

4-7-1975

# Academic Council Meeting Agenda and Minutes, April 7, 1975

Barbara Dreher

*Wright State University - Main Campus*

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# Wright State University

# Campus Communication

**Date:** March 24, 1975  
**To:** Members of the Academic Council  
**From:** Barbara Dreher, Secretary, Steering Committee  
**Subject:** Agenda, Academic Council Meeting, Monday, April 7, 1975;  
3:10 P.M., Room 155 of the University Center

- I. Call to order.
- II. Approval of Minutes of March 3, 1975, meeting.
- III. 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 Revised Promotions and Tenure Document for Main Campus: Articles VIII and IX (see Faculty Handbook and Attachment D to March 3, 1975, Minutes); Amendment to Document (see Attachment A to the November 4, 1974, Agenda).
  - B. Approval of Revised Constitution for W.O.B.C. Student Body (see Attachment B).
  - C. Approval of Athletic Council Constitution and Bylaws (see Attachment C to March 3, 1975, Agenda).
  - D. Approval of amendments to Student Handbook from Student Publications Subcommittee (see Attachment C).
  - E. Return from the table Revised Bylaws for the University Research Council (see Attachment D to January 13, 1975, Minutes).
  - F. Approval of Student Affairs Committee proposal to increase student membership on University Petitions Committee (see Attachment A to March 3, 1975, Agenda).
  - G. Approval of proposed Amendment to Faculty Constitution and Bylaws (see Attachment B to March 3, 1975, Agenda).
- VII. New Business: no items
- VIII. Adjournment.

# ACADEMIC COUNCIL

## Minutes

April 7, 1975

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

Present:

C. Benner, M. Bireley, C. Brown, C. Cornyn, B. Dreher, R. Gray, R. Harvey, J. Hughes, B. Hutchings, R. Iddings, R. Kegerreis, K. Kotecha, E. Levine, J. Martin, P. Merriam (for E. Cantelupe), H. Neve, N. Nussbaum, H. Roehm, D. Sachs, G. Skinner, C. Snyder, E. Stearns, W. Stoesz, B. Tanamachi, J. Thatcher, E. Wade, T. Yoder, J. Zamonski

Absent:

D. Badaczewski, J. Beljan, A. MacKinney, E. Nicholson, J. Sherwin, A. Spiegel, J. Treacy, P. Winkler

Mr. Kanti Kotecha was welcomed to the Council; Mr. Kotecha has been elected to complete the term of H. Wachtell, from Constituency E.

- II. Minutes of the March 3, 1975, meeting were presented for approval.

Mr. Nussbaum asked that a correction be made on page five, the fifth paragraph under Item VI. :

The first sentence of that paragraph should begin -

"Mr. Nicholson spoke against this being a "new" amendment; . . . . ."

This correction was noted, and the corrected Minutes were approved by voice vote.

- III. Report of the President, Mr. Kegerreis reporting.

"Over the past few months I have been trying in a variety of ways to keep you abreast of our budgetary prospects for the new biennium, 1975-1977. Last fall, for example, I told you about the unprecedented campaign launched under the auspices of the Ohio Board of Regents to create a favorable climate for a fiscal 'leap forward' for higher education. The Gilligan budget, presented during the week before the ex-Governor left office in January, dealt these high hopes a mortal blow, cutting \$300,000,000 from the Chancellor's request; and, the deepening recession made it seem almost certain to me that nothing like the increased state support, which we had been encouraged to hope for, would materialize.

The new executive budget of Governor Rhodes confirmed these predictions of mine. It allocated nearly the same biennial amount for higher education as did the Gilligan proposal, and it advocated a continuation of the present ceiling on student fees for two more years. The Legislature is currently in the middle of hearings on an omnibus appropriations bill, but it is highly unlikely that subsidy levels will be increased beyond those in the executive budget proposal. It is easy to sympathize with the Governor, the Legislature, and the State Director of Finance as they confront these new economic conditions.

However, the impact of this abrupt reduction in expectations for increased revenues has not adequately been interpreted or reported on our campus. The full realization came too late to dampen

the natural tendency we all have to propose ideal budgets for our own academic or administrative areas rather than those which reflect what is realistically attainable at the moment. Let me give you now an objective, brief report on the current situation.

After reviews at each prescribed level had been completed, the remaining differential between the proposed budgets for 1975-76 and the predicted income was \$3,592,000. At this point, the requested budget totaled \$30,387,000, or \$5,323,000 more than last year, or a 21.2% increase (this does NOT include the medical school budget). The only remedy was, of course, to make major reductions in these 1975-76 budget requests. After this mandatory reduction has occurred, our eventual 1975-76 budget will still represent an 8.1 per cent increase over the 1974-75 budget.

There are two very prominent factors at work in this problem, acting as limits on our flexibility. First, student fees, for the third consecutive year, are frozen, and we are, therefore, price-fixed during a severely inflationary period. Second, we were determined to present sufficient income to allow for salary gains that would help offset increases in the cost of living.

Some of the budgetary decisions will affect staffing levels. To minimize the impact of personnel reductions, we are making every attempt to reassign affected personnel rather than resort to layoffs. The reassignment, together with both normal attrition and a policy of filling vacancies with existing personnel, should minimize the number of cases of personal hardship.

We want to emphasize that the necessary reductions and deletions in budgets do cut across all elements of the University and that every aspect of University activity has been reviewed.

We are working on a distribution list for budget allocation during 1975-76. If the University income should happily exceed our predictions, we will correspondingly restore budget requests based on this priority list.

Even though our budgetary problem is severe, we can take some grudging consolation in the fact that our situation is hardly unique. Institutions of higher education throughout the country are having similar problems, some of which are much more punishing than ours.

