

THE GEORGE WASHINGTON UNIVERSITY
Washington, D.C.

MINUTES OF THE REGULAR MEETING
OF THE FACULTY SENATE HELD ON
SEPTEMBER 11, 2009 IN THE STATE ROOM

Present: President Knapp, Executive Vice President for Academic Affairs Lehman, Registrar Amundson and Parliamentarian Charnovitz; Deans Barratt, Dolling, Phillips, and Reum; Professors Barnhill, Benton-Short, Biles, Boyce, Castleberry, Corry, Costanza, Dickson, Galston, Garcia, Harrington, Helgert, Hotez, Johnson, Klaren, Pagel, Parsons, Plack, Rehman, Robinson, and Wirtz

Absent: Deans Brown, Burke, Futrell, Lawrence, and Scott; Professors Cordes, Garris, Griffith, Lipscomb, Simon, Wilmarth, and Windsor

The meeting was called to order by President Knapp at 2:15 p.m.

APPROVAL OF THE MINUTES

The minutes of the regular meeting held on May 8, 2009 were approved as distributed

INTRODUCTION OF RESOLUTIONS

No resolutions were introduced.

RESPONSE OF THE ADMINISTRATION TO SENATE RESOLUTIONS FOR THE 2008-09 SESSION

President Knapp inquired if there were any questions about the administrative response to Faculty Senate Resolutions adopted in 2008-09. [The list was circulated with the meeting agenda.] There were none.

PRESENTATION ON CHANGES TO THE UNIVERSITY'S RETIREMENT PLANS

Ms. Jennifer Lopez, Executive Director of Tax, Payroll, and Benefits Administration, updated the Faculty Senate on the Fidelity Master Administrator/Retirement Plan Administrative Service Project. The addition of Benefits Administration, formerly a Human Resources function, to the Finance section of the University occurred about four months ago. The rationale for including Benefits Administration together with Tax and Payroll seemed a natural one as it puts oversight of everything deducted from employee paychecks under one director. It was also done with the hope of better coordinating customer service, and in recognition of increased compliance requirements as there are resources within Finance that are accustomed to dealing with compliance and regulatory changes.

Ms. Lopez said that she had reviewed the minutes of the February 2009 Senate meeting at which a number of questions had been raised about proposed changes to the

retirement plan, including a thirty day total blackout period during which no transactions could be conducted. These changes were originally scheduled to occur in April, 2009. The project was reassessed, and implementation of these changes was delayed and reassigned to a new team. Plans for publicizing the changes were revised and substantially improved, and Ms. Lopez reported that she had briefed the Senate Appointment, Salary, and Promotion Policies Committee as well as the Senate Executive Committee. She added that the University is now at the midpoint of the information and communications campaign which includes posting fliers on campus, sending blast e-mails to the campus community, mailing a 19 page transition brochure to faculty and staff homes that outlines in detail changes to the plan, as well as offering 20 seminars to be to the campus community at the Foggy Bottom, Ashburn, and Biostatistics Center locations.

Ms. Lopez provided information about the new model for the administration of the University's retirement plan, which is necessary for two primary reasons. The first reason is the University's current dependence on a paper-intensive process in the Benefits area. Automating transactions and making them available to employees around the clock is an important step in the right direction. This will be accomplished by Fidelity's sponsoring of a netbenefits website at which all new faculty and staff will enroll for the first time in the plan. Contribution percentage changes will also be handled on the site rather than by the submission of paper forms to Benefits Administration. Unlike the present system, faculty and staff will receive a written confirmation of transactions, rather than waiting to view the changes on their next paycheck.

The second primary reason why a new model is necessary is due to increased compliance and federal monitoring and reporting requirements. In the 403 (b) area, which is the plan that governs employee contributions, for the first time in 40 years there have been changes to regulations that will now require the University to aggregate data from all participants regardless of the fund or provider with whom they are invested. This information must be reported at the end of the year and a Form 5500 must be filed. In addition, beginning in 2009, an external audit of the plan will be required, and aggregated data and financial statements must be prepared for this. Those increased compliance requirements, combined with an environment at the University that offers multiple vendors to participants, creates a very difficult combination when this data must be aggregated from three sources. Eliminating investment providers and taking away choices from faculty and staff was not an option the University wished to pursue, and GW just wasn't equipped to handle the compliance and reporting requirements in house. Thus, a model had to be found to report the aggregated data and Fidelity was chosen as the primary administrative service provider.

Ms. Lopez next reviewed the new model, as not everyone has understood just exactly what the University has engaged Fidelity to do. At the beginning of 2009, GW had four vendors: Fidelity, Equitable, TIAA-CREF and Vanguard. [As there were only 15 participants in the Equitable funds, this option was eliminated for new participants and those enrolled were notified of this change.] Negotiations with the three remaining vendors ensued. Both Fidelity and Vanguard had the technical capability of handling the new data and reporting requirements. TIAA-CREF did not and in fact GW has had [unrelated] systems issues with this vendor. Vanguard was not agreeable to putting all of the Fidelity funds onto its platform, and this meant participants would have fewer funds from which to choose than previously. With appropriate technical capability and its willingness to put all of the Vanguard funds onto its platform, Fidelity was selected as the master administrative

service provider. TIAA-CREF funds will not move to the Fidelity platform, but will continue to stay separate and alone with the University receiving a separate TIAA-CREF report. As the selected administrative service provider, Fidelity will manage the enrollment process, and investment provider and contribution percentage elections from GW so all of this data will be retained in one place. Fidelity will also sponsor a website for the purpose of conducting these transactions. Instead of having three separate providers the University will now have two supplying the necessary compliance and reporting information.

With regard to specific compliance, contracts have been signed with Fidelity, the programming of all the layouts and files has begun, and GW's ISS staff has been very heavily involved, including ISS security. Implementation has been a combined process, and weekly meetings have taken place with Fidelity, TIAA-CREF, and Vanguard. All three vendors have approved all of the materials to be sent to the campus community. GW's goal and intent is to maintain equal representation for all of the fund offerings.

The target implementation date for changes to the retirement plans is now October 1. One major enhancement that has generated positive feedback is the new option for faculty and staff to designate the University's base retirement plan contribution of 4% either to Fidelity or Vanguard. Previously this 4% base amount could only be designated to the TIAA-CREF fund options.

Ms. Lopez acknowledged the great amount of concern expressed last February about the blackout period that will accompany the retirement plan changes. At that time, it was communicated as a 30 day blackout for all participants in all of the plans. This window has been narrowed and limited to specific transactions. She also reviewed why it is necessary for some transactions to be restricted for a period of time. A blackout period must occur so that the Vanguard funds can be moved onto the Fidelity platform. Accounts will have to be reconciled, and GW must sign off on that reconciliation to make sure that everything is moved appropriately.

If faculty or staff are invested with TIAA-CREF (the bulk of GW's population) there are no blackout restrictions during this period with regard to fund access, changing the investment mix or exchanging funds, and there is no impact on the ability to request loans or distributions if faculty or staff are in fact eligible. There is a 9 business day blackout window for changing the percentage contributed from a participant's paycheck. This information has been widely disseminated in advance and is really the only limitation for TIAA-CREF participants.

If participants are happy with the percentage they are contributing and have no interest in changing their investment fund mix, they do not need to do anything as a result of this change in retirement plan administration as all of a participant's current elections and fund selections will remain the same. Participants who may need to take action are those who perhaps were contemplating changes in the percentage they are contributing or in their fund selections. There are certain restrictions lasting from 4 days (depending on the transaction) up to 20 days for such transactions with the Fidelity and Vanguard funds.

Finally, there are no changes with regard to the funds being offered to faculty and staff. The same TIAA-CREF, Fidelity, and Vanguard fund lineup will continue to be available with one exception, as noted before, i.e. Equitable.

A short discussion followed. Ms. Lopez said that the Fidelity sponsored website is not yet live but rather is in the test database phase. She was also asked about the availability of performance information for the funds offered. All three fund vendor packets giving performance and expense ratios have been made available at the seven seminars already held. The demand has been substantial. A request was received that some of that information be posted on the GW website, and that idea is under consideration.

In response to a question about the length of the blackout period, Ms. Lopez reiterated that this varies by transaction, but no one transaction is prohibited for 30 days. Complete information is contained in information supplied to retirement plan participants.

Professor Barnhill asked for a brief recap on the number of websites retirement plan participants would utilize in the future. Ms. Lopez confirmed that investment fund changes for Fidelity or Vanguard participants will be made at the Fidelity website. Participants would go to the TIAA-CREF website to manage their investment mix. TIAA-CREF participants who have no interest in changing their percentage allocation or investment provider will never have to go the Fidelity netbenefits website. Participants who are enrolled with all three vendors will find a link on the Fidelity website to the TIAA-CREF site to facilitate transactions in those funds.

Professor Parsons inquired if Fidelity would be compensated for providing these new services. Ms. Lopez responded that it would not. From Fidelity's perspective the incentive is the hope that the University's 4% base contribution will be directed to its funds rather than elsewhere. At the same time, there will be a reduction in Vanguard fees because these funds will not be administratively managed by Vanguard anymore. Finally, Fidelity has not increased its administrative fees in connection with this change, so there is a net gain for participants invested in Vanguard funds.

GENERAL BUSINESS

I. NOMINATIONS FOR ELECTION TO SENATE STANDING COMMITTEES

Professor Robinson moved the nominations of the following faculty members to Senate Standing Committees: Appointment, Salary, and Promotion Policies: Ellen M. Dawson, Randi G. Kristensen, and Amy Mazur; Libraries: Carol H. Hoare as Acting Chair, and Vincy Fon; Professional Ethics and Academic Freedom: Arthur E. Wilmarth, Jr.; Research: Theodore M. Barnhill and Sharon F. Lambert. The nomination of Murray H. Loew was added to the Committee on Professional Ethics and Academic Freedom. The entire slate was approved.

II. NOMINATIONS FOR APPOINTMENT BY THE PRESIDENT TO ADMINISTRATIVE COMMITTEES

Professor Robinson moved the nominations of the following faculty members to Administrative Committees: Marvin Center Governing Board: Jacqueline S. Barnett and Dwight S. Cropp

III. REPORT OF THE EXECUTIVE COMMITTEE

Professor Robinson presented the Report of the Executive Committee, which is enclosed. Also distributed at the meeting were the Executive Committee Report to the Academic Affairs Committee of the Board of Trustees at its May, 2009 meeting. That report is enclosed.

