

REGULAR MEETING OF THE UNIVERSITY FACULTY SENATE

October 1, 1990

MINUTES

The regular meeting of the University Faculty Senate was called to order on Monday, October 1, 1990 at 4:00 p.m. with President Goldstein presiding.

Senators not in attendance were: Donald Conlon, Donald Crossan, Linda Pellecchia, Richard Sylves, Gerald Turkel

Senators excused were: Kenneth Biederman, Alexander Doberenz, Steven Grant, Frank Murray, R. Byron Pipes, David Roselle, Tuncay Saydam, James Sills, Carolyn Thoroughgood

I. ADOPTION OF THE AGENDA

The agenda was adopted with the following modification: New Business, Item VI, both A. and B., is to be taken up before Old Business, Item V, B. The purpose of this change is to allow plenty of time for discussion of the Schweizer resolution without any concern that certain noncontroversial matters might fail to be acted on at this meeting.

II. APPROVAL OF THE MINUTES

The minutes were approved with the following changes and additions:

1. Peter Roe should have been listed as "EXCUSED" rather than as "ABSENT."
2. David Ermann was listed as "ABSENT" at the September meeting. The senator from Sociology is Gerald Turkel. We were incorrectly informed that Dr. Ermann was to be the Faculty Senator from Sociology.
3. The following should have been added after Item IV.4.b. under "ANNOUNCEMENTS:"
 - c. The suggestion of an extended tenure-track option for the parents of preschool-age children--to the Committee on Faculty Welfare and Privileges and to the Committee on Promotions and Tenure.

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

President Roselle, who was not present, ceded a few minutes of his time to Jane Moore, who, as chairperson of the University's United Way campaign this year, announced that the University's internal goal this year was \$125,000 and urged everyone to give generously toward that goal.

IV. ANNOUNCEMENTS

1. After summarizing the history of events in connection with Senator Mosberg's motion of last year pertaining to the awarding of honorary degrees, President Goldstein announced that Charles Oberly, the State Attorney General, had indicated that he was forbidden by the Delaware Code to give a legal opinion to the University and to various other State schools. According to the State Solicitor, the only State official who can render an authoritative answer as to whether the power to grant honorary degrees lies with the University's faculty or with the Board of Trustees would be a judge. That is where the matter now stands.
2. Acting Associate Provost for Instruction Margaret Andersen presented the administration's recommendation that "Effective this year, any program or policy changes made after the March meeting of the Faculty Senate will not appear in the catalog until one year from the following September." Hearing no objection from anyone present, President Goldstein indicated that the announcement was therefore accepted.

V. OLD BUSINESS

- A. After some discussion, the following resolution, introduced by Senator Stanley Sandler at the September 10 Senate meeting, amending the Constitution of the Faculty of the University of Delaware, passed overwhelmingly. (The amendment, an addition, is underlined.)

RESOLVED, that Section IV, subsection 9, paragraph 5 of the Constitution of the Faculty of the University of Delaware, as it appears on page I-4 of the Faculty Handbook, be amended to read:

As part of the agenda of each regular meeting, there shall be time allocated for new business. No motion introduced under new business, except a motion to refer to committee, shall be acted upon until the next meeting of the Senate.

- B. (As decided when the agenda was adopted, consideration of the Schweizer resolution is postponed until after New Business.)

VI. NEW BUSINESS

- A. After some discussion and amendments, the following resolution recommended by the Committee on Graduate Studies (R. Exline, past Chairperson) amending the Dissertation Policy was unanimously adopted. (Amendments are in bold type.)

WHEREAS, the Faculty voted to require all dissertation committees established beginning September, 1988 to include a member from outside the department, and

WHEREAS, PDE 18 and 19 needed other clarification to bring them in line with current procedures as a guide to graduate dissertation committees, therefore be it

RESOLVED, that these amended wordings of PDE 18 and 19 be adopted.

