

DOCUMENTS AND MINUTES OF THE GENERAL FACULTY  
AND  
DOCUMENTS AND PROCEEDINGS OF THE UNIVERSITY COUNCIL

The Minutes of the University Council meeting of May 12, 1986, published below, have been prepared for the immediate use of the members of the University Council and are included in its Documents and Proceedings. They are also included in the Documents and Minutes of the General Faculty for the information of the members.

*H. Paul Kelley*  
H. Paul Kelley, Secretary  
The General Faculty

MINUTES OF THE UNIVERSITY COUNCIL MEETING OF MAY 12, 1986

The ninth regular meeting of the University Council for the academic year 1985-1986 was held in Room 212 of the Main Building on Monday, May 12, 1986, at 2:15 p.m. President William H. Cunningham presided.

**ATTENDANCE.**

Present: Lear L. Ashmore, Lowell J. Bethel, Allen H. Bizzell, Terrell Blodgett, David L. Bourell, Robert E. Boyer, Ronald M. Brown, Cindy I. Carlson, Alan K. Cline, William H. Cunningham, Wayne A. Danielson, James T. Doluisio, William C. Duesterhoeft, Jr., Alan D. Gribben, Vickie L. Hampton, Kurt O. Heinzelman, Elaine K. Horwitz, Ira Iscoe, Sharon H. Justice, H. Paul Kelley, Lorrin G. Kennamer, William R. Koch, RoseAnn L. Kutschke, Steven W. Leslie, William S. Livingston, John C. Loehlin, Reuben R. McDaniel Jr., Priscilla Nelson, Jack Otis, Shirley B. Perry, David J. Quan, David M. Rabban, Thomas F. Reese, Diane L. Schallert, Edwin R. Sharpe, Max R. Sherman, Charles A. Sorber, Waneen W. Spirduso, William O. Sutherland, Jr., Paul J. Szaniszlo, James W. Vick, J. Robert Wills, Ronald E. Wyllys.

Absent: D. Blake Alexander, Donald J. Baumann, Lance Bertelsen, Julie H. Bichteler, Harold W. Billings (excused), Shirley F. Binder (excused), J. Harold Box (excused), Billye J. Brown (excused), JonAnn E. Coniglio, Gerhard J. Fonken, Wallace T. Fowler (excused), G. Charles Franklin, R. LaVerne Gallman (excused), Sheldon E. Good, Earnest F. Gloyna, Maureen M. Grasso (excused), Wilma P. Griffin (excused), Thomas M. Hatfield, Robert C. Jeffrey, Gaylord A. Jentz (excused), Robert D. King (excused), James L. Kinneavy, J. Parker Lamb, Jane E. Perelman, Robert A. Prentice (excused), Wayne A. Rebhorn, Bonnie Rickelman (excused), John Scott, A. Donald Sellstrom, Scott L. Scarborough, Pamela J. Shoemaker, Gideon A. Sjoberg, William M. Stott, R. Craig Stotts, H. Eldon Sutton, Martha S. Williams, Leslie Willson, Lewis R. Wiman, Robert E. Witt, Mark G. Yudof (excused).

Total members present: 43

Total members absent: 40

I. APPROVAL OF MINUTES OF MEETING OF APRIL 14, 1986 (D&P 10511-10530/  
D&M 16298-16317). (APPROVED)

Minutes of the meeting of April 14, 1986, were APPROVED as circulated.

II. SECRETARY'S REPORT (D&P 10531-10538).

The Secretary's Report (D&P 10531-10538) had previously been circulated.

III. DISCUSSION OF SECRETARY'S REPORT -- None.

IV. QUESTIONS TO THE PRESIDENT.

A. QUESTIONS SUBMITTED BY KURT O. HEINZELMAN (ENGLISH).

1. QUESTION CONCERNING ENGLISH 306.

Over the spring break there was an article in the American-Statesman and recently there was a front-page story in The Daily Texan about the new English requirements for University students. The reports described those requirements in a similar way, but they contradicted information conveyed in the University Council discussions on this issue. Specifically, the newspapers reported that after a short transition period of about 2 years the English Department of The University of Texas would no longer teach E. 306 during the long sessions. But during University Council discussion on February 17, 1986, Dr. Fonken said: "English 306 will be taught at this university for probably many years to come. It will be taught here by this faculty in the rooms that are owned by this university. It is not going away." I do not wish to make Dr. Fonken unduly responsible for remarks ventured extempore, but I do not see any way of reconciling his statements with the newspapers' accounts. How do you understand the disposition of E. 306 under the new proposal for University English requirements? Specifically, who is going to teach E. 306 and for how long?

In the absence of Gerhard J. Fonken (Executive Vice President and Provost), President Cunningham called on Kenneth W. Tolo (Associate Vice President for Academic Affairs and Research) to reply.

Mr. Tolo's response was as follows: "1) English 306 will be taught at U.T. Austin by U.T. Austin faculty as long as it is appropriate to do so--whether that be one year, two years, or whatever. As with any University course, it is difficult to predict [at] what future date [English 306 may be restructured, or even replaced] by another course. 2) Simultaneously, the Department of English is planning to develop a new higher-level freshman composition course, which has been tentatively

designated as English 309. This course would be a restructuring and an upgrading of the material covered currently in English 306. The Department of English hopes to begin offering this [restructured] course on a limited, experimental basis to a few students potentially as early as next year. 3) It is anticipated that, with a gradual improvement in the quality of English composition and instruction at the high school level, over the next several years greater numbers of students will be entering the University with a higher level of skill in composition and will be able to take a course at a level ... somewhat higher [than that at which] English 306 is currently taught--namely, that of the proposed English 309 course. At that future time, whenever that is, the number of students requiring [an] English 306 type course may well diminish to such an extent that English 306 (as currently structured) could be deleted from long-session course offerings in the Department of English and offered only on the basis of [whatever other arrangements are] recommended by the Department of English (e.g., taught in the Summer Session to the provisionally-admitted students). The Department of English currently believes that this may occur within a few years, possibly within two years; the extent to which this is possible remains to be seen, but that is their strong view. 4) As with all curriculum matters, the responsibility for planning and acting [upon these matters remains with] the faculty in the department and in the relevant college or school--in this case, the Department of English and the College of Liberal Arts."

2. QUESTIONS CONCERNING DISPARITIES IN FACULTY SALARIES.

While recruiting new faculty this year my Department was forced by market conditions to make a salary offer to a beginning Assistant Professor with no teaching experience that would have significantly lapped the salaries of some of our most productive Associate Professors. (Incidentally, this prospective faculty member accepted a job elsewhere.) What this incident reveals to me is a department salary structure that is out of economic touch with the rest of the profession. Year-to-year merit raises will never address the inequities that inform each and every rank in the salary structure. My department is by no means the only U.T. department in this predicament. Some departments cannot hire faculty at any price because of better opportunities in the non-academic sector of the economy. Even when such departments do hire, the salary of an assistant professor in a field with immediate marketability or of one doing research that has the potential for commercialization may be greater than the salary of senior professors in fields whose end is merely scientia. To some extent, of course, the kinds of economic disparity I am sketching here will always take place, but many faculty now feel that we are facing a serious crisis of morale among American educators.

a) What is the basis on which faculty monies are allocated to the various colleges?

b) Who determines and on what basis the starting salaries at the several ranks?

c) Is there or, in your opinion, ought there to be a procedure for keeping the salary structures in the various disciplines from becoming too disparate?

President Cunningham responded: "The first [question concerns] the basis for allocation of funds to the colleges. The system is very simple, and it has been the same way for some years. The deans are asked to ... meet with the Provost prior to the budgetary process ... to indicate their special areas of needs and their special funding requests. The Provost then makes a recommendation to the President, and based on that, two types of funds are allocated to the colleges. [First, there are] across-the-board funds to all colleges.... [Second,] there are some adjustment funds made available to different colleges to meet market conditions. Last year, significantly, adjustment funds were given to nine colleges--including Liberal Arts and Fine Arts, to help adjust faculty salaries [for] competitive situations.

