MEMORANDUM

TO: All Faculty Members

FROM: John C. Wriston, Jr., Vice President
       University Faculty Senate

SUBJECT: Regular Senate Meeting, December 3, 1973

In accordance with Section IV, paragraph 6 of the Constitution, the December regular meeting of the University Faculty Senate will be held on Monday, December 3, 1973, at 4 PM in Room 110, Memorial Hall.

AGENDA

I. Adoption of the Agenda.

II. Approval of the Minutes of the regular meeting November 5, and continued meeting on November 12, 1973.

III. Announcements.

IV. New Business
   A. Consideration of a series of resolutions proposed by the Committee on Rules. (See Attachment 1)
   B. Resolution from the Committee on Graduate Studies on Graduate Academic Substandard Status. (See Attachment 2)
   C. Resolution from the Committee on Graduate Studies concerning the MA Option in Chemistry. (See Attachment 3)
   D. Resolution from the Committee on Graduate Studies concerning the Change in the MA in Urban Affairs. (See Attachment 4)
   E. Report from the Committee on Faculty Welfare and Privileges concerning Policy Issues Arising from a Recent Grievance Case. (See Attachment 5)
   F. Such items as may come before the Senate. (No motion introduced at this time may be acted upon until the next meeting of the Senate.)

Attachments are in the hands of your Senators. Distribution also includes one copy for each ten faculty members of each department.

JCW/dpe

Attachments (5)
FROM THE DOCKETS OF THE STANDING COMMITTEES OF THE SENATE

The Senate Office has been informed that the following committees are currently deliberating the matters summarized. Senators and other faculty wishing to be included in these deliberations should approach the appropriate committee's chairman.

CAMPUS LIFE

CULTURAL ACTIVITIES AND PUBLIC EVENTS - Sponsoring art exhibits, film series, working in conjunction with Integrated Learning Semester, planning 74-75 performing art series, Visiting Scholars, symposiums, and co-sponsoring activities at Student Center.

COMMITTEES - Considering formation of a committee for the evaluation of teaching effectiveness; redefining the charge and membership of the Committee on Adjunct Academic Affairs; making appointments to the newly created committee on International Studies and the Parking Appeals Board. If you are interested, please contact D. E. Ingersoll, 2355.

FACULTY WELFARE AND PRIVILEGES - Reviewing faculty evaluation document, maternity policy, and alcoholism policy.

GOVERNANCE - (AD HOC) - Preparing report describing suggestions in improvement of governance in University.

JUDICIAL POLICY BOARD - Discussing recommendations on academic dishonesty. Setting up a service program for students in obtaining assistance in judicial system.

PROMOTIONS AND TENURE - Tenure policy.

RESEARCH - Recommended approval of the proposed Center for the Study of Marine Policy in the College of Marine Studies.


WINTERIM - Trying to secure greater faculty participation in sponsoring Winterim projects since faculty participation is down this year.

University Faculty Senate
303 HH
MEMORANDUM

TO: Members of the University Faculty Senate

FROM: C. D. Marler, Chairperson
Senate Committee on Rules

SUBJECT: Report on Activities, Recommendations, and Resolutions Specifying Changes in the Faculty Constitution and the Senate Bylaws

In the weeks past the Senate Committee on Rules has been considering a variety of proposed changes in the "Bylaws and Regulations of the University Faculty Senate" and the "Constitution of the Faculty of the University of Delaware." Input has been solicited and received and is reflected in the background material, comments, and/or resolutions which follow.

1. Topic: The Senate Winterim Committee

a. Background: On April 5, 1971, a standing Winterim Committee and its charge were established by Senate action. Through an oversight this action was never incorporated into the Bylaws. Furthermore, since that time the Senate has regulated the composition of standing committees. This, in turn, necessitates specification of (but no change in the substance or intent of) the original Winterim legislation. The Rules Committee therefore moves the following resolution.

b. Resolution: The action of the Senate on April 5, 1971, which established a standing committee on Winterim programs is reaffirmed. The following entry shall be included in that section of the Standing Committee document which deals with the Coordinating Committee on Education:

Winterim Committee - This committee shall consider matters relating to the operation of Winterim, promote effective information on Winterim, and advise on the allocation of a budget.

