

REGULAR MEETING OF THE UNIVERSITY FACULTY SENATE

March 2, 1987

MINUTES

The regular meeting of the University Faculty Senate was called to order on Monday, March 2, 1987, at 4:00 p.m., with President Callahan presiding.

Senators not in attendance were: David Ames, Edith Anderson, Marvin Brams, Jack Gillespie

Senators excused were: Joan Brown, Norman Brown, L. Leon Campbell, George Cicala, Donald Crossan, Frank Murray, Richard Murray, David Nelson, Stephen Thornton, Carolyn Thoroughgood, E. Arthur Trabant, Peter Warter, John Weiss, Leland Craig Wilson

I. ADOPTION OF THE AGENDA

Hearing no objections, Senate President Callahan considered the agenda adopted.

II. APPROVAL OF THE MINUTES

President Callahan identified two corrections to the February minutes. First, the last two pages of the distributed minutes belong after the first page of Attachment 1. The second error appears on Attachment 2 in the memorandum from Associate Provost R. Murray to the Senate Committee on Graduate Studies. The fourth line from the bottom of that memorandum says, "Applied Sciences/Civil Engineering (MAS, Ph.D.)...." MAS should be deleted.

Hearing no additional suggestions for corrections to the February minutes, President Callahan considered the minutes approved as corrected.

III. REMARKS BY PRESIDENT TRABANT AND/OR PROVOST CAMPBELL

Neither President Trabant nor Provost Campbell was present to speak.

IV. ANNOUNCEMENTS

President Callahan made several announcements.

1. President-elect Russel Jones will speak and take questions at the General Faculty Meeting on April 20, 1987. The meeting will be held in Room 120 Smith Hall. In addition, President-elect Jones will meet with the Executive Committee of the Faculty Senate during one of his campus visits.
2. The report by the President's Commission on Undergraduate Education has been referred to various Senate committees. In addition, a copy is being held in the Reserve Room of the Morris Library.

3. The Research Committee announces an open hearing to discuss University policy and procedures on research fraud. This hearing will take place on Thursday, March 12, 1987 at 4:00 p.m. in Room 110 Memorial Hall. Copies of the proposal are available in the Faculty Senate Office, the Research Office, and the Reserve Room of Morris Library.

#### Announcements for Challenge

The curricula revisions to the undergraduate programs in Chemical Engineering were approved.

#### V. OLD BUSINESS

Item A was a resolution, introduced by Senator Wallace Pill at the February Senate meeting, for further discussion of the plus/minus grading system. Because of the nature of the motion, it did not require a vote. President Callahan noted that the resolution called for discussion and opened the floor for discussion by recognizing Senator Pill.

Senator Pill began the discussion by indicating "the major concern [was] that... the new system would seem to represent an elevation of the minimum standards for graduation in that a student earning a C- would not graduate" under the proposed plus/minus system, "whereas with the present system, he/she would."

Dr. Norman Collins, Chair of the Agriculture Engineering Department, elaborated. "At the present time, a C student is considered to have performed satisfactorily at this institution and is able to graduate." Under the plus/minus system, not all C students would be able to graduate. On the 60, 70, 80, 90 scale, 70 to 80 is the C range. Presumably, a C is "74, 75, and maybe 76." Currently "a student with a 70, 71, 72, and maybe a 73 gets a 2.0... and "makes satisfactory progress toward graduation. Under the new system, that same student would be given a C- and would not make satisfactory progress towards his/her degree." Presently the students who "earn between 2.0 and approximately 2.25 are not at risk in terms of satisfactorily meeting the requirements of the institution." However, "if we adopt the new grading system, as we have, and retain the old graduation standard, we have in effect elevated the graduation standard by about ten percent. How does that impact the students? It is my understanding that about 25 to 35 percent of the graduates of this institution fall in the 2.0 to 2.25 category. And if that be the case, then a large number of those students will not graduate under the new policy."

President Callahan then recognized Professor Charles Marler, Chairperson of the Senate's Committee on Undergraduate Studies. Professor Marler stated, "By unanimous vote your Committee on Undergraduate Studies has directed me to express its opposition to [this] resolution...." There are four reasons. "One, in the winter and spring of 1985, the Committee conducted a fairly thorough examination of issues involved; they canvassed schools using plus/minus [systems] from West Chester to Oberlin to Washington State.... We had enough data to make a reasoned judgment."

Secondly, "the Senate debate in May 1985... did support the motion brought before you. In other words, both your Committee on Undergraduate Studies and your Senate... did the things it's supposed to do."