I ask for your understanding in the days ahead, as we work with you to try to hold the line on the salary increases we are trying to protect, while safeguarding the essential mission of the University."

Concluding, Mr. Kegerreis stated that the Board of Trustees would be presented in May with a balanced budget, in compliance with Ohio law. Any suggestions or recommendations from the University community members in relation to the handling of the present economic situation would be given serious consideration by the administration.

Mrs. Dreher, for the Steering Committee, accepted Mr. Kegerreis' suggestion that a report on the Regional Broadcasting Company would be an interesting item for a future agenda.

#### IV. Report of the Steering Committee, Mrs. Dreher reporting.

Mrs. Dreher reported the re-appointment of Mr. Leonard Cargan as Chairman of the Artists and Lecturers Series, a recognition of his demonstrated ability in handling that position.

Attention was directed to a distributed proposed amendment to the Constitution, which Mrs. Dreher stated would be requested as an item under New Business today.

Mrs. Dreher also called attention to the fact that an item tabled at the February meeting of Council, approval of the Revised Bylaws of the Research Council, appears on the agenda for discussion today.

The monthly meeting of the Steering Committee has been postponed till Wednesday, April 16, thus allowing additional time for faculty to present items for their consideration.

V. Reports of the Standing Committees:

A. Curriculum Committee, Mr. Clark reporting.

Mr. Clark referred members to Attachment A to the Agenda, a list of courses reviewed by the Committee, and pointed out that Physics 124 will need specific Academic Council approval since it is a General Education requirement.

An apology was extended by Mr. Clark to the Religion Department; at the last meeting of Council, he had referred to a requirement by that department of only 24 hours for a dual major whereas the current requirement is 48 hours.

B. Faculty Affairs Committee, Mr. Skinner reporting.

Following a brief reference to the Promotions and Tenure Document distributed with last month's Minutes, Mr. Skinner told Council that Faculty Affairs has been working with final drafts on (1) the Retrenchment Policy, (2) policies and procedures with regard to limited-term contracts, and (3) policy and procedures with regard to information in personnel files of faculty members. Hearings have been held concerning the first two matters. The last item was referred to the Committee by the Steering Committee, and concerns in main access to information held in personnel files, particularly in the putting of such information into the computer, and how to safeguard it. The Committee is about ready to present a report on that subject.

Another matter of review is supplementary disability insurance. Information will be ready for distribution soon, a concise description of what the benefits would be, and the Committee will be soliciting input from the faculty on this.

At the joint request of the Faculty Affairs Committee and the administration, Mr. Proulx is making an effort to compile figures on additional benefits that could be considered for the faculty, but getting such data from insurance companies is an extremely slow process. The areas requested could include dental care as well as additional benefits for surgical and medical care.

The Committee felt Council should know of their activities, other than the time-consuming P & T document.

C. Library Committee, Mr. Zamonski reporting.

Numerous inquiries received from the various colleges and from some of the faculty were

discussed at the Committee's April 4th meeting.

A matter of interest is Ohio State University's establishment of fines for overdue books charged out by faculty members. Since members of Wright State's faculty borrow books from Ohio State University, they are subject to such fines. Such fines apply only if the books are "called in". There has been no change in policy within Wright State's Library, nor does Ohio State University's new policy in this regard affect inter-library loans.

Since March 31st, the Library hours have been:

Monday through Thursday	8:00 A.M. - 11:00 P.M.
Friday	8:00 A.M. - 5:00 P.M.
Saturday	10:00 A.M. - 4:00 P.M.
Sunday	1:00 P.M. - 8:00 P.M.

The question of hours for the Summer Quarter is now under consideration, and the Library Committee solicits faculty input, particularly if there are certain hours that faculty would prefer having the Library open.

At the Committee's next meeting, May 2nd, information gathered from the questionnaires related to the funding of graduate books will be compiled.

D. Student Affairs Committee, no report.

#### VI. Old Business:

A. Approval of Revised Promotions and Tenure Document for Main Campus; Articles VIII and IX (see Faculty Handbook and Attachment D to March 3, 1975, Minutes); Amendment to Document (see Attachment A to the November 4, 1974, Agenda).

Going slightly away from the item as stated, Mr. Skinner moved for

Approval of the entire Revised Promotions and Tenure Document at this meeting.

Mr. Sachs seconded the motion, and Mr. Skinner presented an introductory, explanatory review. While the present document covers the ground in much the same way and is the same general plan, several important details were pointed out by Mr. Skinner:

Under the new plan, longer notice is given if a faculty member is not to be re-appointed, an important advantage to faculty members since it is presently much more difficult to get a new position.

The University Promotions and Tenure Committee is enlarged under the revised document, including members from four academic units not covered under the old document. When the idea was first presented for an enlarged Committee, Mr. Skinner admitted to having doubts and feeling that the Committee might become unwieldy. However, calling to mind that the basic purpose of the Committee was to establish academic standards on a university-wide scale, and the resulting general consensus of qualifications across the University, Mr. Skin-

Academic Council Minutes

April 7, 1975

Page Five

ner came to accept that the newer academic units would sooner come into the same consensus by being a part of and seeing the decision-making of the University Committee.

Mr. Skinner pointed out that Article IX is now much longer, and is the direct result of "hard experience" in handling problems arising related to faculty who are both teachers and administrators. . . . the kind of appointments they should have, and the difficulties that arise from people trying to do both jobs at once.

The feeling expressed, overall, is that the document as it now is, allows for flexibility at the departmental level, while decisions made at the higher levels will be made by persons of recognized academic qualifications. This latter decision-making will afford protection from the legal point of view, as well as presently a better public relations aspect.

