

REGULAR MEETING OF THE UNIVERSITY FACULTY SENATE

September 13, 1976

MINUTES

The regular meeting of the University Faculty Senate was called to order at 4:00 p.m. Senators not in attendance were:

Kenneth Ackerman	Billy Glass	Asa Pieratt
Eric Brucker	Rodney J.H. Gray	Blaine Schmidt
L. Leon Campbell	William McDaniel	James Soles
Anthony Dalrymple	Lucia Palmer	Edward Trabant
William Gaither		

Senators excused: George Cicala; Robert Hodson; George Tatum.

President Pikulski opened the meeting by reminding the senators of the resolution passed by the Senate last year which calls for the removal of any senator who misses two consecutive meetings, unless the Senate office has been notified of the expected absence in advance.

In a continuation of the practice, begun in last year's Senate, of having people come in to explain University offices and committees, Pres. Pikulski asked the senators to list on the sheet being circulated the names of people they would like to have address the Senate.

President Pikulski asked if there were any objections to the order of the Agenda, and Senator Braun asked if it were possible to include an item which would provide the required 2/3 vote as a blanket authorization to the Senate president to call more than one meeting a month during the 1976-77 Senate. Pres. Pikulski ruled that, as a new item of business, this could not be voted on at the meeting. In the absence of further objection the Agenda was adopted as written.

There were no corrections to the minutes of April 26, May 3 and 10 and May 24, and they were approved as written.

Since neither was present, there were no remarks from President Trabant or Provost Campbell.

Vice President Worthen presented a report on the Student Judicial System (Attachment 1) giving an overview of the development of the present structure. He then introduced Dr. Townsend, Associate Dean of Students, who distributed an organization chart of the system and explained the functions of its various parts. He especially noted the role of the Council on Student Judicial Affairs, composed of 3 students, 2 faculty and 2 professional staff members, which reviews all cases heard by the Appellate Court in an attempt to establish consistency in the system. Although the Council does not change any decisions, they advise Vice President Worthen on the establishment of systems and make recommendations concerning any changes. He also described the parallel structures of the University-Wide and the Residence Life systems, both of whose decisions can be appealed to the Appellate Court. The administrative officers of the system receive the charge, send a letter to the student advising him/her of the charge and of his/her rights, and hold a pre-interview. The student may then choose an Administrative Hearing, in which the administrator's decision is final, or the appropriate court procedure.

Senator Kliman asked what the pros and cons of this choice were for the student and Dr. Townsend replied that, although procedurally the hearings are conducted in the same way, the majority of the students choose an administrative hearing because 1) it seems expedient and 2) when the charges are well documented and the student admits guilt the student usually prefers not to have the larger body handle it. Senator Finner asked if the sanctions were the same for either choice and Dr. Townsend said that it was difficult to compare, but that by-and-large they seemed to be. He added that the Council reviewed all decisions and that the Hearing Board Chairman and the Administrative Officers were present at the meetings and "compared notes."

Senator Newman asked if the penalty for academic dishonesty could be an "F" grade given by the University, rather than the professor, since such an offense was actually against the University, and the tendency was for the individual professor to give the student the benefit of the doubt. Dr. Townsend responded that generally faculty members did not like to have an outside group making such a decision, and Senator Marler agreed. Vice President Worthen said that he would refer the question to the Council.

Senator Finner noted the low number of cases processed by the system and asked if many cases were being processed informally between the professor and the student. Dr. Townsend replied that their surveys indicated that this was happening. He agreed with a comment from Senator Boyer that this would produce inequalities, adding that the penalties imposed varied among faculty members and that individual faculty members would not be aware of any other offenses committed by the student. Senator Hill suggested that faculty members did not bring cases to the Judicial System because they felt that the penalties imposed there werenot severe enough and he suggested that if a student were suspended, even for a first offense, it might make some difference in the number of cases brought and tried. Dr. Townsend replied that dissatisfaction with the penalties imposed by the administrative officers needed to be dealt with separately from the ability of the Judicial System to process charges. Dean Eddy said that the difficulty lay in establishing guilt from the evidence "beyond a reasonable doubt." Senator Hill suggested that the faculty should have better guidelines for what constitutes evidence. Dean Eddy noted that faculty surveys did not favor suspension as a penalty and that they have had no direction from the faculty about sanctions other than a report from the ad hoc Senate Committee on Academic Honesty. This has not been acted upon by the Senate. Dr. Townsend reviewed the sanctions which could be imposed, including two new ones--deferred suspension and expulsion. President Pikulski suggested that further comments be addressed to the Senate Executive Committee at its regular Tuesday meeting, or to the members of the Judicial System.