"The second question relates [to] how starting salaries [are] set. They are basically set by the faculties [of] the individual departments; specifically, budget councils and department chairmen ... make recommendations to the dean in terms of starting salaries. The dean then submits a [Prior Approval Request] form to the Provost. The Provost then approves that or sends it back. But, basically, starting salaries are set by faculties of the individual departments and colleges.

"[The third question relates to disparate salary structures across disciplines.] One of the problems ... that we have ... is that we have some [differences in salaries] among different colleges. I do understand that, and I am concerned ...; I think it is a real question for the University, and one that we worry a great deal about in the President's Office. Incidentally, though, it is a real problem for deans; they try to adjust salaries across their colleges because [in] individual areas in some colleges salaries will vary dramatically. However, ... the truth of the matter is that we must remain competitive in the different markets. If we are not competitive in the different areas, we simply will not be able to hire individuals into those areas such as computer sciences, electrical engineering, economics, law, accounting, just to name five in five colleges. All demand different salaries, and if we are unable to be competitive in those we simply should get out of them. We need to hire the best faculty to be competitive...."

Mr. Heinzelman asked: "Are you implying that there are some areas that we absolutely must be competitive in and there are others that we need not be?"

President Cunningham responded: "Absolutely not." He added that the five disciplines he mentioned were simply selected as examples of salary levels higher than average.

After thanking President Cunningham for his clarity and forthrightness, Mr. Heinzelman asked a follow-up question. "Are [the adjustment funds] appropriated in response to specific outside salary offers that faculty may get, or what are those appropriated for? President Cunningham responded that the process he had described begins in November and that right after the first of the year funds are allocated to the deans. Occasionally, he said, the allocations include some funds to be used "to meet an individual salary offer in a college, but [those are] not the funds I am talking about. I am talking about funds the Provost, with the permission of the President, passes back to the colleges to take care of the general competitive situation within the colleges."

Mr. Heinzelman added: "So there are other funds, then, that are available to meet competitive offers?" President Cunningham responded that there were some such funds coming from two sources. "Within the college, there is what is called the 'Dean's Reserve;' that money is theoretically available and is used by colleges to meet offers.... Of course, the President's Office will [also receive] requests for money [with which to meet offers], but, very candidly, we push as much money down [to the colleges] as quickly as we can. So [the President's Office does] not have much money [for this purpose], but we do have a little bit."

**B. QUESTIONS CONCERNING THE STATUS OF RECOMMENDATIONS CONCERNING UNIVERSITY POLICIES ON THE USE OF UNIVERSITY FACILITIES.**

Reuben R. McDaniel, Jr. (Management), Chairman of the Faculty Senate, had submitted the following questions:

Prior to the University Council meeting of February 17, 1986, I submitted a written question to you regarding the status of the Recommendations Concerning University Policies on the Use of University Facilities. These recommendations were approved by the Faculty Senate on April 29, 1985, more than one year ago. They were discussed at the University Council meetings on May 6, 1985, September 23, 1985, and October 21, 1985. At its meeting on October 21, 1985, the University Council approved Recommendations 1 and 2, and defeated Recommendation 3. On January 6, 1986, you forwarded Recommendation 1, which recommended the repeal of Regents Rule VI, Section 7.26, to the Executive Vice Chancellor for Academic Affairs, with the request that it be reviewed by the Office of General Counsel.

At its meeting on September 23, 1985, the University Council had requested a written statement from the Office of General Counsel detailing any reasons why the University Council should delay consideration of the Faculty Senate

Recommendations. The University Council had also requested that a representative of the Office of General Counsel be invited to the meeting of the University Council at which these recommendations would be discussed. You responded on October 10, 1985, as follows:

"At the May 1985 University Council Meeting, Vice President Brown said that his office and Vice President Fonken's office were willing to attempt an informal review of the recommendations over the summer months even though under usual procedures such review takes place after action, if any, by the University Council.

"Professor Rabban had asked specifically that the opinion of University legal counsel also be solicited. Upon subsequent informal discussion with the Office of General Counsel, the University was advised that the Office of General Counsel chose not to comment on the recommendations until after Federal District Judge Nowlin had ruled on the merits of a case which includes issues related to some of the recommendations. For this reason, and also due to the press of other activities during the summer, an informal staff analysis of the recommendations was not undertaken.

"There has been no request by either the administration of U.T. Austin or the U.T. System Office of General Counsel that the University Council defer discussion of facility use matters or otherwise delay in acting on the recommendations of the Faculty Senate. In fact, I believe that a substantive discussion of the issues by the University Council would be most useful. I look forward to that discussion at the October meeting of the Council."

No representative of the Office of General Counsel participated in the University Council's deliberation on these recommendations at its October, 1985, meeting.

In my question to you on February 17, 1986, I asked:

"The item (D&P 10021-10024) regarding utilization of University facilities continues to plague some members of the Faculty Senate. It appears to us that we are getting the runaround. When the item was raised last Spring at University Council we were told that staff work would be done over the summer. Then we were told that the legal office had been consulted and, as a result of that consultation, the staff work was not done. When we then asked to have someone from the legal office come to the Council and explain the legal issues involved we were told that legal issues were not a barrier to action. The Council acted. Now we are told (through the Secretary's Report, D&P 10329-10330) that the item is back in the legal office.

"Please inform us (1) why this issue has now been re-submitted to the legal office and (2) when you expect to decide whether or not to forward this recommendation (and the other related recommendations passed by the University Council)?"

You responded that you wanted the Office of General Counsel, aided by the report of the Faculty Senate, to give an opinion on the constitutional question raised by Recommendation 1. You added that you approved one portion of the second recommendation and were still considering the suggested elimination of the sponsorship requirement. After further comments about the delay from the Office of General Counsel, you agreed that you would push for a legal response within the next month, so that the issue could be resolved before the end of the 1985-1986 academic year.

Three months have passed, and no response from you or from the Office of General Counsel has appeared. It is now the end of the 1985-1986 academic year.

Questions:

- (1) Can you explain this additional delay?
- (2) Will you present, at the May meeting of the University Council, the response of the Office of General Counsel to the request you made in January (with a written explanation of any disagreement that Office may have with the constitutional analysis contained in the recommendations of the Faculty Senate)?
- 3) Will you present at the May meeting of the University Council your own decisions on whether or not to forward Recommendations 1 and 2?

President Cunningham first read the Regents' Rule in question, and then he read the change which the System Office of General Counsel will recommend that the Board of Regents consider at the August, 1986, meeting. The recommended changes would amend the current Regents' Rule 7.26 as shown below:

7.26 No person shall be permitted on any campus of the System to ~~[advocate or recommend]~~ engage in speech, either orally or in writing, ~~[the conscious and deliberate violation of any federal, state, or local law]~~ that is directed to inciting or producing imminent lawless action and is likely to incite or produce such action.

President Cunningham noted that he had received a copy of the above recommendation just before the University Council meeting began.

Ira Iscoe (Psychology) expressed his discomfort with the ambiguity of the phrase, "likely to incite."

David M. Rabban (Law) said that the recommended Rule essentially "repeats almost verbatim the standard announced by the United States Supreme Court in a famous case called *Brandenburg v. Ohio*, in 1969, and that is the language that has been kept by subsequent court decisions. It is extremely protective toward freedom of expression; basically, speech can only be punished if it incites to imminent lawless action.

"The only point I would add is [that] the recommendation of the Faculty Senate was to abolish the rule. This rule would be a dramatic improvement, obviously, and would be constitutional. The committee felt, and the Faculty Senate felt, that it would be best to leave this issue to the law that exists, which is the law that is incorporated in the proposed change. I do not know [if] the Regents will consider whether to adopt this language or simply abolish the old rule, or [if] the only proposal before them will be this new language."

Mr. McDaniel asked if President Cunningham intended to recommend the legal office's new language to the Board of Regents. President Cunningham said that it had been received only within the past hour and that he would review it and take it under consideration.

President Cunningham said that he was mindful of a related issue concerning where one has to go to arrange for the use of University facilities, and he said that a decision on that issue would be made by the time the University Council convenes in September.

