

UNIVERSITY OF DELAWARE
NEWARK, DELAWARE
19711

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

March 23, 1978

MEMORANDUM

TO: All Faculty Members

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

SUBJECT: Regular Senate Meeting, April 3, 1978



In accordance with Section IV, paragraph 6 of the Constitution, the regular meeting of the University Faculty Senate will be held on Monday, April 3, 1978 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 meetings of February 13 and March 6, 1978.
- III. Remarks by President Trabant and/or Provost Campbell.
- IV. Announcements - J. Pikulski, President, University Faculty Senate.
- V. Old Business
 - A. Resolution from the Executive Committee, T.E.D. Braun, Past President:

RESOLVED, that the Senate instructs the University Committee on Promotions and Tenure to consider as published works all completed manuscripts accepted for publication.

- VI. New Business
 - A. Resolution from the Committee on Undergraduate Studies, A. Thompson, Chairperson, regarding the declaration of undergraduate majors:

RESOLVED, that the Faculty Senate approves the following policy for inclusion in the Undergraduate Academic Programs and Policies Catalog, to be published September, 1978:

Students who have a clear idea of their career objectives are encouraged to make an early declaration of their choice of major. Other students may initially indicate their status as "undeclared," but by the end of the fifth semester of full-time study (or the completion of 75 credit hours), all students are required to declare a major and to receive the appropriate faculty advisement from their major department.

- B. Resolution from the Committee on Undergraduate Studies, A. Thompson, Chairperson, for the approval of a minor in Chemistry:

RESOLVED, the Faculty Senate approves the establishment of a minor in Chemistry. Requirements for that degree are as follows:

- I. Eight credits in General Chemistry (either C-103/104 or C-111/113/119);
- II. Three courses chosen from any of the five following groups:
 1. C-220 Quantitative Analysis I or C-437 Instrumental Analysis (4 credits)
or
 2. C-331/333 Organic Chemistry, with Laboratory (4 credits)
or
 3. C-351/352 Inorganic Chemistry, with Laboratory (4 credits)
or
 4. C-417/418 or C-443/445 Physical Chemistry, with Laboratory (4 credits)
or
 5. C-427 or C-441 Biochemistry (3 credits).

A minimum of 19 credits is required for completion of a minor in Chemistry.

- C. Resolution from the Executive Committee, Byron Shurtleff, Vice President, regarding the approval of minors:

RESOLVED, that the Committee on Undergraduate Studies is empowered by the Faculty Senate to review and approve or disapprove proposals to establish minors. All such actions shall be reported to the Senate which shall retain the power to review and possibly revise or revoke such actions.

- D. Resolution from the Executive Committee, Byron Shurtleff, Vice President, regarding Graduate Studies policies:

RESOLVED, that the Faculty Senate approves the following:

All policies that were part of the College of Graduate Studies and which are within the purview of the Faculty Senate will remain in effect unless changes are approved by the Committee on Graduate Studies and appropriately either announced to or approved by the Senate. The Executive Committee shall determine when an item requires Senate approval. The Senate retains the right to revise or revoke changes approved by the Committee on Graduate Studies.

- E. Resolution from the Coordinating Committee on Education, R. Richards, Chairperson, for approval of graduate degrees in Operations Research (attachment 1):

RESOLVED, that the Faculty Senate approves the establishment of programs leading to the degrees of Master of Science and Doctor of Philosophy in Operations Research as provisional programs pending evaluation in the fourth year.

- F. Report and recommendations from the Ad Hoc Committee on the Implications of the Aumiller Case for the Management of the University, R. Warren representing the Committee. (Attachment 2).

RESOLVED, that the Faculty Senate approves the resolutions recommended in the report of the Ad Hoc Committee on the implications of the Aumiller Case for the Management of the University.

RESOLVED, that the Faculty Senate accepts the report of the Ad Hoc Committee on the Implications of the Aumiller Case for the Management of the University, and dismisses the Committee.

- 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.)

BPS/b

Attachments: Committee Activities Report

1. Proposal for graduate degrees in Operations Research
2. Report and recommendations from the Ad Hoc Committee on the Implications of the Aumiller Case for the Management of the University.

