

GEORGE MASON UNIVERSITY
MINUTES OF THE FACULTY SENATE MEETING
OCTOBER 3, 2018
Robinson Hall B113, 3:00 – 4:15 p.m.

Senators present: Christine Barthold, Jim Bennett, Alok Berry, Lisa Billingham, Melissa Broeckelman-Post, Ángel Cabrera, , Carol Cleaveland, Lloyd Cohen, Richard Craig, Shannon Davis, Charlene Douglas, David Gally, Timothy Gibson, Tamara Harvey, Dimitrios Ioannou, Brett Josephson, Larry Kerschberg, Jenna Krall, Ellen Laipson, Timothy Leslie, Bethany Letiecq, Kumar Mehta, Daniel Menascé, Robert Pasnak, Jeremy Rabkin, Keith Renshaw, Pierre Rodgers, Esperanza Roman-Mendoza, Solon Simmons, Suzanne Slayden, Donglian Sun, Kun Sun, Susan Trencher, Girum Urgessa, Iosif Vaisman, S. David Wu.

Senators absent: Peggy Agouris, Ann Ardis, Kevin Avruch, Kenneth Ball, Dominique Banville, Sonia Ben Ouagham-Gormley, Virginia Blair, Henry Butler, Meagan Call-Cummings, James Conant, Rick Davis, Betsy DeMulder, Christy Esposito-Smythers, Michael Gilmore, Mark Ginsberg, Aditya Johri, Rebecca Jones, Germaine Louis, Maury Peiperl, Karen Reedy, Gregory Robinson, Mark Rozell, Catherine Sausville, Joe Scimecca, Cristiana Stan, Masoud Yasai, John Zenelis.

Visitors present: LaShonda Anthony, Director, Academic Integrity; Kevin Augustyn, Director, CHSS Development; Kerry D. Bolognese, Director, Mason Federal Relations; Tom Butler, Associate Registrar; Teresa Calcagno, Chair, Librarians' Council, University Libraries; Patricia Coray, HR and Benefits Director, HR/Payroll; Ed Dittmeier, University Auditor Kimberly Ford, Personnel Project Manager, Provost Office; Chris Maier, Chair, Staff Senate; Michelle Marks, Vice President for Academic Innovation and New Ventures; Neda Masoudian, Equal Opportunity Specialist, Office of Compliance, Diversity and Ethics; Janette Muir, Associate Provost for Academic Initiatives and Services; Shernita Parker, Acting Vice President, HR/Payroll and Faculty/Staff Life; Samantha Parsons, alumna; Claudia Rector, Assistant Provost for Academic Affairs; Bethany Usher, Associate Provost for Undergraduate Education; Preston Williams, Presidential Communications Manager; Pheng Xiong, Associate Registrar.

I. Call to Order: Chair Keith Renshaw called the meeting to order at 3:01 p.m.

II. Approval of the Minutes of September 5, 2018: The minutes were approved.

III. Announcements

President Cabrera thanked the Senate for the opportunity to speak. He noted the remarkable start to the year by bringing in the largest entering class that was also the strongest academically and most diverse. Graduation rates across racial/ethnic groups did not differ, something other universities cannot say. Mason continues to be well regarded internationally, and our sponsored research activity continues to grow.

President Cabrera highlighted a few projects:

1. We were awarded 2017-18 Center of Excellence from Department of Homeland Security through a competitive process. This multidisciplinary project is an example of the kinds of major awards we can secure, suggesting continuing success for the future.
2. The first ADVANCE class has enrolled, reflecting faculty from Mason and NOVA working side by side to support students seeking a realistic path to get a degree.
3. Online Learning: We have 5 programs fully online with Wiley and more are being explored. We want to continue Mason's tradition of innovation so we can be part of the solution reaching millions of people who want higher education in the U.S. There need to be solutions for those people. The market is changing so we need to be proactive, thinking about online options as others have, such as University of Pennsylvania, University of Maryland – University College, or Purdue University in partnership with (Kaplan).

Questions/Comments:

Senator: Enrollment is increasing, what about resources? This is especially an issue with classroom space.

