The incumbent Speaker, Russell D. Martin, called the meeting to order at 4:30 p.m. and welcomed the assemblage to another year. He then introduced Dean of the Faculty, Joseph B. Bugliari.

1. REMARKS BY THE DEAN

Dean Bugliari: "First, let me welcome you all back for another year. Thank you all for coming today to this combined meeting of both the FCR and the University Faculty.

"I have just two or three things to report to you. The first is, as you know, last year an ad hoc committee appointed by the Executive Committee of the FCR was conducting a review of the so-called Stein Committee rules with respect to promotion, to tenure, full professor, reappointment, and so forth. At the end of last spring, we were not ready to report back to this body with the recommendations of that Committee. I'm happy to report that at least at the moment, according to Ken Strike, who is the chairman of that ad hoc Committee, that we will probably be able to report back with the recommendations at the October meeting. He has been working over the summer with Walter Relihan, who is the University Counsel, ironing out whatever differences existed between them. As I understand it, they have gotten them all worked out. So, you will soon be getting a copy of the proposed changes in those rules with an accompanying explanation.

"Secondly, you may have noticed if you have gone down to the Rathskellar recently, that in addition to the bulletin board that exists right over the top of where you sign your card for payment of your lunch a new bulletin board has recently appeared courtesy of the Statler Inn. It is sort of in disrepute at the moment, but if I ever
get from Kansas City the insert that is supposed to go in there and the letters that are supposed to come with it, we will have a bulletin board for the University Faculty. The idea is to have on that bulletin board announcements of University Faculty and FCR meetings and also a place to provide a reminder of concert series and the University Lecture series. We will have a key, and we will have control of the board.

"Thirdly, I know you may not believe it, but we are now at the point where we are doing the index on the Faculty Handbook, and the projected date for its appearance is now November. We will have enough copies obviously for all the members of the faculty. We will also have sufficient copies for you to send to people at other institutions who you are interested in attracting. The proposal now is that we will reproduce the handbook every two years. I know you don't believe that because the last one came out twelve years ago, but we will be in a position, once we've got it done after twelve years to put it out every two years and keep it current on a two-year basis. We will be keeping it even more current in that we will have loose leaf copies of it with replaceable pages in the offices of all of the deans, department chairmen and the libraries. Those copies will be kept more current and every two years we will have a new one that will be available to everybody.

"The fourth thing I would like to just mention is that over the summer, spurred by a number of events that occurred last fall, we have been doing some work on looking at the question of academic integrity - how we handle cases, some of the problems that existed in some of the areas with respect to procedure and some of the questions also with respect to substantive issues. We had a very able law student
over the summer who conducted a great deal of investigation among people at this institution and other institutions, and we are now in the process of getting together a proposal for some changes in the way academic integrity issues are handled. These will be coming back, I hope, to you this fall after they go through a number of committees. A second part of that project is to produce a handbook on academic integrity which will be available to every member of the faculty and every person who teaches at this institution. It will start with Step 1, if somebody does something in your class, all the way through the appeal procedure. The idea is that what you will then be able to do is to refer to this and it will take you step by step right through the whole procedure. We will not print that, of course, until we get the revisions to the Code we propose, so we can do the whole thing at once. We hope that will be available now by the spring. We have a version of it. All we have to do now is get the Code changed so we can put that with it.

"The final thing I would like to do is to report on last spring's election.

2. REPORT ON ELECTIONS

"As you know, in our system we have a double election process. First we elect members to the FCR and then after we elect FCR members to serve on various committees. The following individuals were elected to serve:"

EXECUTIVE COMMITTEE OF THE FCR - 4 seats

  Richard S. Booth
  W. Ronnie Coffman
  Robert M. Cotts
  John E. H. Sherry
EXECUTIVE COMMITTEE OF THE FCR - 1 non-tenured seat
   Kathleen M. Vernon
ACADEMIC FREEDOM AND RESPONSIBILITY COMMITTEE - 2 seats
   June M. Fessenden-Raden
   Andrew Ramage
ACADEMIC PROGRAMS AND POLICIES COMMITTEE - 1 seat
   Terrence L. Fine
ADMISSIONS AND FINANCIAL AIDS COMMITTEE - 2 seats
   Peter Harriott
   Robert McGinnis
BUDGET COMMITTEE - 1 seat
   Robert D. Boynton
PHYSICAL EDUCATION COMMITTEE - 1 seat
   Wilmot W. Irish

The Dean then called on Professor John E. H. Sherry for a nomination.

3. ELECTION OF SPEAKER

   Professor Sherry nominated Professor Emeritus Russell D. Martin as Speaker for another one-year term. Upon hearing no further nominations, the Dean declared nominations closed, and proclaimed Russell Martin Speaker of both the FCR and the University Faculty.

   Speaker Martin stated that he appreciated the privilege of again serving as Speaker and then called on President Rhodes for announcements and remarks.

4. ANNOUNCEMENT OF DEATH OF FACULTY MEMBERS

   The President began with a list of Cornell colleagues who had died since the last meeting.
President Rhodes then invited those present to stand for a moment of silence.

5. RECOGNITION OF DISTINGUISHED TEACHING AWARD RECIPIENTS

President Rhodes: "It's always a pleasure to announce the recipients of the Distinguished Teaching Awards given by Cornell. These are for the year 1983-84. Not all the individuals are able to be with us today, but most of them are."

Agriculture and Life Sciences:
Emeritus Professor of Vegetable Crops, William C. Kelly - Edgerton Career Teaching Award - by the State College of Agriculture and Life Sciences;
Associate Professor of Agricultural Economics, Gene A. German - Professor of Merit Award - by the State College of Agriculture and Life Sciences, Cornell, given by Ho-Nun-De Kah (Agricultural Honor Society.)

Architecture, Art and Planning:
Professor of Architecture, Charles W. Pearman - Martin Dominguez Award for Distinguished Teaching.

Arts and Sciences:
Associate Professor of History, John M. Najemy - The Clark Award;
Associate Professor of English, Harry E. Shaw - The Clark Award;
Associate Professor of Neurobiology and Behavior, Paul W. Sherman - The Clark Award;
Professor and Chairman of Astronomy, Yervant Terzian - The Clark Award.
Engineering:
Assistant Professor of Electrical Engineering,
David F. Delchamps - Excellence in Teaching Award - by Cornell
Society of Engineers and Engineering Tau Beta Pi.

Human Ecology:
Associate Professor of Nutritional Sciences,
Virginia L. Utermohlen - Distinguished Teaching Award - by the
College's Alumni Association and Omicron Nu Honor Society.

Veterinary Medicine:
Professor and Chairman of Clinical Sciences, Alexander deLahunta -
Norden Distinguished Teacher Award.

The assembled faculty greeted the announcement with applause.

President Rhodes: "Mr. Speaker, Mr. Dean, I value the opportunity
to speak with you early in the year. I feel a little like the coach
who assembled his team and said, 'Well, here we are -- unbeaten, untied,
unscored upon, and ready for our first game of the season.' That's
not true of the faculty, clearly, but there is a sense of excitement
and a new beginning as we face the start of another academic year.

"I want to speak very briefly about where we stand, about
where we're going, and especially about what I see as the four major
challenges that confront us in the year ahead.

"Where do we stand? The key to that question is in the quality
of the new faculty. Some of us had the privilege of meeting new
members of our faculty on Saturday morning, and the quality of the
56 individuals appointed to tenure track positions this new semester
seems to me to be higher than ever. I want to thank you for the
care you've devoted to their selection and to say how proud we are
to welcome them as colleagues. We continue to face severe competition
in recruiting and not least because, increasingly, faculty members come in packages of two. Three members of this year's new faculty group are, in fact, career couples, and in one case, a couple by request shares a single appointment. We value the help that you've given us not only in recruiting but in helping us meet that opportunity of career couples.

"It's also a good year in terms of new student admissions, and I believe you'll find that your freshman classes are not only challenging, but as good or better than we've ever seen. We had almost 19,500 applications for 2,800 freshman places, an increase of seven percent over a year ago. Our yield also increased, going over the fifty percent mark -- 51.2 percent -- for the first time. The quality increased with it -- up by two points on the verbal SAT scale and by seven points on the math scale. We're particularly pleased that minority enrollment in the freshman class increased by a remarkable 29 percent in the case of all minority members and by over 48 percent for blacks. That's a tribute to the efforts of people in many different groups including the admissions committees, and admissions deans in both the colleges and the central admissions office.

"But that reputation, that interest on the part of students is something that has to be earned again every year. And I'm very conscious that we don't achieve success by glossy recruitment brochures, but by the quality and commitment that you bring to undergraduate teaching. I want to recognize that and thank you for it. It's not universally present in every university.

"All that is the good news; the bad news is that we shall be losing Jim Scannell, our Dean of Admissions for four years, in about
two months' time. He leaves us with our regrets but also with our
good wishes for a vice presidency at the University of Rochester.
His will be difficult shoes to fill.

"Part of our success in recruiting this year has undoubtedly been due to The Cornell Tradition, which had a banner year. This year some 379 Fellows will receive funds through the Tradition program in comparison with 290 a year ago. The total number of summer fellowships awarded increased by a third to almost 600.

"On the graduate front, our position looks equally encouraging. We don't have final figures, but both the quality and the numbers look remarkably good. To give just one snapshot, in the humanities this year, we have eleven Mellon Fellows in residence in comparison to two a year ago. This is not an exact comparison for various reasons, but it's a very welcome improvement.

"Admission inquiries this year seem to be about 30 percent ahead of a year ago; the momentum of increased interest in Cornell looks as though it will continue.

"I mentioned that we had a number of new administrative appointments this year. Bob Barker, our new Provost, is here today. Joe Ballantyne, who is not able to be here today, comes in as Vice President for Research; Barry Adams, former Chairman of the Department of English, comes in as Vice Provost with particular responsibility for undergraduate studies; and Dave Call comes to us on loan for one year from the College of Agriculture and Life Sciences to pull together our support systems in Albany and in Washington and in public affairs generally in order to strengthen the support we receive from all those sources. That support will
be vital to us in the years ahead. Bob Hcrn retired this year as Vice President and Treasurer, having taken care of our financial affairs for fourteen years, and we are looking actively for a successor. There are two new deans whom we are happy to welcome -- Bill McMinn in Architecture, Art and Planning; and Curtis Tarr in the Graduate School of Management. Bill Streett is acting dean in the College of Engineering.

"We shall need your help, and we shall probably need your forbearance as our new team settles into harness, but I want to invite your continuing support. If you have suggestions, please make them. If you have concerns, let us know. We need the strong partnership with you we now enjoy.

"One group I haven't mentioned, but I want to recognize is the large number of men and women who take over responsibility this month for chairpersonships and directorships of departments and centers. The major focus for leadership in the University is at the department and at the center level, and I am very conscious of the debt we owe to these people for assuming those particular responsibilities. I am more aware than many people that the responsibilities are not always enjoyable, but they continue to be of major importance to us.

"Let me say a word about the financial outlook as we enter the year. In general, our financial position is sound but we're certainly not as strong as we need to be. We have a balanced budget this year. Thanks very largely to Jim Spencer's careful preparation and work, we finished last year in balance; in fact, with a very modest surplus in each of our three major divisions.

"We've had a very good year, through your initiative, for research funding, with an increase on the Ithaca campus of around 14 percent in the overall level of research funding and a total of
about $120 million in external support.

"We had a remarkably good year in gifts to the University. We raised almost 73 million dollars last year, up 18 percent from the year before and up more than 40 percent from two years ago. As we gave more opportunity for colleges and departments to solicit funds aggressively during the year, the level of undesignated giving we can allocate at our discretion to units went down. So, departments and colleges have become 'richer' and the central funds have become rather less rich in spite of an all-time record. That's important as we think about the budgetary consequences in the long term.

"We held tuition to what I think was a responsible and a reasonable level, and we increased salaries to a level that isn't yet satisfactory but puts us close to our goal of getting up into the 80th percentile of our peer institutions. We shall be talking to you frequently during the next six or eight months about some new proposals for flexible benefits. In a nutshell, we are trying to pay for a number of benefits, including health benefits and dependent care benefits, with pre-tax, rather than post-tax dollars. That's going to call for some informed choices on the part of faculty and staff members, but we think it's one way in which we can improve the overall compensation package. We shall be in active consultation with you and your committees about these proposals this year.

"Finally, under the heading of our financial condition, let me note that, as in the past, we shall be looking at new initiatives largely as substitutions rather than as additions. That's going to be frustrating and controversial, but if we are to live within our means, that's the way it must be done. We welcome your continuing help and advice as we seek to do that.
There's a lot of untidiness on the campus at the moment as we construct a number of new facilities. Snee Hall for Geological Sciences will be dedicated next month. We have a very impressive program to inaugurate that building, and the chief speaker will be John McTague, Deputy Director, Office of Science and Technology Policy in Washington. He'll be giving a speech on national science policy, to which you are warmly invited. We shall announce the details later. Academic II, an important addition to the campus, will come on stream progressively during the course of the year. We shall break ground this fall for the Center for the Performing Arts, still pushing to fund the remaining $3 million of project cost. We hope to complete design work and begin construction on Academic I before the end of the calendar year, but that's not absolutely certain. I think you will find that with the help we've received from many members of the campus community, the design of Academic I is a good deal better the second time around, and that it will meet a long-term need.

"But that only scratches the surface of the needs that exist on the campus, and each of you could provide your own list of unmet needs, of maintenance that has been deferred, of painting that is fifteen years overdue. From Engineering to Law, and from Architecture, Art and Planning to Veterinary Medicine, we have substantial facility needs still ahead of us. We will tackle them as well as we can, and they remain a priority, but a priority amongst others.

"So that's where we stand, as the new academic year opens. But budgets and buildings are really means to an end, and I want to talk with you briefly about the four major opportunities we face together in the coming year. Two of them I raised briefly with you
a year ago, and they are continuing concerns. The first, and the one I put at the top of the list, is to continue to undergird and to reinforce the research capacity of the University and with it the graduate and professional programs associated with that research capacity. There are many changes that have taken place even during the past year. The campus has been 'personally computerized' to a degree that few thought possible at the beginning of the year. That revolution will continue, and it will change the way we undertake almost every aspect of teaching and much research. With that, we now have plans, as you read in the Sun today, to take over Comstock when it is vacated by its present occupants, and to use it as the new site for two important campus facilities. One is for the telephone switch, which is bigger than it sounds, for the new campus communication system. There will be a certain amount of upheaval in the phone system during the course of the year, as we put in place a $16 million telecommunication system, capable of transmitting not only voice but also data in other forms. This will involve some inconvenience, but there will be both short-term and long-term benefits which are considerable. We expect that the new system will pay for itself within three to five years and that it will prevent what would otherwise be an almost impossible escalation in phone charges. Second, Biotechnology is now firmly established as a campus program under the leadership of Gordon Hammes, and we hope within a few weeks to have funding in place for a new $30 million building for the program. We hope to build it on lower Alumni Field adjacent to other buildings in the Biological Sciences. The new facility will make possible very close interaction among people now scattered through 19 or 20 departments and it will add enormously to
the teaching and research capacity of individuals from many centers.

"Also on the horizon are major new research initiatives ranging from the Theory Center, which you approved last year, to upgrading CESR to an engineering research center. Big Science is going to be an increasingly significant part of life on campus, and that, of course, is both an opportunity and a challenge. It's clear that federal priorities are leaning more and more to the recognition of the needs we face for support of basic science, but it's also clear that if we pursue that to the neglect of other traditional areas of scholarship we shall create an imbalance in the University. We shall need all the wisdom we can find, and especially the help and counsel that you can give, in maintaining the centrality of the chief facility of the University, which is its library. That's especially basic, of course, to people working in disciplines ranging from law to philosophy. We must have a way of keeping not only the acquisitions base strong but of helping Mr. Martin in every way we can in the computerization of the library.

"I want to move from that goal of strengthening our research capacity to a second goal and mention it openly as a problem. Over the seven years I have now had the privilege of being a member of the Cornell community, the plight of the statutory colleges has become more severe. I don't regard it as something that has reached crisis proportions; I do regard it as a matter of serious concern because it represents a steady erosion of quality. Our biggest problem is convincing those who represent us in Albany that our statutory colleges are an investment that has a priority for the State. We're closely involved at the moment in conversations with our colleagues in the State University concerning the form of our relationship with
them. A Blue-Ribbon Commission, under the chairmanship of Harold Enarson, former President of the Ohio State University, is considering the future of the State University. We have met with Dr. Enarson and other Commission members, and we are presenting a strong case. During the course of the year, our state relationships will be one of our major priority concerns.

"Our third goal is one that I touched on briefly a year ago. We are in the midst of rebuilding four graduate professional programs, and their needs are very different. In the Law School, the facilities need that you've read about recently remains unmet, and we're working with Dean Martin to see what we can do about funding. In the Veterinary College, a major need for new positions was met -- but only in part -- by funding we received during the past year, and there's an equally great need for a new clinical hospital. That's an enormous undertaking, but it has been deferred so long that the College of Veterinary Medicine now faces very serious problems. A new clinical hospital will be a major priority for us in Albany this year.

"In two other colleges we have made very significant progress during the year. We have a new dean, as you know in the Graduate School of Management, and we expect a major new initiative during the year in connection with that school. At the Medical College, the task of rebuilding the basic sciences has been made immeasurably easier by a gift of $50 million committed to the College without restrictions. The changes that have already taken place at the Medical College are a source of great satisfaction.

"I want to share with you a fourth goal, which is much more difficult to interpret in practice than to state in principle. Our
goal is quite simply to move Cornell into the flagship position for undergraduate education amongst major comprehensive research universities -- **the** flagship position, not just up in the vanguard, but **the** model for the rest of the fleet. I believe Cornell can now occupy that flagship position because most other great universities lack the breadth to which, through foresight and historical fortune, we are heirs. A university unconcerned with problems of world agriculture, human hunger, and human development, for example, simply cannot address the spectrum of needs of the twenty-first century as Cornell can. There is also at Cornell a devotion to undergraduate teaching on the part of the most distinguished faculty members, senior and junior, that I find unparalleled anywhere else. And we have remarkable foundation strength because of the quality of the students themselves. They teach each other, and they flourish in that kind of context. We have a superb foundation, and we must continue to work together, making what is great even greater.

"There have been some initiatives during the year which I hope will be helpful as we move forward. One with enormous long-term potential is Common Learning, and I'm glad that Urie Bronfenbrenner, Dan Sisler, and Peter McClelland are going to talk about that later this afternoon. The Cornell-in-Washington Program under Arch Dotson's leadership is running at full capacity in its own facilities with a variety of new programs. That's one of the success stories at the undergraduate level. A year ago, I suggested that we should together establish another new priority for undergraduate studies, a commitment making international experience a vital part of Cornell's education. You've responded magnificently, and, under the leadership
of Davydd Greenwood and Mary Katzenstein, a flying start has been made. Arch Dotson has been so successful in Washington that we've persuaded him to take the international program over this year. But I want to tell you, from a summary that he has given me, of the exciting progress that has already been made. We have agreements already with the London School of Economics and with University College, London, designating places for Cornell students. There are also looser agreements with three other major universities in Britain for similar types of arrangements, and there are informal agreements with a number of Oxford and Cambridge colleges for admission of Cornell undergraduates. In fact, Dr. Nancy Waugh of Sommerville College, Oxford, will be here from the 26th through the 27th of this month to talk with both faculty and undergraduates concerning study opportunities at not only Oxford but also at Cambridge. We have other free-standing schemes in both Spain and Germany, and in collaboration with The University of Michigan and the University of Seville, we are now developing a joint venture. We're in the final stages of negotiation for a joint program with the University of Hamburg. We hope by the beginning of next year to greatly expand the study possibilities at Swiss and Chinese universities. And here on campus the new language houses are up and running. They provide great opportunities, and they've got some teething problems; we must accept the one and solve the other. Special projects and pre-professional internships offer added opportunities.

"Our goal here is not to assemble a series of mini-Cornell campuses in other parts of the world, but to make exposure to
international experience an essential component of what it means to be a student at Cornell. That's going to mean that we regard these students in absentia as still our own students and not somehow separated from the campus. We've arranged for them to continue to receive financial aid, for example, which has been one of the major obstacles. But we need your help in counseling them, in accepting and suggesting courses that are appropriate for credit and, in fact, in interpreting Cornell's mission and commitment, which has always been international, in the sphere of undergraduate studies.

"Let me mention three other areas of the undergraduate experience that are going to need attention if we are truly to become the flagship. The first of these is residence life. I believe we simply don't know as a community what we expect of residence life. Are the fraternities, sororities, and dormitories living up to what we expect of accommodation within an educational institution? We value enormously the help that some of you have given us as faculty members in residence and as faculty associates, and we'd like to expand those programs. Tell us how, because clearly they're not appealing to a large enough number of faculty members. Blanchard Rideout, one of our distinguished emeritus members of the faculty, has become a faculty associate of north campus dorms within the last year, and I wish that some time Blanchard could talk to you about his experience there. So, what do we expect of the residence system?

"Second, the amenities of campus life in general have to be improved. We are conscious that we haven't done anything for athletics at Cornell for 25 years. Our hope is that the Center
for the Performing Arts will add an important new dimension to Cornell, not only for those in theatre and dance, but for every other member of the community. But beyond that, we have a challenge in undergraduate education simply to confront the mood and the pattern of the age in which we live.

"I said a moment ago that there are dangers if we become so preoccupied with 'Big Science' that we neglect things that are equally fundamental to our future. And by that I mean the concerns which have traditionally been at the center of the humanities. I want to ask you simply to help us this year to find ways in which we can develop humane and ethical concerns within every part of the undergraduate curriculum. I don't know how to do that in practice. It's a concern and a priority, but I simply don't know how to achieve it. I suspect that there is no simple integral method, but there are many different ways in which you individually can do it, and we want, with your help and your support, to bring that about. We have funds for new combinations of subjects that we haven't yet tapped, and Barry Adams will welcome suggestions on ways to integrate these concerns with professional and disciplinary training.

"That challenge seems to me, in fact, much bigger than Cornell. We live in an increasingly fragmented and divided society. We live with nuclear madness that doesn't seem to abate. We live in a world still characterized by hunger and need, and we live in an intellectual climate -- at least on some campuses -- of cynicism and a territorial arrogance. And if that is an accurate diagnosis of the society of which we're a part, it's equally true that the
educational system at some institutions simply regards students as passive receptacles on a kind of production line where information is poured in. I hope that with your help and with the capacity now to increase and develop fresh combinations of subjects, one of our priorities in this coming year can be to give to students not only first-rate training in their particular chosen major -- that's fundamental to everything else -- but also a sense of self-confidence, self-discipline, of motivation and self-direction, and in stark contrast to the society they inherit, a commitment not just to professional distinction but to personal service. If we can do that, Cornell will be not only a flagship, but a model, and our society and our world will be the beneficiaries.

"Thank you."

[applause]

Speaker Martin: "Are there any questions for President Rhodes or Provost Barker?"

Professor Yervant Terzian, Astronomy: "I was wondering if the $50 million to the Medical School is part of the $70 million gift."

President Rhodes: "No, it is not. It's worth $50 million over a period of years. It's coming in to us at the rate of $3 million a year."

Professor Howard Evans, Veterinary Anatomy: "The President mentioned the biotechnology companies. I wondered if they are considering additions to the library per se."

Provost Barker: "There was a direct transmission of some funds to the library this first year. And, of course, like other research programs, there is indirect cost recovery which should
feed back into the library system. The state money, as you are probably aware, like other state money comes without indirect cost recovery, and I think the intent was to keep some of that fee paying for services, as it were, like the library. The State's attitude on that is something that we have to explore as we go along, so I don't wish to say that it is going to be that easy."

7. PRESENTATION ON COMMON LEARNING PROGRAM

Professor Urie Bronfenbrenner, Jacob Gould Schurman Professor of Human Development and Family Studies and Psychology: "Mr. President, Mr. Provost, Mr. Dean, Fellow Workers in the Vineyard: My colleagues and I appear before you today on behalf of 14 faculty who are members of the Commission on Common Learning. It is this Commission that has had primary responsibility for designing, directing, and evaluating the Common Learning experiment.

"This is our second interim report on an experiment still under way. Our first report was sent to all members of the Faculty a year ago. At that time, all that we could present to you was the plan for the experiment. The plan involved a statement of purpose, a set of criteria, an outline of proposed procedures, and a description of three courses that, in the judgment of the Commission, met the specified criteria, and have subsequently been approved by the Educational Policy Committees of the appropriate colleges or schools. Since that time, the three courses have been taught and evaluated, so that today we are in the happy position of being able to offer you not yet the proof of the pudding, but certainly a generous taste."
"We hope that you will like this first serving as much as those faculty and students who have had an opportunity to savor it thus far. As you no doubt recognize, there are some dangers in pursuing this metaphor much further. So let me simply say that one of our major purposes this afternoon is to report the gratifying results of the Commission's evaluation of the courses taught in the first wave of the experiment. As you shall hear, the undertaking turned out to be an exciting and rewarding intellectual adventure not only for the students in all three courses but also for the participating faculty, who frequently described the experience as one that had contributed significantly to their own intellectual development. But perhaps most gratifying was the fact that the characteristics singled out by both students and faculty as representing the most valuable aspects of all three courses were precisely those features that the Commission had designated as the primary goals of the experiment. All this you shall hear shortly in more concrete detail from Professor Daniel Sisler on behalf of a Subcommittee of our Commission that was charged with the responsibility of designing and carrying out an independent assessment of the three experimental courses taught last spring.

"I have mentioned the favorable outcome at the outset because it defines a second major aim of our presentation. Given the encouraging results of the first wave of the experiment, we cannot avoid the responsibility of seeing it through, at least into its next stage. It is in relation to this task that we much need, and therefore, once again, earnestly invite, your comments and suggestions."
"Before proceeding with these two main tasks, it would probably be useful to review briefly the origin and nature of the experiment. As many of you may recall, the idea grew out of a series of informal discussions about undergraduate education held in the various colleges two years ago at the initiation of President Rhodes. Out of these discussions, there emerged some consensus about the need to develop and experiment with new types of courses at the junior and senior level that would serve the common educational needs of upperclass students across the University. A modest grant in support of such an effort was obtained from the Mellon Foundation, and our Commission was given the task of defining the specific aims of a pilot experiment, developing a concrete plan for its execution, and carrying it out through the indispensable cooperation of interested faculty. The purpose and the plan were the burden of our first progress report to the Faculty. Inasmuch as a year has gone by since you received it, we have made available here copies of the core section of that report -- a statement of the Criteria for Common Learning Courses. The document also contains two additional pieces of relevant information:

1. A list of existing Common Learning courses and their instructors. The list includes the three courses given last spring (the ones for which the evaluation has been completed), and the four courses being taught in the present fall semester. The courses for next spring are currently in process of development.

2. A list of the faculty members constituting the Commission. Since I am speaking for them, I should at the very least mention their names and add two additional ones from the recent past.
Professor John Windmuller from the School of Industrial and Labor Relations served as a member of the Commission through last spring. A contribution of even longer standing was made by Vice Provost Palmer who helped to conceive the Common Learning idea and, until early last summer, served along with me as the Commission's co-chair. All of those who have been associated with the experiment, be it in action or in spirit, owe Larry a debt.

"I should now like to say a few words about the considerations that led us to select the particular criteria that you see listed. The Commission began by noting the rapid growth, over recent decades, of specialization in undergraduate education, particularly in the junior and senior years. It was our view that this trend, while necessary and desirable in itself, could create a situation which, if left unheeded, might place in jeopardy the achievement of a broader and equally essential goal of higher education; namely, as we formulated it, enabling students to acquire the capacity to analyze and integrate knowledge and ideas from diverse intellectual perspectives and realms of human experience.

