

UNIVERSITY OF DELAWARE
NEWARK, DELAWARE
19711

UNIVERSITY FACULTY SENATE
303 HULLIHEN HALL
PHONE: 302-738-2829

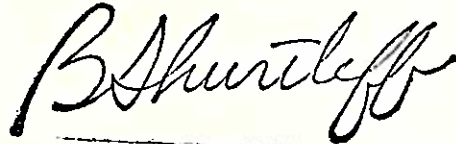
January 19, 1977

MEMORANDUM

TO: All Faculty

FROM: Byron P. Shurtleff, Vice President
University Faculty Senate

SUBJECT: Regular Senate Meeting, February 7, 1977



In accordance with Section IV, paragraph 6 of the Constitution, the regular meeting of the University Faculty Senate will be held on Monday, February 7, 1977 at 4:00 p.m. in room 110 Memorial Hall.

AGENDA

- I. Adoption of the Agenda.
- II. Approval of the Minutes of the regular Senate meeting of December 6, 1976.
- III. Remarks by President Trabant and/or Provost Campbell.
- IV. Announcements:
 1. J. Pikulski, University Senate President
 2. Progress report from Graduate Studies Committee (Professor H. Kwart, Chairperson)
- V. Old Business - None.
- VI. New Business
 - A. Recommendation from Coordinating Committee on Education (L. Mosberg, Chairperson)

RECOMMENDED that the Faculty Senate approve the establishment of minors as options within undergraduate degree programs with the condition that specific minor programs must be approved by the Undergraduate Studies Committee and must meet the following criteria:

1. A minimum of 15 credit hours is required for a minor change.

2. A department offering a minor must specify all required courses and options.
3. A student must obtain permission before declaring a minor from the chairperson or his designee in the department offering the minor.
4. Advisement procedure must be specified by the department offering the minor.

- B. Recommendation from the Coordinating Committee on Education (L. Mosberg, Chairperson)

RECOMMENDED that the Faculty Senate approve the establishment of a minor in Business Administration as proposed by the College of Business and Economics (Attachment 1)

- C. Resolutions from the Coordinating Committee on Education (L. Mosberg, Chairperson) resulting from a report from the Study Committee on Honors. (Attachment 2)

"WHEREAS, there is a need to expand and coordinate efforts to foster academic programs which challenge and enrich the academic life of our outstanding undergraduate students;

Be it RESOLVED that the recommendations contained in the report of the Study Committee on Honors be considered by the appropriate committees of the University Faculty Senate and that these committees report in a timely manner such recommendations as required to implement the aims set forth in the Report of the Study Committee on Honors.

Be it further RESOLVED that the Faculty Senate endorses, in principle, the implementation of the interim recommendations set forth in the report."

- D. Recommendations from Committee on Committees (S. Sandler, Chairperson) for approval of following appointments to Senate Committees.

1. Appointments to Committee Vacancies

- a) Rodney Gray, Food and Nutrition, to fill unexpired term of Ronald Martin on Graduate Studies Committee.
- b) Charles Marler, Educational Foundations, to fill unexpired term of Jack Robinson on Committee on Student Life.

- c) David Haslett, Philosophy, to Parking Appeals Board.
- d) Harvey Blanch, Chem. Eng., as alternate member of Parking Appeals Board.

2. Appointments to Budgetary Review Committee

- a) Marion Palley, Political Science (5 year term)
- b) Harry Hutchinson, Economics (4 year term)
- c) Peter Warter, Chair, Electrical Engineering (3 year term)
- d) Frank Dilley, Chair, Philosophy (2 year term)
- e) Ralph Kleinman, Mathematics (1 year term)

- E. Recommendations from Committee on Committees (S. Sandler, Chairperson) for a change in the charges to the Nominating Committee of the Faculty Senate.

Replace paragraph 2 (Page I-15 of Faculty Handbook)

CURRENT: "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 reelection to one additional term. No member of this committee may serve for more than two consecutive terms."