IV. ANNUAL REPORTS OF SENATE STANDING COMMITTEES:

The Annual Report of the Faculty Senate Executive Committee was received for distribution with the meeting Minutes. A Report on Administrative Salaries prepared by Professor Murli Gupta at the request of the Executive Committee was distributed at the meeting. This report includes a comparison of administrative salaries to the increases in faculty salaries over six years, and to student tuition over an eight-year period. (The reports are attached.)

The organization charts for the University and the Executive Vice President and Treasurer's Office were electronically distributed to Faculty Senate members. A report from the ASPP/PEAF Joint Subcommittee on the Assessment of Faculty Teaching at GW and a Special Report to the Faculty Senate Regarding the NCAA Recent Determination With Respect to George Washington University Men's Basketball [from the Acting Chair of the Athletics and Recreation Committee] were also electronically distributed to Senate members. (The organization charts and reports are attached.)

V. CHAIR'S REMARKS

President Knapp welcomed everyone back at the beginning of the new semester. He reported that early in the summer, a retreat designed by the Deans was held for the volunteer leadership of the University. This retreat followed up on one held the year before involving the Board of Trustees and the Deans, at which ideas were considered that would lead to the beginning of a discussion of a possible campaign to bring in essential resources to the University. Participants at the second retreat included the Board of Trustees and Deans, Chairs of the Advisory Councils associated with each of the Schools, leadership of the Alumni Association and Parent's groups, and a number of Senate Executive Committee members.

In preparation for the second retreat, the Deans were asked to think collectively about some themes they wanted to highlight in discussion sections and also to put together faculty panels on some interesting topics designed to engage the volunteers in some of the intellectual excitement associated with an institution like GW here in the nation's capital. President Knapp said he thought the faculty panels did a stellar job, and all of them were fascinating. Everyone present was able to sign up for the two of three faculty panels, which proved a great conversation starter, as participants were curious about the panel they had missed. He added that he hoped that this means of engaging the volunteers in the very interesting and groundbreaking work being done on a broad range of issues by GW faculty would continue in the future.

During the afternoon session there were discussions of salient themes identified by the Deans. This is part of a process of engaging the volunteers and really starting to think about GW's aspirations as an institution. The discussions also focused on what it would

take to realize those aspirations, particularly in areas in which GW really cannot achieve its goals without an influx of new resources. The University is still in the process of testing the proposition that funds can be raised on an annual basis that would warrant continuing on to a more robust capital campaign. As a next step, the Deans, working with faculty in their schools, will continue to refine their case statements outlining what each of the Schools is aiming for, and these statements will be consolidated into a University-wide statement. Formulation of these documents is necessary for a serious feasibility study in which ideas are presented to prospective supporters of the University to get their reactions and find out what they might be interested in supporting. President Knapp expressed his appreciation to the faculty and volunteers who participated and said he thought the occasion was a valuable one in raising the sights of potential supporters about what GW can accomplish as an institution with their help.

President Knapp then briefly discussed GW's financial position. GW has weathered the recession better than other institutions with larger endowments and has not had to make the challenging choices they have in order to shore up their finances. In contrast to institutions which have large endowments, many of them highly leveraged, GW's dependence on endowment funding is relatively minor, and GW has directed its funds to more conservative investments than other institutions. It also has been able to create fund reserves. The avoidance of undue risk and illiquidity has meant that GW's endowment losses were actually far less than those of other institutions, i.e. some 17-18% as compared to 30%. GW remains, and will be, for the foreseeable future, a very heavily tuition-dependent University.

President Knapp next reviewed the enrollment picture, which has remained positive despite financial difficulties for many families. It was anticipated that a larger number of students than usual might have to reassess their options over the summer and revise their plans to attend the University (the summer "melt") but this did not materialize. In fact, GW received more applications than expected, and although the percentage of applicants accepted remained the same as last year, the larger applicant pool enabled the University to achieve a fall enrollment of approximately 2,500 students, a larger class than was expected. At the same time, GW has had to spend more for student financial aid given the larger class. Looking to the future, the University will continue to exercise caution with respect to its enrollments, particularly because GW is subject to a cap on the total student population at the Foggy Bottom campus.

Another positive for GW is that it has not had to freeze, cut, or slow down faculty hiring. President Knapp said that his impression is that the entering "class" of new faculty is becoming stronger every year, and they come to the University with outstanding credentials and impressive records.

President Knapp said he thought it was all well and good for the University not to have experienced the losses of its competitors in the market, to have financial reserves set aside, and to have met its tuition revenue projections. Still, it is not a bad time to step back and inquire if there are ways to free up additional resources to invest in academic programs. President Knapp said he had consulted with the Trustees, and a process for gathering ideas about innovative ways of freeing up funds from business processes and looking for ways to enhance instruction through technology will be launched by the formation of a task force under the general chairmanship of Associate Vice President Lenn. Many faculty are aware of the excellent job he has done working with Senior Associate Vice President Ed Schonfeld

of Finance & Administration on two major tasks: preparations for the Presidential Inauguration festivities and monitoring and ensuring appropriate campus preparation for an outbreak of the H1N1 virus. The task force will gather ideas from the campus community to see what could be improved in terms of processes, wasteful expenditures, and duplication of effort. It will also look at the best practices of other institutions, as many have been forced, in a way that GW has not, to take very large amounts of substantial expenditures out of their operating budgets. GW is not in that position, but the question is whether or not what they have discovered in this process are things that GW can take advantage of that would actually make life easier for faculty in their teaching and research and all their other activities while at the same time reducing costs and freeing up funds that could then be reinvested in other academic programs. That is another way, in addition to fundraising efforts, of obtaining needed resources.

President Knapp reported that two vice presidential searches are being launched and the very first meeting of the search committee for Don Lehman's successor in a redefined role as Provost of the University would take place the following Monday. By that time representatives will have been elected from all of the Schools, and President Knapp said he would meet with the committee to give it its charge. Professor Robinson will serve on the committee as representative of the Faculty Senate Executive Committee, and one Trustee, Lydia Thomas, who is the long-serving Chair of the Academic Affairs Committee of the Board of Trustees, will also serve. Two deans, Deans Dolling and Brown and Senior Vice President and General Counsel Beth Nolan, a former member of our Law School faculty, will also be serving on the Committee. A consultant has been identified to assist with the search.

President Knapp noted that Vice President Lehman's announcement of his retirement had occurred after the May 2009 Senate meeting. Although there will be many other occasions to express the University's appreciation for his work, President Knapp said he wanted to take this as his first opportunity to thank him at a Senate meeting for his extraordinary run of service. President Knapp observed that, by the time he finishes his term as Executive Vice President for Academic Affairs, he will have served 14 years in that role. He has also been a long-serving member of the faculty at GW as the George Gamow Professor of Theoretical Physics in addition to his administrative roles. President Knapp added that it was a terrific boon to him to come into the University presidency and have the support of someone who knew the ins and outs of the institution as well as Vice President Lehman did. He also commended him for being very responsive to the many different initiatives launched during the past two very busy years. Following President Knapp's remarks, Vice President Lehman thanked him for these sentiments and a round of applause ensued.

A second vice presidential search will be launched for a new Vice President for Development and Alumni Relations, as Vice President Laurel Price Jones has left that position at the end of a four-year contract. While this is not an academic position *per se*, the Deans will be consulted as the search unfolds. President Knapp encouraged anyone with ideas about possible candidates to provide that information to the search committee once it begins its work.

In conclusion, President Knapp observed that September 11th is the day on which the University community commemorates the tragedy of the September 11th, 2001 terrorist attacks. 1,400 freshmen from the new class of 2014 are marking the occasion by

participating in a Freshman Day of Service, a student initiative in which they will fan out across the City to engage in service projects. GW students are passionately committed to public service, and this idea was one of many students have devised as an expression of their desire to make this a better world. Many students, of course, were attracted to GW in the first place because they see the University as a place where faculty themselves are engaged in many cases in very substantial service activities. They are inspired by that and they come here because they want to be at the center where education meets the world in a way that's unusual among U.S. universities.

President Knapp also said he was pleased to announce that First Lady Michelle Obama has challenged GW students, faculty and staff, to contribute a total of 100,000 hours of community service this academic year. If that challenge is met, she has agreed to be the commencement speaker in May, 2010. The President commended the students for their initiative in getting this underway and said he looked forward to being a part of the project. Details about logging the hours of community service activities which will count toward the goal will be provided to the University community in the near future.

BRIEF STATEMENTS AND QUESTIONS

Professor Castleberry inquired about a recent *Hatchet* article reporting that several dozen GW students have been identified as having the flu. President Knapp responded that right now, because large numbers of cases are expected, the Center for Disease Control (CDC) has stopped testing separately for H1N1 and all flu cases are being treated alike. About two dozen cases of students with flu-like symptoms have been reported at GW and treated. GW has a very good task force monitoring this situation under the leadership of Associate Vice Presidents Lenn and Schonfeld. A number of medical experts serve on the task force, which is keeping in touch with all of the latest information from the CDC, including the question of how the H1N1 vaccine(s) will be distributed once available. In the meantime, the University community is being encouraged to take standard precautions against acquiring a contagious disease such as covering coughs, keeping hands clean and avoiding exposure to others if one is ill.

ADJOURNMENT

There being no further business before the Senate, and upon motion made and seconded, the meeting was adjourned at 3:15 p.m.

Elizabeth A. Amundson

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Secretary

**ANNUAL REPORT OF THE
EXECUTIVE COMMITTEE OF THE FACULTY SENATE
2008-2009 SESSION**

The Executive Committee established agendas for seven regular meetings during the 2008-2009 session of the Faculty Senate. The primary activities of the Faculty Senate during the 2008-2009 session are summarized below.

FACULTY SENATE RESOLUTIONS

The Faculty Senate considered four resolutions during its 2008-2009 session. Three resolutions were adopted without amendments, and the fourth resolution was tabled. In addition, on May 8, 2009, at the first meeting of the Faculty Senate's 2009-2010 session, the Senate considered and adopted Resolution 09/1, as amended. Resolution 09/1 was forwarded to the Administration for its response along with the three resolutions adopted during the 2008-2009 session.

A compilation of the Administration's responses to the four resolutions will be circulated with the agenda of the Senate meeting on September 11, 2009. The four resolutions and the Administration's responses are briefly summarized below.