UNIVERSITY FACULTY SENATE
Committee Activities

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

Academic Ceremonies

Organization of commencement exercises

Beverage Alcohol

Participation with Student Life Office in organizing materials for a campus-wide assessment program

Coordinating Committee

Review of nonresident student admissions

Faculty Welfare and Privileges

Faculty suspension policy

Examination of faculty evaluation procedures

Study of 2-year contract proposal

Establishment of subcommittee on faculty involvement in financial emergencies

Library Committee

Review of Library space problem

Development of a procedure for collecting overdue and lost books from faculty

Review of the COPE report on the Library

Review of new cataloging codes

Review of new copyright laws

The following committees have not met: Academic Complaints, Budget Review.

The following committees did not return a report: Academic Services, Adjunct Academic Affairs, Committee on Committees, Computer Committee, Educational Innovation and Planning, Fine Arts, Graduate Studies, Instructional Resources, International Studies, Nominating Committee, Performing Arts, Physical Planning and Utilization, Committee on Research, Rules Committee, Speakers Board, Student and Faculty Honors, Student Life, Undergraduate Admissions and Standing, Undergraduate Studies, Visiting Scholars.

PROPOSAL FOR A GRADUATE PROGRAM IN OPERATIONS RESEARCH

DEGREES. The Operations Research Program will lead to degrees of Master of Science and Doctor of Philosophy in Operations Research (OR).

PROGRAM. The OR Program is an inter-disciplinary program with participating academic units in various colleges of the University.

PARTICIPATING UNITS. The following academic units are among the expected participants in the OR Program.

- Agricultural and Food Economics
- Agricultural Engineering
- Business Administration
- Economics
- Marine Studies
- Mathematics
- Statistics and Computer Science
- Urban affairs and Public Policy

ADMISSIONS. Students apply for admission to the Graduate College and the intended academic unit (participating in the OR Program) in the usual manner. In addition, a student seeking to enroll in the OR Program requires the approval of the Operations Research Committee (at the time of admission or subsequently).

ADMINISTRATION OF THE PROGRAM. The OR Program will be administered by an Executive Committee (OR Committee) in which each participating unit will be represented by 1 or 2 members, appointed by the said unit. The Chairperson of the OR Committee will be appointed to a two-year term by the University Coordinator of Graduate Studies on the recommendation of the OR Committee. The OR Chairperson will report to the University Coordinator of Graduate Studies.

The OR Committee will be responsible for setting standards of selection and retention of students and faculty in the program, establishing and supervising the academic programs of students and setting the requirements for degrees in conjunction with the participating academic units.

The work of each student in the OR Program will be supervised by a committee appointed by, and reporting to, the OR Committee. This supervising committee, chaired by the student's thesis advisor, will include faculty from the student's department, and from other disciplines relevant to the student's research. The majority of faculty members on a Doctoral supervising committee will belong to departments granting a Doctoral degree.

DEGREE REQUIREMENTS. In addition to meeting all requirements of the Graduate College, students must meet those requirements jointly established by the student's academic unit and the OR committee.

Master's Programs are nominally 30 credits. About 40% of the program will be course work in the mathematical sciences appropriate to Operations Research, Another 40% will be course work in the student's subject area. The remaining 20% of the program will be a required M.Sc. thesis.

Work towards the Doctoral degree in OR should be approximately equally divided among the supporting mathematical sciences, the student's subject area and the dissertation.

REQUIRED COURSES. The following courses in the mathematical methodology of O.R. are required.

M.Sc. Program:

M 690-Programming and Game Theory
 ST 623-Mathematical Methods of Operations Research I
 and at least two 800 level courses from among offerings in optimization, probability, statistics, numerical analysis, computer science or mathematical economics.

Ph.D. Program:

M 667-Nonlinear Programming
 ST 810-Applied Probability
 ST 824-Mathematical Methods of Operations Research II
 and at least three of the following courses:

~~M 801-Calculus of Variations~~
 M 802-Topics in the Calculus of Variations
 M 850-Mathematical Foundations of Probability I
 M 851-Mathematical Foundations of Probability II
 EC 822-Econometric Theory
 EC 823-Seminar in Econometrics
 EC 826-Mathematical Economics
 ST 800-Mathematical Statistics I
 ST 801-Mathematical Statistics II
 ST 803-Decision Theory I
 ST 804-Decision Theory II
 ST 811-Stochastic Processes
 ST 827-Theory of Queues and Inventories I
 ST 828-Theory of Queues and Inventories II
 CS 820-Simulation of Continuous Systems

EXAMINATIONS. Masters students will be required to defend their thesis in an oral examination open to the public.

