of candidates out there. As there are more law schools with less demand, students have more choices. If you want to keep the same caliber of students, we have to give the SOL the ability to compete with more competitive students.

Senator: We have a bad reputation, bad publicity, and issue of conflicts of interest. Are you going to address those issues here?

President Cabrera: Donors have no authority over academics of the university, and only the Provost and President have authority to appoint deans as referred to in the Donor Agreement.

Senator: The whole process felt rushed. The Rector suggested that waiting would have let the donor walk. Could we have not taken another week to make sure we executed properly and not had an acronym that became the news rather than the name?

President Cabrera: The Rector is right. These discussions are always complex, with multiple parties. Deadlines help make decisions happen. You don't always have the benefit of time or of broad participation. That's the way it works. The BOV process and debate over this was incredibly robust.

Senator: If funding isn't generated by tuition with tenured faculty ten years down the road, how are these new faculty to be funded?

President Cabrera: Once the funding runs out, if size of school does not support students, there are different processes to readjust the size of the school.

Senator Cohen: I serve on the Law School faculty; there will be attrition in the next ten years.

Provost Wu echoed President Cabrera's appreciation for Dr. Douglas as chair of the Faculty Senate and has personally worked with her. He noted that she was a class act the senate should be proud of her service.

IV. Election of Faculty Senate Chair 2016-17

Senator: The Bylaws state that we are to hold the election at the May meeting.

Parliamentarian Slayden: Because of the BOV schedule, it ended up that this year we have two meetings in April instead. As this is our last meeting, holding the election is apropos.

Timothy Leslie (COS), Keith Renshaw (CHSS) and Joe Scimecca (CHSS) were all nominated to serve as Faculty Senate chair. After brief statements from the candidates, a secret ballot was taken. Keith Renshaw received the majority of votes and was elected Chair of the Faculty Senate for AY 16-17.

V. New Business – Committee Reports

A. Senate Standing Committees

Executive Committee – no report.

Academic Policies – no report.

Budget and Resources – no report.

Faculty Matters – The committee wants to hear what the students have to say.

Nominations – Jim Bennett, Chair

Dominique Banville (CEHD) is nominated to serve as Faculty Senate Representative to the Graduate Council AY 16-17. No further nominations were made from the floor and the nomination was approved.

Organization and Operations – no report.

Chair Douglas: Attachments B, C, and D contain annual reports from committees and faculty representatives to committees. All of them are attached. Is there anyone who wants to submit a report or discuss a report?

Senator Betsy DeMulder (serving on the Effective Teaching Committee), noted there are a number of committees made of faculty members who have been working on (evaluation) forms in order to develop a validated form along with questions about going on-line.

Dr. Elavie Ndura spoke about her role as Presidential Fellow during AY15-16. She has found that (1) the diversity of the University is appreciated, that (2) we are struggling to leverage the University systems to increase diversity, and (3) that almost everyone is willing to work on ways to increase diversity. She believes the community is ready for and asking for difficult conversations, particularly around the underrepresentation of faculty, staff, and students of color and others for traditionally underrepresented groups. She believes that we are not yet walking the talk – we say diversity is our strength, but in day-to-day situations we are not as affirming/accepting as we say we want to be. Diversity

could be a source of strength for GMU, but if not adequately managed it will be a source of conflict.

B. Other Committees/Faculty Representatives

Report from the Faculty Representative to the University Naming Committee

[Attachment A](#)

C. Other Committees – Annual Reports

Senate Standing Committees

[Attachment B](#)

University Standing Committees

[Attachment C](#)

D. Other Committees

Annual Faculty Senate Evaluation of the President and Provost

[Attachment D](#)

VI. Other New Business

Senator Alan Abramson moves that the Faculty Senate support the proposed statement regarding the Law School gifts:

The Faculty Senate of George Mason University expresses its deep concern with the terms of the \$30 million gift agreements to support the university's School of Law and to name it the Antonin Scalia School of Law.

The Senate recognizes that the gifts provide \$30 million in scholarship support for law students and memorialize Justice Scalia's many years of public service and his intellectual contributions to jurisprudence. At the same time, the Senate finds these aspects to be problematic:

- The celebration of a Supreme Court Justice who made numerous public offensive comments about various groups – including people of color, women, and LGBTQ individuals – which this university has appropriately gone to some lengths to embrace as valued parts of the university community;
- The memorializing of a Supreme Court Justice who was a significant contributor to the polarized climate in this country that runs counter to the values of a university that celebrates civil discourse;
- The reinforcement of the external branding of the university as a conservative institution rather than an unaligned body that is a comfortable home for individuals with a variety of viewpoints;
- Public representations by the university's Rector, President, School of Law Dean, and communications office that have failed to disclose the terms of the gifts that specifically require the university to provide funding for 12 new faculty, additional staff, and support for two new Centers for a ten-year period; and
- The potential for the university's long-term liability for the continued funding of the additional law school faculty and centers after the 5-year period of scholarship funding expires.

In view of these concerns, the Faculty Senate urges the university's Board of Visitors and administration to take action to:

- Emphasize the university's continuing support for groups that were slighted by Justice Scalia and that may have been offended by the university's embrace of his legacy;
- Underscore the university's support for civil discourse that bridges the great diversity present at the university;
- Highlight to external audiences that the university is not aligned with any single ideological position and is a friendly home to faculty, staff, students, and others with diverse points of view;
- Explain more fully the university's plan to manage its responsibility for future funding of new law school faculty and centers without detriment to other units in the university; and
- Commit to honest, open communication with faculty and other university stakeholders.

Discussion: The motion was seconded. A Senator proposed two amendments that he subsequently withdrew. A document from an independent group of about 15 faculty and staff was also circulated containing several proposed amendments.

Senator Lloyd Cohen of the School of Law made remarks opposing the proposed resolution, presented in [Attachment E](#) (pp. 39-41).

Senator Slayden, Statement Co-Sponsor: Before we came to meeting, we believed this resolution had not gone far enough. I suggest we come back next week to vote on the more lengthy amendments.

The motion was approved: 21 votes in favor, 13 votes opposed, 1 abstention. The senate plans to take up any potential amendments to the resolution after a weeklong recess.

Senator: I think we should thank all the students for attending our meeting today. By coming, they are engaging in good campus citizenship—signaling they care deeply about the issues we have been discussing. Their presence suggests they are some of our best students, and we should be proud of them.

The meeting was declared to be in recess until May 4.

Respectfully submitted,
Timothy Leslie
Secretary

ATTACHMENT A

University Naming Committee Report

On March 30, 2016, at 10:40 am, an “urgent” e-mail was sent to University Naming Committee members to convene (via conference call) at 1:30 pm that same day; this meeting was scheduled to last an hour. The e-mail was sent by someone assisting an assistant of Renell Wynn, VP for Communications and Marketing who heads the committee. No agenda was specified. As it turned out, this University Naming Committee meeting was called to approve changing the name of Mason’s Occoquan Building in Manassas to the Colgan Building. But, despite the urgency and attendant drama, the University Naming Committee was not in any way “consulted” on the name change, because the decision had already been made by the Central Administration and, indeed, the Board of Visitors approved the name change that same day. Clearly, this name change had already been approved by the Central Administration and placed on the BoV’s agenda many days ago. The idea that this Committee’s s could have influenced the decision already made is ridiculous, so this “urgent meeting” was nothing more than window dressing and a rubber stamp exercise. Faculty representation in the future is not needed.

Jim Bennett

Faculty Representative to the University Naming Committee

ATTACHMENT B

ANNUAL REPORTS OF THE FACULTY SENATE STANDING COMMITTEES 2015-2016

1. ACADEMIC POLICIES – Suzanne Slayden (COS), Chair

Committee Members: Dominique Banville (CEHD), Michele Greet (CHSS), Catherine Sausville (COS), James Steele (CHSS)

Annual Report – Academic Policies Committee – 2015-2016

The Summer Session calendar for 2016; the 2019-2020 Academic Year Calendar as the latest addition to the continuing 3-year academic calendar; and the 2017/2018 Summer Term calendars (without session information) were recommended by the committee and approved by the Faculty Senate in November, 2015.

The committee read the proofs of the Academic Policies section of the 2016-2017 University Catalog and recommended minor changes to the Provost's office.

The committee continues its discussion with the Provost's office regarding changes to the Add/Drop deadlines when the university must cancel classes.

2. BUDGET AND RESOURCES - Susan Trencher (CHSS), Chair

Committee Members: James Conant (SPGIA), Kumar Mehta (School of Business), Jim Metcalf (CHHS), Daniel Menascé (VSE)

3. FACULTY MATTERS – Joe Scimecca (CHSS) and Keith Renshaw (CHSS), Co-chairs

Committee Members: Alan Abramson (SPGIA), Mark Addleson (SPGIA), Alok Berry (VSE), Doris Bitler Davis (CHSS)

2015-2016 Annual Report - Faculty Matters

Co-Chairs: Keith Renshaw & Joseph Scimecca

Members: Alan Abramson, Mark Addelson, Alok Berry, Doris Bitler

The Senate Faculty Matters Committee had eight primary projects/referrals.

- 1. Faculty Evaluation of Administrators.** The Faculty Matters Committee summarized the qualitative remarks submitted by the faculty for the 2014-2015 Faculty Evaluation of Administrators Survey, and then collaborated with the Office of Institutional Assessment to distribute the full results of the survey to the faculty at large. The Committee also re-evaluated the survey and made minor changes to the instructions and process of the survey distribution, then collaborated with the Office of Institutional Assessment to send out the 2015-2016 survey. Finally, the committee received a request from a GMU faculty member to consider an alternate methodology for the survey. This methodology was discussed, but did not appear viable at this time.