For the Faculty Affairs Committee, Mr. Skinner placed the first of three minor amendments, designed to eliminate any inconsistencies -

Page 2, line 22:

Delete the first sentence of Paragraph II. A. , and insert the following:

"A faculty member is fully affiliated when Wright State is the center at which he conducts his major educational and professional efforts, and when he holds one of the following academic ranks: Instructor, Assistant Professor, Associate Professor, Professor, University Professor. "

Page 2, line 28:

Delete the first sentence of Paragraph II. B. , and insert the following:

"Members of the faculty who are not fully affiliated under the conditions of Paragraph II. A. are considered to be partially affiliated."

Mr. Sachs seconded the motion.

There was no discussion, and the amendment was passed by voice vote.

Mr. Skinner placed a motion -

Page 3, line 2:

Change "four" to "five"

Page 3, bottom, add:

"E. University Professor is a rank granted by the Board of Trustees to a distinguished Professor as a recognition of outstanding contributions to the University."

The motion was seconded by Mrs. Dreher, and Mr. Skinner explained that this was an academic rank that did not exist at the time the earlier document was written.

The motion was passed by voice vote, with one dissenting voice heard.

Mr. Skinner placed the third motion for minor amendments -

Page 6, line 19:

Put \* after "department".

Page 6, line 28:

Put \* after "College", and delete "and School".

Page 6, lines 29, 31, and 33:

Delete "or School".

Put footnote \* at bottom of page that has Paragraphs VI. B. and VI. C. on it:

"The term 'department' refers to the smallest administrative unit at which promotion and tenure recommendations are considered by a faculty committee, whether or not it is actually called a department. The term 'college' refers to an intermediate administrative unit between the departmental and university levels."

Mr. Martin seconded the motion.

The motion was passed by voice vote without opposition.

Mr. Levine questioned if this were the proper time to submit any further amendments, and Mr. Murray replied that would be up to the Council.

Mr. Skinner stated he felt it only fair to allow motions for amendment, since he had indeed just done so.

Mr. Roehm placed a motion -

Delete the second sentence of paragraph F. under Section VI.:

"Members of committees above the departmental level cannot act on promotions to ranks higher than those which they currently hold."

(Page 7, lines 14, 15)

Mr. Levine seconded the motion.

Mr. Roehm supported his motion but stating that he had discussed this with members of his constituency, and himself concurred, that at this stage in the life of the University and College this stipulation might present problems. He pointed out that there are only a limited number of full Professors, and that he felt such a stipulation might be implemented by a College if they so desired, but should not be dictated by the University.

Mr. Skinner stated that the Faculty Affairs Committee had considered that at the present most of the Colleges had sufficient number of faculty to fulfill this requirement, in any case it would be possible, if necessary, to bring in a full Professor from a related academic area. He reiterated the feeling that decisions made by faculty of lesser rank (such as an Associate Professor deciding on promotion of a person to Professor) might be open to question.



Mr. Sachs questioned if the lack of qualified persons, referred to by Mr. Roehm, was a reference to the College of Business, and asked if Mr. Roehm knew how many full Professors there were in that college at this time.

Mr. Roehm stated he did not know the exact number, but that numbers should not be the controlling factor in determining who should sit on the committee, but rather the choosing of a person for the committee should reflect a confidence felt by the members of the college or department in that person's ability and qualifications to make decisions. He stressed his feeling that this choice should be left to the college or department.

Mr. Gray spoke in support of Mr. Roehm's motion: He expressed his feeling that there were too many academic units at this time without a sufficient number of full Professors, and that this sentence in the document would act as a very restrictive measure. He pointed out that while at this time the Library and the School of Nursing were the most obvious areas which would need to bring in a faculty member from another area, he felt sure there were other gaps not so evident. He expressed confidence that units electing persons of lesser rank would act in a responsible manner. He also agreed with Mr. Roehm in the feeling that this - being a University document - set the minimum acceptable standards, thus allowing for the academic units to implement procedures relative to their own particular circumstances.

A point of clarification was made by Mr. Roehm in response to Mr. Martin; the deletion of the sentence would leave the election requirement decision up to individual colleges, even in areas where there were sufficient numbers of Professors to act.

In favor of deletion of lines 14 and 15 (second sentence of paragraph), page 7:

Benner, Brown, Cornyn, Gray, Harvey, Levine, Roehm, Snyder, Stearns,  
Stoesz, Tanamachi, Thatcher, Wade, Yoder, Zamonski, Kotecha

Opposed:

Bireley, Merriam (Cantelupe), Dreher, Hughes, Hutchings, Iddings, Martin,  
Neve, Nussbaum, Sachs, Skinner

The motion passed to delete the second sentence of paragraph F. under Section VI, 16 to 11.

Mr. Levine placed a motion -

Delete the first sentence of paragraph F, Section VI (lines 13, 14, page 7).  
Replace it with:

"The membership of the College and Department Promotions and Tenure  
Committees shall be determined by the individual colleges and departments."

Mr. Gray seconded the motion.

Mr. Levine spoke in support of his motion: He expressed the feeling that the same arguments applied toward the motion just passed apply to this as well. Moreover, he felt that latitude extended in permitting the seating of a student, also should be an option in the choice of a fa-

culty representative. He pointed out that the Business College now has non-tenured faculty on committees, and that to the best of his knowledge, this had worked out well. He stressed his feeling that as much latitude as possible should be given in the formation of the committees.

Mr. Nussbaum at this point asked for a ruling of the Chair as to whether this was indeed a new amendment, stating his recollection that this issue had been considered previously.

Mr. Levine reminded Council that he had asked permission before placing the motion, and went on to say that he felt the motion just previously passed had been an issue discussed at an earlier meeting.

Mr. Murray interpreted Mr. Nussbaum's question as being whether this was an amendment previously discussed.

Mr. Levine stated this is a new amendment, the earlier one being more comprehensive and phrased differently.

Mr. Nussbaum reiterated his request for a ruling from the Chair.

