

**THE GEORGE WASHINGTON UNIVERSITY**  
Washington, D.C.

The Faculty Senate

February 28, 2006

The Faculty Senate will meet on Friday, March 10, 2006, at 2:10 p.m., in the Alumni House, 1925 F Street, NW, First Floor

**AGENDA**

1. Call to order
2. Approval of the minutes of the regular meeting of February 10, 2006, as distributed
3. IN MEMORIAM:  
  
Dr. Howard C. Pierpont, Associate Professor Emeritus of Surgery
4. **A RESOLUTION ON ESTABLISHING CRITERIA FOR APPOINTMENTS, REAPPOINTMENTS, AND PROMOTION OF REGULAR, ACTIVE-STATUS FACULTY SERVING IN NON-TENURE-ACCRUING APPOINTMENTS (05/6);** Committee on Appointment, Salary, and Promotion Policies; Committee on Professional Ethics and Academic Freedom (Resolution and Legislative History attached)
5. Introduction of Resolutions
6. Biennial Report on Women Faculty and Faculty of Color: Executive Vice President for Academic Affairs Donald R. Lehman
7. Status Report on Administration Plans regarding ways of meeting the FY 06-07 Budget Shortfall: Executive Vice President for Academic Affairs Donald R. Lehman; Executive Vice President and Treasurer Louis H. Katz
8. General Business:
  - (a) Nominees for election to the Nominating Committee for the Executive Committee for the 2006-07 Session (nominees to be announced)
  - (b) Report of the Executive Committee: Lilien F. Robinson, Chair
9. Brief Statements (and Questions)
10. Adjournment

*Elizabeth A. Amundson*  
Elizabeth A. Amundson  
Secretary

A RESOLUTION ON ESTABLISHING CRITERIA FOR APPOINTMENTS,  
REAPPOINTMENTS, AND PROMOTION OF REGULAR, ACTIVE-STATUS FACULTY  
SERVING IN NON-TENURE-ACCRUING APPOINTMENTS (05/6)

- Whereas, Article IV of the Faculty Code and Part B of the Procedures for the Implementation of the Faculty Code confer upon the faculty of each school the responsibility to establish and publish criteria on which regular, active-status faculty appointments, reappointments and promotions will be based, and require the faculty of each department to establish and publish any additional criteria; and
- Whereas, Part B.2 of the Procedures for the Implementation of the Faculty Code requires that recommendations for faculty appointments, reappointments and promotions shall be made by the faculty members of the appropriate rank in each department or nondepartmentalized school, acting either as a committee of the whole or through a duly elected standing committee; and
- Whereas, Article IV.B.1 of the Faculty Code stipulates that “promotion shall be dependent upon professional competence as evidenced by teaching ability, productive scholarship, participation and leadership in professional societies, service to the University, and public service”; and
- Whereas, the Faculty Code offers no guidance as to whether regular, active-status faculty holding non-tenure-accruing appointments must be judged by criteria identical to those applied to faculty holding tenure-accruing appointments of the same rank within the same department or within a nondepartmentalized school in connection with decisions regarding appointment, reappointment, or promotion; and
- Whereas: it is in the best interests of all regular, active-status faculty to have explicitly-stated criteria governing appointments, reappointments and promotion; and
- Whereas, in the absence of such guidance in the Faculty Code, several schools of the University have proposed the creation of new position titles to provide for school-specific teaching and program development needs; and
- Whereas, it is in the best interests of the University that a universal set of faculty titles and ranks, as specified in Article I.B of the Faculty Code, be applicable across all academic units of the University; and
- Whereas, it is in the best interests of the University, as an integral part of the academy, to expect that all regular, active-status faculty will generate productive scholarship and disseminate existing knowledge through their teaching; and
- Whereas, teaching loads and service assignments for all regular, active-status faculty, including faculty holding non-tenure-accruing appointments, should be structured so that during the term of each appointment, consistent with the University’s needs, each regular, active-status faculty member has a reasonable opportunity to generate evidence of teaching ability and productive scholarship; and
- Whereas, it is not appropriate to appoint faculty members to regular, active-status positions with the accompanying faculty governance rights unless they are expected to be actively engaged in all of the key areas of teaching, productive research, and service to the University, professional societies and the public; and
- Whereas, a number of universities have appointed “professors of practice” to meet teaching and specialized programmatic needs, and at least one school in the University has appointed a small number of “professors of practice” for similar purposes; and

Whereas, the title of “professor of practice” (at assistant, associate and full professor levels) should be authorized under the Faculty Code for full-time faculty members who are hired to meet special teaching or program administration or development needs within a department or school but who are not expected to be actively engaged in the generation of productive scholarship, and such faculty members should be recognized as “special service” faculty without faculty governance rights similar to the status of research faculty under Article I.B.4. of the Faculty Code; NOW THEREFORE

BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

- (1) That the Faculty Code be amended by adding the following new subsection at the end of Article I.B.:

**5. Special Service:** Special service faculty may be appointed, upon recommendation of the appropriate faculty and officers of the administration, as professor of practice, associate professor of practice, and assistant professor of practice, or with such other special service faculty designation as may be approved by the Vice President for Academic Affairs, in order to fulfill special teaching or program administration or development needs. Such appointments do not provide tenure, and special service faculty are not expected to generate productive scholarship.

