

UNIVERSITY FACULTY SENATE

SUMMARY OF THE AGENDA

May 21, 1990

(Continuation of May 7, 1990 Senate Meeting)

ANNOUNCEMENTS FOR CHALLENGE

1. Revision of the major in Consumer Economics:
 - a. Deletion of Communications concentration
 - b. Revision of the Business concentration
2. New minor in Legal Studies

VI. NEW BUSINESS

- K. Resolution in support of the University of Delaware accepting membership in the North Atlantic Conference
- L. Recommendation altering the membership of the Committee on Undergraduate Studies
- M. Recommendation for the creation of a new standing committee of the University Faculty Senate

V. OLD BUSINESS

- A. Resolution, introduced by Senator Edward Schweizer at the March 5, 1990 Faculty Senate meeting, on race and gender equality
- B. Report on the budgetary restraints upon Library services
- E. Recommendation on the revised Affirmative Action Plan

VI. CONTINUATION OF NEW BUSINESS

- N. Recommendation on Honorary Degrees
- O. "Report of the Faculty Senate Committee on Research on the Issue of the University of Delaware's Relationship with the Pioneer Fund"
- P. Resolution on the role of research and graduate education at the University
- Q. Legal Studies Minor
- R. Recommendations from the Committee on Graduate Studies
- S. Introduction of new business.





University of Delaware

UNIVERSITY FACULTY SENATE
219 MCDOWELL HALL
NEWARK, DELAWARE 19716

(302) 451-2921
(302) 451-2922

May 15, 1990

TO: All Faculty Members

FROM: Robert J. Taggart, Vice President *Robert J. Taggart*
University Faculty Senate

SUBJECT: Continuation of May 7, 1990 University Faculty Senate Meeting

This is a reminder that the continuation of the May 7, 1990 University Faculty Senate meeting will be held on Monday, May 21, 1990 at 4:00 p.m. in room 110 Memorial Hall. The agenda was modified at the May 7th meeting and will be as follows: [Note: Newly-elected Senators do not take office until September 1, 1990. Current Senators are encouraged to attend the continuation meeting. Votes by proxy are not allowed.]

Announcements for Challenge

1. Revisions of the major in Consumer Economics: (Attachment 1)
 - a. Deletion of Communications concentration
 - b. Revision of the Business concentration[Note: The above was challenged at the May 7th meeting and returned for consultation.]
2. New minor in Legal Studies (Attachment 2)

VI. New Business

- K. Resolution from the Committee on Student Life, (R. Spacht, Chairperson), in support of the University of Delaware accepting membership in the North Atlantic Conference.

WHEREAS, the East Coast Conference has had significant change in member schools in recent years with the departure of American University, LaSalle College, St. Joseph's University, Temple University, and West Chester University, and

- WHEREAS, Bucknell University, Lafayette College and Lehigh University will terminate membership in the East Coast Conference on July 1, 1990, and Drexel University will terminate its membership on July 1, 1991, and
- WHEREAS, the future viability of the East Coast Conference as a strong academically-oriented athletic conference has been jeopardized by the departure of the indicated member institutions, and
- WHEREAS, the ability to compete in NCAA regional and national championship events by University of Delaware athletes would be reduced by the changed and reduced membership of the East Coast Conference, and
- WHEREAS, new membership invitations have been extended, or are intended to be extended to schools not of a similar academic or athletic philosophy as the University of Delaware, and
- WHEREAS, the University of Delaware has been offered membership in the North Atlantic Conference, an affiliation group whose membership is characterized by state university designation and/or land-grant institutions and
- WHEREAS, the members of the North Atlantic Conference have similar academic and athletic philosophies as the University of Delaware, and
- WHEREAS, membership in the North Atlantic Conference will continue to insure eligibility for University of Delaware athletic teams and their members to compete in NCAA regional and national championships, and
- WHEREAS, the University of Delaware Athletic Governing Board and Board of Trustee Committee on Physical Education, Athletics and Recreation investigated extensively all possible athletic conference affiliations, and
- WHEREAS, status as an independent school athletically would be detrimental to providing a quality intercollegiate athletic experience, and
- WHEREAS, the intercollegiate athletic program has taken and will continue to take all necessary steps to insure the academic integrity of University of Delaware athletes, therefore be it

RESOLVED, that the University of Delaware Faculty Senate concurs with the Committee on Student Life and supports the membership change of the University of Delaware athletic program from the East Coast Conference to the North Atlantic Conference which shall be effective July 1, 1991.

- L. Recommendation from the Committee on Committees and Nominations (J. Olson, Chairperson), for a modification of the membership to the University Faculty Senate Committee on Undergraduate Studies.

WHEREAS, the Committee on Undergraduate Studies has the specific charge that it "shall recommend...the undergraduate educational and academic admission policies" and currently this committee has no representation from admissions, and

WHEREAS, it is desirable to keep the current size and balance of this committee, be it therefore

RESOLVED, that the charge to the Committee on Undergraduate Studies, as it appears in Section I, I-22, paragraph 4, of the Faculty Handbook, shall be changed to read as follows:

This committee shall consist of the Vice President for Academic Affairs or his/her designee¹; the Dean of Admissions or his/her designee²; the University Registrar or his/her designee³; three faculty members from the College of Arts and Science (if feasible, one from natural sciences and mathematics, one from arts and humanities, and one from social and behavioral sciences) and one faculty member from each other undergraduate college, one of whom shall be chairperson; one representative of the Committee on Graduate Studies; and⁴ three undergraduate students [the University Registrar; and the Assistant Registrar for Scheduling and Registration]⁵.

¹Section added.

²Section added.

³Section added.

⁴Word added.

⁵Section deleted.

- M. Recommendation from the Committee on Committees and Nominations (J. Olson, Chairperson) for the creation of a new standing committee of the University Faculty Senate.

WHEREAS, issues of diversity and affirmative action are of ongoing interest to the faculty and to this institution, and

WHEREAS, the faculty has the responsibility to advise, formulate policy and recommend practice on these issues, be it therefore

RESOLVED, that the following charge to the Committee on Diversity and Affirmative Action be approved by the Faculty Senate and that it be added to Section I, I-13, of the Faculty Handbook, effective immediately.

This committee shall review all University policies and practices pertaining to diversity and affirmative action in the recruiting and retaining of students, staff and faculty. The committee shall submit an annual report in May evaluating the status of policies and practices. It shall recommend statements of goals, policies and practices for consideration by the University community and the Senate whenever changes in these functions are needed.

The committee shall consist of five faculty members who shall serve three-year terms, one of whom shall be appointed chair by the Committee on Committees and Nominations, one graduate student who shall serve a two-year term, two undergraduates who shall serve two-year terms, and the Vice President for Employee Relations or his/her designee. Initial appointments shall be staggered to insure continuity on the committee.

V. Old Business

- A. Resolution, introduced by Senator Edward Schweizer at the March Faculty Senate meeting, on race and gender equality.

WHEREAS, the Administration and Faculty of the University of Delaware have confirmed their support for and a commitment to a University with gender equality and ethnic diversity, and

WHEREAS, the Administration and Faculty realize that excellence in education is achieved through a living, learning and working environment which is characterized by a diversity of culture, race, gender and style, and

WHEREAS, we believe that any social organization that discriminates on the basis of race or gender is antithetical to the mission of this University, be it therefore

amended + sent to Student Life
RESOLVED, that the University Faculty Senate set a deadline of May 30, 1991, when fraternities, sororities and any other organization represented on this campus will either have had their local or national rules with respect to discrimination on the basis of gender and race changed or they will have severed all connections with their national organizations; and be it further

RESOLVED, that we request each fraternity, sorority and other *social* organizations to state by September 30, 1990, agreement to comply with this policy. In the event that an organization states that it will not or cannot comply with the May 30, 1991 deadline, that organization will cease to exist on May 30, 1991 as a recognized affiliate of the University of Delaware.

- B. Report on the effects of budget adjustments to the Library from the Library Committee, James Morrison, Chairperson.
- E. Recommendation from the Ad Hoc Committee to Review the Affirmative Action Plan, (R. Warren, Chairperson). (The Report is at Attachment 3. It was previously forwarded with the agenda of March 5, 1990.)

amended
RESOLVED, that the recommendations of the Ad Hoc Committee to Review the Affirmative Action Plan represents the sense of the Faculty Senate and that the Committee's report be referred to the Committee on Diversity and Affirmative Action for its assessment of actions that the Senate might take or propose to the University as a whole to implement the recommendations.

VI. Continuation of New Business

- N. Recommendation from the Faculty Senate Executive Committee on the awarding of honorary degrees. (Attachment 4)

Resolution Carried
WHEREAS, the Charter of the University clearly bestows the power to award degrees to the faculty, and

WHEREAS, the Charter of the University is otherwise silent on the subject of degrees, and

WHEREAS, the Board of Trustees, in virtue of its recent policy change, claims the privilege of awarding honorary degrees without consulting the faculty, be it therefore

RESOLVED, that the University Faculty Senate appeal to the State Attorney General for an interpretation of the University Charter on this issue.

- O. "Report of the Faculty Senate Committee on Research on the Issue of the University of Delaware's Relationship with the Pioneer Fund." (Attachment 5) [Note: This report is attached for informational purposes. At a later date there will be specific recommendations from the Committee on Research on policy changes.]
- P. Recommendation from Senator Thomas Ernst, Linguistics Department, on the role of research and graduate education at the University.

WHEREAS, "A Focused Vision for the University of Delaware" presents a picture of the future of the University of Delaware, based on both the Project Vision statements and on the views of the members of the panel themselves, and

WHEREAS, there is much to be applauded in the document, e.g. emphasis on excellence in all of the many roles of the University, there is, however, some troubling ambiguity in one crucial area, that being the role of research and graduate education in the University, and

WHEREAS, if the University is to achieve its potential in any area, it must aspire to the role of a research university on par with major research institutions in this country and abroad, and

WHEREAS, Delaware should be at least equal in research to neighboring institutions like Rutgers and the University of Maryland, making an important goal for Delaware membership in the American Association of Universities, and

WHEREAS, research and graduate education should be strongly supported in the budget of the University, and

WHEREAS, while units should make a serious effort to find outside funding for research endeavors, it must be recognized that in certain fields (especially those in the humanities and social sciences) outside funds do not provide adequate support for research and graduate education, and

WHEREAS, in these fields intrinsic quality, rather than the ability to attract outside funding, should determine the degree of support from University internal sources, therefore be it

- RESOLVED, 1. The University should reaffirm its commitment to making Delaware a research institution;
2. The University should actively seek membership in the American Association of Universities;
3. The University should increase funding from internal sources, and from the indirect costs generated by external grants, to units lacking external funding but which have attained national and international prominence in research.

Q. Legal Studies Minor - Under "Announcements for Challenge"

R. Recommendations from the Committee on Graduate Studies - None

S. 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.)

rg

Attachments:

1. Revisions of the major in Consumer Economics
2. Minor in Legal Studies
3. Report of the Ad Hoc Committee to Review the Affirmative Action Plan
4. Legal opinion on honorary degrees
5. Report of the Faculty Senate Committee on Research on the Issue of the University of Delaware's Relationship with the Pioneer Fund

Memorandum



November 1, 1989

To: Whom It May Concern

From: John Kushman, Chair
Textiles, Design, and Consumer Economics

Subject: Change in Consumer Economics Major

At present the Consumer Economics Major has alternative concentrations in Business or Communications. The intention of the proposed changes is to (1) delete the Communications concentration and (2) modify the Business concentration. The resulting major has no separate concentrations. The Department is asking that the concentration names be dropped. The major in Consumer Economics, will remain, with no concentrations.

attach: Curriculum Approval Checklist forms (2), Curriculum Sheet

Rationale for Consumer Economics Changes

The Present Consumer Economics Major

There are 120-145 majors in Consumer Economics (CEC). They each choose an option or concentration within the major. The options are Communications or Business. For convenience, the labels are CEC-Com and CEC-Bus. The vast majority choose the CEC-Bus route.

U.D. also has majors in "Business." This is a general term for majors of the Accounting or Business Administration departments of the College of Business and Economics. U.D. has majors in Communication, in the Department of Communication, College of Arts and Sciences. CEC-Bus and CEC-Com both draw on courses from the College of Business and Economics and from the Department of Communications. As the option titles indicate, the balance between these sources is different in the current CEC options. Unfortunately, the major and option titles together (CEC-Bus and CEC-Com) do not indicate sufficiently that Consumer Economics is not a Business major nor a Communications major.

CEC focuses on the welfare of consumers as determined by intra-household decision making and resource endowments and by consumer interactions with markets. CEC builds an understanding of consumer welfare from these perspectives. It also builds skills in communicating ideas, managing or administering organizations, and analyzing policy impacts. The target careers of the major span the for-profit sector and the government and private not-for-profit sectors.

Restructuring the CEC Major

A restructuring of the major can better accomplish its goals. The proposed restructuring is to have a Consumer Economics Major (CEC) with no options. The new CEC captures the benefits of more Communication courses for the many students who presently choose the CEC-Bus route. It also takes a more generic approach to management and administration. In particular, it gives a place to management and administration courses in Political Science. The Political Science courses are more appropriate to the not-for-profit sectors. It reduces the for-profit emphasis inherent in requiring the first course in Accounting for Accounting majors (ACC 207) and a course specific to the financial sector (EC 302). The new CEC allows for these courses, but does not require them. The new CEC better reflects the intention of the major program. It retains the management and administration focus of the CEC-Bus option in a more generic and more appropriate form. It permits more emphasis on policy analysis courses and requires a pertinent course in Ethics.

The restructuring better differentiates CEC in student's minds from a "Business" or Communication major. Simpler labeling conveys a unified perception of the major.