Mr. Murray conferred with Mr. Eakins, the Parliamentarian, and then ruled Mr. Levine's motion out of order, but advising Mr. Levine that he could appeal the ruling.

Mr. Levine did appeal the ruling, necessitating a vote from the Council.

By majority voice vote Council sustained the ruling of the Chair that the amendment was out of order.

Mr. Iddings referred the body to lines 38, 39, and 40 on page 12, and went on to state his interpretation: He felt this stated that a partially affiliated person, at the completion of the probationary period, must be evaluated and must come up for promotion and tenure, being given a fully affiliated position. He asked for interpretation from Mr. Skinner.

Mr. Skinner pointed out the phrase "the equivalent of the normal probationary period" and indicated that this would mean a rather long period of years, especially if the person taught only one course per year - conceivably reaching retirement before accumulating sufficient number of years.

Mr. Iddings then moved for -

Deletion of the last sentence of paragraph D. under Section IX. (lines 38, 39, 40, on page 12).

The motion was seconded.

Mr. Iddings then spoke in explanation: First of all he felt the determining of a "normal probationary period" would be difficult. Second, he brought out his feeling that the inclusion of this stipulation would probably be a disservice to those holding adjunct rank in non-academic administrative positions. He further expressed the thought that this might force departments

to withdraw this kind of affiliation, since the person would not be fully participating within the department, and he felt the faculty member could not be given the same kind of evaluation as that of fully participating members of a department. It was his feeling that it should be up to the department if they wanted to offer this kind of rank (fully affiliated) but not making it mandatory for them to move the individual into such a position.

Mr. Nussbaum then offered an amendment to Mr. Iddings' amendment -

Delete also the word "initially" in line 36 of that same page and paragraph.

Mr. Benner seconded this amendment to the amendment, and Mr. Iddings accepted the word deletion as part of his amendment.

Mr. Skinner took exception to this latter change. He went on to state that it had not been the intent of the Faculty Affairs Committee in writing the last sentence to make it an "up or out" decision of the department. Discussion at the Committee had brought out that if not given promotion and tenure, the individual could continue in the adjunct capacity with the department, and the sentence had been the presentation of the possibility of the department considering promotion and tenure for a person who had served well over a period of years. He pointed out that removal of the word "initially" would imply that there could never be a change in status for the faculty member.

Mr. Skinner then made a motion -

To allow the word "initially" to remain in the document, line 36.

Mr. Levine asked if this was in order, and Mr. Murray pointed out that it was since Mr. Iddings had accepted Mr. Nussbaum's proposed change as part of his motion.

Mr. Martin seconded Mr. Skinner's amendment to the amendment.

Mr. Nussbaum spoke in support of the deletion of "initially"; he felt that the adjunct person should not be moved into a full-time opening merely because he had been serving in an adjunct status, but that, in accordance with Affirmative Action policy, he could become a part of a group of individuals being considered for the full-time opening.

Mr. Skinner said he had not thought of the change for the faculty member as being based on utilization of time, but that the person could continue part-time in the department. He said he would not want to see the word removed.

Mr. Iddings mentioned that he did not feel strongly one way or the other about the word "initially". He gave the definition the College of Education uses for "adjunct" persons - "a non-tenured individual who has less than 50% of his professional interest centered in the College of Education", and this applies whether the person is here one year or a longer time. He felt his College had covered the point by their present policy.

Mr. Stoesz asked if the Council would accept the word "may" instead of "will" in line 37, and if Mr. Iddings would be concerned about the deletion of the last sentence if the word substitution were made.

Academic Council Minutes

April 7, 1975

Page Ten

Mr. Gray asked for clarification of his interpretation of the "adjunct" person, and whether the entire amendment dealt with the hiring perhaps of a Dean or Department Chairman, and would such a hired person be considered "adjunct".

Mr. Skinner replied that the entire Section IX refers to non-academic administrators, but not to people like chairmen and Deans.

There ensued some discussion as to what actually would be voted upon at this time, and Mr. Murray stated -

To retain the word "initially" in line 36.

In favor of retaining the word:

Merriam (Cantelupe), Harvey, Martin, Skinner, Wade, Kotecha

Opposed to the retaining of the word (in favor of deleting the word "initially"):

Benner, Bireley, Brown, Cornyn, Dreher, Gray, Hughes, Hutchings, Iddings, Levine, Neve, Nussbaum, Roehm, Snyder, Stearns, Stoesz, Tanamachi, Thatcher, Yoder

Abstaining:

Zamonski

The motion was passed (in effect) to delete the word "initially" in line 36, page 12, by a vote of 19 to 6.

Discussion returned to the original motion placed by Mr. Iddings -

Deletion of the last sentence of paragraph D. under Section IX. (lines pt. 37, 38, 39, 40, on page 12).

There was no further discussion.

In favor of the motion:

Benner, Bireley, Brown, Merriam (Cantelupe), Cornyn, Dreher, Gray, Harvey, Hughes, Hutchings, Iddings, Levine, Martin, Neve, Nussbaum, Roehm, Stearns, Stoesz, Tanamachi, Thatcher, Wade, Yoder, Zamonski, Kotecha

Opposed:

Skinner, Snyder

The motion to delete the last sentence of paragraph D. under Section IX. was passed by a vote of 21 to 2.

Academic Council Minutes

April 7, 1975

Page Eleven

Mr. Wade mentioned a point of correction not necessitating a vote (considered a typographical error):

Page 6, line 20 should read:

". . . . . procedures, subject to the conditions of Section VI. F. . . . ."

Mr. Neve placed a motion -

Page 6, Section V, line 8:

Insert the word "international" before "affairs", so the line would read:

". . . . . and participation in community, national, and international affairs, . . . ."