- (2) That the Faculty Code be further amended by adding the following new section after Article IV.A.5:

**6. Criteria and Procedures for Appointments, Reappointments, and Promotion of Regular, Active-Status Faculty Serving in Non-Tenure-Accruing Appointments**

Each school and each department (except in the case of nondepartmentalized schools) shall take the following actions with regard to appointments, reappointments, and promotion of regular, active-status faculty serving in non-tenure-accruing appointments:

- a) In accordance with this Article IV and Part B of the Procedures for the Implementation of the Faculty Code, the faculty of each of the foregoing units shall approve and publish the criteria to be applied in making decisions regarding appointments, reappointments, and promotion of regular, active-status faculty serving in non-tenure-accruing appointments. These criteria shall be based on the purpose(s) of the non-tenure-accruing appointments. Each letter of appointment for a regular, active-status faculty member serving in a non-tenure-accruing appointment shall include appropriate references to the criteria and purpose(s) applicable to such appointment.
- b) Decisions regarding appointments, reappointments, and promotion of regular, active-status faculty for non-tenure-accruing positions at a rank lower than the rank of professor may be based on published criteria that assign different weights to the factors of teaching ability, productive scholarship, and service to the University, professional societies and the public than the published criteria that would be applied to faculty members serving in tenure-accruing appointments in the applicable department or nondepartmentalized school; provided, however, that
  - 1) none of the foregoing factors shall be assigned a weight of zero, and each regular, active-status faculty member serving in a non-tenure-accruing position shall be expected to generate evidence of teaching ability and productive scholarship; and

2) the weights to be applied to the foregoing factors shall be based on the purpose(s) of the particular non-tenure-accruing appointments, and such weights shall be explicitly stated in the applicable letters of appointment or reappointment; and

c) Decisions regarding appointments, reappointments, and promotion of regular, active-status faculty for non-tenure-accruing positions at the rank of professor shall be based on published criteria that are substantially comparable (though not necessarily identical) to the published criteria that would be applied to faculty members serving in tenure-accruing appointments in the applicable department or nondepartmentalized school.

d) Teaching loads and service assignments for all regular, active-status faculty in a department or nondepartmentalized school should be structured so that during the term of each appointment, consistent with the University's needs, each regular, active-status faculty member in that department or school has a reasonable opportunity to generate evidence of teaching ability and productive scholarship.

Committee on Appointment, Salary, and Promotion Policies  
February 24, 2006

Committee on Professional Ethics and Academic Freedom  
February 24, 2006

**Legislative History to Accompany**  
A RESOLUTION ON ESTABLISHING CRITERIA FOR APPOINTMENTS,  
REAPPOINTMENTS, AND PROMOTION OF REGULAR, ACTIVE-STATUS FACULTY  
SERVING IN NON-TENURE-ACCRUING APPOINTMENTS (05/6)

The Joint Subcommittee on Appointments, Reappointments and Promotion of Contract Faculty (“Joint Subcommittee”) was commissioned by the Faculty Senate Executive Committee in accordance with the three following memoranda:

1. On February 4, 2004, Professor Lilien Robinson (Chair of the Faculty Senate Executive Committee) wrote to Professor Charles Garris (Chair of the Faculty Senate Committee on Appointment, Salary, and Promotion Policy, “ASPP”) to request the ASPP Committee’s consideration of, and recommendations for (among other issues), “formulation of policies on reappointment and promotion of contract faculty in programs without departmental affiliation.”
2. On March 3, 2004, Professor Robinson wrote to Professor Garris as well as to Professor Ernest Englander (Chair of the Senate Committee on Professional Ethics and Academic Freedom, “PEAF”) noting that “upon further discussion, our colleagues have come to the conclusion that it would be very helpful to have both the PEAFF and ASPP Committees address this matter. Accordingly, the Executive Committee recommends that you appoint a joint subcommittee to take on this project.”
3. On July 16, 2004, newly-elected Chair of the Faculty Senate Executive Committee Professor Arthur Wilmarth, Jr., wrote to Professor Englander and Professor Sylvia Marotta (newly appointed Chair of the Senate Committee on Appointment, Salary, and Promotion Policy), with the request that the ASPP and PEAFF Committees “form a joint subcommittee to consider issues related to the appointment, promotion, reappointment, and general status of full-time contract faculty members. One particular issue is how status decisions should be made with respect to contract faculty who are not supervised by department chairs...It would be ideal if the subcommittee could include a mix of tenured and contract faculty...”