“A Resolution to Amend the Time Limitation on Reporting of Final Grades by Faculty Members” (08/1)

This resolution recommended an extension of the previous 72-hour deadline for faculty members to report final grades to the Registrar's Office. The resolution, which was adopted by the Faculty Senate on May 9, 2008, proposed that final grades should be reported within five working days after the final examination has been given. The Administration accepted this resolution, and the new time limitation was put into effect at the beginning of the 2008-2009 academic year.

“A Resolution to Amend the Faculty Organization Plan with regard to the Composition of the Faculty Senate Executive Committee” (08/3)

This resolution proposed an amendment to the Faculty Organization Plan to correct a technical error that appeared in the document with respect to the composition of the Faculty Senate Executive Committee. The Faculty Senate adopted this resolution on September 12, 2008. As required by the Faculty Organization Plan, the proposed amendment was approved by the Faculty Assembly on October 3, 2008. The proposed amendment was accepted by the Administration and was forwarded by the President to the Board of Trustees, which approved the amendment on October 17, 2008.

“A Resolution of Appreciation” (08/4)

This resolution expressed the Faculty Senate's appreciation to Professor Arthur E. Wilmarth, Jr. for his past service, including his service as Chair of the Faculty Senate

Executive Committee during the Senate's 2008-2009 session. The Administration accepted this resolution.

“A Resolution to Amend The George Washington University Equal Employment Opportunity Policy (EEOP) To Include ‘Gender Identity or Expression’” (09/1)

This resolution recommended that The George Washington University Equal Employment Opportunity Policy (EEOP) be amended by including a reference to “gender identity or expression” and by making other clarifying changes to ensure that the EEOP is consistent with the District of Columbia Human Rights Act. This resolution was drafted in consultation with the University's Office of General Counsel, and the resolution was accepted by the Administration.

ACTION ITEMS AND REPORTS TO THE FACULTY SENATE:

Compliance by the School of Public Health and Health Services with the Faculty Code

1. Composition of the SPHHS Faculty

On May 6, 2008, the Executive Committee of the Faculty Senate sent a memorandum to Dean Ruth J. Katz of the School of Public Health and Health Services (SPHHS). The Executive Committee's memorandum requested that Dean Katz provide, not later than September 2008, a detailed, comprehensive plan that would bring SPHHS into compliance with Article I.B.1. of the Faculty Code within a reasonable period of time not to exceed five years. Article I.B.1. requires that at least 75% of the regular, active-status faculty within a School must hold tenured or tenure-accruing positions, and that at least 50% of the regular, active-status faculty within each department must hold tenured or tenure-accruing positions. The Faculty Senate had sought SPHHS' compliance with Article I.B.1. since April 12, 2002, when the Senate adopted Resolution 01/11, which called upon SPHHS to develop a plan to achieve compliance by the end of 2007.

On September 24, 2008, Interim Dean Josef J. Reum of SPHHS submitted a plan to bring SPHHS into compliance with Article I.B.1. within the requested five-year period. The Executive Committee referred this compliance plan to a Special Joint Committee on Compliance by SPHHS with the Faculty Code. The Executive Committee asked the Joint Subcommittee to review and evaluate the compliance plan, and to advise the Executive Committee whether the plan was feasible and was reasonably designed to enable SPHHS to achieve compliance with the Faculty Code by 2013. After holding several meetings with Interim Dean Reum, the Joint Subcommittee requested that Dean Reum revise the compliance plan in several respects in order to establish a more detailed and realistic framework for achieving compliance. As requested, Interim Dean Reum submitted a revised compliance plan on February 2, 2009.

At the Faculty Senate's meeting on March 13, 2009, Interim Dean Reum and Professor Edward J. Cherian, Chair of the Joint Subcommittee on Compliance, presented a report on SPHHS' compliance plan. Professor Cherian advised the Faculty Senate that the compliance plan appeared to be feasible and provided a reasonable basis for bringing SPHHS into compliance with Article I.B.1. of the *Faculty Code* by 2013. The Faculty Senate and the Joint Subcommittee will continue to monitor the progress made by SPHHS in implementing the compliance plan.

2. Searches for Research Faculty in SPHHS

Executive Vice President for Academic Affairs Donald R. Lehman notified Interim Dean Reum and the Executive Committee that, effective March 1, 2009, the Office of Academic Affairs would no longer approve waivers of searches for new appointments of research faculty at SPHHS. The Executive Committee expressed its appreciation to Executive Vice President Lehman for this action. The Executive Committee had previously expressed to Executive Vice President Lehman its significant concern about the growing influence of research faculty in the governance of SPHHS, due to the footnote on page 18 of the Faculty Code (which grants certain governance rights to faculty in the Medical Center who do not hold regular, active-status appointments under Article I.B.1. of the Faculty Code).

3. Search for a New Dean of SPHHS

At its meeting on January 30, 2009, the Executive Committee discussed with President Steven Knapp and Executive Vice President Lehman the upcoming search for a new Dean of SPHHS. The Executive Committee discussed the same matter with Executive Vice President Lehman in several other meetings. In these discussions, the Executive Committee strongly emphasized the importance of conducting the Dean's search at SPHHS in compliance with Part C.2.b of the Procedures for the Implementation of the Faculty Code (the "Procedures"). The Executive Committee expressed its great concern about this matter, because the Executive Committee learned that previous searches for Deans of SPHHS did not comply with the Procedures.

At its meeting on April 27, 2009, the Executive Committee expressed its continuing concern to Executive Vice President Lehman about the delay in starting a Code-compliant Dean's search at SPHHS, apparently due to the fact that some faculty members in SPHHS opposed any search that would comply with the Procedures. In June 2009, Executive Vice President Lehman informed the Executive Committee that a Code-compliant Dean's search would begin at SPHHS in September 2009.

Planning for the Science and Engineering Complex

In May 2008, the Executive Committee established a Special Ad Hoc Committee on Financial and Operational Planning for the Science and Engineering Complex. The Executive Committee asked the Special Committee to report back to the Executive Committee and the Faculty Senate after analyzing the following issues with respect to the

Science and Engineering Complex (SEC):

- (i) the projected size and scope of the SEC;
- (ii) the projected costs of building the SEC and providing the SEC with the requisite equipment and furnishings;
- (iii) the anticipated sources of funding to meet those costs; and
- (iv) the projected impact of the SEC on the University's operational and capital budgets during the next several years.

President Knapp, Executive Vice President Lehman and Executive Vice President and Treasurer Louis Katz met with the Special Committee on June 18, 2008. President Knapp also appointed two members of the Special Committee – Professor Joseph Cordes and Professor Hermann Helgert – to serve on a special committee established by the Board of Trustees to develop plans for the SEC.

The Executive Committee received a progress report from the Special Committee in July. At the Faculty Senate's meeting on November 14, 2008, Professor Helgert, as Chair of the Special Committee, presented a second progress report on the Special Committee's work. In that report, Professor Helgert described the ongoing planning process for the SEC as well as the basic parameters for the proposed building. At the Faculty Senate's meeting on November 14, 2008, the Senate also received a report from Professor Cordes, as Chair of the Fiscal Planning & Budgeting (FPB) Committee, on "The Proposed Science and Engineering Complex and the University's Operating and Capital Budgets." Professor Cordes' report provided information with regard to (i) the estimated costs of building and maintaining the SEC, (ii) the budgetary impact of those costs, and (iii) the projected sources of funding for meeting those costs.

Following the presentation of these reports, the Executive Committee submitted thirteen questions about the SEC to Executive Vice President and Treasurer Katz and asked him to respond to those questions at the Faculty Senate's meeting on December 12, 2008. Executive Vice President Katz attended the December 12 meeting and provided responses to the questions submitted by the Executive Committee. At the Faculty Senate's meeting on April 10, 2009, Professor Helgert presented a third progress report on the Special Committee's work in reviewing the planning process for the SEC.

During the Faculty Senate's meetings on November 14, 2008, December 12, 2008, and April 10, 2009, Senate members expressed substantial concerns about the projected costs and potential funding sources for the SEC. The SEC (with a currently estimated construction cost of \$250 to \$300 million) would be by far the largest and most expensive building project that the University has ever undertaken. In addition, the Faculty Senate learned that the Administration is considering two additional major projects (a new building for SPHHS and a renovation or replacement for Ross Hall) whose total estimated costs (according to Executive Vice President Katz) would be comparable to the presently estimated cost of building the SEC. Several members of the Faculty Senate expressed concerns about the University's financial capability to undertake three projects of such magnitude during the next several years, in view of the

current crisis affecting financial markets and the resulting uncertainties regarding the stability of the University's enrollments, increases in the cost of student financial aid, and the University's ability to raise funds from donors. Senate members also emphasized that the University's faculty could not play a collaborative role in planning for the SEC, as envisioned by Faculty Senate Resolution 04/1, adopted on May 7, 2004, unless (i) the Senate (through the Special Committee) receives detailed information concerning the SEC's projected cost and proposed funding sources on a timely basis, and (ii) the Senate is given a reasonable opportunity to present its views, and consult with the Administration and the Board of Trustees, well in advance of any final approval of the SEC by the Board of Trustees.

Other Reports to the Faculty Senate

In addition to the reports mentioned above, the Executive Committee arranged for the Faculty Senate to receive the following reports during its 2008-2009 session: (i) two reports from Professor Cordes, Chair of the FPB Committee, concerning the University's current and projected operating budgets; (ii) a report from Associate Vice President Adrienne Rulnick concerning the Administration's efforts to enhance the quality of its alumni programs; (iii) a report from Dean James L. Scott of the School of Medicine and Health Sciences (SMHS) concerning the University's plans and ongoing efforts to resolve the probationary status of SMHS and achieve reaccreditation of SMHS by the end of 2010; (iv) reports from Executive Vice President Lehman on University enrollments and the composition of the faculty; and (iv) a report from Dean Mary H. Futrell of the Graduate School of Education and Human Development (GSEHD) concerning recent developments and trends at GSEHD. Dean Futrell explained in her report that GSEHD has made substantial progress in moving toward compliance with Article I.B.1. of the Faculty Code. Since 2003, GSEHD has received approval from Executive Vice President Lehman for the creation of eleven new tenure-accruing faculty lines. As a result, the percentage of regular, active-status faculty members holding tenured or tenure-accruing positions at GSEHD increased from 59% in 2003 to 67% in the 2008-2009 academic year. Dean Futrell expressed optimism that GSEHD could reach the 75% level required by Article I.B.1. within the next few years.