Mr. Neve pointed out that a number of Wright State faculty are internationally involved, and in all probability the number will increase.

Mrs. Dreher seconded the motion.

This was not ruled a policy issue, and was passed by voice vote.

Mr. Roehm now asked when this document would take effect.

Mr. Skinner replied that if the document is approved this day, it will move to the General Faculty meeting of May 8th, then to the Board of Trustees for consideration within a couple of months, passing any deadline for implementation this academic year. He went on to say that implementation of the document would begin in 1975-1976, and consideration would need to be given to that implementation to assure that no one got "caught in the system". If not approved on that sequence, it could still conceivably be implemented by stages beginning some time during the next academic year.

Mr. Levine placed a motion -

To remove the parantheses in lines 22 and 23 of page 6.

Mr. Gray seconded the motion.

Mr. Levine stated that, at least by implication, a new criteria for evaluation was being introduced, and that he felt this would be contrary to the bylaws stating the three areas for evaluation were teaching, scholarship, and service.

Mr. Nussbaum questioned if Mr. Levine's motion merely deleted the parantheses or the material within the parantheses.

Mr. Levine clarified this by making the motion -

To remove the entire parenthetical clause in lines 22 and 23 of page 6.

Mrs. Dreher felt this was not a new idea, but simply referred to the individual's participation in departmental committees and taking departmental leadership from time to time. She expressed the thought that this referred to departmental service, and was not the introduction of a new standard for evaluation.

Mr. Levine felt as stated the thought was ambiguous and could be a new basis for promotion and tenure.

Mr. Hughes spoke against the amendment, expressing his feeling that the effect a recommendation has on the department as a whole is something the Department Chairman would undoubtedly consider, whether it is written into the document or not. He felt this was not the introduction of a new idea.

Mr. Levine agreed that this could be the interpretation, but felt that the retention of the clause might open other doors, such as the consideration of personality, "colleague-ality" - areas having nothing to do with consideration for promotion and tenure.

Mr. Skinner made mention of discussion in the Committee, related to the concern a Department Chairman would need to show toward the fulfillment of the total departmental program, and that this need would have to be recognized.

This, Mr. Levine stated, exactly made his point - that indeed a new basis for evaluation was being introduced. While he expressed no objection to the new criteria, he did express his feeling that it should be introduced earlier in the document, in conjunction with teaching, scholarship, and service, making a four-point evaluation.

Mr. Nussbaum spoke in support of Mr. Levine's amendment, and for the reasons Mr. Levine had set forth. He went on - "the decisions based on the criteria that Dr. Skinner has mentioned are administrative decisions, and they may lead to the establishment of quotas for different ranks in different departments but that is something that the faculty would not necessarily have any control over anyway. If a certain minimum number of slots at different ranks are going to be assigned to a department, then the department would know of it beforehand and may or may not choose to take that into consideration." He again agreed that this is a new criteria for evaluation.

Mr. Wade asked Mr. Skinner what kinds of things would be considered as pertinent in that fourth area.

Mr. Skinner replied that it might be the opinion of the Department Chairman that the fraction of tenured persons within the department had reached a high enough point. While such factors are a general consideration that does not relate to particular faculty members, and are not written down, they do affect particular faculty members.

Recognizing these as valid points, Mr. Levine pursued his feeling that this was the introduction of a fourth criteria for evaluation. If indeed another factor is to be considered in the evaluation process, he stressed the need to have it spelled out in this document; otherwise a faculty member whose promotion is turned down for the reason of perhaps a quota being filled, might well take exception and possibly sue.

Mr. Martin spoke in support of Mr. Levine's amendment, but for the reason that the comment in the document is in mandatory form. He felt Department Chairman have usually made comments on how the recommendation of a particular candidate affected or would affect the department, and undoubtedly would continue to do so. Stated in its present form, Mr. Martin agreed there is presented another basis for evaluation.

Two thoughts were presented by Mr. Neve; that a person is hired and the idea exists that there is for him the possibility of promotion within the department, and, secondly, that there is a need for his area of ability. A Chairman's area of emphasis might change in a matter of years, and this would influence his recommendation in light of how a promotion would affect the whole department. Mr. Neve supported Mr. Levine.

Mrs. Dreher suggested that perhaps the Council members were reading into the statement much beyond what was originally intended.

Mrs. Snyder went on record as recognizing that these possibilities do exist, and affirmed her feeling that the Council needs to take care of it.

There being no further discussion on this amendment, roll call voting proceeded.

In favor of deletion of parenthetical phrase in lines 22 and 23 of page 6:

Benner, Bireley, Merriam (Cantelupe), Cornyn, Dreher, Gray, Harvey, Hutchings, Iddings, Levine, Martin, Neve, Nussbaum, Roehm, Skinner, Snyder, Stearns, Stoesz, Tanamachi, Thatcher, Wade, Yoder, Zamonski, Kotecha

Opposed:

Hughes

The motion to delete was passed, 24 to 1.

There were no additional amendments proposed and the Chair called for roster voting on the Revised Promotions and Tenure Document, as amended:

In favor of approval:

Benner, Bireley, Merriam (Cantelupe), Cornyn, Dreher, Gray, Harvey, Hughes, Hutchings, Iddings, Martin, Neve, Nussbaum, Roehm, Skinner, Snyder, Stearns, Stoesz, Tanamachi, Thatcher, Wade, Yoder, Zamonski, Kotecha

Opposed:

Levine

The amended Revised Promotions and Tenure Document was passed, 24 to 1.

Note: This document, with latest revisions, has been distributed to faculty, as of April 21, 1975.)

VI. Old Business:

B. Approval of Revised Constitution for W.O.B.C. Student Body (Attachment B to April 7 Agenda).

The Chair recognized Mr. Hartmann, who stated the document had been reviewed by students from both W.O.B.C. and Main Campus, as well as by the Dean of Students Office representative, and approval is requested.