#### C. QUESTION CONCERNING THE FEDERAL INCOME TAX EXEMPTION STATUS OF RESEARCH ASSISTANTSHIPS AND TEACHING ASSISTANTSHIPS.

RoseAnn L. Kutschke (Home Economics) had submitted the following questions:

A number of graduate students appear to be facing audits by the local IRS Office that is disallowing their past claims of tax exemption for research assistantships and teaching assistantships. Could you explain this recent phenomenon and describe the types of support that are and are not subject to income tax? If you cannot specifically answer this question, could you provide information that will assist us in our discussions with students or prospective students with regard to taxability of various forms of support?

President Cunningham asked Patricia C. Ohlendorf (Assistant Vice President for Academic Affairs and Research) to respond to the questions. Ms. Ohlendorf said that, at present, "the tax status of financial support received [from the University] by graduate students is governed by Section 117(a) and 117(b)(1) of the Internal Revenue Code, and Revenue Ruling

75-280.... [As a general rule, Section 117] provides that scholarships and fellowships are not taxable. There are conditions that have to be met, though. If the amount [received] represents payment for teaching, research, or other services in the nature of part-time employment which are required as a condition to [receiving] the scholarship or fellowship, that amount is taxable unless ... the teaching, research or other services [are] required of all candidates, [whether or not recipients of scholarships or fellowships, for a particular degree as a condition to receiving] the degree. Revenue Ruling [75-280] further defines these conditions: (1) the recipient must be a candidate for a degree, (2) the services performed must satisfy the stated requirements of the degree, (3) the requirements must be reasonably appropriate to the degree, (4) the services performed must not be in excess of the requirements, and (5) equivalent services must be required of every candidate for the degree, whether or not compensated....

"[Payments that the University makes to teaching assistants are from funds] appropriated by the state for purpose of teaching and therefore [must] be paid as salaries. Money received from [most] federal agencies, such as the National Science Foundation, [for supporting research], unless it specifically is provided that it would be a fellowship or a scholarship, has to be paid as salaries also [to comply with] provisions [of federal cost principles] called Office of Management and Budget Circular A-21. So all of our payments to graduate students as either Teaching Assistants or Graduate Research Assistants are paid as regular salaries, and we make all regular salary deductions, including income tax deductions.

"What some students have, then, been able to do is to get some evidence, whether from the University or from elsewhere, and submit it with their tax returns each year that says that the certain services that they have provided have been actually required for their degree; these have met with varying degrees of success with the Internal Revenue Service. I know a number of students at U.T. Austin, and also at other U.T. System components, are now being audited by the IRS and are being told that they owe money for back taxes. [Some departments require that their degree candidates be Teaching Assistants,] and IRS, to my understanding, has been accepting a letter which has said, 'All candidates for the degree are required to be a Teaching Assistant for one (or two) semesters.' Some students who have been Teaching Assistants beyond that have been told by I.R.S. that they do owe taxes on any amounts claimed over and beyond that, and we have advised departments not to write the letters stating that it is ... required that [a student] be a Teaching Assistant beyond the one or two semesters that it actually is [required].

"As [for] Graduate Research Assistants, those [questions] are more difficult to answer, although in most cases some [persons] would ... argue that all students (at least for the Ph.D.) have to do an equivalent amount of research to receive the degree. That [argument] is being met by the I.R.S. with mixed reaction, and so that is where most of your problems,

I think, are [emanating]. A few months ago, [U.T. Austin] asked the [U.T. System] Office of General Counsel to research the relevant tax code provisions in more detail ... to see if there was anything else that they could come up with. Since [that Office does] not have a tax expert, [the matter] has been referred to outside tax counsel; I am sure the President will share that more detailed information with you when it is received, if there is something relevant."

No further questions were asked.

**D. QUESTION CONCERNING A SPECIAL CLASS DESIGNATED TO ASSIST ETHNIC MINORITY STUDENTS.**

Ira Iscoe (Psychology) had submitted the following question:

Some time ago The Daily Texan reported that during the Summer Session 1986 there would be a special class designed to assist ethnic minority students in various ways. I would appreciate a discussion of the rationale for the plan.

President Cunningham asked Ronald M. Brown (Vice President for Student Affairs) to respond. Vice President Brown said: "The rationale is that minority students generally are a very precious asset to the University, black and Hispanic students particularly, because of our commitment under the state-wide plan. And beyond this, with Texas Achievement Award recipients we do have a substantial investment in them and want to underwrite and assure their [opportunities for] success to the best of our ability to do so.... So, based on a program last year in the College of Engineering, this summer we will be bringing in about 50 Texas Achievement Award recipients for the second six-week [term, and] about two dozen engineering students in addition to that. Those people will take two regular courses for credit, English and mathematics, unless they place out by examination. In addition to this, they will be given support services through tutorials and through the Learning Skills Center...; we hope that this, in turn, will give them a greater opportunity for success [here at U.T. Austin]."

Mr. Iscoe responded that while he appreciated the need for increased enrollment of ethnic minority students, he was concerned "that we do not get involved in [what is] basically remedial education. If these people have been offered scholarships, I presume they have the ability to do college work. I worry lest we get a 1970 solution to a 1986 problem, and it is going to cost a lot of money. I think the only obligation of the University is to give an honest experience--a genuine, honest experience. When we start talking about motivation, about getting people interested, we are exceeding the ability of our University, whose strengths lie in teaching and in research. Now, if somebody wants to go to a state college or a junior college, that is fine.... I believe [with] sincerity

that this is going to be [a] University of world class. World-class universities have to take the students as they get them and not worry about retention. [I would like to know the cost of this program and its eventual results. Only then would we know if] it [is] cheaper ... for people to attend a community college to be remediated.

"There is a developmental factor that I think we forget. You simply cannot have rotten education up to age eighteen and then have a six-week course and improve. There are certain times to learn how to read, there are certain times that things take place developmentally, and after that you are dealing with casualties of systems. There is a public health maxim that the only way to prevent diseases is for them not to happen, and I think we take the results of bad education in the State of Texas, use six weeks and try to do something, and we should not do that. I think this places a burden on us that we cannot take and we should not take. Now, I am not against the experiment, but I worry that we start expending very, very, very scarce funds on remedial or tutorial [programs] at a time when we are supposed to get the best students in the United States, and certainly the best students in Texas."

Reuben R. McDaniel, Jr. (Management) said that his understanding of the program was that "there is nothing remedial about it, in the sense of the courses the students are going to be taking. They are going to be expected to meet the same kind of standards that rich white folks are going to be expected to meet when they come here in the summer ... to take courses. I also think [U.T. Austin] is a social institution, and we have social responsibilities. We talk about the massive cultural shocks that occur to people when they come to this institution, and the kinds of attitudes and atmospheres that prevail on this campus. It might be a very useful thing, and I think it will be a very useful thing, to have them come to the campus sometime when it is not quite as crowded as it normally is--to come at a time when people in counseling centers and other normally available services to normal students are not under as much stress as they are during the regular long term, and to be able to acclimate themselves to this environment in a situation that more likely will ensure their future success. [I have long held that the beginning of their first semester] ought to be called 'Survival Week,' because ... for black and Mexican-American students [it] is a question of survival at the institution--not because they are intellectually ill-prepared or ... because they cannot read, but rather because the atmosphere of this institution is rather hostile, and still is very hostile, to people who come from different cultural arrangements than those of most people in this room.

"Let me give you an interesting example. On Saturday afternoon I went to a dinner, a lovely dinner, given by the President, the Chairman of the Board of Regents, the Governor of the State, and the Chancellor. My wife and I were the only blacks present, out of about 500 people. It makes it very difficult for my wife and me to come back on to the campus smiling, to realize that those four officers of this University System could find [only] two black folks who are capable of eating Mexican food on the lawn of the Bauer House.

"... I think that the University is only barely meeting its responsibilities when it offers a program like this one."

