

REGULAR MEETING OF THE UNIVERSITY FACULTY SENATE

February 13, 1978

MINUTES

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

Edith Anderson	Tom Griffith	David Reiner
Lee Anderson	David Hallenbeck	Billy Ross
William Gaither	David Lou	Blaine Schmidt
Irwin Greenfield	Asa Pieratt	Mark Sharnoff

Senators excused: David Barlow, Eugene Ferguson, Rodney Gray, Laurence Kalkstein, Franklin Newman, Lucia Palmer, Elaine Safer, Alexander Doberenz.

I. Adoption of the Agenda. There were no objections and the agenda was adopted as distributed.

II. Approval of the Minutes. Secretary Van Name noted that the Minutes of November 7 should have recorded Senator Spielman as excused; there were no other corrections and the Minutes of November 7, December 5 and December 19, 1977 were approved as written.

III. Remarks by President Trabant. President Trabant opened his remarks with comments on his trip to the Republic of China. He then announced four changes in the University Administration: 1) the appointment, effective about June 1, of Dr. Robert Mayer as Assistant Vice President for Facilities Management and Services, to replace Mr. Cross who is leaving; 2) the re-establishment of the position of Vice President for Personnel and Employee Relations and the institution of an internal search for someone to fill the position; 3) the incorporation of Safety Coordination into Security; and 4) the changing of Ms. Suzanne Moore's title to "Director of University Relations and Assistant to the Vice President for Student Affairs and Administration." President Trabant also reported that the University's request to the state legislature for a supplemental appropriation had been passed by the House and was currently in caucus in the Senate. He also reported a tentative Spring Semester enrollment figure of 16,461 students, noting that the final figure would probably be somewhat higher. Referring to published reports that the University had been charged by the U.S. Department of Health, Education and Welfare with not having achieved integration, President Trabant noted that one possible outcome of applying the H.E.W. model and criteria to the University of Delaware might be recommendations that certain programs be moved from one state institution to another; he emphasized, however, that he had not been contacted by H.E.W. directly.

President Trabant concluded his remarks by suggesting that, as the University increases its participation in the Federal government's Title XII programs, University promotion and tenure criteria might need to be reconsidered, particularly for faculty members who undertake new fields of study within the international aspects of the program.

Remarks by Provost Campbell. Provost Campbell announced that there would be two workshops, on February 22 and March 23, to discuss the grievance procedure and the administration of the new collective bargaining agreement, and said that he hoped faculty members would participate in the meetings. He also announced that promotion announcements would be late because of college-level appeals this year.

IV. Announcements. President Pikulski announced that the Jury Duty Policy which was passed by the Senate at its December 19 meeting had been approved for inclusion in the Faculty Handbook. He also announced the appointment of Prof. R. Richards as acting chairperson of the Coordinating Committee on Education.

V. Old Business - none.

VI. New Business.

Item A, the following resolution, was introduced by Prof. Thompson, Chairperson of the Undergraduate Studies Committee:

RESOLVED, that at the request of the College of Engineering and upon recommendation of the Senate Committee on Undergraduate Studies, the Senate approves the disestablishment of the degree program in Engineering Administration.

President Pikulski called for the vote and the resolution was approved by unanimous voice vote. Discussion followed on the effective date of the resolution, and it was agreed by consensus that no new students would be admitted to the program, but that students currently enrolled could complete the program.

Item B, a report and recommendations from the Committee on Student Life, was introduced by the committee chairperson, E.N. Simons. He reviewed the questions regarding the rights of sales and solicitations by registered student organizations which had prompted the committee's inquiry and the process by which the committee, through open meetings, had solicited comment from the concerned parties. He then summarized the effects of the changes recommended by the committee, noting that the resolutions would: 1) allow registered student religious and political organizations an opportunity to solicit funds on campus in support of on-campus programming efforts; 2) require that any monies collected by such organizations above and beyond the actual cost of the program or activity be deposited in the organizations' University accounts and that they be spent only in support of future on-campus programming; and 3) preclude all registered student organizations from soliciting funds in support of off-campus partisan political or religious causes.