Mr. Levine placed the motion for approval; the motion was seconded.

Mr. Gray asked for clarification of the meaning of "matriculant", as used in Article II, Section 2., wondering if this referred to those students working toward a technical or associate degree.

The Chair inquired of Mr. Hartmann, but Mr. Hartmann deferred to Mrs. Snyder as representative from W.O.B.C.

Mrs. Snyder gave the definition of matriculant as being any student enrolled and working toward a degree.

Mr. Gray further inquired about the organization designated by the initials "W.O.E.F.", in Article III, Section 1.

Mr. Murray replied - Western Ohio Educational Foundation.

Mr. Martin asked for verification of his belief of a typographical error in the second sentence of Section 4, Article IV; the sentence should read:

"....from the Student Senate membership if he acquires ....."

This was noted for inclusion in the document.

Mr. Gray inquired if the bylaws were being included in the present motion under discussion, and Mr. Hartmann agreed they are a part of the request for approval.

Mr. Levine agreed this had been his intent when placing the motion, and Mr. Cornyn agreed this was his understanding in seconding the motion.

Mr. Gray requested clarification of the "co-chairman" mentioned in Section 8 of Article III of the bylaws. Of what are they co-chairmen?

Mr. Yoder, student representative from W.O.B.C., offered: The Vice-President's duties include the coordination of 'all committees as appointed by the President', and this co-chairman is to assist the Vice-President in accomplishing this task.

Mr. Gray stated that he would not want to hold up approval of the document over this particular point, but he expressed his feeling that some clarification is needed at this point in the bylaws.

Mrs. Snyder offered the following motion to amend that section now:



**Article III (Committees) (Bylaws)**

**Section 8.** The Vice-President shall appoint a co-chairman to aid him in his duties as coordinator of all committees, after the appointments of all standing committee chairmen.

Mr. Hughes seconded the motion.

Mr. Gray asked for verification that this actually did not mean co-chairmen for the various committees but did indeed mean an assistant to the Vice-President in his accomplishing the No. 2 duty assigned to him under Section I of Article II.

Affirmation was given by the representatives from W.O.B.C.

Mr. Nussbaum inquired if this meant that the co-chairman so appointed was not to be from those appointed to standing committees.

Mrs. Snyder agreed to that interpretation, giving the reason that there are times when the committee chairmen are too busy in their own duties to serve well as an assistant to the Vice-President, so this person would need to be someone without additional duties in another area.

Mr. Nussbaum stated that this appeared to be "a lot of people watching each other", to which Mrs. Snyder replied that it worked out very well for the branch campus.

There was no further discussion of this amendment, and it was passed by voice vote without opposition.

Mr. Hughes asked for clarification of the organization designated by the initials S.A.O.R.C., appearing as Article VI of the bylaws.

Mr. Yoder explained that this was an organization of a number of the branch campus groups across the state of Ohio, and that W.O.B.C.'s student body had withdrawn from the organization more than a week prior to this Academic Council meeting. Mr. Yoder further pointed out that this part of the document would need to be deleted.

There was no further discussion on the document, as amended, and the Chair called for roster voting.

In favor of approval of the W.O.B.C. Student Body Constitution and Bylaws:

Benner, Bireley, Merriam (Cantelupe), Cornyn, Dreher, Gray, Harvey, Hughes, Hutchings, Iddings, Levine, Martin, Neve, Nussbaum, Roehm, Skinner, Snyder, Stearns, Stoesz, Tanamachi, Thatcher, Wade, Yoder, Zamonski, Kotecha

Opposed:

none

The document, as amended, was passed 25 to 0. (See Attachment A.)

Note: Several very minor additional typographical and spelling errors have been corrected.

VI. Old Business:

C. Approval of Athletic Council Constitution and Bylaws (Attachment C to March 3, 1975, Agenda).

Before placing a motion for approval, Mr. Benner called attention to a change made before distribution of the document: pages 1 and 2, under Article II Membership, where the total membership is now nine after the inclusion of a representative from the Alumni Association.

Moving on to page 4, Section 1 of the Bylaws, the procedure for selecting the individual for the above representation is added as A. 5):

The representative of the Alumni Association shall be appointed by the President of the Alumni Association, and shall serve for a term of one (1) year, or until his successor is appointed. If re-appointed by the President of the Alumni Association, the representative may succeed himself.

With this addition, Mr. Benner placed the motion for the approval of the documents.

Mr. Roehm seconded the motion, and discussion began.

Mr. Merriam asked if the Athletic Council is a self-defining body, since he felt the documents indicated such by the stated ability to amend its Constitution and Bylaws. He questioned the relationship at this point in time between the Athletic Council and Academic Council.

Mr. Benner responded: He acknowledged that Athletic Council is required to give a report annually to Academic Council, and that he was not sure what else was entailed. He asked the Chair to recognize Mr. Gordon Wise to respond further; the Chair did so.

Mr. Wise referred Council to the preamble wherein the Athletic Council was established "to act in an advisory capacity to the President of the University", and he went on to show their was no intention to bypass any responsibility to either Academic Council or the constituencies since annual reports are given.

Mr. Merriam stated his feeling that there is no indication in the document under consideration that Academic Council approval is needed for any amendments that Athletic Council might care to make. He went on to refer Council members to the Faculty Constitution which indicates the delegation of some of the powers of Academic Council to various other councils; listed among these is the Athletic Council. He pointed out that the Faculty Constitution provided that the Academic Council reserved to itself the right of referendum over all actions of the various councils. He concluded with the question - in the future, will actions of the Athletic Council be subject to referendum by the Academic Council?

Mr. Wise expressed the feeling that perhaps this was something that was to be decided today.