"The achievement of this educational goal, we felt, had lifelong importance in at least three domains: first, in enriching the student's personal life; second, in motivating and enabling graduates to deal with the major issues confronting our nation and the world; and third -- a seeming paradox -- to enable our graduates to function effectively as professionals in their chosen areas of specialization. For one of the main points that had emerged from the earlier faculty discussions was the view that professionals in every field, once they completed their formal training, were increasingly faced with the necessity to deal with
problems that required the capacity to understand and integrate ideas and information beyond the sphere of their particular specialty. For example, today the challenges of genetic engineering transcend the realm of biology, since they raise social and moral issues that have deep roots in history, philosophy, and culture. The understanding of such linkages is important not only for professionals but also for thoughtful citizens.

"I mention this example to remind us of the fact that there already exist on our campus a number of courses that address linkages of this kind. It was the judgment of the Commission, however, that, given the educational challenge that institutions of higher learning face today, the number of such courses is all too few -- particularly those taught in classes of a size that permits the individual student actively to engage in disciplined intellectual exchange, both orally and in writing, with faculty members and fellow students from diverse intellectual backgrounds.

"This statement brings us to the core of the Common Learning concept and to the criteria that you have before you. Clearly, the goal of Common Learning is one that is shared by many of us and is reflected in a number of courses already being taught at Cornell. What distinguishes the Common Learning experiment, therefore, is the particular way in which the goal is being implemented. It is these distinctive features that are described in the criteria. I should now like to highlight several of these and relate them to the central aim of the experiment.

"1. As you will note from the list of courses, the topics selected are those that, by their very nature, require the analysis
and synthesis of knowledge and ideas from a variety of intellectual perspectives.

"2. Under the leadership of the principal instructor, a team of faculty members, representing diverse perspectives, participate in the planning of the course during the semester prior to the one in which the course is given. Each team is expected to devote at least five meetings to this task. The primary aim of such prior preparation is to provide an arena in which experts from different fields can, through the exchange of ideas with the course instructor and each other, help to fashion the content and organization of the course. A secondary aim is to avoid a situation in which each faculty member presents material only from his or her own field, thus leaving the task of integration entirely to the students.

"3. Final decisions regarding the content and organization of the course rest with the faculty member in charge. This stipulation reflects the belief of the Commission that the integration of the course, so critical in an effort of this kind, is best accomplished by vesting this responsibility in a single person.

"4. Each course is limited in size to twenty. The purpose of this limitation is to make it possible for students to engage in disciplined intellectual exchange, both oral and written, with faculty members and fellow students.

"5. Enrollment in Common Learning courses is limited to juniors and seniors from across the University. Two considerations led to this focus on upperclass students. First, such students are far enough along in work in their major field so that they can contribute to intellectual exchange from the perspective of their
discipline, one of the aims of the Common Learning experiment. Second, most Cornell courses reflecting a Common Learning goal are currently being taught at the freshman and sophomore level, with far fewer available to upperclass students, who enroll primarily in courses falling within their major or closely related fields.

"Having described what a Common Learning course was supposed to be, and, I am pleased to say, now is, let me make a few comments about what a Common Learning course is not.

"1. It is not a survey course in which an effort is made to cover a wide range of topics.

"2. It is not a seminar in which each participant is concerned primarily with his or her own area of interest.

"3. It is not a current events course preoccupied only with the here and now.

"4. It is not an open-ended group discussion in which both topics and train of thought are free to emerge from the ongoing process.

"It is an intellectual exercise in which, on the basis of outside readings and material presented in class, faculty and students engage in a disciplined exchange, both oral and written, about knowledge and ideas from diverse intellectual perspectives bearing on issues of significance for contemporary society.

"So much for substance. There are also two important matters of process: How are the courses selected, and how are the students selected?

"Common learning courses may, and have, come into being in one of two ways: The first -- and preferable -- way is through faculty initiative; a colleague has an idea and makes a proposal.
The Commission invites and encourages you to follow this example. Any member of the Commission would be happy to hear from you, but probably the most helpful person to talk with is our Faculty Coordinator, Professor Peter McClelland.

"The second way in which ideas for Common Learning courses originate is from the Commission itself, since one of our responsibilities is to consider additional topical areas in which Common Learning courses might be particularly appropriate, and then to seek our colleagues who might be sufficiently excited by the prospect to undertake teaching a course.

"But whichever way the idea for a Common Learning course arises, the Commission has a further responsibility, to which it has probably devoted the most of its time; namely, to assist the instructor in a variety of ways. For example: suggesting names of faculty members from other departments and colleges for consideration as members of the planning team; commenting on proposals, especially from the perspective of enhancing Common Learning goals; putting faculty with complementary interests in touch with each other, and so on.

"Finally, the Commission also bears the responsibility for deciding which courses will be included in the Common Learning experiment. Our decisions are constrained by two considerations: First, we mush weigh the extent to which the proposal meets the established criteria. Second, as I have already indicated, the experiment is a modest effort, so that we are not in a position to approve all of the proposals that are brought to our attention. Even those that are approved cannot become a reality until they have passed through the normal procedures established within the College or School in which they are taught. This process is
further complicated by the fact that a number of our courses are considered for listing in more than one College or Department.

"With respect to the selection of students, Common Learning courses are open to all juniors and seniors in the University. Our principal problem thus far is that all the courses have been heavily oversubscribed. In keeping with the goals of the experiment, the first criterion employed in selecting from among the applicants is that of maximizing academic diversity -- that is, choosing students from as many different schools and colleges as possible, and, within each college, from contrasting major fields. In this respect, we have not been as successful as we would like, and therefore would welcome your assistance in bringing Common Learning courses to the attention of your upperclass students. The criterion of diversity continues to apply where the number of applicants requires further selection. Thus, most of the instructors have found it useful to ask students to fill out a questionnaire about their interests and background. The instructor then makes the final selection on the basis of the students' special capacities or the vigor and cogency of their expressed concerns. For example, in my own course on Human Development in Post-Industrial Societies, when I had to choose from among too many majors from the two Colleges in which I serve, I gave preference to those students who had a reading knowledge of the language of one or more of the other modern societies we were examining. As a result, we were fortunate to have class members who could track down and consult references in French, German, Russian, but, alas, not Japanese; there, we had to rely on our distinguished colleague and team member, Bob Smith.
"Enough about what Common Learning courses were supposed to be. What happened when we tried to turn our plan into reality? For that story, I call upon my fellow Commission member Dan Sisler, who will describe the independent evaluation that was conducted by a subcommittee consisting of several of our colleagues."

Professor Daniel G. Sisler, Agricultural Economics: "Good Afternoon. There is much talk here about the start of the semester. I think I at least speak for the Dean of the Faculty and others who have now completed six lectures and eleven discussion sections. We're on our way. It's here.

"President Rhodes, Provost Barker, Dean Bugliari and Speaker Martin: The Common Learning experiment, as Urie outlined it, has been evaluated probably as no other set of courses have even been evaluated at Cornell. The three courses were taught by professors that are probably very well known to all of you: Vernon Briggs, in Industrial and Labor Relations, Will Provine in Science and History, and Urie Bronfenbrenner. So, we were confronted with the task of evaluating how well these three gentlemen reached through their courses the goals and objectives of Common Learning. And they were, as I'm sure Urie and Vern and Will will attest, evaluated to an unprecendented degree. How did we go about this? The week before classes started last spring, each of the three were interviewed. These interviews took approximately an hour and a half. We had some open-ended questions and asked such, I think, penetrating questions as how long did this take to get started, how much time was spent in meetings, what were some of the problems in starting up, what dilemmas occurred in the selection of students from those who tried to get into the classes which were all over
subscribed. And, that done, we ended the semester by visiting each of the classrooms and not participating, but listened to at least one, and in some cases two, of the discussions in each of the three classes. We provided students with two alternate techniques of evaluation. One was a questionnaire that had twenty-two objective questions with an opportunity to scale your answers in five different categories -- always or frequently -- that sort of response. These objective questions had the responses double columned. The student was asked to evaluate the Common Learning course and, simultaneously, to provide an evaluation of another seminar-sized course that he or she had taken and enjoyed. So, we had a pairing of responses for the Common Learning course and another course of similar size that they had taken. The students were also asked to write an essay. There were seven open-ended questions that they were asked to respond to -- broad questions, such as what will you take from this course that you did not take from other courses, questions that probed how well the professors integrated visitors, reading material, and synthesized varying points of view. And, finally, we asked each of the three faculty members if they would submit to yet another debriefing and they did, and I want to thank Davydd Greenwood, Harry Levin and Walter Lynn, who did the debriefing at the end of the program.

"What sort of responses did we get? We had 59 students enrolled in the three courses, and we had 57 useful responses to the objective-type questions, and a somewhat smaller number that were useful from a standpoint of essays. I would say that the faculty fared very, very well in terms of the evaluation. The
students, I would say without question felt that the faculty did a superb job of meeting the goals of Common Learning. The one thing that came through loud and clear that was not unexpected was that we had picked three fine topics for courses and three superb teachers. Now, you have before you a set of six or seven objectives or primary focuses for Common Learning, such things as the identification of a problem, the collection of evidence, adhering to canons of logic and reason, writing improvement. These were goals that we'd hoped to accomplish through the course.

"How well did we fare? I would say that the top two categories of response would indicate a superb performance on the part of the faculty. Eighty percent of the students designated the goals had been reached in the two top categories. All of the time or frequently throughout the semester the faculty pulled together the material in ways that suggested that the goals were being reached. In a comparison sense, to the courses that they identified as 'other' courses -- I will call them comparison courses -- the response was that about 66% of the students felt that they reached the goals most of the time or all the time. So, all of our faculty apparently are reaching common learning goals a good share of the time. But these courses were capable of reaching these goals about 80% of the time in the views of the students.

"I think that a very gratifying facet of the evaluation was how students rated the written requirements. They felt that the integration of course material, the improvement in their writing and, certainly, the response that they got in written form from the faculty, both before and after, were outstanding. I would say
significantly more favorable response here than in the comparison of courses. I think, also, that the students felt that the faculty did a very good job of selecting professors to provide a broader point of view, and they did a fair job of selecting readings.

"Were there any problem areas that students identified? There certainly were some. I think that they suggested that it would be great if they had more input to papers prior to the papers being written. In other words, they would have liked more response to outlines, more response to tips for organization -- things of that sort. They felt this needed to be beefed up. And this creates a dilemma because a faculty member confronted with three or four pretty hefty reading assignments in the course of a term has to not only give response before these papers are written but afterwards as well. And if you wish to make the Common Learning experience available to a larger number of faculty and simultaneously upgrade response on writing, particularly before the writing is done, then you have a real dilemma, and it's one that I think we will struggle with when we consider how large the classes should be since the students were unanimous that 20 was as large as the course could be and still have the proper level of interaction.

"The students felt that the interaction between faculty members was superb, but they felt that the lead professor could do a better job of keying the visiting faculty in. Some work they felt had to be done in advance so that when the visitor comes in, and it's not really a visitor it's a co-teacher, that that individual really and truly knows what has preceded and what is following and how his or her material fits in. I think that was
a criticism that we did not expect in view of the way that the course was organized. By and large, the other comments were quite favorable, and I would be very pleased, as all of you would, to have the evaluations that the professors received. On the essay assessment, we got excellent responses in many, many areas, and I think that the most gratifying to me was that the students really felt in almost all instances that they took something special away from their course in terms of interacting with their cohorts and interacting with a group of vital dynamic professors. There wasn't any question about how they felt concerning whether this experiment had reached the Common Learning objectives of integrating views, opinions, evidence, logic from a number of different disciplines. They felt very, very strongly about it and expressed it eloquently and certainly in glowing terms for all three courses. So, that was excellent. In talking with the professors and getting their responses, they all agreed that it is a whale of a job to get one of these courses off the ground. There were usually four or five meetings with the team, and there typically were five members of the team. There were 14 professors involved in these three courses. I think that all of them felt that the time was well spent because they took something quite unique away from the start-up experience. I remember very vividly debriefing one of the three, and he said, 'Look, I would have given this a very narrow focus, and I would have overemphasized something that really and truly when I thought about it with the whole team was a small part of the integration that we were hoping to accomplish. I then went back to the drawing board and completely
restructured the course on the basis of the first two meetings with my team. And that sort of experience and the broadening of familiarity of literature were just marvelous to hear in the responses from all three professors. So, I think everyone carried away a good feeling about what they got out of the experience and what they received in return for a lot of time spent. I think that all three professors very much enjoyed the interaction. There was good comradery, excellent exchange, and they all appreciated this very much. I think that all of them pinpointed the problem of improving the interaction of students from a variety of disciplines. If you registered for this course as a student from Industrial and Labor Relations, probably 17 of the other students were from Industrial and Labor Relations. The question is, how can you select the students and also cut across a lot of different disciplines so that the students bring backgrounds in agriculture, engineering, arts into an industrial and labor relations course or, in Urie's case, into one in human ecology, or in Will's case, in the sciences or history. We have to work on that, and also there is a great deal of difficulty associated with the dilemma of which students will we have to cut out. This is always tough for any professor, and it's particularly so here because you're starting with a group of very talented students, usually seniors, who want to take this course. They know about it and they've thought about it and there you are looking at 40 people who want to take it and you have to select 20 lucky ones and then, one of them you find was a shopper, and you have to go back and fill that particular slot with somebody who you had told a week ago, 'No, I'm sorry we have no more slots.' That's a
problem, and I think we are addressing it. Peter McClelland has been superb in addressing this issue. Overall, my evaluation of the responses that we received from students and faculty indicate that this experiment was absolutely first rate in reaching what I consider the superior goals of Common Learning. Thank you."

Professor Bronfenbrenner: "We invite your questions and comments."

Professor Donald F. Sola, Modern Languages and Linguistics: "What was the budget, and what did it get spent on? And another question, if I understand the process here, courses are proposed, approved and then included in the announcements of regular courses. These are new courses taught by groups of people, so we seem to be going against the principle the President mentioned a few moments ago of changing by substitution. Now, will this process go on indefinitely with continued introduction of new courses of this type or will courses be dropped by some criterion as we go along?"

Professor Peter McClelland, Economics: "Your first question was, 'what was the grant?' and the answer is $90,000, which will be spent at the end of the experiment, which is July 1 of the upcoming year. Regarding 'spent on what', I wonder if I could explain that to you later, unless many others want to know also, because that would take whatever few minutes we have, and as fascinated as I am by the numbers, I have a feeling they are rather low down in other people's priorities."

"As to your second question, we have subsidized both the activity of the teacher, because special needs arise with putting
these courses into place, and there have been administrative overlays as well. In my own case, frankly, they need a faculty coordinator, which is about a half-time assignment, and that, frankly, is an unfair but fascinating trade. I thought it would be about a fair swap for one course off. It turns out to be an unfair swap, but I'd make it again.

"Your next question was, 'what about these courses?' Just a couple of points which may or may not provide an answer. My own vision -- one man -- you don't speak for a commission of 14 distinguished people unless you're more venturesome than I am, but my vision is the following. These are upper level undergraduate courses, 300 and 400 level. It will always remain a small package of a larger package. That package was 948 courses last year. If you asked about those 948, you'd find a popular misconception that while Common Learning involves only 20 students, the rest are larger and thus you get the more strain on these bigger courses. But what in fact was the average size of these 948 upperclass courses? I asked the Registrar, and the answer came back the arithmetic mean is 27, and the median is 14. So, we are numerically about the average size for upper level courses. I just talked with Vernon Briggs in the I&LR School a few days ago and his vision is as follows: 'I will give the Common Learning course again as a Common Learning course from time to time but I can't do it when it imperils the big bread and butter courses. I can't do it this coming spring since I'm on leave this fall and I've got to do bread and butter courses. But next year, 85-86, I will trade back. What will I trade? Instead of giving a more specialized I&LR upper
level course which happens to be my special interest and one of those fringe intellectual courses which the professor is especially interested in but is less than a bread and butter course, I will give this Common Learning course'."

Associate Professor Richard S. Booth, City and Regional Planning: "What was the normal format? Did they run as a seminar once a week or did they run several times a week?"

Professor McClelland: "Yet another numerical question, and the answer is, it depends. You can't say to 12 faculty people, 'come on, give us a hand, take on a tough job and by the way, you've got to give us 3 times a week for 50 minutes.' We say to them, precisely because they are skilled at what they're doing, 'you figure out how you want to do it.' So, for example, Will Provine's course met as an upper level honors seminar once a week, and I think it ran for 2-1/2 hours or more, and, frankly, it was often 'or more' because discussions got so vigorous. If I could reveal to the faculty, Carl Sagan, who was not a member of Will Provine's team started to drop in and got so interested, he kept dropping by as did a number of other faculty members and that kept it going, I'm told, well through pizza on some evenings.

"Other courses were given twice a week, usually in the standard time of an hour and fifteen minutes. Again, flexibility in Vernon Briggs' case was built in so that he could run an extra length if he had a guest speaker brought in to deal with a topic. But again, if the question is, what is the format, how long, how many times, the answer is, the professor and the team worked that out and the commission was not a party to that decision."
Professor Booth: "My question is how hard is it for students to fit this into their schedule which is built around standard blocks of time?"

Professor McClelland: "And a good question that is. And again, remember the kind of savvy you're dealing with with senior professors. That was the first thought of, say, Vernon Briggs or Will Provine, 'if I'm going to do it this way, that is, say, in one chunk of a big block of time, I don't want to get in the way of other courses, so I will give it toward the middle of Wednesday afternoon.' They did think through these problems."

The Speaker said time remained for one question because there is a mandatory 6:00 p.m. adjournment time.

A question was asked as to how the courses were approved; was the regular procedure followed?

Professor McClelland: "Let me emphasize how regular that procedure is. After the Commission chooses, it is the instructor's responsibility to get approval by the regular process through the school or college with which he or she is associated -- the normal EPC approval process."

Professor Bronfenbrenner: "We are dealing here with the nuts and bolts -- they're vital. I wouldn't want to close on this topic without conveying to you that this was an exciting adventure for students. They said to us, 'This is what a university is supposed to be -- a place where you learn how to think.' That was our objective. That's why we felt it was an adventure, an experiment that now deserves your careful attention and, we hope very much, your participation."
The Speaker announced that if there were other questions, they would be entertained after the meeting, which was adjourned at 6:00 p.m.

Respectfully submitted,

Joseph B. Bugliari
Dean of the Faculty
Secretary pro tem
The Speaker, Russell D. Martin, called the meeting to order at 4:34 p.m. He called on Dean of the Faculty, Joseph B. Bugliari, for remarks.

Dean Bugliari: "I really don't have a lot of remarks to make. The Faculty Handbook is now to the point where we're doing the index and, hopefully, will come out next month.

"Before we get into the discussion of the report issued by the Committee that reviewed the Appeals Procedures, I want to say some very special thanks to the people who served on the Committee. Ken Greisen told me that all I had to do when I came into office was to get a committee to review the legislation because the three-year trial period was up, and it was time to do it. So one of the first things I did was to call some people I thought would be good people, and it turned out they were not only good, they were absolutely super. I told them, in fact, that their job would be over in December. I was fortunate enough not to have indicated which December -- in the same way that I promised the President that we would have the Faculty Handbook out by the end of the year, but I didn't tell him which year. Nevertheless, the Committee spent a lot of time on this and gave the procedure a lot of consideration; and you now have the report which indicates how much the Committee went into the problem.

"I really want to thank all the people who were on the Committee, and particularly Ken Strike, who, as Chairman, really deserves a good round of applause from this body for what he did."

The Speaker then called on Professor Kenneth Strike, Chairman of the ad hoc Committee to Review Appeals Procedures.

Professor Kenneth Strike, Education: "Please allow me to make some quick introductory remarks and then simply let you ask what questions you wish to ask.
"General appraisal of the Stein Procedures - I'm going to refer to the original set as the Stein procedures since Peter Stein was chair of the committee that produced them. We think that on the whole they worked quite well; they have produced, I think, justice in the cases that have been heard. They have not consumed inordinate amounts of time, and it seems to me that the philosophy underlying those documents is sensible. In my opinion, we have not done anything which disturbs the basic underlying philosophy of the original documents. We have not made anything that I would consider a major or structural revision.

"Second, where did the problem list we worked on come from? Basically, the kinds of problems that we examined were problems that were suggested by people who had had some experience working with the procedures. Most of the problems came from individuals who were on various appeals committees. We wrote to a goodly number of people who had had some contact or some responsibility for the appeals procedures and asked them to give us their responses and we used this data to generate a problem list. I note that simply to suggest that the problems that we dealt with by and large are problems that real people working on real appeals really had, rather than the difficulties that one might have had in some abstract way. There are a few 'might-have-hads' and abstractions here, too. The experience was not that overwhelming, but characteristically the problems we worked on resulted from the experiences or concerns of those who actually had to interpret and work with the documents.

"The third observation is on community acceptance. Various drafts of this have been shipped to a goodly list of relevant and concerned people around the campus which includes, I think, college deans, representatives of various groups of faculty members - I think the sorts of people you would wish to have them sent to.
"We have also spent a fair amount of time in discussion of the procedures with Mr. Relihan, the University Counsel, and with Provost Kennedy. I think I can say with reasonable confidence that we haven't gotten any howls of outrage about anything we have done from any particular corner of the community, and I believe the administration finds that what we are proposing to you now to be acceptable, so I think there is some reason to believe there is a decent amount of community consensus on what we are proposing.

"Having said that, I think I will simply move the resolution."

RESOLVED, that the FCR endorses the procedures as revised for appeal of a negative tenure decision, for appeal of negative recommendations on promotion to full professor, renewal of a term appointment as assistant professor, and whether to conduct a tenure review, presented by the ad hoc Committee to Review the Promotions and Appeals Procedures; and

BE IT FURTHER RESOLVED, that the FCR urges the President of Cornell University likewise to endorse these procedures and to recommend them to the Board of Trustees for approval, in time for the procedures to be in operation in the spring term of 1985.

Speaker Martin announced that the resolution was on the floor and that it was now open for discussion.

Associate Professor David Young, Bailey Hortorum: "There's a little bit of concern over one word. In Section III.B.1 in the three documents not including Procedures for Appealing the Decision Not to Conduct a Tenure Review; that is, Appeal at the College Level, Reconsideration by the Dean -- that perhaps the word 'preliminary' isn't needed there and should be deleted."

Professor Strike: "Let me suggest that for the most part you work from the document entitled Procedures for Appealing a Negative Tenure Decision. This is, in a sense, the parent document, and we basically revised this one and simply incorporated the other documents."

Speaker Martin: "You wish to move to strike the word 'preliminary'. Is there a second to the amendment to strike page 4 of the parent document, line 1, the word 'preliminary'?"

The amendment was seconded, and Speaker Martin announced that the floor was open for debate on the amendment.
Dean Bugliari: "I guess I'd like to know what the problem is with 'preliminary' since that has been in there all the time?"

Professor Young: "Some people feel that it's a bit vague or could be ambiguous, that it doesn't change the context here by simply saying 'a written statement' -- whether it's preliminary or not preliminary, it may be a final statement."

Professor Robert Young, Associate Dean, College of Agriculture and Life Sciences: "I'd like to speak to the request from the point of view of the Administration. There has been a difference of interpretation of the word 'preliminary', which I think is not intended in the document, and we would support the removal of that word just to remove the ambiguity. In other words, this would clearly state that the dean would provide a written statement of the reasons and the reasoning behind them for the grievant, and not just a brief statement of the reasons. We don't think that's the intent of the legislation."

Professor Peter C. Stein, Physics: "I just thought it might be useful to recall why that word 'preliminary' was put in there in the first place. My memory is that if you didn't have that word 'preliminary' the implication was that the statement of the dean would be written in stone, and that the notion of giving this statement of reasoning is that so we might reconsider a response to that. That is why the word 'preliminary' is in there."

Speaker Martin: "Is there further disucssion on the amendment to eliminate the word 'preliminary'?"

The amendment was voted on and Speaker Martin announced that it was defeated unless there was further debate.

Dean Bugliari: "It seems to me, though, we ought to understand what Bob Young said back there, the concept that the dean's statement would not be something that was brief. That should be put on the record even if you leave
'preliminary' in there, unless Peter tells me that something else was meant. This is not meant to be something that is brief but in effect it is 'preliminary', but only in the sense that it is the first copy, not necessarily the final copy. It should in fact contain as much detail as the final one would.

Professor Strike: "If there is a continued concern about that it ought to be reflected in the text, I would suggest that the phrase 'full and' might be inserted in front of the word 'preliminary'."

Dean Bugliari: "If we have it on the record, then we know what 'preliminary' means and what it doesn't mean. It seems to me that we've now got it on the record that that word does not diminish the content of the report."

The amendment was re-voted and defeated, and Speaker Martin declared the floor open for debate.

Assistant Professor Timothy Murray, English: "I would like to call your attention to paragraph II.A.1 of the parent document, page 2. This is the paragraph which reads, 'Within one week after being notified that the departmental decision is negative, the candidate may request a written statement of the reasons for the decision and the nature of the evidence.' I was wondering if it would be possible to make that sort of written statement of reasons for the decision and the nature of the evidence a prerequisite and to place the burden on the chairman and not on the appellant. Because what I am concerned about is the fact that this could put the appellant in an automatic adversarial position vis-a-vis his or her own chairman. The amendment would read:"

Within three weeks after being notified that the departmental decision is negative, the chair shall provide the candidate with a written statement of the reasons for the decision and the nature of the evidence. The statement shall respect the limits set by the need to preserve confidentiality.

The amendment was seconded and the floor was pronounced open for discussion.
Professor Murray: "I would simply like to call attention to paragraph I.D which suggests that waiver of any stage of the appeals constitutes a waiver of further appeal rights. It is entirely probable that a candidate may or may not request written documentation within one week upon receiving notice from the chair and find that this decision would constitute a waiver. The other reason for the amendment is to avoid putting the candidate in a necessarily adversarial position."

Professor W. Donald Cooke, Chemistry: "I understand the question of the adversarial position, and I think it is a difficult one. But on the other hand I can imagine unsuccessful tenure candidates who would not want a formal record to go in their files as to why they were not promoted. I think they would rather not have it, and I hate to see it forced on them if they don't want it."

Professor Murray: "Can I ask for clarification of the current legislation? Is it correct that the candidate simply does not exercise this right to request the letter? This could constitute a waiver for the procedures?"

Professor Strike: "That's a two-part question. My understanding of it is that the answer to both parts is yes. The candidate is not required to request a statement of reasons and if a candidate does not do so within one week, that would constitute a waiver. Peter, is that consistent with your understanding?"

Professor Stein: "That was my understanding. I just thought that both Mr. Murray's and Mr. Cooke's objections could be put together by saying the candidate will receive unless he or she specifically declines to receive it or some such words."

Speaker Martin: "Professor Stein, do you wish to offer an amendment to the amendment that is on the floor?"
Professor Stein: "I would like to offer an amendment, but I can't think of the right words to say."

Speaker Martin: "Would it be simpler to have the mover withdraw this amendment and offer another one?"

Professor Murray: "The mover withdraws the amendment."

Speaker Martin: "If there are no objections, we will allow the mover to withdraw the amendment."

As there were no objections, the amendment was withdrawn.

Speaker Martin: "Do you wish to offer a new amendment?"

Professor Stein: "My amendment will be that the first sentence be struck and that it instead read:"

Within three weeks the candidate will receive a written statement of the reasons of the decision and the nature of the evidence, unless the candidate specifically indicates the desire not to receive it.