Following the chair's ruling that the committee's recommendations would be dealt with individually, Recommendation I was introduced; there was no discussion and the following was approved by unanimous voice vote:

In order to promote the free exchange of ideas in an environment conducive to their examination and to avoid managing or conducting the University in the interest of any party, sect, or denomination, no registered student organization is to be granted privileges denied to another or to be subjected to regulations not binding on another. Therefore be it

RESOLVED, that the above statement of principle is endorsed by the Faculty Senate, to be sent to the Vice President for Student Affairs and Administration for conveyance to President Trabant as a guiding principle for determining policies/procedures for registered student organizations.

Recommendation IIA was introduced and Senator Braun objected that the exception granted in the parenthetical phrase in part 2 violated the statement of principle which the Senate had just approved, because it granted religious organizations the right to do something the other organizations could not do. Dean Eddy responded that the exception was an extension of the court decision upholding the right of religious organizations to hold services in campus facilities, since an offering was considered part of the service.

Senator Hodson asked how the change would affect campus organizations which subsidized attendance by their members at national meetings of the organization. Dean Eddy responded that such activities were considered to be extensions of the local programming.

Senator Braun made a motion, which was seconded, to amend the resolution by changing "religious worship service" in the parenthetical portion of part 2 of the resolution to "a meeting of the organization" to make the phrase read: "(Exceptions are in the case of funds received as part of a meeting of the organization and in the case of solicitations for non-religious, off-campus charitable organizations as defined by the Internal Revenue Service.)" In response to a suggestion from Senator Leavens that the phrase be restricted to charitable organizations and that "religious" and "non-religious" be left out of it, Dean Eddy explained that the phrase "non-religious, off-campus organizations as defined by the Internal Revenue Service" was included to allow campus fund raising for off-campus causes such as muscular dystrophy.

President Pikulski called for a vote on the amendment and it was defeated by a voice vote; he then called for a vote on the original recommendation from the report and the following was approved by voice vote with one abstention:

RESOLVED, that the "Commercial Promotions, Sales and Solicitations of Funds" policy (Student Guide to Policies, 1977-78, p. 17), section entitled "Sales and Fund Solicitations by Registered Student Organizations" be rewritten as follows:

By definition, "sales and solicitations" include admission charges for events, donations, and any funds derived from programs and services rendered.

1. Guidelines for the conducting of sales and solicitation of funds on- or off-campus by registered student organizations are available from the Associate Director of the Student Center. All sales and fund solicitations conducted by registered student organizations must be approved in advance by the Associate Director of the Student Center.

2. All funds derived from on- and off-campus sales and solicitations must be deposited in the organization's University account. These funds may be used only to support the on-campus programming activities of the organization. (Exceptions are in the case of funds received as part of a religious worship service and in the case of solicitations for non-religious, off-campus charitable organizations as defined by the Internal Revenue Service.)

3. Registered student organizations may not conduct sales or fund solicitations on a "door-to-door" basis within University facilities.

4. An approval to sell on campus does not constitute an endorsement by the University of either the service or the product being furnished.

Recommendation IIB of the Report was introduced and after a brief discussion the following was approved by unanimous voice vote:

RESOLVED, that the "Support of a Political Party or Political Candidates" policy, (Student Guide to Policies, 1977-78, p. 17) section entitled "Regulations for Sponsorship of Politically-Oriented Activities" be rewritten as follows:

- 1. No group supporting a political party or candidate shall be assigned office space.*
- 2. Groups may not solicit funds on campus in support of off-campus partisan political activities.*
- 3. Distribution of published materials must be in accordance with the present University Policy on Distribution of Free Published Materials on campus.*
- 4. Registered student organizations may not use allocated University funds to underwrite the cost of partisan political activities except to underwrite the cost of bringing an outside speaker(s) to the campus in accordance with the University Speakers Policy.*

Recommendation IIC of the Report, as follows, was also approved by voice vote, with one abstention:

RESOLVED, that the "Use of Facilities and Services by Registered Student Religious Organizations" (Student Guide to Policies, 1977-78, p. 17) be rewritten as follows:

Registered student religious organizations may reserve and use space in the Student Center and other building for business meetings and social programs. Additionally, students living in residence halls may request, through appropriate channels, the use of the residence hall lounge or commons area for worship services. The procedures for reserving lounge/commons areas are outlined in the Residence Life Handbook.

