

REGULAR MEETING OF THE UNIVERSITY FACULTY SENATE

November 2, 1970

MINUTES

The meeting was called to order at 4:13 p.m. by President Olson. Those senators not in attendance were:

Irma Ayers	Morton M. Denn	Franklin P. Kilpatrick
Dale F. Bray	Lynn M. Doherty	Peter W. Rees
C. Harold Brown	James B. Heck	John W. Shirley
Elizabeth D. Cloud	Robert Hogenson	Edward A. Trabant
T. Allan Comp	Joseph W. Hunt	

I. ADOPTION OF THE AGENDA

The Bonner resolution was added to the agenda under New Business on a motion by Mr. Schweizer, seconded by Mr. Glenn. The agenda was adopted as amended.

II. NEW BUSINESS

A. Salsbury Resolution re Librarian

Mr. Salsbury presented the following, seconded by Mr. Schweizer:

RESOLVED, That the Librarian henceforth be made an ex-officio member of the University Senate. That as such he be entitled to all rights and privileges of membership in the Senate, except the privilege of voting. Specifically, that the Librarian be carried on the Senate rolls; that he receive all mailings going to Senate members; that he be enabled to speak from the floor as any other senator; and that he have the privilege to propose resolutions, measures, etc., and that he can make motions and amendments from the floor in accord with the rules of the Senate.

Mr. Salsbury spoke in favor of his resolution, and after some additional debate, a motion was made by Mr. Wriston, seconded by Mr. Osborne, to refer the Salsbury resolution to the Rules Committee. The Wriston motion passed by voice vote.

B. Report from the Ad Hoc Committee on Alcohol

Mr. Harward indicated that a specific proposal from his committee would be submitted shortly. At this time he would like to request the Senate to give his committee permission to hold open hearings on Alcoholic Beverages policy in December. Motion by Mr. Harward, seconded by Mr. Crawford: RESOLVED, That the University Faculty Senate give permission to the Ad Hoc Committee on Alcoholic Beverages to hold open hearings on Alcoholic Beverages policy in December. Question was called and passed by voice vote. Harward resolution passed voice vote.

C. Bonner Motion on University Retirement Program

This motion, indicated in the minutes of October 26, was introduced to the floor of the Senate on a motion by Mr. Bonner, seconded by Mr. Glenn. Motion by Mr. Weil, second Mr. Bonner, to amend the motion to read "Committee

on Committees" in place of "President of the University Senate, etc." Mr. Williams gave some of the history of the University's participation in the State retirement plan. Question was called on the Weil amendment by Mr. Crawford, seconded by Mr. Glenn, passed 41 ayes, 12 nays. Weil amendment passed by voice vote. Bonner motion passed voice vote.

III. UNFINISHED BUSINESS

A. Committee on Committees Report, continued

1. Committee on Graduate Studies. Change in wording in paragraph 2: add the words "recommended by college committee" after the word "courses." This change in wording was approved by voice vote.
2. Coordinating Committee on Academic Services. Motion by Mr. Salsbury, second Mr. Lippert, to abolish Coordinating Committee on Academic Services. After some debate, the previous question was moved by Mr. Weil, seconded by Mr. Anapol, passed voice vote. Salsbury motion failed 13 ayes, 32 nays. Motion by Mr. Krum, seconded by Mr. Williams, to delete the words "the directors of the individual services" and add the words "three other faculty members." Amendment to Krum motion by Mr. Salsbury, seconded by Mr. Zsoldos, to make the Krum motion read "six faculty members" rather than "three." Question was called on Salsbury amendment and passed voice vote. Salsbury amendment was defeated by voice vote. Amendment by Mr. Soles, seconded by Mr. Osborne: After the word "members" also add "and one undergraduate student appointed by the SGA Senate, and one graduate student appointed by the GSA." Soles amendment passed voice vote. The Krum motion was passed by a count of 34 ayes, 7 nays. Mr. Soles made a suggestion to strike the number 5 from in front of the Coordinating Committee on Academic Services and assign the numbers 5, 6, and 7 to the lettered committees. Question was called by Mr. Lippert and passed voice vote. Soles suggestion was defeated.

The meeting adjourned at 5:30 p.m.

Respectfully submitted,

Henry B. Tingey, Secretary

HBT:psb

REPORT FROM THE FPPC TO THE SENATE IN RESPONSE TO THE BONNER RESOLUTION,
HAVING TO DO WITH OUR INVOLVEMENT IN THE NEW PENSION ARRANGEMENTS

In the fall of 1969, the FPPC on its own initiative listed several objectives in the area of fringe benefits: (a) disability insurance, (b) increased term insurance, and (c) certain improvements in the TIAA plan (increased University contribution; lowering the age of participation; inclusion of income outside the contract stipend, etc.)

We opened discussion with the Administration about the first two items, and as you know, these were added to the fringe benefit package this year, as elements of the TIAA program. The University also improved the major medical coverage without urging from us.