In addition to the qualifying examination and the final (thesis defense) examination described in the 1975/77 Graduate Catalog (p. 25), Ph.D. students will be required to pass a preliminary examination at the end of their first year of studies. This preliminary examination, administered by the O.R.

Committee, will cover O.R. coursework.

MINOR IN O.R.. Students seeking a minor in O.R. will satisfactorily complete at least one third of their coursework in the required O.R. courses listed above, including ST824 and M667 (Nonlinear Programming) and their prerequisites. The recommendation to grant a minor in O.R. will be made by the O.R. Committee, following a review of the student's plan of study and performance.

O.R. AND RELATED COURSES (a partial list based on the 1975-77 Graduate Catalog, and on 1977-78 offerings.)

AGRICULTURE AND FOOD ECONOMICS

AEC 603-Production Economics

AEC 605-Food Marketing Management

AEC 607-Advanced Prices and Statistics

AEC 624-Resource Economics Theory and Policy

AEC 625-Rural Economic Development Theory and Policy

BUSINESS ADMINISTRATION

BU 850-Financial Administration

BU 851-Corporate Financial Analysis

BU 852-Portfolio Management

BU 854-Seminar in Finance

BU 870-Operations Administration

BU 881-Marketing Research

CHEMICAL ENGINEERING

CHE 691-Technical Project Management

CHE 801-Chemical Process Dynamics I

CHE 802-Chemical Process Dynamics II

CHE 829-Optimization

CIVIL ENGINEERING

CE 654-Urban Transportation Planning

CE 683-Probabilistic Engineering Analysis

CE 815-Probabilistic Structural Engineering

CE 934-Advanced Water Resources Engineering

ECONOMICS

EC 675-Economics of Natural Resources

EC 822-Econometric Theory

EC 823-Seminar in Econometrics

EC 826-Mathematical Economics

ELECTRICAL ENGINEERING

EE 617-Feedback Control Systems

EE 618-Modern Control Engineering

EE 802-Foundations of Systems Engineering

EE 814-Linear Systems Analysis

EE 815-Feedback Control Theory

EE 819-Information Theory

MARINE STUDIES

CMS 666-Mathematical Bioeconomics
CMS 675-Economics of Natural Resources
CMS 677-Benefit/Cost Analysis

MATHEMATICS

M 666-Mathematical Bioeconomics
M 667-Nonlinear Programming
M 689-Combinatorial Analysis
M 690-Programming and Game Theory
M 801-Calculus of Variations
M 802-Topics in the Calculus of Variations

MECHANICAL AND AEROSPACE ENGINEERING

MAE 622-Introduction to Stability and Control
MAE 642-Power Generation Systems
MAE 643-Energy Conversion Systems and Devices
MAE 853-Variational Methods in Mechanical and Aerospace Engineering

STATISTICS AND COMPUTER SCIENCE

ST 623-Mathematical Methods of Operations Research I
ST 651-Random Models in Engineering and Applied Science
ST 800-Mathematical Statistics I
ST 801-Mathematical Statistics II
ST 803-Decision Theory I
ST 804-Decision Theory II
ST 810-Applied Probability
ST 811-Stochastic Processes
ST 824-Mathematical Methods of Operations Research II
ST 827-Theory of Queues and Inventories I
ST 828-Theory of Queues and Inventories II
CS 621-Simulation of Discrete Systems
CS 625-Topics in Computing
CS 820-Simulation of Continuous Systems

URBAN AFFAIRS

UA 800-Urban Analytic Methods I
UA 802-Urban Analytic Methods II
UA 804-Urban Analytic Methods III
UA 806-Urban Analytic Methods IV

SAMPLE PROGRAMS. The following hypothetical programs are intended to illustrate the scope and flexibility of the proposed OR Program. All sample programs assume that the students have had the prerequisites for the listed courses.