PERSONNEL MATTERS

Grievances

Two faculty grievances originating in the Columbian College of Arts and Sciences were in process during the 2008-09 session. In the first grievance, the Dispute Resolution Committee voted to affirm the decision of the Hearing Committee, which found that the faculty grievant failed to allege facts sufficient to state a grievance under the Faculty Code. In accordance with the grievance procedures established by the Faculty Code, that grievance has been dismissed and the matter is deemed closed.

In the second grievance, the Hearing Committee determined that the grievance should be dismissed because it was based on evidence that was substantially the same as

evidence presented in a prior grievance, in which a final decision had been reached. Pursuant to the Faculty Code, the Hearing Committee's determination has been referred for automatic review by the Dispute Resolution Committee.

Nonconcurrences

No administrative nonconcurrences with faculty personnel recommendations were received by the Executive Committee during the 2008-2009 session

As indicated above, the 2008-2009 session of the Faculty Senate considered and dealt with matters that are important to the University's welfare and crucial to the success of the faculty's shared role in the governance of the University. The Executive Committee is deeply grateful to members of the Faculty Senate and its Standing Committees and to other colleagues throughout the University for their hard work, commitment, and support. The Executive Committee also greatly appreciates the assistance provided to the Faculty Senate by President Knapp and Executive Vice President Lehman. The Executive Committee expresses its special thanks to Sue Campbell, the Coordinator of Faculty Senate Activities, for her highly effective and conscientious service throughout the 2008-2009 session.

Respectfully submitted,

Arthur E. Wilmarth, Jr., Chair
Report date: September 10, 2009

Members of the Executive Committee during the 2008-09 Session:

Brian L. Biles
Michael S. Castleberry
Robert J. Harrington
Peter J. Hotez
Diana E. Johnson
Barbara D. Miller
Philip W. Wirtz

Ex officio: Steven Knapp, President

The George Washington University

Compilation of Top Administration Salaries; Comparison with Faculty Salaries and Tuition Increases

June 4, 2009

GW Compensation Data from IRS Form 990 Schedule A (Salaries reported to IRS.)

<u>President and Vice Presidents</u>		Year Ending Dec-07	Year Ending Dec-06	1 year % Change 12/06-12/07	Year Ending Dec-04	3 year % Change 12/04-12/07	Year Ending Dec-03	4 year % Change 12/03-12/07	Year Ending Dec-02	5 year % Change 12/02-12/07	Year Ending Dec-01	6 year % Change 12/01-12/07
Steven Knapp	President*	\$715,627										
President Knapp joined GWU on 08/01/2007 and was paid \$298,178 as salary for 5 months which is annualized and reported above as 2007 salary (\$298,178 x 12/5)												
Stephen Joel Trachtenberg	President**	\$1,025,875	\$691,204	48.4%	\$630,021	62.8%	\$609,837	68.2%	\$564,302	81.8%	\$516,904	98.5%
**President Trachtenberg was paid \$3,578,566 on retirement (7/31/2007); of this amount \$2,980,139 was "payout of deferred compensation and accrued sabbatical leave". The difference \$598,427 constitutes salary for 7 months which is annualized and reported above as 2007 salary (\$598,427 x 12/7)												
John Williams	VP Health Affairs	\$772,500	\$676,584	14.2%	\$593,516	30.2%	\$578,616	33.5%	\$516,304	49.6%	\$507,206	52.3%
Louis Katz	VP and Treasurer	\$618,557	\$544,371	13.6%	\$503,209	22.9%	\$496,233	24.7%	\$431,892	43.2%	\$411,246	50.4%
Robert Chernak	VP Stud Supp and Acad Serv	\$450,374	\$403,755	11.5%	\$341,894	31.7%	\$331,617	35.8%	\$306,906	46.7%	\$296,943	51.7%
Don Lehman	VP Acad Affairs	\$445,956	\$386,770	15.3%	\$320,070	39.3%	\$306,954	45.3%	\$292,015	52.7%	\$283,915	57.1%
Average Administration Increases:				Over 1 year -> 20.6%	3 years -> 37.4%	4 years-> 41.5%	5 years-> 54.8%	6 years-> 62.0%				

Tuition and fees (New Undergraduates)

http://www.gwu.edu/~ire/tuition_fees.htm

<http://colonialcentral.gwu.edu/tuition/Undergraduate/>

	2009/10	2008/09	2007/08	2006/07	2005/06	2004/05	2003/2004	2002/2003	2001/2002
Annual Tuition	\$41,640	\$40,422	\$39,240	\$37,820	\$36,400	\$34,030	\$29,350	\$27,820	\$26,170
Increase:	3.01%	3.01%	3.75%	3.90%	6.96%	15.95%	5.50%	6.30%	
Total Increase for New Undergraduates over 8 years (2001/02-2009/10)-->								59.11%	

Faculty Salaries Data from GW Fact Book (Average Regular Full Time Salaries, excludes School of Medicine)

<http://www.gwu.edu/~ire/fsas.htm>

(Note: 2008/09 data is from ASPP committee)

	Average Salaries 2008/09	Average Salaries 2007/08	1 year % Change 6/08-6/09	Average Salaries 2006/07	2 year % Change 6/07-6/09	Average Salaries 2005/06	3 year % Change 6/06-6/09	Average Salaries 2004/05	4 year % Change 6/05-6/09	Average Salaries 2003/04	5 year % Change 6/04-6/09	Average Salaries 2002/03	6 year % Change 6/02-6/09
Professor	\$134,700	\$128,500	4.8%	\$123,936	8.7%	\$118,802	13.4%	\$110,288	22.1%	\$107,072	25.8%	\$107,511	25.3%
Associate Professor	\$97,000	\$92,600	4.8%	\$89,450	8.4%	\$84,307	15.1%	\$80,677	20.2%	\$76,820	26.3%	\$76,364	27.0%
Assistant Professor	\$78,700	\$75,100	4.8%	\$72,132	9.1%	\$69,306	13.6%	\$63,157	24.6%	\$60,879	29.3%	\$60,602	29.9%
Average Faculty Increases over time period:			1 year -> 4.8%	2 years -> 8.7%	3 years -> 14.0%	4 years -> 22.3%	5 years -> 27.1%	6 years -> 27.4%					



PRESIDENT

**Executive Vice President
and Treasurer**

Administration:
Schools and Divisions Finance Directors,
Campus Support Services, Colonial Central, GWorld, Staff and Leadership Development,
Safety and Security: UPD, Public Safety and Emergency Preparedness, Safety Risk Management, Compliance & Privacy

Budget

Division of Human Resources:
Compensation Administration, Employee and Labor Relations, Employee Training and Development, Equal Employment Opportunity, Data Management, Recruitment and Employment Services

Finance:
Business Management and Analysis Group, Comptroller, Payroll, Benefits Administration and Tax Office, Procurement, Insurance Risk Management, Treasury

Information Systems and Services (ISS)

Investment Office

Operations:
Real Estate, Facilities, Sustainability

**Executive Vice President
For Academic Affairs**

Academic Planning, Institutional Research, and Assessment

Academic Operations:
Academic Integrity, Academic Technologies, Registrar's Office, University Students

Faculty Personnel

Faculty Recruitment and Personnel Relations

Faculty Senate Administration

Gelman Library System

Graduate Studies and Academic Affairs :
Academic Publications
Graduate and Special Enrollment Management
Graduate Student Support, Assistantships, and Fellowships, University Honors Program

International Programs

Mount Vernon Campus

Schools and Colleges:
College of Professional Studies
Columbian College of Arts and Sciences
Elliott School of International Affairs
Graduate School of Education and Human Development
Law School
School of Business
School of Engineering Applied Sciences

University Professors

Virginia Campus

**Senior Vice President for
Student and Academic
Support Services**

Administrative Partnerships and Customer Service

Athletics and Recreation

Communications and Creative Services

Dean of Freshmen Office:
International Services Office, Parent Services

Dean of Students Office:
Career Center, Counseling Center, Disability Support Services, GW Housing Programs, Student Health

Marvin Center

Multicultural Student Services

SASS Budget, Personnel and Finance

SASS Strategic Initiatives

Student Activities

Student Financial Assistance

Undergraduate Admissions

**Vice President for
Development and Alumni
Relations**

Development External Relations

Development Operations

Development Principal Gifts

Development Schools Programs

Development University Programs

Alumni Relations and Annual Giving

Law School Development

Medical Center Development *

* This work area reports directly to the Vice President for Development and Alumni Relations, but has a dotted-line reporting relationship to the Provost and Vice President for Health Affairs.

**Senior Vice President
and General Counsel**

Corporate Law

Employment Law

Health Law

Immigration Law

Intellectual Property Law

Medical Malpractice Litigation

Real Estate Law

Tax Law

Trust and Estates

Other Legal Matters and Concerns

**Provost and Vice President
for Health Affairs**

Africa Center for Health and Human Security

Faculty and Educational Resources

Homeland Security

International Medicine Programs

Media, Marketing, and Communications

Medical Center Development*

Medical Center Faculty Senate

Medical Center Resource Management, Operations and Emergency Preparedness

School of Medicine and Health Sciences

School of Public Health and Health Services

Upward Bound Program

* This work area reports directly to the Vice President for Development and Alumni Relations, but has a dotted-line reporting relationship to the Provost & Vice President for Health Affairs.