PDE 18—THE DOCTORAL CANDIDATE'S DISSERTATION/EXECUTIVE POSITION PAPER COMMITTEE

(Approved by the University Faculty Senate Committee on Graduate Studies April 1990)

Each dissertation/executive position paper committee shall consist of not less than four and not more than six members approved through appropriate departmental procedures. At least two members shall represent the major field, one of whom shall be the committee's chairperson. One member shall represent the area of minor study (where appropriate) and at least one member shall be an external examiner chosen from a different academic unit or from outside the University of Delaware. The chairperson should have established a record of publication and/or scholarship in the field of the dissertation/executive position paper and shall be a **full-time** member of the faculty of the University; the definition of faculty shall include professional staff who hold secondary faculty appointments. Faculty who have retired or resigned from the University may chair committees of students whose work began under their direction prior to their retirement or departure from the University. An advisor who is not employed **full time** by the University of Delaware may serve as co-chair of the committee providing that the other co-chair meets the conditions stated above. In the case of dissenting votes, the majority opinion rules.

PDE 19—THE DISSERTATION/EXECUTIVE POSITION PAPER (Approved by the University Faculty Senate Committee on Graduate Studies April 1990)

The dissertation/**executive position paper** shall be expected to present original and significant research using appropriate methods and written in a scholarly and literate manner. Three copies of the dissertation or executive position paper, approved by the appropriate number of members of the student's doctoral advisory committee, the chairperson of the student's major department or chairperson of the interdepartmental committee, and by the Dean of the College (if required by the College) shall be submitted for official University approval to the Office of Graduate Studies not later than seven weeks before the degree is to be conferred. All dissertations and executive position papers shall include an abstract. In addition, there must be an extra copy of an abstract submitted with an abstract approval page signed by the advisor. This extra abstract will be microfilmed (note: the length of the abstract to be microfilmed may be no longer than 350 words). The Certification of Defense form verifying a successful defense of the dissertation/**executive position paper** should be completed and submitted to the Office of Graduate Studies by the time of the submission of the dissertation.

- B. After considerable discussion and some suggestions from the floor about wording, two resolutions (proposed by the Executive Committee) to amend the Faculty Handbook and The Official Student Handbook were unanimously passed. The resolutions have the effect of adding the sense of Article X, on "Nondiscrimination," in the Collective Bargaining Agreement 1988-1990, to those two handbooks and making the three documents more nearly consistent.

1. WHEREAS, *the Collective Bargaining Agreement 1988-1990 aptly characterizes the University of Delaware's current Nondiscrimination Policy (at Article X), therefore be it*

RESOLVED, *that the Faculty Handbook be amended at III, "Personnel Policies for Faculty," subsection R, "Affirmative Action," page III-S-1, so as to reflect current policy by substituting for the underlined passage from the sentence below, the new passage printed in italics underneath the sentence.*

The University of Delaware has a commitment to the principle of equal employment opportunity for minorities and women and has developed a three-step Affirmative Action plan to rectify imbalances of opportunity that still exist despite a policy of nondiscrimination.

The University of Delaware is committed to assuring equal opportunity to all persons and does not discriminate on the basis of race, creed, color, gender, sexual preference, age, religion, national origin, veteran or disability status, or membership or nonmembership in the AAUP, in its educational programs, activities, admissions, or employment practices. The University...

2. WHEREAS, *the Collective Bargaining Agreement 1988-1990 aptly characterizes the University of Delaware's current Nondiscrimination Policy (at Article X), therefore be it*

RESOLVED, *that The Official Student Handbook at page 36, Section "Student Policies," subsection "Freedom of Access to Higher Education," fourth sentence, be amended by substituting for the sentence immediately below, the sentence that follows it in italics.*

It is the policy of the University of Delaware that no person shall be subject to discrimination on the grounds of race, color, creed, sex, age, national or ethnic origin, or disability or veteran status.

The University of Delaware is committed to assuring equal opportunity to all persons and does not discriminate on the basis of race, creed, color, gender, sexual preference, age, religion, national origin, disability, or veteran status in its educational programs, activities, admissions, or employment practices.

