Standing Senate Committee Updates

All Senate standing committees now have named co-chairs, with the exception of the Honors and Academic Convocations committee. That committee’s work is such that FSEC determined a co-chair was not required.

Committee chairs are reminded to email their interim reports to Liz and Jenna by December 1.

Shared Governance

Pursuant to the joint message from myself, Board Chair Speights, and Interim Bracey, which outlined the upcoming shared governance task force and its work, FSEC worked to identify the task force’s faculty members. As a reminder, the task force will include four faculty members, four administration members, and four trustee members. One from each group will serve as that group’s chair on the task force.

Shaista Khilji has agreed to act as the faculty chair for the task force. Given her extensive work and experience in this area, I am extremely grateful to her for taking on this important role. In addition, FSEC felt that the FSEC Chair should serve on the task force. For the remaining two faculty slots, FSEC asked the Senate standing committee chairs to submit nominations; FSEC then voted on those nominations. Five nominations were received, and Joe Cordes (CCAS) and Christine Pintz (SON) were elected by FSEC.

Code of Ethical Conduct Training Update

Earlier this week, many—if not all—faculty received a notice from the university’s online training platform assigning them an “Ethics Matter” online course for completion. This led to immediate concern among several faculty members regarding the manner in which something appearing to be an educational program was approved by faculty for delivery to faculty by the university. During the last Senate session, the Professional Ethics and Academic Freedom (PEAF) committee reviewed the university’s proposed updates to the university’s ethical code and determined that full Senate action on those updates were not required. Instead, PEAF reported on the updates in its interim report in December 2020. I communicated with PEAF Co-Chair Jeff Gutman to ensure that I could report the full story around this process to the Senate today. I will now read his response for the benefit of the Senate.

Professor Gutman writes, “We understand that the Office of Ethics, Compliance & Privacy consulted with last year's PEAF as early as summer, 2020 on potential revisions to the Code of
Ethical Conduct. PEAF provided feedback on the text of that document. The Code is a framework for outlining the categories of ethical obligations and duties that are set forth in greater detail in documents referred to in the Code. It appears that last year's PEAF inquired whether the apparently modest revisions to the Code required Faculty Senate review and/or action. It was evidently determined that it did not. However, PEAF's work on the matter is reflected in PEAF's mid-year (December 2020) report to the Faculty Senate. That report states:

At the request of the FSEC Chair, PEAF responded to an invitation from Dorinda Tucker, Associate Vice President for the Office of Ethics, Compliance & Privacy, to collaborate on the revision of the University's current Statement of Ethical Principles, which was last issued in 2006. The revised document, renamed Code of Ethical Conduct, primarily organizes, references, and provides context for several other, existing codes and policies related in one way or another to ethical conduct and expectations of students, faculty and staff.

(Notably, it does not provide new expectations or a new source of discipline or sanctions. This was an important consideration for the subcommittee and the full PEAF). The Code will be considered by the Board of Trustees early in 2021.

As we read that Report, it was the view or understanding of last year's PEAF that the nature of the revisions and the nature of the Code were such that consideration and approval of the revisions did not warrant full Faculty Senate attention. The Code was formally approved by the Board of Trustees in February 2021.

Our research has indicated that there was no request that last year's PEAF consider whether the University should require faculty or others to receive training on the Code.

In October of this year, we were informed that the Office had produced a video and we were invited to view it. Ms. Tucker explained to us that ‘we have developed an enhanced campaign to support the GW community's knowledge of the Code. This campaign now includes a new 8-minute video as well as the components which already existed: introduction during orientation, annual notice from the President, flyers for campus posting and resources on our website. The 8-minute video will be offered to staff and faculty through our Talent@GW learning management system during their onboarding process as well as we will invite all existing staff and faculty to view it as a one-time event. The training simply provides an overview of the Code of Ethical Conduct and also highlights key university policies and our shared responsibility to hold ourselves and the community to the highest standards of ethical and lawful conduct in all academic and business activities.’ We took the use of the word ‘invite’ to suggest that existing faculty would be offered an opportunity to watch the video. It did not suggest that doing so would be required. At the same time, speaking only as this year’s co-chairs of PEAF, we agree with the Administration's desire to enhance our community's knowledge and understanding of the Code.

We were invited to watch the video and to provide reactions and feedback, which we did. We did so solely in our individual capacities, neither on behalf of the PEAF or the Senate. We were not asked to endorse the video or opine or approve whether the video would or should be required viewing for existing faculty members. We did not and do not view our review of the video to constitute some final approval that permitted it to be released to the faculty. It appeared to us that the video accurately reviewed the general expectations that are set forth in the Code. We did remind the Office that any faculty member's questions about ethical issues were unlikely to be answered by the
summary video. As a result, we said that it was important for faculty to have access to documents and personnel that could accurately advise them how to navigate ethical issues as they arose.

Reasonable people can disagree whether the Faculty Senate should have been 1) consulted on the revisions to the Code and/or asked to vote to approve them and 2) informed of, consulted on or asked to vote on whether to require faculty to watch the 8-minute training video. This strikes us as precisely the sort of question that should be part of the ongoing consideration of shared governance.”

As detailed by Professor Gutman, PEAF played a clearly acceptable and appropriate role; their deliberations appear to have been misconstrued by someone in the administration as a mandate to schedule faculty for "ethics training." We recommend that the Provost ensure that a signed email from the Compliance Office be sent to all faculty who received the original email, clarifying that the intent was simply to invite faculty to learn about several benign changes to the Code of Ethical Conduct, and providing a gwu.edu link for anyone who wishes to know about these changes. Finally, we encourage enhanced vigilance by the Provost, the PEAF co-chairs, and FSEC to do whatever is necessary to make sure that no administration official ever again sends a blanket email to the faculty "assigning" them to "ethics training" without full Senate concurrence.

**Personnel Actions**

There are no active grievances at the university.

**Calendar**

The next regularly scheduled meeting of the Faculty Senate Executive Committee is November 19, 2021. Draft resolutions and any other possible Senate agenda items should be forwarded to Liz Carlson in the Senate office with as much advance notice as possible to assist with the timely compilation of the FSEC meeting agenda, particularly given that this meeting takes place earlier in the month than usual to accommodate the Thanksgiving holiday.