Mr. Merriam went on to express his recollection that the Athletic Council had endeavored to "declare its independence" a number of years previous to this and that endeavor had been voted down.

Mr. Wise objected, in that he had been on Athletic Council for seven years and no such action

had occurred.

Mr. Merriam expressed his concern that the documents now under review would indeed accomplish a complete separation of Athletic Council from Academic Council, and that the status of Athletic Council has always been an ambiguous one.

Mr. Murray at this time asked for recall from Mr. Eakins who has served on Athletic Council.

Mr. Eakins agreed that the status of Athletic Council has always been ambiguous, undefined. He went on to state that the Athletic Council had been appointed by President Golding to advise him, and that it was not an academic type of council/committee under Academic Council. He further said that he felt the annual report submitted was a "formality" or it was submitted "as a courtesy". He readily acknowledged that the status question had never been resolved.

Mr. Merriam did not disagree that Athletic Council is indeed an advisory group, but the Faculty Constitution includes it as one of the "Established Councils" (Section 3., Article IV) and under Section 2 of that same Article "reserves to itself the right of referendum over all matters adopted by other Councils.....".

Mr. Eakins expressed his feeling that the meaning of the Faculty Constitution does not go that far.

Mr. Skinner mentioned that he had been on Academic Council a goodly number of years ago, and felt now, as he did then, that the University is an academic institution and that the athletic program should be related. He concluded with his desire to see a continued close relationship between the Athletic Council and Academic Council.

Mr. Nussbaum told Council of various questions posed to him by members of his constituency with regard to status of Athletic Council. Summation of those questions and discussions indicated an overview of the Athletic Council by the Academic Council. In light of this background Mr. Nussbaum proposed an amendment to Section 9 Amendments to the Bylaws, A. with an addition to the last sentence of that paragraph:

"An approved amendment takes effect immediately upon approval of Academic Council."

This motion to amend was seconded by Mr. Stoesz.

After conference between the Chair and the Parliamentarian, Mr. Murray ruled the amendment out of order. Mr. Murray interpreted that Academic Council can make recommendations and return the document to the Athletic Council, but felt Academic Council does not have the authority of amendment.

Mr. Nussbaum asked why Academic Council approval is being requested, if no opportunity for amendment is extended.

Mr. Murray stressed the delegation of Academic Council powers to other councils, with the right of referendum over things adopted by those councils.

Mr. Nussbaum inquired if there were a sufficient number of Athletic Council representatives

Academic Council Minutes

April 7, 1975

Page Eighteen

Mr. Benner pointed out that in attendance were three faculty representatives, two student representatives, plus himself. He asked if he should "poll" the representation.

Mr. Nussbaum expressed his desire to know the feeling on the matter, indicating the possibility of Academic Council withholding approval of the document, making suggested revisions, sending the document back to Athletic Council, only to have the episode repeated after a year's delay.

Mr. Neve questioned if Athletic Council should have been asked to "approve" this constitution for Athletic Council or if indeed that right to approval had already been delegated to the Athletic Council. He further questioned if it was legal to approve a constitution under a constitution, the situation which exists - Academic Council approving a constitution under the Faculty Constitution. He made the recommendation that the document be returned to Athletic Council for review in light of today's proceedings.

Mr. Benner spoke: He accepted that certain sections of the document might indeed be reviewed and reconsidered and brought back to Academic Council at a later date. However, he continued in pointing out that an earlier undated document stated clearly that Athletic Council "shall be responsible directly to the President". He agreed with Mr. Eakins that the status and the issue has never been resolved. He expressed his desire to see the issue resolved, indicating that this might even simply be a note in the Academic Council Minutes to the effect that Athletic Council is to report to the President. He also noted an uncertainty of exactly how the Athletic Council is responsible to Academic Council other than in the submission of an annual report.

Mr. Neve asked for definition from the Steering Committee of the relationship between the two councils, the responsibility lying with the Steering Committee for clarification.

Mr. Levine indicated Steering Committee members had indeed discussed this issue, and asked for verification from Mrs. Dreher that the consensus of opinion was that Athletic Council was under the jurisdiction of Academic Council.

Mr. Eakins admitted no surprise that Steering Committee would reach this decision, but pointed out that Athletic Council could challenge such a stand. He stated he felt the issue needed to be settled, going to the highest source for resolution.

Mr. Merriam then asked, if the document does not need the approval of Academic Council, why is it being presented? If no such relationship exists, why is it apparently spelled out in the Faculty Constitution and Bylaws?

Mr. Benner indicated the document had been brought to Academic Council at the direction of the Steering Committee.

Mr. Merriam asked if there were any other self-constituting bodies under the Academic Council.

Mr. Hutchings brought to the attention of Mr. Merriam the Research Council, acting as an advisory group, formulating its own constitution, and responsible to the Academic Council.

Mr. Merriam expressed his concern for the thrust of the document, the separation between the Athletic Council and the Academic Council.

Mr. Nussbaum pointed out, in support of his previously recommended amendment, that the

**Academic Council Minutes**

**April 7, 1975**

**Page Nineteen**

**Research Council Constitution and Bylaws** carried under Section 9 "the amendments to these bylaws will be submitted to the Academic Council for ratification, so the principle he had endeavored to introduce with relation to the Athletic Council was already in the Research Council document.

Mr. Benner attempted a shortening of discussion, stating that at this time, it appears he is being asked to take the document back to the Athletic Council with one recommendation for change - that having been submitted by Mr. Nussbaum.

Mr. Martin indicated he would like further discussion to include notation of the Athletic Council Minutes of October 24, 1972, under item 4, that Academic Council had asked Athletic Council to consider changes in two areas - a representative succeeding himself and the consideration of amendments by Academic Council. Mr. Martin continued, drawing attention to Section 1, part 4) wherein the indication is that a person may succeed himself. Mr. Martin asked for clarification.