2. **Trigger warnings.** A request from a Senator to evaluate whether the Faculty Senate should make a resolution regarding ‘trigger warnings’ for class material was referred to the FM Committee by O&O. The Co-Chair (Renshaw) researched the issue, and members of the committee met multiple times to discuss the issue. A draft resolution was then crafted and revised multiple times. A finalized draft was subsequently shared with the Provost’s Office for input. Input from the Associate Provost for Faculty Development (Kim Eby) was incorporated, and as of the time of this report, input from the Vice President of University Life (Rose Pascarell) was still being addressed. Work will continue through the summer, with the goal of presenting the statement to the Faculty Senate for discussion and vote in Fall 2016.
3. **Snow day make-ups.** The FM Committee was consulted by the Registrar’s Office for input regarding snow day make-ups. The Co-Chair (Renshaw) met with the Registrar by phone to discuss options, and then drafted a document with suggestions for faculty who are faced with a need to make up missed classes. It was agreed that the Registrar’s Office should allow faculty to make up classes as they deem best, rather than prescribe specific methods. The suggestions were circulated to all instructional faculty, as well as all deans, chairs, and directors. The Co-Chair (Renshaw) volunteered to serve as a faculty representative on a task force that will attempt to develop solutions for snow days that can be implemented on a long-term basis.
4. **Administrative faculty’s ability to evaluate administrators.** Multiple administrative faculty approached different members of the FM committee regarding their lack of inclusion in the Faculty Evaluation of Administrators survey. The FM committee discussed this issue and agreed that administrative faculty may need a “voice,” but also agreed that the Faculty Senate is not the appropriate venue for that voice. One option that was presented to administrative faculty was to advocate for an Administrative Faculty Senate, to parallel the Faculty Senate and Staff Senate.
5. **Faculty ability to use library carrels.** Faculty who are on study leave or who teach on Fairfax Campus but have home offices on other campuses (e.g., Arlington, Prince William) have nowhere to work while they are on Fairfax Campus. Current library policy prohibits reservation of carrels by non-students. The Co-Chair (Scimecca) discussed the issue with the Dean of the Library, and a small number of carrels were designated for possible faculty use. Co-Chair Scimecca continues to advocate for making additional carrels available.
6. **Tenured faculty being required to generate salary through grants.** The issue of whether it is permissible to require tenured faculty to generate portions of their 9-month salary through grants was raised. A case regarding this issue was being handled by the university grievance committee. As of the FM committee’s final meeting of the year, the grievance committee had not yet issued a ruling. Thus, the FM committee made no actions and will revisit the issue in the 2016-2017 academic year.
7. **Minimum qualifications for department chairs.** A remaining issue from the 2014-2015 academic year was the question of whether minimum qualifications for department chairs should be added to the Faculty Handbook, and if so, what those qualifications should be. The

Co-Chair (Renshaw) met with the Chair of the Faculty Handbook Committee (Suzanne Slayden) to discuss the issue. A summary of work to date on the issue has been made, and work on the issue will resume in Fall 2016.

8. **Outside consultant reviews of programs.** A concern was raised during a Faculty Senate meeting that outside consultants may have been brought in to review the University's academic programs and possibly recommend some that should be cut. The FM committee obtained clarification from the Provost that he had no knowledge of any outside consultants being used for this purpose.

4. NOMINATIONS – Jim Bennett (CHSS), Chair

Committee Members: Dimitrios Ioannou (VSE), Larry Kerschberg (VSE), Linda Monson (CVPA), Pierre Rodgers (CEHD)

The Faculty Senate Nominations Committee has conscientiously filled every Committee and Task Force vacancy during Academic Year 2015-2016.

5. ORGANIZATION AND OPERATIONS – Mark Houck (VSE), Chair

Committee Members: Lisa Billingham (CVPA), John Farina (CHSS), Pamela Garner (CHSS), Bob Pasnak (CHSS)

ORGANIZATION AND OPERATIONS

April 14, 2016

Committee Members: Lisa Billingham (CVPA), John Farina (CHSS), Pamela Garner (CHSS), Mark Houck, Chair (VSE), Bob Pasnak (CHSS)

Specific Issues Addressed by O&O 2015-16

Referrals to Other Committees: Three issues were referred to the Faculty Matters Committee. One issue was referred to the Budget and Resources Committee.

Allotment of Senate slots to academic units for 2016-2017: Based on instructional FTE data from Instructional Research and Reporting, the College of Humanities and Social Sciences lost one seat in the Senate and the School of Business gained one seat for 2016-2017. Details are included in the minutes of the March 2, 2016 Senate minutes.

Multilingual Council: The committee was directed to formulate a charge and committee membership of the proposed new Multilingual Council. Action is underway to fulfill this goal.

ATTACHMENT C

ANNUAL REPORTS OF THE UNIVERSITY STANDING COMMITTEES 2015-16

1. ACADEMIC APPEALS – Carmen Rioux-Bailey (CEHD), Chair

Committee Members: Michael Hurley (CHSS), Walter Morris (COS), Bob Pasnak (CHSS), Peter Pober (CHSS), Jenice View (CEHD)

2. ACADEMIC INITIATIVES – Tim Leslie (COS), Chair

Committee Members: Mark Addleson (SPGIA), Leslie Dwyer (S-CAR), Elaine Rendler (CVPA), Solon Simmons (Interim Vice President, Global Strategies, *ex-officio*)

Academic Initiatives Annual Report – Spring 2016

Preface

The committee has met on four occasions during the year. We have primarily been focused on Mason Korea, but have also gauged the progress of Mason initiatives in Online education as well as INTO Mason. We have had excellent support from Solon Simmons, with additional detail from Michelle Marks, Steve Nodine, Todd Rose and Nicole Sealey. We have received no advance news of new initiatives from the administration before they were announced.

I: MASON KOREA (LEAD: TIMOTHY LESLIE)

Mason Korea is located in Songdo on the Incheon Peninsula. The Mason Korea venture was approved by the BOV and the General Assembly as organized through the Mason Korea LLC (hereafter referred to as MK). This entity is a fiscally independent unit from George Mason University, and as required by the Commonwealth, no state funds are utilized by GMU to support MK. GMU has set requirements that admissions requirements are to be identical, regardless of whether students are admitted to the Fairfax or Korea campus.

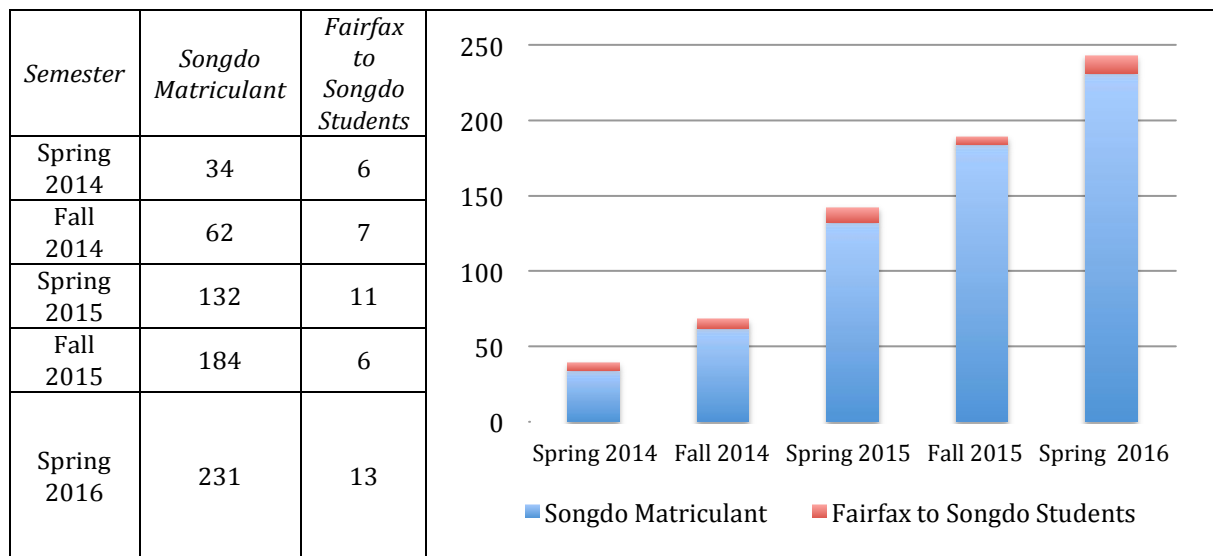
Financially, MK received / receives funding from 4 sources:

- 1) *Planning Grant from the Korean Government* - An initial 1-million-dollar grant was given to GMU in order to cover administrative groundwork to set up the Mason Korea venture. This money has been exhausted.
- 2) *Tuition from students* - Tuition and fees at the Mason Korea campus are \$20,000(USD) for the 2015-16 academic year. Students that start at the Songdo campus will be classified as 'out-of-state' when they are enrolled in classes at GMU, unless they have Virginia domicile status.
- 3) *Korean Subsidy for Songdo Matriculants* - For the first five years of admissions, the Korean government provides an additional subsidy for tuition paid by each student that matriculates at the Songdo campus. This subsidy level varies by the number of students that MK is authorized to admit and does not have to be paid back.
- 4) *Loans from the Korean Government* - The initial understanding by GMU administration was that there was a potential for a \$10 million credit line. Due to a change in administration in the Korean government, the terms were 'renegotiated' to instead make several million available each year in new, interest free loans rather than an up-front lump sum. Each of these loans has an approximately 10-year payback period, and the terms include repayment only if MK has positive net income. As of spring 2016, the year-end deficit is projected to be \$24,000 and the outstanding loans to Mason Korea KRW 750,000,000 (approximately, \$657,000). **No new loans through this program will be issued to MK by the Korean government after December 2018.**

As fiscal transfers (aside from Study Abroad tuition) are not possible between Mason and MK, **the end of the 5th year is a notable financial watermark.** This is when the tuition subsidy and loan eligibility from the Korean government ends. At that time Mason Korea, LLC must be capable of servicing its debt and paying rent on its building, instructional faculty and support staff, all while maintaining GMU-level Academic Outcomes.

