


UNIVERSITY OF DELAWARE
NEWARK, DELAWARE
19711

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

February 25, 1980

MEMORANDUM

TO: All Faculty Members

FROM: Arthur E. Hoerl, Vice President
University Faculty Senate 

SUBJECT: Regular Faculty Meeting, March 3, 1980

In accordance with Section IV, paragraph 6 of the Constitution, the regular meeting of the University Faculty Senate will be held on Monday, March 3, 1980 at 4:00 p.m. in room 110 Memorial Hall.

AGENDA

- I. Adoption of the Agenda.
- II. Approval of the Minutes of the January 7, 1980 and February 4, 1980 meetings.
Correction to the previously approved Minutes of December:
The last paragraph of the Minutes of the second session of the December, 1979 meeting (page 6) should be replaced by:
Senator R. Murray made a motion to charge the college promotions and tenure committees to review the merits of the candidates' dossiers as well as to ensure reasonable uniformity on promotion at the college level. President Smith noted that it was 5:30 and asked the senators how they wished to proceed. In the absence of objection President Smith declared the meeting recessed for one week, to be reconvened on December 17 at 4:00, with Senator Murray's resolution on the floor for consideration at that time.
- III. Remarks by President Trabant and/or Provost Campbell.
- IV. Announcements - Senate President Smith.
- V. Old Business - none.

VI. New Business

- A. Resolution from the Committee on Committees (H. Kingsbury, chair) to change the membership of the Committee on Undergraduate Admissions and Standing. (Note: the phrase in italics would replace "the Assistant Vice President for Student Services, or his Designee" in the current Charge.)

RESOLVED, that the Faculty Bylaws, Section III, Committee on Undergraduate Admissions and Standing (Handbook p. I-18) last paragraph, be changed to read as follows:

This committee shall consist of an appointee of the President, the Associate Provost for Instruction; *the Director of Admissions, or his designee*; two undergraduate students; and a faculty member from each college enrolling undergraduate majors and the Division of Physical Education, Athletics and Recreation, one of whom shall be chairperson.

- B. Resolution from the Committee on Committees (H. Kingsbury, chair) to: (1) change the status of the Library Committee, the Computer Committee, and the Instructional Resources Center Committee from subcommittees of the Coordinating Committee on Education to standing committees of the Faculty Senate; (2) change the membership of the Coordinating Committee on Education by the addition of the chairs of those three committees; and (3) to reorder the committee listings in the Handbook to reflect these changes. (Note: the corresponding portion of the present Handbook, annotated to indicate the proposed changes, is given in Attachment 1.)

RESOLVED, that the Faculty Bylaws, Section III, Standing Committees, Coordinating Committee on Education (Handbook p. I-16) through Instructional Resources Center Committee (Handbook p. I-19) be changed to read as follows:

COORDINATING COMMITTEE ON EDUCATION

This committee shall be a continuing center for overseeing the broad educational affairs of the University; for providing a large context for the examination and preparation of educational proposals; and for providing liaison and coordination among the following enumerated educational committees. It shall survey academic weaknesses and strengths and help formulate and assess educational policies and practices. Mindful of Trustee and Administrative responsibility for the University's fiscal affairs, and at the same time recognizing budgetary matters as a main instrument of academic development, this committee is authorized to confer with the Provost and Vice President for Academic Affairs concerning the establishment of academic priorities and their implementation, and such other related budgetary matters as may arise.

This committee shall be made up of a chairperson chosen by the Faculty Senate; the chairpersons of the following enumerated standing committees of the Faculty Senate; a designee of the Vice President for Academic Affairs; the University officer of Graduate Studies; the Director of Continuing Education; and one undergraduate and one graduate student.

1. COMMITTEE ON ADJUNCT ACADEMIC AFFAIRS

[no change in the present text; only the numbering and position are changed]

2. COMMITTEE ON EDUCATIONAL INNOVATION AND PLANNING

[no change in the present text; only the numbering and position are changed]

3. COMMITTEE ON GRADUATE STUDIES

[no change in the present text]

4. COMMITTEE ON UNDERGRADUATE ADMISSIONS AND STANDING

This committee shall recommend, for final determination by the faculty or its Senate, the undergraduate educational and academic admissions policies, and, in consultation with the Committee on Undergraduate Records and Certification, the policies of academic standing of undergraduates. The committee shall advise the Directors of Admissions and Records in implementing these policies, and may from time to time sit with the staff which reviews individual applications for admission. This committee, in consultation with the Foreign Student Advisor, shall also advise on the admission of foreign students and shall seek to develop means for encouraging qualified foreign applicants. This committee shall additionally review and consider matters relating to foreign study arrangements for University undergraduates, and other off-campus study arrangements, as regards academic standing.

This committee shall consist of an appointee of the President; the Associate Provost for Instruction; the Director of Admissions, or his designee; two undergraduate students; and a faculty member from each college enrolling undergraduate majors and the Division of Physical Education, Athletics and Recreation, one of whom shall be chairperson.

5. COMMITTEE ON UNDERGRADUATE STUDIES

[no change in the present text; only the numbering and position are changed]

6. COMPUTER COMMITTEE

[no change in the present text; only the numbering and position are changed]

7. INSTRUCTIONAL RESOURCES CENTER COMMITTEE

[no change in the present text; only the numbering and position are changed]

8. LIBRARY COMMITTEE

[no change in the present text; only the numbering and position are changed]

- C. Recommendation from the Committee on Academic Freedom (M. Haskell, chair) for an addition to the Faculty Handbook statement on Academic Freedom. (Note: relevant documentation is given in Attachment 2.)