**Vice President for
External Relations**

Auditorium:
Jack Morton Lisner

Communications:
Advertising
Media Relations
Publications

Government, International and Community Relations

Graphic Design and Printing Services

Online Strategy

Photography

University Events

**Vice President for
Research**

Regulatory Affairs (University Wide) :
Regulatory Training and Compliance Oversight, Institutional Review Board, Conflict of Interest, Research Misconduct

Research Operations (University Wide):
Operations, Core Facilities and Service Centers, Fixed Equipment Maintenance Program, Research Safety

Strategic Development (University Wide):
Partnership Development, Fundraising, Planning, Faculty Development, Centers and Institutes, Research Funds and Grants Programs, IT Development, Technology Transfer

**Executive Vice President & Treasurer
Lou Katz**

Senior Advisor
Lynsay Belshe

**Senior Advisor
Business Development**
Lew Rumford

Senior Advisor
Don Boselovic

Special Assistant
Dorinda Tucker

Internal Audit
Beers & Cutler

Administration
Ed Schonfeld, Senior Associate
Vice President

Budget Office
Vanessa Rose, Executive Director

Finance
Dave Lawlor, Senior Associate
Vice President

Human Resources
TBD, Chief Human Resources Officer
Maria Alam, Interim Chief Human
Resources Officer

Investment Office
Don Lindsey, Chief
Investment Officer

**Information Systems and
Services**
TBD, Chief Information Officer
Dave Steinour, Interim Chief
Information Officer

Operations
Alicia O'Neil, Senior Associate
Vice President

**Campus Support
Services**
Nancy Haaga, Managing
Director

Colonial Central
Taina Christner,
Managing Director

**Divisions Finance
Directors**
Rich Cosentino,
Executive Director

GWorld Card Program
Ken Pimentel, Gworld
Director

Safety & Security
Erik Gaull, Interim
Associate Vice President

**School Finance
Directors**
Ed Schonfeld, Senior
Associate Vice President

**Staff & Leadership
Development**
Sara Melita, Managing
Director

**University Compliance
& Privacy Office**
Colin Clasper, Assistant Vice
President

**Business
Management &
Analysis Group**
David Green, Executive
Director

Comptroller's Office
Deb Dickenson,
Comptroller

Procurement
Matt Johnson, Director

Risk Management
Anissa Drabish, Director

**Tax, Payroll, &
Benefits
Administration**
Jennifer Lopez, Executive
Director

**Treasury
Management**
David Green, Assistant
Treasurer

**Compensation
Administration**
Iliana Ricelli, Director

Data Management
Tanya Bell, Director

**Employee/Labor
Relations**
Iliana Ricelli, Director

**Employee Training &
Development**
Sharon Lincoln, Director

**Equal Employment
Opportunity**
Cynthia Crooks, Director

**Recruitment &
Employment Services**
Jose Capote, Manager

**Strategic
Development &
Colonial Community**
Erica Hayton, Coordinator

**Chief Technology
Officer**
Guy Jones, Chief
Technology Officer

**Deputy CIO –
Operations**
Dave Steinour, Interim
CIO

Strategic Planning
Jonathan Piersol,
Managing Director

**University Web
Services**
Alexandra Kim, Executive
Director

Facilities
Juan Ibanez, Associate
Vice President

Real Estate
Alicia O'Neil, Senior
Associate Vice President

Sustainability Office
Meghan Chapple-Brown,
Director

To: Miriam Galston (ASPP Chair) and Charles Garris (PEAF Chair)

From: ASPP/PEAF Subcommittee on Assessing Faculty Teaching,
Gene Abravanel (CCAS, ASPP), Frank Baginski (CCAS, PEA), Kurt Darr
(SPHHS, PEA), Ellen Dawson (SMHS, ASPP), Carol Hayes (CCAS, ASPP)

Subject: ASPP/PEAF Joint Subcommittee Report on Assessment of Faculty
Teaching at GW

Date: June 5, 2009

The ASPP and PEA Faculty Senate committees charged a joint subcommittee with the task of describing what types of practices exist across GW for evaluating faculty teaching. In response to that charge, the joint subcommittee developed a short survey with open-ended questions. Those surveys were sent to department chairs and program directors across GW:

- Columbian College of Arts & Sciences (CCAS)
- School of Public Health & Health Services (SPHHS)
- Graduate School of Education and Human Development (GSEHD)
- School of Business (SB)
- School of Engineering and Applied Science (SEAS)
- College of Professional Studies (CPS)
- Law School
- Elliott School of International Affairs (ESIA)
- School of Medicine and Health Sciences (SMHS)

Note: Deans responded to the survey for the Law School and the Elliott School.

The survey sent by the joint subcommittee asked the following three questions:

1. What methods do you rely on to evaluate the appropriateness of faculty instruction?
2. What guidelines does your department follow in assessing faculty teaching?
3. Please comment on your department's relative weighting between student and peer evaluations when assessing faculty teaching.

Rationale for Open-Ended Survey Approach:

We chose to use an open-ended survey, rather than a more detailed checklist format, because we didn't want to inadvertently exclude assessment practices that we could not predict or that might occur infrequently. There were, however, limits to the information we could gather with an open-ended format: chairs and directors may not have included every type of assessment practice their units engage in, but may instead have focused on the primary forms of assessment used to evaluate faculty teaching. The results below, then, are not exhaustive,

but rather a general indication of the types of assessment practices that exist across GW.

Results

Response Rates: Of the 96 units contacted, 41 responded (43%).

Peer and Chair Evaluation: Over 85% of respondents reported engaging in peer evaluation and/or chair/director review (35/41). Of the six units that did not comment on peer or chair evaluations, one is under review, one is a new program, and one is a program whose faculty members are housed in other departments.

Class Observations: Roughly 50% of the units reported using classroom observations (21/41). Frequency of observations varied. Some took place at key points related to tenure, promotion or reappointment; some took place upon invitation; some took place yearly; some took place multiple times per semester. The degree of formality of peer evaluations also varied from program to program. Some peer evaluations are informal, while other are codified with program or department-specific forms and questions. Some peer evaluations are conducted by senior faculty; others are conducted by peers at rank; others are conducted by the chair/director.

Schools that are heavily involved in undergraduate education seem to do more classroom observations. For respondents whose units engage in a substantial amount of undergraduate teaching, 65% reported that they conducted classroom observations in some cases (e.g., when judged to be advisable), in connection with tenure and promotion decisions, or as a general practice for all instructors. For respondents whose units are involved primarily with post-baccalaureate programs, professional studies, or graduate programs, 35% of respondents reported used classroom observations.

Other Practices for Assessing Faculty Teaching:

In addition to classroom observations, student evaluations, and chair/director reviews, faculty teaching was assessed in a variety of ways, with the means of assessment shifting as needed from department to department, and school to school. These assessment practices included the following:

- syllabus review
- review of assignments or other course materials
- monitoring of Blackboard sites for online courses
- direct assessment related to student outcomes

Peer vs Student Evaluations:

One of our survey questions asked chairs/directors to give a relative weighting between student and peer evaluations when assessing faculty teaching. Very few (20%) chairs/directors responded directly (8/41). Among those who did reply to

this question, the responses on the weight of student evaluations ran the gamut from 100% to 0%. Some chairs/directors relied entirely on student evaluations (no peer-to-peer evaluation); others did not “trust” student evaluations or felt they were “useless”; others indicated that peer-to-peer was primary and student evaluations were auxiliary.

Summary

The subcommittee found that a number of practices exist for assessing faculty teaching across GW. The wide variety within our findings convinced the subcommittee that a one-size-fits-all approach to assessment of faculty teaching would be counterproductive. The shape of the individual units--departments, programs, and schools--very much impacted the kinds of peer-to-peer evaluation practices that existed. Important factors in determining the types of assessment used included (among others) the number of full-time versus part-time faculty; the type of student and program (i.e., whether undergraduate, graduate, or professional studies were being taught); whether national accreditation standards existed for a particular program or department; whether the course was being taught online; etc.

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Special Report to the Faculty Senate Regarding the NCAA Recent Determination With Respect to George Washington University Men's Basketball

During the first week in May, the NCAA (National Collegiate Athletic Association) announced that a number of member schools had deficiencies in their athletic programs that resulted in penalties. Included in the list was the George Washington University's men's basketball program. As soon as the list was made public various newspapers in the area, including the *GW Hatchet*, wrote stories concerning the "problem" at GW. The Senate asked me, in my capacity of Acting Chair of the Athletics and Recreation Committee to investigate and report on the situation.

At the outset, it is important to note that this was not a situation that was suddenly "sprung" on our community by the NCAA announcement. Our Athletic department had been on top of the problem long before. Indeed the Senate Committee received a full briefing of the matter last February and has commented on it in some detail in its recent annual report to the Senate. President Knapp was informed of the situation long ago, in November. In January he was told that the Athletic Department had, on its own, already taken the action required by the NCAA due to the deficiency – i.e. the loss of one basketball scholarship. During the summer of 2008, a special committee, including the Director of Athletics, the Associate Director for Compliance, the Faculty Athletic Representative, the chief of the athletes' academic advising program, and several others, met to discuss the situation and to form the basis of a permanent group to deal with future problems. Pursuant to NCAA requirements, that committee met several weeks ago to set forth a plan to alleviate the situation to avoid future problems. The Athletic Department already had in hand a tentative plan. Thus this was not a special "investigating committee" suddenly required by the president, but a committee previously formed for the very purpose of dealing with such situations. It should be noted that the special committee was enhanced for its recent meeting by inclusion of the head men's basketball coach, Karl Hobbs, and the member of the advising staff who works directly with the men's basketball players.

It is also important to note that all of GW's NCAA athletic programs are subject to the same NCAA rules and that none of our other programs were in any difficulty whatsoever.

It is fair to say, despite the dismay over negative publicity, that the situation with men's basketball is definitely not of great concern from an academic standpoint. To understand the problem, one must understand the NCAA's so called "APR" rules. They are fairly simple. Each scholarship athlete is evaluated at the end of each semester on two matters –Did he (or she) meet academic standards to remain eligible to compete and did he (or she) return for the next term? One point is given for each positive response. . Thus an athlete whose academic record is deficient for eligibility, but who remains in school, will receive one of two possible points for that semester. Similarly, an athlete whose academic record meets the requirements for eligibility but who leaves school at the end of the semester will receive one of two possible points. Thus an athlete may obtain a maximum of four points for an academic year. All of the points accumulated over four years in each sport are added and compared with the number of possible points that could have been awarded in that sport. To avoid NCAA penalties, the ratio of points accumulated to the total point possible must be 92.5%. GW's percentage in men's basketball for the four year period ending in 2008 was

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91.7%.

One could argue that there is a serious imperfection in this “simple” system, an imperfection that directly affected GW’s basketball program. A student who transfers for any reason to another school, even though he has a stellar academic record at the time, will still lose one possible point. Suffice it to say that students leave a school for many reasons. Athletes may transfer because they find academic work at the school very difficult and would like an “easier ride.” They may be disappointed because they do not obtain the amount of playing time in games to which they think they are entitled and thus go off to other programs.

It is gratifying to note that GW athletes who lose points do not do so because their work in classes is deficient. Barely a point or two has been lost over a four year period for that reason. And, indeed, not many points have been lost because of transfers. The problem for GW has occurred because basketball athletes, who are academically sound, for several reasons quit school in the middle of a semester . This is devastating because they not only lose a point for a failure to return, but they lose a second point because the failure to finish the semester renders them ineligible.

