

REGULAR MEETING OF THE UNIVERSITY FACULTY SENATE

May 1, 1978

MINUTES

The regular meeting of the University Faculty Senate was called to order at 4:00 p.m. with President Pikulski presiding.

I. Adoption of the Agenda. There was no objection and the Agenda was adopted as distributed.

II. Approval of the Minutes. The minutes of February 13 and March 6 were approved as distributed. President Pikulski asked that the request for approval of the minutes of April 3-10 be dropped because the minutes had not yet been distributed.

III. Remarks by President Trabant. President Trabant announced the appointment of Dr. C. Harold Brown as Vice President for Personnel and Employee Relations, and reported that the 14 applicants for the position of University Secretary had been reduced to 3 finalists.

President Trabant said that he had recently met with a faculty group which shared with him their concerns about the rebirth of Nazism among young people in the United States; he suggested that the Senate might wish to look at this issue and said that the names of the group he had met with were available from his office.

President Trabant then reported on the H.E.W. Title VI compliance review which was underway in Delaware. He said that the review would result in four reports--on the University of Delaware, on Delaware State, on Delaware Technical and Community College, and one for the governor on the state as a whole--which would review and make recommendations on the accessibility of the state's educational facilities to minorities.

President Trabant also reviewed two announcements he had made at the general faculty meeting in April. The first concerned the establishment at the University of a government internship program for faculty participation in state, county, and city government in Delaware. The second concerned the establishment at the University of a Commission on Life-Long Learning, which is presently in the planning stages.

IV. Announcements. President Pikulski called attention to three items announced on the Agenda; no discussion followed, and he declared the announcements regarding the transfer of credits for the MFA degree and the establishment of minors in Spanish, French, German, Mathematics and Latin American Studies would stand approved.

President Pikulski then reported on Executive Committee action in interpreting the will of the Senate in the transmission of the Senate's approval of the first resolution in the report of the Ad Hoc Committee on the Implications of the Aumiller Case for the Management of the University. He explained that the extraordinary action had been taken to get the procedures put into operation, and he read the correspondence which had been exchanged with President Trabant (attached).

President Trabant stated that, since the Senate had voted to recommend a change in the Trustee Bylaws, he could not transmit the action to the Board of Trustees in the form in which the Executive Committee had sent it to him. He also said that he would not transmit it until it had come through the proper procedure, as given in the University Charter, for faculty recommendations for changes in the Trustee Bylaws. Senator Finner read Section 15.3 of the Collective Bargaining Agreement and said that he thought that under that agreement the President must transmit the Senate's action to the Board. President Trabant responded that there is a special

regulation on Trustee Bylaw changes. President Pikulski outlined some possible future courses of action for the Senate and the new Executive Committee, and said he felt the issue should not be pursued at the present meeting.

V. Old Business.

Item A, a recommendation from the Committee on Undergraduate Studies regarding the declaration of majors by undergraduate students, was introduced by Prof. Thompson, chairperson of the committee. He said that there was at present no written policy. After a brief discussion the following was approved by unanimous voice vote:

*RESOLVED, that the Faculty Senate approves the following policy for inclusion in the Undergraduate Academic Programs and Policies Catalog:*

*Students who have a clear idea of their career objectives are encouraged to make an early declaration of their choice of major. Where it is permitted by the college students may initially indicate their status as "undeclared," but by the end of the fifth semester of full-time study (or the completion of 75 credit hours), all students are required to declare a major and to receive the appropriate faculty advisement from their major department.*

VI. New Business.

Item A, a recommendation from the Committee on Honorary Degrees of the Board of Trustees for the awarding of an honorary Doctor of Letters degree, was presented by Prof. W. Homer, faculty member of the committee. There was no discussion and the recommendation was approved by unanimous voice vote.