WHEREAS: The Senate action of December 4, 1978 amending the Faculty Handbook statement on Academic Freedom inadvertently caused a paragraph dealing with censorship and surveillance to be dropped from that statement; and

WHEREAS: the paragraph in question makes no reference to the appropriate use of classroom observation as part of the process of faculty evaluation;

THEREFORE, BE IT RESOLVED: that the following statement be added to the existing section on Academic Freedom on p. III-B-1 of the Faculty Handbook:

Academic freedom is incompatible with censorship or surveillance of communications on and off campus. The monitoring or interference with communications emanating from a member or group of the University cannot be condoned. Practices such as telephone tapping, surveillance and stoppage of mail, censorship at the Duplicating Center of materials emanating from within the University community, or censorship of bulletin boards designated for general use, are contrary to University policy. Classroom visitations for the purpose of teaching evaluation are permissible, but such visitations shall adhere to standards contained in a written statement approved by a majority of department faculty and shall in no case be made without prior arrangement with the faculty members involved.

- D. Recommendation from the Committee on Student Life (J. Nathan, chair) for approval of a revised statement of Student Rights and Responsibilities (Attachment 3).

RESOLVED, that the revised statement of Student Rights and Responsibilities, as given in Attachment 3 of this Agenda, is approved.

- E. Recommendation from the Coordinating Committee on Education (J. O'Neill, chair) regarding the Pass/Fail policy.

RESOLVED, that undergraduate students registered for pass/fail credit must fulfill the same requirements as students registered for regular credit if they are to receive credit for the course.

- F. Recommendations from the Committee on Graduate Studies (A. Morehart, chair) for changes in graduate policies (Attachments 4, 5, and 6).

RESOLVED: The graduate studies regulation governing the selection and composition of doctoral students' advisory committees (Graduate Studies Policies and Procedures, PDE-18) be amended as shown in Attachment 4.

RESOLVED: The graduate studies regulation governing credit by examination (Graduate Studies Policies and Procedures, PCR-13) be amended as shown in Attachment 5.

RESOLVED: A new graduate studies regulation be added to the Graduate Studies Policies and Procedures at PCR-17, governing graduate studies and graduate level CEND cumulative indexes, as shown in Attachment 6.

- 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.)

AEH/b

- Attachments: 1. Faculty Handbook, pp. I-16 - I-19
2. Documentation regarding Academic Freedom Statement
3. Student Rights and Responsibilities Statement
4. Graduate Policy: Doctoral Advisory Committees
5. Graduate Policy: Credit by Examination
6. Graduate Policy: Graduate and CEND Cumulative Indexes

COMMITTEE ACTIVITIES

Academic Freedom

Case involving alleged censorship of faculty communication

Educational Innovation and Planning

Review of Winter Session; meeting with Winter Session staff

Faculty Welfare and Privileges

Review of:

- The proportion of teaching done by part-time appointees
- The procedures by which revisions may be made in the Faculty Handbook
- The contents and accessibility of faculty personnel files
- The Faculty Handbook statement on conflict of interest
- The Faculty Handbook statement on disruptive behavior

Graduate Studies

Initiated the annual review of units offering graduate degrees

International Studies

Has under consideration the propriety of:

- A quota restricting the number of new undergraduate foreign students each semester
- Requiring GRE's for foreign graduate students
- Locating the Writing Center's program for foreign students at Wesley College, Dover

Promotions and Tenure

Consideration of promotion and tenure dossiers
Revision of Section K, Faculty Handbook (a draft revision has been sent to all Senators; comments, by March 1, are welcome).

Undergraduate Studies

Minors in Italian and Geology
Survey of undergraduate grading procedures

COORDINATING COMMITTEE ON EDUCATION

This committee shall be a continuing center for overseeing the broad educational affairs of the University; for providing a large context for the examination and preparation of educational proposals; and for providing liaison and coordination among the following enumerated educational committees. It shall survey academic weaknesses and strengths and help formulate and assess educational policies and practices. Mindful of Trustee and Administrative responsibility for the University's fiscal affairs, and at the same time recognizing budgetary matters as a main instrument of academic development, this committee is authorized to confer with the Provost and Vice President for Academic Affairs concerning the establishment of academic priorities and their implementation, and such other related budgetary matters as may arise.

This committee shall be made up of a chairman chosen by the faculty Senate; the chairmen of the following enumerated [committees]; a designee of the Vice President for Academic Affairs; the University officer of Graduate Studies; the Director of University Extension (Continuing Education); [the chairman of the Academic Activities Committee of the undergraduate student government; and the chairman of the Academic Activities Committee of the graduate student government].

[] Replace with: standing committees of the Faculty Senate

____ Delete: University Extension

[] Replace with: and one undergraduate and one graduate student

1. Committee on Educational Innovation and Planning

This committee shall probe the more remote educational future of the University, and may examine and originate principal educational proposals for presentation to the Coordinating Committee on Education or to the faculty or its Senate. It shall receive, hear, and examine ideas from any member of the University community. It shall concern itself with the national as well as local educational scene, and may inform itself thereon through appropriate attendance at conferences and the use of consultants.

This committee shall consist of an appointee of the Vice President for Academic Affairs; four faculty members one of whom shall be chairman; two undergraduate students; and one graduate student.

