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Academic Council Meeting Agenda and Minutes, May 5, 1975

Barbara Dreher

Wright State University - Main Campus

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Wright State University

Campus Communication

Date: April 28, 1975

To: Members of the Academic Council

From: Barbara Dreher, Secretary, Steering Committee

Subject: Agenda, Academic Council Meeting, Monday, May 5, 1975;
3:10 P.M., Room 155 of the University Center

- I. Call to order.
- II. Approval of Minutes of April 7, 1975, meeting.
- El. Report of the President.
- IV. Report of the Steering Committee.
- V. Reports of the Standing Committees:
 - A. Curriculum Committee (see Attachment A)
 - B. Faculty Affairs Committee
 - C. Library Committee
 - D. Student Affairs Committee
- VI. Old Business;
 - A. Approval of E. Levine's Amendment to the Promotions and Tenure Document for Main Campus (submitted November 1974):

"This tenure document for Wright State University supersedes and replaces all previously written and oral policy statements concerning promotions and tenure.

This document expressly rejects the idea that tenure can be obtained by any other means than those procedures outlined in this document. Further, this tenure document does not explicitly or implicitly recognize any other procedures or guidelines except those delineated here."
 - B. Return from the table Revised Bylaws for the University Research Council (Attachment D to January 13, 1975, Minutes).
 - C. Approval of Student Affairs Committee proposal to increase student membership on University Undergraduate Petitions Committee (see Attachment A to the March 3, 1975, Agenda).
 - D. Approval of proposed Amendment to Faculty Constitution and Bylaws (see Attachment B to March 3, 1975, Agenda).

VI. Old Business (continued)

- E. Approval of proposed Amendment to Faculty Constitution and Bylaws (see Attachment B).
- F. Approval of General Education courses, Physics 124 and Political Science 110 (part of Attachment A to April 7, 1975, Agenda).
- G. Return from the table of Athletic Council Constitution and Bylaws (Attachment C to the March 3, 1975, Agenda).

VII. New Business:

- A. Approval of Speech Department's request to be transferred from Constituency C to Constituency E (Attachment C).
- B. Approval of proposed Amendment to Faculty Constitution and Bylaws (Attachment DB)

VIII. Adjournment.

NOTE: Attachment E - Amended Revision of Student Handbook's Publication Policy (approved at April 7, 1975, Academic Council meeting).

Attachment F - Amended Constitution and Bylaws for W.O.B.C. Student Body (approved at April 7, 1975, Academic Council meeting).

Minutes

May 5, 1975

I. The regular monthly meeting was called to order by Chairman Pro Tern Vice President Murray at 3:17 P.M., in Room 155 of the University Center.

Present:

C. Benner, M. Bireley, E. Cantelupe, C. Cornyn, B. Dreher, S. Dver, R. Gray, R. Harvey,
J. Hughes, B. Hutchings, R. Iddings, K. Kotchka, E. Levine, A. MacKinney, J. Martin,
H. Neve, E. Nicholson, N. Nussbaum, H. Roehm, D. Sachs, J. Sherwin, G. Skinner, A.
Spiegel, E. Stearns, V. Stoesz, B. Tanamachi, J. Thatcher, J. Treacy, E. Wade, T. Yoder,
J. Zamonski

Absent:

I]. Badaczewski, J. Beljan, C. Brown, R. Kegerreis, C. Snyder

Miss Sandy Dyer was welcomed as a newly elected student representative, replacing P. Winkler.

II. Minutes of the April 7, 1975, meeting were approved by voice vote, without correction.

m. Report of the President, Mr. Spiegel reporting for Mr. Kegerreis.

Mr. Spiegel indicated that the budget would be presented to the Board of Trustees on Wednesday, May 7, and would hopefully be approved. With Board approval of the expenditure side of the budget, salary notices can be sent out. However, Mr. Spiegel mentioned that there would be a protective clause for the administration with those notices, permitting change if the monies in the legislative appropriations bill were different than anticipated. He explained this necessity as opposed to waiting until the appropriations bill was actually passed. He assured Council members that everything possible would be done to avoid inroads on salaries, but certainly was not overly hopeful about income from Columbus, since the budget and finance situation there remains very unsettled.

Referring to the \$200,000 cut earlier from the Library Acquisitions Budget, Mr. Spiegel stated that he and Mr. Kegerreis would recommend to the Board the restoration of that amount, coming from University reserves. He expressed his hope that this would leave the Library in a less vulnerable position.

Mr. Sachs inquired as to the status of the Artists and Lecturers Series, and Mr. Spiegel indicated it would continue but on a reduced basis. Study is being directed to having groups that would appear without charge to the University, minimal student admission fees, admission fees to those outside the University, and such alleviating means of continuing. An amount previously designated for Liberal Arts has also been assigned to the Series. Mr. Spiegel also noted that Leonard Cargan would have answers to various questions, for those who would care to contact him.

Mr. Spiegel concluded by suggesting that anyone interested could attend the Board of Trustees meeting, and that the budget would be available for all, as it has in previous years, when approved.