In the quota system currently negotiated with the Korean government, Mason can admit up to 1,230 students a year at the Songdo campus. Adding in study abroad students, this provides a ~5,000 student maximum capacity of the campus. The Provost's office has stated that their current goal is ~1500 students in total on the Songdo campus at any one time; much less than the contractual capacity.

Mason Korea Enrollment



Student enrollment history at the Songdo Campus

Enrollment has increased steadily every semester. Spring 2016 shows 3,539 credit hours over the 244 students. Study abroad involvement has remained limited. The 190 students on the MK campus for Fall 2015 fall were ahead of the administration's projections of 151. The administration is in the process of generating new projections for Fall 2016, and has not released these numbers at the time of this report.

The most popular degree program is Business or Pre-Business, which account for 112 of the 244 Songdo students. Second is Global Affairs at 93. These two majors account for 84% of Songdo students. Economics is a distant third with 33 majors. Spring 2016 had two new programs approved for instruction in Songdo (Accounting and Finance) while two additional programs are pending (Conflict Analysis & Resolution and Systems Engineering).

Faculty Involvement

During the Fall 2015 semester, 21 individuals were involved in instruction at Songdo (several others involved were in purely administrative roles). Of these 21, five were adjuncts, 15 were term faculty (mostly Term Assistant), and one was tenure-line faculty. Only four of these instructors (the tenured professor, two term assistant professors, and the term instructor) hold full-time contracts with GMU. The other faculty are employed solely by MK (two adjuncts were hired from the University of Utah's pool of faculty in Songdo). Spring 2016 saw a similar structure, where of the 24 faculty, three were tenure-line, 18 were term, and three were adjuncts. Most of the instructors in the Spring were carry-overs from Fall 2015, suggesting some level of stability despite the reliance on Term faculty.

GMU administrators acknowledge the low participation of tenure-line faculty from the main campuses as a continual challenge. Faculty compensation is based on the length of appointment. Appointments for less than 6 months include a stipend of \$5000, a 6% salary increase as a Foreign Service Premium, round-trip airfare, and furnished accommodations. Appointments of an entire year see a \$10,000 stipend, a 13% salary increase, round-trip airfare, moving expenses, furnished accommodation, and child education support up to \$30,000. MK reimburses GMU for the full salary of individuals 'on assignment' in Songdo.

Issues for Faculty Senate Consideration

When questioned about any potential closing of the Songdo campus, Mason administration is adamant that the MK Campus is under 'continual examination' with regards to financial and educational outcomes. *Contraction would be most damaging to institution reputation and faculty morale*, as it would be 'yet another failed venture' on the part of Mason. *Outstanding financial liabilities are relatively limited*, as they have been mitigated by the creation of the MK LLC. A mid-semester collapse of the entity for some reason would only involve bringing back a handful of instructors and carrying their salaries for the remainder of the term. Other liabilities include a responsibility to educational completion for students. This would likely involve a substantial burden on administrative time, and could include admission to the Fairfax campus.

Deliberations regarding the direction of the Songdo campus have focused on a very narrow set of programs due to contractual requirements with the Korean government. Additional considerations for attention, discussion and debate include:

- We echo the concerns of last year's report concerning staffing. Despite the goal of a third of the MK faculty being Mason faculty 'on assignment', one third being term faculty on renewing contracts that are permanently based in Songdo, and one third adjuncts drawn from local (Korean) populations, the resident faculty are mainly term-faculty. It is not clear how strong the connections are between the faculty permanently staffing Songdo and those on Virginia campuses.

- If internationalizing the faculty is an intended goal of the Songdo campus, then substantial adjustments will have to be made. These changes may include larger incentives, but could also include administrative adjustments such as the ability to teach shorter intensive courses over the timespan of several weeks.
- Curricular integration is a challenge for Songdo matriculants. One of the clearest examples of this is the difficulty these students have in enrolling in online courses. While the Songdo's status as an international campus has its advantages, particularly for study abroad students, there are likely a number of elective options that students in Korea are unable to take because of the administrative barriers in place for online enrollment.
- The committee looks forward to seeing student performance data, particularly as the first cohort of Songdo matriculants is completing their year in Fairfax.

II: ONLINE EDUCATION (LEAD: MARK ADDLESON)

The first online course at Mason was offered in 1995-6. When the world wide web was in its infancy, shortly after the first browser, Mosaic, was released, Dr. Brad Cox of the Program on Social and Organizational Learning (PSOL) in the College of Arts and Sciences (CAS), created 'Taming the Electronic Frontier'. Offered entirely online, the course attracted a number of students in Denmark. These and other out-of-state students paid out-of-state fees, as if they were on the 'brick and mortar' campus. It appears that, two decades later, fees for online courses are still determined by where the student resides.

The following plotted history of online courses and programs at Mason over the past 10 years is based on our discussion with Dr. Nodine. Dates are approximate.

2005: B.S. in Nursing offered online as a way for R.N.s to earn a Bachelor's Degree.

2008: Online services to students and online resources for faculty get more attention when, in the course of completing the accreditation process for SACS, these are identified as among 'missing items' in categories universities report on.

The Office of Distance Education is established ('Mason Online') to coordinate initiatives centrally. The focus is mostly individual courses (as opposed to programs), for undergraduates, with some limited attention paid to graduate courses. Students pay either in-state or out-of-state fees, depending on their status, plus a distance education fee of \$35.00

2010: The School of Management (now School of Business) wishes to offer a fully online EMBA. Mason does not have the capabilities to support this initiative, which includes effective marketing of the program to attract a substantial number of students. The university contracts with a company to provide the needed services. This contract is ended prematurely.

2012: The focus of distance education shifts to fully online *programs*. Decisions about which courses and/or programs to offer online are made by academic units. There is no pressure from

central administration for schools or departments to develop online programs or courses. The Provost's Office, however, provides two kinds of incentives to faculty for developing online courses and programs.

1) A cash incentive: \$4,000 for a new online course.

2) Assistance: in the form of help from an instructional designer.

Depending on arrangements within departments, occasional course releases have been granted.

2014: With the appointment of a new Provost, David Wu, and declining enrollment, there is now more interest in online courses among administrators and Steve Nodine's office investigates what other universities are doing in this area, including establishing

- the number students graduating with online degrees
- the different pathways available to students to complete programs
- and the kinds of 'technology rich' environments being created.

2015: A statement of work is prepared and Mason receives proposals from eight firms for cooperation in developing and delivering online courses. This process leads to a contract with Wiley Educational Services. Wiley will help to identify programs that don't duplicate other programs already being offered elsewhere.

Based on data gathered by Institutional Research and Reporting, Dr. Nodine provided a table of summary statistics related to distance education at Mason in fall 2015. It shows that the university provided just over 373,000 credit hours to all students in fall 2015. Of these 30,500 were attributable to distance education of some kind.

Issues for consideration by Faculty Senate.

Deliberations regarding the direction, nature and extent of online learning are initiated from the Provost's office with very limited input from faculty. This office is now working on a strategy for degree programs offered online. With regard to creation of online courses and programs, the Provost's Office plays a support role, rather than an oversight one. Questions for attention, discussion and debate include:

- The role of faculty in shaping the direction, nature, and extent of online learning and how to fulfill this role.
- The quality and effectiveness of the online learning experience. The very existence of online courses raises deep questions both about what a 'university education' means and about teaching and learning.
- Whether and how online instruction can complement and inform regular, in class teaching and learning in the 'internet age'. Are there 'best practices' for online teaching/learning that should filter back into regular teaching to foster student engagement and so on.

- What a contract with Wiley or other 3rd party vendors means for Mason, the faculty who create and deliver online courses, and students, both financially and in terms of content and quality of teaching and learning.
- The technology for delivering online courses and programs. While Blackboard is the most widely used platform at present, presumably issues related to cloud computing and to cybersecurity also need to be considered.
- The role of professors and deans in assessing and evaluating online instruction, including the tools for doing these evaluations/assessments.
- What kinds of 'spin off' effects follow - for students, faculty and staff - as a result of developing online courses and from the use of specific technologies to support online services.
- The question of compensation – financial or other – to faculty for developing online as compared with regular courses, as well as questions of intellectual property – who “owns” online course materials developed by faculty?
- How online courses impact university resources, from budgets - revenue and costs - to staffing (e.g. in the area of instructional design).

III: INTO MASON (LEAD: LESLIE DWYER)

INTO Mason is a joint venture between George Mason University and INTO University Partnerships, a for-profit corporation. Established upon the signing of a 30-year contract in 2014, INTO Mason now occupies what was formerly the Mason Inn. INTO Mason is governed by a board of directors that includes four members from INTO's board and four members of Mason senior administration. It does not report directly to the Provost and there is no faculty representative to the board.