President Cabrera: We do have a demand issue, as we are adding about 1000 students per year, contributing for about half of the enrollment growth in the last decade to Virginia's higher education growth. How to address this growth is of paramount importance. We need more infrastructure. We have Peterson Hall, we are happy that the Commonwealth is funding the new Robinson. We also need to be smarter about how to use existing space as we are undersubscribed in Science/Tech campus and in Arlington. We need to think about programs in those spaces as well and need to take a multipronged approach.

Senator: The May 2018 motions in Faculty Senate asked the administration to make all gift agreements public. We asked the administration to respond by September. Have you given thought to make public all gift agreements?

President Cabrera: The Gift Acceptance Committee, chaired by Provost Wu, will be making a report to the BOV at its October 10th meeting; I understand the report is drafted and I should be receiving it soon. The committee has done a lot of work and has prepared many recommendations. More details will be provided to the Faculty Senate at the November meeting, with recommendations to respond to the Senate motions and to go beyond them.

Senator: What are your expectations regarding next steps?

President Cabrera: We have some key people to bring in. We are searching for the Vice President, Advancement & Alumni Relations and President, George Mason University Foundation. (Provost Wu is chairing that search committees and for Senior Vice President for Finance and Administration successor (Frank Neville is chairing that committee). The email about those committees is going out today. Those searches are critical because of the important discussions we are having as an institution.

Chair Renshaw noted Shannon Davis serves on the Senior VP search committee and Alan Abramson serves on the search committee for VP, Advancement and Alumni Relations/President, GMU Foundation.

Senator: We will want to be mindful of the other institutions we model after. As a note, a number of people graduated from Purdue are not giving them money anymore.

President Cabrera: We can learn from what Purdue did and learn from their mistakes. They have created solutions for the working professional. We will want to think about how to reach others in the population. Very few other universities are major players in this online arena, so we will be mindful and try to figure out our role soon.

Senator: I have a question about Public-Private Entities. What kind of center is the Mercatus Center? Their employees receive tuition benefits. Is Mercatus a private 501C3? How can it be part of the university?

President Cabrera: It is both, exists as its own entity, and has a MOU with the university. They provide a lot of benefits to the university, as they are the lead funder of PhD scholarships in Economics. The relationship has benefits in both directions.

Senators asked President Cabrera to comment about future relationships with donors, regarding their ability to leverage their monies to ask the university to do things and whether there were specific concerns about donor ideologies.

President Cabrera: Donors give us money because they like what we are doing. They propose how they want their money to be used. We have to say no sometimes if there are problems with the requests from the donors. Donors do not get to choose who we hire; faculty do. The Gift Acceptance Review Committee has documented any place where our autonomy has been questioned, has looked at best practices/policies and is making recommendations for how we will want to proceed. Some previous gifts may have been in violation of our principles but it is not clear if they were in violation of our policies. Our current policies are vague and this presents a good opportunity to produce more clarity in terms of policies, process and outcomes.

Provost Wu yielded his time.

Reminder: Faculty Senate Reception @ Mathy House: THU 10/4 5:30pm.

IV. Committee Reports

A. Senate Standing Committees

Executive Committee – Keith Renshaw, Chair

Our next meeting will be October 19th. Please get in touch with me in advance if you have suggestions for agenda items.

Academic Policies – Suzanne Slayden, Chair

The committee issued a report ([Attachment A](#)) regarding the impact of student financial aid regulations on establishing add, drop, withdrawal, and tuition refund deadlines. Chair Slayden reported that the administration had provided substantial background documentation that facilitated the completion of the report.

Budget and Resources – Timothy Leslie, Chair
No Report.

Faculty Matters- Girum Urgessa, Chair

The committee was asked to provide input on the draft policy on parental leave for Administrative and Professional, Research and 12 month Instructional Faculty (see [Attachment B](#)). 9 month instructional faculty already have a parental leave policy. The committee confirmed through consultation with HR that 9 month instructional faculty are not being asked to complete a repayment form when taking this leave. Other concerns around sick leave were also discussed, with questions referred to HR.

Faculty Evaluation of Administrators: The committee has completed its work. The survey questions have been streamlined. The survey will be distributed in the fall, with administrators' reports included with the survey itself. The data will be collected and reported back in the spring semester. This year's survey should be out by the end of October.