It was agreed by the Chairs of the ASPP and PEAFF Committees that the Joint Subcommittee need not be composed exclusively of ASPP and PEAFF members, but that there needed to be at least one member from each of the two Committees on the Joint Subcommittee. Professors Englander and Marotta canvassed the University Faculty to identify Faculty members who were interested in serving on the Joint Subcommittee. These included: Professors Englander and Marotta (co-chairs), and Professors Carayannis (GWSB), Chalofsky (GSEHD), Cherian (GWSB), Lornell (CCAS), Hilliard (GWSB), Mueller (GSEHD), Williams (GWSB) and Zink (University Writing Program). In consultation with EVPAA Lehman, two administrative Committee members were appointed: Dr. Jean Folkerts (representing the EVPAA) and Mr. Richard Weitzner, Associate General Counsel.

On October 11, 2004, Executive Committee Chair Wilmarth wrote Professors Englander and Marotta: “The Executive Committee has been advised of concerns that some contract faculty members are being hired with the expectation of carrying out primarily teaching and/or administrative duties while holding the same title (e.g., professor, associate professor, or assistant professor) as tenure-line faculty members or contract faculty members who are expected to fulfill a significant research component as part of their overall responsibilities. This practice has raised difficulties when contract faculty members who are appointed with such expectations are later considered for reappointment or promotion by faculty committees. Could you please ask your subcommittee to consider whether a separate designation should be used for full-time contract faculty members who are expected to devote most of their efforts to teaching and/or administrative tasks? We understand that [one school of the University] designates contract faculty members as “professors of practice” if they are hired “primarily for their ability to contribute to the teaching

programs of the School”. Should a title similar to “professor of practice” (including instructor, assistant and associate ranks) be added to Article I.B.1 of the Faculty Code to designate a regular, active-status contract faculty member who is expected to devote most of his or her efforts to teaching and/or administrative tasks?”

The Joint Subcommittee met throughout the Fall 2004 and Spring 2005 semesters and produced a draft resolution and an accompanying statement of legislative history. The Joint Subcommittee was reconstituted in October 2005, and its members included: Professors Murli Gupta (CCAS, and ASPP chair) and Wilmarth (PEAF chair), as co-chairs, and Professors Artz (GWSB), Chalofsky, Gamber (Univ. Writing Program), Hamner (SEAS), Mueller, and Wirtz (GWSB). On November 30, 2005, the Joint Subcommittee agreed on a proposed resolution and statement of legislative history, which built upon the excellent work done by the Joint Subcommittee during 2004-05. In December 2005, the ASPP and PEAFF Committees met separately to discuss the Joint Subcommittee’s proposal. As a result of those discussions, the ASPP and PEAFF Committees held a joint meeting on January 24, 2006, to develop a consensus on these matters. As a result of these and subsequent deliberations, the ASPP and PEAFF Committees reached the following conclusions:

1. Regular, active-status faculty holding non-tenure-accruing (“NTA”) appointments constitute more than one-fifth of the University’s full-time faculty and are needed by the University to meet a variety of programmatic needs. In 2005, the University’s 730 regular, active-status faculty members included 165 faculty members serving in NTA positions. Because of concerns about financial flexibility and the great dependence of the University on enrollment-related revenues, Executive Vice President for Academic Affairs Donald R. Lehman advised the participants that neither the Administration nor the Board of Trustees would accept a resolution requiring that all regular, active-status faculty must be appointed to tenure-accruing positions. Professor Walter Kahn (SEAS) noted that Article I.B.1. of the Faculty Code recognizes the legitimacy of regular, active-status faculty holding NTA appointments by providing that up to 25 percent of the regular, active-status faculty of any school, and up to 50 percent of the regular, active-status faculty of any department, may consist of NTA faculty. The Law School, School of Medicine and Health Sciences, and the College of Professional Studies are exempted from these Code requirements. Professor Art Wilmarth expressed his concern that the Graduate School of Education and Human Development and the School of Public Health and Health Services are not even close to complying with these Code requirements and both Schools have made little or no progress toward increasing their percentages of tenure-accruing faculty during the past several years. Other participants agreed with this concern and felt that the Faculty Senate should address these departures from the Faculty Code.
2. The Joint Subcommittee and the two Committees actively deliberated on whether separate titles should be designated for regular, active-status faculty members who are expected to devote most of their efforts to teaching and/or administrative tasks. After extensive discussion and review of the individual schools’ needs, as well as a thorough review of the current provisions in the Faculty Code (notably Article IV, “Appointment, Reappointment, Promotion, and Tenure”), the Joint Subcommittee and the two Committees concluded that it would be far more advisable to draw on the *current* language of Article I.B.1. of the Faculty Code, which is sufficiently broad to allow the multiplicity of school-based needs to be met through *existing* titles, than to augment the Faculty Code with what would be a proliferation of new titles for regular, active-status faculty to accommodate the multiple, non-overlapping current needs (as well as unforeseen future needs) of the individual academic units.

