

UNIVERSITY FACULTY SENATE

DIGEST OF REGULAR MEETING

NOVEMBER 1, 1971

CONVENED: 4:10 PM

ROUTINE PROCEEDINGS: Adoption of the Agenda as distributed.

ANNOUNCEMENTS: President of Senate informed members that President Trabant has indicated he will have an advisory committee for appointments of deans. The Coordinating Committee on Education recommended this procedure to the President.

The President also informed members of the wish of the Judicial Policy Board to amend composition of the Student Court. Amendment can only be made by submitting request to the Senate or general faculty.

Mr. Moszynski, Chairman, Coordinating Committee on Education, read charge from President Trabant to review all academic programs.

BILLS PASSED: S.B. 67 - Committee on Rules - Recommendation that Bylaws and Regulations be revised.

S.B. 68 - Committee on Student Life - Proposed revision of University policy concerning alcoholic beverages.

S.B. 69 - Committee on Committees - Recommendation to change appointments of faculty representation to the Judicial Policy Board, Faculty-Student Appellate Court to take effect on May 1.

BILL REPORTED: S.B. 57 - Committee on Promotions and Tenure - Recommending changes in tenure regulations.

MEETING ADJOURNED: 5:20 PM.

UNIVERSITY OF DELAWARE
NEWARK, DELAWARE
19711

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September 30, 1971

MEMORANDUM TO: Dr. David Ingersoll
Vice President, Faculty Senate

FROM: Frank R. Scarpitti *FR/Scarpitti*
Chairman, Committee on Student Life

SUBJECT: Proposed Revision in the Faculty Senate
Revision of the University Policy
Concerning Alcoholic Beverages

On February 18, 1971 the University Faculty Senate adopted a proposal submitted by an ad hoc committee of the Senate to revise the University policy concerning alcoholic beverages. On April 19, 1971 the Attorney General for the State of Delaware rendered an opinion regarding the applicability of provisions of the Delaware Liquor Control Act and Rules of the Delaware Alcoholic Beverage Control Commission to the policy of the University. A portion of that opinion states the following:

- "2. May the lounge and recreation areas of residence halls and fraternities be used for the keeping of alcoholic liquors or used for parties involving alcoholic liquors without the persons involved first obtaining a license?

It is my opinion that the areas mentioned above are not private residences such as students' rooms and would be subject to whatever laws or rules and regulations of the Commission pertaining to places which do not qualify as private residences. Thus, if a certain type of license is needed to keep or use alcoholic liquor in these areas, it would seem obvious that the Commission would require the obtaining of such a license."

On April 26, 1971 the Vice President for Student Affairs issued a memorandum concerning this policy. Attached to this memorandum is a sheet entitled "Information Pertaining to the Implementation of the University of Delaware Policy concerning student use of alcoholic beverages.." On page 2 of this information sheet a section is devoted to information applicable to Gathering of Persons permits which states:

The landlord of the location (Residence Life Office, Fraternity house corporation, Student Center Director) where the gathering is to occur must also grant permission for alcohol liquor to be served on those premises. (Underlining added).

In view of the Attorney General's opinion and the guidelines established by the Vice President for Student Affairs it would appear appropriate to change the University Faculty Senate policy by adding the following statement to Section II, A, 1:

- b. Functions held by groups in residence hall public areas (lounges, recreation rooms, etc.), which require a "Gathering of persons permit" from the Delaware Alcoholic Beverage Control Commission, must have their permit application signed by the Director of Residence Life or his designee. This signature indicates that the space requested is available and does not imply assumption of responsibility for the function. Prior approval for the function must be granted by the appropriate residence hall council.

By making the above addition to the University Faculty Senate Policy it will bring the policy into line with the Delaware Alcoholic Beverage Control Commission regulations and the guidelines established by the University. Therefore, the Committee on Student Life herewith recommends to the Faculty Senate that the above-stated amendment be adopted by the Senate as quickly as possible.