PROPOSED: "Membership on this Committee shall consist of five full-time faculty members, at least two of whom shall be elected faculty senators. Each year the Committee will designate one of its members as Chairperson. Term shall be for a two year period, staggered so that in any given year at least two members carry over to the next year. No member shall serve consecutive terms."

- F. Report from the Committee on Academic Freedom (F. L. Smith, Chairperson), (Attachment 3)

Note: This report was prepared in response to a request from the Senate Executive Committee to examine the issue of sexual harassment on campus.

- G. 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.

BPS/a

- Attachments: Committee Activities Report
- 1. Proposed Minor in Business Administration
 - 2. Report from Study Committee on Honors
 - 3. Report from Committee on Academic Freedom

2/7/77

UNIVERSITY FACULTY SENATE
Committee Activities

This summary reflects items contained in the Monthly Committee Reports for December.

Adjunct Academic Affairs

Reviewed issues concerning the Division of Continuing Education and the Freshman Honors Program.

Committee on Committees

Grievance - Complaint Procedure
Welfare and Privileges Charge
Terms of office on C.O.C.

Coordinating Committee on Education

Discussion of report from Study Committee on Honors

Faculty Welfare and Privileges

Continue preparation for the hearing of charges against faculty member
Review State Pension Plan
Advice on Sexual Harassment
Revision of outside employment, termination and non-renewal sections of Faculty Handbook

International Studies

Survey conducted with discussion of feedback now underway.

Research Committee

Evaluation of proposals for General Faculty Research Grants

Student Life

Policy for the student retention of research papers, projects and exams
Judicial System Philosophy

Undergraduate Admissions and Standing

Readmission policies for University of Delaware graduates
Policies on evaluation of transfer credit
Committee's charge

Undergraduate Studies

Course additions, changes and deletions
Consideration of policy concerning retention of papers and exams

Visiting Scholars

Review of proposals and distribution of funds for speakers

Winterim

Discussion concerning the possibility of circulating a questionnaire among faculty regarding Winter term.

University Faculty Senate - Committee Activities

The following committees did not meet:

- Academic Ceremonies
- Academic Services
- Cultural Activities and Public Events
- Educational Innovation and Planning
- Fine Arts and Exhibitions
- Instructional Resources
- Nominating Committee
- Promotions and Tenure
- Rules Committee
- Speakers Board
- Student and Faculty Honors

The following committees did not file reports:

- Academic Freedom
- Computer Committee
- Library Committee
- Performing Arts
- Physical Planning and Utilization
- Retrenchment

2/7/77

MINOR IN BUSINESS ADMINISTRATION

The faculty of the College of Business and Economics has approved a minor in Business Administration at a faculty meeting on April 14, 1976. The minor was created out of a recognition on the part of the Curriculum Committee and the Department of Business Administration, that the department was experiencing an increasing number of students from disciplines in other colleges throughout the University, enrolling in courses offered through the Business Administration Department in order to broaden their academic background, for purposes of employment after graduation. An example of this demand is evidenced by the creation of an experimental inter-departmental major in History and Business, which was widely advertised in the "Review", and which generated considerable interest in establishing inter-departmental majors throughout the University. The Curriculum Committee, therefore, determined that ideally a program should be established which would incorporate foundation courses in the form of pre-requisites, and the core of the Business Administration program, which would provide an overview of the major functional areas in the Business Administration degree program. It was felt that students should be able to certify their participation in such a program, but that such a program should not warrant recognition as a major, but rather as a minor. Specific objectives for the program are:

1. to provide recognition to the increasing numbers of students from other disciplines currently selecting courses in Business Administration, in the form of certification of their participation in a recognized body of knowledge.
2. to provide guidance as to course selection so as to convey to the student the relevant information contained in a Business Administration program, within a condensed selection of offerings.
3. to provide a mechanism for accomplishing objectives 1 and 2 within the framework of our accreditation body, the American Assembly of Collegiate Schools of Business.

