

UNIVERSITY FACULTY SENATE

SUMMARY OF AGENDA

November 5, 1990

- I. ADOPTION OF THE AGENDA
- II. APPROVAL OF THE MINUTES: October 1, 1990
- III. REMARKS BY PRESIDENT ROSELLE and/or ACTING PROVOST MURRAY
- IV. ANNOUNCEMENTS: Senate President Goldstein
- V. OLD BUSINESS
 - A. Confirmation of Committee on Committees and Nominations' appointments
- VI. NEW BUSINESS
 - A. Recommendation from the Faculty Senate Executive Committee on hearing procedures for complaints brought before the Committee on Faculty Welfare and Privileges
 - B. Recommendation from the Committee on Budget and Space Utilization on amending the Smoking Policy
 - C. Introduction of new business





University of Delaware

UNIVERSITY FACULTY SENATE
219 McDOWELL HALL
NEWARK, DELAWARE 19716

(302) 451-2921
(302) 451-2922

October 23, 1990

TO: All Faculty Members

FROM: Ken Lomax, Vice President
University Faculty Senate

A handwritten signature in cursive script, appearing to read "Ken Lomax".

SUBJECT: Regular Faculty Senate Meeting, November 5, 1990

In accordance with Section IV, paragraph 6 of the Constitution, the regular meeting of the University Faculty Senate will be held on Monday, November 5, 1990 at 4:00 p.m. in room 110 Memorial Hall.

AGENDA

- I. Adoption of the Agenda.
- II. Approval of the minutes of the Senate meeting of October 1, 1990.
- III. Remarks by President Roselle and/or Acting Provost Murray.
- IV. Announcements: Senate President Goldstein
- V. Old Business
 - a. Request from the Committee on Committees and Nominations (J. Olson, Chairperson), for Senate confirmation of committee appointments.

RESOLVED, that the appointments to Senate committees, as presented in Attachment 2 of this Agenda, are hereby confirmed.

VI. New Business

- A. Recommendation from the Faculty Senate Executive Committee on hearing procedures for complaints brought before the Committee on Faculty Welfare and Privileges.

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.

- B. 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.

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).

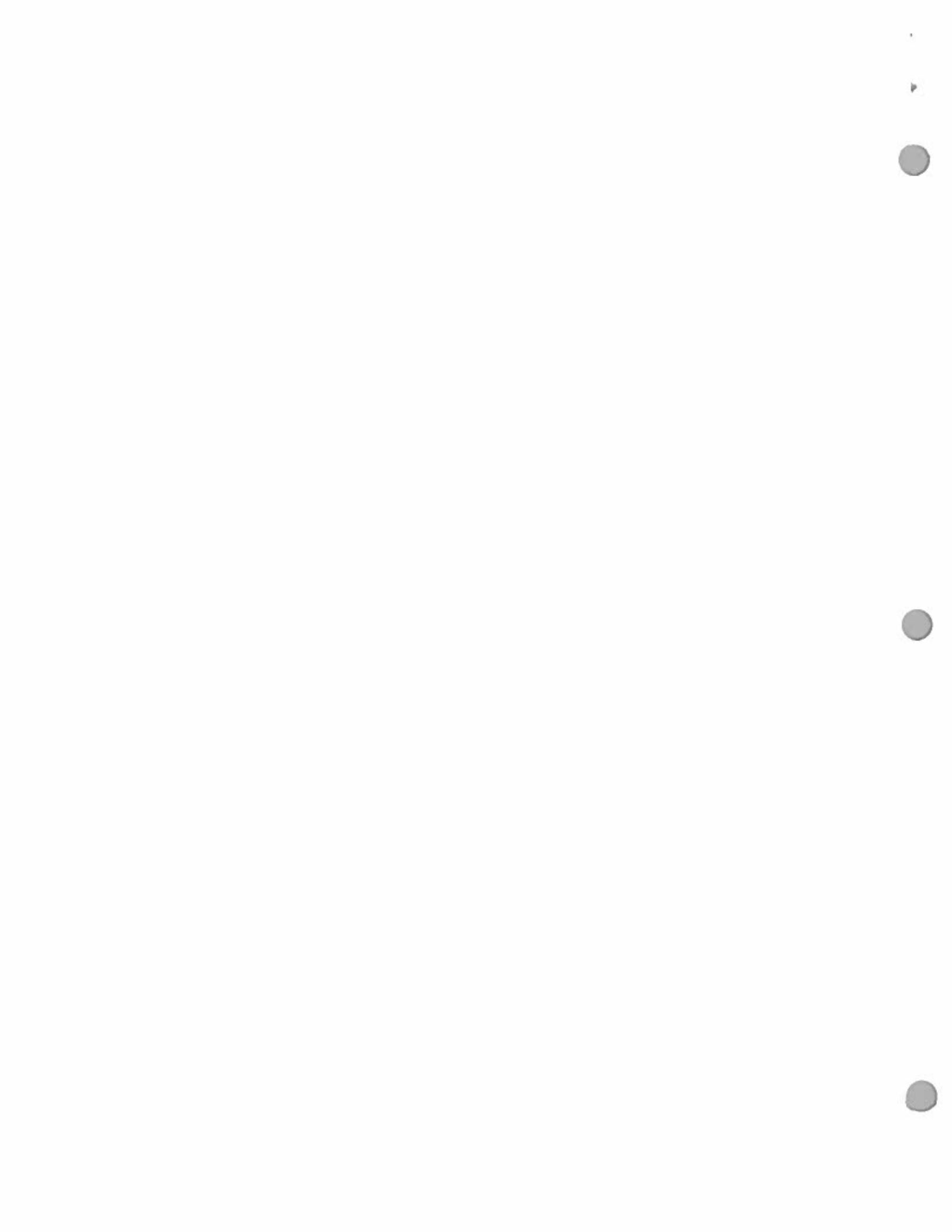
Note: The Implementation section of the Smoking Policy in the University of Delaware Policy Manual and the Personnel Policies and Procedures for Professional and Salaried Staff says "Unit heads...are responsible for.... Designation of smoking and non-smoking areas." In the context of the entire policy 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.