Professor Haenlein, Chairperson of the Committee on Graduate Studies, presented the report of that Committee on the proposed reorganization of the Graduate College (Attachment 2). Prof. Oglesby asked if the decision to appoint an interim board rather than a dean had been made before the Committee met with the Provost. Prof. Haenlein replied that he did not know. She also asked whether the Graduate Faculty's strong recommendation for continuing the position of Graduate Dean was discussed in the meeting with the Provost. Associate Provost Halio said that it was, but not at length. A Senator noted that the board's report was due in May 1977 and that that would make effective discussion in the Senate impossible, and recommended that the date be made earlier. Pres. Pikulski suggested that it would be hard to evaluate the proposed Graduate Board

if it had not had a full year to operate.

In response to questions from Prof. Oglesby, Prof. Hedio said that the board would be made up of "distinguished faculty of senior rank," possibly including a department chairperson, and that an announcement of the Board and its charge should be made in a week or two. Pres. Pikulski asked that any further comments or suggestions be addressed to the Senate Committee on Graduate Studies or to the Executive Committee.

Item V-B, a recommendation from the Committee on Committees to change the charge to the Committee on Student Life (Faculty Handbook I-22, lines 10-13) was introduced. Some editorial changes were suggested and accepted by Prof. Moser, who was present to represent the Committee, and the following wording was approved by unanimous voice vote:

. . . The Committee shall also specifically advise upon student financial aid, student residence halls, student counseling and placement and student health; and shall meet with the directors of these services at the request of the directors or at the discretion of the chairperson of the Committee.

Item V-C, a resolution from the Committee on Committees that would bring Senate committee membership in line with recent administrative changes, was introduced. Senator Townsmeyer asked why the listing did not specify the new Director of Records, and whether the phrase "Designee, Assistant Vice President for Student Services" meant that that Vice President could designate himself. Pres. Pikulski said that the new title "Director of Records" was more restricted than the old one, "Director of Admissions, Records and Financial Aid." An editorial change was accepted to clarify this and the following resolution was passed by unanimous voice vote:

RESOLVED that the membership lists of the Committee on Undergraduate Admissions and Standing, Undergraduate Studies, and Undergraduate Records and Certification be changed so as to substitute "Assistant Vice President for Student Services, or his Designee" for the current designation "Director, Admissions and Records."

Item V-D, a request for confirmation of nominations by the Provost for membership on COPE was introduced; a motion for confirmation was made and seconded, and the following nominations were confirmed by unanimous voice vote:

Ms. Jean Joyce, Graduate Student, Counseling and Testing
Ms. Darcy Pollock, Undergraduate Student, Accounting
Prof. James Archer Jr., Counseling Psychologist, Counseling
and Student Development (to replace Dr. Trembley as an administrator).

No other items of business were introduced, and Pres. Pikulski adjourned the meeting at 5:00 p.m.

Respectfully submitted,

Sarah S. Van Camp
Sarah S. Van Camp, Secretary
University Faculty Senate

SSVC/b

Attachments: Report by Vice President Worthen on the Student Judicial System
Report from the Graduate Studies Committee on the proposed reorganization of the Graduate College, by G. Haenlein, Chairperson.

Statement Presented to the Faculty Senate
September 13, 1976
on the Student Judicial System

I am pleased to have the opportunity to speak to you about the Student Judicial System at the University of Delaware.

The purpose of the Student Judicial System at the University of Delaware is two-fold: 1) To educate students regarding the expectations of the academic community and 2) To prevent certain specified behaviours which the University community has determined are inappropriate in an academic setting.

There has been a good deal of discussion about and a number of changes in judicial systems in colleges and universities in the last ten years. One thing has not changed, however, and that is that colleges and universities may take steps to protect the educational atmosphere at the institution. In fact the courts have said that colleges and universities have an obligation to act to protect and maintain the educational atmosphere within the institution.

The Student Judicial System on our campus gets its authority from a delegation by the Board of Trustees. The faculty has been directed to formulate rules and regulations for the government and discipline of the student body and the Vice President for Student Affairs and Administration has been directed to establish and administer a Student Judicial System consistent with the philosophy formulated by the faculty. This means the faculty has responsibility for establishing overall philosophy and objectives for student discipline and Student Affairs has the responsibility for setting up and running a judicial system to carry out the philosophy and objectives approved by the faculty.

In the spring of 1975 an Ad Hoc Committee to Develop a New Judicial System was appointed which included students, faculty, Student Affairs professional staff and Trustees. A new system was recommended, and during the summer of 1975, the judicial system was implemented. By the fall of 1975, it was in operation. We have, therefore, had the experience of one full year with the new system.