The requirements for this program are as follows:

Accounting - ACC 207	3 credits
Accounting - ACC 208	3 credits
Intro. to Marketing - BU 301	3 credits
Intro. to Management - BU 305	3 credits
Business Finance - BU 311	3 credits
Organization Personnel Behavior - BU 339	3 credits
BU Elective	<u>3 credits</u>
TOTAL	21 credits

Prerequisites for the above courses include:

Introduction to Economics I - EC 101
 Introduction to Economics II - EC 102
 Calculus - M 221
 Introduction to Statistics I - ST 201
 Introduction to Statistics II - ST 202
 General Computer Science - CS 105

2/7/77

Minor in Business Administration

2

Prerequisites may be waived only with the permission of the individual instructors. Students should reference the University Catalog course descriptions.

Students seeking a minor in Business Administration must meet the same grade point average requirements as any other students transferring into the Department of Business Administration.

A grade of "C" must be obtained in each of the courses required in the minor program in which Business Administration majors must receive a "C" or better, ie., ACC 207, 208, BU 301, 305, 311, EC 101, 102. This is an experimental program which will be reviewed at the end of three years, from the date of approval, by the Faculty Senate, in order to determine its impact on our existing programs. Advisement will be provided through the existing Advisement Center, located in the College of Business and Economics.

REPORT OF STUDY COMMITTEE ON HONORS

IV. RECOMMENDATIONS

The Interim:

As noted in the Introduction to this report, we have 150 exceptional students in the Freshman Honors Program who are already having to think about whether they will stay at Delaware next year or transfer. During the next three months we must be certain that they understand what exceptional opportunities exist at this University. We must also determine whether some new efforts are needed to make their relocation on the Newark campus as satisfying and challenging as they have found the Freshman Honors Program to be.

The recommendations concerning the formation and administration of the University's broader Honors Program advocated here will require more time and discussion before full implementation than we have to carry out our responsibilities to the Freshman Honors students. Thus, in this section we give a number of specific recommendations which we believe must be implemented on an interim basis. They are that:

- a) The Freshman Honors Program offices on South College Avenue be utilized as a general Honors Center and that that staff initiate and coordinate the projects listed below on an interim basis.
- b) A number, perhaps five, interdisciplinary colloquia on the model of the Freshman Honors Colloquia and the Summer Humanities program (but not necessarily only in Arts and Science) be developed for fall, 1977, and that they be open to all very able students at Delaware whether they enter through the Freshman Honors Program or not. An Honors Forum guest series would also be a very desirable addition.
- c) A special section of, or supplement to, the fall schedule be developed which lists courses of particular interest to gifted students. Departments and colleges should be invited to send information to the Freshman Honors office by late January (or earlier) for inclusion in this listing and for distribution to Freshman Honors Students and to equally talented students on the Delaware campus. We strongly urge most departments to designate some sections of appropriate courses specifically for such students.

Report of Study Committee on Honors

2

- d) Resources be made available through grants from Improvement of Instruction, Summer Sessions, the Freshman Honors Program, and other appropriate sources to help support the planning and development of these courses and colloquia.
- e) Those departments from which Visiting Faculty to the Freshman Honors Program come are urged to make special efforts to use some of the money freed in their lines to support courses and activities of special interest to the many very able students on the campus.
- f) The Visiting Faculty and the Core Faculty of the Freshman Honors Program be effectively involved in helping to identify the interests and needs of Freshman Honors Students and in helping make their transition to the Newark campus a challenging and stimulating experience. Those faculty from Arts and Science departments which compose the Visiting Faculty of the Freshman Honors Program this year are excellent sources of information about that program and its students. We urge their use by all those interested in attracting some of these students to their courses.
- g) Advisement of those students who appear to be unusually motivated be given special attention by faculty, chairpersons and deans for fall of 1977. In particular, we

urge that efforts be made to identify as many such students as early as possible so that they are aware of our interest in helping them maintain their "intellectual momentum."
- h) In addition to the few suggestions above there is a myriad of other possibilities which our faculty can think of and do which would make our most able students more aware of our interest in them. We urge the dean of each college to ask appropriate faculty bodies to thoughtfully consider this challenge; to make better known what is already being done; and to invest some additional energy in this area.