2. Committee on Undergraduate Studies

This committee shall review and consider matters relating to undergraduate education, and shall receive and may stimulate and originate proposals for its development.

This committee may initiate and shall consider and formulate specific recommendations to the colleges or to the faculty or its Senate on undergraduate curricular changes and interdepartmental programs; and it shall have the power to act on undergraduate course changes or additions or deletions recommended by college committees which do not involve curricular revision, in each case consulting the Deans and Department Chairmen concerned. It shall, further, review the academic standards of the several undergraduate colleges; and review and prepare recommendations concerning procedures of undergraduate advisement.

This committee shall consist of an appointee of the Vice President for Academic Affairs; three faculty members from the College of Arts and Science and one faculty member from each other undergraduate college, of whom one shall be chairman; one representative of the Committee on Graduate Studies; three undergraduate students; [the Associate Vice President for Facilities Management and Services, or his Designee] the Director of Student Counseling; and the University Scheduling Officer. (Rev.12/4/78)

Becomes number 5

[] changed, by action of the Senate on 2/4/80, to: the Director of Records

3. Committee on Graduate Studies

This committee shall review and consider matters relating to graduate education, and shall receive and may stimulate and originate proposals for its development.

This committee shall formulate, for determination by the faculty or its Senate, the policies for admission to graduate study. It shall have the power to act on the alteration, addition, or deletion of individual graduate courses recommended by college committees, and it shall make recommendations to the faculty or its Senate on courses of study leading to graduate degrees and on matters of policy concerning graduate study. It shall review academic standards of graduate study, and may employ outside consultants toward this end.

The Faculty Senate Committee on Graduate Studies shall periodically receive from the University Officer for Graduate Studies a review of the status of each department's program of graduate studies and appropriate recommendations for any action that may be deemed necessary. In addition the affected unit or units shall be afforded an opportunity to review and comment on the University Officer's review. Such comments from the unit shall also be transmitted to the Graduate Studies Committee. The Graduate Studies Committee shall prepare its own recommendations pertaining to periodic review of individual graduate programs.

On the recommendation of the University Officer for Graduate Studies this committee shall certify to the President students who have completed the requirements for advanced degrees and upon whom the faculty, with the approbation of the Trustees, is conferring such degrees; such certification shall be entered into the minutes of the faculty or its Senate.

1. The faculty members of the Graduate Studies Committee shall be selected by the Senate Committee on Committees from among experienced scholars of the faculty, who shall possess established reputations in their fields, a strong commitment to the highest graduate standards, and experience with various types of graduate degree programs.

2. The chairperson of the Committee on Committees shall annually solicit nominations for service on the Committee on Graduate Studies from the University Officer for Graduate Studies, the Provost, and other sources.

3. The Committee shall consist of a Chairperson and six other faculty members serving for three-year terms to be arranged in sequence such that the terms of no more than two members shall expire in any academic year. In addition there shall be two ex officio members, the University Officer for Graduate Studies and the Director of the University Library. There shall be two graduate student members appointed. In the absence of a duly constituted graduate student government, the Committee on Graduate Studies shall have the responsibility of arranging the election of the graduate student senators. During the transition period, members as they retire from the Committee shall be replaced by members with the new period of tenure.

4. The Chairperson of the Graduate Studies Committee shall be selected by the Committee on Committees, and shall be confirmed by the Senate for a two-year term. Nominations for this position shall be taken from a register maintained by the University Officer for Graduate Studies of persons who have served at least one previous term of membership on the Graduate Studies Committee.

No change

4. Committee on Adjunct Academic Affairs

This committee shall be concerned with academic affairs having organizational identity not affiliated to any particular college, and not otherwise covered by a faculty committee.

It shall consist of five faculty members, one of whom shall be chairman; an appointee of the President; two undergraduate students; and one graduate student.

It shall meet at least annually with the Director of the Summer Session, with the Director of University Extension, with the Director

of the Upward Bound Program, with the Director of the College Try Program, and with the Directors of any other like Unit or Program. The committee may call such additional meetings with Directors as it deems appropriate, and shall call a meeting at the request of a Director.

Becomes number 1; no change in text

5. Committee on Undergraduate Admissions and Standing

This committee shall recommend, for final determination by the faculty or its Senate, the undergraduate educational and academic admissions policies, and, in consultation with the Committee on Undergraduate Records and Certification, the policies of academic standing of undergraduates. The committee shall advise the Director* of Admissions and Records in implementing these policies, and may from time to time sit with the staff which reviews individual applications for admission. This committee, in consultation with the Foreign Student Advisor, shall also advise on the admission of foreign students and shall seek to develop means for encouraging qualified foreign applicants. The committee shall additionally review and consider matters relating to foreign study arrangements for University undergraduates, and other off-campus study arrangements, as regards academic standing.

This committee shall consist of an appointee of the President; the Associate Provost for Instruction; [the Assistant Vice President for Student Services, or his Designee]; two undergraduate students; and a faculty member from each college enrolling undergraduate majors and the Division of Physical Education, Athletics and Recreation, one of whom shall be chairman.