Mr. Iscoe responded: "I agree that if this University is a hostile campus, I think it is the responsibility of all the faculty to be fair. I do not quite see the hostility. I do see the lack of numbers of ethnic minorities, [and those numbers should be increased. However,] it is not the responsibility ... [of] this University and its agents to roam the highways and byways of Texas and say, 'Come to this University.' There is also a responsibility on the part of the students. If you take the history of other ethnic minorities who have survived, particularly [at] the City College of New York, ... [those] people gained the respect, and it was [in] a hostile environment. They came to learn.... I am sure [the professors] will be fair and will not judge the persons based on any race or creed; if that is the case, I think that is all you can do in a University.... My worry is that if this thing works, [and] I hope it works, ... then we will get ... more and more ... students who maybe are not qualified for this University. There is a culture shock. You are going to do it in six weeks, but then in September you are going to face the whole big thing again, so we may as well have people ready for it.... I do not think a university has responsibility to worry too much about retention so [long] as it [provides] an honest experience for the students."

Mr. McDaniel commented that University Council members had "just heard the problem, [just] heard an absolutely typical example of the kind of argument and debate that takes place and that creates difficulty and tension for ... minority people on the campus."

President Cunningham concluded the discussion by saying that, "clearly, the University is dedicated to attracting more minority students, and that is not just the University's perspective, that is my personal perspective.... We will do whatever it takes to accomplish that mission."

V. SPECIAL ORDERS -- None.

VI. PETITIONS -- None.

VII. OLD BUSINESS -- None.

VIII. NEW BUSINESS.

A. MOTION TO CANCEL SUMMER MEETINGS OF THE UNIVERSITY COUNCIL.  
(APPROVED)

In accordance with past practice, Secretary H. Paul Kelley (Educational Psychology) offered a motion to cancel the summer meetings of the Council. The motion was seconded and ADOPTED by a voice vote.

B. PROPOSAL TO ADD A NON-VOTING STUDENT MEMBER TO THE INTERCOLLEGIATE ATHLETICS COUNCIL FOR MEN AND TO THE INTERCOLLEGIATE ATHLETICS COUNCIL FOR WOMEN  
(D&P 10505-10509) (APPROVED)

President Cunningham called on David J. Quan (Student Representative) to present a previously-circulated proposal (ATTACHMENT A), the effect of which would be to add a non-voting student member to the Intercollegiate Athletic Councils for Men and Women. The additional "Student Member-Elect" would succeed the student member by automatic appointment of the President unless a majority of the Council advised the President that the "Student Member-Elect" had failed to attend at least half of the Council meetings.

Before presenting the rationale for the proposal, Mr. Quan said he wished to withdraw the effect of the motion on the Intercollegiate Athletic Council for Men; the change he sought would affect only the Intercollegiate Athletic Council for Women.

Mr. Quan said that "right now the composition of the Council includes one student [voting] member who serves a one-year term." The reason for the proposed change was to increase the effectiveness of the one student voting member on the Council. The "rookie year" of the second additional student member would in effect be a year of orientation. Mr. Quan added that the Intercollegiate Athletics Council for Women had endorsed a similar proposal at its January 24 meeting. The motion was seconded.

RoseAnn L. Kutschke (Home Economics) said that if one Council would benefit from one proposal, presumably the other one would as well. "I would like to encourage us to achieve, if not equivalent treatment, parallel treatment. This would seem to be retaining some distinctions that I am not sure ought to be existing at this time." Mr. Quan responded that he had withdrawn the proposal's applicability to be Athletics Council for Men because that Council had tabled action on the proposal.

David L. Bourell (Mechanical Engineering) asked if there was any reason why the University Council should be particularly sensitive "to what these Athletics Councils are recommending or not recommending?... Are we free to take independent action based on what we feel is appropriate?" President Cunningham responded affirmatively, whereupon William O. S. Sutherland (English) moved that Mr. Quan's original motion be acted upon by the Council. Mr. Sutherland's motion was seconded, and Mr. Quan agreed to accept the change; this acceptance returned the original motion to the floor for action.

James W. Vick (Mathematics), a member of the Athletics Council for Men, said that he would respond to any questions about the deliberations of that Council when this matter was discussed. President Cunningham asked Mr. Vick to provide some background. Mr. Vick said that the proposal had been brought to the Men's Council by the students who were respective members of the Men's and Women's Councils. "It was handled more rapidly in one [Council] than in the other. It officially came up for a vote in the last [meeting of the] Men's Council, which was within the last three ... or four weeks; the Council meeting was held after [the proposal] was circulated to the University Council, ... although it had been discussed briefly in an earlier meeting.

"There were several opinions expressed.... One [concern] was that by [adopting the proposal], the student member of the Council would have to be picked at the end of his or her sophomore year, which might eliminate some students who might be particularly attractive as appointees at the beginning of their senior year.... That was one of the negative factors. Another negative factor was that it had been processed rather rapidly, and ... there was some concern that there had not been enough time to think about it and to discuss it among all of the people who might be involved. There was also the concern that the Council was fairly large, and by doing this you add more people to an already-oversize body.

"There were also strong arguments on the other side, favoring the motion. In particular, [with regard to what Mr. Quan] said regarding the preparation of a student to serve, ... every member who is appointed as a faculty member serves a four-year term, and the people who are appointed by the Regents tend to serve four or six year terms (I do not remember exactly), the representative of the ex-students tends to serve a four or five year term, and yet the student serves a one-year term. About the time the student is becoming comfortable the student goes off, and then we get another student and start the process over, so there was some feeling that this would give ... time for the student to become acclimated to the Council and to learn some things before actually becoming a voting member. There [was] also the feeling that with five faculty members on the Council, there are [faculty members] to talk to who are also in the meetings and who are aware of some of the issues, where one student on the Council has no one to talk with other than other students who may not be aware of some of the issues.... [As best I can recall] those were the positions that were stated in the last [meeting

of the] Athletics Council for Men. The motion that eventually passed was to delay action on the proposal."

Mr. Sutherland said that the reason he responded sympathetically to the proposal was that "having served with students on committees, and especially where there are just one or two students, I think it does take the students a long time to get involved and to understand what the issues are. I think one student on the Athletics Council is really a very small voice when you consider that athletics is actually not a faculty, not an alumni, but a student activity. It seems to me that this will give the student an opportunity to learn what is going on and to [get to know] the people who are on the council. The larger the council, the more reason for having [the additional student], it seems to me."

Mr. Quan concluded the discussion by saying that the respective student members of the Councils realized that their proposal would preclude the appointment of seniors. "They considered that and realized that the benefit of having the experience and the effectiveness of a member on the council would greatly outweigh the cost of eliminating certain members from candidacy. As far as the council becoming too large and unwieldy, I believe that one nonvoting member is hardly that much of a concern."

The original proposal was then APPROVED by a voice vote.

C. MOTION TO AUTHORIZE THE APPOINTMENT OF AN AD HOC COMMITTEE OF THE UNIVERSITY COUNCIL TO REVIEW CURRENT RESTRICTIONS ON ACCESS TO UNIVERSITY PROPERTY BY MEMBERS OF THE GENERAL PUBLIC (D&P 10539-10540). (APPROVED)

Reuben R. McDaniel (Management), Chairman of the Faculty Senate, recalled "that the original action by the Faculty Senate regarding access to University property had three parts, two of which were passed by the University Council and the third of which was not passed. At that time the action went back to the Faculty Senate for further consideration, and the [following] motion [D&P 10539-10540] was the result:"

MOTION:

That the University Council authorize the appointment of an ad hoc committee (1) to review the current restrictions on access to University property by members of the general public and (2) to propose legislation to clarify those policies and to provide a campus that is as open to the general public as is reasonably feasible. The members of the committee shall include academic deans, faculty members, and students.



Mr. McDaniel went on to say: "Subsequent to this action by the Faculty Senate, there has been considerable faculty and student interest in the question of access to University facilities. As it turns out, the President has, in fact, appointed a committee of folks to review the rules and regulations regarding that [issue] and to report back to him." Mr. McDaniel then MOVED on behalf of the Faculty Senate, that the motion reproduced above be approved. He then MOVED that the Council table his first motion until after the Council receives a "report from the President on the results of the present committee that is studying this question."

The motion to table was APPROVED by a voice vote.