IV. Report of the Steering Committee, Mr. Treacy reporting.

Mr. Treacy pointed out two needs to be met at this meeting in order to adhere to requirements of the Faculty Constitution and Bylaws:

1. Newly-elected members of Academic Council need to be seated before this meeting ends.
2. The Steering Committee for the coming academic year needs to be elected, once the new representatives, including students, are seated.

Mrs. Dreher explained briefly the tentative plan to have today's meeting continued on May 19, by which time the student elections will have been completed.

Mr. Sachs questioned if the current year's Academic Council elections had not been challenged by Dr. Marc Low.

Mr. Treacy acknowledged receipt of the challenge, and gave background on the developments of procedures. He said the Steering Committee had met earlier in the year, considering the point of apportionment and at that time felt the constituencies' numbers did not warrant a restructuring. The method of hiring and the numbers to be hired under the medical school had been a factor not recognized as being an immediate cause for concern. By the time of elections, however, the number of faculty in Constituency D (College of Science and Engineering) had grown overwhelmingly since both Nursing Education and the School of Medicine are included in that area. The Steering Committee has ruled the current election as a valid and constitutional one, but have charged the ad hoc Elections Committee with a complete review of procedures, equality of representation, and the possibility of restructuring the composition of the various constituencies.

Referring back to his second point, Mr. Treacy stressed the lack of clear-cut policy in electing persons to the Steering Committee. In conducting the business of the Steering Committee, he noted the need for representatives from all colleges in that group, and yet felt the problems in such concept with the absence of representation in Academic Council of both the School of Nursing and the School of Medicine. He strongly suggested the electing of members to the Steering Committee from those colleges not already represented, citing last year's election which recognized his being from the College of Business and Administration. (Taken into consideration this year then would be Mrs. Dreher acting as representative from the College of Liberal Arts.) He further urged the election of a student member, noting the need for a link with the student government on campus.

Mr. Treacy's last comments dealt with the Faculty Dining Room, and its financial problems. He made mention of the Committee's recommendation to Mr. Spiegel that the Dining Room be open to all during the early evening hours, those hours being the time period when sales are at their lowest. Under consideration for the coming year would be the operation of the Dining Room in conjunction with theatre, perhaps as Dinner Theatre, with the promotion of both areas toward a paying basis. Mr. Treacy expressed his continuing feeling that the Faculty Dining Room deficits should not be covered by the University, when budget cuts were as necessary as they are.

V. Reports of the Standing Committees:

A. Curriculum Committee, Mr. Clark reporting.

Mr. Clark reminded Council of the need to act today on two General Education courses submitted under New Business at the last meeting - Physics 124 and Political Science 110.

He also pointed out two courses from Attachment A to the Agenda needing approval at the

June meeting. Chemistry 101 and Chemistry 121, both General Education courses.

Mr. Clark, for the College of Science and Engineering, also requested the addition of another item under New Business:

Approval of the College of Science and Engineering "Materials Science and Engineering Program Proposal".

Since this proposal is a document of 39-page length, Mr. Tom Listerman is writing a summary of it to be distributed; in the meantime a complete copy is being sent to each of the Dean's offices and being circulated through the University Curriculum Committee. The item is being submitted today so that it can be acted upon in June, before the end of the academic year.

B. Faculty Affairs Committee, Mr Skinner reporting.

First called to the attention of the Council by Mr. Skinner was a list of the 19 proposed amendments to the Promotions and Tenure Document, prepared and to be distributed prior to the Spring Quarter Faculty Meeting of May 8, 1975.

Submitted for Academic Council review, and approval in June, is a list of the Tenure Removal Committee (Attachment A). This hearing board is created under Article VII of the Promotions and Tenure Document, and the lateness in submitting the list is due to the lateness of approval of that document. Mr. Skinner explained that it will be noted that some memberships are designated for this current academic year, but that Faculty Affairs Committee had held it so in order to get the process started. Therefore, one of the activities of the newly selected Faculty Affairs Committee will be to appoint replacements for those hearing board members whose appointments extend only through this year.

To be brought to the Council at its June meeting will be completed statements on some of the items the Committee has been working with in the past months - policies with regard to financial exigencies, security of faculty personnel records, short-term contracts, etc.

Briefly Mr. Skinner mentioned that Mr. Ahmad had recently surveyed faculty as to their feelings with regard to extended disability insurance, and that the response had been very good. Most of the response had indicated faculty in favor, and Mr. Ahmad has since met with Mr. Murray. This subject will be covered more fully by Mr. Ahmad at the upcoming faculty meeting, with the possibility of implementation appearing to be real at this time.

C. Library Committee, Mr. Zamonski reporting.

One of the main items of coverage by the Committee at its May 2nd meeting was that of the Acquisitions Budget, and the commitment of the Committee is to have a budget of \$550,000 for the coming year.

Q.P. >^ illustration

Summer hours for the Library to be open was another point of discussion. The hours Monday through Thursday appear to be fixed at 7:30 A.M. to 10:00 P.M. A tentative plan for the remaining days has been suggested -

Friday	9:00 A.M. - 1:00 P.M.
Saturday	closed
Sunday	1:00 P.M. - 9:00 P.M.