SAMPLE PROGRAM No.1. In this M.Sc. program, a student enrolled in the mathematics department, is doing research in marine studies, with an eventual M.Sc. thesis on simulation.

The courses taken are:
Mathematical sciences:

M 690	Programming and Game Theory	3
ST 623	Mathematical Methods of Operations Research I	3
ST 824	Mathematical Methods of Operations Research II	3
ST 811	Stochastic Processes	3
Subject area:		
CMS 666	Mathematical Bioeconomics	3
CMS 675	Economics of Natural Resources	3
EC 822	Econometric Theory	3
CS 820	Simulation of Continuous Systems	3
Thesis:		
	Simulation of Fishery Management Models	6

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SAMPLE PROGRAM No.2. In this M.Sc. program, the student, enrolled in the economics department, will work on the economic aspects of competitive biddings.

The courses taken:

Mathematical sciences:		
M 690	Programming and Game Theory	3
ST 623	Mathematical Methods of Operations Research I	3
ST 810	Applied Probability	3
EC 826	Mathematical Economics	3
Subject area:		
EC 661	Monopoly and Competition	3
EC 801	Microeconomic Theory	3
EC 802	Macroeconomic Theory	3
EC 822	Econometric Theory	3
Thesis:		
	Models of Resource Allocation by Competitive Biddings	6

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SAMPLE PROGRAM No.3. In this Ph.D. program, the student is enrolled in the department of statistics and computer science, and his subject area is urban affairs with a thesis on the optimal location of urban facilities.

Courses:

Mathematical sciences:		
M 690	Programming and Game Theory	3
M 667	Nonlinear Programming	3
ST 623	Mathematical Methods of Operations Research I	3
ST 824	Mathematical Methods of Operations Research II	3
ST 800	Mathematical Statistics I	3
ST 801	Mathematical Statistics II	3
ST 810	Applied Probability	3
ST 811	Stochastic Processes	3
CS 621	Simulation of Discrete Systems	3
Subject area:		
UA 800	Urban Analytic Methods I	3
UA 802	Urban Analytic Methods II	3
UA 804	Urban Analytic Methods III	3

UA 806	Urban Analytic Methods IV	3
UA 824	Urban Decision Making Systems I	3
UA 826	Urban Decision Making Systems II	3
UA 828	Urban Policy Alternatives	3
UA 860	Urban Affairs Internship	3
Thesis:		
Optimal Location Models for Urban Services		27
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		81

SAMPLE PROGRAM No.4. In this Ph.D. program, the student is enrolled in mathematics and his subject area is animal science, with a thesis on the optimal feeding of farm animals.

Courses:

Mathematical sciences:

M 667	Nonlinear Programming	3
M 801	Calculus of Variations	3
M 802	Topics in the Calculus of Variations	3
ST 800	Mathematical Statistics I	3
ST 801	Mathematical Statistics II	3
ST 810	Applied Probability	3
ST 811	Stochastic Processes	3
ST 824	Mathematical Methods of Operations Research II	3
CS 820	Simulation of Continuous Systems	3

Subject area:

APS 622	Monogastric Nutrition	3
APS 652	Ruminant Nutrition	3
APS 633	Poultry Pathology	3
APS 221	Advanced Poultry Nutrition	3
APS 824	Intermediary Metabolism in Higher Animals	3
APS 831	Advanced Poultry Pathology	3
APS 866	Special Problem	3
CHE 491	Technical Project Management	3
FN 630	Trace Minerals and Vitamins in Human Nutrition	3

Thesis:

Optimal Diet Models for Poultry		27
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		81

MEMORANDUM

TO: Coordinating Committee on Education

FROM: Adi Ben-Israel
Marcel Neuts
Robert M. Stark, for the Operations Research Committee

SUBJECT: Graduate Program in Operations Research

Attached please find a proposal for establishing a Graduate Program in Operations Research (O.R.) at the University of Delaware. The proposal was approved by the Senate Committee on Graduate Studies on 3-15-78.