Becomes number 4

* Add: s (Directors)

[] Replace with: the Director of Admissions, or his designee

In addition, the following committees are subcommittees of, and report directly to, the Coordinating Committee on Education. (Rev. 5/7/79)

Delete entire sentence

A. Library Committee

This shall consist of the Director of Libraries; one faculty from each of the several colleges and the Division of Physical Education, Athletics and Recreation, of whom one shall be chairman; and one undergraduate student; and one graduate student. It shall serve as a focus for advising the Director and the faculty or its Senate as to policies and practices regarding the University Libraries. (Rev. 5/7/79)

Becomes number 8; Becomes a standing committee; no change in text

B. Computer Committee

This shall consist of the Director of the Computing Center; seven faculty members, of whom one shall be chairperson; and one undergraduate and one graduate student. It shall advise on policies on the use and on the expansion of computer facilities, and hear and coordinate suggestions thereon. (Rev. 5/7/79)

Becomes number 6; Becomes a standing committee; no change in text

C. Instructional Resources Center Committee

This shall consist of the Director of Instructional Resources; seven faculty members, of whom one shall be chairperson; and one undergraduate and one graduate student. It shall survey present and projected educational resource facilities and usages, and receive and coordinate suggestions thereon.

Becomes number 7; Becomes a standing committee; no change in text

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS
WASHINGTON, D. C.

President and Executive Council Secretary
MARTHA HEDGECOCK
University of Illinois

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SUSAN L. HEDGECOCK

January 31, 1980

Dr. Stephen L. Finner
American Association of University Professors
155 E. 44th Street
New York, N. Y. 10017

Dear Steve:

It has come to the attention of the University of Delaware Academic Freedom Committee that a critical portion of the old academic freedom statement dealing with censorship and surveillance is missing from the revised version which passed the Senate on December 4, 1970. The previous and current presidents of the Senate, Ralph J. Lippman and W. L. Smith, believe that the paragraph in question was inadvertently dropped as the result of a typographical error in the Senate resolution which led to the revision of the statement. Thus, it read "... replace the italicized paragraphs", rather than "italicized paragraph".

Since you were Chairman of the Academic Freedom Committee at the time of the revision, I am writing to determine whether you have any recollections of the matter. Specifically, was it the intention of the Committee to replace the paragraph on censorship and surveillance?

For your information, I am sending copies of the two statements and the Senate resolution.

Sincerely,

Mark A. Haskell
Professor and Chairman,
University Senate Committee
on Academic Freedom

MAH/111
Enc.

February 5, 1980

Professor Mark A. Haskell
College of Urban Affairs
and Public Policy
University of Delaware
Newark, Delaware 19711

Dear Mark:

I have in hand your letter of January 31, 1980. Both Ralph and Larry are correct. The paragraph regarding censorship was dropped in error. Unfortunately, I do not have any written material to substantiate this.

Thank you very much for returning the grievance workshop questionnaire. I will be very disappointed if the chapter at Delaware is not able to send anybody since nobody was represented at the last workshop. You will be hearing more from me. Regards to everybody in Newark.

Sincerely,

Steve
Stephen L. Finner

SLF/jp

Attachment 2
February 25, 1980

11/15/79

B. ACADEMIC FREEDOM

It is recognized that if faculty members are to teach and carry on research effectively academic freedom is necessary. Academic freedom is the freedom of the faculty to teach and speak out as the fruits of their research and scholarship dictate, even though their conclusions may be unpopular or contrary to public opinion. Both within and outside the classroom the faculty should exhibit the accuracy, restraint, and respect for the opinions of others appropriate to educators and persons of learning. In relations with the public, they should make it clear at all times whether they speak as private citizens, as experts on the subject in question or as institutional spokesmen. In speaking as private citizens, faculty should make clear that they are doing so. In this connection, use of University titles should be permitted for identification purposes only and it should be made clear that institutional endorsement is not implied.

The following statements were passed by the University Faculty Senate and were adopted as policy by the University administration and on May 31, 1979 by the Board of Trustees.

The teacher is entitled to full freedom in research and in the publication of results, but research for pecuniary return should be based upon an understanding with the authorities of the University.

The teacher is entitled to freedom in the classroom in discussing his/her subject but should be careful not to introduce into his/her teaching matter which has little or no relation to the subject.

The teacher is an individual, a member of a learned profession, as well as a member of an educational institution. When speaking as an individual, he/she should be free from institutional censorship or discipline, but his/her special position in the community imposes special obligations. As a person of learning and as an educator, the teacher should remember that the public may judge his/her profession and institution by his/her utterances. Hence the teacher should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that he/she is not an institutional spokesperson.

III-B-1

B. ACADEMIC FREEDOM

It is recognized that if faculty members are to teach and carry on research effectively academic freedom is necessary. Academic freedom is the freedom of the faculty to teach and speak out as the fruits of their research and scholarship dictate, even though their conclusions may be unpopular or contrary to public opinion. Both within and outside the classroom the faculty should exhibit the accuracy, restraint, and respect for the opinions of others appropriate to educators and persons of learning. In relations with the public, they should make it clear at all times whether they speak as private citizens, as experts on the subject in question or as institutional spokesmen. In speaking as private citizens, faculty should make clear that they are doing so. In this connection, use of University titles should be permitted for identification purposes only and it should be made clear that institutional endorsement is not implied.

The following statements were passed by the University Faculty Senate and were adopted as policy by the University administration.