~~DELETE~~

COLLEGE: HUMAN RESOURCES
DEPARTMENT: TEXTILES, DESIGN AND CONSUMER ECONOMICS
DEGREE: BACHELOR OF SCIENCE IN HUMAN RESOURCES
MAJOR: CONSUMER ECONOMICS
CONCENTRATION: COMMUNICATION (CC)

<u>SUGGESTED CURRICULUM</u>	<u>CREDITS</u>	<u>TYPICAL FRESHMAN COMPLETES</u>	<u>TYPICAL SOPHOMORE COMPLETES</u>	<u>TYPICAL JUNIOR COMPLETES</u>	<u>TYPICAL SENIOR COMPLETES</u>
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UNIVERSITY REQUIREMENTS

E 110 Critical Reading and Writing	3	X			
xx xxx #Three credits in an approved course or courses stressing multi-cultural, ethnic, and/or gender related content.	3	X	X	X	X

MAJOR REQUIREMENTS

External to the College

Humanities

E xxx English Writing courses	6		X	X	
COM 255 Fundamentals of Communication	3		X		
COM 245 Mass Communication and Culture	3		X		
COM 350 Public Speaking	3				X
COM xxx* Communication course	3				X
or					
E xxx* English course	3				
xx xxx Humanities course selected from: Art, Art History, Communication (except 320), English, Languages, Literature, Music, Philosophy, Theatre.	3				X

Sciences

C 101 General Chemistry	4	X			
C 102 General Chemistry	4	X			
ST 201 Introduction to Statistics I	3		X		
xx xxx Science course selected from: Physical Anthropology, Biology, Chemistry, Health and Life Sciences, Physical Sciences, Physics, , Physiological Psychology, Plant Science 101 or 201, Entomology 205, Computer Science, Physical Geography, Geology, Mathematics, Statistics.	4		X		
xx xxx Computing course elective	3			X	

COLLEGE: HUMAN RESOURCES
 DEPARTMENT: TEXTILES, DESIGN AND CONSUMER ECONOMICS
 DEGREE: BACHELOR OF SCIENCE IN HUMAN RESOURCES
 MAJOR: CONSUMER ECONOMICS
 CONCENTRATION: COMMUNICATION (CC)

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<u>SUGGESTED CURRICULUM</u>	<u>CREDITS</u>	<u>TYPICAL FRESHMAN COMPLETES</u>	<u>TYPICAL SOPHOMORE COMPLETES</u>	<u>TYPICAL JUNIOR COMPLETES</u>	<u>TYPICAL SENIOR COMPLETES</u>
<u>Social Sciences</u>					
EC 151 Introduction to Microeconomics	3	X			
EC 152 Introduction to Macroeconomics	3	X			
PSY 201 General Psychology	3		X		
PSY 303 Introduction to Social Psychology	3			X	
H xxx History course	3	X			
or					
SOC xxx Sociology course	3				
PSC xxx Political Science course	3	X			
<u>Business</u>					
ACC 207 Accounting I	3		X		
BU 301 Introduction to Marketing	3			X	
BU 309 Management and Organizational Behavior	3			X	
ACC 352 Law and Social Issues in Business	3			X	
BU 473 Buyer Behavior	3				X
<u>Within the College</u>					
xxx xxx Human Resources courses (IFS, FS, ND, TDC) Six credits from two departments in the college other than TDC	18	X	X	X	X
<u>Within the Department</u>					
TDC 200 Consumer Economics	3		X		
TDC 335 Consumer Financial Management	3			X	
TDC 342 Consumer Laws and Regulations	3		X		
TDC 440 Advanced Consumer Economics	3				X
TDC xxx Consumer Economics electives chosen from TDC 100, 235, 242, 306, 310, 340, 435, 465 and other courses in Consumer Economics.	15	X	X	X	X

COLLEGE: HUMAN RESOURCES
 DEPARTMENT: TEXTILES, DESIGN AND CONSUMER ECONOMICS
 DEGREE: BACHELOR OF SCIENCE IN HUMAN RESOURCES
 MAJOR: CONSUMER ECONOMICS
 CONCENTRATION: COMMUNICATION (CC)

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<u>SUGGESTED CURRICULUM</u>	<u>CREDITS</u>	<u>TYPICAL FRESHMAN COMPLETES</u>	<u>TYPICAL SOPHOMORE COMPLETES</u>	<u>TYPICAL JUNIOR COMPLETES</u>	<u>TYPICAL SENIOR COMPLETES</u>
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ELECTIVES

Electives

9

X

X

X

May include Military Science, Music or Physical Education. (Only two credits of activity type Physical Education and four credits of Music organization credits may be counted toward the degree and four credits of 100- and 200-level courses in Military Science/Air Force.)

CREDITS TO TOTAL A MINIMUM OF

129

#This requirement may be fulfilled thru a course taken to complete major requirements, group requirements, breadth or elective requirements.

*An additional course in Communication or English is recommended.

Balance Sheet for Consumer Economics Revision
Business Option

DELETE

ADD

Humanities

PHL 200 or course in Ethics
3 cr.

Social Sciences

History or Sociology Course
becomes one of each 3 cr.

Business

ACC 207 3 cr.

Sciences

Specific Chemistry requirement
for 8 units plus 4 units
additional science becomes
general science requirement of
6 units (12 cr. science becomes
6)

6 cr.

Requirement for one math course
that is prerequisite for EC
151, 152 is made explicit, plus
one additional math or stat
course 6 cr.

Consumer Economics
Specialization

"Specialization" is dropped.
Otherwise no change.

Business Emphasis

"Business Emphasis" is dropped.

More generic "Management and
Administration" is used.

Communication Courses 6 cr.

EC 302 is dropped 3 cr.

Political Science management
and administration courses are
added to potential selections,
no change in units.

Human Resources

Electives restricted to Human
Resources reduced from 18
credits to 16 credits

2 cr.

Electives

Unrestricted electives reduced
from 12 to 8 4 cr.

Total

18 credits

18 credits

Requirements: CONSUMER ECONOMICS¹

University of Delaware, College of Human Resources
Department of Textiles, Design, and Consumer Economics

Humanities - 15 credits

E 110 Crit. Reading and Writing	3
English Writing Course	3
COM 255 Fund. of Comm.	3
PHL 200 or Course in Ethics	3
Humanities Course	3

Business - 12 Credits

BU 301 Intro. to Marketing	3
BU 309 Mgmt. & Org. Behavior	3
ACC 352 Law & Soc. Iss. in Bus.	3
BU 473 Buyer Behavior	3

Social Sciences- 18 credits

EC 151 Intro. to Microecon.	3
EC 152 Intro. to Macroecon.	3
PSY 201 General Psychology	3
History Course	3
Sociology Course	3
Political Science Course	3

Sciences - 15 Credits

Physical and/or Biological Science Courses	6
ST 201 Intro. to Statistics I	3
Math Course	3
Math or Statistics Course	3

Consumer Economics - 27 Credits

TDC 200 Consumer Economics	3
TDC 335 Consumer Financial Management	3
TDC 342 Consumer Laws and Regulations	3
TDC 440 Advanced Consumer Economics	3
Consumer Economics Courses	15

Management and Administration - 18 credits

Computer Science Course	3
Courses from Business, Economics, Accounting, PSC 341 (Environment of Multinational Corporations), PSC 453 (Public Personnel Administration), PSC 454 (Public Administrative and Organizational Theory), PSC 455 (Public Budgeting and Financial Management)	9
Communications Courses	6

Human Resources - 16 credits

6 credits of which to be selected from
at least two departments in the College of
Human Resources other than TDC

Electives - 8 credits

One course must fulfill University multicultural
requirement.

COLLEGE: HUMAN RESOURCES
 DEPARTMENT: TEXTILES, DESIGN AND CONSUMER ECONOMICS
 DEGREE: BACHELOR OF SCIENCE IN HUMAN RESOURCES
 MAJOR: CONSUMER ECONOMICS
 CONCENTRATION: BUSINESS (CB)

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SUGGESTED CURRICULUM	CREDITS	TYPICAL FRESHMAN COMPLETES	TYPICAL SOPHOMORE COMPLETES	TYPICAL JUNIOR COMPLETES	TYPICAL SENIOR COMPLETES
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UNIVERSITY REQUIREMENTS

E 110 Critical Reading and Writing	3	X			
xx xxx #Three credits in an approved course or courses stressing multi-cultural, ethnic, and/or gender related content.	3	X	X	X	X

MAJOR REQUIREMENTS

External to the College

Humanities

E xxx English Writing course	3		X		
COM 255 Fundamentals of Communication	3		X		
xx xxx Humanities course selected from: Art, Art History, Communication (except 320), English, Languages, Literature, Music, Philosophy, Theatre.	3		X		

PHL 300 OR COURSE IN PHILOSOPHY

Sciences

B 101 General Chemistry	4	X			
C 102 General Chemistry	4	X			
ST 201 Introduction to Statistics I	3			X	
xx xxx Computing course elective	3		X		
xx xxx Science course selected from: Physical Anthropology, Biology, Chemistry, Health and Life Sciences, Physical Sciences, Physics, Physiological Psychology, Plant Science 101 or 201, Entomology 205, Computer Science, Physical Geography, Geology, Mathematics, Statistics.	6		X		
M XXX MATH COURSE					
M XXX MATH COURSE					
ST XXX STATS COURSE					

COM XXX COMMUNICATIONS COURSE

COLLEGE: HUMAN RESOURCES
 DEPARTMENT: TEXTILES, DESIGN AND CONSUMER ECONOMICS
 DEGREE: BACHELOR OF SCIENCE IN HUMAN RESOURCES
 MAJOR: CONSUMER ECONOMICS
 CONCENTRATION: BUSINESS (CB)

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<u>SUGGESTED CURRICULUM</u>	<u>CREDITS</u>	<u>TYPICAL FRESHMAN COMPLETES</u>	<u>TYPICAL SOPHOMORE COMPLETES</u>	<u>TYPICAL JUNIOR COMPLETES</u>	<u>TYPICAL SENIOR COMPLETES</u>
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Social Sciences

EC 151 Introduction to Microeconomics 3 X
 EC 152 Introduction to Macroeconomics 3 X
 PSY 201 General Psychology 3 X
 H xxx History course 3 X

SOC xxx Sociology course 3

PSC xxx Political Science course 3 X

Business

~~ACC 207 Accounting I 3 X~~

ACC 352 Law and Social Issues in Business 3 X

BU 301 Introduction to Marketing 3 X

BU 309 Management and Organizational Behavior 3 X

BU 473 Buyer Behavior 3 X

~~EC 302 Money, Credit and Banking 3 X~~

-BU xxx Business course(s) 9 X X

and/or

EC xxx Economics course(s)

and/or

ACC xxx Accounting course(s)

AND/OR ANY OF THE FOLLOWING:

Within the College

XX xxx Human Resources courses (IFS, ND, PS, TDC) 16 X X X X
 Six credits from two departments in the college other than TDC

Within the Department

TDC 200 Consumer Economics 3 X

TDC 335 Consumer Financial Management 3 X

TDC 342 Consumer Laws and Regulations 3 X

TDC 440 Advanced Consumer Economics 3 X

TDC xxx Consumer Economics electives chosen from 15 X X X X
 TDC 100, 235, 242, 306, 310, 340, 435, 465,
 and other courses in Consumer Economics.

PSC 241 ENVIRONMENT OF MULTINATIONAL CORPORATIONS

PSC 453 PUBLIC PERSONNEL ADMINISTRATION

PSC 454 PUBLIC ADMINISTRATIVE AND ORGANIZATIONAL THEORY

PSC 455 PUBLIC BUDGETING AND FINANCIAL MANAGEMENT

COLLEGE: HUMAN RESOURCES
 DEPARTMENT: TEXTILES, DESIGN AND CONSUMER ECONOMICS
 DEGREE: BACHELOR OF SCIENCE IN HUMAN RESOURCES
 MAJOR: CONSUMER ECONOMICS
 CONCENTRATION: BUSINESS (CB)

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<u>SUGGESTED CURRICULUM</u>	<u>CREDITS</u>	<u>TYPICAL FRESHMAN COMPLETES</u>	<u>TYPICAL SOPHOMORE COMPLETES</u>	<u>TYPICAL JUNIOR COMPLETES</u>	<u>TYPICAL SENIOR COMPLETES</u>
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ELECTIVES

Electives

May include Military Science, Music or Physical Education. (Only two credits of activity type Physical Education and four credits of Music organization credits may be counted toward the degree and four credits of 100- and 200-level courses in Military Science/Air Force.)

12 S

x

x

CREDITS TO TOTAL A MINIMUM OF

129

#This requirement may be fulfilled thru a course taken to complete major requirements, group requirements, breadth or elective requirements.

*Three additional credits in Statistics or Mathematics are recommended.

Memorandum



23 March 1990

MEMO: Jeff Davidson, Chair
Educational Affairs Committee

FROM: Leslie F. Goldstein, Co-chair *LFG*
Legal Studies Committee

RE: Legal Studies Program Proposal

Please attach the following documentation to the material earlier sent to you regarding a Legal Studies Program.

As you can see, it contains assurances from all affected departmental chairs that their Legal Studies courses would normally continue to be offered. (The only chair who has not yet replied is Dilley of Philosophy but I have received similar oral assurances from him, in addition to information that his listed courses are all generally available to non-majors.)

Secondly, this material indicates a list of the Legal Studies courses that are generally filled by majors or by students fulfilling major requirements. According to the relevant chairs those courses would be:

SOC	345	Sociology of Law
SOC	428	Corporate Crime
PSC	405	Constitutional Law of the U.S.
PSC	402	Civil Liberties I
PSC	406	Civil Liberties II

I would ask your committee to mark these courses with an asterisk on our proposal and to explain the asterisk with the underlined statement above.

In addition I would like to amend our proposal by adding the attached suggestion from Susan Brynteson.

I request that the Director of Libraries or the Director of Libraries' designee serve on both the proposed Executive Committee and the Legal Advisory Committee. The Morris Library is heavily used by the local law community and such representation would bring advice to the program as well as reinforce those ties with the local legal community.

- Susan Brynteson, Director of Libraries

LFG/eb
Att.

Memorandum



March 15, 1990

MEMORANDUM TO: Dr. Leslie Goldstein
Department of Political Science

FROM: Jeffrey Davidson, Chair *Jeffrey Davidson*
Educational Affairs Committee (cw)

At its last meeting, the Educational Affairs Committee approved your proposal for a new minor in Legal Studies provided sufficient funds are made available for its success. The Committee strongly recommends that you get letters of support for the proposal from the Departments of Accounting, Communications, Criminal Justice, Economics, History, Philosophy, Political Science, Psychology, Sociology, and Women's Studies.

The proposal will be forwarded to the Arts and Science Senate for inclusion on the April agenda. You will probably wish to attend the April Senate meeting to answer questions.

cw

Memorandum



27 February 1990

TO: Jeff Davidson, Chair of
Educational Affairs Committee of
the College of Arts & Sciences

FROM: Leslie F. Goldstein, Co-chair
Legal Studies Committee

LFG

RE: Legal Studies Program Proposal

Enclosed you will find our final version of the Legal Studies Program Proposal. Our proposal has been sent to all of the following departments for reaction:

Accounting, Communications, Sociology (including Criminal Justice), Economics, History, Philosophy, Political Science and Psychology.

Several of these departments voted formal endorsements of the program; none of them have lodged objections to the program with either me or my co-chair. If you have any further questions about the program I would be happy to attend one of your committee meetings in order to provide whatever answers I might have.

Thank you for your prompt attention to this matter.

LFG/eb
ATT.

LEGAL STUDIES PROGRAM: Proposed Organization and Structure

Overview

We are proposing the creation of a non-professional Legal Studies Program at the University of Delaware. The program will be organized around an undergraduate minor, open to students in all colleges. Six courses (eighteen credits) will be required, four from among courses currently being offered in existing departments, and two new courses expressly created for Legal Studies students. These courses can be offered by current faculty. Responsibility for the creation and administration of such a program will be divided between a Director and an Executive Committee.

Legal Studies: The Minor

The law is an essential topic in philosophic, social science and public policy inquiry. A number of courses that are substantially concerned with legal studies are currently available in political science, criminal justice, sociology, economics, philosophy, business, psychology and history, but there is no coherent program which would allow students systematically to pursue the analysis of legal systems in their socio-cultural, political and historic context.

The creation of a minor will introduce that coherence and guidance for students. The program will offer four major advantages for students. First, each Legal Studies student will be provided with an adviser to guide the development of a program. Second, it will provide the student with an introductory course which will provide a substantive introduction to law as such (PSC 380). Third, courses will expose the student to the study of legal phenomena from a variety of disciplinary perspectives, and to the subject matter of Legal Studies as a multidisciplinary field. Finally, there will be a culminating experience in the form of senior seminar which will be organized around a research paper.

This program also has the potential to encourage and foster faculty development among those currently pursuing the topic more or less independently. In addition, we anticipate the creation of a university-wide series of faculty seminars, lectures and films.

Legal Studies Courses in the Minor

Students will be able to select three elective courses, from the attached list of courses. We have evaluated each, and found that each is "substantially law-related," and suitable for inclusion in the program. (Course list is attached, as is the program description proposed for the catalogue.)

In addition, it will be necessary to create two new courses. The first, tentatively titled "Introduction to Legal Studies," will provide students with an overview of the field, and the differing perspectives brought to the field by scholars in different disciplines. We anticipate that initially the course will be team-taught by two instructors who will involve other faculty in the development and teaching of the course.

The second course, "Legal Studies: Senior Seminar," will be designed to create a culminating experience for our students. It will include a substantial research and writing component. We visualize it as meeting the second writing course requirement for Arts and Science students.