This proposal benefited from the discussion of a previous draft (circulated within the University and submitted to the Graduate Interim Governing Board last spring) and from constructive suggestions by the Provost, the Deans of the Colleges of Agriculture, Arts and Sciences, Business and Economics, Engineering, Marine Studies and Urban Affairs, the Chairpersons of the Applied Science Program and of the Departments of Agriculture and Food Economics, Agricultural Engineering, Business Administration, Mathematics and Statistics and Computer Science. Comments by members of the Interim Governing Graduate Board, by the external evaluator, Dr. Saul Gass of the University of Maryland, and by various faculty members at the 3-2-78 public hearing were also useful.

The proposed program leads to the degrees of M.Sc. and Ph.D. in O.R.. It is an interdisciplinary program, based on individual participation by faculty members in Agriculture, Business, Economics, Marine Studies, Mathematics, Statistics and Computer Science, Urban Affairs and possibly other areas. Prospective students apply to, and are admitted by, the participating academic units, subject to their standards and regulations, as well as those of the O.R. Program.

The demand for O.R. practitioners with graduate degrees has persisted. Consequently there is demand for O.R. among graduate students seeking an O.R. career, as well as other students who wish to expand their capabilities for employment or other purposes.

Most of the resources needed to support a good O.R. program are already on the campus. The faculty and most of the required coursework are here (see, e.g., the list of O.R. and related courses in our proposal.) Graduate students can be supported by sponsored research and by teaching assistantships from participating units.

The proposed program would still require an annual budget estimated below:

Secretary (part time)	4,000
Publication and advertising	1,000
O.R. colloquium	2,000
Library acquisitions	1,000
4 Graduate Fellowships	20,000

	28,000

By operating the O.R. program from an existing unit (we propose the Institute for Mathematical Sciences), its administrative costs could be kept at their above stated low levels. In particular, no requirements for office space or other facilities are anticipated.

A discussion of some issues raised by this proposal follows.

Benefits of the proposed program.

The proposed program establishes a framework for interdisciplinary cooperation, similar to that achieved in the technological disciplines by the Applied Science Program, which serves as our model and precedent. Also, the O.R. program will enable the effective utilization of resources in departments seeking to expand their graduate activities, and will widen the applications scope of the Departments of Mathematics and Statistics and Computer Science, making the graduate programs of all participating units more attractive to prospective students.

The expertise associated with an O.R. program, should prove useful to the government, business, industry and agriculture of the State, and to the administration of the University. This expectation is compatible with the experience of O.R. programs elsewhere.

O.R. activities at U.D.

A sample list of O.R. projects in progress follows.

1. Mathematical models of competitive bidding.
2. Markovian point processes.
3. Multi-objective optimization models.
4. Simulation of fisheries.
5. Optimal design and operation of broiler houses.
6. Production smoothing methodology.
7. Stochastic geometric programming.

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These projects (many of which are currently funded by such agencies as NSF, ONR, AFOSR and NOAA) are expected to continue at higher levels of external support. Other current activities whose development depends on the O.R. program, are interactive exchange programs with other universities.

Degrees and requirements.

To achieve excellence in research and in education, provisions should be made for both the M.Sc. and Ph.D. degrees.

The degree requirements are specified in the proposal, where sample individual programs are also given. It should be noted however that these programs will be worked out jointly by the O.R. Committee and by the student's department, as in most departments. Just meeting the departmental requirements is a full-time job, leaving no room for electives which are essential for the O.R. program.

Students.

The program is intended for (i) students in the mathematical areas who wish to study and research in O.R. and its application areas, and (ii) students in the various subject areas interested in the modern mathematical methodology applied to their discipline.

Organization.

We propose that the program be supervised by an executive committee (the O.R. Committee), representing the various participating units. For the first year of operation we propose the following committee:

L. Anderson	CMS
T. Ansell	Math.
A. Ben-Israel	Math. (acting chairperson)
R. Bliss	CMS
N. Collins	As. Engrs.
F. Ellner	Math.
J. Elterich	As. & Food Econ.
K. Lewis	Econ.
J. Morse	Business Admin.
H. Neuts	Statist. & Comput. Sci.
H. Pohlen	Business Admin.
E. Saniga	Business Admin.
C. Slower	Math.
R. Stark	Statist. & Comput. Sci.
F. Tennian	Urban Affairs
U. Teensmeyer	As. & Food Econ.