Nominations- Melissa Broeckelman-Post, Chair

The Nominations Committee presents the following nominees to fill open seats on the following committees:

Writing Across the Curriculum: Carol Cleaveland (CHHS)

Mason Core: Lorelei Crear (COS)

Research Advisory Council: Lance Liotta (COS)

No further nominations were made from the floor and the nominees were approved.

A Senator is needed to serve as representative to the Outstanding Achievement Awards Committee. The committee works over the next month. A notice was recently distributed asking for volunteers. Jenna Krall (CHHS) was nominated to serve. No further nominations were made from the floor. The nomination was approved.

Organization and Operations - Lisa Billingham, Chair

The faculty liaison positions were approved by the university counsel. The committee is currently working on securing names for the first round of screening.

B. Other Committees/Faculty Representative – no reports.

V. New Business

A. New Ventures to Increase Access - Michelle Marks, Vice President of Academic Innovations and New Ventures – [Slide presentation](#)

Online Education: We have substantial demand for courses and programs. It takes substantial time for programs to be developed and launched. There was a desire for 15 (professional master's) programs initially but are not there at this time. She thanked all of the faculty for their hard work given that moving programs online is faculty driven and labor intensive.

ADVANCE: A NOVA/MASON Partnership. This partnership is consistent with our mission as a public institution to provide access to more students. Transfer students are an integral group. Our goal is to increase the number of NOVA students who graduate with a 4 year degree, to decrease the time it takes to graduate, to decrease the cost of a degree, and to improve advising and student support for transfer students. We have launched the ADVANCE Curricular Pathways: 21 majors for fall 2018 launch and anticipate total of 50 Pathways for Fall 2019 launch. Fall enrollment update: of 436 declarations received, 299 were approved. 129 students enrolled and 189 students-in-process for spring 2019, students continue to enroll. The First ADVANCE Cohort: average age of students = 22; 37% are brand new NOVA students (48 of 139), 63% are continuing NOVA students (81 of 129).

Questions/Comments:

Senator: How does a program decide they wish to be included in ADVANCE pathway?

VP Marks: Programs self-select and we match our faculty with NOVA faculty.

Senator: Advisors carry a heavy burden in this process. How can we make sure they are getting the support they need?

VP Marks: Advising and student support are central. On the first day at NOVA, an advisor/coach is assigned to student. We are looking for ways to provide extended support to students. Transfer students are often working professionals but our current system of campus-based offices being open 9-5 may not work for them. We want to find ways to support students and are looking to have even more conversations about how to make that happen.

Senator: Is the Wiley partnership the future of public online universities?

VP Marks: The Wiley partnership is good in that it has moved us to think about how we fill a need as a public institution, or whether we can do it all as a single institution. To have a second university as a free-standing unit is an idea we are exploring. There is no done deal, nothing is on the table. Maryland and Pennsylvania invested millions of dollars into their online ventures but there is zero possibility Virginia will do this. A different example is something like a second university with a firewall: you see an example of this in UVA and UVA at Wise. UVA owns it, has academic governance over it, but UVA Wise has its own faculty and institutions. Purdue partnered with an existing for-profit university.

Several Senators expressed concern over the relationship between a new venture (like the second university with a firewall) and the faculty. For example, who would teach, what would their rights be as members of the university community? VP Marks noted that this would be a way to support the university in the long term by providing financial contributions. However, other institutions like this do use more contingent rather than tenured/tenure-track faculty, so if we did this it would look different than a research university. There would need to be conversations with the BOV about the relationship of those faculty. The Academic Advisory Committee would address this and any other questions, so please send all questions to VP Marks via email so the committee can consider and discuss.

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

VII. Adjournment: The meeting adjourned at 4:20 p.m.

Respectfully submitted,
Shannon N. Davis
Secretary

Attachment A

Report to the Faculty Senate regarding the impact of Student Financial Aid regulations on establishing Add, Drop, Withdrawal, and Tuition Refund deadlines

Background Information:

The Drop/Withdrawal/Tuition policy¹ that was announced to the faculty on Aug. 2, 2018 contained three new sub-policies:

- the Drop deadline date (no notation on student transcript);
- allowing unlimited withdrawals the day after the Drop deadline (W notation on transcript) until the date of Selective Withdrawal (no change in policy); and
- the timing and extent of tuition refund for dropped classes.