FRS:rtj
Enc.

PROPOSED CHANGE ON APPOINTMENT OF
FACULTY REPRESENTATION TO
JUDICIAL POLICY BOARD,
FACULTY-STUDENT APPELLATE COURT

Standing Committee System of the Faculty and Its Senate

ADD between paragraphs 4 and 5 under "General Provisions Regarding Committees":

"Exception to these procedures shall be the Judicial Policy Board and Faculty-Student Appellate Court, whose nominations and elections are provided for elsewhere in this document."

REPLACE present "Judicial Policy Board, Faculty-Student Appellate Court" statement on page 17 with the following:

"These bodies shall operate as separately provided for by the faculty under the document Student Judicial System, approved by the faculty on February 9, 1970, and as amended thereafter.

The appointments to the Judicial Policy Board and the Faculty-Student Appellate Court shall be as follows:

Each of the three appointed faculty to the Judicial Policy Board shall serve a three-year term (with initial terms staggered as established by Senate action of 3/16/70). The nominations for this board shall be presented by the Committee on Committees at the regular April meeting of the faculty Senate, with each term beginning May 1, following the April Senate meeting at which they are appointed.

Each of the four faculty appointed to the Faculty-Student Appellate Court shall serve a two-year term (with initial terms staggered as established by Senate action of 3/16/70). The nominations for this court shall be presented by the Committee on Committees at the regular April meeting of the faculty Senate, with each term beginning May 1, following the April Senate meeting at which they are appointed."

Student Judicial System (to conform with these election procedures)

CHANGE Section II-C, page 3, to read:

- "2. Three other faculty members elected or appointed for staggered three-year terms, in accordance with the Faculty By-Laws."
- "7. The Chairman of the Judicial Policy Board shall be elected by the Board at its first meeting, in May, of each year from among the elected or appointed members of the Board."

CHANGE Section III-C, page 7, to read:

- "3. The Court, as annually reconstituted, shall begin its session as of May 1 of each year."

10/7/71

REGULAR MEETING OF THE UNIVERSITY FACULTY SENATE

November 1, 1971

MINUTES

The regular meeting of the University Faculty Senate was called to order at 4:10 PM. Senators not in attendance were:

Michael Barney	James R. Krum	Edward H. Rosenberry
Mary K. Carl	Thomas F. Merrill	Myron Sasser
Raymond N. Carr	John H. Olson	John W. Shirley
William S. Gaither	William Pulliam	Edward A. Trabant
Kathryn R. Hallman	Arlette I. Rasmussen	Peter M. Weil
Joseph W. Hunt, Jr.	Peter W. Rees	Laszlo Zsoldos
Robert J. King	Harry L. Rinker	

Mr. Bonner informed members of the Senate that President Trabant has indicated that he will have an advisory committee for appointments of deans; at present there are three "acting deans." The Coordinating Committee on Education recommended this procedure to the President.

Mr. Bonner was informed that the Judicial Policy Board wished to amend the composition of the Student Court as specified on Page 8, Paragraph C, of the Student Judicial System, approved by the Faculty February 9, 1970. After looking at the document and discussing the situation with the Executive Committee of the Senate, it became obvious that amendment could be made only by submitting a request to the Senate or the general faculty. This conclusion has been forwarded to all interested parties. Mr. Bonner welcomes any Senate comment.

Mr. Moszynski, Chairman, Coordinating Committee on Education, read a letter from President Trabant charging his committee to review all academic programs. Mr. Moszynski has requested an initial group of programs from the Provost Office and from the Dean of Graduate Studies for consideration. It was noted that the Senate could assign other committees to review particular programs. The Senate has the right to instruct committees, and meeting the instructions of the Faculty to a committee of the Senate is a committee's primary duty. A budget for the Coordinating Committee on Education would not be necessary as support has been promised from agencies within the University, i.e., Provost Office, Office of Evaluation and Planning, Office of Admissions, etc. Mr. Bonner reminded the Senate that the Senate is now funded by a Provost Office account but that next year it will have its own budget lines.

