

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

The Minutes of the University Council meeting of March 19, 1984, 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 MARCH 19, 1984

The seventh regular meeting of the University Council for the academic year 1983-1984 was held in Room 212 of the Main Building on Monday, March 19, 1984, at 2:15 p.m.; President Peter T. Flawn presided.

ATTENDANCE.

Present: Lawrence D. Abraham, John R. Allison, Mark I. Alpert, Frank D. Bean, Jr., Gerard H. Behague, Simon J. Bernau, Shirley F. Binder, David L. Bourell, Betsy E. Bowman, Robert E. Boyer, Oscar G. Brockett, Larry D. Carver, Kathleen F. Conlin, Patrick J. Davis, James T. Doluisio, James Duban, William C. Duesterhoeft, Jr., John R. Durbin, Peter T. Flawn, Betty S. Flowers, Gerhard J. Fonken, Donald J. Foss, Alan W. Friedman, J. David Gavenda, Vickie L. Hampton, Roderick P. Hart, Thomas M. Hatfield, Gaylord A. Jentz, H. Paul Kelley, Lorrin G. Kennamer, Robert D. King, Mitchell R. Kreindler, William S. Livingston, Steven I. Marcus, R. Neill Megaw, Jack Otis, Trevor L. Pearlman, David L. Phillips, Alice R. Redland, Ramon Saldivar, James H. Sledd, H. Eldon Sutton, James W. Vick, Eleanor M. Waddell, Kathleen J. Waddell, Claire E. Weinstein, Stanley N. Werbow, Nathan A. Wesely, Philip L. White, Roxanne K. Williamson, J. Robert Wills.

Absent: Mark B. Bader, Frank N. Bash, Harold W. Billings (excused), J. Harold Box, Billye J. Brown, Ronald M. Brown, Heather L. Carter, Ben H. Caudle, Randall J. Charbeneau, James H. Colvin, William H. Cunningham (excused), Wayne A. Danielson (excused), G. Charles Franklin, Earnest F. Gloyna (excused), Susan G. Hadden, Maxine C. Hairston (excused), E. Glynn Harmon (excused), Robert C. Jeffrey (excused), Eleanor W. Jordan, Thomas W. Kennedy, Sanford V. Levinson, Rueben R. McDaniel, Dorothy K. Payne (excused), Diane L. Schallert, Max R. Sherman, RoseAnn L. Shorey, James B. Smith, Jr., John F. Sutton, Mary P. Taylor, Martha S. Williams, Ronald E. Wyllys (excused).

Total members present: 51 Total members absent: 31

APPROVAL OF MINUTES OF MEETING OF FEBRUARY 20, 1984 (D&P 9576-9589; D&M 15580-15593). (APPROVED)

The Minutes of the University Council meeting of February 20, 1984 (D&P 9576-9589; D&M 15580-15593) were APPROVED as distributed.

SECRETARY'S REPORT (D&P 9597-9603).

There was no discussion of the Secretary's Report (D&M 9597-9603) which had been circulated. Secretary H. Paul Kelley (Educational Psychology) requested that the Order of Business be changed in order to accommodate persons who could not remain for the entire meeting. Mr. Kelley offered a motion to consider the two items of New Business prior to the item of Old Business. The motion was APPROVED without discussion.

QUESTIONS TO THE PRESIDENT.

Just prior to the beginning of the meeting James H. Sledd (English) had submitted a question about the decision not to offer English 106K and 206L. Mr. Sledd said that he had been told by two members of the Freshman English Policy Committee that the decision had been made by an administrator, and he asked the identity of the decision-maker. President Flawn called on Dean Robert D. King (Liberal Arts) to respond to the question.

Dean King said that his only involvement with the two English courses in question had occurred during the Fall Semester when the Chairman of the English Department had asked him if and when the courses had to be offered. Dean King said that his response had been that the matter should be dealt with at the Departmental level. He knew of no one else who had taken action on those two courses.

NEW BUSINESS.

- A. MOTION TO CREATE AN AD HOC COMMITTEE OF THE UNIVERSITY COUNCIL TO INVESTIGATE AND MAKE RECOMMENDATIONS ON THE CONCERNS OF SCHOLASTIC DISHONESTY AND MEASURES THAT SHOULD BE TAKEN TO DEAL WITH THE PROBLEM (D&P 9566-9567). (AMENDED AND DEFEATED)

Trevor L. Pearlman (Student Representative) said that the legislation stemmed from a survey that the Students' Association had made during pre-registration last semester. There were 417 students interviewed. About 60 percent of the students felt that there was an academic dishonesty problem on campus. Forty-six percent of the respondents felt that their grades had been adversely affected by the scholastic dishonesty of others. The purpose of the legislation, Mr. Pearlman said, was to deal with those concerns.