This committee shall consist of two appointees of the President; the Director of Winterim; four faculty members, one of whom shall be the chairperson; two undergraduate students; and one graduate student.

2. Topic: The Senate Executive Committee

a. Background: The functions of Senate officers are prescribed in the Faculty Constitution (Section IV, Articles 6, 7, 8, and 9) and the Senate Bylaws (Sections F, H, K, L, and M). The Senate Executive Committee is mentioned—though its charge is not defined—in Bylaws Section L, Para. 1.
Given recent charges that the Senate Executive Committee has misused its authority and given the needs of future officers, the Committee on Rules moves the following resolution.

b. Resolution: The following entry concerning the composition and charge of the Senate Executive Committee shall be included in the Standing Committee document:

Executive Committee - This committee shall include the President of the Senate, the Vice President of the Senate, and the Secretary of the Senate.

The Committee is charged with receiving, filing, and considering agenda items for Senate meetings; informing the Faculty of ongoing activities of the Senate and other University committees in order to encourage contributions to projects still in their formative stages; advising the President of the University on the agenda for meetings of the University Faculty and other matters of mutual interest; and bringing to the attention of the Senate such information; recommendations, and resolutions as are deemed necessary for the performance of its constituted duties.

3. Topic: The Senate Nominating Committee

a. Background: Article K of the Bylaws reads:

In accordance with Section IV, Article 7, of the Constitution, a Nominating Committee consisting of the President of the Senate, the chairman of the Committee on Committees, and two other Senate members selected by the chairman of the Committee on Committees shall provide for the Senate a slate of nominees at the May meeting. The slate shall have at least one eligible candidate for each office. Nominations to the slate from the floor are permitted. In the event that there are more than two nominees to an office, and if in the balloting no individual clearly receives a majority, the subsequent election will be between the two nominees receiving the highest plurality.

In response to a memorandum from Professor Bonner, former chairman of the Senate Committee on Committees, and after due deliberation, the Rules Committee moves the following resolution.

b. Resolution: (1) Article K of the Senate Bylaws shall be revised to read:

Election of Officers of the Senate - In accord with Section IV, Article 7, of the Constitution, a Nominating Committee whose composition and charge are prescribed under the Standing Committee document shall provide for the Senate a slate of nominees at the May meeting. The slate shall have at least two eligible candidates for each office or position. Nominations to the slate from the floor are permitted. In the event that there are three or more nominees to an office, and if in the
balloting no individual receives a majority, the subsequent ballot will be between the two nominees receiving the highest plurality.

(2) In addition a standing Nominating Committee shall be established and its composition and charge prescribed in the Standing Committee document:

Nominating Committee - Following a year-long period of observation, evaluation, and consultation, this committee shall present a slate of nominees to the Senate at the May meeting for the following positions: the President, Vice President, and Secretary of the Senate; the second and third members of the Committee on Rules; the three Senate-designated members of the Committee on Committees, including its chairperson; the Chairperson of the Coordinating Committee on Education; and the Chairperson of the Coordinating Committee on Campus Life. In addition, it will present a slate of nominees for the new Nominating Committee. The slates shall have at least two eligible candidates for each office or position. Nominations from the floor are permitted.

Membership on this committee shall be restricted to five elected faculty senators, who upon election will designate one of their members as chairperson. Each shall be elected to a one-year term with the possibility of re-election to one additional term. No member of this committee may serve for more than two consecutive terms.

Vacancies in this committee will be filled by the Committee on Committees, on approval of the Senate, for the unexpired terms thereof.

(3) The fifth paragraph of the Standing Committee document shall be revised to read as follows:

Exceptions to these procedures shall be the standing Nominating Committee, the Judicial Policy Board, and Faculty-Student Appellate Court, whose nominations and elections are provided for elsewhere in this document.

c. Comment: (1) The notion of a Senate-elected nominating committee is offered deliberately to minimize "inbreeding" among the Senate's officers and chairpersons of major committees. (2) The notion of a standing nominating committee is offered deliberately to encourage a longer period of observation and evaluation than is possible during the increasingly hectic weeks of April. (3) A nominating committee separate from the Committee on Committees and limited to elected senators is suggested deliberately in view of the fact that only a few members of the latter committee are elected senators and, therefore, have limited opportunity to observe prospective nominees performing their prescribed functions.