Mr. Zamonski stated Library has already received some requests to be open for at least a minimum of two hours on Saturday. Going on the assumption that the Library has to close down some time over the week-end, it has become very difficult to decide just when that time should be. It is assumed that after Summer C and before the Fall Quarter opens, the Library will set some intercession hours, and tentatively will consider for the Fall Quarter hours such as were set for the past Fall. However, the immediate need is for feedback on suggested week-end hours for summer.

Mr. Nussbaum felt that Science and Engineering would find the Friday hours too short. Although administrative offices will not be open on Friday, it was the expressed feeling that people would be on campus on Fridays. No strong feeling with regard to Saturday or Sunday had made itself known to Mr. Nussbaum.

Mr. Hutchings indicated he had written to Dean Frommeyer suggesting the need for having the Library open for at least a minimum of two hours on Friday and Saturday. With the newly suggested plan set forth by Mr. Zamonski, Mr. Hutchings stated he would be re-surveying the faculty of his college to determine if this would be adequate.

Miss Brown spoke from a student's point of view, that having a full-time job during the summer might make hours later in the day more suitable, encouraging more student week-end study rather than the proposed hours.

Mr. Treaty made note of the fact that toward energy conservation, the longer period of closing would be more economical.

Mr. Hutchings stated that in requesting longer hours, his faculty had felt the air conditioning might not be necessary, but inquiry revealed that air conditioning would be on because of other factors to be considered, such as the theatre.

Questioned about the amount of savings without air conditioning, Mr. Zamonski stated he had not been able to find out.

Mr. Spiegel expressed a willingness to have flexible hours until it can be determined exactly the energy used or conserved, and he reminded members that it would be necessary to find out how much energy is needed to cool down the Library after the air conditioning has been off over a period of time. His experience has been that there have been very few persons using the Library over the week-end, but to those few the availability of the facility has been very important,

Mr. Zamonski further commented - Mr. Ritchie from Engineering, and a member of the Library Committee, has indicated his feeling that there would be a considerable savings of energy with the shut-down of one chilling unit and the blower system, and yet these cutbacks would not allow the heat or the humidity to reach a point of being dangerous to the stored materials. No "dollar" figure is yet available, but will come as a part of the "try and see" plan.

Mr. Zamonski accepted the suggestion of Mr. Hughes that perhaps some coordinated plan

could be worked out between the institutions of Sinclair College, University of Dayton, the Dayton Public Library with the Wright State Library, thereby providing at least one of the facilities each of the days of the week-end.

The next meeting of the Library Committee will be on Friday, May 23 (a week earlier than the monthly meeting is usually held).

D. Student Affairs Committee - no report-

VI. Old Business:

A. Approval of E. Levine's amendment to the Promotions and Tenure Document for Main Campus (submitted November 1974):

Mr. Levine placed a motion for approval of the following amendment:

"This tenure document for Wright State University supersedes and replaces all previously written and oral policy statements concerning promotions and tenure.

This document expressly rejects the idea that tenure can be obtained by any other means than those procedures outlined in this document. Further, this tenure document does not explicitly or implicitly recognize any other procedures or guidelines except those delineated here."

The motion was seconded.

Mr. Sachs raised a point of order, stating that the document has already been approved, and that Mr. Levine's amendment should have been brought up prior to this time. Also, he felt the amendment was different than submitted previously. He went on to express his feeling that this would be new business rather than old.

Mr. Levine pointed out that the amendment had simply been made more coherent, with the elimination of the duplication of points, and that the amendment had been submitted earlier and had simply not been acted upon by the Council.

A discussion between Mr. Sachs and Mr. Levine centered on the necessity of a member's re-introducing an amendment that has been submitted to Council in writing.

Mrs. Dreher pointed out that the substance of Mr. Levine's amendment was not changed, and that it had not been considered since it related to no particular Article of the document but was instead referring to the document as a whole. She suggested the handling of the matter at this time.

Mr. Sachs brought to mind that full faculty would be considering the Promotions and Tenure Document later this week, and wondered if this additional amendment might not be considered at that time as well.

Mr. Skinner, with concurrence from the other members of Faculty Affairs Committee present,

agreed to have this amendment typed and circulated before the Faculty Meeting on Thursday, it becoming No. 20 in the list to be considered.

Mr. Levine made this action possible by withdrawing his motion; the second was withdrawn.

- B. Mr. Trcacy placed a motion to remove from the table the item of the Revised Bylaws of the Wright State University Research Council.

The motion was seconded, and discussion opened on approval of the Bylaws.

MacKenney
Mr. ~~Iddings~~ ^{MacKenney}, as a member of the Research Council, placed a motion for the acceptance of an amendment to the Bylaws:

Substitute the following for Section II, Paragraph 1....

- (1) One faculty member from each college or school of the university chosen by the respective deans from among the membership of the appropriate college or school research committee.