2/7/77

Academic Freedom Report

Background

The Committee on Academic Freedom is charged to "study any condition within or without the University which in its judgment may affect the academic freedom of the University or of any of its members and (to) report thereon to the faculty or its Senate" (Senate Bylaws, Section C).

In mid-September of last year President Trabant was reported in the public press as having testified in the U. S. District Court trial of Mr. Richard Aumiller's suit against the University that students were not free agents, were a captive audience, and could not disagree with faculty without fear of penalty. The publication of such views as held by the University president distressed many faculty, and prompted a request that Dr. Trabant clarify and discuss them with the Senate (Appendix A)*. At the regular Senate meeting on 4 Oct 76 President Trabant pointed out some discrepancies between the court transcript and the newspaper accounts, reaffirmed his conviction that students ". . . cannot disagree with the positions that faculty members take . . .," and introduced as illustrative of the nature and scope of the problem complaints of "sexual harassment" which had come to his attention. The transcript of President Trabant's statement and of questions and his answers at the Senate meeting are in Appendix B.

Faculty distress was not allayed, and the Senate Executive Committee asked the Committee on Academic Freedom to inquire into "the issues raised in the Senate's discussion with President Trabant ..." and, "... if (its) inquiries result in the suggestion of an abuse of power or an abnormal level of fear or threat, (to) try to formulate recommendations that ... might lead to a more acceptable atmosphere" (Appendix C)

Deliberations

The Committee has worried this bone in conclave for several hours, and its members have individually chewed on it for many more. We recognized early in our deliberations that the substance of President Trabant's remarks indeed alleged a grievous threat to academic freedom, and wondered whether the fact of those remarks having been made posed another. We discussed and explored possible procedures for estimating the frequency and nature of faculty misuse of authority, including instances of sexual harassment, but have been unable to devise a fact-finding method which would assure the protections of due process to

* "The material in the Appendices is an integral part of the report, and is commended to the attention of the reader as referred to."

Page 2

accused, accuser, and University. We heard and were heartened by our student member's report that he believes it inaccurate to characterize students as silent from fear of reprisal -- that the general student opinion might well be that disagreement with an instructor is seen as a path to greater academic achievement. We agreed that our student colleague's perception is acute, and that a large majority of faculty not only accept disagreement but positively encourage thoughtful challenge and dissent. We recognized that "large majority" and "general student opinion" leave room for exceptions on both sides of the lectern: mutual trust does not spring full-blown to life, but must be deliberately developed. We believe that the general atmosphere is one of trust and free exchange, that exceptions are rare, and that the determination to make them yet fewer is universal. We admitted that where males and females gather together neither resolution nor code nor statute is likely to obliterate hanky-panky. But we also agreed that where sexual favors are achieved by the exercise of any authority save personal charm or by any means other than free and mutual consent, the achievement is deplorable, intolerable, despicable.

We saw only one available way of seeking facts without running the risks of a witch-hunt, and we solicited from President Trabant whatever information he could give us concerning the evidence upon which his conclusions had been based (Appendix D). We hoped for information specific enough to permit us not only to estimate the level of faculty miscreance, but to devise specific remedies to recommend.

President Trabant's reply to our request is attached as Appendix E.

Conclusions

We are relieved to learn that indeed President Trabant was "not talking about possible faculty misuse of their position for promulgation of personal views" (Appendix E, Para. 2), and we conclude that he knows of no specific instances of faculty intimidation of student dissent. Since the problem turns out to be unidentifiable by evidence, we are unable to propose any remedy. We call attention, however, to the recently enacted grievance procedure available to students and to the readiness of the Faculty Welfare and Privileges Committee to assist faculty in guarding their freedom from any encroachment. We hope that should either be needed it will be used.

We are also somewhat relieved to be told that the prevalence of sexual harassment has to be estimated without hard and specific evidence. The President's concern in that area apparently derives from reports not of specific instances of sexual harassment but of fears of what "may be possible patterns of sexual harassment" (Appendix E, Paragraph 5).

2/7/77

Page 3

We would of course deplore such harassing conduct, and would hope that it never occurs. We confess, however, that we are unable to suggest measures to alleviate fear, or resolutions to prohibit what "may be."