University Faculty Senate
Continued Meeting
April 10, 1978

The Ad Hoc Committee on the Implications of the Aumiller Case for the Management of the University submits the following changes to their Report and Recommendations (distributed as Attachment 2 of the Agenda for the April 3, 1978 Senate meeting).

REPORT - Page 2, paragraph 2 (beginning with "Furthermore the committee feels. . .") to be replaced by:

Furthermore the committee feels that the Aumiller episode provides convincing evidence of the need for extending the practice of periodic evaluation of the performance of individual members of the teaching faculty, chairpersons, deans and program directors to the principal academic administrators of the University.

RECOMMENDATIONS - Recommendation 2, pp. 2 and 3, to be replaced by:

RESOLVED, that the University Faculty Senate recommends that, as is currently the case for chairpersons and program directors, all administrative officers with major responsibilities for academic programs and policies, including Deans, the Vice President for Student Affairs, the Provost and Vice President for Academic Affairs, and the President, shall undergo a major evaluation of their performance during every fifth year that they have served in office. Existing procedures shall be used for the evaluation of Deans.* Committees evaluating other administrative officers shall consist of six persons, three of whom shall be directly appointed by the Board of Trustees and three of whom shall be nominated by the University Faculty Senate upon recommendation of its Executive Committee, and be appointed by the Board of Trustees. Evaluations of the Vice Presidents and the Provost shall be made available to the President and members of the Board of Trustees. Evaluations of the President shall be made available to members of the Board of Trustees. These evaluations shall begin at the earliest possible date.

*"Evaluation of Performance of Deans," March 10, 1975

REPORT AND RECOMMENDATIONS
of the Ad Hoc Committee
on the Implications of the Aumiller Case
for the Management of the University

In pursuance of its charge, this committee has carefully studied the decision of U.S. District Court Judge Schwartz in the case of Aumiller versus the University as well as other related documents. This study reveals a shocking disregard on the part of President Trabant and at least some portion of the Board of Trustees, not only for Mr. Aumiller's constitutional rights and academic freedom, but also for the considered judgment of the University faculty. There is clear evidence that the President, with at least tacit approval from the Chairman of the Board, chose to pursue an action he himself felt would be declared illegal, and that he did so despite recommendations and judgments to the contrary from an impressively wide range of University opinion. Those counseling against his action included, among others, the Department of Theatre, the College of Arts and Science Appeals Committee, the University Appeals Committee, the Faculty Senate Committee on Academic Freedom, and the University Faculty Senate.

The Court has emphatically reaffirmed Mr. Aumiller's constitutional rights, but the implications of the whole affair for the just and efficient governance of the University are profoundly disturbing. This committee has no way of determining whether the entire Board of Trustees was provided the opportunity of reviewing the President's actions in advance of the Court case, nor is it clear, if such a review did take place, whether the solid opposition of a wide spectrum of the faculty was accurately transmitted to the Board as a whole. What is clear is that the Chairman of the Board of Trustees was informed in advance of the President's intent to "correct the situation" as well as of his opinion that "the chances of the courts upholding any action that I take are minimal."¹ Further evidence of Trustee involvement is provided by Chairman Lenher's announcement to the press following the Court's decision that the damages assessed President Trabant personally were, in fact, collected from individual Board of Trustee members because, "we concluded that since he (Trabant) acted with the full knowledge and approbation of the executive committee he should not be penalized personally."² All this indicates that at least a majority of the executive committee of the Board approved the President's actions even after they had been declared illegal. But nowhere have we been able to find evidence that the full Board was consulted and provided the opportunity to consider the implications of the case.

The committee feels that action must be taken to forestall the possibility that a few individuals may again commit the institution to a course that could impinge on individual rights and tarnish the University's image. At the

¹See Appendix A, Opinion of Judge Murray M. Schwartz in the case of Aumiller versus the University of Delaware, p. 19. (Appendix A has been sent to Senators only. Copies are available at the Senate Office.)