**D. REPORT FROM THE STUDENT HEALTH COMMITTEE REGARDING THE RECOMMENDATION CONCERNING THE CREATION OF A STUDENT HEALTH CENTER BOARD OF DIRECTORS (D&P 9886; D&P 9984-9990). (APPROVED)**

Reuben R. McDaniel (Management) traced the history of a January 21, 1985, recommendation (D&P 9886) concerning the creation of a Student Health Center Board of Directors. "That recommendation was made by Darren Walker (Student Representative) [to] the University Council. The recommendation asked that the [standing Committee on Student Health] be responsible for developing a [plan for the creation of a Student Health Center] Board of Directors.... [On April 11, 1985,] Bill Shaw [General Business], who was chairman of the Student Health Committee, reported on a recommendation regarding the creation of a Student Health Center Board of Directors (D&P 9984-9990). That [recommendation] was tabled pending two events--... until a Director [of the Health Center] was appointed, or until September of 1985, [whichever came first].

"A lot of things ... happened. A Director was appointed, September 1985, came and went, and the [recommendation] never got off the table. My purpose of raising this today is to bring it back before the University Council, not so that "we can vote on it today ..., but specifically to ask the Vice President for Student Affairs and his staff to prepare the necessary background documents and to have this issue ready for discussion at the September, 1986, meeting of the University Council. I so MOVE."

Mr. McDaniel's motion was APPROVED by a voice vote.

**E. RECOMMENDATIONS FROM THE EDUCATIONAL POLICY COMMITTEE CONCERNING ACCESS OF UNDERGRADUATE STUDENTS TO UPPER-DIVISION COURSES AND PROGRAMS (D&P 10546-10547). (DISCUSSED, SCHEDULED FOR ACTION AT NEXT REGULAR MEETING)**

Lewis L. Gould (History), Chairman of the Educational Policy Committee, presented, for discussion at this meeting and action at the next, recommendations from the Committee concerning access of undergraduate students to upper-division courses and programs. By way of background, Mr. Gould said that James Vick had "raised questions about the problem of requirements for admission to upper-division courses which have been established by some colleges and departments. The Educational Policy Committee was asked to deal with [the matter]. We recommended the creation of an ad hoc committee on January 9, 1986; the President instructed us to deal with it, and subsequently we deliberated during the last semester. "Just to give you a quick procedural background of things we did, we wrote to the Student Government for their response to these problems and received no reply. We wrote to the Cabinet of College Councils and received no reply. When I [so reported to] the Faculty Senate, one student senator then wrote us a very informed and helpful letter, which entered into our deliberations. We also met with Vice-President Fonken and had [Associate Deans] Jane Lippmann [Liberal Arts] and James Vick [Natural Sciences] as advisers and counselors in our deliberations.

"There seemed to us to be three related problems. One was the question that ... animated Professor Vick in asking for action in the first place, and that was the question of students in one college who wanted to be admitted to upper-division courses in another college, for one reason or another, and found themselves [having] difficulty ... getting into those courses. The second problem that he pointed out (and that we became sensitive to) was the problem of a student who had a grade point average sufficient to continue in the University, was passing all the courses, but could not get into an upper-division program because [of a] grade point average [that] was not high enough. The third problem that emerged as we discussed this were students in that situation who were in [one] college or program while they waited to get their grade point averages up high enough to enable them to get into the programs, colleges, or departments that they wished to be in, and the [resulting] impact upon a college (Liberal Arts [being] the leading example). [Differential grade point requirements thus have educational impact on both students and the colleges in which they are involuntary transients.]

"In our deliberations, we quickly and unanimously decided that we all agreed that using the grade point average as the sole criterion for admission into programs was something that we opposed. We thought of it as an educational 'blunt instrument,' and we did not think that that was the appropriate way to go. We also then immediately touched a thicket of other problems which you will get to discuss today and next fall, and that is what does 'continuation in the University' mean? What are the grading standards for continuation? What about the problem of grade inflation as it affects grade point averages? What role should colleges, departments, and programs have in setting standards for admission to programs?

"We came up with a number of recommendations [that] we are presenting [individually]. They are not tied together as a package because we figured some would have a better chance than others, but they all relate to this problem. We wanted to [present the recommendations] for discussion this spring because [the issue] is going to be complex; [that will] let you have a chance to decide what you want to do next fall...."

RECOMMENDATIONS. [REPRODUCED FROM D&P 10547.]

The Educational Policy Committee, its deliberations augmented by the participation of Gerhard J. Fonken (Executive Vice President and Provost), Jane N. Lippmann (Associate Dean, College of Liberal Arts), and James W. Vick (Associate Dean, College of Natural Sciences), now recommends that, in dealing with the problems of enrollment, an academic unit (college, program, and, where appropriate, department):

1. Should be allowed to set such requirements for admission to its programs by applicants to the University as will achieve the desired number and quality of undergraduate students in those programs.
2. Should not be allowed to set a higher grade point average standard for continuation in its programs than is required for graduation from the University.
3. Should be allowed to establish control measures for admission to certain elective courses that do not involve artificial restrictions for non-majors. (This recommendation is based on the recognition that problems occur when students attempt to use elective courses to establish an ex post facto major.)
4. Should be allowed to establish reasonable and equitable procedures for qualified students transferring into its programs from another part of the University.
5. Should not be allowed to establish standards for admission to its upper-division programs that are higher than the standards required for graduation from the University.

Dean Lorrin G. Kenamer (College of Education) asked for clarification of Recommendations 4 and 5, which he thought seemed to contradict each other. Mr. Gould said that Recommendation 4 reflected the Committee's intent that "whatever the procedures were for transferring from one part of the University to another, ... the requirements should be clear and explicit and well understood by the students, and that there should be a concerted effort by all parts of the University to make sure that the students understand what they had to do and what processes they would have to go through in accomplishing that, and to try to get some sense across the University of what those requirements should be. Number 5 reflected greatly Professor Vick's feeling, and what became the Committee's feeling, that we really should think through the question of using grade point averages as a way of deciding who gets into upper-division programs or not, and not to use that as the sole criterion. We wanted to force the issue dramatically by stating the feeling that if you were a continuing student and were able to graduate, then you should be admitted to an upper-division program, or that grade point averages should not be the way that that admission is denied."

Dean Kenamer responded "I can understand the problem of prerequisites to courses. And then there is quite a separate problem of admission to a program. [Using, as an example, the policy of the College of Education regarding] admission to a teacher preparation program at the beginning of a junior year (and that is when all students come in, not sooner than that), ... we have a [grade point average] requirement that we have recommended [be] raised to a 2.5.... We are saying, 'To be a teacher tomorrow you must have better than a C average in your work at this University.' Now, that is not course by course, that is your overall GPA.... [Is] that in direct conflict [with these recommendations]?" Mr. Gould replied, "Yes."

With regard to Recommendation 5, Allen H. Bizzell (Accounting) asked if it was not the individual colleges which set standards for graduation. "If the standard for graduation set by a college is a 2.5, would not that say that for admission to the program the college could enforce a 2.5 grade point average?" President Cunningham called on Patricia C. Ohlendorf (Assistant Vice President for Academic Affairs and Research) to respond. Ms. Ohlendorf said that there is a University-wide minimum graduation requirement of a 2.0 grade point average. "A number of colleges and schools ... have established more stringent guidelines and have been allowed to do so in the past. I think ... that [the Committee is] proposing that that not be allowed any more." Mr. Gould agreed that such was the "thrust of our proposal."

Mr. Bizzell then asked, "[Does this mean] that the colleges would rescind their already-established higher standards for graduation?" Mr. Gould said that it was the Committee's intent "that there would be a re-thinking of the whole question of standards, admission, continuation, and educational policy in the large, and that then guidelines and

admissions standards [would be revised] within the framework of the assumptions in these proposals." "Mr. Bizzell said that he did not so interpret Recommendation 5. He further said that he had similar concerns about Recommendation 2, "which says that for continuation you would not have a standard that is higher than required for graduation...."