- C. Such items as may come before the Senate. (No motion introduced at this time may be acted upon until the next meeting of the Senate.)

rg

Attachments:

1. Committee Activities Report
2. Committee Appointments
3. Smoking Policy from the Faculty Handbook
4. Smoking Policy from Personnel Policies and Procedures for Professional and Salaried Staff
5. Report from the Committee on Graduate Studies on the resolution from Senator Ernst
6. Report from the Committee on Committees and Nominations on the resolution from Prof. Mosberg



COMMITTEE ACTIVITIES REPORT

Academic Appeals, Committee on (E. Naudain Simons)

No formal actions being handled by the Committee at this time

Budgetary and Space Priorities, Committee on (L. Leon Campbell)

1. Discussing growth in the number of professional positions in the University
2. Discussing use of land by College of Agricultural Sciences
3. Reviewing Weber Report
4. Reviewing University budget with Senior Vice President Hollowell

Committees and Nominations, Committee On (Jon Olson)

1. Membership of Committee on Diversity and Affirmative Action
2. Chairperson for Committee on Instructional, Computing and Research Support Services
3. Trustee Observers
4. Replacements on several committees
5. Concern for workload of Committee on Faculty Welfare and Privileges

Cultural Activities and Public Events, Committee on (Hilton Brown)

Ongoing review of requests for funding cultural activities and public events.

Faculty Welfare and Privileges, Committee on (Gordon J. DiRenzo)

1. Grievances in progress (6)
2. Revising hearing procedures
3. Reviewing smoking regulations
4. Discussing Committee organization
5. Discussing faculty involvement in commercial enterprises
6. Discussing sabbatical policy

Promotions and Tenure, Committee on (John Wehmiller)

Discussing proposal for "parent" track to tenure

Student and Faculty Honors, Committee on (U. Carl Toensmeyer)

Preparing for the Excellence in Teaching and Undergraduate Academic Advising awards

/wc

COMMITTEE APPOINTMENTS FOR SENATE CONFIRMATION

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
Members: Azir Majidi

COMMITTEE ON RULES

Member: James Morrison

M. SMOKING POLICY

The University of Delaware will consider the needs and concerns of smokers, and non-smokers alike, in providing a healthful environment for all employees, students, faculty, and guests. All University of Delaware employees, students, faculty, and guests will be expected to comply. This policy does not apply to University residence hall buildings. Policies regarding smoking in residence hall buildings will be addressed in the Residence Hall Handbook.

1. Prohibited smoking areas:

a) Academic Areas

- classrooms/lecture halls
- seminar rooms
- laboratory and computing facilities

b) General Areas

- conference rooms
- auditoriums
- exhibition areas
- indoor athletic facilities
- theatres
- pavilions and reception areas

c) Special Function Areas

- health facilities
- library stacks
- elevators
- escalators
- stairwells
- restrooms
- customer service areas
- kitchens and food service area shops
- storage rooms
- warehouses

d) Miscellaneous areas

- all vehicle storage areas
- all common garages
- all University vehicles (unless assigned only to smokers)
- all motor pool vehicles

2. Provisions for Smoking Areas:

- a) Large open spaces such as dining rooms and lounges that have adequate ventilation may have up to one-third of the area designated for smoking.
- b) Libraries may designate specific areas or rooms for smoking if ventilation is adequate and there is no fire hazard.
- c) Unit heads or their designees may establish as "Smoking Permitted Areas" rooms that have closed doors and floor to ceiling partitions as long as ventilation is adequate and non-smokers in adjacent areas are not exposed to secondhand or side-stream smoke.
- d) The Directors of the Student Center, Food Service, and Conferences and Centers may, at their discretion, allow smoking by groups making use of large group function areas or other rooms in these buildings, if they determine that it is appropriate to the nature of the scheduled event.
- e) Smoking is permitted in corridors, hallways and lobbies unless "No Smoking" signs are posted.