²See Appendix B, attached.

very least, the entire Board of Trustees should review such issues in advance of any irrevocable commitment by the administration. Such a review should provide faculty groups with positions opposed to that of the administration full opportunity to present their views directly to the Board.

Furthermore the committee feels that the Aumiller episode provides convincing evidence of the need for extending the practice of periodic evaluation of the performance of individual members of the teaching faculty to include Deans, Directors, Vice Presidents, and the President.

If the above procedures had been implemented prior to the Aumiller case it is entirely possible that the illegal and costly course actually followed might have been avoided. In the hope of preventing future disasters of this sort and, more generally, of promoting harmony in the governance of the University, the committee recommends the following resolutions:

1. RESOLVED, that the University Faculty Senate recommends that the following provision be added to Chapter 2, Section II-E of the Trustee Bylaws:

On such matters as the faculty deem to be of unusually great import, and for which the faculty have reason to believe that their collective view is significantly at variance with that of the President, the University Faculty Senate shall have the privilege of transmitting its position directly to the entire Board of Trustees. It shall also be provided the opportunity of participating in discussion of the matter before a plenary meeting of the Board or of one of its appropriate standing committees.

A decision for direct referral of its recommendations to the Board shall require a 2/3 vote of a quorum of the Senate. For the presentation of its views before the Board, the executive committee of the Senate shall select appropriate faculty members.

2. RESOLVED, that the University Faculty Senate recommends that, as is currently the case for chairpersons, all administrative officers shall be appointed for five-year terms of office. In the year preceding the final year of their term, each shall undergo an evaluation of his or her performance. Committees evaluating Deans or Directors shall consist of five persons, two of whom shall be appointed by the Provost and three of whom shall be elected by the faculty from the unit whose Dean or Director is being evaluated. Committees evaluating Vice Presidents and the President shall consist of five persons, two of whom shall be from other universities and three of whom shall be from the University of Delaware. Those from the University of Delaware on the evaluation team shall be nominated by the executive committee of the University Faculty Senate and they, in addition to the two outside

members, shall be appointed by the Board of Trustees. Evaluations of Deans and Directors shall be made available to the Provost, President, and the Board of Trustees. Evaluations of Vice Presidents and the President shall be made available to each member of the Board of Trustees. These evaluations shall begin at the earliest possible date.

Members of the Committee: George Borden
William Chambliss
Harry Hutchinson
Mark Sharnoff
Robert Warren

/b

March 17, 1978

From the Sunday News Journal, October 30, 1977

UD trustees pay Trabant's damages

By TOM GREER

The University of Delaware trustees personally have paid the \$5,000 damages assessed against the university president, E. A. Trabant, in the Richard B. Aumiller court case.

Dr. Samuel Lenher, chairman of the trustees, last week said the action was taken at a board meeting last summer.

Aumiller, 28, former manager of the university theater, was fired for allegedly making statements advocating homosexuality. He sued in U.S. District Court and last June won a judgment for \$12,454 in back pay for the 1976-77 academic year, plus \$15,000 in compensatory and punitive damages. In the damages was \$5,000 Judge Murray M. Schwartz ordered Trabant to pay Aumiller.

Assessment of the damages against Trabant was "of immediate concern" to the board's executive committee, Lenher said. "We concluded that since he (Trabant) acted with the full knowledge and approbation of the executive committee, he should not be penalized personally."

Two of the trustees undertook to resolve the matter "in a most appropriate manner," Lenher

continued. After a check with the university's counsel, who considered the action "entirely in order," the damages assessed Trabant were collected from among the trustees and given him, so that the university would not have to pay "any part whatever," Lenher concluded.

All of the damages have now been paid and the case is concluded except for payment of Aumiller's legal fees, which were also assessed the university by the court. Sheldon N. Sandler, Aumiller's lawyer, said negotiations as to the amount — estimated in August at about \$60,000 — are still in progress.

A spokesman in Trabant's office said insurance coverage is expected to take care of "a good part" of the compensatory damages assessed the university. Daniel W. Wood, executive assistant to the president and university secretary, said three insurance companies are involved and the amount they will pay the university has not yet been resolved.

The decision included an order that Aumiller's dismissal be expunged from his record at the university. He accepted employment this fall as theater director at Duke University in Durham, N.C.