Item B, Senate elections, was conducted by President Pikulski. Secretary Van Name announced that Prof. Lou had withdrawn as a candidate for Chair of the Committee on Committees. President Pikulski called for any additions from the floor to the slate of nominees presented by the Nominating Committee; there were none and he declared the nominations closed. After balloting the following people were declared elected:

*President: Ralph Kleinman; Vice President: Reed Geiger;  
Secretary: Myron Sasser; Chair: Coordinating Committee on Education:  
Carl Toensmeyer; Chair: Committee on Committees: Barbara Settles;  
Member: Committee on Committees: James Oliver; Members: Rules Committee:  
George Cicala, Reed Geiger; Members: Nominating Committee: John Deiner,  
Stephen Finner, William Latham, Judy Van Name.*

(Note: Balloting was not completed for the members of the Nominating Committee, and an election for the fifth member will be conducted at the September Senate meeting.)

Item C, a resolution from the Committee on Faculty Welfare and Privileges, was introduced by Prof. Tripp, chairperson of the Committee. There was no discussion and the following was approved by unanimous voice vote:

*RESOLVED, that the Faculty Senate recommends that the following policy replace paragraph 4(a) of the Promotion and Tenure Policy (page III-L-1 of the Faculty Handbook):*

*Assistant professors are appointed to regular faculty positions for an initial term of two years without tenure. Reappointments at this rank are for a two-year term, except for contracts which extend appointments of assistant professors beyond the sixth year and for terminal contracts, both of which are for one-year terms. Contracts that extend reappointments beyond the sixth year will stipulate whether they are to be terminal or whether they may be renewable on an annual basis. In the latter case, special justification must be provided by appropriate faculty committees and administrative officers for each one-year appointment.*

Item D, a proposed policy for the suspension of a faculty member, from the Committee on Faculty Welfare and Privileges, was also introduced by the chairperson, Prof. Tripp. Senator Finner objected 1) that there might be occasions on which a hearing would not be desirable and the situation might be handled informally, and 2) there was no provision for punitive action short of recommending termination. He made a motion, which was seconded, that the matter be returned to committee.

Dean Gouldner noted that 1) the intent of suspension under the first procedure, "presents a clear and imminent danger..." could be better served by the existing medical leave policy which had been used successfully in the past, and that if the Senate passed the proposed policy it would remove the medical plan where the individual is relieved of his or her duties for a period of time similar to that in the proposal; 2) "seriously disruptive" was not very well defined, and 3) the proposed policy did not attend to the problem that there is no sanction for a tenured professor except termination.

Prof. Waid said that she was currently arguing a case before arbitration involving this issue, and she commented that 1) the administration has stated that there is no University suspension policy, only a leave of absence at an individual's request, and that no one had been suspended for any reason; 2) withholding of salary would be in violation of the AAUP contract, and 3) it would be best to wait for the arbitration decision before adopting a policy. She also said although she had not been able to find a statement of the medical policy there would not be a conflict because such a policy could be used independent of a suspension policy.

President Pikulski called for the vote on the motion to return Item D to committee and the motion was approved by voice vote.

Item E, a resolution from the Committee on Student Life for an addition to the Student Code of Conduct, was introduced by the committee chairperson, Mr. Simons. Senator Leathrum noted that there was not a very clear distinction in the seriousness of the various categories of misuse and asked if there were any guidelines for sanctions; Mr. Simons responded that the intent was just to identify and make students aware of these misuses as subject to action by the Judicial System. Senator Warren objected that "and/or any other materials issued by the University" was too broad a category, and he made a motion that the phrase be deleted; the motion failed for lack of a second. In response to questions about possible penalties, Vice President Worthen said that Judicial System penalties varied depending on the nature of a violation. Senator

Mangone made a motion, which was seconded, to amend the resolution by eliminating the proposed part b. and adding the words "or property" in part a., to read:

- a. *Embezzling University funds; unauthorized reading, duplicating, removing, photographing, forging, counterfeiting, altering, or misuse of any University document, record or property maintained by any individual or group of the University community.*

The motion to amend was approved, 25 for, 21 opposed. Prof. Halio noted that this wording would require authorization before a student could take a photograph on campus. Provost Campbell made a motion, which was seconded, that the item be returned to committee; the motion was approved by voice vote.