Finally, the Committee wishes to express its concern that the publicity given unsubstantiated but sensational accusations about faculty conduct may itself produce an atmosphere in which academic as well as personal freedom indeed is threatened. Such a threat has in fact occurred, and for this reason we are pleased that President Trabant has clarified his stand: "I did not accuse . . . members of the faculty by my remarks" (Appendix E, Paragraph 6), and we hope that the clarification will be as widely publicized as the apparently misinterpreted accusations were.

2/7/77

Appendices:

- A. Letter, 22 Sept 76, Professor Pikulski to President Trabant.
- B. Transcript of President Trabant's statement and questions and answers to Senate, 4 Oct 76.
- C. Memorandum, Professor Pikulski to Academic Freedom Committee, 12 Oct 76.
- D. Letter, Academic Freedom Committee to President Trabant; 20 Dec 76.

2/7/77

September 22, 1976

Dr. Edward A. Trabant
President
University of Delaware

Dear President Trabant:

Several faculty members have expressed deep concern about a statement attributed to you in a recent (September 15, 1976) edition of the Evening Journal in a news article. The statement in question is:

Students are not free agents, that because they rely on the faculty for grades and recommendations, they cannot disagree, without some penalty, with the positions that faculty members take.

The Executive Committee of the Senate felt that the use of grades by faculty to suppress student free expression is loathsome, intolerable and in direct contradiction to the philosophy and policies of the University of Delaware and its faculty.

* * * * *

While it may be that there are a few faculty members who do not treat students as free agents and who use grades or recommendations as a means of suppressing free expression, we do not feel such to be the common state of affairs and sincerely hope that you share this opinion. Our concern is that the statement quoted in the News Journal might be seen by some as a statement of the general condition. We also worry that the statement might have been inaccurately reported or taken out of context. We think it would be very helpful if you briefly commented on the statement and gave your more complete views on the subject at the October Senate meeting. I or the Executive Committee would of course be willing to discuss this matter more fully with you.

Very truly yours,

John J. Pikulski
President
University Faculty Senate

not open to conflict.

2/7/77

TRANSCRIPT: Faculty Senate Meeting 10/4/76

TRABANT:

I received a request from the Executive Committee of the Senate to make some remarks on a topic and that changed what I was going to talk about. I will start out by reading part of a letter from the Executive Committee so you will know what I am talking about:

(read letter from J.J. Pikulski, 9/22/76 through 2nd paragraph, 4th line: ". . . and its Faculty." Skipped excerpts from Student Guide and continued with the last paragraph: "While it may be. . . .")

The first thing I did was get the news article of September 15 and this is what it says the statement is. That starts: (quote)

"To me it is very important that a faculty member . . . not cross over the line where he or she is using their faculty position or the university facilities to advance their own personal position"

The following was not quoted; I added that

students are not free agents, that because they rely on the faculty for grades and recommendations, they cannot disagree, without some penalty, with the positions that faculty members take.

So I went to the court record, the sworn deposition, and this is what was said at that time:

"If a student hears someone talking as a private citizen out on the street corners, say, or a park, he can say, you know, that is nonsense, get away, you're stupid, you're this. He can even use profanity, perhaps, of a mild nature. But on a campus a student can't do that. A student is dependent upon faculty for his grades, he is dependent upon faculty for certification of his degree. He is a captive audience. And, therefore, there is that special relationship that a faculty must always be aware of as he then tries to use his position and the facilities of the University to forward his own personal views as a citizen."

Also, later I said:

"That a person on the staff of the University, faculty, has to make sure that they don't use their position as a faculty member and the facilities of the University for the promotion of their own personal views, their own personal missions; and I would go over the special

2/7/77

2

TRANSCRIPT: 10/4/76

TRABANT: (quote cont'd) relationships that exists between faculty and students. Students are in a sense a captive audience; they really can't come back and, as I said, perhaps use some common slang swearing, you know, which goes on, I'm sure. They can't do this. There is a very special relationship. The faculty member is protected. The student is there and it is very difficult for him to disagree with a faculty member if he doesn't agree with the position he is taking."