When the new policy was announced, this statement was made in partial justification: *"This new policy is driven by Federal regulations. . . "*. Other statements made by various administrators conveyed a sense of urgency to comply with the regulations after a program review by the Department of Education (DOE): *"We are mandated by the DOE"; "we needed to act with dispatch"; and "could result in millions of dollars of fines if we don't address soon"*.

The Academic Policies Committee asked for and received the **Program Review Report**² (PRR, "the Audit", May 1, 2017) to find out how the previous drop/withdrawal policy was not in compliance with DOE regulations. However, an administrator wrote this statement, which accompanied the PRR: *" Though this letter doesn't address the crux of the issue. The DOE team also provided oral response that addresses the area that led to this decision,. "*

In other words, and as verified by reading the PRR, the DOE audit found only two instances of non-compliance, neither of which were in any way connected to the new Drop deadline policy.

The AP Comm. asked for a written summary of the oral conversation between the DOE and the Office of Financial Aid (Feb., 2017). This request was returned to the AP Comm. as a **Summary from the Director of Financial Aid**³.

In the Summary, it was stated that DOE required the university to identify those students who had received financial aid for their enrollment at the beginning of the year, but who then dropped the classes before the 5-week deadline (with no notation on the transcript), thus getting more aid

than they were entitled to. The DOD reviewer indicated that GMU might have to pay back the over-awards, perhaps for several years. The Director of Financial Aid stated that her office subsequently identified “hundreds” of students in any given year who were receiving aid for courses they did not take. The list was given to DOE as requested. However, no response was ever received from DOE and no mention of it was made in the **Final Program Review Determination**⁴ (FPRD, Sept. 14, 2017) issued by DOE several months later.

Conclusion:

From this, we may conclude that a policy change was not mandated by federal regulations.

However, it may be “good practice” for an institution to have a contiguous ‘end of Drop period and beginning of Withdrawal period’ in order to prevent student abuse of Financial Aid disbursement rules⁵. Since this policy involves the academic policies of Drop and Withdrawal periods, as well as the Academic Calendar, the Faculty Senate should have been consulted.

Although we have not been told the reason for changing the tuition refund dates, tuition liability is not an academic policy and does not require the Faculty Senate to be involved.

The Drop deadline date is a academic policy that has long been under the purview of the Faculty Senate. As such, the Faculty Senate should approve any proposal to establish a Drop deadline date.

These documents may be found through this link: <http://mason.gmu.edu/~sslayden/Docs/Docs.htm>

¹ GMU Faculty_Staff Comm-Add-Drop-61918-VF_EDW.docx

² Program review findings letter from DOE 05011217.pdf

³ Summary of Program Review February 2017 and Dropped Credits Issue.docx

⁴ George Mason University Final Program Review Determination September 2017.pdf

⁵ Virginia Tech has a notable academic calendar with regard to its Drop deadline and Census date. VT received its FPRD from DOE program review in Nov., 2016 (one year before GMU) and there was no mention of its Drop/Withdrawal policy. See next page.

Days are calendar days

The Schedule for GMU is as proposed by the administration for Fall, 2018.

Fall 2018	Classes begin	Add deadline	Days to Add	100% tuition refund for reduced course load	Drop deadline w/o grade penalty	Days to Drop (no notation)	Census date	Days to Census	Withdrawal fr. Class
GMU	Aug. 27 (M)	Sept. 4 (T)*	8	14	Sept. 9	14	Sept. 9	14	up to 5 wks
VT	Aug. 20 (M)	Aug. 24 (F)*	5	5**	Oct. 1	43	Sept. 17	29***	until Dec. 5 (last day) Max. 3

* These allow students a full week of classes to Add.

**VT has a sliding tuition refund scale.

***VT Finan. Aid Q&A: My contract says I can't drop after the census date, but I thought I had until the last day to drop. Isn't this the same day?
– No, the census date is generally two weeks before the last day to drop. (Census date - freeze for reporting)

Questions/Discussion: How are students notified if they are dropping a class and not in compliance?

The financial aid department was able to identify students using Banner.

The entire Academic Policies Committee met with Policy Management Division. We asked for a separate committee meeting. They have a lot to do, we need to work this out for Spring 2019. She asked Senators for their feedback.