Intro to Law is already in place. We have a firm commitment from faculty to develop and offer LS 300 and LS 400 by academic year 92-93.

Legal Studies Program

Although the central feature of the program will be the new undergraduate minor, we envision it as but one dimension of a broader effort. We believe that it would be desirable to develop a number of activities and events, all available and open to the university and the larger community. One possibility is a lecture series which could attract national authorities to campus. This program will create the opportunity for integrating the teaching and research activities of current faculty, and we plan to create a faculty development program.

If the program is approved, a desirable way to introduce it to the university would be a Legal Studies Semester. This would publicize the program, and demonstrate the university's commitment to creating a quality program. We would plan an extensive series of films, lectures, roundtables and other events.

Director of Legal Studies

We propose the appointment of a Director of Legal Studies, responsible for the administration and operation of the program. Specific responsibilities would include the following: development of internal and external funding opportunities; coordination of course offerings; coordination of faculty development; advisement of students; curriculum development; dissemination of information to the university community; and everyday administration of the program.

We assume the Director would be appointed by the Dean of the College of Arts & Science, with the advice of the Legal Studies Executive Committee.

The Director will receive a stipend of \$1500. and an operating budget of \$750. This level of funding has already been supplied by the Deans of Business/Economics and Arts & Science for 1989-90 as "start-up" money.

Legal Studies Executive Committee

We believe that it is imperative that the program retain an interdisciplinary approach, and that it be guided by extensive faculty involvement. Therefore, we recommend the creation of a Legal Studies Executive Committee. This committee should be charged with responsibility for formulating basic curriculum and program policy. The Committee should meet at least once per semester for the purposes of receiving a progress report from the Director, providing input on policy matters, and other business as appropriate. The Committee could meet at other times at the request of the Director, or of two members of the Committee.

We recommend a nine-member committee, including the Director, who will vote as a regular member. The other eight members will be drawn from departments involved in the creation of the LS program. A majority of the committee will constitute a quorum. Ordinarily, members will be chosen for a term of 2 years. The Legal Studies Committee (appointed by Dean Gouldner in 1989) should elect the original Executive Committee members, with subsequent elections the responsibility of the Director and Executive Committee. Membership on the Board should be open to all faculty involved in the Legal Studies Program.

Legal Studies Advisory Committee

This program, and the university, would benefit from community involvement and support, and we hope to establish links with the legal community. This would be facilitated by the creation of a Legal Studies Advisory Committee, composed of faculty and community representatives. The exact composition and activities of this committee are yet to be determined.

Legal Studies: Proposed Program Description

The law is an essential topic in philosophic, social science, and public policy inquiry. Courses that are substantially concerned with law are available in a variety of disciplines including political science, sociology, philosophy, history, business, economics, and psychology. This program, which allows students to minor in Legal Studies, provides students with the opportunity to explore the law from an interdisciplinary perspective within the framework of the liberal arts curriculum.

The program supplies coherence and guidance in the study of law in at least four ways. First, each Legal Studies minor is provided with an adviser who guides the student in constructing a coherent program. Second, it provides students with an opportunity to examine legal phenomena from a variety of disciplinary perspectives. Third, the program offers both a substantive introduction to law and an interdisciplinary introductory course in legal studies. Finally, it offers an interdisciplinary culmination by way of a senior seminar that will require a research paper.

This program is designed for any undergraduate student who is interested in examining the law from a variety of perspectives. Legal studies is not a "pre-law" program, and it does not offer para-legal training. It is, however, a suitable minor for those who do plan to pursue professional training.

In addition to offering a minor in Legal Studies, the program offers faculty seminars, lectures, and films.

Requirements

- I. Introduction to Law PSC 380. 3 credits.
- II. Legal Studies LS 300. Introduction to Legal Studies. (to be offered in 92-93) 3 credits.
- III. Three courses from the following list. At least two of these courses must be from outside the requirements of the student's major and outside of his/her major department. These two courses must be chosen from two different departments. 9 credits.

Accounting

ACC 350 Business Law
ACC 351 Business Law
ACC 352 Law and Social Issues in Business

Communications

COM 365 Legal Issues of the Mass Media

Criminal Justice

CJ 202 Problems of Criminal Judiciary
CJ 203 Problems of Corrections
CJ 320 Introduction to Criminal Law
CJ 346 Psychology and the Law (same as PSY 346)
CJ 347 The Jury: Guilty or Not Guilty (taken with PSY 347)
CJ 375 Criminal Procedure
CJ 425 Criminal Law and Social Policy
CJ 428 Corporate Crime (same as SOC 428)
CJ 450 Prisoners and the Law
CJ 456 Lawyers and Society (same as SOC 456)

Economics

EC 306 Public Choice (same as PSC 306)
EC 360 Government and Business
EC 408 Economics of Law
EC 461 Industrial Organization and Antitrust
EC 463 Economics of Regulation

History

H 309 Business, Government, and Society
H 376 English Legal and Constitutional History

Philosophy

PHL 202 Contemporary Moral Problems
PHL 308 Justice and Equality
PHL 446 Philosophy of Law

Political Science

PSC 306 Public Choice (same as EC 306)
PSC 380 Introduction to Law
PSC 402 Civil Liberties I
PSC 404 Judicial Process
PSC 405 Constitutional Law of the United States
PSC 406 Civil Liberties II
PSC 423 Congress and Public Policy
PSC 413-40 Problems in American Government: Gender, Sex & Law

Psychology

PSY 346 Psychology and the Law (same as CJ 346)
PSY 347 The Jury: Guilty or Not Guilty (taken with CJ 347)

Sociology

SOC 330 Population, Law and Society
SOC 345 Sociology of Law
SOC 428 Corporate Crime (same as CJ 428)
SOC 456 Lawyers and Society (same as CJ 456)

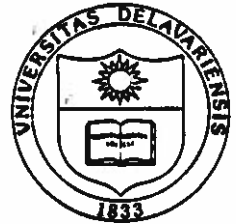
Women's Studies

WS 413 Gender, Sex, and American Law (when offered, same as PSC 413)

III. Legal Studies 400. Senior Seminar. 3 credits (to be offered In 92-93)

The inclusion process for the program list is as follows.
Any faculty member who believes that his/her course is substantially law related may propose the course to the Legal Studies Executive Committee; upon a two-thirds favorable vote of that committee the course will be added to the list in II above.

Memorandum



To Whom It May Concern:

The Department of History is aware that the following list of our courses would count toward the proposed Legal Studies Minor:

H 309 Business, Government, and Society
H 376 English Legal and Constitutional History

We certify that, assuming we retain our current resources and personnel, we would usually continue to offer these courses. Of the ones on the list, the following courses are generally filled by our own majors (or by students fulfilling their own major requirements) and thus could typically be used only by those students minoring in Legal Studies for whom this course was already a part of their major: [Chair: Please fill in this section - LFG]

The following remaining courses from the list would generally have some spaces available for enrollment by non-majors. [Chair: Please fill in this section - LFG]

H 309

H 376

Signed,

Raymond Watten

Chair
Department of History

Undergraduate Studies Committee

Memorandum



To Whom It May Concern:

The Department of Business and Economic Accounting is aware that the following list of our courses would count toward the proposed Legal Studies Minor.

ACC 350 Business Law
ACC 351 Business Law
ACC 352 Law and Social Issues in Business

We certify that, assuming we retain our current resources and personnel, we would usually continue to offer these courses. Of the ones on the list, the following courses are generally filled by our own majors (or by students fulfilling their own major requirements) and thus could typically be used only by those students minoring in Legal Studies for whom this course was already a part of their major: [Chair: Please fill in this section - LFG]

The following remaining courses from the list would generally have some spaces available for enrollment by non-majors. [Chair: Please fill in this section - LFG]

all would normally have some space available. They occasionally get filled by majors, but there usually is room

Signed,

William Markel

Department
Chair, Department of Business
and Economic Accounting

Memorandum



To Whom It May Concern:

The Department of Psychology is aware that the following list of our courses would count toward the proposed Legal Studies Minor:

PSY Psychology and the Law (same as CJ 346)

PSY 347 The Jury: Guilty or Not Guilty (taken with CJ 347)

We certify that, assuming we retain our current resources and personnel, we would usually continue to offer these courses. Of the ones on the list, the following courses are generally filled by our own majors (or by students fulfilling their own major requirements) and thus could typically be used only by those students minoring in Legal Studies for whom this course was already a part of their major: [Chair: Please fill in this section - LFG]

The following remaining courses from the list would generally have some spaces available for enrollment by non-majors. [Chair: Please fill in this section - LFG]

both Psy 346 and Psy 347 would have spaces available.

Signed,

Thomas R. Scott

Chair,
Dept. of Psychology

Memorandum



To Whom It May Concern:

The Department of Economics is aware that the following list of our courses would count toward the proposed Legal Studies Minor:

EC 306 Public Choice (same as PSC 306)
EC 360 Government and Business
EC 408 Economics of Law
EC 461 Industrial Organization and Antitrust
463 Economics of Regulation

We certify that, assuming we retain our current resources and personnel, we would usually continue to offer these courses. Of the ones on the list, the following courses are generally filled by our own majors (or by students fulfilling their own major requirements) and thus could typically be used only by those students minoring in Legal Studies for whom this course was already a part of their major: [Chair: Please fill in this section - LFG]

none

The following remaining courses from the list would generally have some spaces available for enrollment by non-majors. [Chair: Please fill in this section - LFG]

EC 306, 360, 408, 461, 463

Signed,

David P. Black

Chair,
Dept. of Economics

Memorandum



To Whom It May Concern:

The Department of Communications is aware that the following list of our courses would count toward the proposed Legal Studies Minor.

COM 365 Legal Issues of the Mass Media

We certify that, assuming we retain our current resources and personnel, we would usually continue to offer these courses. Of the ones on the list, the following courses are generally filled by our own majors (or by students fulfilling their own major requirements) and thus could typically be used only by those students minoring in Legal Studies for whom this course was already a part of their major: [Chair: Please fill in this section - LFG]

The following remaining courses from the list would generally have some spaces available for enrollment by non-majors. [Chair: Please fill in this section - LFG]

COM 365 would normally have 25-30 spaces available for non-majors.

Signed,

Chair,
Dept. of Communications

Memorandum



To Whom It May Concern:

The Sociology Department is aware that the following list of our courses would count toward the proposed Legal Studies Minor.

SOC 330 Population, Law and Society
SOC 345 Sociology of Law
SOC 428 Corporate Crime (same as CJ 456)

We certify that, assuming we retain our current resources and personnel, we would usually continue to offer these courses. Of the ones on the list, the following courses are generally filled by our own majors (or by students fulfilling their own major requirements) and thus could typically be used only by those students minoring in Legal Studies for whom this course was already a part of their major: [Chair: Please fill in this section - LFG]

Soc 345

Soc 428

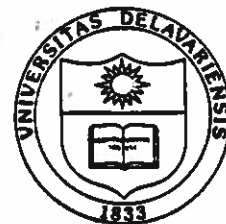
The following remaining courses from the list would generally have some spaces available for enrollment by non-majors. [Chair: Please fill in this section - LFG]

Soc 330

Signed,

Chair,
Sociology Department

Memorandum



To Whom It May Concern:

The Department of Political Science is aware that the following list of our courses would count toward the proposed Legal Studies Minor:

PSC 306 Public Choice (same as EC 306)
PSC 380 Introduction to Law
PSC 402 Civil Liberties I
PSC 404 Judicial Process
PSC 405 Constitutional Law of the United States
PSC 406 Civil Liberties II
PSC 423 Congress and Public Policy
PSC 413-40 Problems in American Government: Gender, Sex & Law

We certify that, assuming we retain our current resources and personnel, we would usually continue to offer these courses. Of the ones on the list, the following courses are generally filled by our own majors (or by students fulfilling their own major requirements) and thus could typically be used only by those students minoring in Legal Studies for whom this course was already a part of their major: [Chair: Please fill in this section - LFG]

PSC 402
PSC 405
PSC 406

The following remaining courses from the list would generally have some spaces available for enrollment by non-majors. [Chair: Please fill in this section - LFG]

PSC 306
PSC 380
PSC 404
PSC 423

PSC 413-40

Signed,


Chair

Political Science Dept.

Memorandum



To Whom It May Concern:

The Director of the Women's Studies Program is aware that the following list of our courses would count toward the proposed Legal Studies Minor.

WS 413 Gender, Sex, and American Law (when offered, same as PSC 413)

We certify that, assuming we retain our current resources and personnel, we would usually continue to offer these courses. Of the ones on the list, the following courses are generally filled by our own majors (or by students fulfilling their own major requirements) and thus could typically be used only by those students minoring in Legal Studies for whom this course was already a part of their major: [Chair: Please fill in this section - LFG]

The following remaining courses from the list would generally have some spaces available for enrollment by non-majors. [Chair: Please fill in this section - LFG]

WS 413

Signed,

Director,
Women's Studies Program



University
of
Delaware

DEPARTMENT OF POLITICAL SCIENCE
NEWARK, DELAWARE 19716

(302) 451-2355

19 March 1990

James A. Inciardi, Director
Criminal Justice Program

Dear Professor Inciardi:

You have already looked over the proposed new program in Legal Studies. I now need some additional help from you in order to present the program to the Senate. On the attached form is the list of courses from your department that would be involved in the minor. I'd greatly appreciate if you would look over the list, and simply specify for us, where indicated, which courses from that list are generally filled by your own majors (or others requiring the course for their major) and which ones would generally have some space for non-majors. We want to be honest with students about the degree of flexibility they would or would not have in a Legal Studies minor, and your assistance in this matter will be of enormous help to us.

Please return this form to me as **PROMPTLY** as humanly possible, because I'd like to be able to present the results to the A & S College Senate.

Thank you in advance for your help.

Yours truly,

Leslie Goldstein
Leslie Goldstein
Co-chair
Legal Studies Committee

LFG/eb
Att.

Sorry for the delay but I've been out of town

Memorandum



To Whom It May Concern:

The Director of the Criminal Justice Program is aware that the following list of our courses would count toward the proposed Legal Studies Minor:

- There would be room in these -*
- CJ 202 Problems of Criminal Judiciary
 - CJ 203 Problems of Corrections
 - CJ 320 Introduction to Criminal Law
 - CJ 346 Psychology and the Law (*taken with* PSY 347)
 - CJ 347 The Jury: Guilty or Not Guilty (taken with PSY 347)
 - CJ 375 Criminal Procedure
 - CJ 425 Criminal Law and Social Policy
 - CJ 428 Corporate Crime (same as SOC 428)
 - CJ 450 Prisoners and the Law
 - CJ 456 Lawyers and Society (same as SOC 456)
- I'll say maybe for the one's in red*

We certify that, assuming we retain our current resources and personnel, we would usually continue to offer these courses. Of the ones on the list, the following courses are generally filled by our own majors (or by students fulfilling their own major requirements) and thus could typically be used only by those students minoring in Legal Studies for whom this course was already a part of their major: [Chair: Please fill in this section - LFG]

375
425
428
456

and often { 320
450

The following remaining courses from the list would generally have some spaces available for enrollment by non-majors. [Chair: Please fill in this section - LFG]

202
203
346 / 347

Possibly { 320
450

Signed,

Director,
Criminal Justice Program

Memorandum



To Whom It May Concern:

The Department of Philosophy is aware that the following list of our courses would count toward the proposed Legal Studies Minor:

PHL 202 Contemporary Moral Problems
PHL 308 Justice and Equality
PHL 446 Philosophy of Law

We certify that, assuming we retain our current resources and personnel, we would usually continue to offer these courses. Of the ones on the list, the following courses are generally filled by our own majors (or by students fulfilling their own major requirements) and thus could typically be used only by those students minoring in Legal Studies for whom this course was already a part of their major: [Chair: Please fill in this section - LFG]

The following remaining courses from the list would generally have some spaces available for enrollment by non-majors. [Chair: Please fill in this section - LFG]

*all these courses would normally have spaces, however
please note that only PHL 202 has been offered in recent
years.*

Signed,

Frank McDally

Chair
Department of Philosophy

*Note from Leslie Goldstein - David Huslett, who has taught
PHL 308 and PHL 446 assures me that they would
be offered more regularly if there were increased student interest*

**REPORT OF THE AD HOC COMMITTEE TO REVIEW
THE AFFIRMATIVE ACTION PLAN**

**Costel D. Denson, Ph.D.
Department of Chemical Engineering**

**Betty J. Haslett, Ph.D.
Department of Communication**

**Tai Liu, Ph.D.
Department of History**

**Carole C. Marks, Ph.D.
Black American Studies Program**

**Juan A. Villamarin, Ph.D.
Department of Anthropology**

**Robert Warren, Ph.D.
College of Urban Affairs and Public Policy
Chairperson**

February 14, 1990

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1 REPORT OF THE AD HOC COMMITTEE TO REVIEW

2 THE AFFIRMATIVE ACTION PLAN

3 1.0 INTRODUCTION

4 This Committee was asked to review, on behalf of the University Faculty Senate,
5 two draft documents prepared at the direction of the President of the University,
6 Equal Employment and Affirmative Action Program, August, 1989, and An Overview
7 of the University of Delaware's Affirmative Action Commitment, September, 1989.
8 These documents are intended to state the University's basic policies on equal
9 employment opportunity and affirmative action.