The amendment was seconded and placed on the floor.

Professor Raphael Littauer, Physics: "It seems to me the main thing this is trying to address is already covered in the next paragraph, labeled 2 on page 3. Regardless of what happens under paragraph 1, the candidate can express a wish to have the departmental decision reconsidered. I am somewhat uncomfortable with the explicit phrasing in the negative that was meant to address that, simply that I find it a little hard to put a candidate in a position of having to say: 'Well, I understand what you're saying, but please don't write it down.' I would prefer to leave the original wording."

Dean Bugliari: "I have one other problem with the amendment, and that is, if you are the department chair do you sit there for three weeks and see what the candidate says, or do you immediately start writing a letter and then throw it away? It seems to me that there is a problem because if the person comes in on the last day, then presumably you will have too short a time to do
it. So, something has got to be done if we are going to go that way to provide one week or three weeks or something to make it work."

Associate Professor Sally McConnell-Ginet, Modern Languages and Linguistics: "In number 2 here it says that 'he or she shall respond to the chair in writing within three weeks of receipt of the chair's statement of reasons.' That presupposes that the chair has given a statement of reasons and it seems important to make sure that that happens."

Professor Murray: "I just wanted to perhaps suggest that we could easily add to the amendment to take care of the Dean's comment that the candidate could have that right to waive the letter within one week. The department chair would provide the statement within three weeks, in effect using the same time frame."

Dean Bugliari: "Okay."

Professor Murray: "One other thing I would like to point out: from my reading of the documents it isn't clear that paragraph II.A.2 supersedes paragraph II.A.1 because in paragraph I.D it says, 'Waiver of any stage of the appeals procedure shall cause the candidate's right to proceed further...' So, I think it is important that the candidate not be put in that position of having to request an explanation or waive any right to proceed further."

Speaker Martin: "Professor Stein, are you incorporating this into your amendment?"

Professor Strike: "If I recall the wording that you attempted, Peter, the time of the candidate's receiving the letter was extended in time from one to three weeks. Is that correct? I think in this context that's reasonable, but I think it's also important to bear in mind that once upon a time this year I went through an exercise where I added up all of the time it takes to execute this document and the sum total of those times comes precariously close to an academic year. There is thus some hidden cost there which I trust now is not hidden, if we add to any of them, and I would be much appreciative if you would shorten the time."
It was then brought to the Speaker's attention that Professor Stein is not an FCR member and could not make a motion.

Professor Murray: "I will offer the amendment:"

Within three weeks after being notified that the departmental decision is negative, the candidate will receive a written statement of the reasons for the decision and the nature of the evidence unless the candidate waives his or her right to receive the statement within one week of said notice.

Speaker Martin asked if there was further debate on the amendment.

Professor Wesley Gunkel, Agricultural Engineering: "I would speak against the amendment. If we look on the top of page three, it says, 'If the candidate wishes to have the departmental decision reconsidered, he or she shall respond to the chair in writing within three weeks of receipt of the chair's statement of reasons.' In other words, he or she has to ask for a reconsideration, so this sort of negates for me the original request for a reason for the reconsideration because he has to go or she has to go all the way to do this. It seems like it's a lot of extra work on the part of the department and the candidate if he or she wishes to go that route."

Professor Robert M. Cotts, Physics: "We had a brief conversation and there's some concern about using the word, 'waives' given the other appearances of 'waiver' in the above paragraph D. I wondered if some other word could be selected."

Dean Bugliari: "I think we understand what the sentiment is for the provision, and that if in fact it passes, we will ask our good chairman to clean up the language. We also have to change one word in the second sentence - 'requested' - it would probably be the wrong word. But we can straighten that out once we get the consensus of where we're going."

The amendment was re-read, voted on and carried, after which Speaker Martin asked if there was further debate on the resolution.

Professor Royal Colle, Communication Arts: "On page 5, item 4, I wonder if anybody shares my confusion as to the meaning of the sentence that begins,
"This provision...'. I'm afraid I've studied it for a number of moments, and I don't know what it says."

Professor Strike: "I can tell you the problem that led to the response, and I hope that will also explain why it's there. The argument is as follows. There are two kinds of ways in which a person might be unfairly treated. First of all, you may consider irrelevant factors; that is, you may consider the person's hair color. The second is that you may consider a relevant factor - teaching, let's say - in an irrelevant way. Let us suppose we might agree, for example, that there is a certain right of academic freedom in discussing what a professor has in the content of one's course, in what one is teaching. Our curriculum instruction has this certain protection of academic freedom for that, and the person is responding to what is being taught. The teaching - that's a relevant consideration but is responding to a normally relevant consideration in a way which is irrelevant or inappropriate. So, it's the use of something which would normally be relevant in an irrelevant or improper fashion. Does that help?"

Professor Colle: "It helps, but it doesn't solve the problem. If it's perfectly clear to everybody else, I won't belabor the point."

Speaker Martin: "The reference is to page 5, the underlined portion beginning with 'This provision shall be understood...' Is there other confusion on this?"

A request was made for an example, which was given by Professor Mary Beth Norton, History: "What the Committee had in mind when we added this language was where a factor that would be considered to be relevant in the normal course of events is considered in an improper fashion. For example, say you had a history department that hates the Marxist approach to history and you have a Marxist member coming up for tenure. That person's books had received wonderful reviews; everybody in the country thinks that person is a
wonderful historian, but the department is antagonistic to anybody who thinks there is anything in a Marxist analysis. That's what we mean by improper consideration of factors that, properly considered, would be material."

Professor Stein: "I, too, was similarly confused. I don't quite understand exactly because it seems to me that the example is covered without the added material. If the problem is that an historian is being denied tenure because he or she is a Marxist that certainly includes factors that are normally unrelated to a proper review, that's a political consideration, and so I would have thought that adding some political judgment to a tenure decision would be included under Section IV."

Professor Strike: "Let me run through the kind of response to that that got aired in the Committee. It seems to me that in essence what you're saying is that the idea of an irrelevant or improper factor includes the kind of thing which would be covered by the addition. I think the kind of argument that has been brought to bear says: well, some people read it that way; that's how some people understand it and some people don't understand it that way. In fact, we had several people on committees who said, 'Gee, how about the improper consideration of a normally relevant factor?' Now, a lawyer may in fact read it in the way in which you read it. What we're responding to is that there seem to be people who read this who were confused, who find it problematic and wish something to be done about it because they thought they could provide those kinds of examples, and they seemed to read this in a way which did not cover them. At worst, given your argument, it's redundant, so it does no harm to include it; at best, it clears up some confusion that somebody might have and includes some things that I think we would want included."

David Drinkwater, Dean of Students: "It seems to me that the problem is that the word 'include' is used rather loosely, but in fact something is here included which isn't included in the original sets of Section IV, and that difficulty could be obviated if you're looking for clarity by simply re-phrasing the additional section to read something like this: At the end of 'collegial responsibilities of his or her position' add:

or were factors which if properly considered, would be material and relevant, but were improperly and unprofessionally raised and were so serious that the appeals committee believes that they affected the outcome of the tenure review.

In other words, you've separated the two things and brought them together."

Professor Strike asked to have Dean Drinkwater re-read his suggestion, which he did. Next, the amendment was moved and seconded, and the Speaker asked if there was debate on the amendment.

Professor Colle: "It seems to me that there is not an issue here as much as a matter of wording. I think we could spend a lot of time being troubled over the exact wording. I would recommend that the Committee be asked to simply examine that part and try to clarify it without suggesting exactly what the words should be."

Professor Strike: "I guess I would like to express an anxiety about that. This thing, I think, went through 87.2 rewordings. I would also suggest that the final one is the product of the University Counsel's office, and given relatively protracted discussions over these sorts of things, I am a little antsy about touching something that we have negotiated and gotten approval for. That is a procedural reference subject to observation."

Dean Bugliari: "On the other hand, I don't think David's proposed amendment essentially changes it. In fact, the last sentence sort of hangs there by itself."
Professor Strike: "As far as I can see, Dean Drinkwater's amendment essentially assumes that. I think our putting in the words 'provision shall be understood' was designed to recognize that essentially either Professor Stein's view is correct or a view which holds that irrelevant factors do not include the things covered under 2, and to leave that ambiguous but to say in effect, 'if you think they are not included, well, they really are.' As far as I can see, the difference in Dean Drinkwater's suggestion is to assume that they are not in fact approved, but that doesn't seem to change the result."

Speaker Martin was asked to read the proposed amendment: "This is the middle of page 5, Section IV following the words 'his or her position' there would be a comma; strike the next two lines; insert prior to the word 'if', these words: 'or were factors which properly considered would be material and relevant, but were improperly and unprofessionally raised.' Strike the words 'the violations', following 'raised' would be 'and' and 'were so serious that the appeals committee believes that they affected the outcome of the tenure review.' remains."

Professor Stein: "I hate to be pickier than Cornell's Counsel, but let me tell you about what disturbs me a little bit about the wording that's added. There are two new words added in both the original wording and the wording in David Drinkwater's version, 'improper' and 'unprofessional' which are not in the original statement. I might wonder what's meant by 'improper' and 'unprofessional'. Is it clear that that refers specifically to consideration of unrelated factors? I just wondered if there would be any confusion as to what the interpretation of those two new words mean."

Professor Strike: "Let me give you my off-the-cuff response to that. These are not my words, but I don't think it bothers me. I think in part you have other words that are potentially as problematic, such as 'factors
unrelated to the performance of.' Now, that's a matter which could be given considerable dispute. That is, what is it that makes a factor unrelated to the performance of one's duty? I think, also, that 'improper' and 'unprofessional' are defined in part by being juxtaposed to the phrase 'material and relevant', which, I think, gives some additional sense. It does seem to me that we are in fact dealing with the kind of thing that is characteristically raised in legal discussions by discussing whether or not that particular factor is a relevant grounds for making a decision."

Professor McConnell-Ginet offered an amendment to the amendment on the floor. "I think that in stating the amendment you came out with something that turns out wrong grammatically, and you could accomplish what you are accomplishing by replacing 'this provision shall be understood to include' by the words 'or by' and then just leave everything else as it is." She indicated she could not move the amendment since she is not an FCR member. Professor Littauer so moved the amendment.

An unidentified speaker: "I would like to speak against the amendment to the amendment. The whole problem is that last sentence, and I think it's a typographical error of which a semicolon should have been placed after relevant, and then the whole thing holds together and reads correctly."

Speaker Martin: "So, you are speaking against the amendment to the amendment. Is there further debate?"

Professor Michael Todd, Operations Research and Industrial Engineering: "I think the amendment to the fact makes the last sentence a lot clearer than it was before. The 'violations were so serious' is now in parallel with a single sentence that says the evaluation was substantially influenced. The violations refer to all of the things in the now single sentence - both of those two factors, the improper consideration and the proper consideration of improper things."
Professor Strike: "Let me point out that the sentence beginning with 'The violations' is intended to refer to the entire set of things under IV. Moreover, that is a phrase which occurs again in the document."

Professor Littauer repeated the amendment to the amendment which reads:

The evaluation of the appellant was substantially influenced by consideration of factors unrelated to the performance of the appellant in carrying out the professional and collegial responsibilities of his or her position, or by improper and unprofessional consideration of factors which, if properly considered, would be material and relevant.

The specific amendment to the amendment is to substitute "or by" for "This provision shall be understood to include the".

The amendment to the amendment was voted on and carried, and the Speaker declared the floor open for discussion on the amendment as amended.

Professor Littauer read the amendment as amended: "In paragraph 4 of page 5, line 4 of that paragraph. Replace the period by a comma; strike the remainder of the line and substitute the words 'or by'.'"

Speaker Martin: "Is there any further discussion?" There was none, so the amendment was voted on and carried. "The amendment as amended is carried and becomes a part of the resolution. The resolution as amended is now on the floor for further debate."

Professor Ronald Breiger, Sociology: "My concern is with footnote seven on page 9 concerning informal settlement of complaints." [Secretary's note: "Due to circumstances beyond our control" is the way the audio and visual media explain away technological mess-ups. Professor Breiger's remarks, and the discussion that followed, are lost to posterity because, quite simply, the audio tape ran out and had to be changed. The Secretary regrets the loss, and would welcome a sense of the discussion from those who participated in it, as an amendment.]
Speaker Martin: "Is there any further discussion on the amendment?"
The amendment was voted on and carried and will be inserted in the original
document. Speaker Martin asked if there was further debate on the resolution as
amended.

Professor Cooke: "I'd like to go back to what we were discussing on
page 5 for clarification. I think I know the answer, but perhaps not. The
case that Professor Norton spoke of - the person who published a great deal,
had rave reviews and obviously for a case of being Marxist, I understand -
that's clear-cut, but let's get a little touchier, and let's refer to the
Chemistry Department. Suppose we had a chemist who published a great deal,
wrote books and had rave reviews, but the faculty in its wisdom felt that
that field was not going very far. Now, would that be an improper consideration?"

Professor Strike: "I think there's really a pretty quick answer to that;
the answer is no, it would not be and that's spelled out quite clearly other
places in the document."

Since there was no further discussion on the resolution as amended, it
was voted on and carried. (Appendices A-D, attached)

Dean Bugliari: "First, let me again thank the Committee. Let me say
that now that you've passed this, it looks like, unless something comes along,
that we won't have a meeting in November. I would also call your attention to
(the packet of material that went out to you) the note from Dean Drinkwater and
the so-called Gray Sheet which has in it a list of counseling and advising
services that are available - very useful for you if you are talking to
students and want to find some information. Please also notice the memo on
the blood pressure clinic; I find that very handy myself."
Professor Cotts: "I'm sorry, but I have another question on the resolution that I really didn't consider to be a part of it. There's a note on the section on Procedures for Appealing a Decision Not to Conduct a Tenure Review, and I don't understand the note. Is the note part of the resolution?"

Professor Strike: "I believe it is part of the resolution. The relevant question is whether or not it was inserted in the Academic Appointment Manual."

Dean Bugliari: "That was passed before; it was part of the original procedures. What it means is that the department just can't say we're not going to give you a tenure review when you've got a right to one."

Speaker Martin then asked if there was anything further to come before the FCR. Since there was not, the meeting was adjourned at 5:25 p.m.

Respectfully submitted,
Francine A. Herman, Secretary
PROCEDURES FOR APPEALING A DECISION NOT TO RENEW A NON-TENURE APPOINTMENT

I. Rights of Faculty Members Who Are Denied Reappointment

A. Right to Appeal

Any faculty member\(^1\) in an initial probationary tenure status appointment who is not reappointed and who would not in the normal course of events be reviewed for tenure at this stage of his or her career may appeal that decision at the departmental, college, and University levels. The candidate shall be informed of this right, the procedures for exercising it, and the University guidelines and regulations concerning reappointment when he or she is first notified of the decision not to reappoint.

B. Extension of Appointments\(^2\)

For the purpose of determining the start of the terminal appointment of a faculty member who is not reappointed, the date of notification shall be considered to be the first date of notification of the decision not to reappoint, and shall be unaffected by subsequent appeals. However, if appeal within the University is in progress at the end of the terminal appointment, the appointment shall be extended until the appeal is complete.

C. Role of the Ombudsman

Faculty members shall retain full access to the office of the Ombudsman prior to and in the course of the appeals process.

D. Waiver or Loss of Appeal Rights

The faculty member may waive the right to written explanations from the department chair and the dean, or may decline to pursue the appeals procedure at any stage. However, the appeal procedures herein described must be followed sequentially. Waiver of any stage of the appeals procedure shall cause the faculty member's right to proceed further to be forfeited. Thus, failure to request reconsideration of a negative departmental decision (see Section II), or failure to respond to a negative proposed decision at the college level (see Section III), will constitute waiver of further appeal rights.

\(^1\)Throughout this document, unless otherwise stated, the word "faculty member" shall mean a non-tenured faculty member in an initial probationary tenure status appointment who has been denied a reappointment.

\(^2\)Should any party involved in an appeal find that he or she is unable to comply with one or more of the deadlines specified in this document, that party may, prior to the lapsing of the deadline, apply to the Dean of the Faculty for an extension. If the Dean finds the reasons given for an extension sufficient to justify it, the extension shall be granted and all involved parties notified. All extensions shall be for a specified period of time. In cases where an extension is granted at the request of the appellant, the appellant's appointment shall not be extended under I.B. beyond the duration of the normal term of an appeal without the consent of the Provost.
II. Appeal at the Departmental Level

A. Reconsideration by the Department

Any faculty member has a right to receive a timely reconsideration of a departmental decision not to reappoint before that decision is forwarded to the dean.

1. Within one week after being notified of that decision, the faculty member may request a written statement of the reasons for the decision and the nature of the evidence. If such a statement is requested, it shall be provided to the faculty member by the chair within three weeks of the departmental decision. The statement shall respect the limits set by the need to preserve confidentiality.

2. If the faculty member wishes to have the departmental decision reconsidered, he or she shall respond to the chair in writing within three weeks of receipt of the chair's statement of reasons. The faculty member may address any issue that he or she deems appropriate, and may present new evidence.

3. The eligible voting faculty shall consider the chair's statement and the faculty member's response, and a second vote shall be taken. The final departmental decision and the reasons for it shall be provided in writing to the faculty member within three weeks of receipt of the faculty member's response.

III. Appeal at the College Level

A. Review by a Dean's Committee

If the department's final decision is negative, the dean shall, at the request of the faculty member, appoint a committee of tenured faculty members to review that decision, if the dean has not already done so on his or her own initiative. The candidate shall make his or her request for appointment of the committee within one week of notification of the department's final negative decision, and the dean shall appoint the committee within three weeks of the candidate's request.

B. Decision by the Dean

Within three weeks of the receipt of the report of the dean's committee, the dean shall furnish the faculty member with a preliminary written statement of his or her decision, the reasons for it, and the nature of the evidence within the limits set by the need to preserve confidentiality. For a two-week period following receipt of the statement, the faculty member shall have the opportunity to respond to the dean, prior to the dean's final decision. The decision of the dean shall be furnished the candidate in writing.

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3 In schools and colleges that do not have a departmental structure, "department" shall refer to whatever faculty group makes the decision not to reappoint.
IV. Appeal at the University Level

For a two-week period following receipt of the dean's final negative decision, the faculty member may appeal that decision to the Provost. The decision of the Provost, and the reasons for it, shall be given in writing to the dean, the department, and the faculty member. The decision of the Provost shall not be subject to further appeal within the University.

NOTE

This draft assumes that a statement will be inserted into the Academic Appointments Manual stating that the decision not to review a faculty member for tenure at the end of the ordinary probationary period shall not be based on a judgment of his or her merits.

I. Rights of Faculty Members Who Are Not Reviewed for Tenure

A. Right to Appeal

Any faculty member in probationary tenure status who is at the appropriate point in his or her career to be reviewed for tenure, and who is neither reappointed nor reviewed for tenure may appeal that decision at either the departmental or the college level, and at the University level. The candidate shall be informed of this right, and the procedures for exercising it, when he or she is first notified of the decision not to initiate a tenure review.

B. Extension of Appointments

For the purpose of determining the start of the terminal appointment of a faculty member who is not reviewed for tenure, the date of notification shall be considered to be the date of notification of the first negative decision, and shall be unaffected by subsequent appeals. However, if an appeal of that decision within the University is in progress at the end of the terminal appointment, the appointment shall be extended until the appeal is complete.

C. Role of the Ombudsman

Faculty members shall retain full access to the office of the Ombudsman prior to and in the course of the appeals process.

D. Waiver or Loss of Appeal Rights

The candidate may waive the right to written explanations from the department chair and the dean, or may decline to pursue the appeals procedure at any stage. However, the appeal procedures herein described must be followed sequentially. Waiver of any stage of the appeals procedure shall cause the candidate’s right to proceed further to be forfeited. Thus, failure to request reconsideration of a negative departmental decision (see Section II) will constitute waiver of further appeal rights.

*These procedures do not apply to decisions not to conduct an early tenure review. Such decisions, as opposed to a denial of tenure following a review, are not appealable whether initiated by the department or at the request of the faculty member.

1 Should any party involved in an appeal find that he or she is unable to comply with one or more of the deadlines specified in this document, that party may, prior to the lapsing of the deadline, apply to the Dean of the Faculty for an extension. If the Dean finds the reasons given for an extension sufficient to justify it, the extension shall be granted and all involved parties notified. All extensions shall be for a specified period of time. In cases where an extension is granted at the request of the appellant, the appellant’s appointment shall not be extended under I.B. beyond the duration of the normal term of an appeal without the consent of the Provost.
II. Appeal at the Departmental Level

A. Reconsideration by the Department

Any faculty member for whom a departmental tenure review is not initiated and who is eligible to appeal that decision (see I.A.) has a right to have the decision reconsidered by the department before it is forwarded to the dean.

1. Within one week after being notified of the departmental decision not to initiate a tenure review, the candidate may request a written statement of the reasons for that decision. If such a statement is requested, it shall be provided to the candidate by the chair within two weeks of the departmental decision. The statement shall respect the limits set by the need to preserve confidentiality.

2. If the candidate wishes to have the departmental decision reconsidered, he or she shall respond to the chair in writing within three weeks of receipt of the chair's statement of reasons. The candidate may address any issue or present any evidence that he or she deems appropriate.

3. The eligible voting faculty shall consider the chair's statement and the candidate's response, and a second vote shall be taken. The final departmental decision and the reasons for it shall be provided in writing to the candidate within three weeks of receipt of the candidate's response.

III. Appeal at the College Level

If a dean makes a preliminary decision not to initiate a tenure review, he or she shall inform the candidate and the department in writing of the reasons for that decision. For a two week period following receipt of the dean's statement, the candidate and/or the department shall have the opportunity to respond to the dean, prior to the dean's final decision.

IV. Appeal at the University Level

A. Filing an Appeal

If a dean or a department makes a final decision not to initiate a tenure review, the candidate may appeal that decision at the University level. The appeal must be filed in writing with the dean of the college and the Dean of the Faculty within two weeks of notification of the dean's decision and must state the specific reasons for the appeal. The reasons must be based on one or more of the grounds listed in the following Section (IV.B.).

B. Grounds for an Appeal

The grounds for an appeal shall be limited to one or more of the following:

1. The stated reasons for the decision were contrary to the established regulations of the college or the University.

2. The stated reasons for the decision are unsupported by the evidence presented.

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2 In those schools and colleges without a departmental structure, "department" shall refer to those faculty who make the decision not to initiate a tenure review, and "chair" shall refer to the appropriate faculty
C. Selection of an Appeals Committee

An appeal shall be heard by an Appeals Committee composed of three tenured University faculty members. Within two weeks after the receipt of the appeal, the Dean of the Faculty shall be responsible for forming and charging an Appeals Committee to hear the appeal. Members of the Appeals Committee shall be selected in the following manner:

1. The appellant and the dean of the college shall each nominate two members of the University Appeals Panel. The appellant's nominees shall choose one of the dean's nominees, and the dean's nominees shall choose one of the appellant's nominees. The two so chosen shall then choose a third tenured University Faculty member, who shall chair the committee. The chair shall be from the college of the appellant, except in those colleges where all tenured faculty members participate in each tenure decision.

2. Any person nominated who has previously participated in the decision in question or feels unable to render an unbiased judgment or perceives a conflict of interest shall disqualify him or herself. However, in those colleges where all tenured faculty have participated in the decision, the automatic disqualification of that college's Appeals Committee members shall be waived if that is agreeable to both parties.

D. Principles and Restrictions to be Observed by the Appeals Committee

In its deliberations and findings, the Appeals Committee shall respect the following principles and restrictions:

1. The Committee's review shall be limited to determining whether any one of the two possible grounds for appeal (listed in Section IV.B.) has been established.

2. The dean of the college and the department have the responsibility of setting the priorities of the department and the college. Therefore, the Committee shall avoid substituting its judgment in those matters for that of the dean or the department.

E. Appeals Committee Procedures

The following procedures shall govern the activity of the Appeals Committee:

1. The Committee shall have access to the file of the appellant. The Committee shall scrupulously protect the confidentiality of all documents and testimony.

2. In addition to examining written material, the Committee may hear the views of the principal parties and others it deems appropriate.

3In cases where the appeal follows a departmental decision not to initiate a tenure review, the dean of the college shall consult with the department before making his or her nominations.
3. The Committee shall not be required to keep a transcript of its proceedings. The Committee shall maintain a record of the names of the persons interviewed and the titles of the documents considered.

F. Findings by the Appeals Committee

1. The Committee shall report in writing within five weeks after being formed. The report shall be furnished to both parties. It shall give its findings, the reasons for those findings, and its recommendations. These findings should be directly responsive to the grounds for appeal listed in Section IV.B. Before issuing the report, the Committee shall circulate a draft to both parties and invite responses.

2. The report of the committee shall also be sent to the Provost for final action. Within four weeks, the decision of the Provost and the reasons for it shall be given in writing to both principal parties, and a copy shall be sent to the Committee. The decision of the Provost shall not be subject to further appeal within the University.

V. Disposition of Records and Files

A. The Dean of the Faculty shall maintain copies of all reports of Appeals Committees and shall maintain records of all subsequent actions within the University that occur in these cases. At the completion of an appeal, all case files shall be returned to the dean of the college.

B. On completion of the appeal, the chairperson of the Appeals Committee shall provide to the Dean of the Faculty a letter describing any difficulties encountered in applying or interpreting these procedures. The Dean of the Faculty shall maintain a file of these letters, a digest of their central points, and other documents useful to subsequent appeals committees or to anybody authorized by the FCR to evaluate these procedures.

NOTE

It is assumed that the Academic Appointments Manual will be changed to incorporate the following:

1. After some definite number of years of service as a tenured professor, a faculty member has a right to a review for promotion to full professor. If the faculty member does not wish to be reviewed, the review will not take place.

2. If the initial review does not result in promotion, the faculty member has a right to at least one subsequent (and perhaps more) reviews within some definite period of time.

3. A dean will not reject a departmental recommendation to promote a faculty member to full professor without first having appointed and received the report of an ad hoc committee.

I. Rights of Faculty Members Who Are Denied Promotion to Full Professor

A. Right to Appeal

Any tenured faculty member who is reviewed for and denied promotion to full professor may appeal that decision at the departmental, college, and University levels subject to the limitations in I.B. The candidate shall be informed of this right, and the procedures for exercising it, when he or she is first notified of a negative promotion decision.

B. Limitations to the Right of Appeal

A faculty member who is denied promotion may appeal that decision even though he or she was denied promotion on a previous occasion and appealed that decision. However, a University level appeal may not address issues that were settled in a prior appeal, but must be based on evidence that was not previously presented at a University level appeal proceeding.

C. Role of the Ombudsman

Faculty members shall retain full access to the office of the Ombudsman prior to and in the course of the appeals process.

D. Waiver or Loss of Appeal Rights

The candidate may waive the right to written explanations from the department chair and the dean, or may decline to pursue the appeals procedure at any stage. However, the appeals procedures herein described must be followed sequentially. Waiver of any stage of the appeals procedure shall cause the candidate's right to proceed further to be forfeited. Thus, failure to request reconsideration of a negative departmental decision (see Section II), or failure to respond to a negative proposed decision at the college level (see Section III), will constitute waiver further appeal rights of this particular decision.

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1 Should any party involved in an appeal find that he or she is unable to comply with one or more of the deadlines specified in this document, that party may, prior to the lapsing of the deadline, apply to the Dean of the Faculty for an extension. If the Dean finds the reasons given for an extension sufficient to justify it, the extension shall be granted and all involved parties notified. All extensions shall be for a
II. Appeal at the Departmental² Level

A. Reconsideration by the Department

Any tenured faculty member has a right to receive a timely reconsideration of a departmental decision not to promote to full professor before that decision is forwarded to the dean.