Attachment B

Parental Leave for Administrative & Professional, Research & 12- month Instructional Faculty

Faculty Matters was asked to provide input on the draft policy on parental leave for administrative and professional faculty, research faculty, and 12-month instructional faculty. This policy is being created in parallel with the newly established Commonwealth leave policy for Classified Staff. The draft policy presented to Faculty Matters is below, followed by the feedback that was offered.

DRAFT

Parental Leave for Administrative & Professional, Research & 12-month Instructional Faculty

Related Policies

[The Family and Medical Leave Act \(FMLA\)](#)

[University Policy 2215: Family Medical Leave](#)

[University Policy 2232: Sick Leave Policy for Faculty under the Traditional Sick Leave Plan](#)

[Department of Human Resource Management \(DHRM\)](#)

Policy 4.57 – Virginia Sickness and Disability Program

Scope

This policy is intended to assist Administrative & Professional, Research and 12-month Instructional faculty in managing work and family obligations in the first year surrounding the birth or placement of a child for adoption or foster care.

Parental time away from work assists eligible George Mason University faculty members during the first six (6) months of becoming a parent to meet both their professional and parental obligations. It is the goal of this policy to 1) help faculty balance the responsibilities of family and career development, 2) encourage and enable equal parenting opportunity across all departments, and 3) recognize the benefits to faculty members and their families of meaningful bonding time upon the birth or placement of a child for adoption or foster care.

This paid leave enhances the family-friendly practices already in place and provides an additional tool for talent acquisition and retention that supports a diverse, capable, and engaged workforce.

Policy Statement

It is the policy of George Mason University to provide paid parental leave to Administrative & Professional, Research and 12-month Instructional faculty to enable the faculty member to care for and bond with a newborn or child under the age of eighteen (18) newly-placed for adoption or for foster or custodial care. This paid leave may be used in combination with other benefits.

The purpose of this policy is to provide eligible faculty members with up to eight (8) weeks (320 hours) of paid parental leave to be used within six (6) months of the birth of an infant or adoptive, foster, or custodial placement of a child under the age of eighteen (18).

Eligibility

Administrative & Professional, Research and 12-month Instructional faculty who become parents via birth, adoption, or foster or custodial care and meet the following criteria:

- Faculty member is in a full-time or part-time greater than 20 hours per week (or .50 FTE and greater) upon the birth or placement of the child.
- Faculty member must be eligible for Family and Medical Leave (FMLA):
 - Must have been employed by Mason for a minimum of twelve months in the past year AND
 - Must have worked for at least 1,250 hours in the previous 12-month period.

Eligibility determinations are made as of the date that the child is born or placed via adoption or foster or custodial care.

A faculty member who is not eligible for parental leave on the date of birth or placement may become eligible during the following six (6) months and access parental leave once he/she meets the eligibility requirements.

If both parents work for Mason and meet the eligibility criteria, each is entitled to up to 320 hours of parental leave.

Leave Amount

Eligible full-time faculty members will receive up to eight (8) weeks (320 hours) of paid parental leave to be used within six (6) months of the birth/placement of a child for any one or more of the following reasons:

- To give birth to, care for, and bond with a newborn child.
- To care for and bond with a child placed with the employee through adoption or foster care or a legal custodial arrangement.
- To supplement reduced income replacement disability benefits following the birth of an infant.

Eligible part-time faculty members may take up to eight (8) weeks of parental leave for the reasons listed above. Hours taken will be counted on a pro-rated basis corresponding to the percentage of hours they normally are scheduled to work.