SMOKING

POLICY

I. BACKGROUND AND PURPOSE

Medical evidence clearly shows that smoking is harmful to the health of smokers. It is also an irritant to many non-smokers and can worsen allergy conditions. In sufficient concentrations, secondhand smoke may be harmful to those with chronic heart or lung disease. In addition, there is evidence that long-term exposure to secondhand smoke may seriously threaten the health of non-smokers.

II. DEFINITION

Smoking includes the inhaling, exhaling and carrying of any lighted cigarettes, cigars, or pipes.

III. POLICY

The University of Delaware will consider the needs and concerns of smokers, and non-smokers alike, in providing a healthful environment for all employees, students, faculty, and guests. All University of Delaware employees, students, faculty and guests will be expected to comply. This policy does not apply to University residence hall buildings. Policies regarding smoking in residence hall buildings will be addressed in the Residence Hall Handbook.

A. Smoking is prohibited in the following areas:

1. Academic areas
Classrooms, lecture halls, seminar rooms, laboratory and computing facilities.
 2. General areas
Conference rooms, auditoriums, exhibition areas, indoor athletic facilities, theaters, pavilions, and reception areas.
 3. Special function areas
Health facilities, library stacks, elevators, escalators, stairwells, rest rooms, customer service areas, kitchens and University dining service areas, shops, storage rooms and warehouses.
 4. All vehicle storage areas, common garages and University vehicles unless assigned only to smokers.
 5. All Motor Pool vehicles.
- B. Provisions for smoking areas:
1. Large open spaces such as dining rooms and lounges that have

adequate ventilation may have up to one-third of the area designated for smoking.

2. Libraries may designate specific areas or rooms for smoking if ventilation is adequate and there is no fire hazard.
3. Unit heads or their designees may establish as "Smoking Permitted Areas" rooms that have closed doors and floor to ceiling partitions as long as ventilation is adequate and non-smokers in adjacent areas are not exposed to secondhand or side-stream smoke.
4. The Directors of the Student Center, University Dining Services, and Conferences and Centers may, at their discretion, allow smoking by groups making use of large group function areas or other rooms in these buildings, if they determine that it is appropriate to the nature of the scheduled event.
5. Smoking is permitted in corridors, hallways and lobbies unless "No Smoking" signs are posted.

IV. IMPLEMENTATION

- A. Plant Operations will be responsible for acquiring, posting, and maintaining "No Smoking" signs in designated non-smoking areas and "Smoking Permitted" signs in designated areas.
- B. Unit heads or their designees are responsible for the following actions within their jurisdiction:
 1. Distribution of copies of this policy to employees, faculty, and/or students.
 2. Designation of smoking and non-smoking areas.
 3. Enforcement of this policy.

V. ENFORCEMENT

Employees, faculty, and students who violate this policy on smoking will be subject to the same disciplinary actions that accompany infractions of other University policies.

UNIVERSITY OF DELAWARE INTER-DEPARTMENTAL

Memorandum



DATE: 20 September 1990

To: Leslie F. Goldstein
President, Faculty Senate

From: Robert A. Dalrymple, Chair
Graduate Committee

Re: Actions of Graduate Committee

Robert A. Dalrymple

The Graduate Committee met on Sept. 12, 1990, and discussed the Senator Thomas Ernst resolution. Starting from the bottom to the top, we concluded that the reallocation of funds derived from external grants was probably illegal and certainly improper, that membership in the American Association of University was by invitation only and out of our hands (and unlikely without a medical or a law school), but that research was clearly an important goal for the university. Our committee would support an alternative resolution:

Resolved that the University of Delaware should affirm its commitment to improve the University's position as a graduate and research institution.

As the intent of the resolution speaks to sponsored research, the committee further felt that the original resolution also should be examined by the Research Committee.

If you wish an expanded form of the substitute resolution with the appropriate whereases, please let me know.