Our overall evaluation at this time is that the system is working effectively and has been well received by members of the University community.

With me today is Dean Ray Eddy, Dean of Students, whose office has the responsibility for day-to-day operation of the judicial system. I should also like to introduce Nick Subashi, Senior Undergraduate student who is chairperson of the Council on Student Judicial Affairs. Walt Ciecko, Assistant Director of Housing and Residence Life provides administrative support for the residence life judicial system. Ed Spencer, Associate Director of Housing and Residence Life was last year's chairperson of the Hearing Board. Professor Samuel Gaertner, in Psychology was the Chairperson of the Appellate Court, but I do not see him here today. Dr. Jack Townsend, Associate Dean of Students works directly with the Student Judicial System and is the person whom you would contact if you have a question about the system or wish to initiate a charge. Dr. Townsend is prepared to give you some information about the way the system is operated and number and types of cases that have been heard in the past year. Dr. Townsend . . .

REPORT TO THE SENATE

September 13, 1976

ON "ADMINISTRATIVE PLANS FOR OPERATING THE GRADUATE COLLEGE FOR THE NEXT TWO YEARS"

from the Committee on Graduate Studies (G. Haenlein, Chairperson)

The Committee has been engaged in the following communications concerning the Graduate College.

1. Memo by Senate President Pikulski of 6/17/76 requesting review of interim administration plans.
2. Memo by Provost Campbell of 6/28/76 announcing that all external research proposals and contracts will be signed by him until further notice while the administration of all other matters is under study.
3. Memo to Provost Campbell of 6/30/76 requesting a committee meeting with the Provost.
4. Memo by Provost Campbell of 7/12/76 setting up a meeting on 7/14/76 to discuss the draft proposal on the interim arrangements for handling the affairs of the College of Graduate Studies during 1976-77 which was attached. (Note: The actual proposal is for one year, not two.)

The meeting on July 14, 1976 took place with 8 of the 9 members of the Committee present, together with President Dr. Trabant; Provost Dr. Campbell; and Associate Provost Dr. Halio.

The first draft proposal of a Governing Board for the College of Graduate Studies was presented by Provost Dr. Campbell. A constructive discussion followed with suggestions to be considered in this draft. The purpose of the Governing Board, which shall consist of faculty only, is to give the faculty an opportunity for studying the pros and cons of the present administrative structure vs alternative proposals. A report is expected in May, 1977 while the College will operate under the authority of the Governing Board. No acting dean is proposed for the interim time so as to give the Governing Board unimpeded freedom for actions and recommendations. Former Dean Lippert will be available as consultant. COPE is also conducting an evaluation of the Graduate College. Synchronization and cross-representation between COPE, the Governing Board and The Committee on Graduate Studies is imperative for optimization of efficiency of each effort. Release time may be needed for some members of these three groups. Overlap between the three groups must be avoided as well as overload. Consultation with the Committee on Graduate Studies must apply to all functions and actions of the Governing Board. It was emphasized, especially by the Provost, that all these efforts must and will lead to a greatly strengthened College of Graduate Studies and that the creation of an Interim Governing Board is the best mechanism to find ways of much improved conditions for Graduate Studies at the University of Delaware. The question of continued advocacy in the absence of a Graduate Dean was resolved by the indication that each College Dean will be expected to be an advocate for graduate studies within his or her college from now on. Possible inducement by a new formula for split of overhead money was also suggested. The positions of Associate Provost and Associate Dean of the the College of Graduate Studies are not included.

The committee had two more meetings to further consider the present Interim Plan. The committee recognized that: 1) the Interim Plan has advantages if the U of D wants to find new, better and more effective ways of administering the needs of graduate study at Delaware; and 2) no infringement upon the charges of the Committee of Graduate Studies is proposed.

The committee, on the other hand, voiced considerable concern and reports to the Senate its skepticism that the proposal of strengthening the Graduate College will be accomplished because of, among others:

- 1) absence of centralized leadership
- 2) absence of coordination of college graduate programs
- 3) absence of day to day leadership
- 4) absence of strong voice for graduate education
- 5) absence of a plan for external evaluation of the Governing Board
- 6) absence of clear definition of where present authority for graduate studies rests
- 7) absence of plans for fiscal authority
- 8) absence of arrangements for the Assistant Dean of the College of Graduate Studies, Mrs. V. Burt.

For these reasons the committee is going to watch the development closely and will have a recommendation to the Senate later this year.

GFWH/e/b