Mr. Bizzell next asked for clarification of the meaning of the third recommendation--that academic units "should be allowed to establish control measures for admission to certain elective courses that do not involve artificial restrictions for non-majors." Mr. Gould responded that some colleges have course prerequisites that, in effect, preclude the enrollment of students from other colleges. It was the Committee's view, he said, "that some mechanism should be available for students in one college to take courses in another college for legitimate reasons, and that the colleges and programs should facilitate students being able to take a course in another program as long as the students are not intent on establishing an ex post facto major. This would be a healthy educational policy in that it would allow students who want to take electives, [or] who have to take electives, to take electives that they wish. There might be a certain number of places reserved for students to do that in a particular course, but ... we ... want colleges and programs to recognize the legitimate needs of students in another college to take some courses, and they are not to be artificially excluded by internal requirements of a [given] college. Mr. Bizzell asked if "that might result in different grade point minimums for different students in a class?" Mr. Gould replied: "It could, but I would hope that there would be other ways to tackle the problem."

Mr. Bizzell asked, "Finally, if we are not to use students' demonstrated performance on this campus as a measure for allocating scarce resources--that is, ... seats in classes, what measure would the committee propose we use in allocating those seats?" Mr. Gould responded: "As long as it is not the grade point average by and of itself, we recognize that there could be a whole array of measures used to handle the problem of enrollment controls and admissions to programs. [The Committee disliked] the problems that arose when the grade point average was the only determinant, because given the differentials in performance and standards in the wide range of courses, we were not always convinced that [it] was fair to the students to make this the sole determinant. We were inviting programs, departments, and colleges to look at this problem and to devise, with all the ingenuity of which the faculty is no doubt capable, mechanisms that would be more equitable than grade point average."

Mr. Bizzell concluded: "I am not sure there are more equitable measures. Let me give you an example. There is one major which requires six hours of upper-division business coursework. For at least two years

we were somewhat lenient and permitted [non-business] students to take upper-division business coursework even though they did not have the minimum 2.25; [remember,] all of our [business] students have [at least] a 2.5. A review of the performance of those [non-business] students for about two years showed that they had a disproportionate number of drops of the courses, and, I think, no grade above a C in the [business] courses they took. That is to say, they were in classes with students who were better prepared and more motivated, and as a consequence the students that were not business students did not do well in those classes." Mr. Gould said: "I guess my quick reaction would be to say that the Committee wants the University Council and the faculty to look at the question of what C's mean and what continuation in the University means as a general proposition. This is what I meant earlier about going to the question of grading standards and the rigor and importance of courses, and that is one of the things we wanted to bring forward for discussion...."

Dean Kennamer said that he was amazed. "We have had on this campus a University-wide committee chaired by James Vick, and ... one of its recommendations to the College of Education was that we raise our standards by increasing the grade point average to get admitted into the program; that is why we went to a 2.50 from a 2.25. We had in the State of Texas a Select Committee on Public Education, chaired by Ross Perot; ... that committee, and many comments that I heard, said that colleges of education ... should raise their standards [and] should raise grade requirements. We [had] action by the [Legislature] that resulted in House Bill 72, [one thrust of which was that all Colleges of Education] should improve their standards and requirements [so] that only the better students were admitted into the programs. Now the way you [would identify] better students would be by their performance. [Certainly] you can have [multiple admission criteria]--there are SAT, rank in class in high school, and so on. [But some of these recommendations contradict others. If you have a 2.50 grade point average requirement for admission to a given program, it need not have to be maintained] "because according to [Recommendation] 2 you can not require them to have a higher grade point average than what is required for graduation. So I am very glad this was brought to our attention and [that] we will have a chance to think about it and discuss it in September, because this would pose serious problems for the College of Education in getting any kind of national or state accreditation and in terms of the various [recommendations of] national commissions that have come out in the last two years.... This, if implemented the way I am understanding it, would [move] us in the opposite direction from the way [everyone] in this country has been saying we should be going."

Mr. Gould responded that "if a C meant something, then the problem would be solved another way. As someone who is not known as a grade inflator, I think we should recognize that there has been a certain upward pressure and thrust on the grades all the way through the University; our feeling was that if the C returned to some sense of

quality work, this would have another impact. So our sense was not on easing standards but getting the faculty, in part, to look at what it is doing and what the grades actually mean, and what continuation in the University means."

Charles A. Sorber (Civil Engineering) said that he had problems with Recommendations 2 and 5. "[Let me] remind you of a couple of facts. One is that the interests of students very often are far more volatile than our ability to change rules. Just two years ago we had over 2,000 majors [in] electrical engineering; that major was larger than all but about three colleges or schools on this campus, and that happened very rapidly. We had many alternatives, of course. One [was] to shut off the pipeline, and we did that; but we had a tremendous number of people [already] in the pipeline.... Our other alternative, other than pick some grade point [average] higher than which was required for graduation (and, I might add, in engineering it was [a grade point average] in a specified group of courses, not an overall grade point [average]), was to deny people the opportunity to graduate. Somebody is going to have to make a decision as to which is more appropriate -- to deny them admission to the major, or to deny them the privilege of graduating on some predetermined schedule. Now, there was a third alternative, of course, and that was we could build a ... new electrical engineering building of 300,000 square feet on the last of the parking lots on the north side of campus; that is something you need to consider in this deliberation. And lastly, while I think that these concepts make a lot of sense philosophically, I recall another concept which we [discussed over and over again--] the infamous English 346K [course]; ... in concept it was wonderful, in practicality we could not afford it. I urge you to consider these things over the summer."

James W. Vick (Mathematics), who had chaired the Committee in the College of Natural Sciences from which the general subject had emanated and who subsequently brought it to the University Council, spoke of the background for his point of view. "I think some of these [recommendations] are counter to the [requirements of] programs [represented by persons who have just spoken], but I think it is also true that some of the intent is being very definitely misconstrued. For example, [Recommendation] 2, in my view, is really a question of admission to programs. The feeling that I was trying to convey from my colleagues in Natural Sciences and from other people that I have talked to, both students and faculty, was that it is not fair to [allow] a student to start a program [and then] part way through the program, [after the student has expended time, money and energy, to tell the student that he or she] can no longer continue. This happens in some programs on our campus; it happens in some programs in my college. In fact, I have talked to at least one student this morning who is in that exact situation. It is a situation that I think is really somewhat unfair to the students involved. I think it is much fairer to control enrollment at the beginning of a program. In a sense, [the College of Business Administration] is doing that at the beginning of their upper-division program, and I can see no problem with controlling admissions at that level; that is a decision that should be made by the college on the basis of resources."

"My own feeling with regard to [Recommendation] 5 is that this is a very controversial question. Obviously the Committee in its deliberation put it fifth because they knew that it was going to be a question that would be very difficult for some colleges to deal with, and with the hope that these [recommendations] could be [considered separately] and [that] the controversy that would arise from [Recommendation] 5 would not influence the others as much as it would if it were [Recommendation] 1. I do not think that [Recommendation] 5 has nearly as much support, perhaps, among general members of the University community as the others do."

"Going back to [Recommendation 3] briefly, my concern there was that students are, in fact, denied the opportunity to take a course on the basis of their major, in spite of the fact that they have the prerequisites for the course.... This is certainly going to happen in some areas-- architecture, for example; you are not going to have all the students in the University taking architecture courses who want to take those courses. But it is my feeling that the more these barriers arise within the University, the less we become a university and the more we become just a loose collection of professional programs. I would like to see as few of these barriers as possible. I know these barriers exist, and I know that they are increasing; we can certainly supply the data to tell you how many students are being turned away from these sections now that were not [being] turned away two or three years ago."

Dean Kennamer said: "I do not disagree with a single thing that Mr. Vick said, and I agree with the point that we should make our grades mean what they are supposed to mean--a C is supposed to be C work, and maybe there has been inflation in that regard.... I agree with what Mr. Vick said [about Recommendation] 2. I do not think a student should be admitted to a program and then, right in the middle of it, have the standards go up and not get the benefit of the 'grandfather clause'; that would be unfair to the student in the program." Dean Kennamer concluded by saying that the problems discussed should be addressed, but that the recommendations as written "will cause us, I think, very great difficulty."