OLD BUSINESS:

Mr. Harward, Chairman, Committee on Rules, provided a revision of the committee report noting a few minor changes made to the document of October 4, 1971.

Mr. Baxter, Chairman, Committee on Committees, suggested the following amendment to be added after Paragraph 3 under "M", Responsibilities and Power of Committees.

"While committees are encouraged to consult with administrative officials upon request, they do not thereby speak for the faculty or its senate, unless their charge in the Standing Committee document so specifies. Committees shall ordinarily keep minutes of such consultations, and shall be responsible for timely reporting of their consulting activities to the Senate. Committee reports and papers are confined to routing through the Senate.

"The Senate may choose to allow for a committee to submit a closed report to an administrative official when the need for its confidentiality is acceptable to the Senate."

The amendment was passed by voice vote.

Mr. Moszynski proposed to amend paragraph 5, Section "N" of the document by adding: "Substantive changes in such decisions would be referred back to the colleges in question." The proposed amendment was carried 27/16.

Mr. Halio proposed to amend paragraph 5, Section "N", by deleting the words "through committee" and replacing with "through appropriate channels." The amendment failed on voice vote.

With no further discussion, the Bylaws of the University Senate were unanimously adopted by voice vote. The approved Bylaws are attached.

NEW BUSINESS:

1. Mr. Scarpitti's report on a proposed revision of the University policy concerning alcoholic beverages was approved. This will bring the policy into line with the Delaware Alcoholic Beverage Control Commission regulations and guidelines established by the University. The report was accepted by voice vote.
2. A report from the Committee on Committees recommending changes in appointment of faculty representation to the Judicial Policy Board, Faculty-Student Appellate Court was presented. Mr. Baxter proposed to change dates of faculty representation to allow appointments to take effect on May 1 to coincide with student elections. The proposal passed by voice vote.
3. Mr. Hutchinson will report from the Committee on Promotions and Tenure recommending changes in tenure regulations as the first item of business at the next regular Senate meeting.

The meeting was adjourned at 5:20 PM.

Respectfully submitted,



Donald W. Harward
Secretary

BYLAWS AND REGULATIONS

- A. Quorum - defined in Constitution.
- B. Order of Business - defined in Constitution.
- C. Standing Committees (passed by Senate on December 21, 1970)

There shall be the following standing committees of the Senate:

(STANDING COMMITTEE SYSTEM DOCUMENTS
INCL. JUDICIAL POLICY DOCUMENT)

Committee reports are received (filed by being placed on the agenda.) Following reception, the report may be adopted (endorsed) or recommendations for implementation may be made. Adoption of recommendations for implementation would adhere to prescribed rules of order. (This would include a motion to adopt or implement, cf Robert's Rules of Order, revised 1970, pp 417 and following.)

- D. Changes in Bylaws, Rules and Regulations

The rules and regulations of the Senate, except those found in the Constitution of the University Faculty Senate, may be changed at any regular meeting of the Senate by a two-thirds vote of those present and voting, provided that due notice has been given in the call that the proposed changes in the rules and regulations are to be considered.

- E. Regular Meetings

The Senate shall hold its regular meetings on the first Monday of each month during the academic year. Regular meetings of the Senate shall convene at 4:00 PM unless otherwise designated.

- F. Special Meetings

A special meeting of the Senate may be called by the President of the Senate, the President of the University, or as stipulated in the Constitution.

- G. Summer Meetings

Section IV, Article 6, regarding special meetings covers the summer period.

- H. Procedural Regulations

- 1. Wherever possible, Senate procedures will ascribe to Robert's Rules of Order (Section IV, Article 13).