Item F, a joint resolution on University admission policies from the Committee on Undergraduate Admissions and Standing and the Coordinating Committee on Education, was introduced by Senator Sharf, a member of the Coordinating Committee. Senator Leavens suggested that the last two lines of the first paragraph could be clarified by changing the comma to a semi-colon and adding the words "therefore to." This was accepted as an editorial change.

In response to questions Senator Sharf said that the resolution would not make any change in the composite of variables which was presently used to predict "expectation of success"; that it would not interfere with the University's initiatives to recruit minorities; and that it would not have any direct effect on SAT scores. He also said that the intent of the resolution was to 1) place the emphasis on quality in the student admission policy and 2) call for budget support and faculty participation in recruitment and policy-making.

President Pikulski called the question and the following was approved by voice vote:

*WHEREAS, the competition for able college students is greater than ever before, and the available pool of such students is decreasing, thereby placing a strong responsibility on the University to support a more aggressive recruitment program, especially in the State of Delaware; therefore to encourage a greater involvement of the faculty in this matter along with the admissions officers,*

**RESOLVED:**

1. *that the University consider the quality of the student (as measured by the expectation of his/her success in college) and the range and quality of its educational program above all other considerations in the policy of admissions;*
2. *that recruitment and admission of highly qualified students be shown as a high priority for the University of Delaware through increased budgetary support and faculty participation;*
3. *that in 1978-79, the Coordinating Committee on Education undertake steps to systematically examine the quality of undergraduate students at the University, particularly in reference to definitions and indicators of quality, the University's admissions criteria, and the composition and size of the undergraduate student body.*

Item G, a request that the Senate extend its temporary approval of the Bilingual Education program, was introduced by Prof. Kwart, Chairperson of the Graduate Studies Committee. After a brief discussion the following was approved by unanimous voice vote:

*RESOLVED, that the continuance of the program leading to the Master of Education degree in bilingual education should be allowed only until the end of the 1978-1979 academic year and that a complete review of the program should take place initiated in September 1978 and presented to the Senate for approval on or before its December meeting. This review should occur before any new application for federal support of the program would be sought by the College of Education.*

Item H, a request for Senate approval of organizational changes in the College of Arts and Science, was introduced by Senator Oliver as a courtesy. Dean Gouldner reviewed the process by which the proposed changes had been developed. After a brief discussion the following was approved by voice vote:

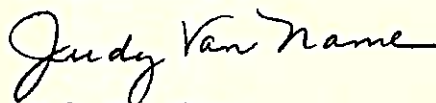
*RESOLVED, that the Faculty Senate recommends approval of the following organizational changes in the College of Arts and Science, subject to the approval of the College of Arts and Science Senate:*

- 1. The Department of Mathematics be enlarged to include faculty in Statistics and Operations Research presently in the Department of Statistics and Computer Science. The unit will be called the Department of Mathematical Sciences.*
- 2. The formation of a Department of Computer and Information Sciences.*

Secretary Van Name made a motion, which was seconded, for a suspension of the rule requiring members of the Nominating Committee to be elected by a majority vote, so that the Senate could complete the elections by voting for 2 of the top 4 nominees from the previous round of balloting. The motion to suspend the rule was approved by voice vote, and ballots were cast which resulted in only one more member.

There was consensus agreement that the Senators did not wish to remain for the final round of balloting and President Pikulski declared the meeting adjourned at 5:35 p.m.