4. Topic: Tenure of Senate Committee Chairpersons

a. Background: Several senators and other faculty members have suggested that chairpersons of standing committees, especially those whose tasks are
acutely "political" and "sensitive" in nature, be limited to a one-year term. The same recommendation—though having direct reference to the Committee on Promotions and Tenure—was contained in Professor Brabner's resolution introduced at the University Faculty Meeting of October 8, 1973, and referred to the Senate Committee on Rules. Somewhat reluctantly, your Rules Committee has concluded that on balance no change in the present Bylaws seems wise. We are not unaware of the heavy workload and stress which are the lot of chairpersons of major standing committees. Indeed, we recommend that the Nominating Committee and the Committee on Committees continue carefully to consider the past and future tasks facing the Senate and all its committees. Especially do we recommend that this be done well before consulting with present officers and chairpersons if a reappointment nomination is contemplated. Nevertheless, it is entirely conceivable that the best interests of the entire University community, as well as the interests and capabilities of the individuals involved, might best be satisfied by such a nomination. In this case, therefore, additional legislation provides no adequate substitute for common sense and humane concern.

b. **Recommendation:** Given the fact that the views of the Rules Committee conflict with those offered by colleagues and given the special obligation to consider Professor Brabner's resolution, the Committee asks the Senate explicitly to express its confidence in this position and to join in the recommendations to the Nominating Committee and to the Committee on Committees.

**5. Topic: Parliamentary Authority for Meetings of the Faculty Senate**

a. **Background:** Section IV, Article 13, of the Faculty Constitution reads:

> Except as otherwise specified in this constitution, Robert's Rules of Order, Newly Revised, shall be followed by the Senate in the conduct of its business.

It has been suggested that the effect of this requirement is to place Robert above the Senate Bylaws which (in Section H, Para. 1) read:

> Whenever possible, Senate procedures will ascribe (sic) to Robert's Rules of Order (Section IV, Article 13).

In order to avoid confusion, the Committee on Rules moves the following resolution and, if/as passed, its transmission to the University Faculty.

b. **Resolution:** Section IV, Article 7, of the Faculty Constitution shall be revised to read as follows:

> Robert's Rules of Order, Newly Revised, 1970, shall be followed by the Senate in the conduct of its business in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Senate may adopt.

Section H, Para. 1, of the present Senate Bylaws and Regulations shall be replaced by this revised statement.
6. **Topic: Tenure of Senate Officers**

a. **Background:** At last May's Senate meeting, Section IV, Article 7, of the Constitution was interpreted as allowing Senate officers to be reelected for one additional term. Given the possibility of different interpretations (even in the face of precedent), the Committee on Rules moves the following resolution and, if/as passed, its transmission to the University Faculty.

b. **Resolution:** Section IV, Article 7, of the Constitution shall be revised to read as follows (added sentence underlined):

> At the regular May meeting the Senate shall elect a President, a Vice President, and a Secretary from the elected faculty senators to serve for one year and to conduct the election of their successors. Senate officers may be reelected for one additional term, but may serve no more than two consecutive terms. The Secretary of the Senate shall also serve as Secretary of the University Faculty.

7. **Topic: Meetings of the University Faculty**

a. **Background:** It has been observed that the Faculty Constitution is extraordinarily silent concerning many aspects of University Faculty meetings. In addition, considered action on University business is usually delayed due to demonstrated inadequacies in several articles of the Constitution which are included. Therefore, the Committee on Rules moves the following resolution and, if/as passed, its transmission to the University Faculty.

b. **Resolution:** Section VIII of the Faculty Constitution shall be revised to read as follows:

1) A general meeting of the University Faculty, presided over by the President of the University or his designated deputy, shall be held annually. One-quarter of the voting membership of the University Faculty shall constitute a quorum. The agenda shall be established and distributed by the President of the University with the advice of the Senate Executive Committee.