The maintenance of freedom of speech, publication, religion, and assembly (each of which is a component of intellectual freedom) is the birth of life of a democratic society. The need is greatest in fields of higher learning, where the use of reason and the cultivation of the highest forms of human expression are the basic needs. To an increasing extent, society has come to rely upon colleges and universities as a principal means of acquiring new knowledge and techniques, of conveying the fruits of past and present learning to the community, and of transmitting these talents to generations to come. Without freedom to explore, to criticize existing institutions, to exchange ideas, and to advance solutions to human problems, faculty members and students cannot perform 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. (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 Publishing Center of materials emanating from within the University community, or censorship on bulletin boards designated for general use, are contrary to University policy.

III-B-1

Item D, a recommendation for revision of the Faculty Handbook statement on Academic Freedom, was introduced by Senator Finner, chair of the Committee on Academic Freedom. He reviewed the history of the Handbook statement, beginning with a revision approved by the Senate in 1976 which had been returned by the Board of Trustees; this was followed by a resolution approved by the Senate in March, 1978, to replace the Handbook statement with the 1940 AAUP statement, and the 1970 Interpretive Comments, on Academic Freedom. This Senate action was considered by the Board in June of 1978 and at their request a joint Board/Senate committee was formed to develop "a clear, concise and positive statement on academic freedom," the result being the presently recommended resolution. In a discussion on the exclusion of the 1970 Interpretive Comments from the proposed statement, Senator Finner said that the very specific language of the "Comments" was felt to be not consistent with the language of the 1940 Statement. He added that the agreement of the Senate committee to exclude the 1970 Interpretive Comments from the proposed statement did not, in the view of the committee, preclude their use in any particular application of the policy. In response to a question from Senator Barlow, Senator Finner said that if problems arose regarding the definition of "matter that has little or no relation to the subject" the procedures already in place in the Handbook and the Collective Bargaining Agreement would be adequate, and that the burden of proof would not fall on the faculty member. There was no further discussion and the following was approved by unanimous voice vote:

RESOLVED, that the Faculty Senate approves the following statement on Academic Freedom, to replace the italicized paragraphs of III-B-1 of the Faculty Handbook:

The teacher is entitled to full freedom in research and in the publication of results, but research for pecuniary return should be based upon an understanding with the authorities of the University.

The teacher is entitled to freedom in the classroom in discussing his/her subject but should be careful not to introduce into his/her teaching matter which has little or no relation to the subject.

The teacher is an individual, a member of a learned profession, as well as a member of an educational institution. When speaking as an individual, he/she should be free from institutional censorship or discipline, but his/her special position in the community imposes special obligations. As a person of learning and as an educator, the teacher should remember that the public may judge his/her profession and institution by his/her utterances. Hence the teacher should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that he/she is not an institutional spokesperson.

President Trabant called attention to the fact that the history of the Academic Freedom Statement showed a situation in which a Senate action had been endorsed by the Administration but had not been accepted by the Board's committee.

STUDENT RIGHTS AND RESPONSIBILITIES

PREAMBLE

As an academic community, the University of Delaware exists for the pursuit of learning and truth, for the development of students as scholars and citizens, and ultimately, for the well-being of society. Free inquiry and free expression are indispensable to the attainment of these goals. The University's responsibility for creating and maintaining an atmosphere conducive to these freedoms is shared by *students, faculty, administrative personnel and trustees.*

The University community accepts its responsibilities to develop policies and procedures which provide and safeguard these freedoms, *and to promote the corresponding responsibilities* within the framework of the University Charter, the Bylaws of the Board of Trustees, and the Bylaws of the Faculty.

As integral members of the University community, students exercise responsibility while developing their capacity for critical judgment and engaging in a sustained and independent search for truth. Students shall exercise their freedoms in a manner that does not infringe upon the rights and freedoms of others.

I. FREEDOM OF ACCESS TO HIGHER EDUCATION

The University of Delaware sets its own admission requirements and procedures. It selects students for admission on the basis of academic qualifications as indicated by high school performance, test scores, and the recommendations of teachers and guidance personnel. In appraising applicants, the University also looks for evidence of good character, citizenship, and personal attributes. *It is the policy of the University of Delaware that no person shall be subject to discrimination on the grounds of race, color, creed, sex, age, national or ethnic origin, or handicap or veteran status.* As a publicly assisted institution, the University gives first preference in the admission of students to residents of Delaware. Appropriate facilities and services of the University are available to all full-time undergraduate students.

II. IN THE CLASSROOM

The professor, whether in the classroom or in conference, fosters relevant free discussion, inquiry and expression.

A student is free to take reasonable exception to the data offered in any course of study and to reserve judgment about matters of opinion without threat of undue censure by the professor.

Information about student views, beliefs, and political associations which professors acquire in the course of their work as instructors, advisers, and counselors is considered confidential.

Protection of the student against improper disclosure, *as provided for in the Family Educational Rights and Privacy Act of 1974*, is a professional obligation of the faculty, administration and their staffs. Judgments of ability and character which a professor may reveal under certain circumstances, are provided with the knowledge and express *written* consent of a student.

Faculty inform students of the requirements to be met in each course and the criteria by which students are graded. A student is responsible for learning the prescribed content of any course of study for which he or she enrolls. Faculty evaluate student performance in the classroom solely on an academic basis, and not on a student's philosophies or conduct in matters unrelated to academic performance.

A student who contends to have encountered capricious or prejudiced academic evaluation *may utilize the University Student Grievance Procedure as a means of redress.*

Academic honesty is a prime responsibility of every student. Students found guilty of *academic dishonesty within the Student Judicial System will receive a failing grade in the course and other sanctions as deemed appropriate.*

III. STUDENT RECORDS

The University of Delaware maintains for each student a permanent academic record and a separate disciplinary record.