10 The Committee was established in early October, 1989. It conducted an open
11 hearing on "The University's Proposed Affirmative Action Plan" on October 19,
12 1989, which was attended by approximately 75 people. Other opinions on two
13 documents were obtained from the Commission on the Status of Women, the
14 Commission to Promote Racial and Cultural Diversity, and individual faculty
15 members who communicated either with the Committee or with the President of the
16 Senate on matters relevant to affirmative action policy. In addition, the
17 Committee solicited information from other universities about their affirmative
18 action policies and reviewed a range of published material on the topic. The
19 Committee met during October, November, and December, 1989, to assess the two
20 documents, consider the opinions obtained, and produce draft material for its
21 report. The final draft of the Committee's report to the Senate was completed
22 in January, 1990.

23 2.0 ASSESSMENT OF THE EQUAL EMPLOYMENT AND AFFIRMATIVE ACTION PROGRAM AND AN
24 OVERVIEW OF THE UNIVERSITY OF DELAWARE'S AFFIRMATIVE ACTION COMMITMENT

25 On November 7, 1988, the University Faculty Senate overwhelmingly passed a
26 resolution which encouraged the development of a strong affirmative action policy
27 and resolved that:

28 ...the University Faculty Senate add its voice to those of the
29 other constituencies in the University by calling for the rapid
30 completion of a strong affirmative action plan with goals and
31 Timetables and remind the University community that the
32 affirmative action plan must be applied to every appointment made
33 at this University.

34 Subsequently, the University Administration prepared a draft revision of the
35 Equal Opportunity and Affirmative Action Program of November, 1986, in the form
36 of the Equal Employment Opportunity and Affirmative Action Program, August, 1989,
37 (hereafter referred to as Program) which was made available to the Senate in late
38 September, 1989. A second draft document has been generally circulated, An
39 Overview of the University of Delaware's Affirmative Action Commitment,
40 September, 1989, (hereafter referred to as Overview) which is described as a
41 "synopsis" of the Program which "highlights" some of its "major elements."

42 A careful reading of the documents indicates that the University Administration
43 intends to have a strong affirmative action plan with specific short-term hiring
44 goals. Yet, in the judgment of the Committee, the content of the two documents
45 fails to effectively communicate this intent; leaves out or provides inadequate

means of implementation for many elements that are necessary to a comprehensive affirmative action policy; and adopts a "top-down" approach to carry out the policies which fails to recognize the necessity for the active participation of all segments and organizational levels of the campus community if the goals of the Program are to be achieved.

The Committee believes that the University will be better served by a substantial revision and synthesis of its policy in a new single document with wide participation of the administration, staff, faculty, students, and relevant constituent organizations on campus and in the larger community. The resulting program should be characterized by imagination, a willingness to experiment, and effective implementation strategies. In the discussion which follows the Committee substantiates its conclusions and makes recommendations intended to enhance the articulation and application of the University's commitment to equal opportunity, affirmative action and cultural diversity.

2.1 The Nature and Source of the University's Commitment to Affirmative Action and Cultural Diversity

There are two basic problems with the documents. First, they lack a distinct and clear statement of the University's overarching commitment to cultural diversity, within which affirmative action is a major element. Second, these documents fail to articulate that this commitment is a freely adopted goal and not one imposed by federal law and regulation. Neither document provides a voice for the University in comprehensively and logically presenting its own policy.

These problems, to a large extent, grow out of the fact that the Program, intended to be the University's basic policy statement, reads as if its primary purpose is to provide evidence to external agencies that the University is in compliance with federal laws and regulations. Its language is legalistic and, at times, contradictory. The document provides a limited, narrow focus rather than a compelling vision of how to produce a multicultural campus with a truly representative faculty, staff and student body. Because the Overview is a synopsis of the Program, it is equally problematic.

A comparison of the documents reveals ambiguity in their relationship; a failure to adequately clarify the linkage of the University's equal employment opportunity; affirmative action and cultural diversity commitments; and a confusing use of the terms "policy," "plan" and "program."

An equal opportunity or non-discriminatory hiring, pay, and promotion policy; an affirmative action policy to increase the number of persons employed at all ranks who are members of underrepresented groups; and a commitment to cultural diversity in the scholarly, professional, and social life of the campus, although distinct as strategies, are all inextricably related. The failure of these documents to place cultural diversity as a central goal creates a major problem. The only significant discussion of racial and cultural diversity does not appear until pages 59 and 60 of the Program in a section which describes the Commission to Promote Racial and Cultural Diversity. Contrast this with the following

90 statements made at the beginning of "The Madison Plan," produced by the
91 University of Wisconsin-Madison:

92 Our commitment to ethnic diversity is integral to our fundamental
93 commitment to excellence in liberal education. A liberal
94 education encompasses a commitment to learning, a belief in the
95 search for truth for its own sake, and exposure to differing
96 points of view and cultures.... We are responsible for enriching
97 the lives of tomorrow's citizens and leaders by exposing them to
98 ideas and experiences that broaden their world view and ensure a
99 deeper appreciation for cultural and ethnic differences.

100 It is only after this mandate to achieve cultural and ethnic diversity in the
101 university generally is set out that "The Madison Plan" turns to its commitments
102 to increasing access for minority and low-income students and greater diversity
103 in faculty and staff. In the latter case, the "Plan" states:

104 Recruiting and retaining more minority faculty and staff is
105 critical to achieving a richer and more diverse educational
106 environment.... Unless minorities and women are present in
107 sufficient numbers in the faculty and staff, the Madison Plan will
108 not succeed over the long haul.

109 Without such a decisive commitment to cultural diversity and the identification
110 of hiring and retention policies as necessary components of that commitment, there
111 is a danger of carrying out the latter two as discrete legal requirements rather
112 than part of a larger moral commitment of the institution. The crafting of the
113 Program to show compliance with federal requirements gives it a defensive tone
114 and results in statements which obscure rather than illuminate the positive
115 intent of the University.

116 A consequence of substituting legal compliance for broader goals, defined by
117 the campus community, can be seen in the Overview, on page 6. The statement is
118 made that the University has a commitment to increase the diversity of its work
119 force that "goes beyond compliance with federal legislation and executive order."
120 Yet the actual policy of the University seems to have the opposite intent. The
121 Overview, also on page 6, explains that:

122 Hiring goals and timetables were not established for categories
123 where current internal percentages of minorities and women exceed
124 the availability pool [the federal requirement] or where hiring
125 a single individual would cause the percentage to exceed
126 availability (emphasis added).

127 Equally perplexing is the effect of defensive and legalistic language in a
128 document intended to reflect the seriousness of the University's commitment to
129 affirmative action. Consider these two statements on page 28 of the Program:

130 The University has compared the current level of minority and
131 female employment as set forth in the Job Group Analysis with the
132 availability of minorities and women as estimated in the

133 Availability Analysis. As a result of this comparison, there is
134 underutilization in certain job groups (emphasis added).

135 This determination of underutilization is made pursuant to
136 regulation; however, the University in no manner admits thereby
137 that it is in fact employing too few minorities or females in any
138 job group (emphasis added).

139 The desirable elements of clarity and precision are further reduced in both the
140 Program and Overview by the confusing use of equal employment opportunity and
141 affirmative action as interchangeable terms. At times, affirmative action
142 appears to refer to a policy of nondiscrimination rather than one of positive
143 action to increase the proportion of minorities and females among students and
144 employees.

145 An affirmative action policy and an affirmative action plan are frequently
146 referred to in the two documents. However, there is no section in either the
147 Program or Overview which explicitly identifies and defines a policy or plan.
148 This lack of clarity is exemplified on the last page (page 11) of the text of
149 the Overview in a section entitled "Dissemination of the University's Affirmative
150 Action Policy." Policy is not mentioned at all in this section. Rather, its
151 first sentence states that "Internal and external knowledge of the University's
152 Affirmative Action Plan is essential" (emphasis added). Further on, it is stated
153 that the Overview is designed to "highlight" the provisions of the "University
154 of Delaware's Affirmative Action Plan." The University's basic statement on
155 affirmative action, the Equal Employment Opportunity and Affirmative Action
156 Program is being referred to as the Plan without explanation.

157 Another critical ambiguity concerns the relationship of the two documents. The
158 Overview, on pages 7 and 8, contains several important policy statements
159 concerning recruitment and hiring.

160 When a hiring unit is substantially underutilizing minorities and
161 women, the University is committed to comply with federal
162 legislation and offer the position first to the protected class
163 member, assuming that the applicant is qualified for the position.

164 In units without underutilization, the criteria for the selection
165 of the 'best qualified candidate' should include the ability of
166 the candidates to contribute to the diversity of the workforce and
167 to provide models for students who bring similar qualities to the
168 University.

169 These provisions are at the heart of an affirmative action policy. However, no
170 such statements can be found in the Program, the document from which the content
171 of the Overview is derived. No reference is made to the federal legislation
172 which is the basis for the requirement that, where underutilization exists, the
173 first offer must be made to a protected class member, if qualified. A clearly
174 stated rationale and set of procedural rules that are well understood and widely
175 supported are needed to carry out a successful affirmative action policy.

Of the comments made by faculty, although not great in number, it is this section of the Overview that has received the most attention. Concern has been expressed that departments will be required to hire, not unqualified, but "less qualified" faculty. The University's statement of policy must underscore the fact that affirmative action means that hiring units will take the steps necessary to include minorities and women who meet the criteria of the department in the pool of candidates from which a new faculty member is recruited. As the Handbook for Faculty Searches of Ohio State University puts it:

Affirmative action should not be confused with passive compliance with regulations, tokenism, or good intentions. It is, instead, a proactive concept which implies initiating aggressive, vigorous, and systematic activities to achieve equality and equity for all individuals.

2.2 The Meaning of "Minority" and "Protected Classes" Within the University's Affirmative Action and Cultural Diversity Initiatives

The text of the two documents creates considerable confusion concerning which subgroups in the population are included in its affirmative action program and the extent to which the University is committed to action in terms of a particular subgroup.

The classes mentioned in the documents are:

- Minorities

- Women

- Handicapped

- Disabled Veterans and Veterans of the Vietnam Era

It quickly becomes clear in reading the documents that the investment of the University in furthering affirmative action and cultural diversity is not equal among these groups or within them. On page 1 of the Overview it is stated that "Improving opportunities for minorities and women and eliminating barriers to their success at the University of Delaware is the central concept of the Affirmative Action Plan." The actual focus of the University's affirmative action program is even more narrow. Apart from gender, ethnic groups included in federal Equal Employment Opportunity protected categories include Asians, American Indians and Alaskan Natives, Blacks, Hispanics, and Pacific Islanders. In the past, of these minorities, the University has focused its affirmative action efforts almost exclusively on blacks. These documents indicate that this will continue.

There are numerous references in the Program and Overview to University programs designed to increase the number of Black faculty and students. Neither document mentions any existing program or new initiative directed toward increasing the representation of Asians, American Indians and Hispanics. Although the University has the data, the documents do not provide a reader with any

217 information concerning how well or how poorly these ethnic groups are represented
218 on the campus. No explanation is provided as to how and why the University is
219 not taking active affirmative action initiatives for Asians, American Indians,
220 and Hispanics.

221 There are also "protected" classes that are the focus of affirmative action
222 under federal mandate which include, in addition to women, the handicapped,
223 Vietnam veterans, and individuals over forty. Further, in the current Collective
224 Bargaining Agreement between University of Delaware and American Association of
225 University Professors, University of Delaware Chapter, Article X includes the
226 provision that the University will not discriminate against faculty because of
227 sexual preference with respect to any matter covered in the contract.

228 Among the protected classes, only females are clearly included in all aspects
229 of the University's affirmative action program. Persons over forty are only
230 referenced in relation to equal employment opportunity. The contractual
231 obligation not to deny equal opportunity to faculty on the basis of sexual
232 preference is not incorporated in the Program or Overview.

233 Reading the "Handicapped Program for August 31, 1989 - June 30, 1990" section
234 of the Program reflects additional confusion that is produced by the structure
235 of the document.

236 2.2.1 The University's affirmative action program for handicapped persons is
237 presented as if it is a separate and parallel program. In many places
238 it repeats the form and language of the Program's prior section entitled
239 "Equal Employment Opportunity and Affirmative Action Program."

240 2.2.2 The section has no reference to actions that would be relevant to the
241 University's academic programs. It includes no reference to the
242 recruiting and retention of handicapped students or faculty.

243 2.2.3 There is no discussion of the degree to which steps have and will be
244 taken to make the University freely accessible to handicapped students
245 and members of the work force.

246 2.2.4 The Overview, in its synopsis of the Program, contains virtually no
247 mention of the University's commitment to affirmative action for the
248 handicapped or how it will be carried out.

249 The treatment of affirmative action for Disabled Veterans and Vietnam Era
250 Veterans is similarly presented in a section separated from the main policy
251 statement, entitled "Veterans Program for August 31, 1989 - June, 1990."
252 Veterans are given only the most cursory mention in the Overview.

253 Assuming that all of the above minorities and protected classes are covered by
254 equal opportunity provisions, a decision to give priority to any minority or
255 class in the University's affirmative action and cultural diversity programs
256 should be thoroughly discussed by all elements of the campus community and the
257 policy formulated by a widely representative body.

258 2.3 Implementation of University Policy

259 In a number of cases where the documents do set out laudable goals the
260 implementation process appears to be inadequate or is not identified. For
261 example, the Overview states that:

262 Beyond recruitment, the Plan outlines programs and activities that
263 must be available as newly appointed individuals move forward in
264 their careers. Initial appointment alone is not seen as the single
265 indicator of a successful affirmative action program.

266 A careful reading indicates, however, that neither the Program (presumably
267 referred to as the "Plan") or the Overview outlines programs and activities to
268 help newly appointed individuals progress in their careers. Neither is there
269 any consideration of the question of whether there are significant differences
270 among male and female employees in the adequacy of pension benefits to provide
271 reasonable support upon retirement.

272 Considering only faculty appointments prior to retirement, there are a number
273 of well recognized steps that have been included in the affirmative action
274 statements of other universities to facilitate professional advancement of
275 minorities and women or are accessible in the literature.