3. The Joint Subcommittee and the two Committees were sensitive in their deliberations to the consequence of the foregoing conclusion -- namely, that identical titles (e.g., Assistant Professor) might carry different predominant responsibilities among regular, active-status faculty members across and within academic units. It was agreed that this flexibility is generally a strength (permitting dynamic response to the University's evolving needs on an academic unit basis) with respect to NTA positions below the rank of full professor. At the rank of full professor, however, it was agreed that there should be a closer similarity between tenure-accruing and NTA faculty. Accordingly, it was determined that the criteria for appointments, reappointments and promotion to the rank of full professor for NTA faculty should be "substantially comparable (though not necessarily identical) to the criteria that would be applied to faculty members serving in tenure-accruing appointments in the applicable department or nondepartmentalized school."
4. The Joint Subcommittee recognized that, in promoting the flexibility of responsibilities for regular, active-status faculty holding NTA positions, as recognized in the accompanying Resolution, it is essential that academic units identify and articulate, in advance, the responsibilities of every regular, active-status faculty member serving in an NTA position, as is already done for tenure-accruing faculty (through the Bylaws of the individual academic units). Accordingly, the faculty of each academic unit must establish and publish the criteria for appointments, reappointments, and promotion of regular, active-status faculty holding NTA positions in accordance with Article IV of the Faculty Code and Part B.2. of the Procedures for the Implementation of the Faculty Code.
5. As reflected in the accompanying Resolution, every regular, active-status faculty member should contribute to the fulfillment of all areas of faculty responsibility within his or her respective department or nondepartmentalized school, including the areas of teaching and productive scholarship. Accordingly, the Resolution provides that, in making decisions regarding appointments, reappointments and promotion of regular, active-status faculty members in NTA positions, none of the areas of faculty responsibility should be assigned a weight of zero and each such faculty member should be expected to generate evidence of teaching ability and productive scholarship. In addition, the Resolution provides that teaching loads and service assignments should be structured so that during the term of each appointment, consistent with the University's needs, each regular, active-status faculty member has a reasonable opportunity to satisfy the foregoing expectations for teaching and scholarship.
6. The ASPP and PEAFF Committees agreed that a faculty position should not be classified as a regular, active-status position unless it includes an expectation of generating productive scholarship. In this regard, the two Committees concurred that faculty members should not receive faculty governance rights as regular, active-status faculty under the Faculty Code unless they are actively engaged in all of the key areas of teaching, scholarship and service. This conclusion is consistent with (i) Article I.B.4. of the Faculty Code, which does not grant "regular" status or the accompanying faculty governance rights to research faculty, because research faculty are not expected to engage in teaching, and (ii) Article IV.B.1. of the Faculty Code, which provides that promotion of regular, active-status faculty members "shall be dependent on professional competence as evidenced by teaching ability, productive scholarship, participation and leadership in professional societies, service to the University, and public service."
7. The ASPP and PEAFF Committees agreed that a new title of "professor of practice" (at assistant, associate and full professor levels) should be authorized in the Faculty Code for full-time faculty members who are hired to fulfill special teaching or program administration or development needs in a department or school but who are not expected to generate productive scholarship. These special service faculty

members would be similar to the “professors of practice” who have been appointed for one or two three-year terms in the Elliott School of International Affairs. Such special service faculty should not be appointed to regular, active-status positions and should not receive faculty governance rights. It was agreed that a new category of “Special Service” faculty should be authorized under Article I.B. of the Faculty Code, and that this new category should include the “professor of practice” designations and should also permit additional special service faculty designations that are recommended by the faculty of a department or nondepartmentalized school and approved by the Executive Vice President for Academic Affairs.

The Joint Subcommittee also looked carefully into the question of possible “formulation of policies on reappointment and promotion of contract faculty in programs without departmental affiliation”. In collaboration with the Faculty Senate Executive Committee, the Joint Subcommittee determined that the faculty associated with one Program -- the University Writing Program in the Columbian College of Arts and Sciences -- was, initially, without adequate protection under the Faculty Code. In the Joint Subcommittee’s opinion, the Columbian College bylaws have since been amended to provide rights and protections for the faculty in that Program that conform to the rights and protections offered to all regular, active-status faculty under the Faculty Code. The Joint Subcommittee did not, therefore, recommend additional policies on appointment and promotion of contract faculty in programs without departmental affiliation.

Murli M. Gupta.  
Chair, ASPP Committee

Arthur E. Wilmarth, Jr.  
Chair, PEAFF Committee

February 24, 2006