Respectfully submitted,



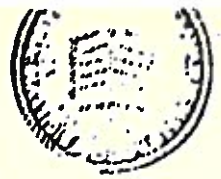
Judy Van Name  
Secretary  
University Faculty Senate

JVN/b

Attachment: Correspondence

# Memorandum

FACULTY SENATE



TO : E. A. Trabant  
President

FROM : John J. Pikulski, President  
University Faculty Senate

SUBJECT: Senate Action

DATE, April 19, 1978

At meetings of April 3 and 10, 1978 the Faculty Senate adopted the following resolutions:

RESOLVED, that the University Faculty Senate recommends that the following provision be added to Chapter 2, Section II-E of the Trustee Bylaws:

On such matters as the faculty deem to be of unusually great import, and for which the faculty have reason to believe that their collective view is significantly at variance with that of the President, the University Faculty Senate shall have the privilege of transmitting its position directly to the entire Board of Trustees. It shall also be provided the opportunity of participating in discussion of the matter before a plenary meeting of the Board or of one of its appropriate standing committees.

A decision for direct referral of its recommendations to the Board shall require a 2/3 vote of the Senate when a quorum is present. For the presentation of its views before the Board, the executive committee of the Senate shall select appropriate faculty members.

RESOLVED, that the University Faculty Senate recommends that, as is currently the case for chairpersons and program directors, all administrative officers with major responsibilities for academic programs and policies, including Deans, the Vice President for Student Affairs and Administration, the Provost and Vice President for Academic Affairs, and the President, shall undergo a major evaluation of their performance during every fifth year that they have served in office. Existing procedures shall be used for the evaluation of Deans.\* Committees evaluating other administrative officers shall consist of six persons, three of whom shall be directly appointed by the Board of Trustees and three of whom shall be nominated by the University Faculty Senate upon recommendation of its Executive Committee, and be appointed by the Board of Trustees. Evaluations of the Vice Presidents and the Provost shall be made available to the President. Evaluations of the President shall be made available to members of the Board of Trustees. These evaluations shall begin at the earliest possible date.

\*"Evaluation of Performance of Deans," March 10, 1975.

I should note that the Executive Committee felt that the first resolution need not necessarily involve a change in the Trustee Bylaws; we felt that it was the will of the Senate simply that the Board of Trustees accept the recommendation as a working procedure.

We request that you take those actions needed for the implementation of the above recommendations.

JJP/b

UNIVERSITY OF DELAWARE  
NEWARK, DELAWARE  
19711

RECEIVED APR 25 1978

OFFICE OF THE PRESIDENT  
132 HULLIHEN HALL  
PHONE: 302-738-2111

April 24, 1978

Dr. John J. Pikulski  
President, University Faculty Senate

Dear Jack:

Your memorandum of April 19, 1978 raises several questions.

With reference to the resolution in which the Faculty Senate recommends a change to Chapter 2, section II-E of the Trustee Bylaws, if the Trustee Bylaws are to be changed, I call to your attention the provisions of Chapter 2, section II-E.5. of the Bylaws. Specifically, this proposed change must be submitted to a "...regular meeting of the University Faculty." and then receive a two-thirds vote at a subsequent faculty meeting.

You mention that the Executive Committee of the Faculty Senate feels that it was the will of the Senate simply that the Board of Trustees accept the recommendation as a working procedure. We can't have it both ways. It must be a recommendation for a change to the Bylaws or an expression of opinion of the Senate. I point out that only a change in the Bylaws will have a substantive impact on this matter since the working procedure followed by the Board of Trustees is the Trustee Bylaws. If one wishes to change the procedure, the Bylaws would then have to be changed.

I await your reply.

Sincerely,

  
E. A. Trabant  
President

EAT:g



UNIVERSITY OF DELAWARE  
NEWARK, DELAWARE  
19711

UNIVERSITY FACULTY SENATE  
303 HULLIHEN HALL  
PHONE: 302-738-2829

April 27, 1978

Dr. E.A. Trabant  
President

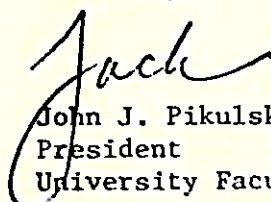
Dear President Trabant:

I am sorry if my memorandum of April 19, which conveyed two resolutions passed by the Senate, made it appear that we were attempting to "have it both ways." As an Executive Committee we were aware of the procedure for recommending changes to the Trustee Bylaws. We decided to run the risk of interpreting the will of the ad hoc committee and of the Senate because we felt that a response from the Chairman of the Board of Trustees, or the Executive Committee of the Board, indicating a willingness to have the Board hear faculty concerns on extraordinary issues, would satisfy the intent of the resolution. Though my knowledge of parliamentary procedure is far from complete my understanding is that the bylaws of a society contain only fundamental, basic rules, and that many procedures followed by a body are not necessarily incorporated into the bylaws.

Our suggestion for the deviation from the exact resolution passed by the Senate, which called for a change in the Trustee Bylaws, was done simply to avoid resurrecting what we all seem to agree has been a very "unpleasant" situation. Taking the resolution to the general faculty meetings could, in my opinion, reactivate a very sensitive issue and perhaps result in unnecessary campus disharmony. However, if you feel that ". . . only a change in the Bylaws will have a substantive impact on this matter. . ." I assume it will be necessary to ask that the resolution be placed on the agenda for the Fall meeting of the Faculty.

At present, I plan to announce the Executive Committee's interpretation of "the will of the Senate" on this issue, and your response, at the May Senate meeting. I will brief the new Executive Committee on this matter, and I suspect that a clearer reply than this one will be sent by the new President of the Senate.

Sincerely,

  
John J. Pikulski  
President  
University Faculty Senate

JJP/b

University Faculty Senate  
May 1, 1978

Senate Bylaws require that the Nominating Committee present at least two nominations for each position. Additional nominations may be made from the floor, but the Senator making the nomination is responsible for ascertaining that the person nominated will serve if elected.

BALLOT

President (Vote for one)

- \_\_\_\_\_ Ralph Kleinman (Mathematics)  
\_\_\_\_\_ Jerzy Moszynski (Mechanical and Aerospace Engineering)

Vice President (Vote for one)

- \_\_\_\_\_ Reed Geiger (History)  
\_\_\_\_\_ Bertram Levin (Economics)

Secretary (Vote for one)

- \_\_\_\_\_ Leslie Goldstein (Political Science)  
\_\_\_\_\_ Myron Sasser (Plant Science)

Chair: Coordinating Committee on Education (Vote for one)

- \_\_\_\_\_ Charles Marler (Educational Foundations)  
\_\_\_\_\_ Carl Toensmeyer (Agriculture and Food Economics)

Chair: Committee on Committees (Vote for one)

- \_\_\_\_\_ David Lou (Mechanical and Aerospace Engineering)  
\_\_\_\_\_ Barbara Settles (Individual and Family Studies)

(over)

Member: Committee on Committees (Vote for one)

- \_\_\_\_\_ David Lou (Mechanical and Aerospace Engineering)
- \_\_\_\_\_ James Oliver (Political Science)

Members: Rules Committee (Vote for two)

- \_\_\_\_\_ George Cicala (Psychology)
- \_\_\_\_\_ Reed Geiger (History)
- \_\_\_\_\_ Raymond Goodrich (Mathematics)
- \_\_\_\_\_ Bertram Levin (Economics)

Members: Nominating Committee (Vote for five)

- \_\_\_\_\_ John Deiner (Political Science)
- \_\_\_\_\_ Kenneth Eckhardt (Sociology)
- \_\_\_\_\_ Stephen Finner (Sociology)
- \_\_\_\_\_ Roberta Golinkoff (Educational Foundations)
- \_\_\_\_\_ Robert Hodson (Life and Health Sciences)
- \_\_\_\_\_ Kevin Kerrane (English)
- \_\_\_\_\_ William Latham (Economics)
- \_\_\_\_\_ Mary Lou Liprie (Individual and Family Studies)
- \_\_\_\_\_ Judy Van Name (Textiles, Design and Consumer Economics)
- \_\_\_\_\_ Joyce Walstedt (Women's Studies)