So that is the sworn deposition. I don't believe that the remark is accurate, but I can say the following: students are not free agents, because they rely on faculty for grades or recommendations. They cannot disagree with the positions that faculty members take. Many people disagree with this and say it is not so but unfortunately it is true. People do stand in fear of the collective power of the faculty. For example just a week ago today a group of people from various parts of the University was in my office and was talking to me about sexual harrasment on the campus and they said the faculty is fearful of reporting sexual harrasment because of the effect this may have on promotions; the graduate student reported the same. They are fearful to refuse or report it because of the power professors have over them and the effects it may have. The Professional member said there are patterns that emerge that certain faculty members do try to make advances but all students are fearful of this. A letter I got last week addressed to me was objecting to something that someone was doing and was signed: "I am sorry that I cannot give you my name because of fear of reprisal from my colleagues." Parents write but I am asked to not give the name of the child because they fear reprisal for the child. They are the minority but for anyone to pretend that they are not afraid of reprisals is just not the case. I apologize if I offended anyone but it is a real thing on our campus and we should recognize it and try to minimize it and eradicate it from our dealings with each other.

OGLESBY : You suggested that there had been abuse of the faculty power to give grades and hinged it around sexual harrasment. How many incidents of this have there been?

TRABANT: This is hard to find out. The Commission on the Status of Women is trying to find this out. They are considering recommending procedures to be adopted and the appointment of someone people could go to and they would have some confidence in terms of getting action.

OGLESBY: You have had complaints. How many have you had?

TRABANT: Considerable.

OGLESBY: 10, 5, 100?

TRABANT: In the course of a year those who contacted me or through the Commission -- 30 or 40.

OGLESBY: Were any of these investigated?

TRABANT: Some have been referred to faculty committees.

OGLESBY: You talked about the collective power of the faculty. What did you mean by that?

2/7/77

- TRABANT: Junior faculty members tell me that they are dependent upon senior members of their department and they walk a very narrow line to not offend them. I can only tell you what people and the Commission on Women tell me. I think it is a minority but this fear exists and it is real. You may choose to ignore it but I can tell you that a lot of people are coming to me talking about something that doesn't exist. I can only rely on what they tell me.
- FINNER: I share the concern and I do agree that if people perceive the fear then it is there. When I suggested that faculty felt that way about the administration about (8) years ago you said it wasn't so. I would suggest that the investigation should go into that other area as well. I am not saying this area is not there; I would suggest that we should look at the bigger picture.
- TRABANT: I was not asked to comment on that and I have not done so.
- SHURTLEFF: I feel dirty. I feel a guilt by association. That may not be what you are saying, but I feel it just now.
- PALMER: I think you should relax a bit. I don't want to preach but it is a trait of human nature that we mistrust. Because we are teachers doesn't make us superior. We are afraid to tell the truth.
- GOULDNER: You mentioned the Commission on Women. Are there other such groups that handle this?
- TRABANT: I don't know that any other group is officially doing this but they come to me. I was told that the problem is of man to man, woman to woman, etc. and I was told that that was how it would be approached.
- BRAUN: Maybe I got an impression which is not accurate from what you are saying. I don't think anyone doubts the existence of this fear and you are doing a service to tell us about it. You have raised many questions in connection with the faculty-- Is it founded? Because somebody says it exists, is it founded? When Prof. Oglesby asked for the numbers, was that promotions, sexual, grades? How widespread is it? How much is misunderstanding? Will the group study this?
- TRABANT: That is what they are going to try to do. They will try to find the basis for the fear.
- BRAUN: Is that only to the sexual harrassment?
- TRABANT: Yes that is true.
- OGLESBY: Maybe I need to clarify the reason I asked the question. I understood you to say that was the only misuse of faculty power.
- TRABANT: No, I gave that as an example of fear of reporting things. Fear of the administration has been a common topic for years but we have never brought it into the light, but that exists. When I first heard it it was shocking. We always think we are honest. It does exist and it still exists. But it is hard when you bring them out for the first time. Since I was asked to comment I did tell you the types of fears expressed in my office.