INTO University Partnerships has contracted with eight universities in the U.S. (Oregon State, Colorado State, Marshall University, University of South Florida, Drew University, Saint Louis University, the University of Alabama at Birmingham and Mason) and 14 universities in the United Kingdom. It works with a network of private agents overseas who engage in student recruitment. Agents receive commissions from Mason-INTO that are paid from the tuition fees students pay once they enroll. At Mason, INTO assumed functions previously provided by the English Language Institute (1982-2014), which offered intensive English language instruction, and the Center for International Student Access (2010-2014), which offered undergraduate and graduate academic pathway programs.

Mason's Vice President of Global Strategy, Solon Simmons, described INTO as the main vehicle for internationalizing Mason's student body, a goal articulated in Mason's 2014 strategic plan. He described INTO as far better positioned than Mason was alone to achieve the scale necessary to

internationalize a large public university without immediate name recognition overseas. He noted that “they have an agent network we simply can’t reproduce,” as well as the capacity to monitor the ethics and standards of these agents. At the same time, he emphasized that Mason also works directly with foreign governments, embassies and universities to establish joint programs and partnerships, and our direct admissions system, especially at the graduate level, continues to generate international enrollments.

The INTO Executive Director’s office prepared a report for the Academic Initiatives Committee ([attached](#)). This report provides data on numbers of INTO students, their countries of origin, and the programs into which they matriculate. At the end of Fall 2015, INTO had 652 students enrolled, 378 in their Academic English program, 134 in their Graduate Pathway program, and 140 in their Undergraduate Pathway program. For comparison, they provided data showing that the ELI enrolled between 200-250 Academic English students per semester between 2010 and 2014.

Questions have been raised by faculty about the diversity of INTO students, and the data provided affirms that they are drawing primarily from China (47.5%) and Saudi Arabia (19%). Solon Simmons confirmed the administration’s awareness of this, and emphasized that the question of regional diversity is something other universities are grappling with as they seek to recruit more international students. While INTO was able to provide a list showing that 200 of their students attend Mason with third party sponsorship, they do not have data directly speaking to the economic diversity of their cohorts. Given the for-profit emphasis of INTO, it seems safe to assume that there is less economic diversity in their cohorts than at Mason as a whole.

Faculty have also raised questions about the academic preparation of incoming INTO students, as well as the additional burden they may be placing on student services and faculty who advise and teach them once they matriculate. INTO submitted a report to the Faculty Senate Admissions Committee in February 2016 that detailed the range of academic and student services available to INTO students, including course-based support and the INTO Mason Learning Resource Center. INTO Mason now provides tutoring services for multi-lingual students who self-refer or are referred by faculty due to struggles with English.

While not solely focused on INTO, A Council on Multilingual Student Success has been tasked with compiling data on student and faculty challenges and resource needs and reporting to the Faculty Senate. Their Spring 2015 report (available at: http://www.gmu.edu/resources/facstaff/senate/MINUTES_FS_2015-16/RevisedMultilingualTaskForceReport2015.pdf) raised serious concerns about the sustainability of current levels of support for multilingual students, including international students, concluding that:

- Our existing faculty and student support resources do not meet the current needs of our diverse multilingual students.

- Projected enrollments suggest that, by 2020, Mason will be serving nearly 7,300 multilingual undergraduates, and by 2025, over 8,500 multilingual undergraduate students.
- The network of programs/units that serves multilingual students at Mason requires stabilization of current funding; increased university-wide, cross-curricular planning; and future funding to prepare for growth in multilingual enrollments.

Clearly this is an area where more conversation is needed among faculty and administrators. Solon Simmons expressed a desire to work more closely with the Senate to bring faculty into dialogue about the opportunities and challenges of internationalization, including student integration, diversity and academic issues. His Office of Global Strategy is now working with the Senate to hold conversations focused on international student integration.

Faculty and staff also expressed concern that our conversations around internationalization not fall prey to explicit or implicit xenophobia. While we do need to be highly attentive to the quality of students who are entering Mason through INTO, one administrator voiced a worry that “the conversation about student quality has less to do with quality per se than about ‘these people don’t even speak English.’” More work can be done by administration and faculty to articulate the real benefits of having international students in our classrooms and on our campus, and ensuring their diverse perspectives and experiences are recognized and valued.

While it is crucial that the Senate continue to engage in dialogue around INTO, especially given the likelihood that the interests of a for-profit corporation and a university will not always align, it is also important for us to keep in mind the big picture of internationalization at Mason. While INTO Mason is not the only pathway into the university for international students, its growth raises larger questions. Mason’s total international student enrollment currently stands at 2,461, or 7.25% of the total student body. This figure places us in the bottom half of our peer group. (In comparison, international student percentages at Boston University and Northeastern University stand at 19%, University of Washington and NYU at 15%, Indiana University, Syracuse University and Stony Brook University at 11%, George Washington University and the University of Arizona at 9%). Solon Simmons articulated a goal for Mason of breaking into the top 25 national universities enrolling international students, which would likely mean increasing our percentage of international students to around 15%. INTO Mason shared their latest enrollment goals with the Senate (with the caveat that these goals are subject to revision based on discussions about international student growth more generally). They are currently aiming for an increase from 652 students in Fall 2015 to 1109 students in Fall 2019.

While pursuing increases in total international student numbers would clearly support Mason’s bottom line, as well as its commitments to diversity, there are real challenges to consider, and the faculty should play a major role not only in responding to them once they emerge but in shaping our collective vision and strategy.

Issues for Faculty Senate Consideration

- How can faculty participate in setting Mason's strategic targets for international student recruitment? Community discussion of the benefits, as well as challenges, of potentially doubling our international student body would help preclude faculty sentiment that decisions with direct impact on our classrooms are being made without our input.
- What are the implications for individual academic units and faculty, as well as the university as whole, of a potential increase in our international student population? What support would faculty and academic units need to help these students thrive? Data on INTO and other international students' utilization of student support services would be helpful for the faculty to consider. Are these students being referred to the Office of Academic Integrity, or using other services (e.g. CAPS, the Writing Center) at rates comparable to the non-international student body once they matriculate? Do faculty feel prepared to ensure the success of students who may have challenges with writing or U.S. educational practices? Given the changing nature of university instruction in general, including increases in adjunct faculty and class sizes, and shrinking resources for faculty salary increases and professional development, it is easy to understand how some faculty may feel their workloads have increased with an influx of international students in their classrooms. Is Mason doing enough to support these colleagues?
- Can INTO, and Mason more broadly, succeed at recruiting a diverse population of international students? Mason's data on the country of origin of international students shows that, like many other universities, we are most successful at attracting Chinese students and less successful at recruiting from Africa, Southeast Asia, Latin America and Europe. In addition, given the for-profit nature of INTO, it is reasonable to assume that what we are gaining in international diversity we may be losing in economic diversity. Does Mason have a plan for ensuring multi-dimensional diversity in our internationalization efforts?
- How might we leverage an internationalizing student body to more directly benefit faculty and non-international students? For example, could resources gained from bringing international students into Mason be used to support students who cannot afford to study abroad, or faculty who wish to pursue international research or teaching opportunities? How do we work to ensure that, across the university, internationalization is not framed simply as a revenue stream but as a source of value and learning for all?

3. ADMISSIONS - Betsy DeMulder (CEHD), Chair

Committee Members: Chris Kennedy (COS), Cristiana Stan (COS), Darren Troxler (Associate Dean of Admissions), Jennifer N. Victor (SPGIA), Esther Lee Yook (CHSS)
Admissions Committee

Charge: Follow the admissions process in order that the faculty might better understand it; make recommendations regarding admissions standards to the Director of Admissions; report admissions recommendations and statistics to the Faculty Senate on an annual basis.

Meetings Fall 2015- Spring 2016: Oct. 7, 2015; Nov. 11, 2015; Feb. 9, 2016; March 15, 2016

Concerns:

- **New centralized admissions system:** The problematic roll out of the new centralized admissions system has created chaos for colleges, programs, and prospective students. Problems with the systems and long waits on direction from Central Admissions about access levels and additional training materials put application reviews on hold. Training for faculty and staff on the new systems has also been delayed. The ultimate result of these problems is a reduction in student enrollment.
- **Relationship between Admissions office and programs:** There is little communication between the Admissions Office and program faculty/administration regarding how Admissions is promoting programs to prospective students.
- **Resources for English language learners and other students who need to further develop written and oral English language/communication skills.** There continues to be inadequate academic resources available to support international and domestic students and students continue to struggle academically because of language and communication difficulties. Information about the limited available resources is also not widely disseminated to faculty and students. The MOU between Mason and INTO that would make INTO resources available to the greater population at Mason has yet to be consummated.