2) Special meetings of the University Faculty, presided over by the President of the University or his designated deputy, shall be held upon the call of the President of the University, or a majority vote of the Faculty Senate, or a petition by 15 percent of the voting members of the University Faculty. When informed of the Faculty Senate action or presented with a valid petition, the President of the University shall immediately call such a meeting which will be held within two weeks. The agenda of a special meeting will give precedence to items necessitating the meeting, but it may also include other items announced in the call or raised from the floor. One-quarter of the voting membership of the University Faculty shall constitute a quorum.
3) Robert's Rules of Order, Newly Revised, 1970, shall be followed by the University Faculty in the conduct of its business in all cases to which they are applicable and in which they are not inconsistent with this constitution and any special rules of order the Faculty may adopt.

4) At all regular and special meetings, the Faculty shall automatically resume and exercise all the powers vested in it by the Board of Trustees. An agenda shall be distributed to the Faculty not less than one week before the meetings.

c. Comment: (1) Given the increasing assignment of voting members of the Faculty to positions in the College Parallel Programs, the Marine Sciences station, and extensive agricultural experimentation programs, the present quorum regulation of one-third of the voting membership is unrealistic. Actually, the proposed quorum requirement of one-fourth of the voting faculty is probably more in accord with the Constitution's intent. (2) The specification of the powers of the President of the University represent little more than an explicit recognition of that which is presently the case by precedent, in law, and in fact. Such a specification but allows administrative and teaching faculty to cooperate more knowledgeably and, hence, more fully in the conduct of appropriate University business.

CDM/dpe
MEMORANDUM

TO: Loren F. Smith
    Chairman, Faculty Senate

FROM: John R. Mather
    Chairman, Committee on Graduate Studies

SUBJECT: Resolution on the Academic Substandard Status

The Committee on Graduate Studies submits the following resolution on the academic substandard status for the approval of the Faculty Senate. The resolution comes moved and seconded from the University Committee on Graduate Studies.

The University Faculty Senate hereby resolves that the policy on academic substandard status be changed to read as follows:

The Index shall be computed after the first nine hours and for every nine-hour increment thereafter. The following degrees of substandard cumulative indexes will obtain:

2.50 - 2.99  --  warning
2.00 - 2.49  --  probation
2.00          --  drop

If the index is not raised by the following 9-hour increment, the student is placed in the next lower category, (warning to probation, probation to drop).

If the index places the student on probation and that index of 2.00 - 2.49 is not raised after one 9-hour increment, the student is terminated. If the index places the student on warning and that index of 2.49 - 2.99 is not raised after one 9-hour
increment, the student is placed on probation for one semester. If the student fails to achieve a 3.00 after one 9-hour increment on warning and one 9-hour increment on probation, he is then terminated.

In the case of Graduate Teaching Assistants on a 6-hour per semester course load, the increment shall consist of six hours as long as the Graduate Teaching Assistantship is in force.

JRM/1k
MEMORANDUM

TO:        Loren F. Smith
Chairman, Faculty Senate

FROM:      John R. Mather
Chairman, Committee on Graduate Studies

SUBJECT:   Resolution on the Proposed Master of Arts Degree in Chemistry

The Committee on Graduate Studies submits the following resolution on the proposed Master of Arts Degree in Chemistry for the approval of the Faculty Senate. The resolution comes moved and seconded from the University Committee on Graduate Studies:

The University Faculty Senate hereby resolves that the Master of Arts Degree Program in Chemistry be approved as submitted.

JRM/1k
REQUIREMENTS FOR THE MA IN CHEMISTRY

a) A minimum of 30 credit hours of graduate level courses including research credit with an overall of at least a B. A maximum of 12 credit hours may be taken in other departments. No thesis is required.

b) Six of the Ph.D. core courses in chemistry must be included in the 30 hours of credit.

c) Passage of the Ph.D. Cumulative examination administered by the Chemistry Department.

d) Passage of the Ph.D. language examination, as defined by the area committee concerned.