1. Within three weeks after being notified that the departmental decision is negative, the candidate will receive a written statement of the reasons for the decision and the nature of the evidence unless the candidate expressly relinquishes his or her right to receive the statement within one week of said notice. The statement shall respect the limits set by the need to preserve confidentiality.

2. If the candidate wishes to have the departmental decision reconsidered, he or she shall respond to the chair in writing within three weeks of receipt of the chair's statement of reasons. The candidate may address any issue that he or she deems appropriate, and may present new evidence.

3. The eligible voting faculty shall consider the chair's statement and the candidate's response, and a second vote shall be taken. The final departmental decision and the reasons for it shall be provided in writing to the candidate within three weeks of receipt of the candidate's response.

III. Appeal at the College Level³

A. Review by an Ad Hoc Committee

If the department's final decision is negative, the dean shall, at the request of the candidate, appoint an ad hoc committee to review that decision, if the dean has not already done so on his or her own initiative. The candidate shall make his or her request for appointment of the committee within one week of notification of the department's final negative decision, and the dean shall appoint the committee within three weeks of the candidate's request.

B. Reconsideration by the Dean

1. If a dean's negative decision follows a positive departmental recommendation, the dean shall, within three weeks of receipt of the report of the ad hoc committee, furnish the candidate and the

²In schools or colleges without departmental structure, "departmental" shall refer to the group of full professors who vote on the recommendation that is forwarded to the dean, and "chair" shall refer to an appropriate faculty member.

³In those schools or colleges that do not use ad hoc committees in the case of positive departmental recommendations, III.A. shall not apply.

⁴In those schools or colleges that do not use ad hoc committees in the case of positive departmental recommendations, and therefore do not use them in III.A., the three week time period after which the dean must reply shall start when the dean receives the report of the appropriate faculty group.
department with a preliminary written statement of the reasons for that decision and the nature of the evidence within the limits set by the need to preserve confidentiality. For a two-week period following receipt of the statement, the candidate and/or department shall have the opportunity to respond to the dean, prior to the dean’s final decision.

2. If the dean's negative decision follows a negative departmental recommendation, the dean shall within three weeks of receipt of the report of the ad hoc committee furnish the candidate and the department with a written statement of the reasons for that decision, within the limits set by the need to preserve confidentiality.

IV. Appeal at the University Level

A. Filing an Appeal

If the dean's final decision is negative, the candidate or the department (with the written consent of the candidate) or the candidate and the department in concert, may appeal that decision. The appeal must be filed in writing with the dean of the college and the Dean of the Faculty within two weeks of notification of the dean's decision and must state the specific reasons for the appeal. The reasons must be based on one or more of the grounds listed in the following Section (IV.B.), and must be based on evidence that was not presented in any prior appeal at the University level. Failure to raise a particular reason when filing the appeal may be treated as a waiver of such a claim in this or any subsequent procedure during this appeal process.

B. Grounds for an Appeal

The grounds for an appeal shall be limited to one or more of the following:

1. In the conduct of the promotion review, there were violations of the established procedures and practices of the department, the college, or the University. These violations were so serious that the appeals committee believes they affected the outcome of the promotion review.

2. The evaluation of the appellant was influenced by unlawful discrimination.

3. The evaluation of the appellant was substantially influenced by consideration of factors unrelated to the performance of the appellant in carrying out the professional and collegial responsibilities of his or her position, or by improper and unprofessional consideration of factors which, if properly considered, would be material and relevant. The violations were so serious that the appeals committee believes that they affected the outcome of the promotion review.

4. The decision was so inconsistent with the evidence in the record that it must be judged arbitrary or capricious.  

The term arbitrary and capricious fundamentally describes actions which have no sound basis in law, fact or reason or are grounded solely in bad faith or personal desire. A determination is arbitrary and capricious only if it is one no reasonable mind could reach.

(over)
C. Selection of an Appeals Committee

An appeal shall be heard by an Appeals Committee composed of five full professors in the University. Within two weeks after the appeal of a college dean's negative decision, the Dean of the Faculty shall be responsible for forming and charging an Appeals Committee to hear the appeal. Members of the Appeals Committee shall be selected in the following manner:

1. The appellant and the dean of the college shall each nominate four members of the University Appeals Panel. The appellant's nominees shall choose two of the dean's nominees, and the dean's nominees shall choose two of the appellant's nominees. The four so chosen shall then choose a fifth full professor in the University, who shall chair the committee. The chair shall be from the college of the appellant, except in those colleges where all full professors participate in each promotion decision.

2. Any person nominated who has previously participated in the review of the appellant or feels unable to render an unbiased judgment or perceives a conflict of interest shall disqualify him or herself. However, in those colleges where all full professors participate in each promotion decision, the automatic disqualification of that college's Appeals Committee members shall be waived if that is agreeable to both parties.

D. Principles and Restrictions to be Observed by the Appeals Committee

In its deliberations and findings, the Appeals Committee shall respect the following principles and restrictions:

1. The Committee's review shall be limited to determining whether any one of the four possible grounds for appeal (listed in Section IV.B.) has been established. The Committee may, if circumstances warrant, investigate and return findings concerning possible violations of the grounds for appeal (listed in Section IV.B.) not raised by the appellant.

2. The Committee shall recognize the central role of peer judgment in promotion decisions. Hence, the Committee shall avoid substituting its assessment of the appellant's professional qualifications for those of the department and the experts outside the department who have been asked to submit evaluations. The Committee's role in judging professional merit shall be limited to determining whether the recommendations of the department and the dean were arbitrary and capricious as defined in IV.B.4., or based on the inappropriate considerations listed in IV.B.2. and IV.B.3.

3. The dean of the college has a major responsibility in maintaining the standards of the college. Therefore, the Committee shall avoid substituting its judgment in those matters for that of the dean.

4. It is impossible to make precise and universally agreed-upon evaluations of candidates. Therefore, the possibility that a different group of reasonable people might have come to a different conclusion concerning the merits of the appellant is insufficient grounds to sustain the appeal.

In cases where the appeal follows a decision by the department not to promote to full professor, the dean of the college shall consult with the department before making his or her nominations.
5. Comparisons with other promotion review cases may be used by the Committee in certain cases (see Section IV.E.1.). However, the Committee shall recognize the right and duty of departments to raise the standards for promotion to full professor or take into account different departmental needs or particular individual circumstances, so long as this is not done as a pretext. A weak previous promotion to full professor shall not by itself be taken to define the departmental standard for promotions.

6. If a faculty member has appealed a previous decision not to promote to full professor, the Appeals Committee shall not reconsider the decision of the previous Appeals Committee, or the evidence upon which it was based.

E. Appeals Committee Procedures

The following procedures shall govern the activity of the Appeals Committee:

1. The Committee shall have access to the promotion file of the appellant. If the appellant charges that the decision was arbitrary or capricious as defined in Section IV.B.4 or based on the inappropriate considerations listed in Sections IV.B.2 and IV.B.3. and if the Committee finds it essential to read the files of recent comparable cases within the college of the appellant to examine that charge, it shall have access to those files as well. However, in its request for access to a particular file, the Committee shall state in writing how each particular comparison case satisfies the following criteria:

   a. It is sufficiently recent.

   b. It is sufficiently comparable in circumstances.

   c. It is impossible to examine the allegation made by the appellant without access to the requested file.

The Committee shall scrupulously protect the confidentiality of all documents and testimony.

2. In addition to examining written material, the Committee may hear the views of the principal parties and others it deems appropriate.

3. The Committee shall not be required to keep a transcript of its proceedings. The Committee shall maintain a record of the names of the persons interviewed and the titles of the documents considered.

4. The Committee shall report in writing within eight weeks after being formed. The report shall be furnished to the appellant and the department and the college dean. It shall give the Committee's findings, and the reasons for those findings. These findings should be directly responsive to the grounds for appeal listed in Section IV.B. Before issuing the report, the Committee shall circulate a draft to the appellant and the department and/or college dean and invite responses.

F. Findings by the Appeals Committee

The Appeals Committee shall make one or more of the following findings. The ensuing action shall be as stated:

(over)
1. If the Committee finds that none of the four possible appeal grounds (see Section IV.B.) has been established, it shall reject the appeal. This decision shall not be subject to further appeal within the University.

2. If the Committee finds that the ground for appeal has been established, it may return the case to the dean of the college for reconsideration. The dean shall promptly take appropriate action to correct the deficiencies that the Committee has found, and shall provide a written report of the reconsidered decision to the Committee, the department, and the appellant. If the reconsideration results in an affirmation of the original decision, this judgment shall be reviewed by the original Appeals Committee, which shall take the following action:

   a. If the Appeals Committee finds that the promotion review process no longer has serious deficiencies, it shall reject the appeal. This action shall not be subject to further appeal within the University.

   b. If the Committee finds that the promotion review process continues to have serious deficiencies, it shall forward its findings to the Provost for final action. Within four weeks, the decision of the Provost and the reasons for it shall be given in writing to both principal parties, and a copy shall be sent to the Committee. The decision of the Provost shall not be subject to further appeal within the University.

V. Disposition of Records and Files

A. The Dean of the Faculty shall maintain copies of all reports of Appeals Committees and shall maintain records of all subsequent actions within the University that occur in these cases. At the completion of an appeal, all case files shall be returned to the dean of the college.

B. On completion of the appeal, the chairperson of the Appeals Committee shall provide to the Dean of the Faculty a letter describing any difficulties encountered in applying or interpreting these procedures. The Dean of the Faculty shall maintain a file of these letters, a digest of their central points, and other documents useful to subsequent appeals committees or to anybody authorized by the FCR to evaluate these procedures.

I. Rights of Faculty Members Who Are Denied Tenure

A. Right to Appeal

Any faculty member who is reviewed for and denied tenure may appeal that decision at the departmental, college, and University levels. The candidate shall be informed of this right, and the procedures for exercising it, when he or she is first notified of a negative tenure decision.

B. Extension of Appointments

For the purpose of determining the start of the terminal appointment of a faculty member who is denied tenure, the date of notification shall be considered to be the date of notification of the first negative decision, and shall be unaffected by subsequent appeals. However, if appeal within the University is in progress at the end of the terminal appointment, the appointment shall be extended until the appeal is complete.

C. Role of the Ombudsman

Faculty members shall retain full access to the office of the Ombudsman prior to and in the course of the appeals process.

D. Waiver or Loss of Appeal Rights

The candidate may waive the right to written explanations from the department chair and the dean, or may decline to pursue the appeals procedure at any stage. However, the appeal procedures herein described must be followed sequentially. Waiver of any stage of the appeals procedure shall cause the candidate's right to proceed further to be forfeited. Thus, failure to request reconsideration of a negative departmental decision (see Section II), or failure to respond to a negative proposed decision at the college level (see Section III), will constitute waiver of further appeal rights.

II. Appeal at the Departmental Level

A. Reconsideration by the Department

Any faculty member has a right to receive a timely reconsideration of a negative departmental tenure decision before that decision is forwarded to the dean.

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1 Should any party involved in an appeal find that he or she is unable to comply with one or more of the deadlines specified in this document, that party may, prior to the laping of the deadline, apply to the Dean of the Faculty for an extension. If the Dean finds the reasons given for an extension sufficient to justify it, the extension shall be granted and all involved parties notified. All extensions shall be for a specified period of time. In cases where an extension is granted at the request of the appellant, the appellant's appointment shall not be extended under I.B. beyond the duration of the normal term of an appeal without the consent of the Provost.

2 In the Law School, in II.A. "departmental" shall refer to the appointments committee. In the Hotel School, "departmental" shall refer to the ad hoc committee, and "chair" shall refer to the assistant dean for academic affairs. In the Graduate School of Management, "departmental" shall refer to the ad hoc committee, and "chair" shall refer to its chairperson.
1. Within three weeks after being notified that the departmental decision is negative, the candidate will receive a written statement of the reasons for the decision and the nature of the evidence unless the candidate expressly relinquishes his or her right to receive the statement within one week of said notice. The statement shall respect the limits set by the need to preserve confidentiality.

2. If the candidate wishes to have the departmental decision reconsidered, he or she shall respond to the chair in writing within three weeks of receipt of the chair's statement of reasons. The candidate may address any issue that he or she deems appropriate, and may present new evidence.

3. The eligible voting faculty shall consider the chair's statement and the candidate's response, and a second vote shall be taken. The final departmental decision and the reasons for it shall be provided in writing to the candidate within three weeks of receipt of the candidate's response.

III. Appeal at the College Level

A. Review by an Ad Hoc Committee

If the department's final decision is negative, the dean shall, at the request of the candidate, appoint an ad hoc committee to review that decision, if the dean has not already done so on his or her own initiative. The candidate shall make his or her request for appointment of the committee within one week of notification of the department's final negative decision, and the dean shall appoint the committee within three weeks of the candidate's request.

B. Reconsideration by the Dean

1. If a dean's negative decision follows a positive departmental recommendation, the dean shall, within three weeks of receipt of the report of the ad hoc committee, furnish the candidate and the department with a preliminary written statement of the reasons for that decision and the nature of the evidence within the limits set by the need to preserve confidentiality. For a two-week period following receipt of the statement, the candidate and/or department shall have the opportunity to respond to the dean, prior to the dean's final decision.

2. If the dean's negative decision follows a negative departmental recommendation, the dean shall within three weeks of receipt of the report of the ad hoc committee furnish the candidate with a written statement of the reasons for that decision, within the limits set by the need to preserve confidentiality, and a copy shall be furnished the department.

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3 In the Graduate School of Management, the Hotel School and the Law School, III.A. shall not apply.

4 In the School of Industrial and Labor Relations, the Hotel School, and the Law School, III.B. shall be replaced by the following:

If the dean's decision is negative, he or she shall within three weeks of receipt of the report of the faculty, furnish the candidate with a preliminary written statement of the reasons for that decision and the nature of the evidence, within the limits set by the need to preserve confidentiality. For a two week period following receipt of the statement, the candidate shall have the opportunity to respond to the dean, prior to the dean's final decision.
IV. Appeal at the University Level

A. Filing an Appeal

If the dean's final decision is negative, the candidate or the department or the candidate and the department in concert may appeal that decision. The appeal must be filed in writing with the dean of the college and the Dean of the Faculty within two weeks of notification of the dean's decision and must state the specific reasons for the appeal. The reasons must be based on one or more of the grounds listed in the following Section (IV.B.). Failure to raise a particular reason may be treated as a waiver of such a claim in this or any subsequent procedure.

B. Grounds for an Appeal

The grounds for an appeal shall be limited to one or more of the following:

1. During the appellant's probationary period, he or she was unfairly and seriously hindered in meeting the department's standards
   a. by having been put under obligation to accept unusual and unreasonably heavy duties for the department, college, or University or having been denied departmental support, contrary to the normal departmental practices, or
   b. by having been given misleading information or information so inadequate as to be fully the equivalent of misleading information by the department chair or dean concerning the departmental or college expectations of candidates.

2. In the conduct of the tenure review, there were violations of the established procedures and practices of the department, the college, or the University. These violations were so serious that the appeals committee believes they affected the outcome of the tenure review.

3. The evaluation of the appellant was influenced by unlawful discrimination.

4. The evaluation of the appellant was substantially influenced by consideration of factors unrelated to the performance of the appellant in carrying out the professional and collegial responsibilities of his or her position, or by improper and unprofessional consideration of factors which, if properly considered, would be material and relevant. The violations were so serious that the appeals committee believes that they affected the outcome of the tenure review.

5. The decision was so inconsistent with the evidence in the record that it must be judged arbitrary or capricious.^[5]

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The term arbitrary and capricious fundamentally describes actions which have no sound basis in law, fact or reason or are grounded solely in bad faith or personal desires. A determination is arbitrary and capricious only if it is one no reasonable mind could reach.
C. The University Appeals Panel

An appeal shall be heard by an Appeals Committee composed of five tenured University faculty members. At least four members of the Appeals Committee shall be members of the University Appeals Panel. The Dean of the Faculty shall be responsible for establishing the University Appeals Panel, and maintaining a list of members. Each college shall elect five tenured faculty members, or five percent of its tenured faculty, whichever is greater, to the Panel. In addition, the President of the University shall appoint ten tenured faculty members to the Panel. The term of office shall be five years, with a rotation system developed at the time of the initial election.

D. Selection of an Appeals Committee

Within two weeks after the appeal of a college dean's negative decision, the Dean of the Faculty shall be responsible for forming and charging an Appeals Committee to hear the appeal. Members of the Appeals Committee shall be selected in the following manner:

1. The appellant and the dean of the college shall each nominate four members of the University Appeals Panel. The appellant's nominees shall choose two of the dean's nominees, and the dean's nominees shall choose two of the appellant's nominees. The four so chosen shall then choose a fifth tenured University Faculty member, who shall chair the committee. The chair shall be from the college of the appellant, except in those colleges where all tenured faculty members participate in each tenure decision.

2. Any person nominated who has previously participated in the review of the appellant or feels unable to render an unbiased judgment or perceives a conflict of interest shall disqualify him or herself. However, in those colleges where all tenured faculty participate in each tenure decision, the automatic disqualification of that college's Appeals Committee members shall be waived if that is agreeable to both parties.

E. Principles and Restrictions to be Observed by the Appeals Committee

In its deliberations and findings, the Appeals Committee shall respect the following principles and restrictions:

1. The Committee's review shall be limited to determining whether any one of the five possible grounds for appeal (listed in Section IV.B.) has been established. The Committee may, if circumstances warrant, investigate and return findings concerning possible violations of the grounds for appeal (listed in Section IV.B.) not raised by the appellant.

2. The Committee shall recognize the central role of peer judgment in tenure decisions. Hence, the Committee shall avoid substituting its assessment of the appellant's professional qualifications for those of the department and the experts outside the department who have been asked to submit evaluations. The Committee's role in judging professional merit shall be limited to determining whether the recommendations of the department and the dean were arbitrary and capricious as defined in IV.B.5., or based on the inappropriate considerations listed in IV.B.3. and IV.B.4.

In cases where the appeal follows a negative departmental recommendation, the dean of the college shall consult with the department before making his or her nominations.
3. The dean of the college has a major responsibility in setting the priorities and maintaining the standards of the college. Therefore, the Committee shall avoid substituting its judgment in those matters for that of the dean.

4. It is impossible to make precise and universally agreed-upon evaluations of candidates. Therefore, the possibility that a different group of reasonable people might have come to a different conclusion concerning the merits of the appellant is insufficient grounds to sustain the appeal.

5. Comparisons with other tenure review cases may be used by the Committee in certain cases (See Section IV.F.1.). However, the Committee shall recognize the right and duty of departments to improve their quality or take into account different departmental needs, so long as this is not done as a pretext. A weak previous tenure appointment shall not by itself be taken to define the departmental standard.

F. Appeals Committee Procedures

The following procedures shall govern the activity of the Appeals Committee:

1. The Committee shall have access to the tenure file of the appellant. If the appellant charges that the decision was arbitrary or capricious as defined in Section IV.B.5. or based on the inappropriate considerations listed in Sections IV.B.3. and IV.B.4., and if the Committee finds it essential to read the files of recent comparable cases within the college of the appellant to examine that charge, it shall have access to those files as well. However, the Committee shall not as a matter of course request access to the files of recent cases within a department or college. The Committee shall scrupulously protect the confidentiality of all documents and testimony.

2. In addition to examining written material, the Committee may hear the views of the principal parties and others it deems appropriate.

3. The Committee shall not be required to keep a transcript of its proceedings. The Committee shall maintain a record of the names of the persons interviewed and the titles of the documents considered.

4. The Committee shall report in writing within eight weeks after being formed. The report shall be furnished to the appellant and the department and the college dean. It shall give the Committee's findings, and the reasons for those findings. These findings should be directly responsive to the grounds for appeal listed in Section IV.B. Before issuing the report, the Committee shall circulate a draft to the appellant and the department and/or college dean and invite responses.

G. Findings by the Appeals Committee

The Appeals Committee shall make one or more of the following findings. The ensuing action shall be as stated:

1. If the Committee finds that none of the five possible appeal grounds (see Section IV.B.) has been established, it shall reject the appeal. This decision shall not be subject to further appeal within the University.

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7 Nothing in this document shall be construed to prevent an appeals committee from attempting to arrange an informal settlement of the complaints if it believes that fairness can, thereby, be served and that such an arrangement best serves the interests of the appellant, the department, the dean and the University. No action may be taken under this provision unless it is agreed to by the dean, the department, and the appellant.
2. If the Committee finds that the ground for appeal in Section IV.B.1. has been established, it may recommend that the appellant's appointment be extended for a fixed period, after which a new tenure review shall be undertaken. It is expected that the dean will follow the Committee's recommendation. If the dean chooses not to grant the recommended extensions, the Committee's report and the written response of the dean shall be forwarded to the Provost. Within four weeks, the decision of the Provost and the reasons for it shall be given in writing to both principal parties, and a copy shall be sent to the Committee. The decision of the Provost shall not be subject to further appeal within the University.

3. If the Committee finds that any other ground for appeal in Section IV.B. has been established, it may return the case to the dean of the college for reconsideration. The dean shall promptly take appropriate action to correct the deficiencies that the Committee has found, and shall provide a written report of the reconsidered decision to the Committee, the department, and the appellant. If the reconsideration results in an affirmation of the original decision, this judgment shall be reviewed by the original Appeals Committee, which shall take the following action:

a. If the Appeals Committee finds that the tenure review process no longer has serious deficiencies, it shall reject the appeal. This action shall not be subject to further appeal within the University.

b. If the Committee finds that the tenure review process continues to have serious deficiencies and that an independent academic evaluation is appropriate, a panel of professionally qualified and not previously involved expert scholars from inside or outside Cornell shall be appointed to review the case and make a recommendation as to the granting of tenure. The panel's review shall not constitute an additional appeal from the department's or dean's decision, but shall constitute a new independent judgment concerning the candidate's academic qualifications for tenure. The panel shall be appointed jointly by the chair of the Appeals Committee, the Dean of the Faculty, and the President of the University. The panel shall be entitled to all of the evidence on which the original substantive decision was based and shall be entitled to collect such further evidence deemed necessary to reach a new substantive judgment. The recommendation of the panel of expert scholars and the response of the Appeals Committee, the dean, the department, and the appellant shall be forwarded to the Provost. Within four weeks, the decision of the Provost and the reasons for it shall be given in writing to both principal parties, and a copy shall be sent to the Committee. The decision of the Provost shall not be subject to further appeal within the University.

V. Disposition of Records and Files

A. The Dean of the Faculty shall maintain copies of all reports of Appeals Committees and shall maintain records of all subsequent actions within the University that occur in these cases. At the completion of an appeal, all case files shall be returned to the dean of the college.
B. On completion of the appeal, the chairperson of the Appeals Committee shall provide to the Dean of the Faculty a letter describing any difficulties encountered in applying or interpreting these procedures. The Dean of the Faculty shall maintain a file of these letters, a digest of their central points, and other documents useful to subsequent appeals committees or to anybody authorized by the FCR to evaluate these procedures.

December 12, 1984
110 Ives Hall

The Speaker, Russell D. Martin, called the meeting to order at 4:30 p.m. and announced that since there was not a quorum at that time, the minutes of the September 12 and October 10 meetings could not yet be approved. He then called on Dean Joseph B. Bugliari for remarks.

1. REMARKS BY THE DEAN

Dean Bugliari: "I don't really have a great number of remarks. I would like to congratulate myself on the fact that you now have the Faculty Handbook [applause]. The plan now is that it will be redone and distributed every two years. If you find anything in it that you think needs changing or correcting, let us know because we're going to start immediately to do that. Secondly, we have extra copies of it if you would like them. For example, if there is someone at another institution whom you were interested in recruiting, we'll be glad to supply you with copies of the handbook to send to them.

"In the Call to the meeting, I think you all received a notice of the third session in computer training that we are sponsoring through our office. This will occur in early January, and the main attraction this time, everybody, is that it's free. So, if you are interested, please look it over and let us know. We obviously hope that we can accommodate you; we'll do our best. If everybody wants to go to one session, we may be in a little bit of trouble. There are about thirty different sessions, so we've got plenty of room for anybody who'd like to go."
"The third item is that if we look toward the spring, there are a number of issues that will be coming forward. I will report on one that you may have been reading about in the Sun, and that is the issue of academic integrity. We are modifying and updating the academic integrity code. A draft of the original proposal has been submitted to the Committee on Academic Programs and Policies, and the hope is that the Committee will get it to the Executive Committee so that we can put it on the March meeting agenda. I'm not sure what we'll have on the February meeting yet, but at least at the March meeting our hope is to get that draft out and make some updates and changes if you feel it's appropriate."

Speaker Martin: "Are there any questions for the Dean?

"Our next speaker is one of those people we just don't let retire around here. Keith, it's a pleasure to again welcome you as Mr. Dean, Acting Dean of Admissions and Financial Aid, for a presentation."

2. PRESENTATION ON ADMISSIONS AND FINANCIAL AID

W. Keith Kennedy, Acting Dean of Admissions and Financial Aid: "Mr. Speaker, Mr. Dean, I was most pleased to see the Faculty Handbook.

"Members of the PCR, it's a pleasure to join Ann York, Director of Admissions and Susan Murphy, Director of Financial Aid in making a rather brief presentation on admissions and financial aid and also to give you an opportunity to preview a movie starring our latest film star. I also wish to acknowledge the presence of John Spencer who is manning the projector in the rear and who has forgotten more about admissions than I will ever know."
"At this time I wish to introduce Ann York who is providing the overall leadership in Admissions. I am reminded again that there are many contributing to our success in attracting high quality students to Cornell. She will give you an update on admissions and also introduce a recent film."