2. The President of the Senate shall appoint a Parliamentarian whose function will be to advise and assist the President of the Senate with procedural matters. (Selection of the Parliamentarian must accord with the procedures noted on Page 4 of the Committee System Document.)
3. A roll call vote may be requested for any issue. Whether a roll call vote is taken is determined by a majority vote of the present and voting senators.
4. Specific operating procedures regarding debate limitations, order of speakers to be heard, permission of guests to address the Senate, etc. are established by precedent. Should the conditions of precedent not be sufficient for efficiency and fairness in the Senate, the Committee on Rules shall be directed to make specific recommendations as additions to these rules.

I. Rights and Responsibilities of Senators

1. Elected and non-elected senators shall have full privileges of the Senate, including the right to introduce and to second motions and to vote. They are obliged to attend all Senate meetings and to take part in committee work assigned by the chairman.
2. Because of the responsibility attendant upon membership in the Senate, department chairmen shall arrange teaching, research, and extension schedules to permit attendance of senators at regular meetings of the Senate.

J. Election of Senators (in Constitution)

1. In March of each year, the Secretary of the Senate shall inform the Units of the Senate of (i) the names of senators whose terms will expire during the current academic year, and (ii) any changes in apportionment every other year, as stated in the Constitution.
2. The dean or director of each Unit shall provide the Secretary of the Senate with a complete description of the method of election procedures established by the Unit. Any changes shall be reported to the Secretary of the Senate prior to their implementation.
3. Results of elections shall be announced to the members of the Units.
4. Vacancies created in the Senate for any reason whatsoever shall be filled by an election of the faculty involved. A person serving a partial term shall not have that term count against him in subsequent elections to a regular term.

K. Election of Officers of the Senate

In accordance with Section IV, Article 7, of the Constitution, a Nominating Committee consisting of the President of the Senate, the chairman of the Committee on Committees, and two other Senate members selected by the chairman of the Committee on Committees shall provide

for the Senate a slate of nominees at the May meeting. The slate shall have at least one eligible candidate for each office. Nominations to the slate from the floor are permitted. In the event that there are more than two nominees to an office, and if in the balloting no individual clearly receives a majority, the subsequent election will be between the two nominees receiving the highest plurality.

L. Responsibilities and Powers of Officers (in addition to those structured in Article IV of the Constitution)

The President of the Senate shall preside at meetings of the Senate. He shall also serve as chairman and preside at meetings of the Executive Committee (the officers of the Senate).

The President of the Senate may call special meetings of the Senate or of its Executive Committee.

The President of the Senate shall serve as the executive officer of the Senate and shall sign the official copies of all Senate actions. On all matters concerning publication or public explanation of Senate actions, the President of the Senate shall be the spokesman and representative of the Senate.

When the President of the Senate is absent, the Vice-President shall act in his place. The Vice-President of the Senate shall publish the agenda and relevant committee reports at least one week in advance of regular meetings and as early as practicable before special meetings. (Distribution shall be: agenda, including an outline of all proposed actions, to all members of the faculty; full committee reports to all members of the Senate.) The agenda distributed to the General Faculty should be brief, indicating all proposals to be made, and referring to the complete reports in the hands of their senators.

The Secretary shall keep the minutes of the Senate, including the call to meetings, committee reports as adopted, and the record of all business transacted.

M. Responsibilities and Powers of Committees (in addition to those structured in Part C of the Bylaws)

Powers and duties of the standing committees are stipulated by the Senate. In addition to considering matters referred to them by the Senate, standing committees may initiate action on matters clearly within their province and request that they be placed on the agenda of the Senate meeting.

Special committees shall consider matters referred to them by the Senate.

Committee reports to be placed on the Senate agenda must be submitted to the officers of the Senate in advance of the Senate meeting at which consideration of the report is planned, and shall be distributed with the agenda to members of the Senate.

While committees are encouraged to consult with administrative officials upon request, they do not thereby speak for the faculty or its senate, unless their charge in the Standing Committee document so specifies. Committees shall ordinarily keep minutes of such consultations, and shall be responsible for timely reporting of their consulting activities to the Senate. Committee reports and papers are confined to routing through the Senate.