"Priscilla P. Nelson (Civil Engineering) asked: "Is there any evidence documenting that an increase in the G.P.A. requirements ... to 2.50 has resulted in any ... grade inflation?" Mr. Gould said that he could offer no documentation, but that there was a general perception in the College of Liberal Arts of the reality of grade inflation."

Reuben R. McDaniel (Management) said that he would like "the Educational Policy Committee, as they organize the debate around this issue next year, ... to separate out a couple of issues. One is the problem of what should the quality of a student be in a program, inde-

pendent of how many students there are in it; that seems to me to be an issue. There is another issue that has to do with how do you select from a large number of students those you admit into the program (you cannot admit them all), which has a different set of implications.... I do not think those issues are well separated out here. Thirdly, how do we deal with the following [issue]: If we are successful in raising the quality of students we admit, then there will always be upward grade pressure. Now that does not mean we ought to all start giving higher grades, but it does mean that that is a question. And fourth, [there is] the question of continuation. I think sometimes when we say to a student, 'You can stay in school with a 2.00, but you cannot enter any program on campus unless you have a 2.50,' it saves us the problem of flunking students, because it is a lot easier to give people C's than it is to give them F's. But in the College of Business the effect is the same; for a lot of students the effect of giving a C is to say you cannot continue in the program. So we may want to look at separating out the problem of continuation from the problems of admission to programs...."

Mr. Gould responded that Mr. McDaniel had touched "on one of the points that we have not raised, and that is the student in Business who has the C but cannot continue in the program [and who then enrolls in] the College of Liberal Arts. Then you get whatever the educational implications are of several hundred, or even close to a thousand, I would guess, in the College who are there like stateless persons in transit before the second World War--who hope to return to their favorite program, but meanwhile [either are in] Liberal Arts or [are chasing] whatever the program is where they can remain. And if you start to get all the other parts of the University kicking up their standards for admission ..., as parts of Liberal Arts are doing..., [you have a situation that results in] invidious implications that we thought that the University Council ought to address. We were reluctant to write ... legislation, [because] we did not see that as the aim of our committee; but we put forward policy concepts that this body could then address...."

Wayne A. Danielson (Journalism) said that he wished to make two remarks. "One is that I do feel that a lot of this problem ... would go away if the University had 20,000 fewer students. In other words, if we made the admission decision at the entrance level for the high quality students I think our schools and departments would be in competition for the students who are here. A lot of the problems that we have over enrollment are due to the fact that the University admits so many students. Number two, I do think that the grade point average is one of the best measures of student quality, and to suggest as a kind of game that departments and colleges should [make] admissions [decisions] without considering the best criterion does make us a little foolish."

Mr. Gould concluded the discussion by saying it was not the Committee's contention that grade point average should not be used. "Our feeling was that [using] it as the only, almost mechanistic, determination of admission [caused] a great [many] problems, especially when [the increase of grade point average requirements] begins to proliferate

as the [solution] to ... admission questions. That was the feeling we got from the higher administration, and that is the feeling that emerged from our deliberations."

F. PROTEST TO THE PROPOSAL FROM THE COLLEGE OF LIBERAL ARTS FOR AN ADDITION TO THE GENERAL INFORMATION BULLETIN FOR THE UNIVERSITY OF TEXAS AT AUSTIN, 1985-1986 (D&P 10510 and 10548). (CARRIED OVER TO MEETING OF SEPTEMBER 22, 1986)

Not included on the written agenda was a protest to the following proposal of the College of Liberal Arts (D&P 10510):

As the last sentence under the heading of TRANSFER FROM ONE DIVISION TO ANOTHER on pages 45-46 of the 1985-1986 General Information bulletin, insert the following:

To transfer to the College of Liberal Arts, a student must have a University grade point average of at least 2.0.

The protest, from Lowell J. Bethel (Education), was as follows:

"This letter constitutes a formal protest to the proposal of the College of Liberal Arts to require a 2.0 grade point average of students who wish to transfer into that college from other colleges within The University of Texas at Austin.

With the exception of the College of Pharmacy, which has stringent professional admission requirements beginning after two years in the program, all other colleges at The University of Texas at Austin now require a 2.0 g.p.a. for intramural transfer. If the College of Liberal Arts is added to this list, no student with less than a "C" average will be allowed to move from one college to another. Every student will be trapped in his original major, or at least in his original college. There will be no second chance, no opportunity to try something new.

The solution may not be to leave the College of Liberal Arts as a dumping ground for those with poor academic records, but to leave all of our students with no chance to change their minds or majors is equally unacceptable. The issue affects all colleges within The University and should be discussed in the University Council.

Mr. Bethel observed that his protest was an extension of the previous agenda item. He said that given the duration of the present meeting, the Council might wish to table the protest and possibly also refer it to the Educational Policy Committee.

Discussion of parliamentary procedure ensued, and it was eventually ruled that the original proposal of the College of Liberal Arts (D&P 10510) was on the floor for discussion.

Mr. Bethel asked the Council to focus on the ramifications of the College of Liberal Arts proposal, as described in the second, third and fourth sentences of the third paragraph of his protest.

After further discussion of parliamentary procedure, Vice President William S. Livingston (Graduate Studies) MOVED that the proposal of the College of Liberal Arts be referred to the Educational Policy Committee.

William O.S. Sutherland (English) spoke against the motion to refer. "It seems to me that what the College of Liberal Arts is doing is perhaps a little bit belatedly trying to defend itself from all these failing students who are moving out of other colleges. [Mr. Bethel] says these students are trapped. Well, the College of Education is one of the colleges that is trapping them, because it will not let them go into the College of Education. The argument that they are trapped in the college into which they entered was a very good argument, and perhaps [it] should have been brought up when the College of Business did not allow students to transfer out who had a failing average. But it seems to me that all the arguments at this point are a little late, that the College of Liberal Arts is having students dumped into it and really needs protection, and that next fall we can decide these things; but for the present we would like not to have everyone else's failing students, if the University Council will agree."

Associate Dean Joseph M. Horn (College of Liberal Arts) said that, in Dean King's absence, he was representing the College of Liberal Arts. He agreed with Mr. Sutherland. "We do not think we are asking for very much at all; this is probably the minimum standard that the University applies to anybody, at any time, anywhere. In the protest to our minimal legislation we were referred to as a 'dumping ground;' I think that is how a lot of people are coming to view Liberal Arts, and we object to it. We do not think we ought to have that reputation; we do not think we deserve that reputation. This minimal standard is something we feel like we need very much. I have done some preliminary calculations on ... our majors ..., and I was astonished to find that ... twenty-two percent of our students have below a 2.0 G.P.A. We ask permission to take just that one little, tiny, minute step to ameliorate somewhat this condition."

Charles A. Sorber (Engineering) said that he was "certainly sympathetic with Liberal Arts with regard to their intent in this legislation. I remind the Council, though, that only three schools and colleges

in the General Information bulletin as I read it, have a definite grade point average [requirement for intra-University transfer students]: Fine Arts, Natural Sciences, and Education. There is other verbiage that deals with some of the other colleges. For example, the verbiage that deals with Engineering suggests that if a student wants to transfer to the College while on probation, [he or she] must receive the approval of the Dean of the College of Engineering. I would suggest that Liberal Arts might want to loosen the verbiage on their recommendation so that we will not be totally and unequivocally always accused of doing everything by the numbers."

Dean Lorrin G. Kenamer (Education) observed that the College of Liberal Arts proposal concerned "students here who are still eligible to be at the University; ... otherwise they could not go to any college because [they would be] on [scholastic dismissal]. Really, I think we are having this discussion a few years late. When individual colleges began, in an ad hoc fashion, to change their admission requirements ... it was inevitable, I guess, that eventually all would want to do that and we would come to where we are today.... Well, we now are down to the last college here that wants to do something like everyone else has already done; no one protested when everyone else did it, and it has led us to this point in time. I can sympathize with the College of Liberal Arts -- I am a professor in that College. I am also a professor in the College of Education. I do not like the word 'dumping ground,' and I surely would resent it from the Liberal Arts side. But I do hate to see the University get to a stage where [students have no] possibility anywhere of a second chance until they go home, wait a semester, and then ... seek readmission.... This will lock things terribly rigidly, it seems to me, so I am torn. I am sympathetic to how Liberal Arts feels, but they cannot have it both ways. Liberal arts are the basic core of every degree program on this campus.... The last two or three years we have rethought ... and strengthened the liberal arts core of every degree program on this campus, and ... that is why this is major legislation, I think. Nearly anything [the College of] Liberal Arts does is major legislation as far as the rest of the colleges go, because there is a very proper close relationship...."