Thirdly, "we have had continuing indications from various bodies over time that... the Committee and the Senate had not made the worst possible decision. For example, in January of 1987 the President's Commission on Undergraduate Education expressed concern about our inability to draw appropriate distinctions at the middle grade, which they felt distorted the entire range of our grading, and they supported the action of the Senate in moving to a plus/minus grading system, feeling that it would provide greater flexibility and finer distinctions."

Fourthly, "...I'm not sure what this Committee would do with this resolution if it were returned to us. Would we examine more schools? We're not convinced that examining what more schools do would answer the problems here. Would we direct departments, each one, to use plus/minus grading? I'm sorry that's not the way business is conducted at most universities, certainly the University of Delaware. ...Would we take a certain body of students, put them in a trial program, see how their transcripts went and make decisions after running that trial body through? I'm sorry, we've checked this administratively and we find that indeed when pluses or minuses have gone on to the transcript, then that's a legal document. We can't have that kind of trial period."

"This Committee [the Committee on] Undergraduate Studies, is very sensitive to student reservations. We did invite Senator Annette Burton, Senator Anne Marie Tierney, and Senator Leo Taske... to join us at our last committee meeting. We did explore their feelings and their perceptions. Our advice, coming out of that discussion and preceding discussions to the Senate, is as it was in May 1985--let the Senate allow the implementation of this policy. Let us develop the data that we need to make the only possible valid distinction.... Let us not delay with further discussion that will prove nothing."

Senator Hugh Frick noted that he was not as certain about the unanimity behind the plus/minus grading system as Professor Marler. He noted that "I understand that this plus/minus system passed by a hand vote for the graduate level courses, 500 and up; but [that it] was very nearly even at the undergraduate level." The senators from the College of Agriculture were asked about the reasons this motion passed. Senator Frick "still [waits] for a resolution affirming why we are making this change."

Senator John Bernstein responded to Senator Frick's query. "I think the basic reason for making the change is that it permits greater accuracy in grading."

Senator Leo Taske questioned "the relevancy of giving a C plus or a C minus or a D plus or a D minus to graduate students." He suggested that "one grade distinction be made between each" letter grade.

Senator Anne Marie Tierney questioned how undergraduate students will "be protected at a university where the plus/minus system has been implemented" and where each department decides whether or not to use it. "...Some students will be affected by the plus/minus system; others won't."

Senator John Morgan made "two points in response to various comments." The first point related to the need to make distinctions among graduate students' performance. The second point identified his concern with whether or not "a student getting through almost all his courses with the lowest possible C" should be allowed to graduate.

Senator Mark Noll addressed the point Professor Norman Collins made earlier, questioning the definition of C minus and B minus work.

Senator David Bellamy called the question.

President Callahan pointed out that Senator Pill's motion called for "discussion which is what [the Senate had] been having. To vote, a substantive motion" was required. President Callahan stated that the parliamentarian advised him that it would be in order to ask if anyone wished to offer a substantive motion which could then be voted on.

Senator Morgan questioned how the discussion could be terminated. President Callahan reiterated his earlier point.

Senator Robert Dalrymple moved that the Senate continue to the next item on the agenda. The motion was seconded. The motion carried by a vote of 32 to 14.

Item B concerned resolutions from the Committee on Committees (A. DeHaven, Chairperson) altering the charges of the Committee on Student Life, the Computer Committee, the Committee on Physical Planning and Utilization, the Committee on Rules, and the Committee on Academic Freedom.

The following resolution, altering the charge to the Committee on Student Life, was approved unanimously:

1. *RESOLVED, that the charge to the Committee on Student Life as it appears in Section III, page I-24, paragraph 2, of the Faculty Handbook be changed to read:*

*This committee shall consist of two designees of the Vice-President for Student Affairs; one representative of the Office of Graduate Studies, designated by the Associate Provost for Graduate Studies; four faculty members, one of whom shall be chairperson, one of whom shall serve on the Undergraduate Behavior Review Committee, and one of whom shall serve on the Graduate Behavior Review Committee; three undergraduate students, two of whom shall serve on the Undergraduate Behavior Review Committee; and one graduate student appointed by the Committee on Graduate Studies in the absence of a duly constituted Graduate Student Association, who shall also serve on the Graduate Behavior Review Committee.*

Following its approval, Senator Frank Dilley questioned, "Would it be possible to adopt some sort of rule which would allow these changes to be made automatically if they are done simply for cosmetic purposes?" President Callahan responded that the Executive Committee would study the matter.

Regarding the second resolution, altering the charge to the Computer Committee, Senator James Richards asked if the Senate could assume that "the Assistant Provost and Director of the Office of instructional Technology will remain one person." President Callahan responded that it currently is one person and "I think the assumption is that it might" remain one person.

Following this brief discussion, the resolution was approved unanimously.