Requirement (c) in this proposal has been slightly reworded to reflect the fact that the cumulative examinations are no longer limited to a single field. This degree provides the disenchanted Ph.D. candidate with an alternative course of action. In effect, it allows him to substitute the academic requirements for the Ph.D. and his research credits for the normal thesis that is required for the MS degree.
MEMORANDUM

TO: Loren F. Smith
   Chairman, Faculty Senate

FROM: John R. Mather
      Chairman, Committee on Graduate Studies

SUBJECT: Resolution on the Proposed Modifications in the
          Graduate Curriculum in Urban Affairs

November 16, 1973

The Committee on Graduate Studies submits the following resolution on the proposed modifications in the graduate curriculum in Urban Affairs for the approval of the Faculty Senate. The resolution comes moved and seconded from the University Committee on Graduate Studies:

The University Faculty Senate hereby resolves that the proposed modifications in the graduate curriculum in Urban Affairs be approved as submitted.

JRM/1k
Attachment
Memorandum to Mrs. Virginia Burt

From: Daniel Rich

Subject: Modifications in the Graduate Curriculum

Date: November 1, 1973

Through the summer the faculty of the Division of Urban Affairs has worked to revise its graduate curriculum with particular emphasis upon requirements for the MA in Urban Affairs. As a result of these deliberations the faculty has accepted the following changes and proposes them to the graduate committee of the University for approval. Many of these changes seem not to require formal graduate committee approval; however, I will indicate below all of the modifications proposed so that the graduate committee may itself decide in which areas it need make a decision.

I. With respect to the MA degree in Urban Affairs we propose an extension of the existing 30 credit hour requirement to 36 credit hours. This is not an arbitrary specification of necessary credit hours. In the process of studying modifications we surveyed over 30 other graduate programs in Urban Affairs as to their MA requirements and carefully evaluated the skills which should be developed in a program of graduate study at the Masters level. We believe that while most Urban Affairs MA programs require 36 credits or more, that we should not extend the credit requirements beyond 36. With the 36 credit hour requirement minimum full time students would be able to complete the degree in one year if they worked during the summer, and 3 semesters if they did not. This is important since many of our students may be working in urban agencies and on leave to engage in further study. Moreover, the 36 credit hour requirement enables us sufficient programmatic flexibility to provide appropriate methodological and specialized skills in the curriculum.

II. We propose that the distribution of credit hours for the MA in Urban Affairs be as follows.

a) Nine credits of work in social science foundations of urban analysis. This would include introductory courses in urban politics, urban sociology, and urban economics with an emphasis in microtheory. This requirement is not new and is consistent with the precedent under which we have operated in the past.

b) A minimum of six credit hours in methodology. This would include at least one course in statistics. Again, this is a requirement that we have applied in the past.
At least twelve credit hours in an area of specialization. The Division will offer three general areas of specialization; in urban policy analysis, administration, and planning and development. Work in the area of specialization will be designed between the student and his adviser out of courses available in the Division as well as other parts of the graduate college. Final approval of an area of specialization would be made by the graduate committee of the Division of Urban Affairs. Students wishing to pursue an area not included in the three shown may petition the graduate committee for approval.

The areas of specialization that the Division has designated are ones designed to utilize available resources. The designation of these areas of specialization will not necessitate creation of a great many new courses.

d) Requirements that students complete six credits of internship or where appropriate a thesis for six credit hours. Designation as to the appropriateness of an internship would be dependent upon the student's background and experience as well as their career objectives.

e) Completion of the 36 credit hour requirement by the addition of elective courses in Urban Affairs or related departments in the graduate college.

We believe that the above requirements with the exception of the extension of graduate hours to 36 do not represent a significant departure from the current format of the MA in Urban Affairs. The restructuring of credit distributions, however, will enable us to offer a degree which more fully utilizes our resources and which more completely provides the opportunity for students to develop mastery in the subject matter.

III. In addition to the above changes in the Masters degree, the Division faculty proposes the following changes in the requirements for the Ph.D. in Urban Affairs. We propose change from the designation of "functional requirements" for the Ph.D. to an area of specialization. Rather than studying in a functional area and taking one of their comprehensive examinations in that area, students seeking the Ph.D. degree would be required to complete at least 18 hours in an area of specialization. Proposals for specialization would be submitted by the student and their adviser to the graduate committee of the Division for approval. Students would be expected to continue their Doctoral internship and to write their dissertation in the area of specialization. This proposal represents a change in the interpretation and operation of an existing requirement rather than the creation of a new requirement.