Mr. Treacy seconded the motion.

Point of clarification was made that this is a replacement of the paragraph as submitted in Attachment I) to the January 13, 1975, Minutes.

MacKenney
Mr. ~~Iddings~~ stated he was submitting the amendment for the Research Council itself, and the purpose is to achieve coordination of the Research Council with the various research committees. Mr. Iddings asked that Mr. J. Walker be recognized to speak regarding the motion.

Mr. Murray at this point ruled the motion out of order, reminding Council that they have only authority to pprove or reject such documents of the subsidiary councils. He stated too that this had been discussed in relation to the Athletic Council, and would undoubtedly be brought up again in that area. While Academic Council can withhold approval and send a document back with recommendations, it cannot amend.

Mr. Kotecha confirmed that the right of referendum extends only the authority to approve or to disapprove a document. By suspension of rules the Council may make recommendations for change to the document but may not amend it themselves.

Mr. Walker then spoke, indicating the Research Council had already passed and approved the replacement of the paragraph, and the Research Council was now requesting approval of the entire document with the incorporation of this amendment.

Mr. Nussbaum then questioned if the word "elected" in Section HI should not be "selected" instead.

Mr. Walker confirmed this, with the change of the word where appropriate throughout the document.

Roll call voting for approval of the Revised Bylaws for Research Council

In favor:

Bireley, Brown, Cantelupe, Cornyn, Dreher, Dyer, Gray, Harvey, Hughes, Hutchings, Iddings, Kotecha, Levine, MacKinney, Martin, Neve, Nicholson, Nussbaum, Roehm, Sachs, Skinner, Stearns, Stoesz, Tanamachi, Thatcher, Treacy, Wade, Yoder, Zamonski

Opposed:

none

Abstaining:

Benner

The Revised Bylaws for Research Council, as amended, were approved (Attachment B).

- C. Approval of Student Affairs Committee proposal to increase student membership on the University Undergraduate Petitions Committee (Attachment A to the March 3, 1975, Agenda).

Mr. Hartmann gave background information: On December 16, 1974, the Steering Committee asked the Student Affairs Committee to consider a request from Robert Harvey, on behalf of the Student Caucus, to increase the number of student representatives on the University Petitions Committee from one to two. The Committee considered this and voted unanimously to recommend to the Academic Council that the number of students be increased to two. This motion was placed before Council in March but has not been voted upon to this date. Mr. Hartmann requested action on the matter today, the motion being -

Resolved that the number of student members of the University Petitions Committee be two, to be appointed by the method used to select student members of other committees of the Academic Council; i.e., by (1) recommendation of the Student Caucus, (2) nomination by the Steering Committee, and (3) ratification by the Academic Council.

Mr. Cantelupe questioned the purpose behind this move.

Mr. Harvey stated that he had been under the impression that there were three students on the committee, but after long research was told by Mr. Hubschman that only one student was to be a member, so evidently the committee had been operating in violation of prescribed rules. In talking with that student committee member, Mr. Harvey felt that student point of view was not always adequately represented, therefore the request to increase student representation.

There was no further discussion, other than Mr. Hartmann's verification that membership currently is nine faculty and one student.

Roll call voting results:

In favor:

Benner, Bireley, Brown, Cantelupe, Cornyn, Dreher, Dyer, Gray, Harvey, Hughes, Hutchings, Iddings, Kotecha, Levine, MacKinney, Martin, Neve, Nicholson, Nussbaum, Roehm, Sachs, Skinner, Stearns, Stoesz, Tanamachi, Thatcher, Treacy, Wade, Yoder,

Opposed;

none

The motion to increase student membership on the University Petitions Committee was passed without opposition.

- D. Approval of proposed Amendment to Faculty Constitution and Bylaws (Attachment B to the March 3, 1975, Agenda).

Mr. Levine placed a motion for approval of:

Article n.r., Section 8, paragraph (C), insert the words "except in the case of secret ballot" after the word "decisions" in the sentence reading -

" The individual voting record of the voting members of the Academic Council on all policy decisions, except in the case of secret ballot, shall accompany the minutes of each meeting."

Mr. Martin seconded the motion.

Mrs. Dreher spoke against the amendment, contending that policy issues are not intended to be secret matters. She gave background information indicating this proposed amendment was an outgrowth of the reminder that Academic Council was to have roll call voting on all policy issues, according to the Constitution.

Mr. Skinner supported the position of Mrs. Dreher, indicating the appropriateness of secret ballot in elections to committees, but not in the case of policy issues.

Mr. Treaty agreed with this thought. He expressed the feeling that in debate on a very controversial subject this might afford protection to the "timid"; however, he stressed the need to have everything in the "open and on the table" with regard to the responsibilities of the University governing structure.

Mr. Levine countered with his feeling that there are certain issues, policy or otherwise, where one would feel more free to vote as he chose, were it a secret ballot.

Mr. Wade questioned: If this amendment were voted down, would the possibility of a secret ballot be ruled out?

Mr. Murray asserted that it would result in no secret ballots possible on policy issues.