276 How adequate the University's actions are on this matter can only be known by
277 having an accurate monitoring system in place. Although the University has data
278 available to assess problem areas in promotion, tenuring, and retention of
279 minorities and women, it does not appear to have incorporated it into the draft
280 of either document. For example, a study released by the Office of Employee
281 Relations in March, 1989, reported that:

282 Female faculty on average leave the University much sooner and at
283 a higher rate than their male peers. One in four female faculty
284 left within three years compared to 16.5 percent of males during
285 the same period. More than one-half of the female faculty left
286 within six years and only 36.6 percent of males did so. The total
287 8-year attrition among female faculty, based on the 1980-81 cohort
288 is 72.2 percent which is substantially higher than the
289 corresponding proportion of 42.2 percent for males (emphasis
290 added).

291 Even though attrition is a serious problem for female faculty, and may be for
292 minorities, it is not identified as requiring University response in either
293 document. Unfortunately, when data is included in the documents it can mask as
294 well as reveal areas which require University attention. More than one-half the
295 length of the Overview is contained in Appendix 2 which is the "Affirmative
296 Action Goals and Timetables Analysis." It is organized to present data on the
297 current representation of women and minorities in the University work force,
298 whether it meets federal utilization requirements of the available labor pool,
299 and if not, how many women and minorities should be hired over the next three
300 years to achieve compliance.

301 This level of data aggregation makes it impossible to determine how women and
302 minorities are distributed among a college's departments. This method of
303 reporting does not allow readers to identify which departments are out of
304 compliance. It also can give a misleading impression of the University's
305 performance if a college as a whole is reported as being in compliance but a
306 number of its departments are not.

307 When implementation steps are specified, they are consistently top-down in their
308 orientation. In the "Responsibilities for Program Implementation" section of
309 the Overview, for example, the President, Provost and Vice Presidents, College
310 Deans, Chairpersons, Directors, Affirmative Action Officer, Director of
311 Purchasing, and Director of Institutional Research are the only members of the
312 campus community mentioned. In discussing the establishment of "affirmative
313 action hiring goals and timetables for a three- year period" (Overview, page 6)
314 the only persons mentioned are deans and vice presidents.

315 This exclusive focus on the upper levels of the University hierarchy produces
316 a formalistic and procedural-oriented undertaking; the alienation of the faculty
317 from effective participation in affirmative action; and the loss of a
318 democratically arrived at consensus. Our ability to achieve the goals of equal
319 opportunity, affirmative action, and cultural diversity is reduced by a failure
320 to recognize and utilize the authority of the faculty in hiring, promotions, and
321 tenuring processes and curriculum development.

322 The preoccupation with an administrative driven world that characterizes the
323 documents is dysfunctional to the point that the Overview seems to include a
324 change in one of the most basic policies of the University. It states (page 8)
325 that "The primary responsibility for the recruitment and hiring of full-time
326 faculty rests with the Chair of the department in which the vacancy occurs."
327 No faculty responsibilities in these matters are even referenced.

328 This administrative orientation is again reflected in the Overview's (page 6)
329 description of the process by which the University's three-year hiring goals
330 were determined.

331 Senior University administrators were provided worksheets in May
332 of 1989 which contained the aforementioned workforce availability
333 and utilization analysis data for the units they supervised. Based
334 on these data, each dean and vice president was asked to establish
335 affirmative action hiring goals and timetables.

336 Unless it occurred but is not reported, there was no faculty participation in
337 establishing hiring goals for their academic units. Yet more troubling, from
338 a faculty perspective, is the fact noted above that the University Administration
339 has adopted a policy of not exceeding minimum federal requirements in the
340 proportion of minority or females to be hired. This appears to mean that, even
341 if departmental faculties would have participated in formulating hiring goals
342 to be included in the Program and wished to exceed federal requirements, they
343 would have been directed not to do so.
344

Even in the distribution of responsibility for curriculum development in support of affirmative action there is no mention of the faculty. Further, there are discrepancies in the responsibilities concerning curriculum assigned to administrators. In the Program, Chairpersons and Directors are assigned responsibility for "Assisting in the development of curricular and extracurricular offerings related to minorities, women and handicapped persons" (emphasis added). The Affirmative Action Officer is directed to encourage "the development of courses relating to the study of women and minorities" (emphasis added). The Overview refers only to Chairpersons and Directors who are to "Assist in the development of curricular and extracurricular programs which support a workforce that is culturally and racially diverse" (emphasis added). Although there is a clear difference between this wording and that included in the Program, no explanation is provided.

This overconcentration of responsibilities may put strains on those who are involved. It appears, for example, that too many tasks are assigned to the Affirmative Action Officer with too few resources to carry them out. The Program (page 17) states that the Affirmative Action Officer has the responsibility of meeting with University search committees prior to each search. This is extended in the Overview (Appendix 3, page 1) to make the Affirmative Action Officer an ex-officio member of all faculty, administrative and professional staff search committees.

Apart from the question of whether the President has the authority to appoint members of departmental faculty search committees, which must be addressed, it is unrealistic to believe that the Affirmative Action Officer could or should (given other responsibilities) attend even one meeting of all search committees. In fact, a number of people have expressed concern about the difficulty academic search committees have in obtaining technical assistance and approvals of actions from the Affirmative Action Officer in a timely way. Further, there is no specification of what recourse a department has if a person selected for appointment by the faculty is not approved by the Affirmative Action Officer. Neither document deals with this question.

The Overview states on page 9 that inquiries relating to "alleged violations" of equal opportunity and affirmative action policies:

...are to be directed to the Affirmative Action Office where efforts will be made to resolve complaints through regular administrative channels. In instances where this is not possible, formal grievance procedures are provided.

Various bargaining units on campus, including the American Association of University Professors, have contractual agreements with the University concerning grievance rights and procedures. There is need for clarification of the relationship of these contractual rights and this section of the Overview.

There are other issues that can be raised about the content of the two documents. The intent of the Committee in assessing the documents, however, is not to be exhaustive. Rather, it is to provide a framework for rethinking how the University can best further equal opportunity, affirmative action, and cultural

390 diversity from a general perspective, as well as that of the faculty. The
391 following section contains the Committee's recommendations toward this end. Not
392 all of the clarifications and actions clearly suggested in the above discussion
393 are incorporated into the recommendations in the interest of brevity. It is
394 hoped that they also will be taken into account in future policy revisions.

395 3.0 RECOMMENDATIONS OF THE COMMITTEE

396 3.1 Basic University Goals

397 The University should adopt a single policy statement that clarifies and expands
398 its commitment to cultural diversity within its work force, student body, and
399 educational programs. This policy document should be formulated with wide campus
400 participation and include a variety of strategies designed to be responsive to
401 social, political, and economic needs at the local, regional, and national
402 levels. The talent and resources available at this University place it in an
403 excellent position to assume a leadership role in recruiting and integrating
404 underrepresented groups into its ranks--as faculty, staff, and students. The
405 strengthening of cultural diversity on campus through our academic programs and
406 equal employment opportunity and affirmative action policies will meet a moral
407 commitment to fairness and social equity. It will also serve the interests of
408 the University and the nation by increasing the quality of education offered on
409 campus and providing greater access for minorities, low-income persons, and
410 females to the skills necessary to participate in and contribute to our
411 increasingly complex public sector and economy.

412 Believing that a fundamental mission of the University is to prepare students
413 as educated citizens and leaders in a changing world, it is our responsibility
414 to recruit a culturally diverse community of students, faculty, and staff and
415 to cultivate a deep appreciation for cultural and ethnic differences. In
416 reviewing the affirmative action plans of other institutions, the Committee
417 found it typical that cultural diversity was a central value in their programs.

418 The University of Wisconsin's "Madison Plan" states, for example, that "A greater
419 emphasis on ethnic diversity in the curriculum and a more consistent
420 consideration of ethnic diversity in the selection and retention of faculty,
421 staff and students are crucial to the university's pursuit of educational
422 excellence." The first paragraph of Stanford University's Affirmative Action
423 Plan affirms that excellence in education "is best realized through a learning
424 and working environment which is characterized by diversity of races, cultures,
425 values and styles." Other institutions stress the importance of "a diverse
426 population to create a quality education that will enable all students to be more
427 effective when they graduate from higher education." A spokesperson for the
428 Office for Advancement of Public Black Colleges characterizes the creation of
429 a culturally diverse campus community "not just a matter of 'fairness' but as
430 a valued objective in its own right." There are compelling practical reasons
431 for such a policy as well.

432 Over the next decade, and beyond, 41 percent of the new jobs created will require
433 higher skills in mathematics, language, and reasoning ability, in contrast to
434 the current 24 percent. The majority of people who will be available to fill

435 these jobs will be minorities. Between now and the year 2000, the percentage
436 of new entrants into the work force who are native white males will fall from
437 47 to 15. By the turn-of-the-century, women and non-whites will make up close
438 to 85 percent of the new additions and one-third of all school-age children will
439 be what are now classified as minorities.

440 Unless significant changes occur in the pattern of educational achievement of
441 minority students there will be an increasing gap between the skills needed in
442 the work force and those available. In 1986, the percentage of population over
443 25 that had completed four years of college or more was 20.1 for whites, 10.9
444 for blacks, and 9.3 for Hispanics. Only 9 percent of the students taking the
445 SAT in 1985 were black and 3 percent Hispanic. Of those who did take the SAT,
446 the test scores of white students, on the average, were substantially higher than
447 those of blacks and Hispanics.*

448 The level of education of minorities in Delaware and the nation must be improved
449 if we are to avoid a largely unqualified and unskilled labor pool with the
450 potential consequences of lowering standards of living for all, social conflict,
451 and a declining ability to compete in restructured international markets. To
452 achieve this educational goal increased sensitivity to and appreciation for
453 ethnic and cultural differences is needed. It must be reflected in a clear and
454 unequivocal commitment to cultural diversity as a point of departure for our
455 affirmative action program.

456 3.2 Leadership

457 The Committee believes that changes are necessary in our assumptions about the
458 locus and nature of the leadership needed to achieve cultural diversity in all
459 of its dimensions. The President and top administrative officers of the
460 University must be fully and visibly working toward this goal and willing to
461 commit institutional resources. However, success cannot be imposed from the
462 top down. Leadership in defining and carrying out such programs must come from
463 all levels of the campus. The drafting of a more encompassing policy proposed
464 by the Committee should be done by a body which fully represents all elements
465 of the campus and relevant organizations from the wider community.

466 In the University's general affirmative action and cultural diversity policy,
467 the Administration should lead by example, not directive, and by providing
468 positive incentives rather than simply by regulations. The University hiring
469 goals and timetables should be minimums which academic departments are invited
470 to go beyond on the basis of their own decisions and initiatives with resource
471 support from the Administration.

472 The faculty, collectively and at the college and departmental levels, has the
473 responsibility of assuming an active leadership role on its own initiative

474 *Data is drawn from Commission on Minority Participation in Education and
475 American Life, One-Third of a Nation (Washington, DC: American Council on
476 Education and the Education Commission of the States, 1988) and Hudson
477 Institute, Workforce 2000 (Indianapolis: 1987).

478 because of its central position in decisions concerning hiring, promotion, and
479 curriculum. As one step toward this end, the Senate should establish a permanent
480 committee to provide leadership and foster innovation in equal opportunity,
481 affirmative action, and cultural diversity programs as they relate to the
482 academic mission of the University, and annually monitor and report on the
483 adequacy of existing programs.

484 3.3 Faculty Recruitment and Hiring

485 All affirmative action policies and implementation steps should explicitly
486 include the goal of increasing the representation of Asians, American Indians,
487 Hispanics, and handicapped, as well as blacks and females.

488 The "Affirmative Action Goals and Timetables" contained in the Program call for
489 hiring 16 minority and 39 female faculty over three years between 1989-1992 out
490 of a total of 145 "hiring opportunities" that are expected over this period.
491 There is no discussion as to how these hirings should be distributed among
492 minority groups or how they should be distributed by rank.

493 If these goals are followed, 30 white males will be recruited annually or almost
494 two-thirds of those hired. In contrast, slightly over five minority faculty will
495 be added, on average, each year. If current faculty ratios are roughly
496 maintained, we will be hiring two Asians, two blacks, and one Hispanic per year.
497 The goal of 39 females translates into 13 per year. Unless most of the hirings
498 are at the rank of associate or full professor, it will take at least a decade,
499 assuming all are retained, for these appointments to increase minority and female
500 representation among the tenured faculty!

501 The Committee believes that the University, with the faculty taking a leadership
502 role, must increase its goals for hiring minorities and females and seek to
503 recruit a significant number at the level of associate and full professor. A
504 specific budget allocation should be made annually to be used to provide new
505 positions to academic units that have the opportunity to recruit highly qualified
506 minority or female scholars.

507 In departments with no or low representation of either minorities or females
508 top priority should be given to fill any opening that occurs with a minority or
509 female. If, after bona fide efforts, it is not possible to hire such persons
510 because of a limited pool of candidates, the department should undertake at least
511 the following steps.

512 3.3.1 Establish and implement a plan to build a pool of potential candidates
513 for future openings by identifying and establishing linkages with graduate
514 departments in other universities that are producing minority and female
515 Ph.D.s in relevant fields and identifying existing scholars.

516 3.3.2 If the department itself offers graduate degrees, it should plan and
517 carry out a program, with support from the University, to increase the
518 number of minorities or females who enter and successfully complete work
519 for a graduate degree. The University's commitment to affirmative action
520 and cultural diversity should include a willingness to use its resources

521 to increase the number of minorities and females who receive advanced
522 degrees in those areas where they are underrepresented in the national
523 labor pool.

524 3.4 Retention and Promotion of Faculty

525 Available data indicates that the University has a much lower retention rate
526 for female than male faculty members. Consequently, an effective affirmative
527 action program should assess the annual and longer-term retention rates of female
528 and minority faculty and, if necessary, undertake specific steps to improve them
529 including, but not limited to:

530 3.4.1 Conducting annual workshops for minority and female faculty on promotion
531 requirements and processes and career advancement;

532 3.4.2 Encouraging the development of mentoring networks for minority and female
533 faculty;

534 3.4.3 Clearly communicating to minority and female faculty departmental
535 standards and expectation for promotion and tenure;

536 3.4.4 Refraining from putting undue burdens upon junior minority and female
537 faculty in terms of committee assignments and public service activities;

538 3.4.5 Fully recognizing the legitimacy and value in promotion and tenure
539 decisions of teaching and research which are oriented to Women's Studies,
540 Black Studies and other non-traditional areas of inquiry that contribute
541 to cultural diversity (this may include granting departmental status to
542 Black Studies);

543 3.4.6 Establishing summer research funds to facilitate the work of younger
544 minority and female scholars;

545 3.4.7 Providing extensions in the time period within which faculty members must
546 satisfy the requirements for tenure if they desire to allocate part of
547 that time to child bearing and early childhood care;

548 3.4.8 Conducting exit interviews with all faculty who leave the University that
549 data may be developed allowing for a clear understanding of the reasons
550 for faculty members leaving their positions. It would be preferable to
551 have the University Faculty Senate Committee on Affirmative Action and
552 Cultural Diversity recommended earlier conduct the interviews and analyze
553 the results. The interviews and periodic surveys of the faculty should
554 be used to construct a realistic picture of how rewarding and supportive
555 this campus is for faculty in general and for minority and female faculty
556 specifically. As one educator has put it, departments must be willing
557 to ask whether they are sending the "right" message to current and
558 prospective minority and female faculty and, the Committee would add, to
559 the faculty in general.