What causes athletes to leave without completing their current work? First, for those who feel they are athletically talented, the lure of professional basketball is very strong. During the spring, after the men’s NCAA basketball season is over, camps spring up where would-be professionals can showcase their talents. An athlete often feels that the failure to take part will forever bar him from the professional career that he has always sought as a goal. A number of GW athletes have left in such cases. In addition athletes may become disaffected because they do not like the coach or are extremely unhappy with the program and have trouble adjusting to it. Because in the last few years several basketball players were unable or unwilling to make adjustments, Coach Hobbs dismissed them from the team. The result was that they immediately left GW, thus causing the loss of two points under the NCAA’s APR system.

The answer, then, to the problem that GW has had with its men’s basketball program is basically to ensure that student-athletes who leave do so at the end of the semester after the completion of their academic work. And, of course, we hope that those who initially enroll at GW remain until they graduate. Given the reasons why athletes quit school, there is, of course, no sure-fire way to ensure that they remain to complete their courses. It is generally agreed that much of the answer lies with the recruitment of athletes who understand what it means to study at GW and who are primarily interested in obtaining a degree. Also, it seems important to ensure that there is a closer ongoing relationship between the head coach and some athletes who might become disaffected.

The bottom line is that there is no reason for serious concern from an academic standpoint. Hopefully those who leave early ultimately will return to finish their degrees. The Athletic Department personnel believe that we will be back within the requirements and are dedicated to avoiding a repeat of the circumstances. The current fuss, if that’s what it amounts to, is a product of the fact that the NCAA waits until May to announce deficiencies that occurred during the prior academic year. The schools all know, or should know, well in advance, but the media publicity

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simply follows the NCAA announcement. And, sadly, the reporters do a poor job of learning how the situation works, so that they make it appear that a university's program is beset by academic deficiencies when that is not the case.

Submitted by,

Jack Friedenthal
Acting Chair
The Faculty Senate Committee on Athletics and Recreation
May 24, 2009

REPORT OF THE EXECUTIVE COMMITTEE

September 11, 2009

Lilien F. Robinson

On behalf of the Executive Committee, I offer the following report:

ACTIONS OF THE EXECUTIVE COMMITTEE:

Special Meeting Concerning Benefits

As reported at the May meeting, the Executive Committee planned to follow up on developments regarding the University's decision to contract with Fidelity Investments to provide management for TIAA-CREF, Vanguard, and Fidelity. Accordingly, the Executive Committee met with Executive Vice President and Treasurer Katz, Executive Director, Tax, Payroll and Benefits Administration, Lopez, and Mr. Stuart Kasiske, Associate, Morgan, Lewis and Bockius LLP to receive a highly informative update. Professors Burlette Carter, Joseph Cordes, Miriam Galston, and Arthur Wilmarth also participated in this meeting. The discussion that followed included specific questions concerning benefits, investments, fiduciary responsibilities, etc. Some questions, especially regarding the latter have also been pursued with Senior Vice President and General Counsel Nolan. Professor Wilmarth will comment on those discussions at the next Faculty Senate meeting.

Proposed Routing and Financial Disclosure Process

At its regularly scheduled August meeting, the Executive Committee received a report from Mr. Robert Donnally, Director of Regulatory Affairs and Outreach in the Office of the Vice President for Research, on the proposed changes in the research proposal routing and financial disclosure process. The goal is to simplify and streamline in order to expedite the process. The Executive Committee welcomed the steps that are being taken to support faculty research.

Advisory Council on Research

The Executive Committee has recommended the appointment of Professors Peter Hotez and Maria Cecilia Zea, members of the Faculty Senate Committee on Research, to the Advisory Council on Research.

University Budget Working Group

The Executive Committee has recommended the appointment of Professors Brian Biles, Edward Cherian, and Joseph Cordes to the University Budget Working Group.

Faculty Senate Committee Assignments:

Committee on Educational Policy

The Executive Committee has asked the Educational Policy Committee to address the University's tuition refund policy with respect to courses dropped during the first week of class.

Committee on Professional Ethics and Academic Freedom

The Executive Committee has requested that the Professional Ethics and Academic Freedom Committee review and provide clarification and recommendations with respect to two related issues in the Faculty Code, Sections A and C 2 under "Procedures for the Implementation of the Faculty Code." With respect to Section A, the matter in question is the interpretation and application of the accompanying footnote (p.18). Section C 2 (Faculty Consultation and Recommendation in the Selection and Continuation of Academic Administrative Officers) addresses eligibility for faculty membership on Dean Search Committees.

Committee on Research and Committee on Professional Ethics and Academic Freedom

The Executive Committee has requested that the Committees on Research and Professional Ethics and Academic Freedom establish a joint Subcommittee to review the proposed new patent policy that would replace the existing Policy on Patents and Scholarly works. Given the nature of this assignment and its legal dimensions, the Executive Committee has recommended that Professor Arthur Wilmarth, a member of the PEAFF Committee, serve as the Chair of the Subcommittee.

Committee on Educational Policy and Committee on Libraries Copyright Risks Resolution

As indicated in the annual reports of the Educational Policy and Libraries Committees, in response to the request of the Executive Committee, the two Committees produced a resolution on copyright risks to faculty. The resolution recommended the establishment of a faculty information and education program with respect to copyright requirements. Further, they recommended that such a program be placed in the Office of General Counsel. The Executive Committee forwarded the proposed resolution for review by Counsel's Office. The latter has indicated that they would be willing to undertake this type of training, but required assistance from the Faculty Senate. To that end, they requested that a member of the Senate work with Counsel's Office on the project. Professor Scott Pagel has agreed to undertake this assignment.

PERSONNEL MATTERS

Grievances

The previously-reported grievance in Columbian College, which was dismissed by the Hearing Committee, has been reviewed by the Dispute Resolution Committee. The latter affirmed the decision of the Hearing Committee.

DISTRIBUTION OF REPORTS, DATA, AND THE ADMINISTRATION RESPONSE TO FACULTY SENATE RESOLUTIONS

Report on Administrative Salaries

At the request of the Executive Committee, Professor Murli Gupta has provided a compilation of top administrative salaries. Please note that the report also provides a comparison of administrative salaries to the increases in faculty salaries over six years, and to student tuition over an eight-year period. The report is being distributed at today's meeting and will accompany the Minutes.

Report of the Faculty Senate to the Academic Affairs Committee of the Board of Trustees

The report presented at the May meeting of the Academic Affairs Committee by Professor Arthur Wilmarth is being distributed today and will form part of the Minutes.

Organization Charts

The organization charts for the University and the Executive Vice President and Treasurer's Office were electronically distributed to Faculty Senate members and will be attached to the Minutes of today's meeting.

Administration Response to Faculty Senate Resolutions

Also available today is the compilation of the resolutions passed by the Senate during the 2008-2009 session and the response of the Administration. The document is attached to the agenda for today's meeting.

NEXT MEETING OF THE EXECUTIVE COMMITTEE

Please note that the next meeting of the Executive Committee is scheduled for Friday, September 25. Should you have resolutions, reports, or matters you wish to have the Executive Committee address, please forward them in advance of the meeting.

**REPORT OF THE FACULTY SENATE TO THE
ACADEMIC AFFAIRS COMMITTEE OF THE BOARD OF TRUSTEES**

April 30, 2009

Arthur E. Wilmarth, Jr., Chair

Faculty Senate Executive Committee (2008-09)

On behalf of the Faculty Senate, I offer the following report:

ACTION ITEMS

Reports Presented at the February 13, 2009 and April 10, 2009 Senate Meetings

At the February 13, 2009 meeting of the Faculty Senate, Executive Vice President Lehman presented the following reports: (1) a Report on University Enrollments: Spring 2009 and Five-Year Trends, and (2) an Annual Report on the Composition of the Faculty. At the same meeting, Professor Cordes, Chair of the Fiscal Planning and Budgeting Committee, presented a report on the status of the University's Fiscal Year 2009 budget projections in light of the University's financial operating results as of December 31, 2008. At the Faculty Senate's meeting on May 8, 2009, Professor Cordes will present an update report on the University's budget projections in light of the University's operating results as of March 31, 2009.

At the April 10, 2009 meeting of the Senate, Dean Futrell of the Graduate School of Education and Human Development (GSEHD), presented a Report on developments and trends at GSEHD. Dean Futrell reported that GSEHD has made substantial progress in moving toward compliance with Article I.B.1. of the *Faculty Code*. Since 2003, GSEHD has received approval from Executive Vice President Lehman for the creation of eleven new tenure-accruing faculty lines. As a result, the percentage of regular, active-status faculty members holding tenured or tenure-accruing positions at GSEHD has increased from 59% in 2003 to 67% in the current academic year. Dean Futrell was optimistic that GSEHD could reach the 75% level required by Article I.B.1. within the next few years.

Planning for the Science and Engineering Complex

In May 2008, as previously reported, the Executive Committee appointed a Special Ad Hoc Committee on Financial and Operational Planning for the Science and Engineering Complex (SEC). In my report dated January 26, 2009, I described the Special Committee's mission and activities through the end of 2008.

At the Faculty Senate's meeting on April 10, 2009, Professor Helgert, Chair of the Special Committee, presented a Progress Report on the SEC. The Special Committee's Progress Report (as revised following the meeting of April 10) is attached to this report.

In Resolution 04/1, adopted on May 7, 2004, the Faculty Senate "endorse[d] the investment in new science facilities . . . as the top priority among future academic projects." Resolution 04/1 also stated the Senate's understanding "[t]hat the new science facilities will be defined with respect to size, site, use (school-wide, university-wide) and program goals

through a careful collaborative planning process that includes science and non-science faculty, academic deans, campus planners and architects, advancement staff, and budget officers.” The Special Committee has played a very important role in this collaborative planning process, and the Executive Committee has extended the Special Committee’s mandate through the end of the 2009-10 academic year.

When Resolution 04/1 was adopted, the Faculty Senate had very little information about the possible size, site or cost of the SEC. During the Senate’s deliberations on Resolution 04/1, Professor Gallo, Chair of the Physical Facilities Committee (PFC), explained that “the PFC’s charge did not include recommending a size or site for new science facilities, as this would be beyond its capability”(May 7, 2004 Minutes, page 2). The Administration had previously advised the PFC, at a meeting in February 2004, that the projected size of the SEC “would range from 300,000-400,000 sq. ft.”, and that a preliminary estimate suggested that the cost of the SEC would be between \$50 million and \$160 million (Minutes of Physical Facilities Committee Meeting IV, Feb. 11, 2004, page 1). The Special Committee’s Progress Report confirms (on page 5) that the Administration’s initial cost estimate for the SEC was between \$50 million and \$160 million.