Mr. Levine spoke further, that he could not - and felt no one else could - predict that there would not be a time when a secret ballot might not be appropriate. He indicated that it was not his intention to suggest all policy issues should be secret, but rather the option for a secret ballot should not be ruled out.

Mr. Nussbaum expressed his feeling that the Steering Committee served to "prevent items of such sensitive nature from appearing on the floor" so there would be no reason to "maintain the need for a secret ballot". Because of past use or abuse of the secret ballot, the last Constitutional review committee had paid particular attention to that point, with the resultant roll call voting specified on policy matters.

Mr. Levine objected to the thought that the Steering Committee served in such capacity, and if so, they should be overthrown.

Mr. Nussbaum spoke in defense of the Steering Committee, that they should so "operate as to alleviate what might be the sensitive aspects of an issue and bring before the Council only those items that were appropriate for Council discussion".

Mr. Levine asked if Mr. Nussbaum were suggesting that Steering Committee should "neuter" an issue.

Mr. Nussbaum indicated his meaning - that the Steering Committee should identify what the real issue is.

In response to a question from Mr. Cantelupe, Mr. Treacy assured him that secret ballots have been used in Council in the past.

Mr. Murray qualified this answer with the fact that secret ballot had not been used for policy issues since the latest revision of the Faculty Constitution, but was commonly used prior to that time.

Mr. Stoesz spoke in support of Mr. Levine's amendment, in that the Steering Committee should not act as an executive committee.

As a member of the Steering Committee this year, Mr. Levine asserted that any issue of importance, no matter how "sensitive", should be brought to the Council.

Mr. Nussbaum inquired if there had been any issue that would have required a secret ballot, to which Mr. Levine replied that neither he, nor Mr. Nussbaum, could not have known whether an issue might reach a point where a secret ballot would be appropriate. He further emphasized his feeling that Council should have the right or option to use the secret ballot. He cited an example of a "President" introducing an issue and resultant pressure felt by faculty in the voting on that issue. He stated his feeling that this would not be to hide anything to use the secret ballot but would serve as a protection to the faculty.

Mr. Kotecha spoke in support of the amendment, summing up that most documents do carry a provision for a secret vote, even if it is never used. Provisions usually allow for a person or a number of persons to call for the secret balloting, such a provision acting as a safeguard against a number of kinds of activities.

Mr. Wade asked how specifically would a secret ballot be called, by a majority vote or otherwise.

Brief discussion between Mr. Kotecha and Mr. Murray brought out that no specific rules are set forth in the present Constitution; Mr. Harvey indicated that the request of one person could trigger the use of the secret ballot, and Mr. Murray agreed with Mr. Treacy that this has been the case in the past.

Mr. Nussbaum again spoke against the amendment, and in support of the committee which reviewed the Constitution, in their feeling that the Council members were "elected" by the faculty

and only by review of the elected Council members' voting records could that faculty determine if they were truly being represented. By examination of the voting record the faculty would know also if one would bow to pressure, and take action accordingly. Mr. Nussbaum was not in favor of modifying the present Bylaws in respect to balloting.

Mr. Gray spoke in favor of the amendment, agreeing with Mr. Levine that no one can foresee the possible need for a secret ballot, and stating that he felt the rights of the individual members should not be limited. He further pointed out that if the time came when the right of secret ballot were abused, then the Council could address that issue by setting a majority rule, perhaps requiring two-thirds vote in order to use a secret ballot.

Mr. Levine expressed appreciation to Mr. Gray for his insight; he also acknowledged Mr. Nussbaum's position but could not agree that anyone would actually admit to allowing pressure to sway his voting.

Mr. Skinner stated his feeling that the Council would not be losing anything if the amendment were turned down, but if passed they were gaining a "doubtful flexibility" that he was not sure is needed.

Mr. Levine felt not passing the amendment would limit an option of the Council.

Mr. Falkner, in response to request of the Chairman, read the portion of the Constitution under examination, and as it would appear amended.

Mr. Wade asked for assurance that such an amendment would require full faculty vote at a later date, and Mr. Murray agreed that it would appear as an item on the agenda for a future quarterly faculty meeting.

Roll call voting results:

In favor -

Cantelupe, Cornyn, Dyer, Gray, Harvey, Hughes, Iddings, Kotecha, Levine, MacKirmey, Martin, Neve, Nicholson, Roehm, Stearns, Stoesz, Thatcher, Wade, Yoder

Opposed -

Benner, Bireley, Dreher, Hutchings, Nussbaum, Skinner, Treacy

The amendment to the Constitution was passed 19 to 7.

- E. Approval of proposed Amendment to Faculty Constitution and Bylaws (Attachment B to the May 5, 1975, Agenda).

Mr. Neve placed a motion for the approval of an amendment to Section 10 of Article EH, (A), (c1), the current reading to be deleted and the following inserted in its place:

"Four elected members of the Academic Council. These shall be representatives of the four different Colleges. They shall be elected at the first regularly scheduled meeting after the annual election."

Mrs. Dreher seconded the motion.