Recommendations:

- **Regarding the relationship between the Admissions office and programs:**
 - The Admissions committee would like to hear the presentation that is generally given to prospective Mason students.
 - The Admissions committee would like to follow up with recommendations for disseminating information about programs.
- **Regarding student academic resources, task the Multicultural Task Force with collecting data:**
 - On student and faculty perspectives on the demand for and perceived availability of academic support resources (e.g., survey Comm 100 and Comm 101 students and faculty; as a part of the graduate exit survey, etc.)
 - On dropout rates comparing ELL's/International students vs domestic students.
- **Regarding Disseminating information about academic resources:**
 - Mason advising sessions for faculty (MAC) should include information about academic resources.
 - All student orientations should include information about academic resources.
 - Disseminate updated resource information regularly to faculty

4. ADULT LEARNING AND EXECUTIVE EDUCATION –Peter Farrell (VSE), Larry Kerschberg (VSE), Pallab Sanyal (School of Business), Shahron Williams van Rooij (CEHD), Xiaoquan Zhao (CHSS)

5. ATHLETIC COUNCIL – Linda Miller (CVPA), Faculty Athletic Representative, Chair Committee Members: Amanda Allen Caswell (CEHD), Gerald Hanweck (School of Business), Hun Lee (School of Business), Phil Wiest (CHSS)

2016 Report to the Faculty Senate by the Faculty Athletic Representative

The Athletic Council met on October 21, 2015.

The Athletic Director, Brad Edwards welcomed everyone and thanked them for their work on the council. He announced some changes within Intercollegiate Athletics. There will be a restructuring of the Compliance Office and staff with the retirement of Sue Collins, the Senior Woman Administrator. Sue's impact and many years of dedicated service to Intercollegiate Athletics and the university were recognized. Other updates included:

- The GPA of student-athletes was above that of general university students;
- Mason won three Atlantic 10 championships;
- The naming of the Eagle Bank Arena will bring additional revenue and there has been a 36% increase in annual giving;
- Facilities: Phase I of the Baseball Stadium is moving forward; the Field House has undergone renovation and Men's and Women's Basketball will move back and forth between the RAC Gym and Eagle Bank Arena; plans to improve the Academic Services Facilities;

ICA Restructure Updates:

- Nena Rogers, Associate Athletic Director for Student Services reported on the review and assessment of academic services currently being conducted. Plan to improve efficiency and continue to support academic success in increasing partnerships with other campus services is underway;
- Kevin McNamee, Deputy Athletic Director, Intercollegiate Sports reported on the strength of the governance structure at George Mason between Athletics, University Life, CAPS, Legal Affairs and Campus Police;
- Debi Corbato, Assistant Athletic Director for Sports Performance gave an overview of the Sports Performance area and announced that she will oversee all HSRB requests for participation of student-athletes;

Faculty Athletic Representative Report:

- Linda Miller, reported on the areas discussed with A10 FARS:
Broad areas of responsibility for Faculty Athletic Representatives (FAR) include Academic Integrity, Student-athlete Well-being and Institutional control; ideas to strengthen communication and collaboration on campus might include taking a student-athlete to a Faculty Senate meeting;
The A10 Conference goal is to be ranked in the top 5 academically;
Met with President Cabrera to report on activities, and discuss institutional goals

The Athletic Council met on January 27, 2016

Updates and announcements:

Nena Rogers gave an overview of academic performance with female student-athletes' GPA slightly above female students in general and male student-athletes' GPA equal to male students generally.

Forty-one (41) Provost Scholar athletes with cum GPA's of 3.75 or higher will be awarded this year. Dean's list student-athletes numbered 160 for Fall 2015.

Brad Edwards attended the NCAA Convention followed by the A10 Conference. He reported that a review of time demands and travel commitments (in and out of season) was requested by student-athletes.

The A10 conference in January included discussion by the Senior Women's Administrators on new formats for conference championships, cost of travel, ways to ensure fewer classes were missed, and making sure administrators and student-athletes are aware of issues around sexual assault on campus.

Faculty Athletic Representatives at the conference discussed the upcoming NCAA proposal regarding academic misconduct.

Committee Reports:

Academic Integrity- met and discussed ICA internship and practicum policy; bringing student government and student-athletes together to talk about faculty support and communication; topic for a future meeting is concussions and return to academics.

Gender Diversity and Student Athlete Well Being- met and discussed potential survey about resources for well-being and mental health; plans for SAAC to revisit the Exit Survey and make adjustments; need more discussion about missed class policy and travel time.

Governance and Commitment to Rules Compliance- met to review the bylaws, changes in organizational structure. Registrar's office reported success in determining eligibility by early January even though the holiday closing of the university created stringent time demands on staff.

The Athletic Council met on April 13, 2016

Announcements and Updates:

Brad Edwards announced the new Senior Women's Administrator will be Jackie Campbell. As SWA she will be part of the senior leadership primarily responsible for governance and administration, sports oversight (Women's Basketball), and NCAA Compliance. She brings numerous years of experience in college athletics, NCAA Division I Governance and Management Council to her new position at Mason.

Julian Williams announced the recent hire of the new Title IX Coordinator who will work across campus on areas of Gender Equity and Sexual Assault and Campus violence.

Committee Final Reports:

Bob Baker, Chair, Governance and Commitment to Rules Compliance

Reviewed and discussed the most recent EADA (Equity in Athletics Disclosure Act) Report (available on the Mason Compliance Web site). The EADA publicly reports institutional data comparing the number of participants by gender within athletics to Mason's fulltime students. Other areas include overall revenues and expenses for all men's and women's programs and coach's salaries. The committee recommended the EADA report and other relevant information be provided to the full Athletic Council at the Fall meeting. The committee officially endorsed the recommended bylaws.

Academic Integrity, Janette Muir, chair

The committee met and focused on:

Faculty support and communication was flagged as an agenda item to discuss with the SAAC Executive Board. The next SAAC meeting will invite the Associate Provost for Undergraduate Education and SG President, to meet with student athletes to determine what steps are needed to improve communication.

NCAA proposal No. 2015-66 on Academic Misconduct: clarification of some of the pieces in place - August 1st, new NCAA rule. Cleans up the policy and streamlines how it connects to the university. As a result, Mason will need a clear ICA policy on academic misconduct. Once policy is put in student handbook, communication to and education with faculty and staff will be needed. This policy will be presented to the Athletic Council in fall when new compliance person is in place.

ICA services for student-athletes – tutoring, registration process – athletes are now required to go to orientation and meet with their advisor.

Major focus for fall '16

- 1) Concussion and return to athletics policy.
- 2) Communication with faculty
- 3) Academic Misconduct policy

Gender Diversity and Student-Athlete Well-Being

The committee will meet one more time before the end of the semester to complete the work initiated at the last meeting as well as clarify the major areas of work for Fall 2016 regarding Travel Time, the Well-Being survey, NCAA Legislation and updates to the written Exit Survey.

The Final Business of the council was to approve and adopt the changes to the Athletic Council Bylaws.

In conclusion, I would like to thank each Athletic Council member for their commitment and guidance, particularly the student members, Khushboo Bhatia, Student Government President, and Michelle Wallerstedt, student-athlete for their valuable participation. It has been an honor to serve.

Linda Miller

Faculty Athletic Representative

April 19, 2016

Cc: President Angel Cabrera

Chief of Staff Frank Neville

Assistant Vice President/Director of Athletics Brad Edwards

**6. EFFECTIVE TEACHING – Lorraine Valdez Pierce (CEHD), Chair
Committee Members: Lori Bland (CEHD), Mihai Boicu (VSE), Betsy DeMulder (CEHD),
Howard Kurtz (CVPA), Danielle Rudes (CHSS), Alexandria Zylestra (School of Business)**

Effective Teaching Committee

Annual Report 2015 – 2016

Submitted Tuesday, April 19, 2016

Committee Members:

Lori Bland, College of Education & Human Development

Mihai Boicu, Information Sciences & Technology

Betsy DeMulder, College of Education & Human Development (Faculty Senator)

Howard Kurtz, School of Theater

Danielle Rudes, Criminology, Law, & Society

Alexandria Zylstra, School of Business

Lorraine V. Pierce (Chair), College of Education & Human Development

Charge of the Committee

The Effective Teaching Committee, a University Standing Committee, has been charged as follows:
(Charge revised and approved by the Faculty Senate April 23, 2014)

To develop and help implement procedures which encourage and reward effective teaching, and to enable faculty to improve their teaching effectiveness independent of any evaluation procedures, and to implement procedures or evaluation of effective teaching.

Also, to recommend policy to the Senate and to monitor the use of such policy for the evaluation of teachers and courses, including the following:

A. Review, improve, and provide guidance for Institutional Research and Reporting on the course evaluation form and related procedures at least once every three years;

B. Review existing policies relating to the faculty evaluation process, identify alternatives to these policies and recommend changes to the Faculty Senate;

C. Work closely with the Center for Teaching Excellence to support the use of formative and self-assessment techniques and materials for promoting faculty professional growth and teaching effectiveness, including strategies for robust student feedback.