Mr. Pearlman then moved "that the University Council create an ad hoc committee of the University Council to investigate and make recommendations to the Council on the concerns of academic dishonesty and what measures should be taken to deal with the problem. I further move that a progress report be given to the Council by the next meeting." Included as a part of the motion was the specification that "the committee shall be composed of eight (8) members as follows:

- (a) The Associate Dean of Students concerned with academic dishonesty
- (b) Chairperson of the Discipline Policies Committee
- (c) Chairperson of the Educational Policy Committee
- (d) Three students appointed by the President of the Students' Association
- (e) Two members of the faculty appointed by the Faculty Senate, one of whom shall serve as chairperson of the committee

The motion was seconded.

John R. Durbin (Mathematics), Chairman of the Faculty Senate, moved that section (e) be amended so that the two members of the faculty would be appointed by the President of the University rather than by the Faculty Senate. The motion to amend was seconded. Mr. Pearlman found the amendment agreeable, and it was ADOPTED without further discussion.

President Flawn then requested that floor privileges be extended to Lear L. Ashmore (Speech Communication), Chair of the University Committee on Discipline Policies. Ms. Ashmore said: "The Discipline Policies Committee consists of five faculty members and two students. We routinely deal with individual problems with scholastic dishonesty as well as ... procedures and methods to work through the problems of scholastic dishonesty on the campus. We have spent some time in deliberations of ways in which scholastic dishonesty could be handled and feel like our committee is well equipped to deal with the problems as they exist. We

have made some recommendations to our representative from the Dean of Students Office, who is [seeking] administrative approval of ways in which they can be implemented. We feel like the committee is already [doing] a lot of the things that an ad hoc committee would be doing and feel like it might be redundant to have another committee."

Mr. Pearlman said that it was his understanding that the Discipline Policies Committee was concerned with individual cases of scholastic dishonesty. He perceived the primary concern of the proposed ad hoc committee to be the recommendation of policies -- e.g., seating arrangements and proctors during examinations. Ms. Ashmore said that the Discipline Policies Committee spends considerable time with broad policy issues.

The Pearlman motion, as amended, was then DEFEATED 13-29.

- B. RECOMMENDATION TO REVISE THE LANGUAGE OF APPENDIX C, CHAPTER 10, OF THE GENERAL INFORMATION BULLETIN (D&P 9590-9596). (APPROVED)

President Flawn called on David J. Drum (Assistant Vice-President for Student Affairs), Chair of the University Council Ad Hoc Committee to Recommend Revisions of the Language of Appendix C, Chapter 10, of the General Information Bulletin. The Committee had been appointed by the President in response to questions about the need and appropriateness of the regulations in Chapter 10 at the time when faculty and staff organizations had been brought under those regulations. Three sets of changes were proposed (D&P 9590-9596):

a. The first set involved changes of wording and location of reference to Regents' Rule VI, Section 7.26. The revisions were required in order to bring the wording of the General Information Bulletin into compliance with changes that had been made in the wording of the Regents' Rule. The recommended wording was, "No person shall be permitted to advocate the conscious and deliberate violation of any federal, state, or local law."

b. The second set changed the time frame within which the dean can refuse an application. The changes provided that the Dean would "upon request ... give the applicant a written statement of the grounds for refusal within one class day."

c. The third set changed the time frame within which the Vice-President shall notify a person or organization that an appeal hearing will be held to "at least one class day before the date of the hearing."

Mr. Drum briefly explained the nature and purposes of each set of changes, and without further discussion, approval of each of the three sets of recommendations was moved, seconded, and ADOPTED by a voice vote.

OLD BUSINESS.

- A. PROPOSED PROCEDURE FOR THE SELECTION OF A COMMENCEMENT CEREMONY SPEAKER (D&P 9560-9561). (AMENDED AND APPROVED)

Mitchell R. Kreindler (Student Representative) distributed a substitute proposal for the previously circulated D&P 9560-9561 dealing with the selection of a Commencement speaker. He said that the substitute proposal resulted from discussion at the previous Council meeting and subsequent conversations with both the Faculty Senate and administrative officials. Mr. Kreindler said that the concerns about the original proposal had focused on the lack of confidentiality about the identity of nominees and on limiting the President's choice to three names. Mr. Kreindler then moved that the Council approve the substitute proposal reproduced below, and his motion was seconded:

1. It will be the responsibility of the Students' Association and Senior Cabinet to solicit suggestions from the student body concerning the selection of a commencement speaker.