Ann V. York, Director of Admissions: "Thank you. As Mr. Kennedy indicated, we are just bringing the staff home from weeks and weeks of travel this fall. This has been our most aggressive travel season for sure, and I think in terms of a variety of other initiatives that we pursued in terms of recruitment this fall -- more targeted direct mail recruitment using lots of personalized letters to students, addressing in many cases their area of interest and concerns that we know they have from our own market research by virtue of where they live in the country. We also did a great deal more on-campus hosting, and I want to thank all of you who no doubt saw plenty of new and fresh faces in your classes, students visiting our campus, frequently with their parents, and there was substantially more alumni involvement. John Spencer has a vigorous program in terms of training our alumni -- the members of Alumni Secondary Schools Committees -- and they're out there on the local front representing the University, going to college nights, interviewing students and sticking up for Cornell, really representing us and enhancing our visibility in local communities. In terms of the numbers, I want to give you a little bit of an update on where we are as of today, and the numbers that I am comparing are 12/7/84 -- a few days ago -- with 12/11/83, so actually it's day-to-day comparison. In terms of the dates we are
a little bit slow on this side, since the comparison for last year was taken several days later. We are up in terms of overall admissions -- overall applications for freshman admissions for next fall. That's the only group that I'm going to talk about at any length. We're up by a modest amount -- about 1.4 percent and that's about where we have been holding with that kind of an increase over the past few weeks. I would predict that we will end this admission season for freshman recruitment slightly up -- on the high side. Last year he had nineteen thousand four hundred eighty-six (19,486) applications for freshman admission for the fall, and this year I think we'll probably just top about twenty thousand (20,000). There is some evidence that suggests from our travels and discussions with guidance counselors that students are completing their applications a little bit later than they had in the past. With the declining population of college-bound students, many colleges have begun to recruit students much harder than they had in the past, and one of the apparent student responses to this is that students are feeling a little bit more pursued and less compelled to get all their application documents in early. So, we may see a little bit of a larger surge in terms of last minute documents coming in for applications in the time frame between Christmas and the new year. So, in terms of the University, overall freshman figures were up by a modest amount. In terms of individual colleges, the divisions that have substantial increases are Hotel, which is up by about twenty-five percent: (25%) and Fine Arts also has a fairly large increase -- they have got small numbers: they've got an increase of fifty-two percent (52%) -- seventy-nine (79) students as opposed to fifty-two at the same time
last year. Those two divisions will probably end this admission cycle with fairly large increases in their applicant pools. In terms of colleges on the down side, ILR is down by about nineteen percent (19%), and we're working right now to try to figure out why that is the case. Engineering is down by about four percent (4%) -- a small amount. Engineering was the only division last year that ended the year slightly on the down side. All other divisions of the University during the last admission cycle had increases in their application groups. What we have seen in the last ten years or so is a huge increase in interest in engineering, sizable increases in the engineering applicant pool over the last ten years. Perhaps what we're seeing now is a simple leveling off of interest. In terms of the other divisions -- Architecture is showing a modest decline at the current time. Arts and Sciences is up by about 3.4 percent. Agriculture and Life Sciences is up by about three percent (3%), and Human Ecology is up by about three percent (3%). Regions of the country are what we watch really carefully because we study the demographic pattern to try to figure out where to spend our recruiting resources each year. In New England we are, at the current time, showing about a six percent (6%) increase, which is good. The Northeast area between about 1979 and 1992 will decline in terms of the college-bound population, somewhere between about thirty percent (30%) and forty percent (40%). We're probably through about twelve percent (12%) of that decline at this point, and the rest is still to come. We're pretty much holding our own in terms of the number of applications that we have at the current time from the Mid-Atlantic region. We're down by about nine percent (9%) in the Southeast. That's a bit disturbing to us at the current time. That's an area
of the country that we know is growing and where we have recruited very, very hard this fall -- about five weeks of staff travel in the Southeast, with Florida in particular targeted. We're hoping that that picks up. We're doing some large programs in Miami and Fort Lauderdale this week, and we will be hopeful. We'll be needing to look at exactly where that shortfall is -- whether it is in Florida or some other area of the Southeast. We have a fairly sizable increase -- sixteen percent (16%) in the far West. That's an area of the country that we've hit very hard -- California, in particular, and where we've had a lot of help from our alumni. California now, next to New York, is the second largest state in terms of the number of Cornellians living in the state. The Southwest, which is a growing area, where it's nonetheless very difficult to draw students -- we're competing there with the University of Texas in Austin and some other institutions that are giving fairly sizable merit scholarships -- is showing a slight increase. The Midwest is showing about an eight percent (8%) increase, and we're pleased with that. We did pull back a little bit on our recruiting in the Midwest this fall.

"The area I think of greatest concern in terms of the regions is New York State where we have pretty consistently this fall been reflecting a slight decline. At the current time we've got a decline of 6.2 percent in Upstate New York, and about five percent (5%) in the Metropolitan area. We have recruited very hard in both Upstate New York and the Metro area. We've done a lot of large candidate programs as well as school visits, and we have very active alumni in those areas who have been representing us at the local high school college nights. We've conducted a
number of programs in Upstate New York with guidance counselors last week, and I was amazed to learn from all the counselors that I had met about their perceptions of the numbers of students in terms of just looking at the size of graduating classes. The numbers are much smaller than they were about seven years ago. Lots of the counselors said things like, 'we have about two hundred in our graduating class this year, and we had three hundred fifty seven years ago.' So, what we may be seeing in New York State is the beginning of having to deal with the population decline and fewer numbers of students out there who are available to go to college. We are showing increases in our international applicant pool, both in terms of U.S. students abroad and in terms of international students. The international pool is about twenty percent (20%) larger at this point in the year than it was last year. Of course, our funds for financial aid for foreign students are somewhat limited, so we may not be able to take advantage of all those increases. The only somewhat disturbing news -- and this has been a continuing trend in the picture today -- is that of transfer applicants. We're just finishing right now admitting students who will enroll in January, and a number of colleges have in the past taken fairly large numbers of transfer students, in particular, at mid-year. Our transfer pool over the past four years for mid-year admission -- for January admission -- has declined by about fifty percent (50%). So, we're seeing many fewer applications from transfer students for mid-year, and our applicant pool for transfer students for the fall has been declining a little bit each year by eight percent (8%) or nine percent (9%). That kind of decline is again reflected in
the figures for next fall although it is very early; the deadline for applications from transfer students for the fall of 1985 isn't until March 1. But we need to begin to work on strategies for the recruitment of transfers. The decline in transfers is both in the group from junior and community colleges -- two-year transfers -- and from students from four-year institutions. With the four-year institutions -- in terms of that particular group, of course we can't go in and recruit those students. They come to us. And that number has been going down. In terms of minority students -- applications for minority students for freshman admission in the fall -- the numbers look in general pretty good. Overall in terms of the number of applications for minority students applying for freshman admission, we're showing a twelve percent (12%) increase for next year: a twenty-six percent (26%) increase in terms of the number of Native Americans applying for freshman admission, and there the numbers are quite small. A nine percent (9%) increase in terms of Black students applying for admission, a twelve percent (12%) increase in terms of Hispanic students who are not Puerto Ricans or Mexican-Americans -- those are listed as separate groups. And a seventeen percent (17%) increase in Asian-American students. The only areas where we are pretty much holding our own and are about where we were last year are in the numbers of Puerto Rican and Mexican-American applicants. But the numbers look pretty good. We've had a fairly large number of pilot programs this year targeted at specific ethnic populations. We've succeeded in recruiting our minority alumni in the cities of Los Angeles and Chicago, New York, Philadelphia and Washington, D.C. to assist and provide a lot of support for us on the local front
with minority students who are interested in the University, and they have been reaching out and helping to encourage students to complete their applications. Minority students as a group tend to have a fairly high incompletion rate, and we'll be looking at the success of each of those pilot programs at the end of the year, but the initial picture looks pretty encouraging.

"Are there any questions about the numbers or trends?"

Professor Royal D. Colle, Communication Arts: "I think you mentioned earlier that your market analysis helps dictate how you spend your money and efforts. Could you explain that a little bit because it seems to me that there are two possibilities. One is that if we find few applicants coming from a geographic area, we might put more emphasis. On the other hand, where there are more applicants coming in you may consider that an area of opportunity where you do not have to put more money. How does that influence your strategy?"

Ms. York: "That's a good question. The first thing we look at is the demographic picture of how fertile the market appears to be in terms of sending college-bound students, and we look at a variety of different factors. One is the number of students graduating from high school in, for example, the state of Florida. So, how many high school graduates is Florida going to produce over the next five years, what kind of record do they have in the state for producing very high SAT scores? What kinds of records do the states have for exporting students? In other words, what proportion of the high school graduates leave the state for higher education and what number stay? Texas is producing quite a large number of college-bound students but most
decide to stay within the state of Texas for higher education. So, we've studied export patterns. If they're exporting a fairly large number of students, as for example the State of Illinois is, where are they going? The State of Illinois, we found out from studying export patterns, is exporting its students to Michigan and Wisconsin and other Big Ten states, but it doesn't have a significant pattern of exporting students to New York State. So, basically we try to get a handle on what the state of the market is in terms of how fertile it will be for Cornell and then we try to construct a picture for ourselves as to what kind of resources we have within a region, how many of our alumni are involved with Secondary School Committees in the state and look at those kinds of factors. In the end, in terms of putting together a strategy, after we determine areas that look fairly fertile, the ones that will be given priority for resources are those areas where we're already attracting a reasonable number of applicants at the current time. So, we'll try to increase the number of applications and perhaps increase the yield in markets where we already have a fairly successful record.

"Let me just say a few words about the slide/sound show that you are going to see. This was funded entirely from gifts that we received from alumni, and they were interested in the project because as I mentioned they do a great deal of recruiting for us. They were anxious to have a current and relatively short (10-12 minutes) slide/sound show that they could show at a college night or at a high school visit, and then plan to present some brief information following the presentation as well as distribute some publicity material."
[A slide/sound show was presented]

Dean Kennedy thanked Ann York, then proceeded: "Moving on to financial aid -- it's all very fine to recruit students, but if we want them to enter Cornell -- certainly those with limited resources -- we must provide adequate financial assistance. Susan Murphy currently is our Director of Financial Aid. She accepted the assignment about a year ago just as the downward trend in federal support began to occur. Today the outlook for improved federal aid is not bright. In 1980-81 the federal government was providing $14.2 billion in grants and loans. This year's estimated amount is $14.1 billion. The decline appears to be small but the cost of attending Cornell and other major universities has increased substantially during the past four years and these costs will continue to rise.

"Susan will bring us up to date on the financial aid outlook."

Susan Murphy, Director of Financial Aid: "What I thought I would try to do today is to let you know what our plans are for 1985-86 and the support we'll be providing for the students in that year.

"As Keith mentioned, we have some major challenges facing us in the years ahead, and we have been working with Institutional Planning and Analysis to model the needs that we will have in the out years; I think you'll be hearing a great deal about financial aid in the upcoming month as we try to figure out how to face the concerns of limited dollars and the increased needs of our students. For 1985-86 we will be continuing the policies that are currently in place, which are to support in full the demonstrated need that our undergraduates have. What that means is that we will take a
look at what their costs will be and subtract from that what they bring in the form of resources, both as students and from their parents. Whatever the difference is between those two numbers is their financial need. We are committed to meeting that need through a financial aid package which has in it entitlement monies that they may bring with them from the federal government or the state government, what we call self-help which is in the form of work or borrowing during the academic year and then scholarship monies to the tune of about ten million dollars from general purpose monies and several million from income from endowments. We will continue the policies of having differential packages; the packages differ for students in the proportion of scholarships and self-help. That difference is determined by a rating that is given by the faculty selection committees in the different colleges. We also are committed to maintaining our commitment to low income students who come from families with incomes of less than ten thousand dollars ($10,000). Their self-help will be at a level of one thousand eight hundred fifty dollars ($1,850) as compared to an average self-help of about four thousand six hundred dollars ($4,600). The difference, therefore, is much more scholarship money for them. We also have a commitment to minority students who come from families with incomes less than thirty thousand dollars ($30,000); we keep their self-help levels at a lower level, therefore increasing the scholarship commitment. We anticipate a slight increase in the form of summer savings that we anticipate students will bring with them in the fall. We also will be increasing in a small amount the self-help level by increasing the work commitment by fifty dollars ($50) and loans
by about two hundred fifty dollars ($250). Still, with those increases and with a generous increase in general purpose monies, we are looking at an unmet need on the part of our students for next year. So, our challenge is how to take care of that need. Whether that will happen with additional funding from the state as they did this year with an increase in TAP monies which saved us about nine hundred thousand dollars ($900,000) in scholarship monies or whether we will see a decline in our financial aid population as we have these past few years of about one percent (1%) per year which, therefore, lowers the need is unclear. Those answers are yet to be defined, so we will be working very closely the next couple of months with John Lambert from the Budget Office and Institutional Planning to try to address those concerns. After '85-'86 is the big question. I think in the next two or three months we need to decide what will be the solution to the challenges because Ann and her staff will start recruiting the class entering in the fall of '86. Some we've already met on the road but we'll start in an active way in March and in April, and it's important for us to know in what direction we'll be heading as we start the recruitment season so that we can articulate what our policies will be in the years ahead."

Speaker Martin asked if there were any questions for Susan Murphy to answer.

Professor Eugene Ward, Naval Sciences: "I wanted to ask if you have a policy of not providing any further aid to those students who are receiving NROTC scholarships."

Susan Murphy: "No, the policy is not to provide them with no additional aid. What we do is look at what their need may be
following the receipt of the ROTC award. And because ROTC covers the full tuition and books plus a one hundred dollar ($100) stipend per month, that means that the students have, if they are in the endowed units, about ten thousand nine hundred dollars ($10,900) in assistance. We would add that to what they are bringing in family contribution and typically students do not demonstrate needs beyond that. If, for example, we had a budget of fourteen thousand dollars for an endowed student and that student only brought with him or her summer savings, if it was a freshman, it was one thousand dollars ($1,000), their need would be thirteen thousand dollars ($13,000). If the financial aid package was then only ten thousand dollars ($10,000), that student would be eligible for additional financial assistance of about three thousand dollars ($3,000). Because of the way we build the financial aid package, that would be primarily work and loan because we package those components in aid first before we get to additional scholarships. So they would certainly be eligible for work and loan if they demonstrated financial need."

Professor Ward: "It would seem that since our students receive tuition, fees and a stipend they are not considered to need more aid. I am not sure that any of the people we have in this year's class are getting aid. Is that a policy also?"

Susan Murphy: "Again, we would determine whether they still showed need. We would put together a financial aid package now knowing they had their ROTC award, and it's perfectly possible that we would be using our own scholarships to meet the need of that student. If they then received an NROTC award, we do recompute their financial need, and I would say that in a vast majority of cases, they would not demonstrate scholarship need any longer."
Professor Ward: "I just want to make one quick comment. In the summer under self-help, it's not possible for students in the Navy, and I think it's generally true of those in the Army also, to earn that amount of money because they go to summer camps. They're allotted one thousand three hundred dollars ($1,300). They generally go from four to six weeks at summer camp or a cruise and in the Navy are paid at a rate of four hundred ninety-nine dollars ($499) a month."

Susan Murphy: "We do provide an opportunity for students who do not earn their summer savings to apply for what we call summer savings adjustments, and that is advertised in the fall semester and students submit what their expenses were in the summer which prevented them from saving that amount, and then we would increase their award in the form of some kind of self-help, either work during the academic year or loan. This past year we had about four hundred ninety-six (496) students of the five thousand five hundred (5,500) who are receiving financial aid; not quite ten percent (10%) who applied for an adjustment to their summer savings which we then awarded national direct student, guaranteed student loan or college or study, and certainly your students would be eligible to follow that application process."

Professor Ward: "I just wish to offer one more observation. We saw a very nice presentation but it did not have a single slide on ROTC. Considering that one of Cornell's first original departments was a military department and that among the three services here we've had scholarship students and pay the University several million dollars a year in tuition, it would seem that a vital, sacred part of undergraduate life was omitted. We should bring to the
attention of those going to high schools and alumni helping us to get the best students, the role of ROTC and particularly how it helps students financially."

There were no other questions, so Dean Kennedy thanked Ann York and Susan Murphy. Speaker Martin announced the next agenda item, a presentation on Cornell Abroad and the Cornell-in-Washington Program.

3. PRESENTATION ON CORNELL ABROAD AND CORNELL-IN-WASHINGTON PROGRAM

Professor Arch T. Dotson, Government, and Director, Study Abroad: "I don't know in what sequence this should be offered, but I'll talk first about the Cornell-in-Washington Program because it is older and now well established. Cornell-in-Washington actually consists of two segments or parts. One is the architecture segment, in which a group of students from the Architecture Department come to Washington to work on the architectural problems of urban design. It's not very easy to do that in Ithaca. The program was conducted for a time in New York. There are now about fifteen (15) students from Architecture in Washington. Some of them are doing their senior theses, and others are simply taking a term there. A curriculum is offered in design problems, critiques, and so on. This segment was introduced in 1977.

"The other component is so-called 'public policy'; and that was started only five years ago. As a matter of fact, this is the fifth year. Its genesis is older: in the 1976 bicentennial celebration, the University invited faculty to make new proposals for Cornell's next century. At that time, a group of us who have since come to call ourselves the Founding Fathers, proposed that Cornell utilize the unique resources, personnel, collections --
all the other remarkable opportunities in the nation's capital -- for a program in public policy. The proposal didn't prosper at the time. It was not until later that the Provost, Keith Kennedy, offered us a small grant of seed money. We took additional money out of the chairs of two of the Founders, and started in '79 with six students and two seminars. We utilized the studio of the architects for the two seminars. We had no housing; the faculty commuted. We had no facilities, no furnishings except those that we could borrow.

"We now have a building, which is the Cornell Center in Washington. (It's located near Dupont Circle, just two blocks west at the intersection of 22nd and O Streets.) On the first floor are an office for the Cornell Club of Washington, shared with the Middle Atlantic Regional Development office; a reception area; the architects' studio; the Executive Director's office; offices for faculty; seminar rooms; and a large lecture hall that can also be used for receptions. The top three floors are used for student and faculty residences.

"The curriculum of the public policy program consists of the following, with slight variations from term to term. Eight policy sector seminars are offered, such as American Military Policy, The History of Presidential Elections, Public Finance, The State and the Arts. Then there is the popular seminar that provides some relief from policy, policy, policy, The Architecture of the Capital Metropolis, taught by a member of the Architecture faculty. Similarly, many of the architecture students take the State and the Arts seminar in public policy.

"The academic centerpiece of the public policy program is a seminar called Projects in Public Policy. (It is Government 500,
six hours credit, cross-listed as HD/FS 404.) This seminar, in turn, is supported by a workshop in Analytic Methods. Every student does an 'externship'. We use that designation deliberately, in part because it is correct and in part to distinguish what Cornell does from what the dozens of other colleges do in Washington. An externship is really a sort of research posting. A student spends three days a week in some policy institution, on the hill, in an agency, with a lobbyist, etc. Every student has a tutor, for we use the tutorial method in Government 500. Every student writes a thesis; and I do mean thesis, not just an essay or a seminar paper. The theses compare favorably in my judgment -- I have a long judgment about this -- to the honors theses written at Cornell-in-Ithaca. Sometimes they achieve the level of masters theses.

"The students come from all undergraduate colleges: Cornell-in-Washington is a University Program. We have had some thirty-five (35) different majors represented. It is possible for any student to write a thesis in public policy and work usefully as an extern because of the Workshop. Students who have never undertaken any empirical research, who do not know how to model an empirical problem, who do not know how to establish analytic parameters around a real world problem are taught how to do these things. In the end they produce a thesis, frequently a remarkable thesis.

"We are now at full capacity. Some faculty are in residence, as Walter LaFeber was two years ago and Will Provine this year. Rose Goldsen has made the program a regular stop, and she spends one term each year in residence in the Center. We have more faculty requests to participate in the program than we can accept. We have more applications from students than we can accommodate."
 Nonetheless, in my judgment, the program should be kept at its present level of about fifty-five (55) students.

"The program is rather like an academy, focused in the Cornell Center. It is remarkable as a teaching device, for students teach each other. They form close bonds because of this common experience. It is a very rigorous program. The students do most of the recruiting. It's competitive; it is in effect an honors program devoted to a specialized curriculum.

"Cornell-in-Washington was originally a new notion, as Cornell Abroad is now. It cut across existing arrangements, regulations and requirements. It is now, I believe, woven into the fabric of a Cornell education. When I go with Cornell's recruiters to secondary schools, to meetings of students who are considering Cornell and other colleges, I find great interest in this program. This is self-serving, to be sure; but the testimony that we get from the students and from the faculty who have participated in it is very gratifying.

"You asked me to appraise it. In my judgment it is enormously successful. It has also been one of the most exciting academic ventures in my 33 years at Cornell."

Professor Davydd J. Greenwood, Director, International Studies: "Arch Dotson and I are going to be doing a little shifting back and forth now because this program, as you'll see, involves us in a variety of different kinds of activities. The attempt to improve study abroad options at Cornell proves at least that you can't do just one thing. When we started with the program of study abroad, we ended up very quickly getting involved in international internships and international public affairs, and as
Ann York has said, also in the matters of international admissions. All of these are going to become increasingly important over the years.

"This issue began with an impulse from the Cornell Council which was passed on to us from the President and the Provost who asked the Center for International Studies to help design a study abroad program that would be suitable for Cornell, both for a university of this caliber and diversity and with the extensive international contacts that it has. Now, the Center had never taken on a responsibility of this sort in the past. The Center, just for your information, is a unit, an intercollege unit which reports to the Provost. It contains sixteen (16) programs. Three Title VI programs and one Title XII program of the University are located there, as well as a series of topical and areal programs. Its role in the undergraduate educational arena had been previously limited to language teaching and in the creation primarily of upper level courses. At this point we are now involved very directly in undergraduate education, although we, of course, do not offer courses of our own. In approaching this we decided that it was very important to establish principles that would work university-wide, because the most outstanding fact of the past was that, despite a tremendous amount of effort on the part of many individuals around the campus, Cornell's overall performance in study abroad was very poor. The high point was reached this year with two hundred (200) students studying abroad out of twelve thousand (12,000) plus undergraduates, which is an exceedingly small fraction and far below most of our competitor institutions. It is also a practical
matter because other undergraduate institutions are clearly attracting students away from Cornell by having better study abroad options available than we have had.

"The principles were first of all that it had to be a program available to all Cornell undergraduates but that simple principle is very hard to live up to. It means available in a number of senses, available in the sense that it's open to everyone regardless of their financial ability to pay for the program, a key element in the whole idea. It also means available to students in all colleges and in all disciplines in the colleges insofar as that's possible. There are inherent limits to this but nevertheless that's the basic idea.

"The second principle is that there has to be a quality in the courses that is equivalent at least to the quality of courses available on the campus and that furthermore it be tied closely to campus activities and campus curricula, not a separate program; something that happens to people when they disappear from campus, but something that is an integral part of their educational process. Thirdly, it has to well reflect Cornell's global involvements. Perhaps the most surprising thing about our small involvement in study abroad is that the University, by comparison to many of its competitors, is internationally famous to a remarkable degree. We also have out of one hundred twenty thousand (120,000) or one hundred thirty thousand (130,000) alumni, some fifteen thousand (15,000) foreign alumni.

"The implications of all this are very substantial. First of all, financial aid had to be extended to students studying abroad. That has not been the case, but will be next year."
Secondly, we needed a university mechanism that would allow us to help in the process of certifying programs, in collaboration with all of the colleges on the quality of the program. There are five hundred thirty-four (534) foreign study programs around the country. Some of them are outstandingly good; some of them are incredibly bad; many of them make a lot of money for the people who run them, and Cornell's involvement in this kind of program has to be careful and thoughtful. We have to undertake a review of existing Cornell arrangements because there are a very large number of arrangements. Many of the colleges have innovated their own programs, creating options that are suited to their curricula. Those arrangements have to not only be looked at and supported, where the support will be helpful but also ratified and brought to the attention of other colleges as a stimulus for similar ideas to be extended elsewhere.

"Having an overseas program for all students in all fields in all colleges is a nice ideal, a very difficult one to come to terms with. After all, study abroad is, in a certain sense, naturally a preserve of students in the social sciences and the humanities, both because of curricular considerations and also because that is a natural path for them, a normal course of events. They can extricate themselves from the campus in their junior year without a great deal of delay in the fulfillment of the rest of their requirements and it works well. For students in other fields, with tightly sequenced curricula, these programs are difficult to participate in. For them, special efforts must be made."
"Another implication of our effort is a need for increasing the amount of information to be available to the colleges for advising with regard to foreign studies. There is a group of very dedicated advisors around the campus who have been interested in this for a long time and have served the University well in lieu of a university-wide program. Their efforts need to be encouraged. The colleges will be taking on, as more and more students go, increasing advising responsibilities. We have to enlist the support of the faculty who know a great deal about this but whose information has not really been summed up anywhere. Cornell faculty have been all over the world and know colleges and universities in many places. We do not have an adequate inventory of who they are and where they have been or how they could help us advise students better.

"Finally, we need to create other than academic year programs because in reality, many of our students in the physical sciences, the biological sciences, and in engineering will find it simply impossible for curricular reasons to leave during their junior year, and I will talk about that in a little bit more detail in a few minutes, but I want Arch to tell you where we stand with regard to Cornell Abroad as part of Cornell's regular academic year program."

Professor Dotson: "This becomes my second act. In pursuit of the purposes and principles that Davydd has identified, so far we have taken the following steps. Because of the variety of colleges, programs, and so on at Cornell, and because of the variety in the same factors abroad, a great many different arrangements are indispensable if we are to make study abroad an integral part of a Cornell education and if we are, further, to ensure that no student shall be deprived of this opportunity because of the need
for financial aid. We have entered into formal agreements whereby Cornell will nominate a minimum number of students to particular institutions. Such agreements have been reached with the London School of Economics, University College of the University of London, Bristol, Manchester, Edinburgh and Sussex Universities. You will notice immediately that these may be regarded as our peer institutions. They are comprehensive institutions as well. We have informal understandings with six colleges at Cambridge and sixteen at Oxford. In all of these, Cornell nominates its own students. They are reviewed, as they must be, by the institutions themselves; but they have been vetted, as the English say, validated as they say as well, and certified by Cornell. Cornell's imprimatur is on its own students.

"This, in turn, means that since it is an all-University program, there must be a mechanism for selecting our students, ranking and nominating them. We have already done this for the first group. A review committee from all colleges was constituted, the applications reviewed; and fourteen (14) students were nominated to Oxford and Cambridge. We do not yet know the result, but the prospect is that there will be a very high rate of acceptance. This arrangement was encouraged, if not insisted upon, by these institutions. They wanted to have students nominated, reviewed, and certified rather than having them apply directly. Direct application often means that the students are, as was said to me by the admissions tutor at Clare College, 'non-starters'. That's one set of arrangements.

"We have, as well, entered into a joint venture with the University of Michigan to establish a program at the University of Seville. We have a program, similarly negotiated, with the University of Hamburg. We have reached agreement in principle with DIS in Copenhagen. We have under consideration a program in Geneva. The
attraction in Geneva may be apparent to you immediately because it offers an opportunity to replicate, with appropriate adaptations, Cornell-in-Washington. There are some thirty-five (35) international agencies that have headquarters in Geneva. Many private sector consortia and corporations also have headquarters there. The prospect of having externships in international agencies, coupled with seminars in the University of Geneva or the Institute of International Studies, is very exciting indeed. You may well imagine we have exploited all the Cornell connections. The Chief of External Relations of the United Nations in Geneva is a Cornell graduate; one of the senior officers in UNCTAD is a Cornell graduate; and so on.

"In addition, we hope to have an exchange program, now in the early stages of negotiation, with several universities in China. We also have under consideration a program in Japan. A workshop with Tokai University is scheduled for January; but Tokai is only one of the institutions under consideration. Also in Israel (I am going to Israel at the end of this month, where Professor Arthur Lieberman will join me), we are going to try to achieve a program somewhat similar to the one in Britain whereby students may go to one of several universities, depending upon their interests and qualifications. We want, as well, to investigate the opportunity for Arabic studies at the American University of Cairo.

"That's where we are at the moment. We do not have programs or projects in France or Italy. Of course, we can never have affiliations with every institution in the world where a student might have a legitimate academic reason for wanting to study. In cases where we have no program, Cornell will undertake the function
so commonly performed by the placement agencies to which Davydd referred. Cornell will place its own students. The student will, again, register at Cornell. All students will be eligible for financial aid. All students will get credit. We believe, quite simply, that every Cornell student is entitled to study abroad. Where it is best for each student to go is a judgment that can only be made by the faculty concerned. Cornell Abroad seeks only to assist in that judgment.

"In general, we visualize ultimately an international league of universities of distinguished quality: Cornell would be a member of that league. We hope that this will lead to expanded interchanges of both faculty and students.

"Let me speak to one final point. This program is feasible only if students register at Cornell and pay Cornell tuition. The prospect at the moment -- we have been given a three-year moratorium to sort this out -- is that Cornell may have to subsidize costs, at least in the early years. I just hope that we can get through after three years on a relatively balanced budget."