560 3.5 Students

561 A diverse student body is as critical as a diverse faculty if affirmative action
562 and cultural diversity goals are to be met. However, there is limited discussion
563 of student diversity in either the Program or the Overview. In the former,
564 student recruitment and retention is not considered until page 41. In the
565 latter, student recruitment is considered on page 10 of the Overview's 11 pages
566 of text. This lack of centrality of recruiting and retaining minority and female
567 students should be replaced with an adequately articulated commitment by the
568 University to create a truly diverse student body. Goals should be set for
569 increasing the number of Asian, American Indian, Hispanic, handicapped, and low-
570 income, along with black and female students in general, and in fields in which
571 they are underrepresented. Procedures and resources should be specified to
572 support their recruitment and retention. The clear signal in the two documents
573 under review is that blacks are the only minority group the University is
574 actively working to increase.

575 An expansion of the categories of students included in affirmative action
576 strategies must follow a dual strategy once they are on campus. On one level
577 this means fostering of organizations that will support and facilitate the
578 retention and academic success of particular ethnic and racial groups, and
579 handicapped and female students. At the same time, however, the creation of a
580 multicultural environment in the University must go beyond such individual
581 organizations in two senses. First, the creation of minority enclaves should
582 be avoided by providing a multicultural center to serve as a focal point for
583 groups and individuals to come together for mutual support, coordination of
584 activities, and to undertake a leadership role in multicultural social activities
585 and social programs. In turn, such multicultural undertakings should encourage
586 the involvement of all elements of the student body so that "majority" students
587 are participants in building a genuine understanding and appreciation of the rich
588 ethnic and cultural diversity among students at the University.

589 In devising student recruiting strategies there should be a recognition that
590 priorities are needed, at least in the short run, to identify the most pressing
591 areas among fields of study and between undergraduate and graduate students.
592 There should be adequate scholarship funds available for pursuing the priorities
593 selected. It is important to recognize that income is becoming an increasingly
594 high barrier for entry into the University for otherwise qualified students in
595 general and, particularly, in the case of minorities.

596 Greater efforts to recruit and retain qualified students under an affirmative
597 action program represent only part of the solution for greater access to the
598 University for these groups. The University should develop strategies for
599 increasing the number of minority and low-income students who have the requisite
600 skills to enter the University by the time they have completed high school. This
601 would involve but not be limited to the following:

602 3.5.1 The University, in cooperation with school districts and community groups,
603 should participate in programs to increase the number of minority, low-
604 income, and handicapped students who complete high school with the
605 qualifications necessary for admission to the University.

606 3.5.2 An annual assessment should be made of the percentage of Delaware high
607 school graduating seniors who have the qualifications for admission and
608 are admitted to the University, particularly minority students and members
609 of protected classes. If the numbers are smaller than desired to meet
610 affirmative action and cultural diversity goals, methods should be devised
611 to attract more graduating seniors.

612 3.5.3 There should be an annual review of how students who are enrolled in the
613 University are distributed among academic units and their rate of
614 progress. The data should be used to determine whether retention problems
615 exist and whether there are academic units that underrepresent or
616 overrepresent minority and protected class students. If problems exist
617 in either retention or representation, steps should be initiated, with
618 the necessary resource support, to eliminate them.

619 In those cases where it is deemed that affirmative action and cultural diversity
620 on the campus will be enhanced by increasing the number of students in Delaware
621 who are qualified to enter the University or the number of Delaware high school
622 students with qualification who do enroll, relevant academic units, including
623 departments, should participate in outreach activities that involve school
624 districts and community groups in their design and implementation.

625 3.6 Affirmative Action Officer and Office

626 The Affirmative Action Officer has been assigned a range of responsibilities in
627 the Program and Overview that require diverse skills and considerable time.
628 Some of these relate to the faculty. The Committee is concerned that the
629 responsibilities of the Office are not matched by the resources that are made
630 available to it and believes that it would be desirable to have an independent
631 assessment of whether the Affirmative Action Officer is being provided with
632 adequate resources and personnel to carry out the responsibilities of the
633 position.

634 Specifically in relation to the faculty, a priority should be placed on the
635 Affirmative Action Officer, in full consultation with the Senate, producing a
636 "Handbook for Faculty Searches" which will provide academic units and their
637 search committees with full information about their responsibilities in meeting
638 the University's goals and procedures for equal opportunity, affirmative action,
639 and cultural diversity. Such a handbook, along with departmental or college-
640 level workshops, should considerably reduce the demands upon the Affirmative
641 Action Officer for policy and procedural details and allow search committees to
642 move more rapidly in carrying out their responsibilities. A copy of the Ohio
643 State University, Handbook for Faculty Searches with Special Reference to
644 Affirmative Action, is appended as a model (copy available in 219 McDowell).

645 Timely action is often critical in a recruiting process. Consequently there
646 should be a time requirement for the Affirmative Action Officer to review and
647 respond to Affirmative Action/Personnel Development Sign-Off (AA/PD) forms
648 submitted for approval of the person a unit has selected to hire.

649 A procedure should be established to allow an appeal in the cases in which the
650 Affirmative Action Officer declines to approve an AA/PD form. None exists at
651 the present time. If an occasion arises in which all efforts to reach agreement
652 between the academic unit and the Affirmative Action Officer fail, the unit and
653 the Affirmative Action Officer should present their cases to an appeal committee
654 composed of Administrative and Faculty Senate appointees.

655 The Committee believes that these recommendations specifically outlined in part
656 3.0 and those suggested in part 2.0 will contribute to the articulation and
657 achievement of the University's existing commitment to equal opportunity,
658 affirmative action and cultural diversity. Whether this particular set of
659 proposals or others should be adopted and how priorities should be assigned are
660 clearly matters that need to be widely discussed and debated. It is hoped that
661 this report will provide the opportunity for the Senate to initiate a dialogue
662 that will result in a University-wide reassessment of how we can best voice and
663 work toward these goals.

664 4.0 SUMMARY

665 The Committee believes that the University intends to have a strong affirmative
666 action program. Yet, the two documents under review do not effectively
667 communicate this intent; leave out or provide inadequate means for achieving many
668 necessary elements of a comprehensive affirmative action policy; and adopt a
669 "top-down" approach for both determining affirmative action strategies and
670 implementing them. The University's affirmative action policy should be
671 redrafted into a single document with wide participation of the administration,
672 staff, faculty, students, and relevant organizations on campus and in the larger
673 community.

674 This institution has the talent and resources to assume a leadership role among
675 universities in fostering cultural diversity through recruiting and integrating
676 underrepresented groups into its ranks and innovation in academic programs. The
677 results will serve the interests of the University and the nation by increasing
678 employee diversity on campus; enhancing the quality of education; and providing
679 greater access for minority, low-income, and female students to the skills
680 necessary to participate in and contribute to America's increasingly complex
681 public sector and economy. The general recommendations of the Committee are
682 summarized below.

683 In furthering affirmative action, the Administration should lead more by example
684 and providing positive incentive than by directives. Specific hiring goals and
685 timetables should be minimums which units are invited to go beyond with resource
686 support from the Administration. The faculty should undertake a more active
687 leadership role, in part, by establishing a permanent University Senate committee
688 to foster equal employment opportunity, affirmative action, and cultural
689 diversity as they relate to the academic mission of the University and annually
690 report on the adequacy of existing programs.

691 The proposed affirmative action faculty hiring goals over the next three years
692 must be increased and some of the appointments made at the levels of associate
693 and full professor. These increases can be facilitated by the provision of

694 specific funds for affirmative action hiring and long-term recruiting plans by
695 department when there are limited numbers of minority and female candidates
696 available. Once hired, explicit strategies must be devised to further the
697 retention and career development of minorities and females. The Committee makes
698 a number of proposals to this end.

699 More attention also is needed to recruiting and retaining a truly diverse student
700 body. The establishment of a multicultural center would serve as a focal point
701 for individuals and groups from all elements of the campus to come together for
702 mutual support, coordination of activities, and to foster multicultural academic
703 programs and social activities.

704 A specific commitment should be made to increase the number of Asian, American
705 Indian, Hispanic, handicapped, and low-income, along with black and female
706 students in general, and in fields in which they are underrepresented.
707 Priorities should be determined by identifying undergraduate and graduate fields
708 of study with the greatest underrepresentation and supported with adequate
709 scholarship funds. The University also should develop programs in collaboration
710 with school districts and community groups for increasing the number of Delaware
711 minority and low-income students who graduate high school, can meet admission
712 requirements of the University, who do enroll, and attain degrees.

713 Finally, the Committee is concerned that the responsibilities given the
714 Affirmative Action Officer are not matched by the resources made available and
715 believes an assessment is needed of their adequacy. A well drafted "Handbook
716 for Faculty Searches" and departmental or college workshops on affirmative action
717 are needed to reduce the information demands upon the Affirmative Action Office,
718 and to allow search committees to move more rapidly in carrying out their
719 responsibilities. Similarly, there should be a time requirement for the
720 Affirmative Action Officer to review and respond to Affirmative Action/Personnel
721 Development Sign-Off forms and an appeal procedure made available to hiring units
722 if their AA/PD form is not approved.



University of Delaware

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UNIVERSITY OF DELAWARE

APR 25 1990

FACULTY SENATE

Attachment 4

VICE PRESIDENT FOR ADVANCEMENT AND UNIVERSITY SECRETARY
NEWARK, DELAWARE 19716

(302) 451-2113

April 24, 1990

Frank B. Dilley, President
University Faculty Senate

Dear Frank:

The opinion of University legal counsel, Charles S. Crompton, Jr., Esquire, on the question of granting of honorary degrees is enclosed for your information.

Sincerely,

A handwritten signature in cursive script, appearing to read "G. Arno Loessner".

G. Arno Loessner
Vice President for Advancement
and University Secretary

dld

cc: Andrew B. Kirkpatrick w/enclosure
E. A. Trabant w/enclosure

BLAINE T. PHILLIPS
RICHARD L. MENANON
CHARLES S. CROMPTON, JR.
ROBERT K. PAYSON
LEONARD S. TOGHAN
RICHARD E. POOLE
MICHAEL D. GOLDMAN
JAMES F. BURNETT
PETER M. SIEGLAFF
DAVID A. ANDERSON
DANIEL F. WOLCOTT, JR.
DAVID J. GARRETT
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JOHN E. JAMES
W. HARDING DRANE, JR.
MARY E. URANN
W. LAIRD STABLER, III
RICHARD L. HORWITZ
MICHAEL M. LEDYARD

WRITER'S DIRECT
DIAL

(302) 984-6002

Mr. G. Arno Loessner
Vice President University Advancement
and University Secretary
University of Delaware
101 Hullihen Hall
Newark, Delaware 19716

Re: Honorary Degrees

Dear Skip:

Enclosed is the opinion for the Board of Trustees
concerning their powers in granting honorary degrees.

Sincerely yours,



Charles S. Crompton, Jr.

CSCjr:js

Enclosure

POTTER ANDERSON & CORROON

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STEPHEN C. NORMAN
WILLIAM R. DENNY
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April 12, 1990

POTTER ANDERSON & CORROON

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MICHAEL M. LEDYARD

WRITER'S DIRECT
DIAL

April 12, 1990

The Board of Trustees
University of Delaware

Dear Members of the Board:

You have requested our opinion as to whether the Board of Trustees of The University has the power to award honorary degrees in the absence of the consent or approval of the University faculty.

Your inquiry requires a close analysis of the relevant provisions of the Charter of the University, the Bylaws of the Board of Trustees, and the rules of law which are applicable in aid of a construction of those provisions.

The University Charter is codified in Chapter 51 of Title 14 of the Delaware Code. It is the latest embodiment of a Charter, the first of which was issued in the 1830's, and each of which has granted extensive powers to the Board of Trustees to oversee the affairs of the University in the exercise of virtually all corporate powers granted to it. See 14 Del.C. §§5101, 5104.

Section 5106 of Title 14 grants such power to the Board in the broadest conceivable terms:

The Board of Trustees shall have the entire control and management of the affairs of the University. The Board may exercise all the powers and franchises of the University, appoint and remove all subordinate officers and agents, and make bylaws as well for their own government as that of the University.

Pursuant to the express grant of authority to make bylaws for the governance of the affairs of the University, the Board of Trustees has adopted a bylaw designated as Section IV-G ("Section IV-G" or the "Bylaw") creating a Committee on Honorary Degrees and Awards and setting forth procedures for nominations for and grants of such degrees and awards. The Bylaw reads in full as follows:

G. Committee on Honorary Degrees and Awards

The Committee on Honorary Degrees and Awards shall consist of seven members, four of whom shall be members of the Board of Trustees and appointed by the Chairman of the Board, and three shall be members of the University faculty appointed by the President of the University.

Nominations for honorary degrees may be made to the Chairman of the Board of Trustees, the President of the University, or to the Chairman of the Committee on Honorary Degrees and Awards.

Nominations for awards may be made to the University Awards Committee.

Honorary degrees and awards shall be granted by the Board of Trustees upon the recommendation of the Committee on Honorary Degrees and Awards and, in the case of honorary degrees, after consultation with the faculty. Both honorary degrees and awards

shall recite, as the sole authority for their issuance, the action of the Board of Trustees granting the degree or award.

The final paragraph of the Bylaw was amended by the Board of Trustees in December, 1989 to emphasize that the power to confer honorary degrees lies with the Board of Trustees.¹ The Bylaw thus requires only that the Board of Trustees "consult" with the faculty in awarding an honorary degree, and nothing in any provision of the Bylaws of the University expressly or impliedly requires the Board of Trustees to obtain the approval of the faculty before conferring such a degree.

On its face, the Bylaw appears to be a proper exercise of the express authority granted to the Board of Trustees by the Charter. Under fundamental precepts of corporate law, duly adopted bylaws may contain any lawful provision not inconsistent with the corporate charter. See 8 Del.C. §109(b). Where an inconsistency exists, the bylaw must give way to the Charter and is invalid to the extent it conflicts therewith. Burr v. Burr

1 Prior to amendment the final paragraph of the Bylaw reads as follows:

The Committee on Honorary Degrees and Awards shall consider all nominations for honorary degrees and awards and shall refer to the faculty the Committee's recommendations for the awarding of honorary degrees. The recommendation of the Committee together with the action of the faculty with respect to honorary degree nominations shall be reported to the Executive Committee.

Corp., Del.Ch., 291 A.2d 409, 410 (1972); Prickett v. American Steel & Pump Corp., Del.Ch., 253 A.2d 86, 88 (1969); Gaskill v. Gladys Belle Oil Co., Del.Ch., 146 A. 337, 340 (1929). The pivotal inquiry, therefore, is whether the University Charter in any way obligates the Board of Trustees to obtain faculty approval to award an honorary degree.

If the terms of the Charter are deemed to be unclear as to the respective powers of the Board and faculty to grant honorary degrees, we must attempt to ascertain the legislative intent of the General Assembly under the general principles of statutory construction established by our courts one basic principle of construction is that a statute should be construed so as to give it a sensible and practical meaning, and to give harmonious effect to each provision. Home Ins. Co. v. Maldonado, Del.Supr., 515 A.2d 690, 695-96 (1986); Nationwide Mutual Ins. Co. v. Krongold, Del.Supr., 318 A.2d 606, 609 (1974). It is appropriate to consider in that construction both intrinsic factors, such as the text of the statute, as well as extrinsic factors, such as legislative history, related statutes, and any established practice under the statute. Thomas v. Veltre, Del.Supr., 381 A.2d 245, 247 (1977). See generally 2A Southerland, Statutes and Statutory Construction §§47-48 (4th Ed. 1984).