During AY 2015 – 16, members of the Effective Teaching Committee engaged in the process of setting goals and identifying critical categories for the evaluation of teaching, which included the following activities:

1) Identifying the construct to be evaluated

- reviewed the literature on Course Evaluation Forms to determine our own process for revision of the form used at Mason over the past decade;
- reviewed CFTE criteria for excellence in teaching
- reviewed Provost's criteria for excellence in teaching
- reviewed Faculty Handbook for description of expectations for teaching
- reviewed principles and standards for effective teaching practice
- reviewed OPM guidelines on relevance of job analysis to determining evaluation criteria for work performance
- revised our annotated list of references on the topic of student evaluations of teachers/course evaluation;
- identified potential constructs derived from research on the evaluation of teaching (such as learner engagement)

2) Identifying potential items for the revised Course Evaluation Form

- searched for validated items for Course Evaluation Forms both at Mason from IRR and at other institutions;

3) Collaborating

- met with the Provost
- met with previous and new IRR Directors;
- met with Dean of College of Education & Human Development
- made a presentation at a Faculty Senate meeting on our university-wide survey of faculty on how they use the Course Evaluation form
- discussed how to involve faculty in providing feedback on critical components for the evaluation of teaching

In March 2016, Committee members met with new IRR Director, Dr. Kumar. He was open to our suggestions and willing to collaborate, making the following suggestions:

- the kinds of faculty expertise needed to redesign the Course Evaluation Form

- based on his experience at other institutions, anticipating a three-to five-year timeline for revising the Course Evaluation Form
- transitioning to an all-online evaluation form due to cost effectiveness (1/2 million forms printed out at Mason each semester), convenience, and access by faculty (all concerns of previous IRR Director K. Smith, as well)
- piloting a revised online Course Evaluation Form one college or school at a time.
- allowing at least one year for validating the revised Course Evaluation Form

In March 2016, Committee members also met with Mark Ginsberg, Dean of the College of Education & Human Development (CEHD). Dean Ginsberg asked us for information on how a recently formed task force in CEHD might work with our committee to revise the Course Evaluation Form. He volunteered CEHD in piloting an all-online Course Evaluation Form across the College.

Based on a review of a variety of sources and documents, Committee members discussed a process for identifying categories/items for all Course Evaluation Forms. We identified a set of effective teaching principles (including those on the next page) to guide our initial selection of categories and items.

Plans for AY 2016-17

Work plans for the coming year include:

- finalizing selection of categories for the new Course Evaluation Form
- identifying questions for each category
- piloting a new course evaluation form
- obtaining feedback from faculty on proposed categories (survey)
- continue collaborating with IRR and CTFE on the process of revising the course evaluation form

Seven Principles for Good Practice in Undergraduate Education

(Chickering & Gamson, 1987 in Syracuse U's OIRA [IRR] item bank)

The faculty member:

1. Encourages student-faculty contact -> interaction
2. Encourages cooperation among students -> accepting environment
-> values student input
3. Encourages active learning - > engagement of learners
4. Gives prompt feedback -> sets timelines for and provides quality feedback
-> consistent messages
-> using variety of modes
5. Emphasizes time on task -> conveys expectations for time management
6. Communicates high expectations -> models high expectations
7. Respects diverse talents and ways of learning -> treats students with respect

7. EXTERNAL ACADEMIC RELATIONS – Alok Berry (VSE) and David Kuebrich (CHSS), Co-Chairs. Committee Members: Cheryl Druehl (School of Business), Pierre Rodgers (CEHD), Ana M. Stoehr (CHHS), Faye Taxman (CHSS)

The External Academic Relations Committee met jointly with the Senate Executive Committee and Senator Chap Petersen and Delegate David Bulova on December 14, 2015 to discuss faculty concerns specific to GMU as well as the talking points for Virginia Higher Education Advocacy Day (as determined by the VA Conference of the AAUP and the Faculty Senate of Virginia). In addition, one member of the Committee went to Richmond on Advocacy Day (1/14/2016) and had individual appointments with fourteen NOVA delegates and senators.

For an account of this year's Advocacy Day as provided by VCU's Capital News Services, see <http://wtvr.com/2016/01/14/legislators-get-lesson-from-higher-education-advocates/>

**8. FACULTY HANDBOOK – Suzanne Slayden (COS), Chair
Committee Members: Alan Abramson (SPGIA), Cynthia Lum (CHSS)**

Annual Report – Faculty Handbook Committee – 2015-2016

Committee Members: Alan Abramson, Cynthia Lum, Suzanne Slayden (Chair)

The elected faculty members of the committee met five times this academic year to discuss proposed changes to the Faculty Handbook (with one additional meeting later this semester). The committee also met with the Vice Provost for Academic Affairs, Michelle Marks, to discuss Promotion and Tenure procedures in units. The committee will meet soon with HR representative, Michele Lim. Most of the proposed changes are to language concerning the Promotion and Tenure process. The proposals were either those that were carried over by the committee from last year or were noted as ambiguous or problematic by other faculty. One additional suggestion brought to the committee by a faculty member concerning faculty study leaves is also under consideration. No proposed revisions were brought to the Faculty Senate for approval this year.

9. GRIEVANCE – John Farina (CHSS), Chair

Committee Members: Sheri Berkeley (CEHD), Rutledge Dennis (CHSS), John Riskind (CHSS), Michael Summers (COS)

Report of the University Faculty Grievance Committee 2015-2016.

Members: John Riskind, Michael Summers, Rutledge Dennis, Sheri Berkeley, and John Farina, chairman.

The University Faculty Grievance Committee (Committee) took the following actions during the all 2015 and Spring 2016 terms:

1. Prof. Denis J. Ritchie (Department of Social Work) v. Dean Thomas Prohaska (College of Health and Human Services).

Prof. Ritchie filed a grievance with the Committee on September 14, 2015. Pursuant to Faculty Handbook section 2.11.2.2 (b), the Committee found that the petitioner's complaint had sufficient merit to proceed with the case. Through the efforts of the Committee, the parties were encouraged to reach a mutually-agreeable settlement. They did so, and Prof. Ritchie withdrew his grievance.

2. Prof. Howon Jeong (School of Conflict Analysis and Resolution) v. Dean Kevin Avruch (School of Conflict Analysis and Resolution).

Prof. Jeong filed a grievance with the Committee on Feb. 18, 2016. Pursuant to Faculty Handbook section 2.11.2.2 (b), the Committee found that the petitioner's complaint had sufficient merit to proceed with the case. The parties were not amendable to a settlement. The Committee has heard witnesses and received statements from relevant persons and completed its fact-finding. This case is ongoing, and the Committee expects to submit its finding to the Provost this week.

3. Prof. Christiana Stan (College of Science) v. Dean Peggy Agouris (College of Science).

Prof. Stan filed a grievance against Dean Agouris on Oct. 27, 2015. Pursuant to Faculty Handbook section 2.11.2.2 (b), the Committee found that the petitioner's complaint had sufficient merit to proceed with the case. The Committee encouraged the parties to reach a mutually-agreeable settlement. At the end of the Fall term, parties entered into a negotiation which failed. The Committee took up this case again and will reach a finding before the end of this term.

10. MASON CORE – Janette Muir, Associate Provost for Undergraduate Education, *ex-officio*, Chair. Committee Members: Dominique Banville (CEHD), Melissa Broekelman-Post (CHSS), Cheryl Druehl (School of Business), Kelly Dunne (CHSS), Kim Eby (Associate Provost for Faculty Development, *ex-officio*), Rebecca Ericson (COS), Doug Eyman (CHSS), Stephanie Hazel (Associate Director, Institutional Assessment, *ex-officio*), Tamara Maddox (VSE), Matthew Scherer (SPGIA), Mara Schoeny (S-CAR), Carol Urban (CHHS), Andrea Weeks (COS), Peter Winant (CVPA)

Mason Core Committee Report AY 2015 - 2016

MASON CORE – Janette Muir, Associate Provost for Undergraduate Education, *ex-officio*, Chair. Committee Members: Dominique Banville (CEHD), Melissa Broeckelman-Post (CHSS), Cheryl Druehl (School of Business), Kelly Dunne (CHSS), Kim Eby (Associate Provost for Faculty Development, *ex-officio*), Rebecca Ericson (COS), Doug Eyman (CHSS), Stephanie Hazel (Acting Director, Institutional Assessment, *ex-officio*), Tamara Maddox (VSE), Mara Schoeny (S-CAR), Matthew Scherer (SPGIA), Carol Urban (CHHS), Andrea Weeks (COS), Peter Winant (CVPA)

Mason Core Report: During the AY2015-2016, the Mason Core Committee handled the following items:

- 1) The Mason Core Engagement Series (ENCORE) was finalized and is open to incoming freshmen starting fall 2016. There are currently two options available: Well-Being and Sustainability. The Engagement Series combines work in the Mason Core with co-curricular activities tracked through the UL Patriot Experience, enabling students to earn a Certificate of Completion when they graduate.
- 2) Proposal Review: Received 8 proposals, approved 4.
- 3) Discussion continued around learning outcomes for Information Technology and Global Understanding. The committee voted to remove the ethics component from the IT requirement, however, discussion continues about where the ethics component should reside.
- 4) Two student groups presented to the committee. The first group were students from the PhD in Higher Education program, suggesting modifications to the Mason Core program in the following areas: 1) Global Understanding, 2) increased interdisciplinary options and 3) Co-Curricular Assessment. The second student group was comprised of students from the Black Student Alliance, requesting changes in the Mason Core to include greater diversity options, either through Global Understanding or Western Civilization/World History offerings.
- 5) Over the summer, the Undergraduate Education office will be reaching out to the department chairs to raise awareness of the double counting opportunity and solicit proposals for fall 2016 to increase those offerings as well as finalizing which courses in currently in the Synthesis category should be moved to Capstone, removed or verified as still valid.

