

REGULAR MEETING OF THE UNIVERSITY FACULTY SENATE

December 6, 1993

MINUTES

Senators not in attendance were: William Daniels, Larry Holmes, Vivian Klaff,

C. A. Thoroughgood

Senators excused were: Christine Delbeau, James Kirby, Robert Knecht, Roger Kobak, Richard Murray, Jon Olson, Betty Paulanka, James Pizzuto, David Roselle, Jack Smith, Janet Smith

I. ADOPTION OF THE AGENDA

The agenda was adopted as submitted.

II. APPROVAL OF THE MINUTES

The minutes for the November 1 meeting were approved as submitted.

III. REMARKS BY INTERIM PROVOST MURRAY AND/OR VICE PROVOST ANDERSEN

Vice Provost Andersen's remarks were withheld due to illness.

IV. ANNOUNCEMENTS

A. Daniel Rich, Chairperson, Provost Search Committee, reported on the status of the Provost search, the depth of the candidate pool, and the tempo for the remainder of the search. The search has used ads in the Chronicle of Higher Education, Black Issues in Higher Education, and Update. Letters requesting nominations were sent to the 167 presidents in the National Association of State Universities

and Land-Grant Colleges, 59 presidents of the American Association of Universities, and 229 deans of colleges of arts and science. Special attention was paid to minority and women candidates and to direct and indirect referrals from the University community.

These efforts have yielded 206 internal and external candidates who are intellectually diverse, widely experienced, and who have exceptional academic and scholarly achievements. While the Search Committee will continue to receive applications until the position is filled, the review of the candidates began on November 15.

The initial screening is to be completed by mid-January and the first set of interviews by the Committee are to be completed by February. The sub-group of finalists are to be brought on campus through March, and the search process is to be completed by the beginning of April.

The candidates are being supplied extensive material about the institution. Suggestions about this material have come from the Senate Executive Committee and the University community. In response to a question, Prof. Rich stated that the Search Committee

intends to arrange for the final candidates to discuss issues with the Senate.

B. Bonnie Kime Scott, President, announced the following:

- February
1. The next meeting of the University Faculty Senate is on 7, the day before classes resume for the Spring term.
 2. The ad hoc Committee on Freedom of Expression in Public Events has been formed. The members are: Robert Brown, Director of University Honors, Chair; Joanne Browning, Associate Professor of Theatre; Belena Chapp, Director of the University Gallery; Vernese Edghill, Assistant Dean of Students; Thomas Harr, undergraduate; Bernard Kaplan, Associate Professor of English; Scott F. Mason, Assistant Director of the Student Center; Rika Schmidt, graduate student; and W. Gary Smith, Assistant Professor in Plant and Soil Sciences. The committee will give an initial report at the April meeting.
 3. Announcements for Challenge
 - a. Revision of the B.A.S. in Engineering Technology (See Attachment 1 of agenda). Approved as submitted.
 - b. Approval of proposal to include concentration titles on transcripts of the M.S. in Physical Education (See Attachment 2 of agenda). Approved as submitted.

V. OLD BUSINESS

None.

VI. NEW BUSINESS

A. Recommendation from the Vice President of Employee Relations, Maxine

Colm, with the concurrence of the Committee on Faculty Welfare and Privileges (H. Hall, Chairperson) and the Faculty Senate Executive Committee, revising the Faculty Handbook to conform to the new Federal Family and Medical Leave Act (as stated in Attachment 3 of the agenda).

In a very brief discussion it was determined that the purpose of this resolution is to bring the Faculty Handbook into compliance with the Family and Medical Leave Act. The proactive policy of the University is reinforced by these changes. The following resolution was passed unanimously.

WHEREAS, the Family and Medical Leave Act (FMLA) was enacted on February 5, 1983 with an effective date of August 5, 1993, and

WHEREAS, the provisions of the Act apply to public agencies including schools and colleges, as well as to private sector employers, and

WHEREAS, the University of Delaware is obligated to assure that its family and medical leave policies for employees comport with the provisions of the Act, be it therefore

RESOLVED, that the changes contained in Attachment 3 be made to the Faculty Handbook (Section III-36, 37) to bring the Handbook in line with the provisions of the Family and Medical Leave Act.

- B. Recommendation from the Committee on Undergraduate Studies (M. Keefe, Chairperson) with the concurrence of the Coordinating Committee on Education (J. McLaughlin, Chairperson), for the granting of permanent status of the Air Force ROTC Program.

Debate began with a brief report from Michael Keefe. The Committee on Undergraduate Studies approved this resolution by a vote of 11-

2.

Those opposed feel that ROTC does not belong on campus. Those in favor believe that Air Force ROTC parallels the Army program, which has permanent status, and that the issues of gays and lesbians in the military is isolated from the academic courses in ROTC. Col. Richard Martel added further background information. The AFROTC

was

started in 1982 and provides the opportunity for students to earn a commission in the AFROTC and to compete for scholarship aid. The program is 16 hours of electives taken over four years. The

program

at Delaware currently is budgeted at \$490K, with a nominal student body of 75 and an average of 13 commissions per year. The program is well regarded in its group of 38 other institutions. From questions it was established that there are seven active scholarships for 60 students currently and that the eight-year

delay

in review for the program was an oversight.

Hilton Brown spoke in opposition to the resolution on behalf of the Committee on Diversity and Affirmative Action and the Lesbian Gay Bisexual Concerns Caucus by introducing a letter sent with Co-chair Cynthia Cummings to President Scott on November 22 (Attachment 1). He asked directly if the ROTC discriminates against gays and lesbians.