The Charter contains no provision referring expressly to honorary degrees. Indeed, the term "degrees" appears only in Section 5111 of the Charter which provides as follows:

The faculty, consisting of the professors, instructors and others employed by the Board of Trustees, one of whom shall be President of the University, shall have the care, control, government and instruction of the students, subject, however, to the bylaws. They shall have authority, with the approbation of the Board, to confer degrees and grant diplomas.

14 Del.C. §5111.

Webster's Dictionary defines "degree" both as "a title conferred on students by a college, university, or professional school on completion of a program of study" as well as "an academic title conferred to honor distinguished achievement or service." Webster's Ninth New Collegiate Dictionary 335 (1984).

In our opinion, the context in which the term is used in Section 5111 plainly indicates that the reference is to the former definition. The Section deals solely with the governance and program of study of students at the University and the faculty's important role in that area. Thus, the first sentence of Section 5111 defines who are to be members of the faculty and grants to them "the care, control, government and instruction of the students" The second sentence authorizes the faculty, "with the approbation of the Board, to confer degrees and grant diplomas." Because the sentence immediately preceding the one in issue relates to the faculty's administration of the student

body, it is reasonable to infer that in this section the General Assembly had in mind degrees earned by the completion of a program of study as opposed to one to "honor distinguished achievement or service." Honorary degrees normally are not awarded to students, have no relevance to their "care, control, government or instruction," and do not require the completion of any program of study.

The manner in which the word "degree" is used in other parts of the Code also is useful in ascertaining the intent of the General Assembly in employing the term in Section 5111. The term "degree" appears numerous times throughout the Delaware Code. In a number of instances where the term is not otherwise qualified as a specific type of degree (e.g., bachelor's degree), only the word "degree" is used, even where the subject matter and purpose of the statute clearly demonstrates that the reference is to earned academic degrees. See, e.g., 14 Del.C. §121(13) (general powers of the State Board of Education); 14 Del.C. §1325(7) (sabbatical leave for teachers); 24 Del.C. §206(a)(3) (qualifications for landscape architects); 24 Del.C. §1172 (unlawful acts under the Dental and Dental Hygiene Code). The term "academic degree" does, however, appear twice in the Delaware Code. See 14 Del.C. §8106 (Higher Education Advisory Commission); 24 Del.C. §1902(e) (definition of "nursing education program"). Notwithstanding these two references, the General Assembly's use of just the word "degree" in statutes relating

solely to scholastic, academic and professional pursuits is a significant aid to construction of its similar intent in Section 5111.

We believe that this construction of the meaning of the unqualified use of the term "degree" is given added support by the Code's only reference to "honorary degrees" which appears in Section 125 of Title 8 relating to corporations created under the Delaware General Corporation Law. That statute provides, in part, as follows:

**§ 125. Conferring academic or
 honorary degrees.**

No corporation organized after April 18, 1945, shall have power to confer academic or honorary degrees unless the certificate of incorporation or an amendment thereof shall so provide and unless the certificate of incorporation or an amendment thereof prior to its being filed in the office of the Secretary of State shall have endorsed thereon the approval of the State Board of Education of this State. No corporation organized before April 18, 1945, any provision in its certificate of incorporation to the contrary notwithstanding, shall possess the power aforesaid without first filing in the office of the Secretary of State a certificate of amendment so providing, the filing of which certificate of amendment in the office of the Secretary of State shall be subject to prior approval of the State Board of Education, evidenced as hereinabove provided. Approval shall be granted only when it appears to the reasonable satisfaction of the State Board of Education that the corporation is engaged in conducting a bona fide institution of higher learning, giving instructions in arts and letters, science of the professions, or that the corporation proposes, in good faith, to

engage in that field and has or will have the resources, including personnel, requisite for the conduct of an institution of higher learning. Upon dissolution, all such corporations shall comply with §8530 of Title 14.

Thus, in addressing a corporation's power to confer degrees, the General Assembly recognized two distinct types of degrees -- "academic or honorary degrees." Based on the foregoing statutory pattern in all of the Code sections examined, one may reasonably infer a general legislative intent that the unqualified term "degree" should refer to an academic degree awarded upon completion of a required course of study. It is our opinion that the use of the word "degrees" in Section 5111 of the University Charter reflects this intent, particularly when it is considered in the context of the other "academic" provisions of that section.² Cf. Foxgord v. Hischmoeller, 820 F.2d 1030 (9th Cir.), cert. den., 484 U.S. 986 (1987) (holding that an "honorary consul" did not come within the meaning of a federal statute granting exclusive jurisdiction in the federal courts over actions against "consuls or vice consuls").

Moreover, construing Section 5111 so as to limit it to academic degrees gives the Charter, in our opinion, "a sensible and practical meaning" because it recognizes the very real distinction between earned degrees and those having honorary status. See Home Ins. Co. v. Maldonado, Del.Supr., 515 A.2d at

2 We are aware of no legislative history or course of conduct that would alter this construction.

695-96 (statute should be given a sensible and practical meaning). Honorary degrees are not premised upon academic achievement by a registered student at the University who has completed the degree requirements established pursuant to Section 5111.³ Rather, such degrees are conferred (without exception, as far as we have been able to determine) upon non-students in recognition of distinguished achievement or service. See generally Handbook of College and University Administration: Academic 2--211-12 (A. Knowles 1970). Indeed, Webster's defines "honorary" as something "conferred or elected in recognition of achievement or service without the usual prerequisites or obligations" and cites honorary degrees as an example. Webster's Ninth New Collegiate Dictionary 580 (1984). And, it is of course commonly recognized that honorary degrees are not the equivalent of academic degrees for educational qualification purposes.

The popular use of the term "honorary" in analogous settings further supports our conclusion. It is not uncommon, for example, for corporate boards to have one or more honorary directors. Typically they possess neither the same privileges nor duties as their non-honorary counterparts. See, e.g., Geist v. National Bellas Hess, Inc., 241 F.Supp. 209 (E.D.N.Y. 1965). The court there held that an honorary director was not

3 We are aware of the long established and detailed academic requirements for the award of degrees to students who fulfill such requirements which have been promulgated by the faculty pursuant to Section 5111. No suggestion has been made that the faculty has any such authority with respect to honorary degrees.

covered by a group life insurance policy which extended coverage to "directors." The court reasoned that the honorary director had not been elected by the stockholders, but rather served on the board as "a gracious gesture on the part of his colleagues" Id. at 213.

Similarly, in Foxgord v. Hirschmoeller, 820 F.2d 1030 (9th Cir.), cert. den., 484 U.S. 986 (1987), it was held that "consul" and "honorary consul" are not synonymous for purposes of a federal statute granting federal courts exclusive jurisdiction over actions against "consuls or vice consuls of foreign states" See 28 U.S.C. §1351(1). The court observed that consul and honorary consul possess significantly different qualifications and privileges in the international community. Citing other federal statutes, the court added that "Congress is cognizant of the significance of labeling a position 'honorary'." Id. at 1035 (citing 12 U.S.C. §§1464(d)(15), 1730(r)(4), 3201(4) (1982) (referring to an "honorary director"); 36 U.S.C. §343 (1982) (referring to an "honorary president")). The Delaware General Assembly has recognized a similar distinction in other contexts. See 29 Del.C. §3901 (providing that the Governor shall be an "honorary" nonvoting member of the Committee on Interstate Cooperation).


In our opinion, all these factors dictate that a degree designated as "honorary" should not be viewed as synonymous with an earned academic degree. Construing the University Charter

with this distinction in mind leads to the conclusion, that the authority conferred upon the faculty in Section 5111 relates to degrees earned by students completing a required course of study rather than to honorary degrees. The Charter vests certain powers in the faculty (subject to the Bylaws) over the administration of the student body in academic and educational affairs. See 8 Del.C. §5111. The conferring of honorary degrees, not being related to this function, falls outside the faculty's specified powers, and, more appropriately, is a function of the policy-making body of the University, the Board of Trustees. See 8 Del.C. §5106. Accordingly, the authority to confer honorary degrees should rest with the Board of Trustees. Accord Handbook of College and University Administration: Academic, at 2-214.

In conclusion, we believe that Section IV-G is consistent with the University Charter since, in our view, the term "degrees" in Section 5111 refers to academic degrees and not honorary degrees. Thus, the Board of Trustees validly exercised its power to make bylaws when it amended Section IV-G, and the amended bylaw does not abridge a right granted by the Charter to the faculty. It is our opinion, therefore, that the Bylaw is valid and the Board of Trustees may properly confer honorary degrees without obtaining faculty approval.

Very truly yours,

POTTER ANDERSON & CORROON


-11-

April 19, 1990

Report of the Faculty Senate Committee on Research on the Issue of the University of Delaware's Relationship with the Pioneer Fund

Abstract

The University of Delaware should neither seek nor accept any further financial support from the Pioneer Fund as long as the Fund remains committed to the intent of its original charter and to a pattern of activities incompatible with the University's mission. The President of the Pioneer Fund has explicitly asserted his belief that the Fund should continue to be guided by the intentions of its founders. A preponderant portion of the activities supported by the Fund either seek to demonstrate or start from the assumption that there are fundamental hereditary differences among people of different racial and cultural backgrounds, and the procedures of the Pioneer Fund offer no assurances that financial support is extended without prejudice and according to academic merit. Academic freedom does not require that the University approve and forward every application for external funding generated by members of the faculty. The University has a right to set its own priorities for support of scholarly activity. The University's commitment to racial and cultural diversity is an essential part of, not a rival principle in conflict with, the University's commitment to the right of all people to participate in an environment of free and open inquiry.

Report

On November 22, 1989 President Trabant asked the Faculty Senate Committee on Research to consider several questions concerning the University's receipt of money from the Pioneer Fund. The Committee has met many times over the intervening months to consider the complex and important issues, has solicited and received information and opinions from many individuals and organizations inside and outside the University, and has held a series of meetings with people involved or particularly interested in the matter. The Committee has reached the following conclusion:

The University of Delaware should neither seek nor accept any further financial support from the Pioneer Fund as long as the Fund remains committed to the intent of its original charter and to a pattern of activities incompatible with the University's mission.

The background and reasoning for this conclusion and for the Committee's recommendations are discussed under three headings:

- Academic freedom and support of faculty research through the University
- The University's commitment to support racial and cultural diversity
- The relationship of the Pioneer Fund to the University of Delaware

Before turning to these three central topics, as a preamble, the Committee wishes to make clear that Professor Linda Gottfredson, the principal investigator and recipient of Pioneer Fund support through the University, has not been the focus of this investigation. The University has established procedures for periodic peer review of the scholarship and other activities of its faculty, and this Committee would reject any charge to conduct an ad hoc inquiry into a faculty member's work. That work enjoys the full protection of academic freedom extended to all faculty members of this University. Furthermore, the Committee's review revealed that the principal investigator complied with University procedures and policies, and obtained the signatures and the approval of the department chair, of the college dean, of the University Provost and other relevant University officials. In the application for funding the principal investigator described the nature of the proposed work, and upon receipt of support fulfilled the funding requirements. The work performed under the grant, whether research or service activities, is not at issue. With this essential point having been stated we can turn to the three major areas considered by the Committee in formulating its recommendations.

Academic Freedom

Academic freedom does not require that the University endorse and forward every application for external funding generated by members of the faculty. The University has a right to set its own priorities for support of scholarly activity.

In his letter charging the Faculty Senate Committee on Research President Trabant asked that we "recognize the fundamental right of a faculty member to pursue research in a field of the faculty member's choice, even if that research is unpopular." Some who have written to the Committee have perceived a threat to academic freedom. In considering the questions raised in relation to the Pioneer Fund the Committee has never directed its attention to the content or method of any faculty member's research or teaching, and would oppose any attempt to restrict a colleague's rights in these protected areas.

It is important to distinguish between a faculty member's right to pursue research and a faculty member's privilege to seek funding for that research through the University. Some have asserted an absolute right to

seek funding through the University from any source whatsoever. The Committee has found no basis for such an assertion in academic practice or in law. Many universities recognize, as does the University of Delaware (see the Faculty Handbook III-B-1), "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, . . . [and the] full freedom in research and in the publication of results . . . [and] in the classroom in discussing his or her subject."

The argument that the ability to pursue research is made meaningless if the financial support to do that research is denied deserves serious consideration. However, it is by no means an obvious and necessary corollary of academic freedom that the University must endorse and support that research. In fact, under current practice several policies already in effect at the University of Delaware restrict a faculty member's ability to secure funding in some circumstances. For example, for more than fifteen years University policy has prohibited the acceptance of funds to do classified research, on the grounds that such research is incompatible with the University's mission to pursue free and open inquiry. Also for a number of years it has been University policy that faculty "may not accept gifts, grants, or research contracts from private firms in which they have an equity interest," on the grounds of conflict of interest.

Therefore the University's right to restrict possible funding sources is already established. It is essential that such restrictions be applied in a fair, reasoned, and consistent manner. Members of the faculty must also recognize the University's right to establish its own priorities, interests and commitments. The fact that a faculty member may have the good fortune to find a donor willing to establish at the University a research center or program does not obligate the University to accept such a grant or establish such a center. Without such a right of refusal the University would have no control over its own destiny. The question before this Committee is whether the Pioneer Fund is a potential funding source to which faculty members may not apply under University auspices, and upon what grounds such proscription may be founded.

Racial and Cultural Diversity

The University's commitment to racial and cultural diversity is an essential part of, not a rival principle in conflict with, the University's commitment to the right of all people to participate in an environment of free and open inquiry.

The charge to the President's Commission to Promote Racial and Cultural Diversity reads in part: "The University of Delaware is committed to creating an educational community that is intellectually, culturally and socially diverse, enriched by the contributions and full participation of people from different backgrounds. Towards that end, the University is further committed to . . . creating a climate that

expects and encourages all members of the University community to respect and appreciate individual and cultural differences, promoting equity for people of different backgrounds throughout all areas of University life." This is a special commitment by the University, reflecting its effort to redress the results of generations of cultural, gender and especially racial discrimination. If the University decides that it does not wish to seek or accept financial support from organizations opposed to its policy on and commitment to racial and cultural diversity, no general precedent applicable to other potentially controversial issues is established.

It has been suggested to the Committee that although the University's commitment to racial and cultural diversity is important, the University has a more fundamental commitment to free and open inquiry, which constitutes a higher value to which the commitment to diversity must yield in the event of conflict. This contention fails for two reasons. First, as has already been stated, the refusal by the University to seek financial support from a particular source does not in and of itself deny free and open inquiry. Second, this contention fails to recognize that the University's commitment to racial and cultural diversity is intended precisely to allow access to free and open inquiry for all persons of whatever racial or cultural background. If the University agrees to act in partnership with any organization committed to the proposition that people of different racial and cultural backgrounds are inherently unequal, then that partnership restricts the ability of individuals from all backgrounds to be treated as fully equal participants in the University community.

The Relationship of the Pioneer Fund to the University of Delaware

The Committee's conclusions concerning the Pioneer Fund are based upon the materials provided by the Pioneer Fund and by other individuals and organizations. Of central importance are the current charter, procedures, and activities of the Pioneer Fund, and the statements and activities directly attributable to the Pioneer Fund and organizations to which it has extended financial support. Is the Pioneer Fund committed to views and activities incompatible with the University of Delaware's mission to promote free and unbiased inquiry and its commitment to racial and cultural diversity? In addressing this question the Committee considered the Pioneer Fund's charter, its pattern of funding activities, and its procedures.

1) Charter

While two words of the Pioneer Fund's 1937 charter were altered in 1985, the Fund's activities continue to be consistent with the original intent of that charter, and the President of the Fund has explicitly asserted his belief that the Fund should continue to be guided by the intentions of its founders.

