

REGULAR MEETING OF THE UNIVERSITY FACULTY SENATE

March 4, 1991

MINUTES

The regular meeting of the University Faculty Senate was called to order on Monday, March 4, 1991 at 4:00 p.m. with President Goldstein presiding.

Senators not in attendance were: Scott Jones, Richard Libera, Raymond Nichols, Leslie Riedel, Yda Schreuder, Nicholas Triantafillou

Senators excused were: Edith Anderson, Joan Brown, Donald Conlon, Thomas Ernst, Roberta Golinkoff, Charles Kopay, R. Byron Pipes, Judith Roof, David P. Roselle, Carol Rudisell, Richard Sylves, Joann Thomas, Carolyn Thoroughgood, Peter Warter, Allan Waterfield

I. ADOPTION OF THE AGENDA

After a decision to place Items H and I (NEW BUSINESS) after A and B under OLD BUSINESS, the Agenda was adopted in that revised form.

II. APPROVAL OF THE MINUTES

There being no comments or objections, the minutes were approved as distributed.

III. REMARKS BY PRESIDENT ROSELLE and/or ACTING PROVOST MURRAY

None.

IV. ANNOUNCEMENTS

1. President Goldstein spoke words of welcome to Dan Rich, the new dean of the College of Urban Affairs, who now joins the Senate by reason of his office.
2. There will be an open hearing on the Ph.D. program in Criminology, the status of which is still provisional, and the purpose of the hearing is to discuss the possibility of its becoming a permanent offering at the University. The hearing is to be held Monday, March 11, in Room 112, Memorial Hall.
3. Two matters in connection with the legal studies proposal: First, the Department of Communication wishes to correct the spelling of its name whenever it is referred to in that proposal--there should be no "s" after Communication in its name. Next, after the word "business" on page 5, communication comma should be inserted. Also,

after I. Introduction to Law PSC 380 3 credits, 91-92 should appear in parentheses. Likewise, after II. Legal Studies LS 301, 92-93 should appear in parentheses; and on the next page, handwritten 91-92 at III. it should say 92-93 if needed.

ANNOUNCEMENTS FOR CHALLENGE

After some discussion, the following 15 revisions to University programs were approved:

1. Revision and renaming of the B.S. in Human Resources: From Community and Family Services to Family and Community Services
2. Revision of the B.A. and Honors B.A. in Philosophy
3. Revision of the minor in Philosophy
4. Revision of the B.A. in Physics
5. Revisions of the B.S. in Physics
 - a. Astronomy
 - b. Chemical Physics
6. Revision of the minor in Spanish
7. Revision of the B.M. in Music Education: Instrumental
8. Revision of the B.M. in Music Education-General/Choral:
 - a. Keyboard
 - b. Voice
9. Revision of the Master of Music: Teaching
10. Revision of the B.F.A. in Fine Arts
11. Revision of the minor in Women's Studies
12. New minor in Legal Studies
13. Revision of the M.S. in Civil Engineering
14. Revision of the M.Ed. Program in College Counseling
15. Revision of the M.S. in Computer Science

V. OLD BUSINESS

After much discussion, the following resolution offered by Senator Schweizer concerning the necessity for an adult supervisor in various campus living groups, with amendments, was tabled for one month. [Words in **bold type** have been added and words in brackets have been deleted.] (See attached statement from Senator Braun.)

RESOLVED, that the Faculty Senate approves the disestablishment of the major in Nursery-Kindergarten Education (B.S. in Human Resources) effective February 1, 1992.

- C. Recommendation from the Committee on Undergraduate Studies (H. Hall, Chairperson), with the concurrence of the Coordinating Committee on Education (R. Taggart, Chairperson), for the disestablishment of the major in Young Exceptional Children (B.S. in Human Resources).

RESOLVED, that the Faculty Senate approves the disestablishment of the major in Young Exceptional Children (B.S. in Human Resources) effective February 1, 1992.

- D. Recommendation from the Committee on Undergraduate Studies (H. Hall, Chairperson), with the concurrence of the Coordinating Committee on Education (R. Taggart, Chairperson), for provisional approval of a new major in Early Childhood Development and Education within the B.S. degree in Human Resources.

RESOLVED, that the Faculty Senate approves provisionally, for four years, the establishment of a new major in Early Childhood Development and Education, leading to a B.S. degree in Human Resources, effective immediately.

- E. Recommendation from the Committee on Undergraduate Studies (H. Hall, Chairperson), with the concurrence of the Coordinating Committee on Education (R. Taggart, Chairperson), for provisional approval of a new major in Human Development and Family Processes leading to the B.S. degree in Human Resources.

RESOLVED, that the Faculty Senate approves provisionally, for four years, the establishment of a new major in Human Development and Family Processes leading to the B.S. degree in Human Resources, effective immediately.