With respect to changes in the basic TIAA retirement plan, we were made aware of several facts: (1) The Governor's Pension Study Committee had recommended certain changes to the Governor in January, 1969. (2) Draft legislation to incorporate these recommendations into law were being prepared, with the help of a consultant firm, in the 1969-70 academic year. (3) The University's contribution to TIAA was being paid out of endowment income, and was consuming an increasing portion of that money; the Trustees were anxious to have the State assume this as part of the normal cost of operation of the University. (4) The legislature was thought to be receptive to this but would not be likely to make contributions to two plans for University faculty people. (In the event, the State is picking up two-thirds of the University's contribution, not the whole 7.5 percent.) (5) This committee at an earlier time had approved in principle the idea that TIAA, with its immediate vesting, greater flexibility, etc., was more likely to be a satisfactory plan than the State plan, if a choice between the two had to be made. (6) It should also be noted that in 1966, when the State plan was last modified and University faculty were required for the first time to contribute (5 percent of the second \$6,000), there was vigorous objection from many faculty, especially the younger ones, to contributing to two plans. The objections were several: (a) high cost to young faculty, (b) no vesting at all (at that time); (c) no interest on your own contribution if you should move and need to withdraw it. The University at that time sought an exemption for the University faculty, unsuccessfully. (7) Most of the members of the FPPC met with Mr. Mackin, the representative of the consultant firm, in January 1970 at the invitation of Mr. Dan Wood. We met with him alone, and had ample opportunity to ask any questions we wanted to. We subsequently received from Mr. Mackin a copy of the proposed legislation and a summary of the provisions, and without going through it line by line, these seem to be the same as the present legislation, enacted this past June. (8) In conversation with the Administration about the effect of the change on faculty retirement benefits, it was agreed that it would be desirable to avoid making anybody appreciably worse off in terms of fringe benefits than he had been before. It seemed likely that one group in particular, namely, those with more than five years of service but less than 15 or so, might be made worse off in consequence of the change being considered. It was informally suggested to us that the University's contribution to TIAA in the future might be increased, so as to compensate for any of these difficulties. (9) We were also invited to give our opinion on priorities with respect to immediate improvement in the TIAA plan. The three possibilities discussed were: (a) lowering the age of participation,

(b) increasing the number of persons covered by the plan by including an unspecified number of professional staff members who do not hold faculty appointments, (c) improving the plan in general, either by increasing the University's contribution or by including certain income now covered (for example, Extension teaching, Summer School teaching). A subcommittee of the FPPC ranked these in the order given, that is, (a), (b), and then (c), but it should be noted that this was not discussed or voted on by the whole committee.

Minutes of November 2, 1970
(Levin)

Keep with Ad Hoc
Nov. 2 Minutes - don't distribute to Faculty.

November 30, 1970

As someone concerned with the student life at the University of Delaware, you are invited to attend open hearings on the substance of the enclosed document. The hearings will be held from 3 to 5 P.M., Sunday, December 13, 1970, in the Rodney Room of the Student Center. The attached document is a working draft of a policy statement to be submitted to the University Senate. The draft is the product of a group of students, faculty and administrators meeting since July of 1970. We thank you in advance for your cooperation and advice on these matters.

* *Bindable copy with
agenda for 2/11/71 meeting
dated January 22, 1971*

Cordially,

Ad Hoc Committee of the Senate
re. Alcoholic Beverage Policy

PROPOSAL
FOR THE REVISION OF
UNIVERSITY POLICY
CONCERNING ALCOHOLIC BEVERAGES

This proposal is submitted for review by the University Senate and by the Board of Trustees of the University of Delaware.

The policy shall read as follows:

"UNAUTHORIZED POSSESSION, USE, OR DISTRIBUTION OF ALCOHOLIC BEVERAGES ON OR IN UNIVERSITY PROPERTY IS FORBIDDEN. University policy, consistent with state, county and city laws, restricts on-campus use of alcoholic beverages in specified areas."

The new policy would generate the following general changes:

1. "Unauthorized" use will involve:
 - a. possession, use, or distribution in "restricted areas" of the campus; and/or
 - b. illegal possession, use, or distribution under the provisions of state, county and city law.
2. *The University reminds all members of the University Community that violators of state, county and city ordinances regarding the consumption, sale, possession or manufacture of alcoholic beverages are subject to legal action. (See attachment)*
3. Student violations of University restrictions will be referred to the University Judicial system.

Implementation of the policy would be in accord with the following statements:

I. Group Social Activities: Off Campus

The University accepts no responsibility for the use or distribution of alcoholic beverages at off-campus social functions sponsored by University-related organizations.

All persons planning or attending such an off-campus activity should be aware of the alcoholic beverage laws (state and county and city) which apply to its particular nature and location. Each person participating in the activity assumes responsibility for his own actions.

Violations of pertinent alcoholic beverage laws will be handled by law enforcement authorities having jurisdiction over the specific location where the event is being held.