The Pioneer Fund was founded in 1937, and its original charter dates from that year. The charter was amended in 1985 through the deletion of

one word and the addition of one other. The charter has two operating clauses describing the proposed activities of the organization. These must be quoted at some length, with the deletion and addition indicated in brackets. The charter states that the Fund was established as follows:

A. To provide or aid in providing for the education of children of parents deemed to have such qualities and traits of character as to make such parents of unusual value as citizens, and, in the case of children of such parents whose means are inadequate therefore, to provide financial aid for the support, training, and start in life of such children. The children selected for such aid shall be children of parents who are citizens of the United States, and in selecting such children, unless the directors deem it inadvisable, consideration shall be especially given to children who are deemed to be descended predominantly from white [in 1985 "white" was deleted] persons who settled in the original thirteen states prior to the adoption of the constitution of the United States and/or from related stocks. . . . B. To conduct or aid in conducting study and research into the problems of heredity and eugenics in the human race generally and such study and such research in respect to animals and plants as may throw light upon heredity in man, and to conduct or aid in conducting research and study into the problems of [in 1985 "human" was added] race betterment with special reference to the people of the United States, and for the advance of knowledge and the dissemination of information with respect to any studies so made or in general with respect to heredity and eugenics.

The 1937 Pioneer Fund charter was explicitly a "for whites only" document. In both oral and written communications to the Committee Mr. Harry Weyher, President of the Pioneer Fund, has indicated that such a "whites only" policy was common in 1937, and indeed observed that the University of Delaware was at that time a racially segregated "for whites only" institution. Yet it must be recognized that the University has made great efforts to change. Years ago the University was desegregated. An affirmative action policy has been established. The President's Commission to Promote Racial and Cultural Diversity was established to redress the University's earlier failure to allow individuals of all ethnic, racial and cultural backgrounds to participate in University life.

Has the Pioneer Fund also changed? The Pioneer Fund has not repudiated the original intent of its charter, which discriminates against people who were not "white" descendants of settlers of the original thirteen states prior to 1776. The deletion of the word "white" in 1985, thirty-one years after Brown v. Board of Education, twenty-one years after the Civil Rights Act of 1964, occurred only when the Pioneer Fund came under public criticism. According to Mr. Weyher the change was made "because of the fact that Mehler and these other people have been making tabloid newspaper stories." When asked during his March 20 meeting with the Committee to comment upon the University of Delaware

having dramatically changed in its attitudes to racial and cultural diversity since 1937 while the Pioneer Fund appeared to have changed very little, Mr. Weyher responded "I didn't think it was up to me to try to change a thing like that [i.e. the organization's charter] that somebody else had written and they had put their money in it. I don't believe in changing somebody else's objectives or somebody else's targets if he is the one who paid for the whole thing."

It is the view of the President of the Pioneer Fund, who has been a director of the Fund since 1958, that the Fund still respects the objectives and intentions of the original 1937 charter. In response to several separate questions Mr. Weyher repeated this sentiment in different forms. The Pioneer Fund as a private organization has a right to maintain such views, and the First Amendment protects the Fund's right to hold and broadcast such views. The University of Delaware has an obligation to recognize that such views are clearly and unambiguously in conflict with the University's commitment to racial and cultural diversity.

2) Pattern of Funding

A substantial, even a preponderant portion of the activities supported by the Pioneer Fund either seek to demonstrate or start from the assumption that there are fundamental hereditary differences among people of different racial and cultural backgrounds. On the basis of this premise the Fund seeks to influence public policy according to a eugenic program.

According to its charter, the Pioneer Fund supports research and the dissemination of information with reference to "the problems of heredity and eugenics in the human race." According to its description of its own activities dated November 1, 1989, the Pioneer Fund makes grants in a number of areas. Specifically mentioned are projects involving the study of twins, human abilities and disabilities, and genetic diseases. For the latter category a detailed list of "Some Diseases Studied under Pioneer Fund Grants" was provided, listing AIDS, heart disease, hemophilia, nutritional deficiencies [and their] impact on intelligence, periodontal disease, pregnancy problems, psychoses, schizophrenia, sickle cell anemia, Tay-Sacks disease and Tourette's syndrome. This list is presented as if to suggest a sympathetic response to diseases that exclusively or predominantly affect a wide range of racial and ethnic groups. Such suggested balance of activities is in fact seriously misleading when the amounts and numbers of the grants involved are considered. Since 1982, the first year for which the Pioneer Fund made its list of grants available, only one of the organizations involved with study or treatment of the diseases associated with ethnic communities which the Pioneer Fund states it has supported, the Tay-Sacks Prevention Program of the Shriver Center for Mental Retardation, has received any financial support, and that support was one single grant for the sum of \$1,000, in 1984.

Over the last five years the Pioneer Fund made an average of eighteen grants per year, grants averaging \$38,642 over that period. As the figures themselves show, and as Mr. Weyher stated in his meeting with the Committee, it is the Pioneer Fund's common practice to make repeated grants to the same organizations. Between 1985 and 1989 the following organizations received Pioneer Fund support as indicated:

University of Minnesota - 3 grants totalling \$332,000

Institute for the Study of Educational Differences - 6 grants totalling \$337,500

Foundation for American Immigration Reform - 8 grants totalling \$295,000

Institute for the Study of Man - 5 grants totalling \$132,300

Coalition for Freedom - 3 grants for \$130,000

Johns Hopkins University - 2 grants for \$124,000

American Immigration Control Reform - 3 grants totalling \$80,000

Foundation for Human Understanding - 3 grants totalling \$25,000

Most of these activities supported by the Pioneer Fund have to do with racial and ethnic differences as a function of heredity and eugenics, and had the purpose of shaping public policy. Some examples of activities undertaken by recent and current recipients of Pioneer Fund support need to be cited, only a few among many others that have been brought to the Committee's attention.

Research, publications and distribution of materials supported by the Pioneer Fund include the work of Arthur Jensen, who has argued repeatedly for the existence of what he calls a "g factor," which is an inherited "general intelligence" that he finds to be eighteen percent lower in blacks than in whites.

Drawing upon Jensen's arguments, J. Philippe Rushton, recipient through the University of Western Ontario of grants from the Pioneer Fund totalling \$206,550 since 1984, has, according to extensive quotations from a 1988 article supplied to the Committee, found hereditary racial correlations not only in intelligence but also in such factors as sexual restraint, personality, and social organizations, "all of which show whites between Orientals and blacks. The efficient unit of analysis, therefore, is the higher order concept of race, within which cluster the different ethnic groups and, ultimately, individuals."

Robert Gordon, recipient of Pioneer Fund support through the Johns Hopkins University, has extended the analysis of hereditary racial

differences in intelligence into the area of crime: "the consequences of differences in g can be quite pervasive; crime, after all, often represents a kind of occupation."

Two of the largest recipients of Pioneer Fund support are the Foundation for American Immigration Reform (FAIR), and American Immigration Control Foundation (AICF), both of which focus their attention upon immigration questions, especially focusing upon illegal immigration. Grants made to these organizations since 1985 have been described by the Pioneer Fund as being in support of "study of various illegal immigration problems," "purchase of computer system," and "printing and distribution of monographs on population questions." When asked to explain how these activities related to the Pioneer Fund's charter, which calls for support of "study and research into the problems of heredity and genetics in the human race," Mr. Weyher stated that this is "because illegal immigrants are a big part of our demography in this country, the demographics of the country now have to include about six million illegal Hispanics." When questioned further, Mr. Weyher characterized these major Pioneer Fund activities as related to the study of eugenics.

In January 1982 the Foundation for Human Understanding, recipient of Pioneer Fund grants totalling \$81,000 since 1982, placed an advertisement in The Citizen for a book by John R. Baker entitled Race. The text of the advertisement reads in part: "For almost half a century, largely because of the negative reaction to Hitlerism, the West has paid so little attention to the all-important science of race that the man in the street has had to become his own physical anthropologist, has had to devise his own ad hoc system of racial identification. Now, in layman's language, Dr. John R. Baker puts us straight on race. . . . How to tell a Nordic from an Alpine, an Alpine from a Mediterranean, a Jew from a Gentile? How does one race compare with another in intelligence, work concentration, inventiveness, stamina? Which of the various racial traits, both physical and mental, are inherited, and which are not? . . . History depends to a great extent on race . . . [and] surely it is time to have a book that may well provide the master key."

3) Procedures

The procedures of the Pioneer Fund offer no assurances that financial support is extended without prejudice and according to academic merit.

The procedures of the Pioneer Fund in making grants and administering financial support are not in and of themselves either singly or even taken all together sufficient grounds for the University to refuse to accept funds from that organization. On the other hand it must be recognized that these procedures are unusual for such a large organization, now making annual disbursements in excess of one-half million dollars, and that these unusual procedures certainly raise questions concerning the openness and impartiality of the Pioneer Fund.

The Pioneer Fund claims that it is careful to exert no control over the outcome of activities that it supports, yet its procedures assure that only applicants introduced to the organization by previous grantees are likely to seek and secure financial support. Procedures such as peer review and outside expert evaluation are employed by large organizations that exist to support research precisely so as to assure that financial support is extended without manipulation or prejudice and according to academic merit. The procedures of the Pioneer Fund offer no such assurances.

Application Review Procedures.

According to the most recent tax return made available to us by the Pioneer Fund, for the year 1987, the Pioneer Fund had assets whose fair market value was assessed at \$5,757,522, and disbursed \$739,776 in grants to various organizations. The Pioneer Fund distributes no descriptive brochures, advertisements or other materials that might bring the Fund to the attention of scholars working in the field of its interest or to encourage applications. There is no application form for grant proposals made to the Pioneer Fund. The applicant simply writes a brief letter to the Fund, one copy, at any time of the year, and the five-member Board considers it, sometimes rendering a decision in only one day, according to Mr. Weyher. There is no provision for peer review, and none whatsoever for independent scholarly assessment. The members of the Board are at the present time an investment banker, two engineers, and two attorneys. When asked to name some individuals contacted for expert advice on matters of scholarship, Mr. Weyher named two of the largest recipients of Pioneer Fund support. The Fund requires no interim or final reports from its grantees, and does not ask for copies of work carried out with its support.

Acknowledgement of Funding.

The Pioneer Fund does not ask for acknowledgement of its financial support in published materials or in any other form, and most recipients of Pioneer Fund support do not acknowledge that support.

In fact none of the materials prepared or distributed at the University of Delaware mentions in any way that all direct costs or indeed any costs were borne by the Pioneer Fund. According to Mr. Weyher, although the Fund neither encourages nor discourages acknowledgement, no more than 10-20% of its grantees acknowledge the Fund's support. It is difficult to understand how such a pattern of non-acknowledgement, a clear deviation from normal academic expectations and practice, and also an action running against a scholar's normal pride in the receipt of financial support for his or her work, could be purely coincidental. Such an unusual pattern on the part of grantees also seems at variance with the Pioneer Fund's repeated insistence that its unusually unstructured procedures are designed to maintain distance between the Fund and its grantees so as "to insure the impartiality of the research." Indeed, the pattern of non-acknowledgement of Pioneer Fund support characteristic of the Fund's grantees has the further effect

that when materials are distributed under grants made by the Pioneer Fund, the impression is created that the activity is being carried on by the University acting alone, since the materials bear the University's coat of arms but make no mention of the Pioneer Fund. Such an impression is misleading.

As a matter of policy the Pioneer Fund will not make grants to individuals but only to universities and other organizations.

According to Mr. Weyher this restriction is self-imposed, and if it wished to do so, the Fund could prepare documents that would enable it to make grants directly to individuals. Thus if the University decides not to allow application to the Pioneer Fund under its auspices, such a decision amounts to a total denial of access to the Fund for members of its faculty only because of the Pioneer Fund's own restrictions, not because of the University's actions. In any event, a faculty member may seek permission to establish a center or program independently of the University, subject to the restriction that University commitments to research, teaching, and service continue to be met, and could seek financial support from the Pioneer Fund through that program without directly involving the University. The restriction imposed by the Pioneer Fund upon its grantees has the effect of funneling funding through the University. In this way the University of Delaware lends its prestige and credibility, and is made to appear to have supported the Pioneer Fund's activities. The name of the University of Delaware is also added to the list of Pioneer Fund grant recipients, a list distributed to grantees as an indication that the Fund is a legitimate research organization that does business with prestigious institutions, without mentioning that its programs are operated by individual faculty members, usually only one faculty member.

Requirement of University Support.

The Pioneer Fund declines to pay indirect costs of grants made to organizations, indirect costs calculated at the University at the rate of approximately 30%. As a result, the total of \$174,000 given to the University in three gifts made in 1988 and 1989 by the Pioneer Fund has been matched by \$52,200 in involuntary University of Delaware contributions.

The Pioneer Fund is not by any means the only organization that refuses to pay indirect costs, and such a practice is certainly not in itself grounds for refusing to accept outside financial support. The University can and sometimes does waive the payment of such indirect costs. Surely, however, no one can maintain that the University must assume any or all of the indirect costs of any grant for which a faculty member wishes to apply, and is prohibited by the doctrine of academic freedom from deciding that it wishes to allocate its limited resources in a different way. Faculty members might wish to have the right to compel the University to make matching grants, but no one would seriously claim to have such a right. Indirect costs which support the provision of

facilities are real costs, and must be borne by the University if an outside agency declines to pay. The assumption of such costs can be avoided if the agency makes its grants directly to the individual applicant. The fact that a funding agency or organization declines to make a grant to an individual and also declines to assume the indirect costs incurred by the institution through which the individual receives the grant does not create an institutional obligation to assume the indirect costs of the grant.

Conclusion

The evidence of its charter, its procedures and its pattern of funding indicate to the committee that the Pioneer Fund is committed to the proposition that people of different ethnic and cultural backgrounds are on the basis of their heredity inherently unequal and can never be expected to behave or perform equally. According to this view, which the activities supported by the Fund propagate, affirmative action plans are unjust and doomed to failure, and should be abandoned. The University of Delaware's express commitment to the equal treatment and consideration due to people of whatsoever ethnic and cultural background, and its commitment to affirmative action policies, is in sharp conflict with the position embraced and supported by the Pioneer Fund. Certainly the University should not prohibit faculty from conducting research related to questions of race, or seek to prevent individual faculty members from seeking outside financial support for their research. However, the University has the right and the obligation to insure that its commitment as an institution to multi-cultural and multi-racial diversity is put into action as well as words. Application to a funding organization under University auspices and through University procedures, and the administration of received funds through University offices, involve the University as a partner with the external funding agency, and the University has a right to decide against undertaking such a partnership.

The University of Delaware should neither seek nor accept any further financial support from the Pioneer Fund as long as the Fund remains committed to the intent of its original charter and to a pattern of activities incompatible with the University's mission. It was a mistake for the University to have solicited financial support from the Pioneer Fund on three occasions in the past. We accept that those officials of the University who allowed the application to be signed and sent forward did so with limited knowledge of the Pioneer Fund. We see no need for the establishment of any new form of research-funding oversight process designed to determine in advance whether outside funding sources to be solicited by the University are incompatible with the University's mission. We urge that University officials who review applications for external funding be reminded of their responsibility to consider the compatibility of applications and funding sources with the University mission.

It would be improper at this time for the University to seek in any way to prevent the completion of the activities for which financial support from the Pioneer Fund has already been received. No good end would be served by stripping funds from the University's other programs in order to return money to the Pioneer Fund for eventual redistribution to other organizations that it chooses to support. The university made a mistake in seeking financial support from the Pioneer Fund, but a mistake cannot be undone. The challenge before us as individuals and as a University is to recognize the error, to acknowledge that error clearly and forthrightly, to convey our regrets to those who may have been hurt, and then to act more wisely in the future, building an academic environment in which all individuals of whatsoever ethnic or cultural background are encouraged and expected to participate equally in the free and open inquiry that is the fundamental reason for the University's existence.

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