V. OLD BUSINESS (In accordance with change in agenda approved at the beginning of the meeting)

After some introductory remarks by Senator Schweizer concerning his resolution on race and gender equality at the University, there was a lengthy and lively discussion with contributions from Senator Braun, Professor Shade (memorandum from the Committee on Student Life, chaired by Professor Shade is attached), Senators Kraft, Pikulski, Vice President Sharkey, DUSC President Michael DiFebbo, and others. The following resolution failed to pass:

WHEREAS, the Administration and Faculty of the University of Delaware have confirmed their support for and a commitment to a University with gender equality and ethnic diversity, and

WHEREAS, the Administration and Faculty realize that excellence in education is achieved through a living, learning and working environment which is characterized by a diversity of culture, race, gender and style, and

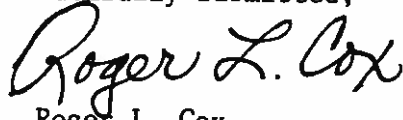
WHEREAS, we believe that any social organization that discriminates on the basis of race or gender is antithetical to the mission of this University, be it therefore

RESOLVED, that the University Faculty Senate set a deadline of May 30, 1991, when fraternities, sororities and any other social organization represented on this campus will either have had their local or national rules with respect to discrimination on the basis of gender and race changed or they will have severed all connections with their national organizations; and be it further

RESOLVED, that we request each fraternity, sorority and other social organizations to state by September 30, 1991, agreement to comply with this policy. In the event that a social organization states that it will not or cannot comply with the May 30, 1992 deadline, that organization will cease to exist on May 30, 1992 as a recognized affiliate of the University of Delaware.

At 5:42 p.m., a motion was made and seconded to adjourn.

Dutifully submitted,



Roger L. Cox
Secretary
University Faculty Senate

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Attachment: Copy of the Report from the Cte. on Student Life

MEMORANDUM

TO: Members of the Faculty Senate
FROM: Daniel D. Shade, Chair *D. Shade*
Committee on Student Life
DATE: October 1, 1990
RE: Professor Schweizer's Resolution

The Committee on Student Life had debated the Schweizer Proposal at length during the Fall 1989 semester and this semester. It was unanimously agreed to propose that the senate vote against Professor Schweizer's proposal for the following reasons:

1. Although we agree that there may be problems with fraternities and sororities on this campus, we do not agree that racial and gender discrimination are among them.
2. We feel that the University's ability to regulate fraternities and sororities is already precarious. Should such organizations be forced off campus or underground, the University would be without means of regulation.
3. We have serious concerns about the constitutionality of Professor Schweizer's proposal. For example:
 - a. In *Healy v. James* (1972), the Supreme Court ruled that reasonable justification for non-recognition of student organizations includes:
 1. the group's advocacy of views directed to inciting or producing imminent lawless action and likely to produce such action.
 2. the group's failure to show a willingness to comply with reasonable college regulations.
 3. the organization's engaging in any unlawful or disruptive activities or conduct.
 - b. In *Roberts v. United States Jaycees* (1984) and other related cases the Supreme court ruled that public institutions such as Jaycees and Rotary Club must admit members regardless of race or gender. However, "groups characterized by relative smallness, a high degree of selectivity in decisions to begin and maintain the

relationship, and seclusion from others in critical aspects of the relationship," are exempt.

- c. The United States Congress, in Title IX of the Higher Education Act of 1972, has listed fraternities and sororities among Boy Scouts, Girl Scouts, YMCA and YWCA as having good reason for separate but equal membership practices.
4. We have been unable to find support for the Schweizer proposal across campus. We have received communications urging the Student Life Committee not to support the proposal from the Delaware Undergraduate Student Congress, The Interfraternity Council, The Panhellenic Council, and The Center for Black Culture.
5. We feel that if there are students who desire to participate in a co-educational fraternity that such organizations be enhanced or founded on campus.
6. We feel that the presence of "separate but equal" fraternal organizations on campus does not interfere in any way with the University's mission to "promote a liberal and practical education for persons of all classes." Furthermore, the Schweizer proposal may violate student's right to "Freedom of Association" as provided in the First Amendment. As stated on page one of the Student Guide to Policies, "Students are free and encouraged to organize and join associations to promote their common interests."