2. *RESOLVED, that the charge to the Computer Committee as it appears in Section III, page I-17, paragraph 1, of the Faculty Handbook be changed to read:*

*This committee shall consist of the Director of Academic Computing Services, the Director of Management Information Systems, and the Assistant Provost and Director of the Office of Instructional Technology, who will serve as ex officio, non-voting members. In addition, the voting members of the committee shall consist of seven faculty members of whom one shall be chairperson, and one undergraduate and one graduate student.*

The third resolution was to change the charge to the Committee on Physical Planning and Utilization. According to the Chairperson of the Committee on Committees, Anna DeHaven, this resolution resulted from a discussion between the Committee on Committees and the chairperson and past chairpersons of the Committee on Physical Planning and Utilization. These chairpersons felt that the Committee on Physical Planning and Utilization was unable "to serve in an advisory capacity because they had been informed of [activities] going on after the fact.... They were not meeting with the Associate Vice-President for Facilities Management and Services." The Committee on Committees felt that if it were "stipulated that [the Committee on Physical Planning and Utilization and the Vice-President for Facilities Management and Services] had to meet twice a semester this may give [the Committee on Physical Planning and Utilization] an opportunity to have some input in an advisory way on any changes that were being made." Following this clarification, the Senate unanimously approved the following resolution:

3. *RESOLVED, that the charge to the Committee on Physical Planning and Utilization as it appears in Section III, page I-22, paragraph 1, of the Faculty Handbook be changed to read:*

*This committee shall meet at least twice a semester with the Associate Vice-President for Facilities Management and Services in order to serve in an advisory capacity in respect to initiation and preparation of plans for University structures and lands and their utilization.*

Following no discussion, the fourth resolution, listed below, was approved unanimously.

4. *RESOLVED, that the charge to the Committee on Rules as it appears in Section III, page I-24, paragraph 2, of the Faculty Handbook be changed to read:*

*This committee shall consist of the Secretary of the Senate, who shall be its chairperson, and two other members chosen by the Senate.*

Similarly following no discussion, the fifth resolution was approved unanimously.

5. *RESOLVED, that the charge to the Committee on Academic Freedom as it appears in Section III, page I-14, paragraph 2, of the Faculty Handbook be changed to read:*

*The committee shall consist of three faculty members, of whom one shall be chairperson; a designee of the President; and one undergraduate student and one graduate student.*

Following the approval of these resolutions, President Callahan made the following announcement:

"The Executive Committee [has] decided that it would be advisable, given the fact that the Senate is about 17 years old, to appoint an ad hoc committee to review the Senate mechanisms and procedures and to make recommendations to the Senate... for alterations that might make what we do more efficient. A former president of the Senate, Professor John Pikulski, has agreed to chair that committee. It will [begin work] when Professor Pikulski returns from sabbatical at the end of the spring semester and will report sometime during the next academic year to the Senate with any recommendations that it has. Any members of the Senate who have suggestions of the sort that [Senator] Dilley made... might want to set them down in memoranda and forward them to the Senate Office for the consideration of Professor Pikulski's committee."

Senator Frick requesting "senatorial privilege" asked that it be included in the minutes that "with respect to Old Business, Item A, that the two resolutions which passed do not provide a professor the option of giving the plus/minus grade, but requires that all students enrolled in letter grade [course]... be given a plus/minus grade."

President Callahan clarified by asking whether or not Senator Frick was "stating a position that [he wished] recorded in the minutes." Senator Frick responded affirmatively. Following a restatement of his position, Senator Frick noted that he was reading from the May 6, 1985 minutes. President Callahan suggested that the Committee on Undergraduate Studies, which has reserved "time on the April agenda for a report," should "address and clarify this issue."

VI. NEW BUSINESS

Item A was a recommendation from the Committee on Undergraduate Studies (C. Marler, Chairperson), with the concurrence of the Coordinating Committee on Education (J. Crawford, Chairperson), for the establishment of an Honors Degree Program in Economics (B.A. in College of Arts and Science, and B.S. in College of Business and Economics.) (Supporting material is located at Attachment 2)

Following no discussion, the resolution was approved unanimously.

*RESOLVED, that the Faculty Senate approves the establishment of an Honors Degree Program in Economics (B.A. in College of Arts and Science, and B.S. in College of Business and Economics), effective September 1987.*

Item B was a recommendation from the Committee on Graduate Studies (L. Lemay, Chairperson), with the concurrence of the Coordinating Committee on Education (J. Crawford, Chairperson), for permanent status of the Doctor of Education Degree (Ed.D.) and for the major of Educational Leadership leading to that degree. (Attachment 3) [Provisional approval was given for four years in December 1, 1980.]