Mr. Neve explained the rationale for the amendment in that representation from each of the four colleges is needed, and that ex officio members are not directly responsible to the voting faculty of their constituencies. The ambiguity of the current wording of the Constitution would be eliminated. He pointed out that this was not to exclude a later addition of the Schools of Nursing and Medicine, nor was it to exclude student membership.

Mr. Treacy supported the amendment, but offered an amendment to it; the change would then read "five" instead of "four", and "and a student representative" would be inserted following "Colleges". The need for a link with student government was emphasized. Mr.

Treacy acknowledged that the inclusion of representation from Medicine and Nursing would have to be dealt with later since those areas have no one eligible at this time.

Mrs. Dreher seconded the motion for amendment to the amendment.

Mr. Harvey spoke in support of the amendment to the amendment, expressing his feeling that students now form a constituency of the Academic Council.

Roll call voting -

In favor:

Benner, Bireley, Cantelupe, Cornyn, Dreher, Dyer, Gray, Harvey, Hughes, Hutchings, Iddings, Kotecha, Levine, MacKinney, Martin, Neve, Nicholson, Nussbaum, Roehm, Skinner, Stearns, Stoesz, Thatcher, Treacy, Wade, Yoder

Opposed:

none

The amendment to the amendment was passed without opposition.

Mr. Treacy pointed out that to keep the language of the Constitution consistent, there would - with the approval of this amended amendment - be a change in the number of total membership of the Steering Committee to eight instead of seven. There being no disagreement with this change, the need for roll call vote was eliminated.

There was no further discussion on the amendment; roll call voting -

In favor of the amendment, as amended:

Benner, Bireley, Cantelupe, Cornyn, Dreher, Dyer, Gray, Harvey, Hughes, Hutchings, Iddings, Kotecha, Levine, MacKinney, Martin, Neve, Nicholson, Nussbaum, Roehm, Skinner, Stearns, Stoesz, Thatcher, Treacy, Wade, Yoder

Opposed:

none

Amendment passes without opposition. The amended portion of the Constitution will read:

Article IH, Section 10. Committees.

(A) The Steering Committee shall consist of eight persons, with at least one representative from each of the four Colleges of Business and Administra-

tion, Education, Liberal Arts, and Science and Engineering, as follows:

- (d) Five elected members of the Academic Council. These shall be representatives of the four different Colleges and a student representative. They shall be elected at the first regularly scheduled meeting after the annual election.

F. Approval of General Education courses, Physics 124 and Political Science 110.

Mrs. Bireley placed the motion for approval; it was seconded by Mr. Treacy.

There was no discussion; roll call voting -

In favor:

Benner, Bireley, Cantelupe, Cornyn, Dreher, Dyer, Gray, Harvey, Hughes, Hutchings, Iddings, Kotecha, Levine, MacKinney, Martin, Neve, Nicholson, Nussbaum, Roehm, Skinner, Stearns, Stoesz, Thatcher, Wade, Yoder

Opposed:

none

Abstaining:

Treacy, Zamonski

Approval was given by a vote of 25 to 0, with 2 abstaining votes.

G. Return from the table of the Athletic Council Constitution and Bylaws (Attachment C to the March 3, 1975, Agenda).

Mr. Treacy moved for the return of the item and Mrs. Dreher seconded the motion.

Mr. Murray gave background: The item had been tabled at an earlier meeting following a ruling of the Chair that the Academic Council did not have the authority to amend the item, but had only the authority of referendum - to approve or not to approve the document. This point was further clarified in the discussion today of the Research Council Bylaws.

Mr. Skinner referred to the suggested amendments or recommended changes made by Academic Council at the earlier meeting, and inquired if the Athletic Council had made any changes in the document as submitted.

Mr. Benner replied that there were no changes at this time. A meeting with Mr. Kegerreis and a representative from the Steering Committee took place on April 22, and the Athletic Council is waiting for an expression of Mr. Kegerreis thoughts at this time.

Mr. Murray stated that he had spoken with Mr. Kegerreis following the mentioned meeting and they were in agreement that recommendations could be referred to the Athletic Council but that Academic Council had authority only to approve or reject the document.

Mr. Skinner went on record as being against approval of the document as written. He felt

Academic Council should take the position of approval of amendments to either the Constitution or the Bylaws of the Athletic Council (Section 9 of the Bylaws).

Mr. Murray pointed out that rules could be suspended at this point, with recommendations back to the Athletic Council.

Mr. Nussbaum expressed his understanding that such recommendations had been made at the earlier meeting and, further, that he had understood the Athletic Council and Steering Committee were to address those recommendations. His interpretation at this point appeared to be that the Athletic Council had chosen not to take positive action related to those recommendations.

Mr. Murray interjected that there had been no charge to the Athletic Council earlier with regard to the recommendations discussed; rather he (Mr. Murray) had been charged with getting a clarification of the standing of the Athletic Council in relation to Academic Council. Mr. Murray had ruled at the earlier meeting that Academic Council could not amend the document, and there had been no appeal of that ruling.