V. OLD BUSINESS (resumed agenda for meeting of March 4)

- B. Returning to the normal order of the Agenda, President Goldstein offered a substitute resolution, worked out by the Executive Committee, for Dean Murray's resolution concerning the presence of lawyers at hearings before the Committee on Faculty Welfare and Privileges. Dean Murray accepted the substitution. The substitute resolution is as follows:

RESOLVED, that except in cases involving termination (or non-renewal) of faculty, in hearings before the Committee on Faculty Welfare and Privileges, the choice of "advisers" or "observers" who may participate in the hearing shall be limited to persons selected from the University of Delaware faculty, and be it further

RESOLVED, that in a termination (or non-renewal) complaint before the Committee the decision whether to involve non-faculty attorneys shall rest with the person who faces termination. If the complainant chooses to engage a non-faculty attorney for the hearing, the University shall be obliged to provide an attorney for the respondents to the complaint.

In a lengthy debate that followed, Senator Gordon Bonner, a member of the Faculty Senate Committee on Faculty Welfare and Privileges, spoke for forty-five minutes characterizing the substitute resolution as part of a pattern of pressure tactics on the part of the Administration and the Senate Executive Committee, an attempt on their part to interfere with the conduct of Faculty Welfare and Privileges Committee business. President Goldstein strongly objected to that characterization.

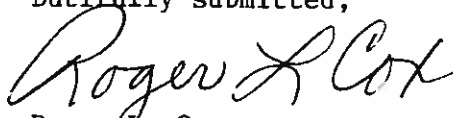
Chairman L. Leon Campbell of the Committee on Budgetary and Space Priorities pointed out that if the proposed resolution is to be effective it would require a change in the Faculty Handbook and specific approval by the Board of Trustees. The following paragraph incorporates the substance of the resolution and would be inserted at the appropriate place(s) in the Faculty Handbook if the proposed resolution is eventually passed by the Senate:

Except in cases involving termination (or non-renewal) of faculty, in hearings before the Committee on Faculty Welfare and Privileges, the choice of "advisers" or "observers" who may participate in the hearing shall be limited to persons selected from the University of Delaware faculty. In a termination (or non-renewal) complaint before the Committee the decision whether to involve non-faculty attorneys shall rest with the person who faces termination. If the complainant chooses to engage a non-faculty attorney for the hearing, the University shall be obliged to provide an attorney for the respondents to the complaint.

After a motion to table the resolution failed to get a majority vote, an alternative motion to refer the amended substitute resolution to the Committee on Committees and Nominations with instructions to report back to the Senate at its meeting in October received Senate approval.

The meeting was adjourned at 5:35 p.m.

Dutifully submitted,



Roger L. Cox
Secretary
University Faculty Senate

- WHEREAS, there are a number of organizations recognized by the University of Delaware that have houses on and off campus that serve as dormitories, and
- WHEREAS, these houses, if they were not "recognized" by the University, would be in violation of the City of Newark Landlord-Tenant Code which allows for no more than four unrelated individuals to live in a residential unit, and
- WHEREAS, the University of Delaware's recognition constitutes a de facto assumption of responsibility for the behavior of the individuals living in the houses, therefore be it
- RESOLVED, that all undergraduate student residences of organizations recognized by the University of Delaware whose occupancy exceeds [that allowed by the Landlord Tenant-Code] ten be required to have a resident house director, and be it further
- RESOLVED, that the house director is to be hired by the organization in question [in consultation with the University administration and must be trained by the University] and is expected to work with the University in the same manner as comparable residence hall staff. The house directors may not be members of the organizations they are supervising, and must be at least 22 years of age or a college graduate.

The occupants of the residences in question shall bear the cost of the house directors. The house directors shall be in place by the beginning of the Fall semester 1991.

The meeting was adjourned at 5:25 p.m. to be reconvened at 4:00 p.m., Monday, March 11, 1991.

RECONVENED MEETING OF THE UNIVERSITY FACULTY SENATE

March 11, 1991

MINUTES

The March meeting of the University Faculty Senate, which had been adjourned the previous Monday, was reconvened at 4:00 p.m. on Monday, March 11, President Goldstein presiding.

Senators not in attendance were: Kenneth Biederman, Donald Conlon, Donald Crossan, Helen Gouldner, Bernard Herman, Carole Marks, Douglas Miller, Richard Murray, Raymond Nichols, Daniel Rich, Judith Roof, Tuncay Saydam, Christopher Smith, Joann Thomas, Nicholas Triantafillou

Senators excused were: Edith Anderson, Alexander Doberenz, Roberta Golinkoff, James Hawk, Charles Kopay, David Langenberg, Debra Norris, Linda Pellecchia, Larry Peterson, John Pikulski, R. Byron Pipes, David P. Roselle, Yda Schreuder, Stuart Sharkey, James Sills, Jr., Janet Smith, Richard Sylves, Krzysztof Szalewicz, Carolyn Thoroughgood, Peter Warter, D. Allan Waterfield

By unanimous consent, Items A through E under NEW BUSINESS, which require Senate action before the April meeting of the Board of Trustees if they are to become part of the 1991-92 University catalog, were made the first items of business. All five recommendations passed without difficulty; the wording in Item D was changed, however, from "Early Child Development" to "Early Childhood Development."