Leave Usage

- Parental leave must be used within six months of the birth of an infant or placement of a child.
 - Eligible faculty members may charge parental leave in
 - one continuous period of time, or
 - in two leave periods of at least one week. E.g. take 2 weeks off when the child is born then come back to work for 1 month and then take the additional 6 weeks off.
- The 320 hours of parental leave may be used only once per child and only once within a 12 month period.
- Unused parental leave is forfeited six (6) months from the date of the birth/placement.
- Unused parental leave is not compensable if a faculty member separates from Mason employment or moves to a non-covered position.
- Parental leave terminates at the conclusion of the foster or custodial care placement or within six (6) months of the placement, whichever comes first.
- FMLA Job Protection: FMLA will run concurrently with paid parental leave. Faculty members using paid parental leave are afforded the remaining job protection under FMLA for an absence up to a total of twelve (12) weeks (480 hours). They may charge personal leave or take leave without pay to cover the additional absence.
- Virginia Sickness and Disability Program (VSDP) Participants: Parental leave may be used to supplement reduced income replacement disability benefits following the birth of a child and/or may be accessed after the VSDP benefits related to the birth cease.
- Traditional Sick Leave Program Participants: Parental leave may be used for FMLA events related to bonding by faculty members participating in the traditional sick leave program.

Faculty Members Responsibility

Faculty members should submit a written request to his/her department and Benefits in HR & Payroll for parental leave at least thirty (30) calendar days prior to the anticipated leave begin date or as soon as practicable.

Certification of Eligibility for Parental Leave

Mason will require documentation of the birth or placement in order to approve parental leave. Official documents that will be considered, but may not be limited to, are: a report of birth, a birth certificate, an order of parentage, an adoption order, certified DNA test results, a custody order, and a foster care placement agreement. Documents provided should show date of birth and date of placement if placement was other than the date of birth.

Faculty Matters provided the following feedback on the policy:

- Faculty Matters is pleased to see an 8-week paid leave plan to be used in concert with FMLA.
- The parental leave policy for 9-month faculty allows the leave to be completed within twelve month and we should strive for equity amongst our colleagues. Thus, the timing of the 12-month faculty parental leave policy uptake has raised questions. What was the rationale for allowing the leave only within 6-months post-birth? Can that be expanded to 12-months post-birth/placement to give a bit more flexibility with uptake? It is likely that most will take the leave shortly after birth, but given men are also eligible, having flexibility to share caregiving up to 1-year post-partum may add more flexibility to family planning.
- We believe that the language on the certification of eligibility for parental leave should be revised or even omitted. The language is a departure from the 9-month faculty parental policy and it does not inspire trust among our colleagues. Is HR worried that someone will lie about a birth or foster placement in order to take up leave, which has to be pre-approved by an immediate supervisor and/or unit leadership anyway? Perhaps, can we state that a supervisor may require this information and should be provided upon request? Relatedly, NOT mandating this certification may allow for some flexibility when supervisors or administrators may consider employees to be a beneficiary of this leave under rare and complex circumstances (e.g. neonatal death etc).

HR provided the following response:

- The draft policy for Faculty basically mirrors the policy the Commonwealth has put in place for Classified staff. The 6 month period is what the Governor allocated as the period for use. We will discuss aligning it with the 9 month policy and for ease of administration potentially align the classified policy as well to 12 months.
- The certification of eligibility is also identical to what is asked of our Classified staff who will go out on paid parental leave. We also ask for certificaion of anyone going out on maternity leave today. It is standard practice for an employer to ask for proof of a life event (i.e. marriage certificate; divorce decree, birth certificate, etc.) for health insurance and other benefit purposes. We will not be changing this language.

Related Item: Parental Leave for Instructional 9-month Faculty

Faculty Matters also reached out to HR again to attempt to engage in dialog that was begun over the summer, regarding two main concerns raised about the existing parental leave policy for instructional 9-month faculty. These concerns are listed below.

- A requirement that faculty must fill a repayment agreement form was added to University Policy #2230 without faculty input. At some point, we heard that HR has reversed its position and removed this provision. However, University Policy #2230 still reflects the provision. Do you have an update for us?
- The exiting policy does not allow parental and study leaves to be taken in consecutive semesters (unless authorization is requested and granted). A department chair, who had to request this exception twice in recent years, reached out to the Faculty Senate with multiple concerns. We believe that a study leave is a workload re-allocation whereas a parental leave is a workload reduction, and examining possible revisions to this provision may be warranted. We initiated discussions with HR but it is stalled at this time.

HR provided the following response:

- On the 9 month policy, the good news is we are lifting/removing the repayment agreement form. The policy itself is going through some other slight revisions and is making its way to being finalized very soon.
- On the other concern, my understanding is the Provost wants to review/approve any requests for consecutive parental and study leave. So, that language will remain in the policy.