Recommendation III of the Report was approved by unanimous voice vote:

RESOLVED, that the Faculty Senate requests that the Vice President for Student Affairs and Administration or his designee undertake a study of all administration policies/procedures applicable to registered student organizations for the purpose of ensuring that no other standing administration policies/procedures discriminate in favor of or against any category of registered student organization.

Recommendation IV of the Report was also approved by unanimous voice vote:

RESOLVED, that the Faculty Senate requests the Committee on Student Life to undertake a study of all Faculty Policies/Procedures applicable to registered student organizations for the purpose of ensuring that no other standing Faculty Policies/Procedures discriminate in favor of or against any category of registered student organization.

Senator Finner concluded the discussion by complimenting the Committee on Student Life for presenting a well-written and well-prepared report.

Item C of the Agenda was introduced by Senator Van Name, Chairperson of the Committee on Rules, who reminded the Senate that the first recommendation was for a Constitutional Change and that it would therefore also appear on the Agenda for the meeting of the General Faculty in April. In response to Provost Campbell's statement that the title used in the resolution might not be the final title, it was noted that the title was written in the lower case for this reason. President Pikulski called for the vote and the following was approved by unanimous voice vote:

RESOLVED, that "University officer of graduate studies and the Associate and or Assistant University officer of graduate studies" be inserted in Section I (page I-1) of the Faculty Constitution, following "all Deans" and that "University officer of graduate studies" be inserted in Section IV (page I-2) following "the Deans of the Colleges."

The second resolution was introduced by Senator Van Name, who stated that the committees affected included the Coordinating Committee on Education, the Committee on Graduate Studies, the Graduate Student Grievance Procedure, the Graduate Faculty, and the Capital Space Advisory Committee. The resolution, as follows, was approved by unanimous voice vote:

RESOLVED, that, in all places where "Dean, College of Graduate Studies" appears in the Faculty Senate Bylaws and committee documents, the words "University officer of graduate studies" be used to replace it.

The third part of Item C was introduced and it was noted that the resolution permitted, but did not require, temporary replacement of long-term committee members--at present, members of the Budget Review and Graduate Studies committees. The following resolution was then approved by unanimous voice vote:

RESOLVED, that the following sentence be added to paragraph 3 of General Provisions Regarding Committees, I-13 of the Faculty Handbook: The Committee on Committees shall fill the unexpired terms of Senate committee members on leave, except in the case of a committee member who is able to return for a two year period; in such cases a temporary replacement is permitted.

The final resolution of Item C was also approved by unanimous voice vote:

RESOLVED, that the requirement that faculty appointments to committees are for two year terms be suspended for the current academic year to allow the terms of the Rules Committee members to remain staggered to ensure continuity.

Item D, a recommended definition of the term "Lecturer" was introduced by Senator Warren, representing the Committee on Faculty Welfare and Privileges; he explained that the definition was intended to indicate that the term was to be used for temporary appointments, and to give examples of the kinds of cases in which it could be used. President Trabant asked why the word "certain" was used to qualify

the first category, visiting faculty, and not the others. Senator Warren explained that the three categories were not intended as inclusive, but as examples of appointments that were outside of the tenure system. Provost Campbell added that for the third example, faculty on contingency contracts, no other appointment was possible under current University policy. In response to further questions Provost Campbell explained that this applied to initial temporary appointments only, and Senator Leavens made a motion, which was seconded, to add the word "temporary" before "faculty" in examples (2) and (3). A motion by Senator Marler to remand the item to committee failed for lack of a second. In response to a question from Senator Braun, Provost Campbell explained that contingency contracts were written at the intended rank and that a recommendation could be made either for the appointment to go forward when the contingency was fulfilled, or for one additional year on the contract. President Pikulski called for a vote on the motion to amend by adding the word "temporary" and the motion failed.