The Senate may choose to allow for a committee to submit a closed report to an administrative official when the need for its confidentiality is acceptable to the Senate.

N. Powers Delegated to the Several Colleges and Divisions

The Bylaws of the Trustees of the University include the following charges to the faculty:

The faculty shall:

1. Formulate rules and regulations for the government and the discipline of the student body.
2. Provide for the establishment of the curricula and courses in the several colleges and divisions.
3. Provide for the establishment of a program of extra-course education for students.
4. Determine educational and academic policies of admissions.
5. Determine the requirements for degrees and recommend candidates for diplomas, degrees, and certificates, which shall be conferred by the President of the University under the authority of the Board of Trustees.
6. Recommend policies concerning awards, prizes, and scholarships.
7. Recommend educational and academic policies relating to the administration of the University Library.
8. Make recommendations for the conduct of formal exercises and public functions held under the auspices of the University.
9. Adopt regulations governing its own procedures with authority to enact, amend, and repeal its bylaws by a two-thirds vote of those present.
10. Determine the duties which it will delegate to faculty committees and to the faculties of the several colleges and divisions of the University.

Section II, Article I of the Constitution of the Faculty of the University of Delaware empowers the University Senate "to determine the duties which it will delegate to faculty committees and to the faculties of the several colleges and divisions of the University."

The University Faculty recognizes the college faculties as the regularly authorized representative agency of each college, having certain delegated functions as follows:

1. To seek the continual improvement of academic programs, standards, and achievements in the college.
2. To take an active role in the guidance, planning and administration of the instructional, research, and service activities of the college.
3. To serve as the official channel for the expression of college faculty opinion.
4. To consider and make recommendations concerning (policies governing) appointments, leaves, sabbaticals, promotions, tenure and dismissal of faculty members.

The adoption of the Constitution by the Faculty indicates that the Faculty has assented to grant the collective powers of the Faculty granted by the Trustee Bylaws to the University Faculty Senate in those periods between the regular Faculty meetings. Therefore, the University Faculty Senate retains for the Faculty ultimate responsibility in the general areas of curriculum, admission, degree requirements, awards, etc. The committee structure of the Senate reflects the retention of the responsibility of the Senate in these areas.

Final, or ultimate, responsibility is not, however, initial responsibility. The burden for curriculum design, admission policies, degree requirements, prizes, awards and ceremonies must remain at the college level. Each college accepts initial responsibility in these areas. Decisions made at the college level would be presented through committee to the University Faculty Senate. Substantive changes in such decisions would be referred back to the colleges in question.

Decisions regarding the selection of official designees or representatives of a college or division of the University at special ceremonies and celebrations shall be made at the college level.

O. Privileges Delegated to the Several Colleges and Divisions

The Bylaws of the Trustees provide that the Faculty shall have the privilege -

1. To make recommendations to the Board of Trustees concerning the establishment of any degree to be awarded or the disestablishment of any degree.
2. To consider matters of general interest to the University and make recommendations thereupon to the President for transmission to the Board of Trustees.
3. To consider and make recommendations for proposed changes in the University organization.

4. To make recommendations to the President, for transmission to the Board of Trustees, concerning the formation of policies governing appointments, promotions, tenure, dismissals, and salaries.
5. To propose to the President, for transmission to the Board of Trustees, upon the concurrence of two-thirds of those present, amendments to these regulations, provided such amendment or amendments have been proposed in writing at the preceding regular meeting of the University faculty.

These collective privileges, like the collective powers described above, remain with the University Senate as delegated by the Faculty Constitution. However, each college and division is expected to initiate recommendations of general interest and to propose recommendations concerning policies governing appointments, promotions, tenure, dismissals and salaries within their college. Ultimately such proposals would be presented, through committee, to the University Senate.

Approved November 1, 1971

John Glese

Mathematics

2-N