II. Group Social Activities: On Campus

Social functions sponsored by recognized University organizations shall have the opportunity to serve alcoholic beverages. It is only

appropriate to permit such functions in residence hall lounges and other approved University locations for those of legal age. The procedures listed below must be followed to obtain the use of University facilities for organizational functions:

A. Group Social Activities Sponsored by University Student Organizations

1. Functions sponsored by recognized University Student organizations at which alcoholic beverages are to be served must be registered. Such functions must be limited in attendance to members of the organization and their invited guests.
 - a. Functions held in campus locations other than residence hall lounges must be registered. Registration must be made with the appropriate office in accordance with these guidelines (to be amended as required).
 1. Director of Student Center for Student Center Room
 2. Director of Conference for University extension areas.
 - b. Functions held in residence hall lounges must be registered with the director of the dormitory upon approval of the particular hall council.
2. The sponsoring organization must:
 - a. Be in good standing as a sponsoring organization; i.e., they must be free of censure or restriction imposed by a University Judicial System which would prohibit that organization from sponsoring said functions;
 - b. Designate an officer(s) who will be in attendance at the function, who will assume responsibility for the behavior of the participants at the function;
 - c. Ensure that only members and their invited guests are allowed into the function;
 - d. Ensure compliance with all state, county and city alcoholic beverage regulations--copies of these regulations will be furnished to the organizational representative at the time the function is registered;
 - e. Assume responsibility for the payment of the facilities rental charge (where applicable) and other associated costs.

B. Group Social Activities Sponsored by Faculty or Staff

1. Functions sponsored by recognized University faculty, administrative or staff organizations at which alcoholic beverages are to be served must restrict their function to only those

areas and times recognized by the University as appropriate (See Attachment 2). These faculty, administrative or staff organizations must comply with the restrictions (2a-e) noted herein.

C. Functions sponsored by Off Campus Groups in University Facilities

1. Group Social Activities Sponsored by Faculty or Staff at which alcoholic beverages are to be served must restrict their function to only those areas and times recognized by the University as appropriate (See Attachment 2). These off campus groups in University Facilities must comply with the restrictions (2a-e) noted herein.

No function will be permitted unless these procedures are followed. Student Violations of these procedures will be referred to the University Judicial system.

III. Individual Actions: Off Campus

The University accepts no responsibility for the possession, use and/or distribution of alcoholic beverages by individual students at off-campus locations. Violations of state, county and city laws will be handled by appropriate law enforcement authority.

IV. Individual Actions: On Campus

Within the limits of restrictions established by state, county, and city laws, students who are twenty-one years of age, or older, may possess and consume alcoholic beverages on the campus and installations of the University only where explicitly permitted by University regulation.

Policy for Residence Facilities:

1. An important educational goal of residence hall living is to develop a sense of adult responsibility and maturity. Accordingly, persons over twenty-one years of age should be treated as adults in all respects. It seems appropriate, then, to permit students of legal age and their guests of legal age to possess and consume alcoholic beverages on an individual basis in the privacy of their residence hall rooms.

This policy recognizes that the percentage of the University community eligible to consume or possess alcoholic beverages in their residence hall rooms is indeed small. Moreover, because of the physical conditions of a dormitory, the possession and consumption of alcohol in the privacy of a dormitory room shall not infringe upon the privacy and peace of other individuals. Any infringement upon such privacy and peace of an individual inhabitant of the dormitory shall be considered a violation of community behavior and shall be dealt with in the manner prescribed in the appropriate judicial system.

The University wishes to emphasize the strict provisions of the Delaware Code for those who provide alcoholic beverages to minors and

for minors who possess or consume alcoholic beverages. [See Attachment] The University views undignified or unruly behavior associated with the use of alcohol as a serious breach of the expectations of the University community which will not be tolerated. In such cases, the consumption of alcoholic beverages will be considered as aggravating rather than mitigating the situation.

2. The Office of Director of Residence shall provide a procedure for permitting students to elect to live with someone not 21 years of age or older and thereby to live with a student who cannot legally possess or consume alcohol. Moreover, the office of Director of Residence should arrange for those students of legal age who wish to possess and consume alcohol in the privacy of their rooms the opportunity to reside in a dormitory where students living in that dormitory meet the legal requirements for sharing similar preferences. It would then be understood that students who cannot (because they fail to be of legal age) or who do not choose to live in a situation where most of the dormitory inhabitants share similar preferences would be living in areas where the privileges outlined in part IV of this policy would have no application.

3. The Residence Hall Association must establish a procedure whereby individual residence halls shall determine how this policy could be implemented and enforced by their own residence hall. These procedures must be submitted for approval to the Judicial Policy Board.

4. Although fraternal organizations are operated and governed differently than residence halls, the principles outlined above apply equally to these living units. Accordingly, The Central Fraternity Government must establish procedures whereby individual fraternity houses shall determine how they are to implement and enforce this policy. These procedures must be submitted to the Judicial Policy Board for approval.

V. Campus Restrictions

Alcoholic beverages may not be possessed, consumed, manufactured, or distributed in any University facility or property under the jurisdiction of the University unless either the area has been described in this policy or the area is designated by the University, at some future date, as one where alcoholic beverages may be possessed or consumed.

Dr. Gordon Bonner
Mr. Pete DiBona
Dean Raymond Eddy
Dr. D. W. Harward (Chairman)
Mr. Charles Montgomery
Mr. Rick Pack
Dr. Barbara Settles