The following resolution was approved unanimously:

*RESOLVED, that the Faculty Senate approves and recommends to the Board of Trustees that the Doctor of Education Degree (Ed.D.) and the major of Educational Leadership leading to that degree be granted permanent status.*

Item C was a recommendation from the Committee on Undergraduate Studies (C. Marler, Chairperson), with the concurrence of the Coordinating Committee on Education (J. Crawford, Chairperson), for provisional approval of a new major leading to the B.S. degree in Biological Science with a concentration in Biotechnology. (Supporting material is located at Attachment 4.)

Senator Louise Little asked for an explanation of the "difference between a concentration and... a major." Professor Marennes Tripp responded that a concentration was "a subdivision within a major."

Then the following resolution was approved unanimously:

*RESOLVED, that the Faculty Senate approves provisionally, for four years, the establishment of a new major leading to the B.S. degree in Biological Science with a concentration in Biotechnology, effective September 1987.*

Item D was a recommendation from the Committee on Undergraduate Studies (C. Marler, Chairperson), with the concurrence of the Coordinating Committee on Education (J. Crawford, Chairperson), for provisional approval of a Bachelor of Applied Sciences Degree with a major in Engineering Technology and Technical Management. (Supporting material is located at Attachment 5.)

Senator Robert Dalrymple expressed his concern that "someone with a Bachelor's of Engineering Technology cannot... get registered as a professional engineer, and with the courses that [he/she takes] within the curriculum, cannot come into the engineering school directly." He questioned, "What will be put into the advertisement of this degree that will indicate to prospective students... that they cannot proceed towards professional registration [and that] it's not very likely that they'll be able to transfer into the College of Engineering to get a professional degree?"

Professor Norman Collins responded that "it is incumbent on us to counsel students and to advise students of the issue... raised."

Following the exchange, the following resolution was approved unanimously:

*RESOLVED, that the Faculty Senate approves provisionally, for four years, the establishment of a Bachelor of Applied Sciences Degree with a major in Engineering Technology and Technical Management, effective September 1987.*

Item E was the following recommendation from the Committee on Student Life (J. Beer, Chairperson) to change the Automatic "F" sanction for academic dishonesty in courses carrying five or more credits:

WHEREAS, the current minimum mandatory sanctions for academic dishonesty include, "A guilty finding for academic dishonesty will result in the student receiving an 'F' in the course in which the offense occurred"; and

WHEREAS, this represents a particular inequity when courses carrying five or more credits are involved; and

WHEREAS, most of these large credit courses are sequential in nature so that an "F" can substantially retard a student's progress toward graduation, therefore

BE IT RESOLVED, that the sanction for academic dishonesty in any course carrying five or more credits be changed to allow the judicial hearing officer to impose a lesser sanction that might not automatically include an "F" for the entire course.

Any sanction less than an "F" in the course must be justified in writing to the Council on Student Judicial Affairs. The justification would become part of a cumulating record of such exceptions to be used as precedents for rulings in analogous cases which may arise in the future.

All other sanctions (listed in the Student Guide to Policies, page 9, paragraphs K. 2. through K. 6.) would apply in these cases.



Under this resolution the Student Guide to Policies section on "Academic Dishonesty Sanctions" (K. 1., page 9) would read:

"A guilty finding for academic dishonesty will result in the student receiving an 'F' in the course in which the offense occurred. In courses carrying five or more credits the judicial hearing officer may impose a lesser sanction that might not automatically include an 'F' for the entire course."

Senator Edward Schweizer voiced his objections to the resolution. Chairperson John Beer explained the Committee on Student Life's reason for the resolution by noting that some faculty "are not pressing charges... because the penalties are too high and the system of sanctions is defeating itself." Dean of Students Tim Brooks elaborated describing a "series of cases from a particular college in ten credit courses." The courses are "sequential and so if [a student receives] an automatic F [in one of these] ten credit courses you are... [suspending the student] automatically for the year...." The ten credit F and year's suspension seem inequitable when compared with the punishment of a student in a three credit course.

Senator John Morgan asked whether or not this was a hypothetical or actual situation. Dean Brooks responded, "There were six cases very recently on this." Senator Morgan asked for the name of the college. Dean Brooks said, and President Callahan agreed, that this would be "unfair." Senator Morgan indicated that he was interested in the "reason why they must give ten credit courses." President Callahan suggested that perhaps "since the college in question was not informed in advance there might be a discussion in detail, it would be more appropriate to refer this back to committee."

Senator Schweizer proposed the following resolution:

BE IT RESOLVED, that the sanctions for academic dishonesty in any course be changed to allow the judicial hearing officer to impose a lesser sanction that might not automatically include an "F" for the entire course.

The motion was seconded.