The five resolutions are as follows:

- A. Recommendation from the Committee on Undergraduate Studies (H. Hall, Chairperson), with the concurrence of the Coordinating Committee on Education (R. Taggart, Chairperson), for the establishment of an Honors Degree in Biological Sciences with a concentration in Biotechnology (B.S. in College of Arts and Science).

RESOLVED, that the Faculty Senate approves the establishment of an Honors Degree in Biological Sciences with a concentration in Biotechnology (B.S. in College of Arts and Science), effective immediately.

- B. Recommendation from the Committee on Undergraduate Studies (H. Hall, Chairperson), with the concurrence of the Coordinating Committee on Education (R. Taggart, Chairperson), for the disestablishment of the major in Nursery-Kindergarten Education (B.S. in Human Resources).

Read by Senator Theodore Braun, Arts & Science At-Large
on March 4, 1991.

Remarks on the Schweizer Proposal 4 March 1991

We have all received an impressive package in connection with the March agenda, including 9 pages of the Newark Municipal Code and a total of 19 pages representing the IFC position on it. ^{the proposal} We are much appreciative of this material, which indeed helps shed some light on the matter at hand. We learn that, on paper, there is a strong alcohol control policy and an attempt to discuss the question of sexual conduct at parties and in the houses. We learn that there are significant fines for violations of rules concerning the serving of alcoholic beverages at fraternity functions. We are apprised of the fact that at least one fraternity requires its members to attend risk management seminars covering a variety of issues. We are told in explicit terms that "Brotherhood ends where liability begins," an exhortation to enlightened individual and social control, the message being reinforced by the statement that "If the chapter is forced to choose between the group and the individual, the individual will always lose." We learn that fraternities attempt to help their members achieve in their courses and make contacts in business both during their college experience and afterwards.

There are documents conspicuous by their absence, however, including personal protection, alcohol issues on campus, drug presentation, and sexual assault issues. There is no documentation as to the actual implementation of policies: have members reported brothers who were in violation of policies?

Have the fraternities actually prosecuted members found in violation of policies? How thorough have their investigations, if any, been? I would like to address one of these issues briefly, but it is one that ultimately touches on all the others. I am referring to sexual abuse.

We had a recent case on campus in which a 17-year-old first year student, who may or may not already have been intoxicated, was offered drink at a fraternity party, during which she was gang raped. To my knowledge, no brother has confessed to the crime--and a crime it is, not a youthful exploit--and no brother has come forward to advise the group that a violation of honor had occurred; nor has the fraternity in question conducted the kind of investigation that ends where it should end, in court, with the group protecting itself from the crimes of its individual members. In case you think that this accusation is unfair and not justified by the facts, let me quote from a review by Robin Warshaw of Peggy Reeves Sanday's book, Fraternity Gang Rape, that appeared in The Philadelphia Inquirer of Sunday January 6, 1991, page 1-I:

"Pulling train," for those unfamiliar with the term,

generally involves targeting a young woman (a freshman or someone with emotional problems is usually the best candidate), giving her lots to drink (she may already have gotten drunk on her own), isolating her in a room and then gathering several fraternity brothers to have sexual contact with her. This contact may range from undressing

her to kissing her to biting and bruising her, forcing objects into her body and ejaculating on or in her.

It's called "pulling train" because the men involved line up like boxcars in a train, each waiting to take his turn while the others watch. The woman may have passed out, be incoherent, be caked in her own vomit or be resisting--her condition and her opinion of the activity are immaterial to the group. She is often--as I heard two University of Delaware fraternity members laughingly describe the woman in a "train" they joined--"so out of it" she doesn't "know what was going on."

Two University of Delaware fraternity members "laughingly describe" the condition of a woman they raped. What has been done with these young men? What has been done with the fraternities that covered up their case?

I said earlier that this kind of behavior is no youthful prank. It is a crime. But it is a crime committed by people who, while legally adults, are in fact in their late adolescence. It is a crime committed by people who have demonstrated that they do not know how to control their actions. And it is a crime that, because it is unpunished in the house, is encouraged, and because it is covered up by the very people intended to control it, it is a safe crime.

The Schweizer proposal is a small step towards exercising some control over these activities. It simply requires that an adult (defined as a person at least 22 years of age or possessing a bachelor's degree) who has no connection with the organization

be a resident supervisor of that organization. It is a small step towards assuring the University's control over criminal activities which might open the University, its relevant officers and administrators, and perhaps even those in the Senate who by default approve such behavior, to criminal lawsuits.

If my daughter were a student at the University of Delaware and if the Senate tables or kills this proposal, she would not be back next fall. Nor would I, nor could I in conscience, encourage any high school senior to come here. If I had a son, he too would be out of the University. And if in the last few months my daughter had here, she were raped by a fraternity train, I would bring suit not only upon those brothers who could be identified, but on the entire apparatus that supported that behavior--the fraternity itself, the appropriate university officers and administrators, the members of the committee recommending the continuation of the whitewashing of this kind of criminal behavior, and those members of the Senate voting to defeat the Schweizer proposal. For that reason, I request that any and all votes taken on this issue be made by roll call, and that they therefore become part of the public record.