2. A joint committee composed of an equal number of members from the Students' Association and Senior Cabinet will review the student suggestions and compile a list of no less than 10 commencement speaker nominees. The list, which will not be a public document, will be forwarded to the Commencement and Academic Ceremonies Committee.
3. The Commencement and Academic Ceremonies Committee will review the list of nominees compiled by the student joint committee. After such review the Committee may make additions to the list. The number of additions shall not exceed the number of nominees on the original list.
4. The list of nominees, including any additions made by the Commencement and Academic Ceremonies Committee, will be forwarded to the President. The President will then select a commencement speaker from the list.
5. In the event that the President is unable to select a speaker from the list of nominees, he shall request that the Commencement and Academic Ceremonies Committee submit additional nominees. Should time constraints prevent this portion of the procedure from being followed, the President may select a speaker of his own choosing after appearing before the committee to explain his decision.
6. This entire procedure may be suspended for no longer than one (1) commencement ceremony by a 2/3 vote of the University Council in order to accommodate special and emergency situations or other unforeseen circumstances. In such a case, the Council will determine the character of the ceremony and the procedures to be followed.
7. The Students' Association President and Senior Cabinet Chairman will become additional, ex-officio members of the Commencement and Academic Ceremonies Committee.
8. All portions of this legislation will become effective at the start of the 1984-1985 academic year.

After commenting briefly on each of the eight items in the substitute proposal, Mr. Kreindler amended item 7 to read, "The Students' Association President and Senior Cabinet Chairman, or their representatives, ..." in order to address the contingency of the President or Chairman being unable to attend a meeting. The person who seconded Mr. Kreindler's original motion to approve the proposal set forth on D&P 9560-9561 agreed to second his new motion to approve the substitute proposal reproduced above.

H. Eldon Sutton (Zoology) asked about the present composition of the Commencement and Academic Ceremonies Committee. Mr. Kreindler responded that the Committee is comprised of five administrators, five faculty members, and two students. President Flawn added that it is a Standing Committee of the General Faculty and that its membership is recommended to him by the Committee on Committees.

Dean Lorrin G. Kennamer (Education) asked for clarification of item 5. It was his interpretation "that only if time runs out the President may choose someone who is not on the list.... Is that the only way the President can take independent action?"

Mr. Kreindler responded that Dean Kennamer's interpretation was correct; the President would be bound to the list of names. However, he pointed out "that a wise President could talk to anybody on the committee and make sure that [the committee] would submit a name that he wanted if he had a specific choice. [Further,] there is no definition as to what 'time constraints' are; a President could keep requesting nominees from the committee until they were all out names or that time was a problem. I think that ... the President could have his choice, no matter what, in

the long run, if he wanted to; but the procedure as it is written does not allow him just to choose anybody."

Gaylord A. Jentz (General Business) questioned the ramifications of item 3, which he felt limited the role of the Commencement and Academic Ceremonies Committee, which would "have really no selective power whatsoever; they have got to forward whatever list is given to them by this joint committee. It would seem to me it might be just as easy to have a procedure in which the joint committee submits its list to the President and in which the Commencement and Academic Ceremonies Committee submits its list. The fact that two people are on the same list does not ... bother me, but ... this document ... restricts to some extent the Commencement and Academic Ceremonies Committee because [the number of additions] shall not exceed the number of nominees on the original list."

Mr. Kreindler responded that "the reason for sending the list to the Commencement and Academic Ceremonies Committee was twofold. One was to keep the process within the current structure, [which] is that that committee submits its list of nominees to the President.... The second reason was [to prevent duplication of nominations.]"

Mr. Jentz then said that the Commencement and Academic Ceremonies Committee's role would be reduced to that of a mailbox. "They are just going to forward to the President [the list that] has already been predetermined by the joint committee.... If that is what the idea is, why do you not [permit that list to go] directly to the President? What you have done to the Commencement and Academic Ceremonies Committee is said, 'Take a look at our list, and then you are restricted as to the number that you can submit.' ... I do not think the duplication is as ... bothersome as just having [the] Commencement Committee as a forwarding agent for something that can easily be [sent directly to] the President of this University.... I do not know why the President cannot [select from two separate] lists."

Mr. Kreindler replied: "I would disagree with your statement that it becomes a mailbox, because I think that the only thing that you could say that they are a mailbox for would be the ten names that are coming from the students. All it does is restrict the Committee to the ten names. I could have written the procedure so that there were two separate avenues, that the Commencement Committee could submit no more than ten names to the President's Office, and it would have been the same thing. But [I was trying to stay within the framework of the current] process and keep [the nominees] all on one list."

President Flawn next called on Dagmar S. Hamilton (Public Affairs), who expressed concern about the phrase in item 5, "... after appearing before the Committee to explain his decision." Ms. Hamilton said, "It concerns me that that language appears to be mandatory, and I wondered whether it was customary to make it mandatory for a President to appear before a committee. I would hate to see that as a precedent. Is that the customary thing, or is this unusual?" President Flawn replied, "I believe this would be a first." Ms. Hamilton concluded: "... I am concerned about setting a precedent here which makes it mandatory ... for an administrative official to appear before a committee at what seems to me a premature time."