Chairperson John Beer, in response to President Callahan's invitation to respond, suggested that he wondered whether or not Senator Schweizer's amendment would lessen the strength of the sanctions the Faculty put in place in 1974.

In response to President Callahan's invitation to respond, Dean Brooks noted that he "[liked] the original sanction... [a] minimum mandatory F for the course."

Senator Morgan suggested that it seemed that "a committee should examine this question."

Senator Frank Dilley asked whether or not "a motion [would] be in order to move that Professor Schweizer's motion be [amended] and the issue to be returned to the committee to see if there aren't some other... options." President

Callahan responded, "I'm advised by the Parliamentarian that such a motion can be made and if it is made and seconded and carried, then the whole package--the original resolution from the Committee on Student Life and Senator Schweizer's motion go back to Professor Beer's committee for further study and discussion."

Senator Dilley then restated his question as a motion to refer the matter to the Committee on Student Life. Dean Helen Gouldner seconded the motion. Chairperson Beer and Dean Brooks indicated that because of accreditation reasons the college in question cannot reduce the number of hours for the courses. President Callahan noted that the Senate should be addressing only the question of Senator Dilley's motion, not the substance of it. Senator H. Perry-Chapman suggested that the Senate needed to know "what a ten credit course is before" it can be discussed "intelligently." She requested that this information should be presented to the Senate by the Committee. President Callahan called for the vote on the motion to recommit the entire issue to the Committee on Student Life. The motion was approved unanimously.

Past President James R. Soles registered a request that the Committee's report provide "facts and figures concerning the numbers of courses that exceed five hours" ... "and that we have a firmly data supported report." President Callahan accepted the request.

Item F was a recommendation from the Committee on Undergraduate Admissions and Standing (A. Clark, Chairperson) on the adoption of new Undergraduate Admissions Standards.

Senator Dilley questioned the impact of "these new admission requirements [on] minority students."

The response was obtained by reading a table (see Attachment 6).

Senator Doris Williams asked for a definition of resident-connected. Dean Bruce Walker responded, "Resident-connected is [a] special category for students who may not live in Delaware but attend a high school in Delaware or whose family pays Delaware income tax." They pay "non-resident tuition" and they meet "in-state admission requirements."

Dean Gouldner added the comment, "It is clearly understood that in... practice... students that show the promise and that have the adequate predicted grade point average, but [who] do not meet these requirements are reviewed and very likely to be accepted. I think this question has been discussed many times and that is the answer to the question."

Dean Walker added that this resolution would require "applicants to the University" to be "graduates of accredited secondary schools."

Senator Frick noted that the "two years of the same language" requirement impacts most significantly on the College of Agricultural Sciences and the College of Physical Education. Hearing no other comments, President Callahan proceeded to the vote on the resolution. By voice vote, the following resolution carried:

*RESOLVED, that the Faculty Senate approves and recommends the adoption of new Undergraduate Admissions Standards for the University of Delaware as given in Attachment 7.*

[The attachment reads as follows:]

UNDERGRADUATE ADMISSIONS STANDARDS FOR THE UNIVERSITY OF DELAWARE

1. Admission Guidelines for Freshmen

- A. Applicants to the University must be graduates of accredited secondary schools or have equivalent credentials.
- B. Students should have graduated in the uppermost percentiles of their high school classes (at least the upper half).
- C. All applicants are required to submit Scholastic Aptitude Test (SAT) scores. Applicants are also encouraged to submit scores on either the College Board Achievement Tests or Advanced Placement Tests in their areas of interest for placement and advisement purposes.
- D. Applicants should have a firm grasp of basic academic skills and a strong commitment to academic achievement and learning. As this cannot ordinarily be measured directly, some form of indirect evidence is generally needed. While in some cases, alternate forms of evidence of ability and seriousness of academic purpose may be appropriate, the most easily interpreted evidence is a strong high school record with a wide range of courses.

The following courses are required:

	<u>Units</u>
1) Four years of college preparatory English, including courses with extensive writing components.	4
2) At least two years of college preparatory mathematics (more is suggested for Science, Engineering and Business and Economics Majors).	2
3) At least two years of science, including one year of a laboratory science.	2
4) Three years of social sciences, at least two in history.	3
5) At least two years of study in the same foreign language.	2
6) Academic electives, three years. Elective units should be taken in academic fields--in English, mathematics, foreign languages, history and social studies or science. Electives <u>do not</u> include, for example, sport activities or driver education.	3
Total Academic Units	16

The University urges high school students to take as many mathematics and foreign language courses as possible, with special attention to the selection of those courses in the twelfth grade.