"So I do not have an answer to this except to speak in support of ... referring this to the Educational Policy Committee. It is a first cousin to the previous material, I think. But the liberal arts belong to all of us, and changes in [the College of Liberal Arts] affect all of us. Therefore I think we have got to really thing this through, because this shuts the final door in terms of student flexibility."

Mr. Horn said that the "worst students in the University come into Liberal Arts because no one else will take them. That really does not do much to strengthen the College of Liberal Arts, and we agree that the College of Liberal Arts is the core of the University. Again, we are just asking for the minimal standard, the least we can do."

"Another problem associated with these huge numbers of students coming to us with these wretched GPA's is that there are terrible counseling problems. Our undergraduate advising facilities are overcrowded already, and you have to spend two to three times the amount of time with these students [that] you have to spend with the better students. So we are being overburdened in many ways. Again I would just ask you to give us this minimum tool to improve the quality of students in Liberal Arts."

Mr. Bethel said that he also served as "Chair of the Student Deans [Council]", and we discussed this at great length this past Thursday. While there was certainly a great deal of feeling for the College of Liberal Arts, my colleagues on that council also were concerned about the general situation throughout the University that students do not have enough freedom to move and, as one of my colleagues said, even to choose the college in which they wish to fail. That might be another way of looking at it. But this is a problem; I think we need to give it a great deal of consideration, and not shut this window. I think it is just critical for students."

Mr. Sutherland responded: "It is not a window, ... it is a trap door through which failing students fall, and to say that this leaves the student no choice is really to use words in a very strange way. [To consider colleges not invidiously, but as examples:] If the student wants to be a teacher, he has no choice--he cannot go into the College of Education, but you will give him a choice and send him to Liberal Arts. If the student wants to be an engineer, ... he has no choice of being an engineer; but he has a choice of going to Liberal Arts. So let us not really feel that we are doing something for the student here. I appreciate the feeling of the student deans, but I rather think they are doing something for themselves as well as for the student. Mr. Horn has told you just the miserable GPA's of a number of our students, and we have to teach those students." Mr. Sutherland urged that the motion to refer be defeated.

Vice President Livingston said that he found himself "in that unfortunate position where my friends are disagreeing on a fundamental issue, and I agree with all my friends. I did not introduce the motion to refer in order to defeat the purposes or blemish the reputation of [the College of] Liberal Arts. I believe very strongly that Liberal Arts is in a dreadful pickle. Whether this motion is the way to get them out of that predicament is the question.

"We have a timetable before us. If we do not [want to] refer this, defeat my referral motion, and then go on and approve the basic question as Dean Horn and Professor Sutherland recommend; then we have either closed the door--or the trap door, or window--and we have adopted for Liberal Arts that same kind of exclusionary technique that other colleges have already adopted. If we do that, then we must face the question of what happens to all of the students who are now excluded from everything? Now, we have asked the Committee on Educational Policy to review this whole question of inter-college transfers, and ... Mr. Gould has

told us that that is, indeed, what will happen in the course of the summer and fall so that the Council can deliberate at great length on this very ... broad and comprehensive question which will affect every college here on the campus. I put it to you that the proposal from Liberal Arts is heart and soul of that issue that will have to be discussed by the Committee and by this Council in the fall. If the dean and the chairman think it wise to adopt this 2.0 rule for Liberal Arts while that discussion and debate continue, I should be glad to be persuaded that that is a suitable step for the Council to take at this time. I have not heard that question deliberated on. Should we, I ask you, adopt the Liberal Arts recommendation about the 2.0 minimum while the [Educational Policy] Committee continues to examine the thing and the Council approaches its debate in the fall on the broad range of issues? If so, I invite you to defeat my motion. If, on the other hand, we can live with the present situation of Liberal Arts until we get some kind of rationalization of it in the fall, then I think that ... you should support the motion. I would rather put it that way than withdraw the motion.

Mr. Gould said that he had a "sense of deja vu because we went through all these arguments in the Committee, and now you see the thorny problems that we have. I guess I would say that what you have gotten from the Educational Policy Committee [are] the recommendations which we would like you to take up in the fall. We do not say they are perfect; we would be glad to have suggestions over the summer. But we spent a [considerable amount of] time trying to frame recommendations, and what Liberal Arts is proposing is within ... the framework of what we have tried to address. What we would ... ask you to act upon in the fall are those five principles. So we will not fail to do our business if you send it to us; we will just say, 'This is part of the problem, and here it is back again; ... this is what we deliberated on, ... this is what we recommend, and we have nothing to add in a substantive sense to the five principles we put forward.'"

David J. Quan (Student Representative) said that he did "not understand why there has been such a concern [about] a very minimal standard that is being asked for by the College of Liberal Arts. In connection with the earlier proposal from the Educational Policy Committee, in the apparent controversy [over] Provisions 2 and 5, I see the College of Liberal Arts proposal as being perfectly in compliance with that. They are not setting a standard beyond that which is being set for ... graduation from the University. So, as I understand it, there is no conflict there, and the proposal as initiated by the College of Liberal Arts should be [approved]."

Reuben R. McDaniel (Management) said that "one of the problems that students have, as I understand it, is that if you got below a 2.0 there are certain things in the world you cannot do. The reason you got there was because you got below a 2.0, not because you were tall or short.... If I understand what Liberal Arts is asking for, [they are not asking]

that students already in the College of Liberal Arts [with grade point averages below 2.0 be kicked] out. What you are asking is that, if some students elsewhere on the campus [have grade point averages below 2.0], they not be necessarily allowed to come into your college. I also understand from [Executive Vice President and Provost] Fonken, on many occasions, that rules are made to be broken by deans. So if there was some particular student who for some particular reason had a case that he wanted to present to a dean for exception ..., that would be permissible in the normal course of administrative business. It is in most colleges now. So I would [oppose] the motion to refer and support the Liberal Arts' motion.

Dean Kenamer again urged that the motion to refer be approved.

Allen H. Bizzell (Accounting) said that he had "no problem with the motion to institute a 2.0 grade point average [requirement] for Liberal Arts, but I think Liberal Arts should understand [that] the reality may not be as they expect it to be--... there may be some considerable downside effects. For example, the College of Business Administration is not a 'dumping ground' for students in the [College of] Liberal Arts. We do not require students to ever leave our college; they can stay in our college with whatever grade point average they [have that will enable them to] stay in the University. We will continue to have them. But if they are officially in Business and they want to go to Liberal Arts, they are still going to [go] over there for advising.... That is a reality of what would happen with the students. Now what will probably happen is we will also have to see them and say, 'I am sorry. If you want to be a psychology major, you will have to get advised from the College of Liberal Arts; we cannot advise you [if you want] to be a psychology major.' That is part of the reality of what is likely to happen."

The motion to refer was then DEFEATED by a vote of 14-21, bringing the original proposal of the College of Liberal Arts back to the floor for action.

Mr. Sorber asked if there was a quorum present, and President Cunningham ruled that there was no quorum. Therefore the proposal of the College of Liberal Arts will become the first item of OLD BUSINESS at the next regular meeting of the Council.

IX. REMAINING QUESTIONS TO THE PRESIDENT. (NOT REACHED)

X. ADJOURNMENT.

The meeting was adjourned at about 4:30 p.m. The next regular meeting of the Council is scheduled for 2:15 p.m. on September 22, 1986, in Main Building 212.

Distributed to members of the University Council and members of the General Faculty who want minutes on August 29, 1986.