The projected size and cost for the SEC have both increased substantially since 2004. According to the Special Committee’s Progress Report (page 11), the SEC is currently projected to include 450,000 square feet (with 50,000 square feet below ground), and the present cost estimates for the SEC range between \$180 million and \$270 million. A further complicating factor is that the chosen site for the SEC will require demolition of the University’s parking garage, with a potential loss of revenue of approximately \$2.1 million per year during the SEC’s construction. The Administration has not yet released any detailed plan for replacing the 1,250 parking spaces that will be lost when the parking garage is torn down. The University’s agreement with the District of Columbia requires that all of those spaces must be replaced on campus (*see* Progress Report, pages 11, 12, 13, 14, 21 and 23). As noted above, when the Faculty Senate adopted Resolution 04/1, it did not know where the SEC would be built or that the project would involve tearing down the University’s parking garage (*see* May 7, 2004 Minutes, page 2).

The Faculty Senate and the Special Committee have expressed substantial concerns about the projected cost and funding sources for the SEC, because the SEC would be by far the largest and most expensive building project that the University has ever undertaken. As noted in my report dated January 26, 2009 (page 4), the Faculty Senate expressed additional concerns during its meeting on December 12, 2008, at which Executive Vice President Katz appeared and answered a series of questions submitted by the Executive Committee. At that meeting, Senate members pointed out that the Administration is currently considering two additional major projects (a new building for the School of Public Health and Health Services, and a renovation or replacement for Ross Hall) whose total estimated costs (according to Executive Vice President Katz) would be comparable to the presently estimated cost of building the SEC. As noted in my January 26 report (at page 4), “[s]ome members of the Faculty Senate expressed concern about the University’s financial capability to undertake three projects of such magnitude during the next several years, in view of the present crisis affecting domestic and global financial markets and the resulting uncertainties regarding University enrollments, increases in the cost of financial aid, and the University’s ability to raise funds from donors.”

The following excerpts from pages 14-17 of the Special Committee's Progress Report provide an overview of the Special Committee's consideration of cost and funding issues related to the SEC, including the Committee's concerns resulting from the lack of more definite information about costs and the absence of detailed plans for funding those costs:

“At present there is considerable uncertainty about the overall cost of the proposed SEC, as well as uncertainty about how these costs are to be financed.

“Absent any details on the design and interior layout of the building, at present the only available data on the cost of construction of the Science and Engineering Complex is a first estimate of between \$400 and \$600 per square foot of gross space, which equates to a total of between \$180 million and \$270 million. Similarly, only a first estimate of the eventual building operating cost of \$6.3 million annually has been advanced by Professor Cordes, Chair of the Fiscal Planning and Budgeting Committee. The costs of equipment and furnishings have as yet not been addressed. . . .

“In addition to uncertainty concerning the cost of the SEC, there is also some uncertainty about how the proposed facility is to be financed.

“At an initial meeting of the [Special Committee] in summer 2008 that was attended by senior members of the University administration, President Knapp stated that funding of the facility would come from three sources of “new” revenue: (a) proceeds from Square 54, (b) increased philanthropy, and (c) increased net income from indirect cost recovery resulting from sponsored research activities to be located in the SEC. These principles were affirmed by Executive VP Katz in the December 12, 2008 meeting of the Faculty Senate when he pointed out that President Knapp's statement was consistent with the University's plan for financing the facility.

“Based on this ‘three pillar’ financing model, Prof. Cordes prepared an analysis of a hypothetical financing scenario for the proposed SEC, with input from members of the Faculty Senate Fiscal Planning and Budgeting Committee, as well as the University administration. That scenario rested on the following assumptions.

- (1) The cost of constructing the SEC (not including the costs of staffing) would equal \$250 million.
- (2) The University would be able to generate new philanthropy in the amount of \$100 million, leaving \$150 million to be financed by other means.
- (3) The \$150 million not defrayed from new philanthropy would be financed by borrowing \$150 million to be amortized over 30 years at an assumed interest rate of 6%, resulting in additional debt service costs.
- (4) The additional debt service costs of financing \$150 million would equal \$10.9 million. When added to the \$6.3 million annual costs of operations, the costs of constructing and operating the SEC thus would equal an annual amount of \$17.2 million.

- (5) Under the three pillar model for financing the SEC initially proposed by President Knapp, \$7.1 million of the \$17.2 million would be offset by earmarked Square 54 endowment payout, leaving the remainder to be financed by net income from increased indirect cost recovery which would need to equal \$10.1 million.

- (6) A lower amount of increased net income from increased indirect cost recovery would be required if a larger share of the costs of the SEC were to be financed from philanthropy. For example, if the University were able to generate \$170 million in new philanthropy for the SEC, the amount of the SEC that would be financed by debt would decline to \$80 million. In that case, debt service costs would equal \$5.8 million per year, which when added to the estimate \$6.3 million cost of operations would equal an annual amount of \$12.1 million. This amount in turn could be offset by the \$7.1 million endowment payout from Square 54 plus approximately \$5 million in net income from increased cost recovery. . . .

“At the same time, other documents submitted to the special Senate Committee on the SEC indicate that there have been discussions at the level of the Board of Trustees of a different “six pillar” financing model resting on a mix of (a) use of University reserves, (b) endowment payout from Square 54, (c) increased philanthropy, (d) increased indirect cost recovery from funded research, (e) additional indirect cost recovery specifically to cover the cost of scientific equipment and infrastructure over and above basic laboratory furnishings in the SEC, and (f) additional debt finance.

“What is unclear about the latter six pillar model is whether the various sources of funding are seen primarily as financing mechanisms that provide the needed liquidity to allow financing to go forward, under the assumption that ultimately the SEC is to be financed from new financial resources, or whether the six pillar model would ultimately involve a mix of new revenue and budget reallocations. . . .

“[It is not clear whether the reference to the possibility of using debt finance for] the SEC is seen (as noted above) as a means of liquidity to expedite finance of a project that ultimately is to be financed from new resources, or whether debt finance is seen as a substitute for new sources of revenue. If it is the latter interpretation, it is not clear how one can simultaneously add to the University’s existing debt burden and at the same time avoid using funds from the operating budget. The current University Operating budget is already strained to meet existing financing needs of the University. Hence, any significant increase in debt burden, with the attendant increase in debt service costs, seems likely to generate increased charges against the University Budget – tuition revenue – that would need to be covered in some form – e.g. by reallocation of existing resources, a mix of resource reallocation plus new resources, or new resources. . . .”

The Special Committee gave particular attention to the importance of philanthropy as a source of funding for the SEC. As shown in the following excerpts from the Special Committee's Progress Report, the Special Committee concluded, based on information received from Vice President Price Jones, that the University will not launch a new capital campaign until 2010 at the earliest. Yet the Administration currently plans to request final approval for the SEC project from the Board of Trustees in May 2010. Accordingly, there is great concern among some Senate members that the Board of Trustees will not have adequate information concerning the fund-raising capabilities of the University at a time when the Board will be asked to approve a project of unprecedented magnitude and cost. Following are relevant excerpts from pages 17-19 of the Progress Report:

“The Important Role of Fund-Raising

“During several recent meetings of the planning and BoT committees the subject of fund raising and its potential for a substantial contribution to the SEC's construction and operating costs was the subject of discussion. Currently the Deans of the affected Schools are considering various strategies for promoting the building, its laboratories and other facilities to individual donors, philanthropic organizations and governmental entities. . . .

“All recognize that the current fundraising environment poses significant challenges to substantial new fundraising by the university. The realities of the current situation were highlighted in a presentation to the special committee on April 1, 2009 by VP for Development Price Jones.

“In her presentation Vice President Price Jones provided her assessment of the importance of fund raising as a make-or-break issue for the SEC. She stated that the SEC effort would be embedded into a major capital campaign for the University. She indicated that the start of that campaign would depend to some extent on economic conditions, but that in view of current conditions, the preliminary work needed to launch a major capital campaign for the University would be delayed by six months to a year until 2010. Then, based on input gained from that preliminary research, the campaign would commence, and continue over a period of seven years. Vice President Price Jones considers a strategy of raising funds over an extended period of time in phase with the staged construction of the SEC a viable option, but also pointed out that experience shows the level of success to diminish once the facility is fully operational.

. . . .

“The committee expressed its concern on the present lack of any credible information on the cost of constructing, equipping and operating the SEC, and stresses the need to develop reasonably reliable estimates in parallel with the benchmarking, programming and design process over the Summer and early Fall 2009.

“The committee further urges that a major effort be undertaken to develop a realistic funding plan, including a strategy for a major fund raising campaign and an assessment of its potential contribution to the costs of construction and continuous operation. In this context it expressed its concern that economic conditions may impose a delay in the start of the campaign, significantly limit its result, and impact the scope of the building and the timeline for its construction.”

After Professor Helgert presented the Special Committee’s draft Progress Report at the Senate’s April 10 meeting, members of the Senate echoed many of the concerns stated in the Progress Report. In particular, Senate members warned that the University’s faculty could not play the collaborative role envisioned by Resolution 04/1 unless (i) the Senate (through the Special Committee) receives detailed information concerning the SEC’s projected cost and proposed funding sources, and (ii) the Senate is given a reasonable opportunity to present its views, and consult with the Administration and the Board of Trustees, well in advance of any final approval of the SEC by the Board of Trustees. The following excerpts from the Minutes of the April 10 meeting (currently in draft form, subject to change or correction at or before the Senate’s meeting on May 8) provide an overview of the Senate’s concerns:

“Professor Simon said he thought that Professor Helgert had done an excellent job of summarizing what is known about the SEC project, and more importantly, what is not known. There is no hard data at present concerning the building’s costs or funding sources, as pointed out by Professor Helgert. . . . Professor Simon also commented on the parking issue, saying he would like to know where he would be able to park when he comes to the University Hospital at 2:30 a.m., or where other physicians would be able to park if they find, because of clinical emergencies, that they can’t leave when expected but have to be in the hospital until late in the evening. In addition, patients cannot be expected to park at the Kennedy Center, nor can they be expected to park three blocks away. Reasonable solutions for the parking problem must be found. Professor Simon expressed a strong preference for hard data rather than just reassurances from the administration.