## II. Admission Decisions

Students will be admitted after careful evaluation of individual applications. The University reaffirms its commitment to the recruitment, admission and retention of minority students and others who enhance the cultural diversity of the University. Admission will not be guaranteed, either to a college or a major, on the basis of specific class rank, test scores, or pattern of high school subjects.

The University is committed to the principle of equal opportunity in education and seeks a diverse student body. It encourages applications from persons who may not meet all the requirements set forth in this document, but who demonstrate the potential for success at the University of Delaware. Particular attention will be given to applicants who have been out of school for several years, foreign students, handicapped students, veterans, and students whose secondary education, family income level, or background have prevented them from meeting all the requirements for admission. Applicants denied admission may apply for reconsideration.

## III. Transfer Students

Minimum requirements for consideration for transfer admission include: a C average (2.0) G.P.A. in all previous college work for Delaware residents, a 2.5 G.P.A. in all college work for nonresidents.

Some majors are more competitive and require a higher G.P.A. and specific course work for admission. Competitive majors include engineering, business administration, accounting, economics, computer science, physical therapy and communication.

Transfer students should be eligible to return to their previous institutions.

## IV. Application Deadlines

The application deadlines shall be those stated in the Viewbook.

## V. Review of Admissions

Admissions to the University shall be monitored throughout the admission cycle each year by the deans of the colleges. An annual review, including a discussion of exceptional cases, shall be conducted between the Dean of Admissions and the deans of the colleges.

## VI. Implementation

These Undergraduate Admissions Standards should be implemented by the Dean of Admissions as soon as practicable. A three-year lead time is recommended to meet the needs of Delaware high schools.

Item G was a report and recommendations from the Committee on Faculty Welfare and Privileges on the revised draft of the Amorous Relationship Policy forwarded by Provost L. Leon Campbell. (Backup material is at Attachment 7.) The following note of explanation appears in the agenda distributed for this meeting:

At the request of the Senate President, the Committee on Faculty Welfare and Privileges has reviewed two drafts of a policy proposed by the University administration on amorous relationships between University employees and students. In a written response, the Committee expressed its objections to the first draft presented to us. A second draft (approved by the Council of Deans), dated January 13, 1987, was submitted to the Senate with a request that it be reviewed by the appropriate Senate Committee.

This Committee notes that several of its objections to the original draft have been rectified in the present proposal. However, the Committee finds that the present draft singles out a particular relationship as its focus rather than the unprofessional conduct for which faculty are to be held responsible, regardless of the relationship from which the unprofessional conduct arises. Unacceptable conflicts of interest may arise from relationships with friends, enemies, relatives as well as with romantic partners. What is of importance, is to make clear that professional conduct requires in all instances that University employees act in a fair and impartial manner and that employees will be held accountable for their conduct in such instances. We do not believe it appropriate to promulgate policy on one specific form of relationship to the exclusion of all others. The same principles of professional conduct apply equally to all forms of employee-student relationships.

Second, the Committee objects to the wording of the second paragraph of the draft. This paragraph may be construed to mean that only the student with whom the employee is engaged in an amorous relationship may initiate a complaint of unprofessional conduct. We believe that any such policy should make it clear that the University administration, faculty members or other students may initiate complaints of conflict of interest and unprofessional conduct.

Thus, the Committee makes the following recommendations for Senate action:

1. RESOLVED, that the Faculty Senate does not approve the revised draft proposal on amorous relationships.
2. RESOLVED, that the Faculty Senate endorse the joint development by the University administration and the Faculty Senate Committee on Faculty Welfare and Privileges of a general statement of policy on conflict of interest and unprofessional conduct between employees and students, to be presented to the Faculty Senate for consideration no later than its September, 1987 meeting.

President Callahan opened the discussion of the resolutions by noting that he would recognize first Professor Ludwig Mosberg, Chairperson of the Committee on Faculty Welfare and Privileges, then Professor Charles Marler, Chairperson of the Committee on Undergraduate Studies, and finally Professor John Beer, Chairperson of the Committee on Student Life.

Professor Mosberg made the following statement:

"The Committee on Faculty Welfare and Privileges reviewed two drafts at different times presented to it on amorous relationship. In both instances the Committee, after considerable deliberation, decided to recommend to the Senate to reject the draft statements.... Basically ...the Committee felt that the emphasis of the policy was misplaced. That the emphasis... ought to be on the unprofessional conduct which the University wants to bring to the attention of its faculty or employees in general, instead of the particular relationships which a faculty member or employee may or may not have with a particular student. What the Committee suggested was a policy that would speak to the unprofessional conduct [and] the actual behaviors that the University believes to be unprofessional and for which faculty members should be held accountable.... There are many instances of favoritism or exploitation which may result from relationships other than amorous relationships. One could show favoritism towards relatives; one could show favoritism towards friends; one could exploit enemies. It does not have to be an amorous relationship for those things to exist. And what our Committee suggests is that we develop, hopefully in cooperation with the administration, a policy which covers unprofessional conduct in relationship between faculty and students in general...."