The Family Educational Rights and Privacy Act of 1974 grants students certain rights, privileges and protections relative to individually identifiable student educational records which are maintained by the University. Specifically: (1) Students' education records (with the exception of directory information) will be released to third parties outside the University only with the written consent of the student. (2) Students have the right to inspect their own individually identifiable educational records. This right may be exercised by completing a request form in the Office of the Director of Records. (3) Students have the right to challenge information contained in individually identifiable educational records. Procedures for challenging records may be obtained from the Director of Records.

The Family Educational Rights and Privacy Act of 1974 permits the release of directory type information to third parties outside the University without written consent of the student provided the student has been given the opportunity to withhold such disclosure. Directory information includes name, address, telephone number, college, class, major, dates of attendance, and degree, honors and awards conferred. Students may withhold directory information by notifying the Records Office in writing. Withholding requests will be honored for only one academic year; therefore, requests must be filed annually with the Records Office.

IV. STUDENT DEVELOPMENT

Freedom of Association

Students are free to organize and join associations to promote their common interests. Student organizations petition the *Delaware Undergraduate Student Congress* for registration by filing an "Application for Registration." Upon approval of the *Delaware Undergraduate Student Congress* and the Office of the Dean of Students, organizations receive the status of being a registered student organization. Registered student organizations may have an affiliation with organizations, national and/or regional, outside the University of Delaware and be subject to policies and requirements of a parent organization, provided that this relationship entails no conflict with University objectives, policies and activities. *The University reserves the right to deny registration to student groups whose major focus involves activities which expose their members to high personal risk.*

Under the provisions defined above, membership, policies and actions of a registered student organization are all determined by a vote of only those persons who are members

of the University community. Membership in registered student organizations is limited to full-time *undergraduate* students, unless specific exceptions are authorized in the "Application for Registration."

Every student organization must choose an adviser from the faculty, *professional*, or staff members of the University. Registration is not withheld or withdrawn solely because of the temporary inability of a student organization to get an adviser. Generally speaking, the selection of an adviser is solely the prerogative of the student organization. The termination of the advisory relationship may be made by either the organization or the adviser. Advisers may counsel organizations in the exercise of responsibility but they do not have the authority to control the policy of such organizations. In a limited number of activities, such as student publications, professional societies, and campus radio station, advisers are appointed in accordance with stated University or organizational requirements. This is reflective of the fact that for such organizations advisers may need to have special knowledge in a particular field.

Registered student organizations may use University facilities designated by University officers for meetings and other programmed activities when the facilities are available and the events are properly *planned* and scheduled. For certain types of activities, and use of certain facilities and equipment, charges are assessed. In these instances organizations receive advance notification of the charges other than those to be made for unpredictable damages for which they were responsible.

No registered student organization is to be granted privileges denied to another or to be subjected to regulations not binding on another.

The registration status of a group may be rescinded by the Delaware Undergraduate Student Congress and the Office of the Dean of Students in accordance with procedures established for this purpose.

Freedom of Inquiry and Expression

Students and *registered* student organizations are free to examine and to discuss all questions of interest to them and to express opinions publicly and privately in a responsible way. They are free to support causes by orderly means including any means of peaceful assembly or advocacy which does not infringe upon the rights or freedoms of others. At the same time, it is made clear to the academic community and to the public that in their expressions or demonstrations students or *registered* student organizations speak only for themselves.

In accordance with the Campus Speakers Policy, registered student organizations are allowed to invite and to hear any person of their own choosing. Guest appearances must not interfere with the University's regular instructional, research, and service programs. Except for ceremonial occasions, invited speakers should be prepared for a reasonable public discussion of their expressed views.

The institutional control of campus facilities is not to be used as a device of censorship. Sponsorship of guest speakers does not imply approval or endorsement of the views expressed, either by the sponsoring organization or the institution.

Invited speakers are accorded the full courtesy and protection appropriate to a university community. Individuals or groups who engage in actions designed to obstruct or in any way to prevent the speaker from speaking are subject to discipline and to financial responsibility in the event of damage to property or person.

Student Participation in Institutional Governance

As constituents of the University community, students are free, individually and collectively, to express their views on issues of institutional policy and on matters of general interest to the student body. *The Delaware Undergraduate Student Congress shall serve as the student government body for undergraduate students.* Subject to the provisions of Section 5111 of Title 14, Delaware Code, students have a major role in the formulation of University policies directly affecting them and, through the *Delaware Undergraduate Student Congress*, may formulate and recommend to the *University Faculty Senate* policies pertaining to student social activities and conduct. Such policies shall not be inconsistent with federal, state or local laws.

Student Media

Where feasible, student *media* are independent corporations financially and legally separate from the University. Where this is not feasible, *the University Faculty Senate, in consultation with students and the administration*, have a responsibility to provide written clarification of the role of University student *media*, standards to be used in their evaluation, and the limitations on external control of their operations.

The editorial freedom of student editors and managers involves the corresponding obligation to be governed by the canons of responsible journalism. These entail the responsibility to avoid libel, undocumented allegations, techniques of harassment and innuendo, and so forth. At the same time the following provisions safeguard editorial freedom.