RECEIVED
UNIVERSITY OF DELAWARE
SEP 24 1990
FACULTY SENATE



RESOLUTION FROM THE LINGUISTICS DEPARTMENT — SENATOR T. ERNST
Discussed at the Faculty Senate Meeting of May 21, 1990

WHEREAS, "A Focused Vision for the University of Delaware" presents a picture of the future of the University of Delaware, based on both the Project Vision statements and on the views of the members of the panel themselves, and

WHEREAS, there is much to be applauded in the document, e.g. emphasis on excellence in all of the many roles of the University, there is, however, some troubling ambiguity in one crucial area, that being the role of research and graduate education in the University, and

WHEREAS, if the University is to achieve its potential in any area, it must aspire to the role of a research university on par with major research institutions in this country and abroad, and

WHEREAS, Delaware should be at least equal in research to neighboring institutions like Rutgers and the University of Maryland, making an important goal for Delaware membership in the American Association of Universities, and

WHEREAS, research and graduate education should be strongly supported in the budget of the University, and

WHEREAS, while units should make a serious effort to find outside funding for research endeavors, it must be recognized that in certain fields (especially those in the humanities and social sciences) outside funds do not provide adequate support for research and graduate education, and

WHEREAS, in these fields intrinsic quality, rather than the ability to attract outside funding, should determine the degree of support from University internal sources, therefore be it

- RESOLVED,
1. The University should reaffirm its commitment to making Delaware a research institution;
 2. The University should actively seek membership in the American Association of Universities;
 3. The University should increase funding from internal sources, and from the indirect costs generated by external grants, to units lacking external funding but which have attained national and international prominence in research.

REPORT FROM THE COMMITTEE ON COMMITTEES AND NOMINATIONS

SUBJECT: Mosberg Resolution

At the February 5, 1990 Faculty Senate meeting the Senate referred the Mosberg resolution (attachment 3, page 2) to this committee to be sent to another appropriate committee for possible redrafting (minutes at attachment 3, page 2). At the same time President Frank Dilley sought a legal evaluation of the Charter and Bylaws of the Board of Trustees on the authority of the faculty to recommend individuals to the Board of Trustees for honorary and other degrees. The Faculty Senate Executive Committee felt that the Senate would not want to vote on the Mosberg resolution or derivative resolution(s) until this brief was delivered. Consideration was protracted further while a request for a legal opinion was reviewed by the Attorney General's Office. President Leslie Goldstein has communicated the fate of this request at the October meeting.

The minutes do not show that Senators David Bellamy and Edward Schweizer were attempting to modify the Mosberg resolution on the floor to gain broader support. In referring the resolution to this committee the informal instructions were to get these three to unite on the wording of the resolution. However, Senators Bellamy and Schweizer declined to participate in this project, and indeed, Senator Schweizer became convinced that awarding honorary degrees is a Trustee function. Reasonably enough Professor Mosberg believes his resolution speaks for itself and does not need reworking. Consequently the Mosberg resolution remains in its original form, well-preserved by the formaldehyde of inaction.

The Committee on Committees and Nominations' membership are unaware of a desire by the Senate to reconsider the resolution. With this report we recommend no further action by the Faculty Senate at this time.

R.I.P.

ATTACHMENT A: ITEM FROM FEBRUARY 5, 1990 AGENDA

- D. Recommendation from Senator Ludwig Mosberg concerning the awarding of an honorary degree without Senate approval.

WHEREAS, on December 5, 1988, the University Faculty Senate considered the recommendation from the Trustee/Faculty Committee on Honorary Degrees and Awards to confer the degree of Doctor of Public Service to Mr. George P. Shultz, and

WHEREAS, the University Faculty Senate rejected the recommendation of the Committee, be it therefore

RESOLVED, that the University Faculty Senate admonishes the Board of Trustees for its decision to award the Doctor of Public Service Degree to Mr. George P. Shultz, and be it further

RESOLVED, that the President of the University Faculty Senate is hereby directed to communicate in writing with Mr. Shultz, explaining to him that the University Faculty Senate had voted to reject the recommendation to confer on him an honorary degree and to urge him not to accept the degree of Doctor of Public Service approved by the Board of Trustees.

ATTACHMENT B: MINUTES FROM FEBRUARY 5, 1990 SENATE MEETING

Item D was a recommendation from Senator L. Mosberg concerning the awarding of an honorary degree without Senate approval. After a lengthy and heated discussion and several proposed amendments intending to make Senator Mosberg's resolution more inclusive, Senator Stanley Sandler moved that the Mosberg resolution be referred to the Committee on Committees and Nominations in order that that Committee determine the appropriate committee to which to refer the original resolution and amendments to the resolution so that they together can be returned to the Senate in a more clearly formulated state. The motion to refer was seconded and approved by the Senate.

A move to adjourn was heard and the Senate adjourned at 5:48 p.m.

Dutifully submitted,



Kenneth Ackerman
Secretary
University Faculty Senate