Chairperson C. Marler made the following statement:

"While entirely sympathetic to the concerns of its authors, the Committee on Undergraduate Studies is opposed to the Amorous Relationship Policy as it's written. We concur with the resolutions presented by the Senate Committee on Faculty Welfare and Privileges and urge their acceptance by the Senate."

Chairperson J. Beer made the following statement:

"...From the point of view of student life... the problems addressed in this draft are already covered in the Student Guide to Policies and University Student Grievance Procedures under Sexual Harassment. [Further] it is unrealistic to ask resident assistants to refrain from amorous relations [with] any student not currently under their supervision just to avoid a possible future conflict of roles. We raise that question the first time the draft came around and it was not answered in the second draft."

Senator David Bellamy registered his concern for the impact the resolution might have on female graduate Ph.D. students that a "double standard" was being proposed. President Callahan responded that the resolution "merely calls for the further study of what would be an appropriate policy in this area."

Chairperson Mosberg commented "that there was certainly no intent on the part of the Committee on Faculty and Welfare Privileges to even suggest any kind of double standard." He suggested "that in cases where faculty are engaged in unprofessional conduct--and this is regardless of the sex of the student with whom they may be behaving unprofessionally--that the University has an obligation to bring charges. That if a faculty member is exploiting a student, whether it be male or female, or if a faculty member is showing favoritism towards a student to the detriment of other students, whether that student be male or female, [the] University has an obligation to... stop it."

Senator Edward Schweizer called the question.

Chairperson Mosberg questioned whether or not "the administration [could] implement this policy regardless of this vote."

President Callahan responded, "I believe the way it stands is this: that the Senate is required to respond in a timely fashion--defined as 60 days--to proposals to change policies that appear in the Faculty Handbook. ...If the Senate does not respond within 60 days, then it can be deemed to have approved [the proposal]. If we respond that we do not approve, my assumption is... that further discussion is in order."

Assistant Provost Laura Shepard indicated, "I can speak to say that that is correct. ...The resolution that is on the floor today is a response, and so the Faculty Senate would have responded in its... 60 days." Therefore, according to Assistant Provost Shepard, the administration does not plan to implement the policy.

Senator Frank Dilley ask that the two resolutions be divided. President Callahan consented. Hence the first resolution, as stated below, was voted upon. The vote was 43 in favor, three opposed and three abstentions. The resolution carried.

1. *RESOLVED, that the Faculty Senate does not approve the revised draft proposal on amorous relationships.*

The second resolution was voted upon. The vote was 49 in favor and one opposed. The following resolution carried:

2. *RESOLVED, that the Faculty Senate endorse the joint development by the University administration and the Faculty Senate Committee on Faculty Welfare and Privileges of a general statement of policy on conflict of interest and unprofessional conduct between employees and students, to be presented to the Faculty Senate for consideration no later than its September, 1987 meeting.*

Dean Helen Gouldner requested the right to make a comment. Her request was granted. She stated, "As I thought about this policy over the past month or so, I believe ...that we need some legal advice. ...Some of the wording of the policy... was questionable. Normally we seek legal advice at the last possible opportunity, but in this case, I most strongly urge the committee to consider it."

Item H was a report and recommendation from the Committee on Faculty Welfare and Privileges for an Addition to the Faculty Handbook, Section III-N.1, Terminations and Nonrenewals. This was proposed at the request of President E. A. Trabant. (Attachment 8) The following note of explanation appeared in the agenda distributed for this meeting:

In the view of the Committee on Faculty Welfare and Privileges all tenured faculty of the University should enjoy the same privileges and protections regardless of any non-academic position held concurrently. The fact that one holds an administrative position should be irrelevant to either the granting or termination of tenure. Thus, the Committee is unaware of any compelling reason to substitute another officer to receive the report of the Committee on Faculty Welfare and Privileges in the case of certain tenured faculty members who happen to hold specified administrative positions. While the entire policy on termination for cause is presently under review, we suggest, in the interim, the following replacement for the proposed change in the Faculty Handbook, Section III-N:

RESOLVED, that the Faculty Senate recommends the following addition to paragraph 1 of Section III-N of the Faculty Handbook:

N. TERMINATIONS AND NONRENEWALS

1. Terminations

A clear understanding of the terms of the contract between the faculty member and the University is a prerequisite for<sup>1</sup> a harmonious relationship. Within the terms of his/her<sup>1</sup> contract, a faculty member at the University of Delaware is assured that an appointment will be terminated only for adequate cause--incompetence, gross irresponsibility, or moral turpitude--except for retirement because of age or termination caused by extraordinary financial circumstances.