Mr. Benner expressed the feeling that if a college elected the same person a second time, that should be the prerogative of the college, indicating their approval of the representative, and that this should be possible for them to do.

Mr. Martin pointed out the principle of a self-perpetuating institution with built-in membership.

Mr. Benner presented the thought that if you are a faculty representative to the Athletic Council, doing your job well, why should you not be re-elected?

A brief discussion came about through Mr. Gray's questioning the continued discussion if there had been a ruling by the Chair that the amendment was out of order.

Mr. Levine agreed that the Chair had made a ruling, and he appealed that ruling. He supported his appeal by statement of his feeling that Academic Council has the right to approve the document and by implication has the right to amend it. He agreed with Mr. Nussbaum's earlier statement that this might be interminably shuttled back and forth.

Mr. Kotecha presented: A document's presentation to a body for approval implies the body has the right to amend it; when presented under the "referendum", the body simply has the right to vote for or against it.

A second motion to appeal the Chair's ruling was heard.

Mr. Neve directed attention to that portion of the Faculty Constitution, Article IV, Section 2, which gives to Academic Council the power of "referendum".

Mr. Nussbaum asked Mr. Levine to consider removing his appeal motion, that the matter be tabled for clarification purposes, and brought back to Academic Council later.

Mr. Levine did remove his appeal motion, and the second to that motion was removed.

Mr. Nussbaum moved then to table the discussion, and Mr. Gray seconded.

Before moving on to the next item of Old Business, Mr. Nussbaum suggested that clarification of the issue might result from a meeting of Athletic Council and the Steering Committee.

Mr. Levine asked also for a legal viewpoint of the matter raised by Mr. Kotecha, in the use of the word "referendum".

Mr. Stoesz made an effort to resolve the matter, stating the feeling that while Athletic Council reports to the President, the Academic Council has an interest in the way it reports.

Mr. Eakins made the statement that he had occasion to research the matter, using Don Mohr's file, and that he had found no statement as to the ultimate source to whom the Athletic Council is responsible. He expressed further concern over a point raised by Mr. Benner, in that a representative can succeed himself, when he (Mr. Eakins) had been under the impression that that point had been amended, and was apparently not incorporated in the revision under review.

Mr. Wise' recollection did not include any such change.

Mr. Eakins pinpointed this as happening in 1972.

Mr. Gray questioned the further discussion when the item had been tabled, and Council moved to the next item of Old Business. This was confirmed by voice vote.

VI. D. Approval of amendments to Student Handbook from Student Publications Subcommittee (Attachment C to the Agenda).

Mr. Hartmann gave background: Last fall the Steering Committee referred to the Student Affairs Committee the recommendations made by an ad hoc committee under Professor Spetter. Meeting with that committee, the Student Affairs approved the recommendations, and are now asking affirmative action on these recommendations.

Mr. Cornyn placed a motion for approval of the amendments; the motion was seconded.

Mr. Harvey placed a motion for an amendment to Section C Student Publications Subcommittee, in the body of the paragraph -

".....is an ex officio member of the subcommittee. In the event of an at-large student vacancy on the subcommittee, the Student Representative Assembly will appoint a replacement. ....."

The question was posed if a quorum for conducting business was present. It was mentioned that a quorum was not present, but further brought out that the remaining Council members could actually conduct business.

Mr. Spetter was recognized and stressed the need for approval of these amendments at this meeting, rather than a postponement of action. Elections are scheduled for the Spring Quarter, and the document had been placed on the agenda last month in a direct attempt to have them acted upon at this meeting.

Mr. Walker also spoke from the audience, pointing out the time spent in awaiting action on this

Academic Council Minutes

April 7, 1975

Page Twenty-one

item to say nothing of the time and effort expended in preparation of the amendments.

Mr. Hughes withdrew his call for a quorum.

A brief discussion clarified the difference between the "at large" students and the person appointed to serve as the chairer of the subcommittee.

Miss Tanamachi spoke against the amendment offered by Mr. Harvey, indicating the subcommittee is under Student Affairs Committee, not the Student Caucus.

Mr. Harvey spoke in rebuttal: He expressed his feeling that authority for such an appointment had already been delegated by the student body in the election of the Student Caucus.

In favor of the amendment by Mr. Harvey:

Cornyn, Harvey, Hughes, Hutchings, Iddings, Levine, Neve, Nussbaum, Skinner, Stearns, Wade, Zamonski

Opposed:

Dreher, Gray, Tanamachi, Kotecha

The amendment to the recommendations was passed by a vote of 12 to 4.

There were no further amendments to the Student Publications Policy offered, nor were there any more comments offered.

In favor of approval of amendments, as amended, to the Student Publications Policy:

Merriam (Cantelupe), Cornyn, Dreher, Gray, Harvey, Hughes, Hutchings, Iddings, Levine, Neve, Nussbaum, Skinner, Stearns, Tanamachi, Wade, Zamonski, Kotecha

Opposed:

none

Approval was given, by a vote of 17 to 0.

Mr. Nussbaum asked for adjournment.

Mr. Walker was recognized from the audience and spoke in favor of proceeding toward approval of the Revised Bylaws for the University Research Council, the next listed item under Old Business.

Mr. Nussbaum pointed out the relation of this item to the very points of discussion made under approval of the Athletic Council's Bylaws.

There was no further discussion.

VIII. The meeting was adjourned at 5:45 P. M., with items yet remaining under Old and New Business.

Academic Council Minutes

April 7, 1975

Page Twenty-two

A re-typed copy of the Constitution of the Western Ohio Branch Campus Student Body and of the Student Publications Policy will form attachments to the Agenda for the May meeting of Academic Council.

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