“Vice President Lehman reminded everyone that this project is still in the planning stage, in which all of the different alternatives are being explored, and that speculation on the parking issue at this point is premature. All of the information developed during the planning process will be shared. Professor Simon said he was concerned that by the time the plan is shared, it may be too late to effectively make any changes.

“Professor Wilmarth said he thought it would be helpful to refer to the minutes of the Senate meeting held on December 12, 2008, at which thirteen questions about the SEC were posed to and answered by Executive Vice President and Treasurer Louis Katz, including questions concerning funding sources for the SEC. He read the second question and Executive Vice President Katz’s response, as set forth in those minutes:

President Knapp has previously stated that the principal sources of funding for the SEC will be (i) revenues from Square 54, (ii) indirect

cost recoveries from sponsored research conducted at the SEC, and (iii) contributions from donors. President Knapp has also stated that the University will not finance the SEC by using tuition revenues from programs that are not designated for inclusion in the SEC.

Please confirm that the foregoing statements are consistent with the University's plans for financing the SEC.

Vice President Katz responded in the affirmative, confirming that the President's statements were consistent with the University's plan for financing the facility.

“Professor Wilmarth said that he was greatly concerned that, rather than following the course outlined by President Knapp and confirmed by Executive Vice President Katz on December 12, the University appears to be moving back toward the building strategy followed by the Trachtenberg administration, which essentially was to build, rely on debt, and then draw on tuition to pay off the debt. He added that this way of proceeding is no longer feasible in light of the operating budget constraints described by Professor Cordes, especially since the SEC is not the only pending project requiring funding. At least two other very large projects are in the planning stage: a new building for the School of Public Health and Health Services and a new Medical School (or substantial renovations to existing facilities). Professor Wilmarth reminded the Senate that, at the December 12 meeting, Executive Vice President Katz estimated that the combined cost of those two projects would be similar in magnitude to the proposed SEC. Professor Wilmarth said that there is simply no room in the University's operating budget to build the SEC based upon debt, other than perhaps (as suggested by Professor Cordes) temporary debt that can be repaid quickly through fundraising or increased indirect cost recoveries. Any plan that would involve taking on long-term debt, and expecting to pay for that debt from future tuition revenues, must be rejected because it would not be a viable option for the University.

“Professor Wilmarth also said he shared Professor Simon's concern about the projected timeline for the project, because it appears that concrete information will not be available until March or April of 2010, and yet the Board of Trustees will probably be asked to give final approval for the SEC in May, 2010. The whole point of the Executive Committee's action last May in establishing the Special Committee on the SEC, with direct links to the administration, was to make sure that all of the relevant planning information about the project was made available to the faculty in a timely manner. The Executive Committee concluded that such an approach was essential in order that (i) the faculty could provide appropriate input to the administration and the Board of Trustees, and (ii) the faculty, the administration and the Board of Trustees could reach consensus on how the project should be accomplished. However, if the faculty is suddenly told next March or April that the Board plans to approve the project in May and that a major portion of the SEC's costs will be funded through debt and tuition revenues, there will almost certainly be great controversy and dissension among the faculty, and this is exactly the situation

that the Executive Committee sought to avoid by establishing the Special Committee.”

SPHHS Compliance with the Faculty Code

1. Composition of School Faculty

As requested by the Executive Committee, Interim Dean Reum of the School of Public Health and Health Services (SPHHS) submitted a revised plan, on February 2, 2009, to bring SPHHS into compliance with Article I.B.1. of the *Faculty Code*, which sets forth the following requirements: (i) at least 75% of the regular, active-status faculty members within the School must hold tenured or tenure-accruing positions, and (ii) at least 50% of the regular, active-status faculty members within each department must hold such positions. At the Faculty Senate’s meeting on March 13, 2009, Interim Dean Reum and Professor Cherian, Chair of the Senate’s Special Joint Subcommittee on Compliance by SPHHS with the *Faculty Code*, presented a report on SPHHS’ compliance plan. Professor Cherian advised the Senate that the compliance plan appeared to be feasible and provided a reasonable basis for bringing SPHHS into compliance with Article I.B.1. of the *Faculty Code* by 2013. The Senate and the Special Joint Subcommittee will continue to monitor the progress made by SPHHS in implementing the compliance plan.

2. Search for a New Dean of SPHHS

At its meeting on January 30, 2009, the Executive Committee discussed with President Knapp and Executive Vice President Lehman the upcoming search for a new Dean of SPHHS. As previously reported, the Executive Committee discussed the same matter with Executive Vice President Lehman at several previous meetings. In these discussions, the Executive Committee has strongly emphasized the importance of conducting the Dean’s search at SPHHS in compliance with Part C.2.b of the Procedures for the Implementation of the *Faculty Code* (the “Procedures”). The Executive Committee has made clear its great concern about this matter, because the Executive Committee learned last fall that previous searches for Deans of SPHHS did not comply with the procedures mandated by the *Faculty Code*.

Executive Vice President Lehman met with members of the SPHHS faculty on January 15, 2009, as the first step toward initiating the search for a new Dean. At that meeting, tenured faculty members of SPHHS presented proposed Dean’s search procedures that complied with Part C.2.b of the Procedures and were modeled on procedures used in the recent highly successful Dean’s search at the School of Engineering and Applied Science. Following the January 15 meeting, the proposed Dean’s search procedures were referred to an elected committee of the faculty of SPHHS for review and possible revision, before the proposed procedures are submitted for approval by the SPHHS faculty. A majority of this elected committee consists of non-tenure-accruing faculty, including research faculty (who are not regular, active-status faculty but who exercise voting rights in SPHHS and the School of Medicine and Health Sciences – unlike other Schools – due to a footnote on page 18 of the *Faculty Code*). At its January 30 meeting, the Executive Committee advised President Knapp and Executive Vice President Lehman that the Committee would be extremely concerned if the SPHHS faculty adopts Dean’s search

procedures that conflict with Part C.2.b of the Procedures. At its April 27 meeting, the Executive Committee again expressed its great concern about this matter to Executive Vice President Lehman, as well as its misgivings about the continued delay in starting the Dean's search at SPHHS. If a *Code*-compliant Dean's search is not underway early in the Fall 2009 semester, the Executive Committee will take under consideration (as it has advised President Knapp and Executive Vice President Lehman) a proposed amendment to the *Faculty Code* that would remove internal governance matters at SPHHS from the scope of the expanded voting rights granted to non-regular Medical Center faculty under the footnote on page 18 of the *Faculty Code*.

3. Waivers of Searches for Research Faculty in SPHHS

Executive Vice President Lehman has notified Interim Dean Reum and the Executive Committee that, effective March 1, 2009, the Office of Academic Affairs will no longer approve waivers of searches for new appointments of research faculty at SPHHS. The Executive Committee has expressed its appreciation to Executive Vice President Lehman for this action, due to the Executive Committee's great concerns (as explained above) about the participation of research faculty in the governance of SPHHS pursuant to the footnote on page 18 of the *Faculty Code*.

Proposed Resolution on Copyright Risks

A proposed Resolution on Copyright Risks, prepared jointly by the Faculty Senate's Educational Policy Committee and the Committee on Libraries, was forwarded to the Executive Committee in February. At the Executive Committee's meeting on February 27, President Knapp and Executive Vice President Lehman recommended that the Resolution should be reviewed by the University's Office of General Counsel before the Resolution is presented to the Senate. The Executive Committee concurred with this recommendation and referred the Resolution to the Office of General Counsel.

New Patent Policy

At the request of Executive Vice President Lehman, the Executive Committee has referred a proposed new Patent Policy (which would replace the existing Policy on Patents and Scholarly Works) for joint consideration by the Professional Ethics and Academic Freedom Committee and the Research Committee.

Meeting with Dr. Leo Chalupa

I met with Dr. Leo Chalupa, the University's new Vice President for Research, on February 27th. Dr. Chalupa stated his strong interest in working with the faculty to expand opportunities for research at the University, including increased financial incentives and improved administrative support for sponsored research. I expressed the Faculty Senate's enthusiasm for working in partnership with Dr. Chalupa and his staff. I anticipate that the Faculty Senate's Research Committee (chaired by Professor Hotez) will play a particularly important role in establishing this partnership.

PERSONNEL MATTERS

In my last report, I referred to two faculty grievances that originated in the Columbian College of Arts and Sciences. In the first grievance, the Dispute Resolution Committee voted to affirm the decision of the Hearing Committee, which found that the faculty grievant failed to allege facts sufficient to state a grievance under the *Faculty Code*. In accordance with the grievance procedures established by the *Faculty Code*, that grievance has been dismissed and the matter is deemed closed.

In the second grievance, the Hearing Committee determined that the grievance should be dismissed because it is based on evidence that is substantially the same as evidence presented in a prior grievance, in which a final decision had been reached. Pursuant to the *Faculty Code*, the Hearing Committee's determination has been referred for automatic review by the Dispute Resolution Committee.

OTHER MATTERS

Blackout Period for Transactions by Faculty and Staff in GW Retirement Plans

At its meeting on February 13, 2009, the Faculty Senate discussed a proposed plan by the University's Human Resources office to impose a "blackout period" on transactions by faculty and staff members in many of the retirement plans administered by the University. The proposed blackout period would have lasted for approximately one month and would have prevented participants from conducting any transactions in retirement accounts in Fidelity and Vanguard plans. In addition, during the proposed blackout period: (i) participants would not have been able to transfer funds between TIAA-CREF accounts and accounts at either Fidelity or Vanguard, and (ii) participants would not have been able to change the amounts of their own contributions or the University's matching contributions to any of their retirement accounts.

Members of the Faculty Senate and the Executive Committee (i) expressed their great concern about the proposed blackout period, especially during a time of high volatility in the financial markets, and (ii) questioned the need for such a long blackout period. On March 20, 2009, the Administration notified faculty and staff members that the University was postponing any implementation of a blackout period, and that the University was not yet ready to move forward with a plan to designate Fidelity as the primary administrator for University retirement plans. Until a new plan is announced and implemented, there will be no changes to the University's retirement plans or administrative procedures.

Respectfully submitted,

Arthur E. Wilmarth, Jr.
Chair, Faculty Senate Executive Committee (2008-09)

Attachment: Progress Report (April 24, 2009) of the Faculty Senate Special Committee on Operational and Financial Planning for the SEC