Mr. Nussbaum recognized the "legality", but asserted that preceding that point "it became obvious to the representatives of the Athletic Council that there was a sticking point on this approval"; he then asked what action if any the Athletic Council by themselves had taken on the issue.

To this Mr. Benner replied, "None."

Mr. Benner further did not correct Mr. Nussbaum's interpretation of "benign neglect" on the part of the Athletic Council.

Mr. Thatcher stated that he had been present at the meeting with Mr. Kegerreis and had not known of the later meeting of Mr. Murray with Mr. Kegerreis, therefore had been awaiting a response from Mr. Kegerreis.

Mr. Nussbaum pointed out that there are two issues involved at this time.

The only issue Mr. Murray recognized was the clarification of the authority of the Academic Council in relation to the Athletic Council.

Mr. Martin stated that he had been present at the meeting with Mr. Kegerreis, and recognized the limit of authority of the Academic Council, as outlined in Article IV, Section 2, of the Faculty Constitution. He stated too that he felt at this point that the Academic Council could vote the document down if they were not pleased with it; personally he objected to Section 9 of the Bylaws which states "An approved amendment takes effect immediately." He urged the Athletic Council to make a change similar to that suggested by Mr. Nussbaum at the last meeting, to "An approved amendment takes effect following Academic Council approval" or the substance thereof.

Mr. Tracy supported Mr. Martin's stand, objecting to the approval of the Athletic Council document as it is now written.

Mr. Levine directly asked Mr. Benner if the Athletic Council had discussed this issue.

Mr. Benner said the Athletic Council has not formally met, and he expressed the feeling that Mr. Kegerreis is now considering the following two questions:

1. In the matter of academic standards, who has the primary authority - the Athletic Council or the Academic Council - with regard to student athletes ?
2. Is the Athletic Council correctly construed to be a creation of the Academic Council, which cannot change itself without the approval of the latter body?

Mr. Martin told Council that he had sent to Mr. Kegerreis a memo pointing out those sections of the Faculty Constitution relating to the Athletic Council, and had assumed the doubt regarding the standing of Athletic Council had been removed.

To this Mr. Bmnur replied that doubts still remained in many peoples minds.

Mr. Murray expressed his feeling that Mr. Kegerreis had hoped that Academic Council would make recommendations for change to the Athletic Council, who would in turn consider them and respond at a later meeting to those recommendations.

Mrs. Dreher voiced her objection to both Article VI (dealing with amendments) of the Athletic Council Constitution and to Section 9 (again dealing with amendments) of the Bylaws, neither of which indicates a needed ratification by Academic Council. She also brought to mind that Section 1. A. 4) regarding membership had been challenged in 1972, Academic Council at that time objecting to a member succeeding himself. No action by Athletic Council had been taken on that point. She suggested then that Academic Council recommend that Athletic Council take a look at Article VI of the Constitution. Section 1, part 4 of the Bylaws, and also Section 9 of the Bylaws, setting a date for the review of the document again by Academic Council rather than allowing the matter to go on interminably.

Mr. Murray questioned Mr. Benner if the Athletic Council would agree to that, and Mr. Benner agreed to take the recommendations to the Athletic Council and report back at a later date.

Mr. Levine questioned if the Athletic Council could act "legally" without an approved Constitution.

Mr. Murray stated his feeling that Athletic Council did not have to have Academic Council approval in order to act, but that Academic Council had only the referendum right of approval or rejection of that document.

Mr. Levine again questioned under what authority the Athletic Council would be acting, having no approved Constitution, and Mr. Kotecha replied to Mr. Murray's questioning that he would have to see such a Constitution in order to determine where they derived authority to act. Mr. Tracy stated Athletic Council was not at this time operating under a "legal" Constitution, and that was the issue.

Mr. Benner pointed out that there is a question even in Mr. Kegerreis' mind as to whether the Athletic Council is acting under proper authority.

Mr. Skinner stated that he had gone back through his records, finding in the January 1968 recordings a resolution passed which set up the Athletic Council, and that would be the authority under which it is acting now... recommendations had been made to the President to set up such a body. He set this forth as the "legal" basis for Athletic Council functioning to this point.

Mr. Martin expressed his feeling that this was so, only up to the approval of the latest revision of the Faculty Constitution. Approval of the Revised Faculty Constitution by faculty in May of 1973 and by the Board of Trustees in June of 1973 would seem to supersede any prior document or resolution.

Mr. Murray brought out that the Revised Faculty Constitution does not specify that Academic Council "must" approve or disapprove the Constitution for Athletic Council but reserves only the right of "referendum".

Mr. Levine reiterated his feeling, that with a definite disapproval of Academic Council of the document submitted, that Athletic Council would be acting illegally.

Mr. Murray stated that was why he was in favor of making recommendations, with the return of the document on a specified date.

Mr. Nussbaum stated that he felt the Athletic Council had acted in an irresponsible manner, knowing full well the basis of discussion related to their document at the earlier meeting and not having even met as a formal body to consider a response to that discussion, and knowing that the issue would again come before Academic Council. Mr. Nussbaum introduced a resolution to disband the Athletic Council; Mr. Nicholson seconded this motion.