Faculty members shall be terminated for cause only after being afforded a hearing before the Senate Committee on Faculty Welfare and Privileges. Faculty members shall be informed in writing at least four weeks prior to the hearing of the reasons for the proposed termination, shall have the opportunity to be heard in their own defense, and shall be permitted to be advised and represented by persons of their own choosing. This committee shall render its advisory decision to the appropriate administrative officer within 14 working days after the hearing. The President of the University is the appropriate administrative officer to receive the report from the Committee on Faculty Welfare and

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<sup>1</sup>Formerly "his."



Privileges. However, if in the judgment of the President, he/she does not believe that he/she can render an impartial, unbiased decision in any case of termination for cause, the President should so state in writing and the most academically senior Vice-President be designated to receive the report and to act in place of the President in this matter. By "academically senior" is meant: 1) senior in academic rank, and 2) if of equal rank then by time in rank at the University of Delaware. Should all Vice-Presidents claim inability to render an impartial, unbiased decision then the receiver of the report shall pass to the ranking academic Dean.

In the case of termination for cause, the burden of proof in the proceedings rests with the party or parties bringing the charge. In the case of proposed termination for moral turpitude, faculty members may be temporarily suspended in the event that their continued presence at the University would constitute a clear and present danger to the health, morals, or safety of members of the University community until the final decision is rendered. Termination for cause shall become effective after one year's notice of the final decision to terminate; however, the effective date for termination involving gross irresponsibility or moral turpitude may be immediate.

President Callahan provided the following additional information:

"In connection with the termination proceedings involving former Vice-President Brown, a procedural gap came to light and to close that procedural gap the administration proposed in a letter from President Trabant to the Senate Executive Committee... a new section to the Faculty Handbook. Again, acting under the 60-day rule, and seeking a timely response... the Senate Executive Committee referred it to the Committee on Welfare and Privileges. The Committee on Welfare and Privileges has made a recommendation which differs from that transmitted by the President. That recommendation is before you."

Chairperson Mosberg elaborated:

"The recommendation from President Trabant calls for certain administrative officers to be handled differently in case of termination than other faculty members. That is if... the University should try to terminate [a person who holds an academic tenured rank], then according to the President's policy suggestion it would go to the President of the Board of Trustees. It was the view of the Committee that administrative officers who hold academic rank should not be treated any differently than any other faculty member of academic rank in the case of the promotion to tenure rank or termination of tenure rank. [Further] that the administrative officer who should receive the report of the Committee on Faculty Welfare and Privileges, in case of a termination hearing, should be the President of the University, as it should be for all faculty. In the case, however, where the

President may feel that he or she cannot render an unbiased decision or impartial decision, then... the report of the Committee on Faculty Welfare and Privileges should go to the academically senior vice-president and down the line to the senior academic deans. But it seemed to us to be an important principle that whether [or not] a person happens to hold an administrative position while at the same time holding an academic rank... should not influence or determine the procedures or how that person is treated as opposed to any faculty member in terms of academic rank."

Senator Ronald Martin requested clarification of what "if of equal rank then by time in rank" [means]. Chairperson Mosberg responded by providing the example of "if... two vice-presidents are both full professors then the one that would get the report would be the one that has been a full professor the longest--at least at Delaware."

Hearing no additional questions, the vote was taken. The resolution (as stated on pages 16 and 17 of these minutes) carried with 43 in favor, none opposed, and two abstentions.

Item I was a call for new business. Senator Mark Noll proposed that the "current plus/minus grading system be revised to a plus system only." The motion was seconded.

Senator Annette Burton proposed a motion that "when this new grading system is implemented, that it be done on a trial basis, [and that in] four years [it] be evaluated... to determine if it's beneficial for the University to continue with this system." The motion was seconded.

Hearing no additional business, the Senate adjourned at 5:25 p.m.

Dutifully submitted,

*Carol Vukelich*

Carol Vukelich  
Secretary  
University Faculty Senate

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Attachments:

1. Curricula revisions of the Undergraduate Programs in Chemical Engineering
2. Honors Degree Program in Economics (B.A. in College of Arts and Science, and B.S. in College of Business and Economics)
3. Doctor of Education Degree (Ed.D.)
4. New major leading to the B.S. degree in Biological Science with a concentration in Biotechnology
5. Bachelor of Applied Sciences Degree with a major in Engineering Technology and Technical Management
6. Fall 1986 Entering Freshmen by Residency and Race
7. Revised draft of the Amorous Relationship Policy
8. Proposal to the Faculty Handbook on Terminations and Nonrenewals