WOO: In your mind, which would be a better model: One model would be to insist that students are free agents and advocate for it, to charge the professor suspected of giving grades or influence to make student adhere to their beliefs with gross irresponsibility and/or moral turpitude, versus a model where we admit de facto that students are not free agents and start a witch hunt for deviant professors.

TRABANT: The first, of course. But you encourage students to come forward. It is the fear of each other which is at the base of it. The model is quite clear. This is what we want. But real people are fearful and they withdraw and do not come forward to try to right the wrongs or situations.

WOO: I may be the only one to get the wrong impression, but I wish it were clear to the media what the model is.

TRABANT: You bring them in and I will make it clear.

WOO: To indicate to them that there are University rules and regulations for dealing with such problems

TRABANT: There are and they are great but people are afraid to use them.

WOO: we do not charge them with what they profess to believe. It is only when they go against the rules of the University and not what they profess to believe.

BROWN: Yes and _____ fear wherever it is found. Is it the same as elsewhere? But I worry if it is seen as our having an unusually high level of fear. It bothers me to think that many students would be afraid to challenge me in class. But the hard _____ is to

(cont'd) say to what extent it exists. Do we as a faculty senate feel it is an unusually high level? Then we should try to deal with it. Any time one person has greater power than there is fear. But the the academic institution's ideal is not operating then and we should look for a way to take care of the problem.

Faculty have a special relationship with students. There is a special relationship between the faculty and the office of the President. What you think I say you think is important or you wouldn't have asked me today

_: We could ask the students to put their names on the course evaluations. I think we should honestly look at these things. Does the magnitude of fear exceed what one would expect? I hope that the fact that it is a minority is emphasized. Then what can we do to insure that it will be minimized?

Memorandum

FACULTY SENATE

TO : Larry Smith, Chairperson
Committee on Academic Freedom

FROM : John Pikulski, President
for the Senate Executive Committee

SUBJECT: Abuse of Power Issues

DATE: 10/12/76



The Executive Committee feels that it would be useful for the Committee on Academic Freedom to explore some of the issues raised in the Senate's discussion with President Trabant at its meeting of October 4, 1976. The full transcript of that discussion is available from the Faculty Senate office.

The Executive Committee feels that it is important to try to determine the extent to which members of this University community feel threatened by an abuse of power. We believe that everything possible must be done to insure maximum academic freedom on this campus. If your inquiries result in the suggestion of an abuse of power or an abnormal level of fear or threat, please try to formulate recommendations that you feel might lead to a more acceptable atmosphere.

JJP/b

UNIVERSITY OF DELAWARE
NEWARK, DELAWARE
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Appendix D

UNIVERSITY FACULTY SENATE
303 HULLIHEN HALL
PHONE: 302-738-2829

20 December 1976

Dr. E. A. Trabant, President
University of Delaware

Dear President Trabant:

As you know, the Committee on Academic Freedom is responsible to represent the faculty's concern that the freedom to study, to inquire, to challenge, to voice dissenting or even disagreeable opinions be jealously guarded as absolutely essential to the welfare of this or any institution of learning. The Committee believes that a large majority of the faculty not only agrees in principle with such a position, but by its daily conduct tries diligently to guarantee these rights to every member of our University community. We were therefore astonished and chilled by your disclosure to the University Faculty Senate at its October meeting that we may be failing in that responsibility.

The Committee needs and would greatly appreciate your help in trying to identify the forms and magnitude of that failure. The following questions do not perhaps exhaust those possible, but seem to us requests for at least the basic information we need. In all of them we recognize, of course, your obligation to protect the confidences you have received, and ask only for an abstract of the information without naming or otherwise making possible the identification of individuals.