11. MINORITY AND DIVERSITY ISSUES – Elavie Ndura (CEHD), Chair

Committee Members: Richard Craig (CHSS), Co-Chair, Bethany Letiecq (CEHD), Odette Willis (CHHS), Secretary, Xiaoquan Zhao (CHSS)

Minority and Diversity Issues Committee (2015-2016)

20 April 2016

1. The committee is comprised of five members representing different departments, gender and ethnic groups on campus. Committee membership includes:

Richard Craig, PhD	Assistant Professor, Mass Communication, Media Institutions, Communication Policy
Bethany Letiecq, PhD	Associate Professor, Academic Program Coordinator, <u>Human Development and Family Science</u>
Elavie Ndura, EdD (Chair)	Presidential Fellow and Professor of Education Fulbright Senior Specialist for Peace Education & Conflict Prevention and Transformation
Odette Willis, RN, MN, MBA, CNE	Program Coordinator, Undergraduate Nursing Programs
Xiaoquan Zhao, PhD	Associate Professor, Health Communication

2. Meetings were held for one hour each month starting in September 2015. The work of the committee throughout the year entailed:

- a. Reviewing the Committee responsibilities and goals.
- b. Reviewing the University's Diversity and Inclusion goals and the overall diversity vision outlined in the Strategic Plan (Strategic Goal # 8) with discussion on how the Committee can assist with accomplishing them.
- c. Discussing and bringing a proposal to the Faculty Senate to rename Columbus Day to Indigenous People's Day.
- d. Meeting with Julian Williams, Vice President for Compliance, Diversity and Ethics to discuss the issues, concerns and goals of the Office, and how the committee might be of assistance or call on him for assistance.
- e. Responding to the Black Student Alliance concerns generated by an on-campus incident by identifying issues we could research. Two of the issues included the need for transparency of diversity and inclusion at the University and training for faculty on cultural competence.
- f. Searching the major areas of the George Mason University (GMU) website(s) to see what kind of material is made public regarding diversity and inclusion; as a result of the issues identified in (e) above. The committee found very little visibility and transparency with regard to diversity, inclusion and recommends that this is addressed in future changes to websites and pages. The committee reviewed the following GMU websites: University Life, Center for Teaching and Faculty Excellence (CTFE) and the Offices of the Provost, Administration and Finance, Athletics. Very little information was found on the websites with the exception of CTFE who CTFE had a lot of information about diversity posted on the website. It was also noted that the College of Health and Human Services had a Diversity Plan posted to the Home Page.
- g. Discussing the need for mentoring for junior faculty, especially with regard to pursuing tenure. A new organization, the National Center for Faculty Diversity and Development (www.facultydiversity.org), was also discussed.
- h. Meeting with the Dean for Student Academic Affairs to discuss and make recommendations about the preferred name initiative.
- i. Discussing Dr. Ndura's presentations of the University's diversity plan to the Colleges and Departments and what input was obtained from faculty about what the departments are doing to address it.

3. The committee makes the following recommendations to the Faculty Senate:

- a. Add more information about Diversity and Inclusion to the University websites across the campus, to include more comprehensive data about faculty and staff diversity by position/rank/unit.
- b. Advocate for membership in organizations that provide critical supports to historically-marginalized faculty and faculty of color such as the National Center for Faculty Diversity and Development.
- c. Find ways to make Diversity and Inclusion more transparent around the campus among faculty, staff and students.
- d. Envision an institutional organizational structure that would build synergy among existing diversity initiatives while facilitating more sustainable and multifaceted work needed to anchor the coherent and successful implementation of Mason's diversity and inclusion strategic goals.

Respectfully submitted,
Elavie Ndura, EdD
Chair

12. SALARY EQUITY STUDY – Monique Van Hoek (COS), Chair

Committee Members: Penny Earley (CEHD), Paul Gorski (CHSS), Bijan Jabbari (VSE), Kristy Lee Park (CEHD), James Steele (CHSS), Julian Williams (Vice President of Compliance, Diversity and Ethics)

13. TECHNOLOGY POLICY – Stanley Zoltek (COS), Chair

Committee Members: Julie Christensen (CHSS), Gerald Hanweck (School of Business), Kevin McCrohan (School of Business), Steven Nodine (Director, Office of Distance Education), Dieter Pfoser (COS), Catherine Sausville (COS).

2015-2016

Technology Policy - Stanley Zoltek (COS), Chair

Committee Members expressed: Julie Christensen (CHSS) Gerald Hanweck (SOM), Kevin McCrohan (School of Business), Steven Nodine (Provost appointee), Dieter Pfoser (COS), Catherine Sausville (COS)

The Faculty Senate Technology Policy Committee will have met a total of five times during the 2015-2016 academic year.

The work of the committee could not have been possible without the close cooperation of the University's CIO, Marilyn T. Smith, and her senior staff.

Briefings and recommendations:

- Roll out of new University website
 - www.gmu.edu - presents the public view of the University
 - the current content organization, which in the case of Modern and Classical Languages, makes for hard-to-find, confusing and incomplete information.
 - web developers are aware of problems and are working to resolve them
 - recommended that faculty, staff and students use <http://mymasonportal.gmu.edu> to access the full listing of Mason's webpages
- net ID password security
 - faculty/staff will be required to change password every six months
 - committee recommended against three month interval
 - committee recommended longer, more complex passwords as alternative to frequent changes
- Symantec Endpoint Protection
 - university was supplying version 12.1.15, which does not automatically update (current version now available)
- MESA managed systems will be set to autolock after 30 minutes of inactivity
 - original plan called for autolock after 15 minutes of inactivity
- Access to student ID photos in class rosters in patriotweb or blackboard
 - will be part of RFP for new ID card system
- requested that prior to the beginning of the fall semester ITS email to faculty a document detailing classroom upgrades and software upgrades, adoptions etc.
- Steve Nodine updated the committee on the university's partnership with Wiley Educational Services for the development of online programs
 - Mason Online Partnership Town Hall
 - Tuesday, April 26th from 10:30am-12:00pm
 - Fairfax: Merten Hall 1201 (in-person)
 - SciTech: Bull Run Hall 254 (live-streamed)
 - Arlington: Founders Hall B119 (live-streamed)
 - Loudoun: Signal Hill 101 (live-streamed)

14. UNIVERSITY PROMOTION, TENURE, AND REVIEW APPEAL (UPTRAC) – Dimitrios Ioannou (VSE), Chair. Committee Members: Cody Edwards (Associate Provost for Graduate Education), Mark Ginsberg (Dean, College of Education and Human Development), Paula Petrik (CHSS), Iosif Vaisman (COS). Committee Alternates: Elavie Ndura (CEHD), Stefan Toepler (SPGIA).

**University Promotion, Tenure and Review Appeal Committee (UPTRAC)
Report for the Academic Year 2015 -2016**

In the summer of 2015 the 2015-2016 University Promotion, Tenure and Review Appeal Committee (UPTRAC) had the following members: Profs. Julie Christensen, Claudio Cioffi, Martin J DeNys, Mark R Ginsberg, Dimitris Ioannou and was chaired by Prof. Paula Petrik.

Only one appeal was submitted to the UPTRAC committee in the academic year 2014-2015. On June 9, 2015 the committee met to consider this appeal regarding the negative decision made on an application for promotion and tenure in the Spring Semester of 2015. There was a thorough and extensive discussion of the appeal during this meeting, supported by all the submitted documentation provided to UPTRAC. The discussion among the committee members continued for several weeks by email and, following exhaustive deliberations, the committee voted unanimously (6-0) in support of the appeal that the application for promotion and tenure receive reconsideration.

The discussions and deliberations were very constructive at the meeting but became less so when the discussion continued by email. This was due to the “my way or the highway” attitude of a single committee member that caused undue delays and frustrated all the other members.

Presently, the composition of the UPTRAC committee is as follows:

Three members, must be tenured faculty:

Dimitrios Ioannou (VSE-2017), Chair
Paula Petrik (CHSS -2016)
Iosif Vaisman (COS-2017)

Two alternates, must be tenured faculty:

Elavie Ndura (CEHD-2017)
Stefan Toepler (SPGIA-2016)

Two tenured administrators, appointed by the Provost:

Cody Edwards (Associate Provost for Graduate Education-2016),
Mark Ginsberg (Dean, College of Education and Human Development-2017)

One alternate tenured administrator, appointed by the Provost: ?

15. WRITING ACROSS THE CURRICULUM - Gregory Robinson, (CVPA), Chair

Committee Members: Mary Ewell (COS), David Gallay (School of Business), Steve Holmes (CHSS), Aditya Johri (VSE), Michelle LaFrance (WAC Program Director, *ex-officio*), Margaret Miklancie (CHHS), Kristien Zenkov (CEHD), Stanley Zoltek (COS)

2015-2016 Writing Across the Curriculum Committee Report

Chair: Gregory Robinson (Chair, CVPA – 2017)

Committee Members: Gregory Robinson (WAC Committee Chair, CVPA – 2017), David Gallay (B-School – 2017), Margaret Miklancie (CHHS – 2017), Kristien Zenkov (CEHD – 2017), Steve Holmes (CHSS – 2016), Johri Aditya (VSE – 2016), Mary Ewell (COS – 2016), Stanley Zoltek (COS – 2016)

Consultants to the Committee: Charlene Douglas (CHHS – 2016); Julie Stoll (INTO Mason Language Specialist); Peggy Brouse (Systems Engineering); Peter Farrell (VSE); Susan Lawrence (Director, Writing Center); Karyn Mallet (INTO Mason); Larry Rockwood (Biology); Lorelei Crerar (Biology); Jacquelyn Brown (B-School); Ellen Rodgers (CEHD); Sarah Baker (English – NVWP); Jen Stevens (University Libraries); Bethany Usher (Center for Teaching Excellence, OSCAR); Laura Lukes (Center for Teaching Excellence); Jessie Matthews (Composition)

WAC Program:

Director: Michelle LaFrance

Assistant Director: Tom Polk

WAC Program Graduate Research Assistants: Emily Chambers and Alisa Russell

The committee has met 5 times (to date) during the 2015-2016 academic year. The committee's charge includes: advising the director of Writing Across the Curriculum, approval of new writing-intensive (WI) courses, regular review of WI course syllabi, and assisting with activities and events related to Writing Across the Curriculum.