Col. Martel replied that neither the no-credit Leadership Laboratory

component of the program nor AFROTC scholarships currently are open to individuals who state their homosexuality. Students can be disenrolled from ROTC for professing homosexual status and may be required to reimburse the scholarship funding. The specific

actions

are decided on a case-by-case basis.

Dean Murray, Senator Idsardi and President Scott established through

questions that the laboratory portion of the Air Force ROTC courses are not available to individuals not qualified to be cadets. Similarly the Summer training programs are open to cadets only.

Senator Martuza objected to the program because of these
exclusions,
and Senator Reedy observed that the Policies Catalog does not
define
eligibility. Senator Taggart asked the extent to which a land-
grant

institution is required to provide ROTC, and President-elect
McLaughlin replied by paraphrasing from the Morrill Act: "States
which take advantage of the act must support and maintain at least
one college [where the] leading object shall be, without excluding
other scientific and classical studies and including military
tactics, to teach such branches of learning as are related to
agriculture and the mechanic arts."

Senator Bonner spoke in favor of the resolution as a general way of
bringing freshness to the military. Dean Murray then urged the Air
Force to eliminate the course listing of a laboratory from which
students are excluded on the basis of sexual orientation. Senator
Boncelet suggested this could end could be accomplished by
eliminating the laboratory course section but not the laboratory
activities.

Senator Haslett asked Senator Cooper (Army ROTC) to identify ways
in
which students are excluded. Senator Cooper identified age and
physical conditioning as the major reasons individuals will
not qualify for commissioning and emphasized that the Army ROTC
permits anyone to take the classes.

Senator Martuza argued against permanent status for the Air Force
ROTC program because of the total contradiction of University
policy
against discrimination just prior to the vote.

The following resolution was passed by a tally of 34 ayes, 21 nays
and 4 abstentions.

WHEREAS, AFROTC represents a nationally recognized training
opportunity for interested and qualified students, and

WHEREAS, the University of Delaware's program has consistently
received high ratings among AFROTC programs regionally,
and has recently been recognized as the Northeast
Region's top program as measured by student training
awards and numbers of students contracted, and

WHEREAS, this opportunity provides a potential resource for
students to use to help fund their academic career, and

WHEREAS, AFROTC would join an already permanent Army ROTC
program,
be it therefore

RESOLVED, that, effective immediately, permanent status be granted
to the AFROTC program.

- C. Recommendation from the Faculty Senate Executive Committee for clarification on eligibility of students for ROTC programs. The resolution read as follows:

WHEREAS, the military may have policies inconsistent with University of Delaware policies, and

WHEREAS, catalog listings for Army and Air Force ROTC programs state that students at the University have the opportunity to earn commissions in the military, be it therefore

RESOLVED, that, beginning with the 1994-1995 edition, the listings in the University of Delaware Undergraduate Catalog for the Air Force ROTC program and the Army ROTC program shall state clearly:

a. the accessibility of ROTC courses at the University of Delaware to all students, and

b. any military restrictions based on sexual

orientation

that prevent a student from participating in field training and/or becoming a commissioned officer.

AND BE IT FURTHER RESOLVED,

that this resolution shall continue until the conflict between Federal and University of Delaware policies on sexual orientation is resolved.

The resolution was replaced by the following substitute resolution from Senator Cooper. Both resolutions read the same except that

the

substitute replaces a), b), and the final sentence of the original resolution as follows:

a. the distinction between those ROTC courses

accessible

to all University of Delaware students and those which are not, and

b. that not all students may qualify for ROTC scholarships, and

c. that not all students may qualify for a commission

in

the Armed Forces.

AND BE IT FURTHER RESOLVED,

that this resolution shall continue as long as there are differences between the policies of the U.S. Department of Defense and the University of Delaware.

Senator Boncelet spoke on behalf of the substitute resolution because it is more inclusive and Senator Flynn noted that the

substitute corrects a contradiction in a) of the original resolution. Dean Murray faulted the resolutions for not being helpful to the student denied permission to attend a course on a basis illegal according to University policy. In response to a question by Senator Grubb, Col. Martel answered that the regulations for participation in ROTC are explained very early in the program.

President Scott informed the Senate that members of the Executive Committee met with Maj. John Cooper, Col. David Harris of Army ROTC and Col. Richard Martel, AFROTC, to discuss the resolution and to suggest revisions to the Policies Catalog program descriptions. These draft descriptions were read to the Senate and, after a brief discussion, it recommitted (tabled) both resolutions to the Executive Committee with the intent of revision for reconsideration at the February meeting.

D. Introduction of New Business

Senator John Cooper introduced the following resolution under new business.

WHEREAS, many departments of the various schools and colleges of the University of Delaware may have policies inconsistent with University of Delaware policies, and

WHEREAS, the Faculty Senate is concerned with equal treatment for all, and

WHEREAS, the Faculty Senate Executive Committee has begun to identify those departments, be it therefore

RESOLVED, that beginning with the 1994-1995 edition of the University of Delaware Undergraduate Catalog each department whose programs or policies are inconsistent with the policies of the University of Delaware shall clearly identify which courses, scholarships, activities, and/or careers and employment opportunities for which they are preparatory are restrictive.

Senator Magee asked how the proposal was connected to the resolution which failed in the November meeting, and Senator Flynn noted that the new resolution expands the inquiry on discrimination to include other factors. After a brief interchange on this issue Senator Lemay moved for adjournment.

Senate President Scott adjourned the meeting at 5:22 PM.

Respectfully submitted,

Jon Olson
Secretary

University Faculty Senate

JO/wc

Attachments: 1. Letter (11/22/93) to B. Scott from H. Brown and C. Cummings