Student publications are free of censorship and advance approval of copy. Editors and managers are free to develop their own editorial policies and news coverage. In the delegation of editorial responsibility to students, the institution provides sufficient editorial freedom and financial autonomy for student publications to maintain their integrity of purpose as vehicles of free inquiry and free expression in a university community.

The Faculty Senate through its Committee on Student Life shall ensure that all campus media have written operating documents and shall provide faculty representation on boards of advisory committees.

For the purpose of this statement the term "*media*" is construed to include *the campus student newspaper(s), the campus student radio station, and the student yearbook.*

V. OFF-CAMPUS FREEDOM OF STUDENTS

Exercise of Rights of Citizenship

Students at the University of Delaware are both private citizens and members of the University community. As citizens, students enjoy the same freedom of speech, peaceful assembly, and right of petition that other citizens enjoy. As members of the University community, they are *expected to follow University rules and regulations outlined in the Student Code of Conduct.* Faculty members and administrative officials ensure that institutional powers are not employed to inhibit the intellectual and personal development of students exercising their rights both on and off the campus.

Institutional Authority and Civil Penalties

Students at the University of Delaware are expected and required to abide by

local, state and federal laws. Students do not have special rights with respect to the use of University facilities as sanctuary from local, state or federal laws. Students need to be aware that charges may be brought both within the University Student Judicial System and in the off-campus courts. This is reflective of the fact that students have a responsibility to both the on- and off-campus community. The University administration is responsible for establishing a procedure for reviewing and taking institutional action related to students who are found guilty of off-campus violations of local, state or federal laws. While the University will not act as a policing agent for students when they are off the campus, the University reserves the right to take action if a student's behavior is judged to be contrary to the pursuit of the educational mission of the University or if the continued presence of the student on campus poses a threat to his or her well-being or to the rights and property of members of the University community.

VI. CONDUCT EXPECTATIONS

It is the obligation of each member of the University community to act so as to give fullest respect to the views and activities of fellow members of the University community; to proceed in all actions with thoughtfulness and openness; and to treat every member of the University community in such a way as to acknowledge each person's humanity.

Student Conduct and Discipline

In developing responsible student conduct, disciplinary action plays a secondary role to example, counseling, guidance and admonition. The University community protects its educational purpose by setting standards of scholarship and conduct for its students, and by regulating the use of University facilities.

The administration of discipline guarantees procedural fairness to an accused student. Disciplinary proceedings may be instituted by any member of the University community only for violations of standards of conduct published in advance. In all situations, students are informed of the charge against them and are given a fair opportunity to refute those charges. The Vice President for Student Affairs and Administration is responsible for the establishment of a student judicial system to adjudicate violations of the code of conduct. Students charged with conduct violations within the Student Judicial System may also be charged in off-campus courts at the same time.

Code of Conduct

Any student who commits, aids, or attempts to commit any of the following acts of misconduct shall be subject to action under the Student Judicial System:

1. False Information

Knowingly making a false oral or written statement in a University disciplinary hearing; reporting the false presence of an explosive, incendiary device, or fire.

2. Misuse of Materials

A. Embezzling University funds; unauthorized reading, duplicating, removing, photographing, forging, counterfeiting, altering, or misuse of any University document or record maintained by any individual or group of the University community.

B. Misuse of materials such as student identification cards, keys, access cards, laboratory equipment, athletic equipment or other

materials issued by the University.

3. Misuse of Property

- A. Destruction, damage, misuse or defacing of University building or property, or private property on the campus or at a University-sponsored event.
- B. Misuse of any University fire alarm or fire fighting/safety equipment.

4. Theft

The unauthorized taking, misappropriation, or possession of any property owned or maintained by the University or any person on the campus or attending a University-sponsored event.

5. Weapons, Firearms or Explosive Devices on Campus

Unauthorized possession or use of firearms, fireworks or chemicals which are explosive in nature, and other types of arms classified as weapons.

6. Residence Hall Regulations

Failure to abide by residence hall regulations in the Residence Hall Handbook.

7. Disruptive Conduct

Acting to impair, interfere with or obstruct the orderly conduct processes and functions of the University.

- A. Violence or threat of violence against any member or guest of the University community.
- B. Harassment: Deliberately acting with intent to harass any member or guest.
- C. Interference with freedom of movement of any member or guest.
- D. Interfering with the rights of others to enter, use, or leave any University facility, service, or activity.
- E. Interference with the freedom of speech of any member or guest of the University.
- F. Trespassing or unauthorized entry.

8. Privacy

Failure to respect the right of privacy of any member of the University community.

9. Policy Regulations

Violation of University policies described in this handbook.

10. Academic Dishonesty

The first law of academic life is intellectual honesty. Academic relationships within the University community should be governed by a sense of honor, fair play and trust and a readiness to give appropriate credit to

the intellectual endeavors of others where such credit is due. The following guidelines are provided as examples of ways in which these proper relationships and attitudes may break down.

One form of academic dishonesty is plagiarism. Plagiarism is intellectual larceny, the theft of ideas or their manner of expression. The following are examples of plagiarism:

- A. Copying another student's test answers
- B. Taking an essay from a magazine and passing it off as your own work.
- C. Lifting a well-phrased sentence or two and including them without crediting the author or using quotation marks.
- D. Passing another person's good ideas as examples of your own.¹

Plagiarism covers:

- A. Unpublished as well as published sources.
- B. Borrowing another's term paper.
- C. Handing in as one's own work a paper purchased from an individual or agency.
- D. Submitting as one's own papers from a living group, club or organization files.