2015-2016 Committee Actions:

- Approved new WI Courses: SRST 450, ENGH 373, ENGH 313, GEO 334
- Discussed enrollments in WI courses to assess compliance with 35-seat requirements and addressed non-compliant courses/departments.
- Revised WI criteria to include a requirement that these courses carry a 3-credit minimum, with exceptions available to those that demonstrate how students are asked to meet all other requirements of a WI course and speak to issues of faculty workload.
- After presentation by Karyn Mallet and Anna Habib of Multilingual Task Force, encouraged writing to Provost in support of financial requests from this study

WAC Program Director Activities (Discussed w/ WAC Committee Members):

- Collaborated with CTFE to host Faculty Retreats in January and May

- Continued RE/View project by conducting interviews and classroom observations, collecting syllabi, and reviewing those syllabi for compliance
- Developed WAC Committee Guide for committee members
- Prepared the WAC newsletter for release in April 2016
- Continued progress on the program's scholarly-blog, *The Writing Campus*, by further developing a review board and review process for submissions.
- Increased the WAC program social media presence by maintaining a Facebook page and Twitter feed.

Other:

- For the 14th year in a row, Mason's WAC program made the *U.S. News* "Best Colleges 2015" list of highly ranked colleges for Writing in the Disciplines (WID).
- Hired Tom Polk as the new full-time, 12-mo Assistant Director of WAC in Spring 2016

Many thanks to Michelle LaFrance, Tom Polk, and Emily Chambers for compiling this report.

ATTACHMENT D

Annual Faculty Senate Evaluation of the President and Provost: Budget and Resources Committee

1. During the past calendar year has the President or Provost announced initiatives or goals or acted upon issues that fall under the charge of your Committee? If so, was your Committee consulted by the President or Provost in a timely manner before the announcement or action? If not, do you believe your Committee should have been consulted? Would it have been helpful to have had the input of your Committee from the outset?
2. Did your Committee seek information or input from the President or Provost or members of their staffs? If so, did they respond adequately and in a timely manner?
3. Please suggest how you believe the President, Provost and/or their staffs might more effectively interact with your Committee in the future, if necessary.
4. Please relate any additional information you may have regarding interactions between your Committee and the President or Provost or their staff.

Budget and Resources Committee: The Committee for Budget and Resources' primary contact in GMU administration is J.J. Davis, Senior Vice President for Administration and Finance. Vice President Davis has been extraordinarily helpful to the committee in two ways that together comprise the most important work of Budget and Resources during the academic year. In the first instance, in addition to her presentations for members of the University community regarding the new budget model and current and anticipated expenses and allocation of resources, Ms.. Davis has

met on multiple occasions with the Chair of Budget and Resources, and in additional meetings, with members of the committee to discuss and answer questions about the changes in the budget model in place at GMU. It is clear from these conversations that the Vice President has the intention to make funding allocation as transparent as possible as the university moves to a less centralized model designed to provide more autonomy for colleges (Deans), and less reliant on central allocations. Vice President Davis works to make herself available to discuss faculty concerns and has been very responsive to all inquiries.

In the second instance, Vice President Davis has oversight for the Office of Human resources at GMU. In that role she has supported the work of the Budget and Resources Committee through cooperation with the annual request for faculty salary information to be made available to university faculty. Linda Harber, Vice President, Human Resources/Payroll & Faculty Staff/Life, Human Resources and Payroll, has been collegial and cooperative in attending to particular requests for posting consistent with state data available to the public. Patricia Coray, Senior HRIS Manager and Interim Benefits Manager for the Office of Human Resources was part of the effort to provide relevant information and provided material requested in the agreed upon time frame.

The Chair of Budget and Resources is also a member of the Faculty Senate Executive Committee, and in that capacity meets with other members of the administration. Provost Wu, regularly attends the Executive Committee meetings and responds to questions and comments in a collegial and helpful manner.

ATTACHMENT E- Senator Lloyd Cohen, School of Law remarks

*Statement read by Senator
Lloyd Cohen - Faculty
Senate Mtg - April 27, 2016
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Faculty Senate:

Upon receiving this proposed resolution two days ago I circulated it to my colleagues so that I might learn from them their reaction and thereby speak not only in my own name but to the best of my ability in that of the other members of the tenure track faculty at the Antonin Scalia School of Law. Allow me to share the sentiments of those who have responded:

We are enormously proud of the success of our new Dean Henry Butler in securing for us the largest gift ever received by the University, and many orders of magnitude large than anything the law school has received. We are equally pleased and proud that the law school will bear the name of a great jurist, Antonin Scalia.

We are deeply offended by this proposed resolution. It is a most divisive and un-collegial act. It is ironic that the drafters of this resolution use the phrase "comfortable home for individuals with a variety of viewpoints", while in this very act displaying their intolerance for those who cherish conservative values.

Let me now respond to the substance of their claims.

The heart of the resolution's case against Justice Scalia is the bald assertion that Justice Scalia made "numerous public offensive comments about various groups --including people of color, women, and LGBT individuals".

I would have thought that such a bold accusation would be supported by several illustrations,-- or maybe one. Curiously no such illustration is offered. Scalia sat for a third of a century on the bench. Surely the authors of this resolution could have found some quote for the Senate to chew on. Don't worry I will provide one.

Here is the flavor of his "offensive" statements. This from the introduction to his dissenting opinion in the recent same sex marriage case Obergefell:

I join THE CHIEF JUSTICE's opinion in full. I write separately to call attention to this Court's threat to American democracy. The substance of today's decree is not of immense personal importance to me. The law can

recognize as marriage whatever sexual attachments and living arrangements it wishes, and can accord them favorable civil consequences, from tax treatment to rights of inheritance. Those civil consequences—and the public approval that conferring the name of marriage evidences—can perhaps have adverse social effects, but no more adverse than the effects of many other controversial laws. So it is not of special importance to me what the law says about marriage. It is of overwhelming importance, however, who it is that rules me. Today's decree says that my Ruler, and the Ruler of 320 million Americans coast-to-coast, is a majority of the nine lawyers on the Supreme Court. The opinion in these cases is the furthest extension in fact— and the furthest extension one can even imagine—of the Court's claimed power to create "liberties" that the Constitution and its Amendments neglect to mention. This practice of constitutional revision by an unelected committee of nine, always accompanied (as it is today) by extravagant praise of liberty, robs the People of the most important liberty they asserted in the Declaration of Independence and won in the Revolution of 1776: the freedom to govern themselves. Until the courts put a stop to it, public debate over same-sex marriage displayed American democracy at its best. Individuals on both sides of the issue passionately, but respectfully, attempted to persuade their fellow citizens to accept their views. Americans considered the arguments and put the question to a vote. The electorates of 11 States, either directly or through their representatives, chose to expand the traditional definition of marriage. Many more decided not to. Win or lose, advocates for both sides continued pressing their cases, secure in the knowledge that an electoral loss can be negated by a later electoral win. That is exactly how our system of government is supposed to work.

If you found that language or legal theory offensive as distinguished from legally incorrect, as do some of my colleagues, then we have nothing to talk about. We are simply operating in different cognitive and moral universes.

This assertion that Scalia is guilty of "numerous public offensive comments" is something lifted from the curriculum of the Joseph Goebbels school of political discourse; repeat a scurrilous defamatory lie often enough and it becomes the truth.

I did not know Justice Scalia. I met him twice and found him to be a charming, kind, highly intelligent, and very funny man. On the law school website you will find remembrances of various colleagues who knew him better. Perhaps you would give more weight to the words of a liberal icon, Justice Ruth Bader Ginsburg:

“Toward the end of the opera *Scalia/Ginsburg*, tenor Scalia and soprano Ginsburg sing a duet: ‘We are different, we are one,’ different in our interpretation of written texts, one in our reverence for the Constitution and the institution we serve. From our years together at the D.C. Circuit, we were best buddies. We disagreed now and then, but when I wrote for the Court and received a Scalia dissent, the opinion ultimately released was notably better than my initial circulation. Justice Scalia nailed all the weak spots—the ‘applesauce’ and ‘argle bargle’—and gave me just what I needed to strengthen the majority opinion. He was a jurist of captivating brilliance and wit, with a rare talent to make even the most sober judge laugh. The press referred to his ‘energetic fervor,’ ‘astringent intellect,’ ‘peppery prose,’ ‘acumen,’ and ‘affability,’ all apt descriptions. He was eminently quotable, his pungent opinions so clearly stated that his words never slipped from the reader’s grasp.

..... It was my great good fortune to have known him as working colleague and treasured friend.”

And when learning that we had agreed to name the law school after her treasured friend, Justice Ginsburg said it was “a fitting tribute.” It is my hope that she will give a speech in his honor at the naming ceremony.

I am prepared to respond to other points in the resolution but I do not wish to take more of your time. This resolution is not worthy of consideration. The Dean, the law school, and the University administration have nothing to apologize for in this matter. This is an occasion for praise and celebration not lamentation. Legitimate disagreements about the law do not constitute intolerance and to make such arguments betrays a lack of knowledge about the nature of law.