Professor Greenwood: "In addition to the actual study abroad programs themselves, there are related efforts occurring on the campus. There is a Language House Program. There had been one in the past and it has now been resurrected in new form. The Language House currently resides in North Campus Lowrise 9. Three languages are represented -- German, Spanish, French with some thirty-six (36) students in residence. This kind of model is something that other universities have had in the past, and it works reasonably well making use of native speakers and creating the opportunity for students to spend time learning together about
the cultures that they are interested in. This gives students preparing to go abroad an opportunity and inducement to learn as much as possible before going abroad. It also gives students coming back an opportunity to tell somebody about the experience that they had, a problem that is more acute than you might imagine. It's very disheartening to come back from a major experience and have no one who's interested in hearing about it.

"In addition there will be certain curriculum developments; e.g., courses suitable for preparing students to go abroad. We do need some courses of a more global sort about contemporary western European society and politics, as well as additional survey courses. The talent exists on campus to do that, and the impetus I think will be provided by interest on the part of the students involved in foreign study in such courses. One such course is already going to be offered jointly by History and Government this coming semester on the acquisition of national and ethnic identities in Western Europe.

"Another part of this program is the international internships. Given the principal of equal access for all students on all grounds, it is clear that we need to have opportunities for students who will not be able to go during the academic year. Think, for example, of a pre-med faced with the junior year MCATs, Organic Chemistry, the medical interviewing system, and all the rest. It is not the most likely time for that person to disappear from the campus. Even students who do not have an objective reason for not going, fear leaving the system in case it will put them out of step. Many of the students in the science courses and in engineering who are tied into curricula that are very tightly sequenced simply cannot
go away without delaying their graduation a full year.

"For these students, we have looked into the summers for internship opportunities because they have shown a very strong interest in summer work in professional areas where they might be working later. They are trying their profession on for size and building their resumes, in some cases. We think the opportunity exists to reach those students by offering them internships in a foreign country that would require them to learn a language and would encourage them to learn something about how the professionals practice in another place. This, we believe, would perform some of the leavening intellectual functions that study abroad performs for other kinds of students. This program has already begun as an experiment with the Engineering Coop. In this program, a selected group of students is sent away during the fall semester on a professional placement. They return them to the campus for their spring semester and go off again in the summer to work. They get the fall semester work that they miss in an intensive summer course prior to leaving on their internship. For this program, we have arranged foreign internship placements, with the help of Cornell alumni in Venezuela. Student enthusiasm for this experiment was very gratifying. It also shows us that there is a potential synergy between the foreign and U.S. alumni on many levels, including secondary school admissions work and foreign internships.

"To develop this imposes on Cornell an obligation to enhance its International Public Affairs Program. At the present time, Cornell does not have a fully funded International Public Affairs position, there having been in the past an experimental half-time position to serve the entire world. I think we not only can do
better, but will do better. Some of these internship elements may also ultimately be incorporated in the Cornell Tradition and Cornell Connection as international elements of those programs.

"I think what we are seeing in the panoply of possibilities here is that the full scope of the meaning of the statement that we must 'internationalize' Cornell is quite staggering, and that even in what we are doing now, we are only touching a very small part of it."

Speaker Martin: "We have reached our mandatory adjournment time. Those of you who do have questions, I'm sure the speakers would be glad to answer them."

The meeting was adjourned at 6:00 p.m.

Respectfully submitted,

Francine A. Herman, Secretary
April 10, 1985
110 Ives Hall

The meeting was called to order at 4:33 p.m. by the Speaker, Russell B. Martin. The approval of the minutes was delayed as a quorum was not present. Speaker Martin then called on Dean Joseph B. Bugliari for remarks.

1. REMARKS BY THE DEAN

Dean Bugliari: "I just have a couple of brief announcements to make. The first is that we will have another computer program for the members of the faculty during the first two weeks in June. One will start on the week of June 3; the second will start on the week of June 10. Agelia Velleman, who has been arranging these programs for us, promises that they will be as meaty as the programs offered in January. We hope to get the information out to you with the call to the May meeting. Everyone, of course, will be invited.

"Assuming we get through all the business we have today and have nothing else come up, the plan for us in May will be a combined meeting with the University Faculty on Wednesday, May 15. At that meeting we will honor those people who are retiring. To add a little to it beyond the mere statements about the retirees, Gould Colman will have a slide presentation on Cornell history, which I think will be very interesting; and we will have entertainment provided by our good friend Tom Sokol and the Hangovers, who will sing some Cornell songs at the end of the meeting. I think it will be a nice occasion, and I hope you and many more of our colleagues will try to come to honor those people who will be retiring at that time.

"The last item is something that you may have heard or read about, and that is that there is afoot somewhere a proposal to change the calendar one more time. I would indicate to you that there can be no change, at least one that is proposed, without a vote of this body, so you do not have to worry that it is going to occur imminently. The Executive Committee of the FCR under Ron Ehrenberg
is the Committee that is handling this for the faculty. I have been designated by the Provost to collect the responses to the proposal from deans and other people, and so far I would tell you that the responses are going about like this: there are some people who think it is an innovative stroke of genius; many who think it is the product of a malevolent and deranged mind; some who have taken the opportunity to get their order in to go back to the old calendar where we had exams after Christmas; and yet another group who realize that is where we may go and have already indicated their opposition to that proposal. I would suggest to you that there is no immediate impending action. The proposal has been put out there to see who will fire at it, and, of course, everybody including the Cornell Daily Sun and everybody else has been firing at it. If you have any comments you would like to add, I'll collect those and give them to the Provost in addition. Thank you.

Speaker Martin thanked the Dean and asked if there were any questions. There being none, he called on Professor Peter Minotti, Chairman of the Committee on University-ROTC Relationships.

2. ROTC PRESENTATION

Associate Professor Peter L. Minotti, Vegetable Crops: "My job today is to introduce our speaker, but I want to steal a minute or two of his time to tell you something about our Committee. The University-ROTC Relationships Committee - URRC for short - is a functioning standing committee of this body and reports to you annually. The Committee was established in 1969 and was given a rather broad charge. Let me quote just one thing from the Charter: 'An instrument for which the University demonstrates its active and direct concern with officer education programs and their evaluation.' Of course, that's a mouthful, and while I'm not looking for more work, I do want you to know that this Committee exists and meets several times every year. So if you have a special interest or concern about ROTC, please come and talk to us; if you let me know in advance, we'll give you some time on the agenda."
"The Committee consists of six elected faculty members who serve three-year terms, so they turn over two new ones every year. In addition to that, there are two administrators – in this case Vice Provost Spencer, who was appointed by the President, and David Drinkwater, Dean of Students. In addition to that, there are three student members, one from each of the services and then we like to have four at-large, and I need your help here. In a few days you'll see something in the Sun about it. If you know of students in your classes who might be good candidates to serve on a committee like this, I wish you would bug them a little bit and have them do this. I think they will find it is a very good experience; we like to have a full committee, and we do meet fairly often. So, help me out on that if you would. Finally, the Committee consists of the three commanders of the military units, and these, as you know, hold positions as professor of naval science, professor of aerospace studies and professor of military science. These gentlemen all have advanced degrees; some of them have more than one, and I'd like to introduce them to you because they have a lot of information and can help you out if you are interested in the program. First of all, Col. John Kubiak from the Air Force. John's here; he brought a cadet with him."

Col. John Kubiak, Professor, Aerospace Studies: "This is Cadet Scott Walker, one of our students."

Professor Minotti: "I went to a Rotary meeting the other day, and there was John telling about flying airplanes in and out of typhoons and hurricanes and interfacing with the weather system, so there are always some interesting things.

"The Navy Commander is Captain Gene Ward. Now, he couldn't be with us. He is taking care of the Alliance right now, but I do want to introduce Lt. Robert Gross, who incidentally, is a Cornell graduate who has been in the Navy and now is back at his alma mater, so we're very fortunate to have Bob here interacting with our students. Bob, do you have the latest word about the Alliance?"
Lt. Gross: "First, I would like to introduce Midshipman Scott Thompson. The last word on the Alliance is that it's off the bottom. This morning I found out exactly why it sank. I'm sure you will read about it."

Professor Minotti: "The last member of our Committee, of course, the speaker today, Lt. Col. Boyle. Now, I wanted you to meet these gentlemen because although these ROTC programs have a lot in common, each is unique. There are differences, and each of them would like to tell you why his program is better than the other two, and they would love to hear from you if you want more information.

"Dave Boyle is originally from Massachusetts, I know that. I know he received degrees in California and North Carolina, and I think he is ready now to raise the ROTC awareness quotient of this group."

Lt. Col. David J. Boyle, Professor of Military Science: "I am the Professor of Military Science and Army Detachment Commander. What I hope to do this afternoon, on behalf of the University and ROTC, is to make the faculty more aware of ROTC programs and goals. It is more of an information sharing briefing, if you will. After I speak for ten or twelve minutes, I will entertain questions from the floor. The result that I would like to achieve is that you take the information you hear today back to your departments and colleges and disseminate that information to other faculty/staff members and students as you see fit.

"A little bit about the history of ROTC. As you know, this is a land grant institution and, therefore, in 1868 when the doors opened, the Agricultural school and Military Science were here. We have enjoyed a long, proud relationship with Cornell. We have served this institution and our nation for 116 years on-campus. We're only one of three Ivy League schools, the others being the University of Pennsylvania and Princeton, that host an Army ROTC Detachment. As for our ROTC and University ties, we have already heard Professor Minotti's comments relative to the URRC. The URRC also has the right of oversight for staff nominations. As each three-year assignment ends, the various services
forward a nomination of an officer to replace the individual that is to be reassigned. For example, I will be leaving this June for reassignment to the Pentagon. My replacement's nomination came forward early this spring. He is coming from Korea and is a Cornell grad – I believe it was 1966 – and we are looking forward to Col. Buchwald's arrival. The URRC also takes a very close look at the ROTC curriculum and any other problem of such magnitude that needs to be resolved by the Committee as a whole.

"A little bit about the composition of the services that make up this body. We have a five hundred plus cadet corps, and that is a large contingent. Basically, the Navy has a little over 200 people, the Air Force roughly 175 and we have 145, and it has been growing steadily every year since I've been on board. We expect the programs to grow a great deal more. Women in the Army program make up 33% of our cadet population, a similar number in the Air Force, and the number decreases a little bit for the Navy. The minority percentage is 5% in our program, and that percentage pretty much holds true for the other services. As for the curriculum, I think it is important for you all to take back to your schools and colleges that we in ROTC try to strike a fair balance between the student's academic load on campus and what he or she has to undergo as part of our requirements. The one issue that we insure every cadet or midshipman clearly understands is that he or she is not majoring in ROTC – that is not why they are at Cornell. Now there are some cases where people would much rather do everything they possibly can in ROTC and let their academics slide. It is important for every person to understand clearly that we cannot confer a commission unless the student receives a degree, so, first things first. As to the number of hours a cadet may spend participating in the ROTC program, of course each program is unique, but if you look at a freshman, he/she will spend anywhere from three to six hours a week participating in the program. That's one hour of class, 2 hours of lab, and then the remaining three hours may be in some activity associated with the program. It is pretty much the same for sophomores. The juniors, at least
in the Army, have a much more detailed program, and they could spend upwards of ten hours a week. During their time with ROTC all three detachments focus on responsibility, decision-making, leadership and leadership roles. We also teach organizational and managerial skills and then place the cadets in leadership positions. We evaluate the cadets throughout all four years, so they're under constant observation. It is important to know that in each of the detachments that counseling is a vital part of our overall program. We expend numerous hours with every cadet in a counseling mode. It's important for us to understand everything about the cadet because, shortly after they graduate and a commission conferred upon them, they will be in charge - at least in the Army - of up to 40 people and millions of dollars worth of equipment. We have to find out during their time with us if that individual is stable enough to accept increased responsibilities of that magnitude. Their maturity rate is tremendous. It is a pleasure to watch these young men and women mature as quickly as they do in the time between their freshman and sophomore years. Again, we counsel them not only on academics or ROTC performance, but about their concerns or any personal problems they may be experiencing. In each of the detachments we have a chain of command established and, hopefully, the lighter problems can be resolved through that chain of command. In the Army we take it a step further. We have a sponsorship program whereby every senior is responsible for two or three underclassmen, and he/she is expected to be in constant communication with his/her sponsors at a minimum, once a week - asking them how they are doing, if he or she has any problems or if they need tutoring assistance. This has proven to be a viable program. We've had positive feedback from the cadets indicating they were glad to have someone to turn to. It is an instant family, and it transcends the broad spectrum of upperclassmen. It is particularly important to the freshman as they make that difficult transition from high school to the university environment, and it has paid dividends for us.

"We're not just concerned with teaching people military skills. We're
also very much concerned with rounding out the individual. We insure they participate in extracurricular activities. We're very active in intramurals. We have a national military honor society called the Scabard and Blade. Our chapter was first established in 1906 at Cornell. We are the third company in the first regiment established in the nation. The Scabard and Blade is a service-oriented organization. They perform community work both here in the University and in Ithaca. Blood drives are sponsored by the tri-service brigade both in the fall and the spring. Cornell recently held its phonathon to solicit endowments from Cornell graduates. An Army contingent participated and I am pleased to report they performed exceedingly well and won the group competition. They garnered, I think, $42,000+ for the school in a very short period of time. That was $7,000 more than the previous record. Cadets also sponsor charity events to raise money for agencies in Ithaca such as GIAC and Hospicare. The reason I provide you with this information is to let you know that we teach not just military skills, but teach the cadet to also be responsible to the community in which he or she lives. We see each of these activities as a training tool. We provide the cadets an idea, the cadet takes that idea and develops courses of action, they weigh the options, make decisions and execute. We then submit after-action reports to identify deficiencies in planning and this report then takes on the form of an instant evaluation.

"An important part of my comments today is the scholarship program. We have four, three and two-year scholarships. Now, a four-year award is principally for the high school senior. That individual will apply for a four-year scholarship while he or she is in their senior year of high school. I won't dwell on the four-year scholarship too much because it really doesn't pertain to this audience. I will provide you a profile of the individual who does win a four-year scholarship. That person is generally in the top five percent of his or her high school class, is active in perhaps several athletic teams, maybe even a captain or co-captain of one, very active in school
organizations, community organizations and the like. The average SAT score of
the four-year scholarship winner is 1260. So, that is the type of person we
have in our programs on four-year scholarships. Now, the three and the two-
year scholarships are for freshman and sophomores respectively. We have already
gone through our two-year scholarship interview process and are presently looking
at freshmen. What does the scholarship do for the student? Basically, it pays
for all tuition, a reasonable amount for books, depending on the major that you
are taking, all labs and services. All contracted students receive $100 a month
for up to $1000 a year while participating in our programs. With the projected
increase in tuition next year, the scholarship winner will receive a $40,000–
$60,000 education while matriculating at Cornell. In return, the individual is
obligated for four years of active duty. As far as the Army is concerned, I can
no longer guarantee that any scholarship student will see active duty. Cadets
then, have to perform well in ROTC to compete for active duty positions. Those
not selected for active duty will go into the reserves. To sum up the type of
quality students we have in our programs here at Cornell, I am proud to announce
that last week I was notified that our Army detachment was recognized by the
Chief of Staff of the Army as one of the top 15 detachments in the ROTC program.
There are 315 host detachments and they are located in every state in the Union
plus Guam, Puerto Rico, Virgin Islands and Germany. We are in the top 15, and
yes, that is nice for the Army, but more important, it is clearly indicative of
the type of cadet of midshipman that we have in all three service programs.
That's the kind of people we want, that's the quality individual, that's the
kind you want.

"We feel that ROTC programs at Cornell add to the diversity of the
institution. We also believe that our programs offer an alternative choice for
the student. What I would ask is that when you go back and disseminate this
information, perhaps you may run into that quality individual in your school or
college who can no longer remain at Cornell for financial reasons, or, that student
who wants to look to the future with an alternative career option in hand. Should these situations arise, I would ask that you inform them of ROTC and invite the students to come and chat with us. The only cost to that student is time - the time he or she will take to come over and inquire about our program to see if what we have to offer suits their needs.

"I've gone a little over my 12 minutes. At this time I'd like to entertain any questions you may have."

Professor William H. Kaven, Hotel Administration: "Are the students free to apply from any of the colleges in the University? To all three services?"

Col. Boyle answered yes to both questions and Col. Kubiak said that the Air Force is mainly interested in engineers.

Professor Robert M. Cotts, Physics: "You said that some of the graduates do not go to active duty. What is the commitment in going into the reserves if there is a four-year commitment to active duty?"

Col. Boyle: "All military obligation is eight years. Now, for those who go on active duty and do their four years, when they finish their active obligation they go into an inactive pool. In other words, their name is placed on an inactive reserve roster. For those people who go directly into the reserves, there is an eight-year commitment. That means they will receive their degree, go anywhere they want to in the United States and affiliate themselves with a reserve unit close to their place of residence. They will attend reserve meetings once a month, usually one weekend a month, and two weeks in the summer. These are paid drills which supplements their annual income nicely. Thus, an individual can pursue a private career and keep their association with the military if they so desire."

Lt. Gross: "There is a slight difference here. In the Navy, all of our people who have scholarships and graduate get a regular commission and are commissioned for four years of active duty. Those that don't have a
scholarship and apply for what we call a college program, and that's very few - maybe one or two per class, get a reserve commission and still go ahead and serve four years of active duty."

Professor John E. H. Sherry, Hotel Administration: "Col. Boyle, I don't know if you still have a teaching liaison with individual faculty in the various schools. I had the pleasure of working with the Navy some years ago on a program to place military justice in a democracy, and I enjoyed that very much, and I would certainly recommend that you continue that or investigate it as appropriate. Is that done at all? Do you still invite faculty to teach students on occasion?"

Col. Boyle: "Yes, we have a course that deals with armed conflict in society. This satisfies our military history requirement. It is sponsored by all three services. The lectures are provided by professors from Cornell, West Point and Cortland."

The Speaker thanked Col. Boyle, then called on Professor Peter Harriott, member of the Committee on Admissions and Financial Aids.

3. PRESENTATION ON CORNELL TRADITION

Professor Peter Harriott, Chemical Engineering: "As you know, a great many of our students count on part-time work while at Cornell and on summer jobs to help meet their financial expenses. In the coming years with the increasing costs and nearly level or declining federal support, they may be called on to provide an even greater share of their financial expenses.

"One program that was started a few years ago to provide students increased employment opportunities and other financial support was The Cornell Tradition, and I'd like to call on Caroline Nisbet who is the Program Director of the Student Employment Office to tell us a little more about the program."

Caroline A. Nisbet, Program Director, Student Employment: "It's a pleasure to be with you today. I'd like to clarify that the Cornell Tradition is one of eight programs that is administered by the Student Employment Office, and perhaps it would be good to start with just a little history about The
Cornell Tradition in case you all aren't aware of how it started.

[Note: Caroline Nisbet presented an excellent slide show to accompany her discussion. Her text includes all the materials she used as visuals. F.H.]

"In the spring of 1982, a group of alumni approached the Administration and were interested in doing something with financial aid. They weren't exactly sure what they wanted to do, but they were determined to give a large gift to the University. We explored loan programs and during that exploration these people decided that loans were not the way to go. They were much more interested in reducing loans than adding to the loan burden of our students. At that point in time, they came to my office and they said, 'Can you think of anything people can do if they want to work?' I said, 'Sure. How much money do you want to spend?' They said they didn't know and to think of a program. So, we sat down with the staff and we worked a couple of months and came up with a proposal. We still didn't have any idea how much money we were talking about, so we did the usual and said, 'Well, if you give us this much, we'll do this much. If you give us a little more, we will do a little more.' We didn't hear anything. Finally, I think it was the middle of September, and I got a call and was told, 'we have seven million dollars for five years.' After I picked myself up off the floor, I said, 'Well, that's great; that's wonderful. When do we start?' They said that the President would announce it in October at the Trustee Council Meeting and that they wanted to start the program in the summer. And then after I picked myself up off the floor a second time, I said, 'Well, okay, we'll do it.'

"One of the things that is important in this program is the work ethic, and the alumni who made the original seven million dollar gift are all people who have worked their way through Cornell. Now, they recognize that it is no longer possible to do that with the high costs of attending the institution, but what they did want to do was recognize that kind of effort that our students put in
in helping to pay for their educational costs. What we have with The Cornell Tradition are four programs. Three fellowship programs to reward students who work by providing money to replace loans. The other program is the Summer Job Network, and that is probably the program that has received the most national publicity and the one you may have heard about the most. The Summer Job Network is open to all students regardless of their financial aid status.

"Let's just talk a little bit about each one of the programs. The Freshman/Transfer Fellowship - this is the fellowship program for matriculating students. During the admissions process, these people are identified from their applications by those who read the application folders, staff or faculty in the colleges or it can be someone on the staff in the central undergraduate admissions office. The Fellowship Review Committee then looks at the application; we look at what kind of work experience these students have had, recognizing that not all freshmen have had a paid work experience. We look at a couple of things - the traditional paid work experience that they've had in high school or in their prior college experience, some kind of significant volunteer involvement that perhaps relates to their career plans at Cornell, and we also look at the level of support that a student may have given either to a family business or to their own family in a case perhaps of a single parent family where the eldest child has had to stay home and care for younger children - that's a type of financial support to the family. We look at that, we look at general initiative and motivation factors, community involvement and, of course, their academic record. These students receive up to $2,500 per year to replace their loans at Cornell.

"Well, what happens if you are nominated for the program and get to Cornell and realize, 'This is costing me a lot of money. I'm having to borrow a lot of money every year.' Well, then you can apply for the Academic Year Fellowship program, where applications are available on an annual basis. Again, it's need
based, with a maximum award of $2,500 to replace loan. Fellows are selected on many of the same qualifications as in the Freshman/Transfer program with the sole exception being that this must be a paid work experience during the academic year. There is a fellowship review committee that is comprised of students, faculty and staff, and they set the work qualification for the program each year. At present it's a minimum of 330 hours. That sounds like a lot, so one of the jobs of our office is to try and show students how they can do 330 hours and still have a quality academic experience, be involved in activities outside work and the classroom at Cornell. If a student works only during the time classes are in session, this amounts to about twelve hours per week; if, however, they are creative and take advantage of the services of our office and choose to work full time during winter session or full time during spring break or fall break or some of the other small vacation periods, they can reduce their average work per week to between five and seven hours. Five to seven hours really shouldn't strap too many people, as long as they are doing well in class.

"There is another program, the Summer Fellowship program, that is small and is available only to students who are in one of the other Cornell Tradition programs. The purpose of that particular fellowship is to replace the summer savings expectations for students who are either commuting to a summer job and therefore have high extra costs. As you well know, if you are in New York City and you have to commute any distance, it can be a pretty hefty cost per month, so we help them with that or some students may need to take a job outside their hometown to get the best quality career-related work experience, and therefore they may have some additional travel or living costs. There are also those freshmen who don't get out of high school in New York until about the third week in June and are expected to be here when campus orientation starts the
third week in August, so no matter how hard they try, they aren't going to make their summer savings. For those students we also offer the Summer Fellowship program.

"Now, I'm going to talk a little bit about the Summer Job Network. The Summer Job Network is the largest of The Cornell Tradition Programs, the one you hear the most about. It is a unique program, one that has been imitated by many and duplicated by none thus far. In the Summer Job Network, the purpose is to develop off-campus job opportunities - and that means non-Cornell, we only deal with one Cornell unit and that happens to be the Medical College in New York City, and we do that for obvious reasons because you can get the job experience there that you can't get anywhere else. When we develop off-campus, career-related jobs, we look for a high-quality job, good work experience, and we also look for jobs that pay well, and that's the key. Any student with a little motivation can go out and get a great volunteer assignment for the summer, but what we're looking for is a high-quality job that is going to enable that student to save money to come back and pay for educational costs.

"This program was highlighted on the CBS evening news in April 1984 and if any of you have worked with the media, that four minutes is worth about a quarter of a million dollars if we had tried to film it and sell it in terms of TV advertising. I have several copies of that video tape available if anyone is interested in seeing it. It's a real good capsule, and we use it a lot when we're on the road to talk with alumni or talk to prospective students.

"How does this part of the program work? As I said, it's available to any student, regardless of their financial aid status, so it doesn't need to be someone who is on financial aid at the University. We have found that our applicant pool is about 50/50 - fifty percent are on need based financial aid, fifty percent aren't. The students must apply. During the application process, they note field and location choices. We have an on-line computer system, and we load them
One of the things we also do to ascertain that we are getting quality jobs is that we visit our employers during the summer and have similar kinds of contacts; for instance, as what is done with the Coop Engineering Program. We call, we look at the work site, we talk to the supervisors to see what kind of work a student is doing, and in one or two cases, we've banned the employer from further participation in the program."

Since there were no questions for Ms. Nisbet, the Speaker announced that there was a quorum for the next item on the agenda, which was to be the approval of three sets of minutes, all 1984 – Sept. 12, October 10 and December 12.

There were no corrections or additions to the minutes, and Speaker Martin pronounced them approved as distributed. He then called on Dean Bugliari for a presentation of the slate of candidates.

4. APPROVAL OF SLATE OF CANDIDATES

Dean Bugliari: "As you know, we're ready to start the spring elections for next year's FCR and the committees of the FCR, and along with the call to the meeting, you should have received a copy of the slate that Peter Auer and the Nominations Committee put together. Mr. Speaker, I would like to introduce that slate as the proper slate for the election. I would make one correction on the slate and that is Assistant Professor Shelley White-Means, who was a candidate for the Admissions and Financial Aids Committee, has withdrawn her name, so that name will be stricken from the slate."