1. What specific instances have come to your attention of faculty misuse of their position for the promulgation of their own personal views? What standards or criteria distinguish 'personal' from 'scholarly' or 'professional' views?
2. What specific complaints have you received which might help us identify the form taken by faculty intimidation of students or of each other, especially as such intimidation is perceived as limiting the right to dissent, to disagree, to adopt a position other than that held by the instructor?
3. Can you tell us the number and nature of complaints you have received of any kind of sexual harassment by faculty of students, other faculty, or staff? In addition to estimating the frequency of such outrageous conduct, we wish to help in the effort to define the perhaps more subtle

Pres. Trabant
20 Dec 76

-2-

forms such harassment may take: how, for example, is a 'leer' to be distinguished from an 'admiring glance?'

4. Finally, we wonder whether the publicity given your court testimony and subsequent remarks to the Senate and elsewhere has prompted additional victims out of the closet— have you noticed any rush of new complaints in the last several weeks?

If we are able to estimate or determine the nature, size, and scope of these problems, we hope to be able to recommend strengthening our present statements on academic freedom so that future instances of the abuse of faculty position or authority are, if not totally abolished, made at least a rarity. We would be grateful for your assistance.

Sincerely yours,

F. Loren Smith

F. Loren Smith, Chairman
Committee on Academic Freedom:

Prof. T.E.D. Braun; J.H. Olson;
F.B. Safer; Mr. L.P. Agostini, Jr.

UNIVERSITY OF DELAWARE
NEWARK, DELAWARE

2/7/77

Appendix E

INTRACAMPUS
COMMUNICATION

OFFICE OF THE PRESIDENT

January 5, 1977

Dr. F. Loren Smith, Chairperson
Committee on Academic Freedom

Dear Loren:

To be frank I found it difficult to associate a large part of your letter with the topic I discussed at the Faculty Senate meeting on October 4, 1976.

At that meeting I referred to the fear of faculty power, a fear which is held by some members of the larger University Community. I was not talking about possible faculty misuse of their position for promulgation of personal views.

It is not unusual for students, parents, faculty, and professional staff to contact the President about a perceived wrong, unfairness, injustice, or negligence of responsibility. It is not at all uncommon for these individuals to ask to remain anonymous or if the contact is by phone call or letter, for these complaints to be unidentified or unsigned. The common reason given is "fear of reprisal".

Fear of reprisal from administrative officers and offices has been a popular campus topic for many years, even though it often is offensive and unjust to those in such offices. I further stated on October 4th that if anyone believed that fear of reprisal from faculty and other groups did not exist among certain members of the University Community, they were not living in the real world.

As an example, I referred to a group of faculty, professionals, staff and students (undergraduate and graduate) who asked to confer with me about sexual harassment on the University campus. I perceived this as a pertinent and illustrative example of the topic I was talking about, since the group was cross-sectional and had not requested anonymity. I was told by the group that some junior faculty members were fearful of reporting sexual harassment through normal academic departmental channels since the very person or persons involved in the alleged sexual harassment might be responsible in determining the complainant's promotion and tenure status. Similar remarks were made by graduate and undergraduate students as well as professional and staff employees present. It was further reported to me that there may be patterns of sexual

2/7/77

Dr. F. Loren Smith
January 5, 1977
Page 2

harassment perceived by some students from certain faculty members based upon psychological counselling services.

I did not accuse nor desire to astonish or chill members of the faculty by my remarks. I was merely reporting what a group composed of faculty, students (undergraduate and graduate), professionals and staff had told me. It was the group's opinion that the situation was not compatible with the enhancement of human dignity, particularly a University Community. They further informed me that they wanted something done about the situation, that fear of reprisal was a major deterrent in reporting the actions of offenders and that a better system of reporting and correcting sexual harassment problems was needed.

It is my understanding that the group is now defining the problem more precisely and is developing a suggested procedural solution. I am told that they have conferred with you and other concerned individuals and groups on the campus.

I do not know if the group is attempting to answer your special question or not; namely, "how is a leer to be distinguished from an admiring glance?" But if you have asked this group to consider this question, I am sure they will give it the appropriate consideration.

I hope the statements above are helpful to you in "estimating or determining the nature, size and scope" of the problem I discussed at the October 4th Senate meeting.

Sincerely,



E. A. TRABANT
PRESIDENT

EAT:g