Senator Finner asked if this practice meant that time spent as "Lecturer" would not be counted toward promotion and tenure, and Provost Campbell responded that that was correct.

President Pikulski called for the vote and the following was passed by voice vote, with one abstention:

RESOLVED, that the Faculty Senate approves the following definition of the term "Lecturer":

Definition: A Lecturer is a temporary faculty appointment.

Description: Lecturer is the appropriate rank for all temporary faculty, e.g. 1) certain visiting faculty, 2) faculty of experimental and special programs and 3) faculty on contingency contracts. Appointments are for no longer than one year; notice of non-reappointment is not required and should be clearly stated on the contract. In special circumstances, and with appropriate justification, appointments may be renewed; in these instances prior approval of the Provost and Vice President for Academic Affairs must be obtained.

The rank of Lecturer is not used for persons on the permanent faculty who have expectations of progressing through the tenured faculty ranks.

Item E, a pair of recommendations to change the Student Grievance Procedure by providing for subcommittees to hear appeals in steps 4A and 4B was introduced. Prof. Halio noted that the change to 4A also provided for the addition of students to the hearing committee. President Pikulski called for the vote and the following resolutions were approved by unanimous voice vote:

RESOLVED, that Step 4A of the Student Grievance procedure be changed to read:

An undergraduate student or faculty member who is not satisfied with the decision reached in Step 3A may appeal to the Committee on Faculty Welfare and Privileges of the Faculty Senate. The Chairperson of this Committee shall appoint three committee members who are faculty and two committee members who are undergraduate students to hear the case. The decision of this ad hoc committee shall be final.

RESOLVED, that Step 4B of the Student Grievance procedure be changed to read:

A graduate student or faculty member who is not satisfied with the decision reached in Step 3B may appeal to the Committee on Graduate Studies of the Faculty Senate. The Chairperson of this Committee shall appoint three committee members who are faculty and two committee members who are graduate students to hear the case. The decision of this ad hoc committee shall be final.

Item F, a discussion on Graduate Studies policies, was introduced by President Pikulski, who explained that the purpose of the discussion was to gain input for the Graduate committee and to alert the academic community to the ongoing review of graduate policies. A brief discussion followed and Senator Warter said that he felt it was appropriate that no action be taken until departments had had a chance to examine the policies. President Pikulski concluded the discussion by asking that comments be sent to the Graduate Committee.

Item G, a resolution from the Steering Committee of Arts and Science, was introduced by Senator Braun who explained that it was intended to insure that the Senate would respond to the Final Report of the Higher Education Panel of the Commission on the Future of Education in Delaware. Senator Finner made a motion, which was seconded, to amend Item G by the addition of two paragraphs which had been part of the resolution as it was approved by the Steering Committee. President Pikulski read the paragraphs and called for a vote on the motion to amend; the motion was approved by unanimous voice vote. President Pikulski noted that he had already requested an ad hoc committee to study the issue. The resolution, as amended, was then approved by unanimous voice vote:

RESOLVED that the University Faculty Senate respond to the Final Report (Dec. 6, 1977) of the Higher Education Panel: Commission on the Future of Education in Delaware and that this response should express our general concern that this document would establish yet another level of coordination, review and approval of new programs.

Assuring that the administration and trustee position is consistent with the faculty position, we urge the Faculty Senate to seek a means of collaboration with the Administration and the Board of Trustees.

We suggest that the Faculty Senate urge the University Administration to communicate fully and promptly to the Faculty Senate all information it has relative to creation of a board of higher education so as to facilitate cooperation in making the University's views forcefully known.

The meeting was declared adjourned at 5:25 p.m.

Respectfully submitted,

Judy Van Name

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Secretary

University Faculty Senate