John R. Durbin (Mathematics) concurred with Ms. Hamilton and moved to amend item 5 by deleting the phrase, "after appearing before the Committee to explain his decision." The motion was seconded.

Mr. Kreindler spoke against the motion to amend. He said that there was a good reason to require that the President appear before the Committee if he did not select a name from the Committee's list. "The real reason [the requirement] is there is because I would hate to see the [students' list of names sent to the President of the University and then have the Students' Association President and the Chairman of the Senior

Cabinet] find that somebody else was selected and go public and make that an issue. This way, there is a definite avenue for the President to appear before those students and the rest of the members of the Committee and say, 'Look, here is what happened; this is the reason I did not go through the selection with the people on the list you submitted, and here are my reasons for it.' [I hope that would de-fuse the potential powderkeg.] That was the entire reason for it. If it is necessary to delete that line [in order] to get this proposal passed, well, that is fine; but that was the thinking behind it, and I urge you to defeat the amendment."

David L. Phillips (Student Representative) said that he did not "think the precedential value will be that great that we should worry about it to any large extent."

Mark I. Alpert (Marketing) shared Mr. Durbin's concern. "I would assume that the President, if he or she cannot follow the procedure, would notify the Committee, maybe informally...."

The Durbin amendment to delete the last line of item 5 was then APPROVED by a voice vote.

H. Eldon Sutton (Zoology) said that he objected to the provision in item 3 that the Commencement and Academic Ceremonies Committee was limited to offering only as many names as had been offered by the joint committee. "I do not see any reason why the Commencement Committee could not submit as many names as it wants to, so I move that the motion be amended by deleting the last sentence of paragraph 3." The motion was seconded.

Mr. Kreindler opposed the motion to amend. "We want as much student input in the commencement speaker process as possible, and the idea of limiting [the Commencement Committee] to the same number of nominees as are given them by the students is just a way of making that influence 50-50, so to speak. The students could submit 10 names and this Committee could...submit 100, and [that would dilute] the importance of the student recommendations...."

Lawrence D. Abraham (Physical and Health Education) expressed concern about "the time frame of the overall process. [The proposal] suggests that the Commencement and Academic Ceremonies Committee would not begin to call a list of potential nominees until they have seen the list from the students, which would tend to make the process more time consuming.... It seems to me that if both groups are...encouraged to...submit nominees,...they should work in the same time frame to gather those lists. The way it stands here,...it appears they look at the list and then see whether they have anyone else they think should be on." Mr. Abraham also expressed concern "that it is not clear in this proposal whether the list as forwarded to the President indicates which nominees were added and which were in the original list; I think that, perhaps, would address some of the concerns reflecting the balance and the representation of the lists. I do not have a particular amendment to propose, but I think those concerns might be addressed through this issue."

Without further discussion, the motion to amend by deleting the last sentence in item 3 was DEFEATED 15-25.

Mr. Abraham then spoke against Mr. Kreindler's earlier amendment of item 7 to provide for the Students' Association President and the Senior Cabinet Chairman to be permitted to send representatives to meetings of the joint committee. Mr. Kreindler agreed to withdraw that amendment and restored the original wording of item 7.

President Flawn asked if Mr. Kreindler had considered any date by which the student committee would have to submit its list of commencement speaker nominees. Mr. Kreindler said that he assumed the list would be submitted in the fall semester. Mr. Durbin asked about past experience with regard to the time by which speaker invitations were made. President Flawn said that "in the past I have had a list before Christmas, and that has been adequate. We like to get the speaker committed very early in the year -- January or February."

The Kreindler motion, as amended, was then APPROVED by an uncounted show of hands.

REMAINING QUESTIONS TO THE PRESIDENT.

John R. Durbin said that he did not have a question, but he had "a comment about the vote on the ad hoc committee to look at scholastic dishonesty. I am sorry Professor Ashmore is not here. I confess I did not vote against that motion awhile ago, out of respect for the students; but I did not vote for it, out of respect for the committee that already exists. But I am a bit troubled. It seems like the students put some energy into this and showed some concerns about something we need to be concerned about, and [they] wanted to do about it at this [point], but I hope the members of the Students' Association will try to meet with [the Discipline Policies] Committee. [Then] if they still think we need a University Council committee, I would like for them to come back to us next month and raise it again."

President Flawn commented, "I think it would be appropriate for this Council to prepare a special charge for [the Discipline Policies] Committee. I see nothing out of line with that."

Mr. Durbin responded, "Maybe we could do that for the next meeting; I am not prepared to do that, myself, right now. But I just hope we do not drop it and make the students think that we do not really care that they put some thought into this and have shown some concern."

ADJOURNMENT.

The meeting was adjourned at 3:05 p.m. The next meeting of the University Council is scheduled for April 16, 1984, at 2:15 p.m. in Main Building 212.