Mr. Benner denied that the Athletic Council is "foot dragging", citing their meeting with Mr. Kegerreis as evidence against that. He said they were formed as being "directly responsible to the President", therefore, were awaiting Mr. Kegerreis' response.

Both Mr. Martin and Mr. Murray supported the position of the Athletic Council in awaiting word from the President.

Mr. Levine verbally brought members back to the issue at hand, stating he felt the motion for approval or disapproval of the document should be met at this time, then to allow legal judgments to follow.

Mr. Gray brought up a point of order, asking if he could table the motion until the next meeting, allowing the Athletic Council time in which to receive an answer from the President and to meet as a body. His motion to table was seconded.

Mr. Levine objected to the tabling motion, agreeing with Mr. Nussbaum that Athletic Council already knew the feeling of Academic Council toward the document. He felt further tabling by Academic Council was irresponsible.

Mr. Murray ruled that a tabling motion is not open to debate.

Voice voting on the tabling motion was unclear, hand voting results

In favor: 17

Opposed: 8

The motion to table the item until next meeting was passed.

Mr. Neve made a recommendation at this point that the Steering Committee be charged with the responsibility of "going into the Constitution itself and making recommendations to the Athletic Council with regard to their interpretation" together with the feeling of Academic Council, and that this should be put into writing to the Athletic Council.

To Mr. Murray's queries, Mr. Treacy accepted for Steering Committee this charge and Mr. Benner for Athletic Council agreed to work with Steering Committee on the matter.

VII. New Business:

A. Approval of Speech Department's request to be transferred from Constituency C to Constituency E (Attachment C to the Agenda).

Mr. Treacy moved for acceptance of this item, for consideration at the June meeting, and Mr. Cantelupe seconded the motion.

B. Approval of proposed Amendment to Faculty Constitution and Bylaws (Attachment D to the Agenda).

Mr. Treacy said this item had been introduced earlier as part of the Steering Committee report.

C. Approval of the Academic Council schedule of meetings for the academic year 1975-1976 (Attachment C).

Mr. Treacy moved for acceptance of this item of New Business; Mrs. Dreher seconded.

D. Approval of the College of Science and Engineering "Materials Science and Engineering Program Proposal".

This item was accepted as New Business during the Curriculum Committee's report.

Mr. Murray reminded Council that the Faculty Constitution required the seating of newly elected faculty members at this meeting.

Introduced and welcomed by Mr. Murray on behalf of the Council were the new members who were present:

William E. Collie, Assistant Professor of Education
Thomas Matczynski, Assistant Professor of Education
Miss Emilio Cannon, Assistant Professor of Modern Languages
John .1. ForLmnn, Associate Professor of Chemistry
KanLi C. K* * •cha, Assistant Professor of Political Science
Gary 13. Pacornick, Associate Professor of English

Unable to attend today's meeting were:

Joseph P. Castellano, Associate Professor of Accountancy
H. Ira Fritz, Associate Professor of Biological Chemistry

Mr. Murray also pointed out the constitutional requirement of the election of a new Steering Committee at this meeting, the newly elected Council members participating in that activity.

Mr. Treacy pointed out that the only member certain for the new Steering Committee at this time is Mrs. Dreher, from the College of Liberal Arts. He placed a motion for the acceptance of nominations from each of the other colleges, suggesting that this be done in rotation to insure representation on the Steering Committee of each college.

Mr. Benner seconded the motion.

Mr. Skinner reminded Council that the number specified for Steering Committee at this time remains at seven, three ex officio members and the four faculty to be elected now.

Mr. Treacy explained the intent was to elect a representative from Business and Administration, one from Education, and one from Science and Engineering, reserving the fourth slot for possibly a student member. With the anticipated approval of the faculty body of the expansion of the Steering Committee to the number eight, a last representative could be elected from Liberal Arts. The college from which the Vice President-elect would come is an unknown factor until Thursday's Faculty Meeting.

Mr. Levine placed a motion for the suspension of the meeting, delaying it for two weeks, until the new Vice President-elect is known and student elections are completed; also this would allow time for the newly elected faculty members just seated to become more familiar with procedures and more acquainted with the current Council.

Mr. Martin seconded the motion.

Mrs. Dreher spoke in support of suspension, stating that by May 19, the student representatives would be on hand as well as the full roster of new faculty members.

Mr. Murray explained that this would be an amendment to Mr. Treacy's motion to elect the new Steering Committee; the meeting cannot be adjourned but can be suspended and continued at a later time and still be constitutional.

Items to be acted upon at the May 19th meeting will be the election of the new Steering Committee and approval of the schedule of Academic Council meetings for the coming year.

It was agreed that a list of current and new members will be sent to each Council member (Attachment D).

This suspended meeting will resume at 3:10 P.M., May 19, 1975, in ROOM 346 ALLTO HALL.

Vm. Meeting was suspended at 5:20 P.M.