Speaker Martin asked for further nominations. There being none, the slate was approved as follows:
AT-LARGE MEMBER, FCR - 3 vacancies, 3-year term; 1 vacancy, 2-year term
Raymond T. Fox, Professor, Floriculture and Ornamental Horticulture
Andrew M. Novakovic, Assistant Professor, Agricultural Economics
Robert S. Parker, Assistant Professor, Nutritional Sciences
Leo M. Renaghan, Associate Professor, Hotel Administration
Beate I. E. Ziegert, Assistant Professor, Design and Environmental Analysis

REVIEW AND PROCEDURES COMMITTEE - 3 vacancies, 3-year term
Robert J. Babcock, Associate Professor, Human Service Studies
George L. Casler, Professor, Agricultural Economics
John S. Harding, Professor, Human Development and Family Studies
Charles C. McCormick, Assistant Professor, Poultry and Avian Sciences
Peter Schwartz, Assistant Professor, Design and Environmental Analysis

NOMINATIONS AND ELECTIONS COMMITTEE - 3 vacancies, 3-year term
Patricia J. Carden, Professor, Russian Literature
Jennifer L. Gerner, Associate Professor, Consumer Economics and Housing
Tove H. Hammer, Associate Professor, Organizational Behavior
Bernard F. Stanton, Professor, Agricultural Economics

MEMBERSHIP OF THE UNIVERSITY FACULTY COMMITTEE - 1 vacancy, 3-year term
Hollis N. Erb, Assistant Professor, Preventive Medicine
Robert C. Fay, Professor, Chemistry

ACADEMIC FREEDOM AND RESPONSIBILITY COMMITTEE - 1 vacancy, 3-year term
William L. Castleman, Assistant Professor, Veterinary Pathology
Kenneth A. R. Kennedy, Professor, Ecology and Systematics

ACADEMIC FREEDOM AND RESPONSIBILITY COMMITTEE - 1 non-tenured vacancy, 3-year term
Jennifer C. Greene, Assistant Professor, Human Service Studies
H. Dean Sutphin, Assistant Professor, Education
ACADEMIC PROGRAMS AND POLICIES COMMITTEE - 1 non-tenured vacancy, 3-year term
Timothy J. Fahey, Assistant Professor, Natural Resources
Ira M. Wasserman, Assistant Professor, Astronomy

ADMISSIONS AND FINANCIAL AIDS COMMITTEE - 2 vacancies, 3-year term
W. Lambert Brittain, Professor, Human Development and Family Studies
William B. Duke, Professor, Agronomy
James J. Eyster, Professor, Hotel Administration
Sidney Saltzman, Professor, City and Regional Planning

ADMISSIONS AND FINANCIAL AIDS COMMITTEE - 1 non-tenured vacancy, 3-year term
Edward W. McLaughlin, Assistant Professor, Agricultural Economics
Timothy C. Murray, Assistant Professor, English

BUDGET COMMITTEE - 1 vacancy, 2-year term
Olan D. Forker, Professor, Agricultural Economics
Walter R. Lynn, Professor, Civil and Environmental Engineering and Director, Program on Science, Technology and Society

BUDGET COMMITTEE - 1 non-tenured vacancy, 3-year term
Susan Hester, Assistant Professor, Design and Environmental Analysis
David M. Stipanuk, Assistant Professor, Hotel Administration

FREEDOM OF TEACHING AND LEARNING COMMITTEE - 1 vacancy, 3-year term
Lee C. Lee, Associate Professor, Human Development and Family Studies
Richard E. Ripple, Professor, Educational Psychology

MINORITY EDUCATION COMMITTEE - 1 vacancy, 3-year term
Vernon M. Briggs, Jr., Professor, I&LR
Zellman Warhaft, Associate Professor, Mechanical and Aerospace Engineering
MINORITY EDUCATION COMMITTEE - 1 non-tenured vacancy, 3-year term
Roy Alvarez, Assistant Professor, Hotel Administration
Satya P. Mohanty, Assistant Professor, English

PHYSICAL EDUCATION COMMITTEE - 1 vacancy, 3-year term
Dennis H. Ferguson, Assistant Professor, Hotel Administration
Pascal A. Oltenacu, Associate Professor, Animal Science

PHYSICAL EDUCATION COMMITTEE - 1 non-tenured vacancy, 3-year term
Paul H. Steen, Assistant Professor, Chemical Engineering
Gordon L. Teskey, Assistant Professor, English

PROFESSIONAL AND ECONOMIC STATUS OF THE FACULTY COMMITTEE - 1 vacancy, 3-year term
A. Neal Geller, Associate Professor, Hotel Administration
Charles S. Levy, Professor, English
Thor N. Rhodin, Professor, Applied and Engineering Physics

RESEARCH POLICIES COMMITTEE - 1 vacancy, 3-year term
John E. Coleman, Professor, Classics
Michael A. Collier, Assistant Professor, Clinical Sciences
Gerhard H. Jirka, Associate Professor, Civil and Environmental Engineering

UNIVERSITY-ROTC RELATIONSHIPS COMMITTEE - 2 vacancies, 3-year term
Richard G. Moore, Associate Professor, Hotel Administration
Ruth Schwartz, Professor, Nutritional Sciences
Raymond G. Thorpe, Professor, Chemical Engineering and Director, Division of Unclassified Students

COUNCIL ON PHYSICAL EDUCATION AND ATHLETICS - 1 vacancy, 3-year term
Harold A. Scheraga, Todd Professor of Chemistry
Robert N. Stern, Associate Professor, Organizational Behavior
UNIVERSITY ASSEMBLY - 3 vacancies, 2-year term beginning June 1, 1985

Stephen R. Cole, Associate Professor, Theatre Arts
Jason Millman, Professor, Education
Roger A. Morse, Professor, Entomology
Teoman B. Pekoz, Professor, Civil and Environmental Engineering

5. RESOLUTION ON CONTINUATION OF STUDENT MEMBERS ON COMMITTEES

The Speaker called on Dean Bugliari, as Chairman of the Review and Procedures Committee, who introduced the following resolution on continuation of student members on committees:

WHEREAS, the FCR adopted a resolution on December 9, 1981 enlarging the Committees on Academic Programs and Policies, Admissions and Financial Aids, Freedom of Teaching and Learning and Physical Education by addition of two student members, and

WHEREAS, continuation of student members was contingent upon review in its third year of operation, namely 1984-85, by the Review and Procedures Committee, and

WHEREAS, the Review and Procedures Committee conducted such a review by polling the committees involved for their input, therefore,

BE IT RESOLVED, that the membership of the above-mentioned FCR Committees continue to have two student members (of which at least one shall be an undergraduate, except in the case of the Admissions and Financial Aids Committee which specifies one shall be from the endowed and one from the statutory colleges), with voting privileges, selected annually by the Staffing Committee of the Student Assembly. Reselection of a student for a second year shall be permitted.

Dean Bugliari: "When students were added to the faculty committees noted in the resolution, it was provided that the FCR would have to approve continued membership during the 1984-85 academic year. The Review and Procedures
Committee sent a letter to the chairperson of each faculty committee involved and the uniform response favored continued student membership. I would, therefore, urge that we adopt the resolution."

The Speaker called for questions and there being none called for a vote. The resolution passed without dissent. He then called on Professor Thomas Sokol, Chairman of the Committee on Academic Programs and Policies.

6. RESOLUTION RE AMENDMENT OF CODE OF ACADEMIC INTEGRITY

Professor Thomas A. Sokol, Music: "The Committee on Academic Programs and Policies was introduced to the subject of the Code of Academic Integrity in October of 1983 when Dean Bugliari called some apparent deficiencies to our attention. We began to consider the matter more intensively this past academic year and under the Dean's guidance and with the help of a Law School student, Eileen Blackwood, we were presented with a proposed revision of the Code of Academic Integrity. We made our suggestions and received correspondence from twelve members of the academic community. We met again and tried to incorporate their thoughts and reactions into the revision and in February, the ten members of the Committee, including two student members, voted unanimously to approve the revision which you have in your hand. On behalf of the Committee, I present to you this resolution based on the revised Code of Academic Integrity."

WHEREAS, the Code of Academic Integrity adopted by the Faculty Council of Representatives on May 24, 1976 and subsequently amended on March 11, 1981 and May 12, 1982, was found to have minor problems and needed clarification of some provisions, and

WHEREAS, the Committee on Academic Programs and Policies reviewed the necessary changes, evaluated additional comments from members of the community and incorporated those where appropriate,

BE IT RESOLVED, that the FCR adopt the Code of Academic Integrity as proposed.
Speaker Martin: "You are moving adoption of the resolution?"

Professor Sokol: "Yes."

Speaker Martin called for discussion.

Professor Mary Beth Norton, History: "I'd like to hear some discussion of the addition of this new paragraph for the penalties on academic misconduct - I.C.3.a. and b."

Professor Sokol: "With your permission, I'll refer to our lawyer, Dean Bugliari."

Dean Bugliari: "Let me say this paragraph was meant to cover two situations. The first situation we were confronted with was a number of situations in which something occurred during an examination. For example, two students could be talking. In another case, a student had a book that was open in an exam, but it was not an open-book exam, and yet the instructor felt that to charge a student with an academic integrity violation as opposed to misconduct during an examination or classroom type of situation was inappropriate, because the student would then have a mark on their record for academic integrity. The purpose, therefore, was to say that this would be something of a lesser kind of an offense included within the framework of the Code, but without the stigma of academic integrity attached to it; that carried some penalty; to indicate that the faculty had the right to control the classrooms and the examination sites and to deal with minor infractions in some way. Those are the two reasons why this was included. We at least had a couple of cases where the faculty people felt that they had to do something, and the only thing they felt they could do was to treat it as a violation of academic integrity, but they didn't feel that was appropriate either, if as an example the two students who were talking were discussing what they were going to do after the exam."
Professor Norton: "Why the option of referring such people to the Judicial Administrator for violations of the campus Code?"

Dean Bugliari: "I think the feeling was that the faculty itself would rather control this than have it taken to the campus judicial system. I'm not even sure it is a violation of the campus judicial system to talk during an exam. I'm not sure that there's anything in the Campus Code of Conduct that would handle it. Personally I don't believe that most faculty members would feel that if two students were talking during an exam and they didn't want to charge them with cheating, that they should have to take them to the Judicial Administrator to deal with the matter under the Campus Code of Conduct. Now, I'll admit, there could be some conduct in a classroom that could also amount to something that would involve the Campus Code of Conduct, but that is not the kind of thing we're typically trying to handle. We had a number of cases reported to us where something occurred and the faculty member felt action should be taken short of charging a student with an academic integrity violation. That's the purpose we had in mind. And we did put in a review process to make sure that the procedure wasn't abused. I, further, have always assumed that this was an inherent power that a member of the faculty had anyway— to do something of this type when something occurred in the classroom or in the examination setting."

Professor John DeWire, Physics: "I am also the University Ombudsman, and it is in that role that I want to say a few words about the same section. We've had considerable discussion about it in our office and as Dean Bugliari knows, we've also done what we could to try to do something about this section, but we've failed, so I am making one last attempt to see if I can get some support. The thing that bothers us about this is the issue of disruptive behavior, and we can't quite understand how one can determine the grade for a course where the
student has been disruptive, but we think that's a case that should be dealt with under the Campus Code of Conduct. Let me take an extreme case. Suppose you have a person that is doing brilliantly in a course, but in the middle of an examination, for some reason or another gets up and shouts in a loud voice, 'Divest' or something. I don't think it would be appropriate to give the person a lower grade for doing something like that. That is clearly not a case of his academic behavior for which he or she is supposed to be given the grade. We in the Ombudsman's office hate to see things get mixed up; that's when we get lots of problems. We are not trying to shun our duties, but we feel that the inclusion of such a paragraph is going to bring a lot of very muddied situations to the attention of the hearing board where they really won't be in a comfortable position to deal with, and it should be more properly handled by the Code of Conduct. So, if I were a member of this body, I would move an amendment to strike that section 3 called Academic Misconduct."

Professor Sokol: "I won't attempt to give the legalistic reaction, but I do know that in our deliberations we were concerned with those other students in that classroom when this disruption would take place, and the manifestation of that action does have a direct affect on their academic work. It is quite difficult for us to evaluate how the grades of those who were not doing the disrupting are affected. I think what you're suggesting is that this is a 'conduct' kind of event that can best be handled by the Ombudsman's office or a behaviorist rather than by the faculty member in charge of the classroom; we are concerned that there are consequences of that action which in fact are academic and are within the domain of the faculty member, and I'm not quite sure how we would handle that if we, for example, accepted your premise, that this is a behavioral problem rather than an academic one. Dean Bugliari probably has a more direct response but I needed to add that because, as you know, we've received an extensive letter from your office, and we've carefully pondered each of the presentations that was made, and that was just one of the reactions
that was raised in response to your letter. Are there other more direct responses?"

Dean Bugliari: "I think you have said it very well, Tom. I sure don't have anything to add to that beyond what I said before, namely that this was something that the faculty already had as a prerogative in dealing with actions that take place in the classroom or examination sites. I hope we understand that the faculty member might treat the student who stands up and hollers, 'Divest' in the middle of an exam in a different way from the student in a small course who continually interrupts time after time after time in the middle of a presentation. It seems to me that the latter may be something the faculty member has to deal with academically. As for students who talk during exams and who say afterward, 'but we didn't pass information,' the faculty member may believe them, but they have still disturbed other students, and I don't know how the Campus Code of Conduct would handle that. I hope we can do it judiciously."

Professor Norton made a motion to amend the Code of Academic Integrity by striking section 3 on pages 2 and 3. The motion was seconded, and the amendment was placed on the floor for discussion.

Professor Norton: "Speaking of the faculty member who has regretfully used this Code of Academic Integrity on a number of occasions in dealing with students who have submitted plagiarized materials in my courses, I have been a participant in several hearings with the Arts College Academic Integrity Hearing Board. I feel very, very strongly, as all my students know, because I make a major point about academic integrity in my classes. I think that the kind of misconduct in the classroom we're talking about here does not come under the Academic Integrity Code, but I think if it is to be dealt with outside of some sort of informal mechanism of a professor in a classroom, I think it should be dealt with under the terms of the Campus Code of Conduct rather than through academic integrity."
"I really feel that it is utterly inappropriate for a faculty member to have the power formally written down to assess a grade penalty for what is defined vaguely as a disruptive behavior in a classroom. I mean, I can see a situation in which a professor simply doesn't like to have his or her interpretation of material questioned, and a student who insists on questioning that material can get on the wrong side of the professor and be penalized in grade terms for that kind of activity which I think is just utterly inappropriate to be dealt with in a grade sense. I hate to see it written down anywhere in legislation adopted by the FCR that a student can be penalized in terms of a grade for something other than what I would regard as heinous violations of the Code of Academic Integrity like cheating on an exam or like submitting a plagiarized paper. Therefore, I really ask that the body please strike that section."

Dean Bugliari: "I'd like to make two additional points. Notice there is a review process, so if someone did what Mary Beth suggested, the student first would have to be immediately notified, and this isn't something you can do at the end of the semester. If you are going to penalize a student for that kind of misconduct, the provision says that the student must be promptly notified. That's what you are going to do. Secondly, the student can appeal through the Academic Integrity Hearing Board on the grounds that the decision to impose the penalty was arbitrary and capricious or that the penalty itself is excessive. We have changed the wording there so that it now reads 'excessive or inappropriate to the circumstances involved.' So, it is not something that can be done arbitrarily or capriciously. But I think if you strike it out, then we're going to have faculty people who don't think they can control their classroom. Believe me, there are people out there who really are concerned about what kind of control faculty have over the classroom."
Associate Professor Henry H. Hagedorn, Entomology: "It seems to me that the suggestion that this be under the Campus Code of Conduct rather than the Code of Academic Integrity ought to be discussed a bit more fully. I believe that that would be more appropriate."

Dean Bugliari: "We don't control the Campus Code of Conduct. That's controlled by the University Assembly, not by the Faculty. Academic misconduct is not a violation of the Code of Academic Integrity. It was merely put in here to give guidance to the faculty as to what they could or could not do if they were confronted with this situation. If you strike it, then I'm going to assume that to anyone who comes to me and says: 'This student did this in my class. Can I do something to them?' The answer will have to be 'no', because that's what you faculty are telling me if you do that."

Professor W. Donald Cooke, Chemistry: "I disagree with the Dean's interpretation. Of course you can do things. You can call the Safety Division, you can call the Judicial Administrator. There are all kinds of things a faculty member can do."

Dean Bugliari: "Let's assume there's a student who talks in class repeatedly. Nothing in the Campus Code of Conduct covers this situation. And for the students who talk during an exam - there is nothing in the Code that covers that, either. We are merely reducing to writing what in actuality has been practice by faculty for many years."

Professor Hagedorn: "I think the response then should be to approach the Assembly rather than to be forced into this document which is out of place."

Professor DeWire: "I was going to say what Professor Cooke said. I wanted to take issue with the Dean; a professor is not helpless, and Don has already said that. I think that the fact that there is nothing stated about this in the Campus Code of Conduct means that there should be a statement there, not in this document. I hate to see us mixing up these aspects of student behavior. I think they should be kept in a very clean line."
Professor Terrence L. Fine, Electrical Engineering: "I'd like to speak against the amendment because I think what's happening is that you're reducing us to nuclear war in the sense that we need to go to the Campus Code of Conduct or we try the student for a violation of academic integrity when the issue itself might be on a much smaller scale. Right now it seems to me there is a fairly large area we may quibble over, as in some of the examples used today; we may quibble over destructive behavior, but then I can also quibble over Professor Norton's example. I think that in fact there are instances indicated here where you would like a moderate response, where something short of a full academic integrity hearing would suffice. I think the Dean is right. In the past faculty probably have acted somewhat as this describes it. I think that this institutionalizes it. The advantage is that we now have a clear process of appeal. We should have a very mild response available short of a full hearing. I think there's a lot to be said for that."

Assistant Professor Timothy C. Murray, English: "I, too, would like to speak on behalf of the amendment. I am very concerned about the wording of this paragraph. It says, 'A faculty member may impose a grade penalty for any misconduct in the classroom or examination room. Examples of academic misconduct include, but are not limited to ...' It seems to me that the inclusion of this paragraph opens up an amazing can of worms that I could penalize a student for absolutely any kind of misconduct whatsoever with a grade penalty. I mean we've all had cases in classrooms especially just before vacations and just after vacations where people are lax or get carried away or they're obnoxious, and I think it would be entirely inappropriate for us to recommend that those students should be given any kind of penalty much less a grade penalty for spontaneous indiscretions."

Professor Norton: "I want to speak to a couple of the arguments that have been made in opposition to my position. I always regret to disagree with my friend, Professor Fine, but I find I must. I would like to ask a couple of
questions. First of all, if academic misconduct as defined in this document on the top of page 3 is not a violation of academic integrity, what is it doing in the Code of Academic Integrity? Two, if it is not a violation of academic integrity why is there an appeal to the Academic Integrity Hearing Board? I think it belongs in the Campus Code of Conduct, and I certainly disagree with Professor Fine that the notion that somehow a grade penalty imposed by a faculty member is a moderate penalty. I regard a grade penalty as very serious and do not impose it on students lightly. I do so only in two circumstances: one is if the material is late with absolutely no excuse whatsoever; and two, if in fact the material has been plagiarized, in which case I flunk the student in the course. Now, I don't think that that is a moderate penalty. I don't like to see faculty members having the ability to impose grade penalties on students for matters that have absolutely nothing to do with the academic performance of that student in the course, and that's what this provision says."

Professor James W. Gillett, Natural Resources: "I had Ray Brewster as an organic professor and on a spring afternoon, often the students would fall asleep. One student snored in class three times and his grades were the same as the rest of us in the top part of that class. He got a B. It was considered just by both the students and the faculty that Brewster imposed that penalty for him snoring in class three times. Now, I'm not sure where it fits into all of this. What role does the professor have in maintaining the class in terms of standards? A hot spring day is a tough time to keep awake."

Speaker Martin: "Students back there please note."

Associate Professor Andrew Ramage, History of Art: "I'm in favor of keeping it in, in general. Some of the arguments that have been brought forward indicate extreme cases, but I think that this provision is mostly for the minor middle ground where one does not wish to go the whole process of hearings, re-
hearings, appeals, etc. Part of the attraction of this is that the threat is powerful, and the action is immediate rather than three weeks away from when anybody was talking or taking their clothes off or something like that. Now, I can cite an event that happened to me, a mixed example, which is interesting I think in this case. I was worried about what I needed to do, and if this provision had been here I would have known how to handle it. I would have felt justified and done this in terms of reducing the grade by a half a point or a point, where a student gave me a paper and he included with it an illustration that he'd torn out of a book from the Cornell library. So, we have here a mixed situation where the student had stolen a page from the library. It hasn't left the campus, and he'd given it to me for a paper, and he's reduced the opportunity of other students. So, what should I do? In fact, I referred it to the librarian, but I would have liked to have reduced his grade by a plus or a minus. I would like, however, to add my understanding that this could get out of hand, and I think that having an appeals provision settles that business."

Professor Sokol: "One thing that comes to my mind that I must at least mention. I don't think we really wanted to deal with the matter of conduct outside the classroom and thus we have used the term 'academic misconduct'. By that I interpret it to mean that the action takes place within the confines of the classroom during a class or examination situation. Therefore, the definition I think makes it distinct from misconduct as a social wrong. And I would assume that the faculty would be reluctant to pass on even to the Ombudsman's office matters which do concern what goes on in the classroom. While I can understand some of the things you're saying, I don't quickly see the alternative. I would be reluctant really to call the Ombudsman in on a matter that took place within my classroom."

Dean Bugliari: "I'd like to respond to two issues that Mary Beth raised. First the reason that we put it in the Code here is that that's the document we
were dealing with. And the reason that we provided for the appeal to the Hearing Board is that we did feel that in fact it could be abused, and to prevent the abuse, we put in a mechanism to provide a review process. In the process of going through and talking to everybody who has ever served on any and every hearing board on the campus we could find, the feeling was that this was a problem and that we had to deal with it. So we put this provision in to cover what some people have said was a crack, a situation that fell somewhere inbetween. That was the purpose of its inclusion. But we did feel that if we included it we had to have an appeal mechanism and had to make it a prompt decision and not something that somebody did six months later or three months later."

Professor Wesley W. Gunkel, Agricultural Engineering: "I think at this point we're probably shedding more heat than light on the subject, and I call the question."

Professor Martin: "The question has been moved and seconded which will mean that we close our debate on the amendment."

The question was passed and the body voted on the amendment (part C, number 3 a. and b.) The amendment was declared defeated and a standing vote was requested.

Speaker Martin proclaimed the defeat of the amendment by a vote of 18 to 17. He then announced that the original resolution was on the floor for further discussion.

Professor Murray: "I would like to speak against the current resolution because I don't feel that Section 3C, a. and b. should be adopted, so I would argue against the resolution and at least for the time being stay with the present system."
There was no further discussion on the resolution, and it was voted on and passed.

There being no further business, the meeting was adjourned at 5:37 p.m.

Respectfully submitted,

Francine A. Herman, Secretary
MINUTES OF A SPECIAL MEETING OF THE UNIVERSITY FACULTY
May 1, 1985

Speaker Russell B. Martin called the meeting to order at 7:32 p.m. After welcoming everyone to Bailey Hall, he briefly itemized the procedure for the evening.

Speaker Martin: "We will begin with comments by the Dean of Faculty, Joseph Bugliari, not relating specifically to the issue of divestment, but some other comments he wishes to make. Then, if Professor Erik Thorbecke of Economics and Nutritional Sciences, who is a member of the Board of Trustees Proxy Review Committee is here, he will follow the Dean because we thought it helpful if he were to describe exactly how that Committee works. If he is not here at that time, we will hear from four speakers - Professor Michael Latham, Nutritional Sciences; William Herbster, Senior Vice President; Associate Professor James Turner, Africana Studies and Research Center; and Professor Frank Young, Rural Sociology. They will deliver prepared statements relative to the issue.

"Then Professor Latham will introduce a resolution to the floor, we will open it for debate with the members who have signed up being given the floor first, alternating pro and con. Following that, there will be an opportunity for other faculty members who wish to speak.

"The Chair particularly wants to call your attention to the fact that faculty members - assistant, associate, full professors and emeritus professors - are the only ones who will be entitled to vote and to debate, and the Review and Procedures Committee, for the benefit of everyone, has put a five-minute time limit on the presentations from the floor."
"The final bit of action will be to vote on the resolution. With that, the Chair calls on Dean Bugliari."

Dean Bugliari: "I wanted to welcome you and thank you all for coming this evening. I'd like to urge you also to come to two other meetings that are scheduled on May 15. At 2:30 in the afternoon, the FCR will meet and among other items on that agenda will be a presentation by Lew Roscoe, who is the Director of Facilities Planning, concerning campus construction that will take place in the near future; and Bill Wendt, Director of Transportation will talk about the traffic plan during and after that construction. I know traffic is dear to the heart of everyone and this is our chance to see the plan and comment on it. Please come.

"At 4:30 on the same afternoon in the same place, 120 Ives, we will have our annual meeting to honor those members of the faculty who will be retiring during the year 1984-85. In addition to the retirement program by the college deans, Gould Colman will present a slide show which he has entitled 'Cornell Sideways by Magic Lantern' which I think will be pretty interesting. In addition, the Hangovers will sing some Cornell songs for the retirees. I ask you all to come and honor those who will be retiring this year.

"I'd also like to take this opportunity to notify you that there will be another computer training series for the faculty in the first two weeks in June, and you will be getting information on this program with the call to the May meetings. All faculty members including emeritus members of the faculty are, of course, welcome at those programs.

"Finally, I've also had some inquiries about the possibility of a referendum no matter what decision is reached tonight, and I would like to inform you that according to O.P.U.F., the Organization and Procedures of the University Faculty, such a referendum is possible by a petition in writing by
either the President, the Trustees, or voting members of the faculty equal to or greater in number than the authorized membership of the FCR, which is presently 101. That petition would have to be filed within 20 days of tonight. The rules on such a referendum are contained on page 209 of your nice new Faculty Handbook. Thank you."

Speaker Martin thanked Dean Bugliari, then proceeded to introduce Professor Thorbecke.

"Professor Erik Thorbecke, H. Edward Babcock Professor of Economics and Food Economics is a member of the Board of Trustees Proxy Review Committee. We thought it would be helpful if he were to explain the workings of that particular committee."

Professor Thorbecke: "I wanted to remind the faculty of the existence of the Proxy Review Committee. The Committee is composed of 5 members- 4 of them are also members of the Board of Trustees, including one student trustee member and myself as a faculty member. The Committee was established a couple of years ago with two charges. The first one is to vote Cornell's proxies on issues of social responsibilities, and in particular -- but not exclusively -- South African issues; the second mandate of the Committee is to act as a liaison, as a bridge, between the Cornell community and the Board of Trustees again on issues of social responsibilities and, more particularly, on the South African question. So, in this sense, the Proxy Review Committee is indeed supposed to generate as much information and as much comment as possible regarding the views of the various segments of the Cornell community on South African and other issues of social concern. Now, the Committee has held some public hearings and the next public hearing is scheduled for tomorrow at 8:00 p.m. in 120 Ives Hall, and at that meeting (which is going to be a very long meeting from the number of people who have expressed a desire to speak),
there will be two issues discussed. The first one is three proxies which have
to be voted upon, all relating to South African involvement of three
corporations. The second issue in general is going to be the whole question of
possible divestment, the question which, of course, is the one which is going
to be debated here.

"Tomorrow's meeting is to last something like 2-1/2 - 3 hours, if I
understand correctly the way in which it has been planned, and it is, again,
another opportunity, I think, for all of you who feel very strongly about the
issues of investment and divestment and divestiture regarding South Africa to
express your views, so I encourage all of you who feel strongly about it to
attend that meeting."

Speaker Martin: "We'll now proceed with the four speakers for a
presentation of the issues. First, Professor Michael Latham, Nutritional
Sciences."

Professor Latham: "Mr. Chairman, Mr. President, Ladies and Gentlemen:
Those of us who are responsible for having this meeting called tonight are
really most grateful for this very large turnout. We do believe the dialogue
between those with differing points of view is very important.

"I was born in Africa; I continue to spend a good deal of time there, and
I think I have some small understanding about its problems, its people, and its
politics. I do feel rather emotional about this issue and also somewhat
frustrated because for 17 years as a professor here I have been trying to
influence Cornell to divest and yet we have made very little progress.
My efforts and those of many others who've spent more on this have been with
three different Cornell University presidents, yet to no avail. I have
witnessed dramatic confrontations in 1969 with President Perkins and in 1972
with President Corson and in 1978 and now again in 1985 with President Rhodes."
I have met with all three of these presidents on the question of divestment. In between these events, there have been numerous meetings of faculty and students and others. Many committees have been formed and dissolved, or people have resigned from them in frustration. Reams of reports have been written, and there have been several votes of students and faculty and others in favor of divestment. But none of this seems to have influenced our Trustees; in fact between 1978 and 1985 the amount of Cornell money invested in corporations doing business in South Africa, according to figures given to me, has almost doubled - from sixty-five million dollars in 1978 to close to one hundred twenty-three million dollars today.

"I believe that what we should be mainly discussing tonight is investment, not divestment. I think that the onus is on the Board of Trustees and the Administration to prove that investment in South Africa is moral and is right for Cornell. This really is a moral issue that we are discussing. There should be less need for us to prove the merits of divestment.

