

REGULAR MEETING OF THE UNIVERSITY FACULTY SENATE

November 5, 1990

**MINUTES**

The regular meeting of the University Faculty Senate was called to order on Monday, November 5, 1990 at 4:00 p.m. with President Goldstein presiding.

Senators not in attendance were: Donald Crossan, Sue Davis, David Morse, Peter Roe, Christopher Smith, Richard Sylves, Nicholas Triantafillou

Senators excused were: Alexander Doberenz, Frank Murray, Richard Murray, Larry Peterson, David P. Roselle, Stanley Sandler, Tuncay Saydam, Yda Schreuder, Peter Warter

I. ADOPTION OF THE AGENDA

Hearing no requests to amend the agenda as distributed to members of the Faculty Senate, President Goldstein indicated that we would proceed with that agenda.

II. APPROVAL OF THE MINUTES

The minutes were approved with the following additions and changes:

1. Under New Business, Item B.1. (wording of the nondiscrimination policy as it is to appear in the Faculty Handbook) the statement should read "disability, or veteran status" rather than "veteran or disability status."
2. Under New Business, Items B.1. and B.2., in the two paragraphs preceded by the word RESOLVED, "[non-]" should be inserted before the word italics (in both B.1. and B.2., since those statements are themselves in italics and the revised policy statements were therefore printed in Roman type).

III. REMARKS BY PRESIDENT ROSELLE and/or ACTING PROVOST MURRAY. None.

IV. ANNOUNCEMENTS

1. The Ernst resolution (attachment 5 in the Agenda), regarding the way that research is managed at the University of Delaware, was originally referred to the Committee on Graduate Studies; and that Committee suggested that the Committee on Research should also consider the resolution. The Committee on Research has taken the resolution under advisement, and any suggestions from senators about the Ernst resolution should therefore be directed to members of that Committee.

2. The Mosberg resolution (attachment 6 in the Agenda), proposing that we notify George Schultz to the effect that we disapprove of his receiving an honorary degree awarded by the Board of Trustees (and not by the faculty) of the University of Delaware, was referred to the Committee on Committees and Nominations; and no action has been taken on it. At this point we do not expect that any further action will be taken.

(Senator Schweizer clarified his own position on the matter--he had declined to serve on the committee dealing with such an honorary degree, because it became clear that the degree was being awarded by the Board of Trustees, without faculty involvement, and therefore his service seemed superfluous.)

3. Professor Bill Lawson's name (Philosophy Department) has been added to the Committee on Committees and Nominations' list of nominees to the Committee on Diversity and Affirmative Action.
4. The Faculty Senate's Ad Hoc Committee on Divestments, which was appointed last year and continues this year, will hold an open hearing on the question of the University's divesting itself of investments in companies that do business in or with the Union of South Africa. The hearing is to be at 3:00 p.m. on Wednesday, December 5th in 120 Smith Hall.

V. OLD BUSINESS

Item A was a request from the Committee on Committees and Nominations (J. Olson, Chairperson), for Senate confirmation of committee appointments. The following members and chairpersons were confirmed by the Senate:

COMMITTEE ON INSTRUCTIONAL, COMPUTING AND RESEARCH SUPPORT SERVICES

Chair: Madeline Lambrecht

COMMITTEE ON DIVERSITY AND AFFIRMATIVE ACTION

Chair: Robert Warren  
Member: Juan Villamarin  
Member: Raymond Wolters  
Member: Azir Majidi  
Member: Bill Lawson

COMMITTEE ON RULES

Member: James Morrison

VI. NEW BUSINESS

Item A was a recommendation from the Faculty Senate Executive Committee on hearing procedures for complaints brought before the Committee on Faculty Welfare and Privileges. President Goldstein indicated that because the pattern of precedents is far less clear than it had seemed at first to be, the Executive Committee is withdrawing its recommendation (listed below) in connection with hearing procedures for complaints brought before the Committee on Faculty Welfare and Privileges. Instead, she asked that the Committee on Faculty Welfare and Privileges consult with the Committee on Committees and Nominations, which will then be asked to draft a set of procedures for inclusion in the Faculty Handbook since at present that document provides no guidance to faculty members on this important matter.

WHEREAS, the precedents for the last 15 years show that Faculty Committee on Welfare and Privileges' hearings have permitted outside attorneys to be present only in cases involving termination of faculty members, and

WHEREAS, the Faculty Handbook mentions a right to an adviser of one's own choosing only in its discussion of faculty terminations (p. III-N-1) but not in its general description of Faculty Welfare Privileges' academic complaint hearing procedures, and

WHEREAS, the Faculty Handbook (at I-17) specifically charges the Committee on Faculty Welfare and Privileges to "seek[] the informal resolution of possible grievances or complaints" (emphasis added), and

WHEREAS, every occasion for which a complainant chooses to hire an attorney creates pressure on the University to expend funds for one or more attorneys, be it therefore

RESOLVED, that the Committee on Faculty Welfare and Privileges' hearings are to proceed without the presence of attorneys from outside the University unless the complaint involves a job termination, as described in III-N-1 of the Faculty Handbook.

Item B was a recommendation from the Committee on Budget and Space Utilization (L. Leon Campbell, Chairperson), amending the Smoking Policy as approved by the Faculty Senate on April 6, 1987 (resolution listed below). After a prolonged and inconclusive discussion, the recommendation from the Committee on Budget and Space Utilization for amending the Smoking Policy was sent back to that Committee and to the Committee on Faculty Welfare and Privileges (since a good many complaints about the Smoking Policy had been directed to the latter Committee by various faculty members) with instructions to clarify the policy with regard to private offices and the designation of smoking and/or non-smoking areas.

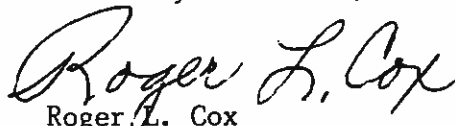
RESOLVED, that the Smoking Policy in the Faculty Handbook (attachment 3) at V, "Personnel Benefits and Miscellaneous Information," subsection M. "Smoking Policy," page V-M-1 be amended by adding to paragraph 1. b) the following areas: **corridors, hallways, and lobbies** and that paragraph 2. e), page V-N-1 related to the same areas be deleted, and be it further

RESOLVED, that the corresponding changes be made in the Smoking Policy as it appears in the University of Delaware Policy Manual and pages 46 and 47 of the Personnel Policies and Procedures for Professional and Salaried Staff (attachment 4).

Note: The Implementation section of the Smoking Policy in the University of Delaware Policy Manual and the Personnel Policies and Procedures for Professional and Salaried Staff says "Unit heads...are responsible for.... Designation of smoking and non-smoking areas." In the context of the entire policy that lists areas where smoking is prohibited and areas that may have provisions for smoking, the unit head responsibility does not specifically allow the establishment of a smoke-free building.

The meeting was adjourned at 4:50 p.m.

Dutifully submitted,



Roger L. Cox  
Secretary  
University Faculty Senate