A student will avoid being charged with plagiarizing if there is an acknowledgement of indebtedness:

- 1. Whenever you quote another person's actual words;
- 2. Whenever you use another person's idea, opinion or theory, even if it is completely paraphrased in your own words; and,
- 3. Whenever you borrow facts, statistics, or other illustrative materials - unless the information is common knowledge.²

Students are urged to consult with individual faculty members, academic departments or recognized handbooks in their field if in doubt.

Other forms of academic dishonesty include, but are not limited to, the following:

- A. Consultation of text books, library materials, or notes in examinations where such materials are not to be used during the test.
- B. Use of crib sheets or other hidden notes in an examination.
- C. Looking at another student's test paper to copy answers.
- D. Having another person supply questions or answers from an examination to be given or in progress.
- E. Having a person other than the one registered and taking a course stand in at an examination or any other graded activity (in which cases all consenting parties to the attempt gain unfair advantage shall be deemed culpable and subject to penalties).
- F. Deliberate falsification of laboratory results, or submission of

samples or findings not legitimately derived in the situation and by the procedures prescribed or allowable.

- G. *Submission in a paper, thesis, lab report or other academic exercises of falsified, invented, or fictitious data or evidence, or deliberate and knowing concealment or distortion of the true nature, origin, or function of such data or evidence.*
- H. *Procurement and/or alteration without permission from appropriate authority of examinations, papers, lab reports, or other academic exercises, whether discarded or actually used, and either before or after such materials have been handed in to the appropriate recipient.*
- I. *Collaborating with others on projects where such collaboration is expressly forbidden.*

Again, students are urged to consult with their individual faculty members when in doubt.

A student suspected of committing an academically dishonest act should be referred to the University Student Judicial System. Students found guilty of academic dishonesty will receive a minimum, mandatory sanction of failure in the course. Additional sanctions provided for within the University Student Judicial System document may also be applied

¹*Robert M. Gorrell and Charlton Laird, Modern English Handbook, 6th Edition (Englewood Cliffs, N.J.: Prentice-Hall, 1976), p. 71.*

²*William W. Watt, An American Rhetoric, 4th Edition (New York: Holt, Rinehart and Winston, Inc., 1970) p. 8.*

Acknowledgement is also given to the Kansas State University Student Handbook 1978-79 which served as a model for this section.

11. Failure to Comply

- A. *Failure to comply with the directives of University officials acting in the performance of their duties.*
- B. *Failure to comply with a directive of a disciplinary hearing officer, Board or Court.*

VII. AMENDMENTS TO THE STATEMENT

Changes or amendments to this Statement are the responsibility of the University Faculty Senate.

Graduate Studies Policy Manual PDE-18
(Graduate Catalog 1979-81, page 15)

Current:

For each candidate a program of study is planned by an advisory committee. The Chairperson of the department or the chairperson of the departmental graduate committee in the field of concentration advises candidates until the advisory committee is appointed. The committee consists of not less than four and not more than six graduate faculty members nominated and approved by the graduate faculty members of the major department. The chairperson of the committee is the faculty member in charge of the candidate's research and dissertation. At least two members represent the major field, one the area of minor study, *with one faculty member at-large*. In the case of dissenting votes, the majority opinion rules.

Proposed:

Replace the underlined sentence by:

The committee shall consist of not less than three nor more than five members nominated by the graduate faculty members of the major department and approved by the University Coordinator for Graduate Studies; in addition, one further member of the committee shall be appointed by the University Coordinator for Graduate Studies (after receiving the suggestions of the faculty member in charge of the candidate's research and dissertation) from outside the candidate's department (or unit).

Delete the italicized words: *with one faculty member at-large*.

CREDIT BY EXAMINATION
Graduate Studies Policy Manual PCR-13
(Graduate Catalog 1979-81, page 25)

Students enrolled in Graduate Studies may receive credit by examination for graduate level courses at the discretion of the appropriate department, division, or college, and with the approval of the Office of Graduate Studies. Permission is possible only under the following circumstances: credit by examination is restricted to content courses offered by the University of Delaware; special problems, research, independent study, and experimental courses shall not be recognized as appropriate, and the examination shall be in written form only.

A student permitted to take such examinations will receive one of three possible grades: A, B, or F. If an A or B is received, this grade will become part of the student's graduate studies record. If the student fails, the grade will not become part of the record. If, after failing the examination for credit, the student wishes to obtain credit for such a course, the course must be taken and a grade appropriate to the level of performance will be given. Whatever grade the student receives at that point will become a part of the official record. To have the credit(s) officially recorded, the appropriate signed form is submitted to the Records Office by the Office of Graduate Studies.

Change: Add underlined material

PCR-17-GRADUATE AND CEND CUMULATIVE INDEXES

Based on the philosophy that no graduate degree program consists only of courses and credits and that to be enrolled in a graduate degree program candidates must be directed by an advisor who is appointed to function at the graduate level, indexes for graduate programs shall be considered as distinct from CEND indexes. Therefore, the index for initial and intervening CEND registrations shall be calculated separately.

In addition, the cumulative index for each series of registrations during which a student holds a graduate classification with a different major shall be considered as distinct from the cumulative index of prior graduate classifications and, therefore, calculated separately. The index calculation shall continue, however, for students whose classification is changed from Graduate Master's to Graduate Doctoral within the same major or changed from Graduate Master's to Graduate Non-degree.