I would be happy to provide whatever additional information the committee deems important in making its decisions.

DR:gs
POLICY ISSUES ARISING FROM A RECENT GRIEVANCE CASE

In turning down the Faculty Welfare and Privileges Committee's recommendation on a grievance case last Spring, the Provost pointed to two areas of disagreement with the Committee.

The first concerned the burden of proof. A majority of the Committee maintained that the burden rests with the person or group against whom the grievance is brought. The Provost maintained that:

The evidence presented does not show that the burden of proof requirement was met in establishing that there was a lack of adequate warning. It is the responsibility of the faculty member to establish the proof of his charge and this burden is not shifted to the Promotion and Tenure Committee of a department merely by alleging such a charge.

Since the conclusion of the grievance case referred to, decisions in local court cases (Shell vs Del Tech) support the Committee's original viewpoint. While court decisions do not automatically become internal policy at the University, the danger of embarrassment is worse in the event of the University being taken to court on this issue suggest a modification of Administration policy on this point.

The second difference concerned adequacy of "prior warning" in the termination or non-renewal of a non-tenured faculty member. How much warning is "adequate"? How "prior" must it be? While the Committee maintained unanimously that prior warning was inadequate in this particular case, the Provost held that:

"The evidence shows that an evaluation was conducted, and that the decision to recommend the issuance of the notice of nonreappointment was not made in the complete absence of relevant facts nor on a basis wholly without reason."

We note, however, that the Administration appears to have begun taking steps to institute procedures that will prevent this issue from arising again.

Since disagreements like those above indicate that there are basic differences between faculty bodies, and Administrative officers in the assumptions used in rendering judgment on grievance cases, and since such disagreement may jeopardize the future smooth operation of the grievance procedure, we are bringing these matters to you for your information and for any action which you may deem feasible and desirable.

Be it Resolved, that the University adopt a policy in which the University provides evidence of prior warning in cases of grievance involving that issue.

Committee on Faculty Welfare and Privileges
November 19, 1973
MEMORANDUM

TO:       Dr. John C. Wriston, Vice President
          University Faculty Senate

FROM:     Committee on Academic Freedom
          John J. Beer, Chairman

SUBJECT: Amendments to the Resolution on Academic Freedom and Freedom of
         Communications passed by the Senate on November 5, 1973

Whereas national events in the recent past have made apparent an
erosion of privacy and the rights of citizens freely to assemble and com-
municate; and

Whereas members of the University of Delaware community have voiced fears
that a similar erosion of the essential freedom to exchange opinions is pos-
sible even on a university campus; therefore be it

RESOLVED: That the following statements on academic freedom and on
freedom of intra-University communication be adopted by the
University Senate and the President's Cabinet and be published
in the Faculty Handbook by the University of Delaware as an
affirmation of this University's continued dedication to the
principles expressed:

"The maintenance of freedom of speech, publication, religion, and
assembly (each of which is a component of intellectual freedom) is
the breath of life of a democratic society. The need is greatest
in fields of higher learning, where the use of reason and the culti-
vation of the highest forms of human expression are the basic
methods. To an increasing extent, society has come to rely upon
colleges and universities as a principal means of acquiring new
knowledge and new techniques, of conveying the fruits of past and
present learning to the community, and of transmitting these
results to generations to come. Without freedom to explore, to
criticize existing institutions, to exchange ideas, and to advocate
solutions to human problems, faculty members and students cannot per-
form their work, cannot maintain their self-respect. Society suffers
correspondingly. The liberty that is needed requires a freedom of
thought and expression within colleges and universities, (and) a
freedom to carry the results of honest inquiry to the outside."¹

¹"AAUP Policy Documents and Reports," 1973 Edition
Academic freedom is incompatible with censorship or surveillance of communications both on and off the campus. The monitoring or interference with communications emanating from a member or group of the University community cannot be condoned. Practices such as telephone tapping, University mail surveillance and stoppage, censorship at the Duplicating Center of materials emanating from within the University community, or censorship on bulletin boards designated for general use, are contrary to University policy.

JJB/dpe