"There are three aspects related to investment that need to be discussed here, I believe. These are: first, the South African regime - why is it being targeted? Second, the financial implications for Cornell University, and, third, what effects will Cornell investment or divestment have on black South Africans.

"First, the South African regime. There are many repressive governments that I, and I think many decent human beings, oppose, but there is no government except the government of South Africa which has racial discrimination written into its laws and into its constitution. Repression, injustice and cruelty are as entrenched in South Africa today as they were in Nazi Germany in the 1930's. Those of us who delight in the freedom of this great University must surely try to understand what it would be like to be a
black person in South Africa. Students who've been characterized as indifferent have in the past two weeks at Cornell tried to do just that. They have shown concern, and I commend them. South Africa is the pariah of the world, opposed by nations north and south, east and west, communist and capitalist.

"Now to the financial issues. For many years I've listened to spokespersons for the University argue against divestment mainly on the grounds that this would be costly to the University. Various economic analyses have shown that argument to be completely invalid. Several institutions, including universities, have divested and have not been harmed financially. The third question then is whether investment in South Africa helps the majority of black citizens. This seems to be the current argument being used in favor of Cornell investment in South Africa. Certainly total withdrawal by U.S. corporations would hurt a few black workers. The numbers are a miniscule proportion of the total black population. The harm would almost certainly be short term, and in the long run the whole black population would benefit. The abolition of slavery in the United States hurt a few individuals where employment was terminated. No doubt if the mafia were cleared out of New York City some people would lose their jobs. But these are not reasons for supporting investments in slavery or in the Cosa Nostra. In 1965 the whites in Rhodesia seized power illegally and established a government which most of us considered highly undesirable, but which was not as brutal or as racist as the South African regime. Most of the world including the United States withdrew all investments from Rhodesia, and in 1979 the white regime was brought to its knees and forced to hold free elections and Zimbabwe was born. Why did we support the withdrawal of U.S. corporations from Rhodesia but we don't from South Africa? Why was Cornell not out there in 1970 insisting on investment in
Rhodesia to help its black people? We are going to be told tonight that U.S. corporations in South Africa are helping black people, and that black South Africans oppose divestment. We will not settle this argument because it is not possible to gauge South African black opinion. People there are not free to speak and they can't get access to the information on which to base a rational opinion. It certainly is not possible for a U.S. businessman or academic spending a few days or even a few weeks in South Africa to obtain the truth. No outsiders can travel freely within the country, and no blacks can publicly support U.S. withdrawal; they are likely to be imprisoned for so doing. I traveled briefly to South Africa about five years ago as a consultant to the staff of a U.S. Senate committee. We were not allowed to speak freely with black people, we were prevented from visiting Soweto, we were constantly shadowed by a South African security officer. This is a police state in South Africa; you can't find out what is going on there, and so I think we should value the opinions of the few black South Africans we have at Cornell. I beg you tonight to listen to Professor Congress Mbata. I believe he is the only black South African faculty member we have. He is an intelligent, humane and a very gentle human being. For fifteen years I have listened to him; I've shared platforms with him. He has been consistent in his belief that American complicity in South Africa is delaying the freedom of his people, that Cornell divestment is desirable and would help his people. Who is William Herbster to tell Congress Mbata that he is wrong or misguided?

"I serve as Chairperson, and my wife and I serve as support family, for one of the black South African students that President Rhodes recently was pleased to claim as being helped by Cornell and the corporations in South Africa. She is a highly intelligent woman and will be the first black South African to have a Ph.D. in Nutrition. She is totally opposed to U.S.
corporations involvement in South Africa and so are all of the other black South African students that I've talked to here, some of whom are supported by these corporations.

"Finally on this issue, I am quite flabbergasted to hear from Mr. Herbster and others talking for the University, that Cornell is using our investments in South Africa for moral and political purposes, and to help oppressed South African blacks. So often in the past we have been told that Cornell did not, and would not, use its portfolio for political and social purposes, and President Rhodes himself in the past seemed reluctant to make political statements of any kind concerning the nuclear freeze or on other issues. The sudden concern for the black people of South Africa resulting from a few days of student sit-ins at Day Hall challenges my credulity. Suddenly from unexpected quarters we find that Cornell has a secret weapon - its investment portfolio - a weapon that surely will slay the dragon of apartheid, or is this really just a tactic to justify maintaining investments in racist South Africa.

"President Rhodes has in recent days said time and again that reasonable people differ on the issue of investments in South Africa. I agree with him. I also believe that when there has been disagreement for seventeen years then at least some action from the Board of Trustees to show that they are reasonable is now essential. I speak for myself alone, and not for the faculty group against apartheid, when I say I would welcome a compromise as a gesture of good faith to begin to extricate us from this crisis. As a compromise I suggest that the Board of Trustees take two steps: One - that they agree that from June 1, 1985 they will cease to purchase new stock in corporations doing business in South Africa, that is no further investments from next month - an easy step for them to take. Secondly, that they agree
that by January 1, 1986 they will divest themselves of half of the stocks about 60 million dollars worth - in corporations doing business in South Africa. Such actions by the Trustees would not stop me from calling for total divestment, but it would restore my confidence in their good faith on this issue. It would show that they share President Rhodes’ philosophy of reasonableness and compromise.

"Finally, when asking you to vote tonight, we all realize that in part our vote is a symbolic act, but similar actions dealing with black civil rights and with issues of foreign policy have had an effect in the past. Undoubtedly, no action by Cornell will change the South African regime, but by voting for divestment you will be joining an increasingly large group of world citizens who are saying that we can no longer tolerate the actions of the white racist regime in South Africa. Thank you."

Speaker Martin: "Our second speaker is Senior Vice President William Herbster."

Mr. Herbster: "It has been suggested that tonight I might give you a perspective on the existing University investment policy and how the policy itself has been implemented. I’ve also decided that I would give you just a few thoughts of my own on this matter, which are completely personal.

"Let me start out by saying that I have the utmost respect for the people who have a view counter to the existing policy. They are troubled by the issue. I know they are terribly bothered as I am by the lack of positive and effective change in South Africa. We agree on the ends we all seek, which is the abandonment of the apartheid system in South Africa. The only debate is about the means to that end, and I think that it does no service to any cause to question each other’s motives."
"As background, the Trustee policy was arrived at in 1979 after more than six months of study by a special Board committee which included faculty, staff and student representation. It was approved by the full Board at that time. The policy has four major components. The first is not to invest in companies whose primary activities are in South Africa. The second is to sell securities in any U.S. corporation which operates in South Africa and does not subscribe and adhere to the Sullivan Principles or a comparable set of principles. The third is to sell holdings in banks which make new loans to the South African government or its agencies; and finally, to engage in efforts to improve educational opportunities for black South Africans.

"In summary, the Board felt that continued American presence in South Africa could be a force for positive change and that we could encourage this through our continuing ownership of responsible companies.

"The Board also dealt with fiduciary questions, particularly the financial impact of divestiture. They concluded that the cost to our endowment and to gift income of divestment were in the many millions of dollars even before considering the possibility that, on its own initiative, the University might decide to refuse to accept gifts or grants from these corporations, refuse to allow them on campus to recruit, as part of extending the kind of punitive steps that one takes, in a manner of speaking, in divesting of or terminating a relationship with a corporation whose actions we find offensive. I can provide details later if you'd like. That would hold equally true today. But most importantly, the Board felt that its decision and the policy that it had agreed to would have the most positive effect on the black majority in South Africa.

"Since 1979, the South African situation has not improved in any major way. We all are terribly torn by what we see happening in the country. However, in spite of this, it is interesting to note that many knowledgeable
people, including some black South Africans, speak out forcefully for continued American presence in that country. In part, their reaction reflects a concern that if America were to withdraw, it would have a negative impact, the hardening of apartheid, and the possibility of a revolution with an uncertain outcome. In part, their reaction represents a concern that the good generated and the ground gained in the past several years and future potential gains will be lost if American companies were to withdraw.

"Let me cite for you some of the things that have happened in South Africa of a most positive nature, I believe thanks in part to American presence in that country. The first is that without question the black union movement has gained ground tremendously. Unions are now recognized and have a growing strength in the country. The second is if one looks at the Sullivan companies they are now 100% desegregated in terms of their facilities; they have equal pay scales and benefits, a growing number of supervisors - more than fifty percent - are now non-whites. And for the first time, we are beginning to see a breakthrough on the managerial side with blacks managing whites, with fifteen percent of all managerial jobs filled by blacks - admittedly still on the lower end of the scale, but still fifteen percent. More recently, as Reverend Sullivan himself has upped the ante of what it means to abide by Sullivan Principles, the companies have become active, vocal and visible in terms of arguing for further social change in the political arena.

"In spite of this, of course, we all recognize that things are not well and like you, the Board, and through it the Proxy Review Committee is increasingly concerned. Several months ago, it's worth noting it was before the current upheaval here on campus, the Committee began an examination of the overall impact of American investment in South Africa. This is a question which has not been studied in any detail. The Investment Research
Responsibility Center, which is a non-profit independent organization, was asked by this University and fourteen others (the so-called group of fifteen) to look at this issue, to make a comprehensive examination of whether or not American presence is having a positive or negative effect in South Africa not just within the companies but more broadly. That study by IRRC is underway and is expected within the next several months, and it will be comprehensive from what I can gather.

"There are certain things that we all should recognize when we talk about this issue of divestment. There are really several different aspects to it. The first is divestment, which in my terminology would mean stopping investing in a company. The second is withdrawal, which in my phrasiology would mean a company terminating its operations in South Africa. The third word that I think of is disengagement, which is a political question, and that relates to our relations as a country to the country of South Africa and would involve such actions as sanctions.

"Our current policy is based on the premise that divestment would leave us without an opportunity to encourage those companies which currently subscribe to the Sullivan Principles and which are actively and positively involved in change in South Africa and to put pressure on those which are not. Putting it in slightly more negative terms, I think if we were all to stand up today and say we are divesting from those companies who are doing a responsible job in South Africa it would give them a very different message than many of you would intend.

"Withdrawal, it seems to me, leaves South Africa without what may be the one source of positive change that that country and the black majority in it could hope for. Putting it slightly differently, with the kinds of gains that have been made, however modest, and with now the kind of political activism
that one is seeing in that country on the part of American companies, it is distinctly possible that progress can continue to be made. Albeit not progress any of us would find sufficient, but certainly better than deserting the black population to an uncertain fate.

"It is very interesting to note that within the last five months, President Rhodes and the presidents of fourteen other institutions that make up the group of fifteen that I referred to before wrote a letter to the American Chamber of Commerce in South Africa. The Chamber heretofore has been relatively quiet albeit they claimed they have been working behind the scenes to effect political and social change in the country. That letter included a report sponsored by the group regarding influx control laws in South Africa. It urged those companies and the Chamber to take an active role. We recently have become aware of a discussion which took place between a member of the group of fifteen and a leader in the American Chamber. Let me just read you a brief portion of it. First of all, the Chamber executive went on to say that they had only acted (and they have come out publicly now) because of their firm conviction that they must act in economic terms to start out with, but that the encouragement of the universities and the information which was provided through the report which the universities provided, led them to take the following steps. Am Cham came out publicly, held press conferences, has been working hard in the political scene; against influx control laws; for the government granting freehold rights for urban blacks. They asked for the immediate cessation of population removals, they asked for the phasing out of the migratory labor system, the opening of central business districts to traders of all races, and a re-thinking of the government’s determination to remove South African citizenship for blacks at the time of instituting constitutional independence. Now, I suggest to you that that is the kind of
political activism, which if you saw on the part of corporations in this country, you would find objectionable, but nonetheless I think all of us would applaud in a country like South Africa.

"Let me conclude on a personal note. In spite of what is occasionally inferred, I am not an apologist for investing in South Africa, although I may sound like that sometimes. But I am an apologist and I am a true believer in trying to see that whatever we do is the most responsible thing. I am compelled by the progress, however modest it may be, that I see taking place in that country, thanks in part to American presence there and thanks in part to the existence of the Sullivan Principles. It seems to me we are all operating and debating in perhaps the wrong arena. The real issue here is a foreign policy issue. There is no question that the South African government will not change its ways unless we have a change in foreign policy, and I suggest to you that perhaps the very best strategy may be to on the one hand, not to discourage but rather to applaud the presence of American companies in South Africa and to further urge them on in the kinds of things they have been doing while at the very same time we focus the attention and the energies that have been used up on this campus over the last couple of weeks on the real issue, which is how do we get a change in our South African foreign policy so that we can reinforce the kinds of positive things that are happening within the country, while at the same time putting political and economic pressure through Washington to make it clear to the South African government that apartheid must go. It seems to me that that is the message we should be trying to deliver, not a message to the Sullivan companies that employ blacks, arguing in both the political as well as in the economic arena for positive change is indeed a bad thing to do. Thank you."
Associate Professor James E. Turner, Director, Africana Studies and Research Center: "The difficulty inherent in discussion of such a complex issue, with varied policy implications, is to resist the pull to respond to points already made. To some extent I'm at this point trying to resist doing that. What I hope to do is to integrate my own comments in a way that may in fact reflect my response to some of the points already made.

"It seems to me that one thing is rather clear, that the issue of South Africa and America's role in South Africa's economy/society aggravates this society. Clearly, for those of us who are Black Americans this issue has become the number one foreign policy issue. I agree with Bill Herbster that this matter is essentially a foreign policy issue, but I think it is important to look at the way in which we approach that issue.

"Some of you are aware that on the day before Thanksgiving, Congressman Fauntleroy, Randall Robinson, Executive Director of TransAfrica and Civil Rights Commissioner Mary Frances Barry visited the South African Embassy to engage the South African Ambassador in discussion about why his government had summarily arrested all of the major union leaders in South Africa, after having previously indicated that the government was willing to recognize trade unions. The South African Ambassador said that he would have no discussion with them. Their response was that they would sit there until he did. Since it was Thanksgiving eve, they thought it a very appropriate way to celebrate Thanksgiving in America. As you know, from that day until now every day in Washington, D.C. between the hours of 2-4 p.m., Americans from a cross-section of this country come to demonstrate their concern about the growing brutality of apartheid. It aggravates Black America obviously for special reasons because of the spectre of racism. The support of the American government for organized racism at a time when we are commemorating the horror of World War II
is particularly disturbing. What strikes me about most of the commentary recently about the horror of World War II is how most people, then, did not act in time. It reminds me very much of the way we are behaving at this time. There are all sorts of ways in which we rationalize what is taking place in South Africa, but it seems to me that there are fundamental realities that cannot be avoided. We say to the world that in America we stand for the preservation and the propagation of democratic values. We say to the world, as we proclaim the end of the post Vietnam syndrome, we are prepared to assert our moral authority in the world, but while we do that, we support the only nation in the world that keeps alive the Nazi ghost of World War II. The people ruling South Africa today had refused to support the Western democratic alliance in the war. Many of them became guerrillas in support of Hitler. Many were hunted by the British authority. Since 1948, the apartheid government has been ruling the country, and they have not forsaken their version of a 'total solution'. They claim that two-thirds of the population are not citizens of the country. Though they have been born there, and they have their historical origin in the country, the minority regime says that they do not belong to the country. They are not citizens of the country.

"I would say, Bill, to argue that the urban Blacks ought to be given some consideration relative to the influx law is certainly not sufficient. Most of the men affected by influx laws leave their families in what's called the Bantustan. The Africans are relegated to thirteen percent of the nation's land area and they are forced to occupy, what is the most barren part of the nation, the section of the nation with no facility to support elementary economic life. The South Africans have been obstinate over three administrations, from Nixon to Reagan, Carter notwithstanding. From 1971 to 1980 American financial holdings in South Africa have tripled, and during that period, there has been
no significant relenting on the part of the South Africans in their devotion to apartheid. One indication of an 'apparent' forthcoming response by the South African government has been another novelty to modern civilization, a tri-cameral racially segmented government, one in which they create parliaments predicated upon racial categories. However, the African majority is still excluded.

"The Sullivan Principles are always mentioned in these discussions. I certainly hope that Reverend Sullivan would visit Cornell. He was recently among those demonstrating in Washington, D.C., and he stood at the South African Embassy door less than a month ago to be arrested as a symbol of protest. His position seems now to be that the Sullivan Principles are not sufficiently effective by themselves.

"Moreover, the Sullivan Principles distorts the argument in a very fundamental way. It transfers all of our concerns to one consideration, that is the quality at the work place, which affects less than one percent of the African working force. But I suggest for your consideration that the Sullivan Principles do not stop bannings, the Sullivan Principles do not stop random arrests in South Africa, the Sullivan Principles co-exist with the influx laws and with the infamous Pass Law, which since 1960 has seen millions of Africans arrested. It is a state that criminalizes most of its own citizens. Bill Herbster mentioned income improvements. I wish to remind you that the most recent income figures indicate that the average national distribution is something to the following: White $7,226; Asians $3,356; Coloreds $2,508; Africans $1,860. These are 1982 figures. It hardly speaks for a diminish in the systemic racial inequality.

"One other point I would like to make. American holdings are in the strategic sector of South African society, for instance roughly seventy percent
in computers. We can hardly imagine that the influx laws would operate as efficiently as they do without American computer technology. Recent reports out of the American State Department indicate that the South Africans have already begun to use American computer technology for military radar use. Several war planes in South Africa have been found to have American computer technology aboard. The State Department says it is presently investigating this matter. It would seem to me that divestment is in fact the first step, but it is a step that would indeed say to the South Africans that Americans are serious about what side they are on. The nature of American investment there tends to support the status quo and reinforces the structure of apartheid, not the opposite. Indeed, divestment would say to all of the corporate managers that they have to be as concerned about their markets inside this country, their relationship to American investors and consumers, as they are with their investment holdings in South Africa. It seems to me that it also would send a message inside South Africa. There is growing indication that not all of the European (white) population inside South Africa support the present apartheid government. The divestment movement encourages this sector of white opposition.

"Whatever it is that we decide here tonight, we should be aware that the African community in South Africa is facing greater political repression, which for the most part, has demeaned all political and democratic activity in the country. There is an increase in the military role in domestic life. Recent observations from the State Department and the CIA report that the military is assuming a larger role in th domestic life in South Africa. Military vehicles ring most of the African townships, so that funeral processions become the only means of political expression. You have seen the reports - 30,000 to 60,000 people turning out for a funeral procession to proclaim their oppression
to apartheid. All of the major unions, not only the leadership, but their entire membership recently indicated that they are opposed to apartheid. I would simply hope that we here at Cornell can either accept the compromise that has been offered, or indicate that we want a more progressive stance on divestment which would in my view inspire a move among American corporations to consider what Bill Herbster wants, that is disengagement. Many of them have already begun to discuss whether or not investment in South Africa is currently safe, given the level of political upheaval. It seems to me we could nudge them in the direction of continued consideration of their role in South Africa.

"I would end by offering only one other observation, and that is a comment by Bishop Desmond Tutu. He said for those of us who are reasonable, it is hoped that South Africa would begin to respond in some way that would offer reform, but over the last ten years, what we have seen is not reform but in fact a deepening of intransigence and an increase of repression, such that even the middle ground among the clergy and the intellectuals and the political activists have been banned. He says it is not likely that the South Africans will respond unless they hear a clear and unequivocal voice from the world community that what is going on in South Africa, currently, will not and cannot be tolerated. Thank you very much."

Speaker Martin: "Our final speaker, Professor Frank Young, Rural Sociology."

Professor Young: "I have been asked to comment on this motion because of my role as Chairman of the College of Agriculture Africa Committee and because of my own scholarly interests in Africa. Unfortunately, neither of those roles has equipped me with special knowledge of the situation in South Africa, but perhaps that is just as well because the position I want to advocate should
be based on generally accessible facts and reasoning. In one sentence, I want to persuade you to vote for this motion because although its chances of success in the many possible senses of that word are slight, it does have an important additional value as a signal to our government that the direction of American foreign policy is too narrow and perhaps even out of control.

"As an instrument to change the South African government, the proposition is probably weak. First, it assumes that faculty opinion on financial matters can influence the Board of Trustees. We all understand, of course, that the impact may be indirect via the unwanted publicity for Cornell. However, the Board of Trustees has every reason to ignore this motion. To them it constitutes meddling in their responsibilities and a weakening of their faith in the policy of investing for profit only. Second, the motion assumes that Cornell's divestment, perhaps in concert with that of other institutions, will have some kind of impact somewhere in South Africa. The motion implies a direct influence on the South African government in changing its racial policies, but it may also give moral support to the blacks in South Africa. The third assumption is that Cornell can divest without serious financial or organizational loss. The latter is the more serious because the motion undermines in a small way the division of labor between faculty and trustees. They, like us, are locked into long-standing and strong organizational grooves that have served well, so any move to blur these lines poses an organizational threat. The fourth assumption is that whole or partial American divestment will not be followed by reinvestment on the part of other countries with even less sensitivity to the internal situation in South Africa. After all, the U.S. quickly moved in when British banking moved out and international capital movements are even more rapid now.
"Given such a tenuous causal chain, one can reasonably doubt whether this motion is worth the effort, but to that there is a well-known answer. I would simply repeat the maxim that I once heard in these same meetings about fifteen years ago. It asserts that if anything is worth doing, it is worth doing badly. And one might add, partially and with full awareness of its weaknesses. This line of thought justifies an affirmative vote on this motion, but it would make me happier to have a stronger reason, and I believe one exists. It seems apparent to me that the issue here is ultimately not South Africa, but the United States. U.S. security requires some kind of a link with countries like South Africa, and our government probably assumes that trade relations reinforced any military ties that we have now or may want to develop. Concomitantly, American corporations probably assume that U.S. diplomatic and military support insures stability - as it did in Iran! and therefore, that South Africa is a stable and continuingly profitable investment. It is easy to understand this way of thinking because there are no accepted alternatives to it in the big power world. Many believe that for better or worse the U.S. must maintain a large military capacity and that we must have friendly governments in strategic places. And at any price. That is what concerns me. The U.S. is now involved in a resurgence of militant nationalism which has all the earmarks of a phenomenon known to anthropologists as nativistic movements. There is a great drive to return to presumed older values and to regain our former high prestige. I have no quarrel with much of this, but what worries me is that nativistic movements, and certainly this one, embody a strong militaristic component which when allied with industrial and political power can easily get out of control. Great power is single minded and mobilized national power is downright paranoic. I do not believe that
U.S. government policy is based on the principle that might makes right, but it does seem to assume that might is a big help if you know you’re right. "This is not the place to wonder why and how this new nationalism came about. It is sufficient to note that U.S. prestige has declined from its post-war high and that deposed top dogs, whether nations or boxers, strive to make a comeback. All this militant nationalism separates foreign policy from public opinion, and when this happens we will need some practice in what we may now call ‘Polish citizenship actions.’ I define these as non-violent, non-institutionalized collective actions design to persuade modern all-powerful governments to pursue alternative policies. I view the motion before us as a minor exercise in Polish citizen action. While it is true that we are not meeting illegally, we are proposing to change Cornell’s financial policy in a way that the Board of Trustees has every right to think is improper. Because this sense of propriety is part of the larger corporate system, it will probably not change without unconventional action. Given the remoteness of the South African target and the low probability that this resolution, even when combined with others across the country, is going to have a great impact on the highly concentrated military, industrial, political complex here at home, this is a minor exercise indeed, but it is appropriate that we think about these things because people with imagination should contribute to this stock of ideas. I would go even further to suggest the University Administration and the Board of Trustees accept as a proper function of the University the creation of unconventional citizens’ actions. We might all be glad someday that we had accumulated this particular kind of intellectual capital, and in the meantime, my interpretation of the significance of this motion may lower blood pressures and change attitudes, both of which would contribute to our collective health.
"To sum up, I find two reasons for supporting this motion. It might do some good in South Africa in the present and it will certainly do us some good here at home in the future."

Speaker Martin called on Professor Latham to offer a resolution.

Professor Latham: "I would like to read the motion."

RESOLVED, the Faculty of Cornell University calls upon the Board of Trustees to remove from the portfolio of the University, in as expeditious a manner as possible, all investments in all corporations doing business in South Africa.

"I would like to propose that motion."

The motion was seconded. Professor Martin announced that the floor was open for debate and that there were twenty-six people on the sign-up sheets - twenty-three for the affirmative and three for the negative.

Speaker Martin: "The Chair would suggest that if there are no objections, to create a little more balance here in terms of those on the negative side who have not signed up, that they be given an opportunity to alternate as we move down the list of those in the pros. Are there any objections to that procedure? [There was an objection.] Is there any discussion on this motion before we vote?"

There was a question as to whether affirmative speakers who had not signed up be permitted to speak, and Speaker Martin said they would.

Speaker Martin: "The point right now is whether or not with only three, you wish to alternate those with the first three affirmatives, then go straight through the balance of the affirmatives."

Professor Benjamin Nichols, Electrical Engineering: "Being one of the 23, perhaps there are others who would sacrifice their speaking time."
Speaker Martin: "Perhaps before we get to that point, we had better vote on whether or not to follow the procedure that we had suggested."

It was suggested that Speaker Martin ask how many negative speakers had not previously signed up and still wanted an opportunity to speak. Two people responded.

Speaker Martin: "We shall vote on whether or not to follow the procedure allowing these two to alternate with the top group of affirmatives."

After the vote, Speaker Martin proclaimed the motion carried, then said: "The floor mikes are working, but you may have to talk directly into them. It will save time by not having to come up here. We have invited Professor deBoer to serve as timekeeper, and what we're suggesting is that if you need to take your full five minutes, that he give you a signal at the end of four indicating the time you have left.

"May we remind you again of the procedure – a five-minute time limit, only members of the University Faculty - full professors, associate professors, assistant professors and emeritus."

The first speaker in the affirmative, Professor Walter Slatoff, English: "I just have a couple of points I want to make, and most of them have been made, but I don't think perhaps the main one. First, we're not really debating whether all American companies should abandon their operations in South Africa. We're a long way from that, and Lord knows what may happen in between. We have no control over that. What we're debating is what one university should or can do. Secondly, we can't truly measure or predict the results of such withdrawals if they were to take place or the results even of large scale divestiture. There are many real and valid differences of opinion on this. How then can I feel so strongly in favor of divestment when I can't answer these questions, and how can so many thoughtful students who are by no
means simple-minded on this issue feel so strongly? And I think for some of us it is in addition to the things that have been stated. We feel that there are normal ranges of good and evil, of injustice, of oppression, of racism, of man's inhumanity to man, and in these we are all complicitous to some degree. There's no way of getting out of that, and unless we're terribly saint like or terribly naive, we accept that complicity. We do what little we can from time to time. We volunteer, we send checks, we write letters to congressmen, we appoint or serve on committees to study the issues or try to make things a little better, and we try to weigh whether a particular vote will or will not make things better, or a particular set of principles, say like the Sullivan Principles will or will not make things a little better. But there are a few things, it seems to me, which seem to fall quite clearly beyond these normal ranges of good and evil, things which are special evils: slavery, large-scale murder of civilians, Nazi and Soviet death camps, and most of us, I think, regardless of our positions on divestment feel South Africa represents such a special evil, a special sort of moral and political monstrosity. And it seems to me for these special cases there have to be special ways of saying loudly and clearly, 'this is intolerable', not merely 'I'd prefer it otherwise' or 'I'd vote for it to be otherwise,' or 'I very much want it to be different,' or 'I deplore it terribly,' or even 'I abhor it and will do my tiny best to try to help make it different.' What we have to say to mark those offers, 'It is intolerable,' and I think that by doing this, we help to keep ordinary evil within its usual bounds, and we define those limits of ordinary evils. If we don't say a special 'no', we extend the range of what is accepted as normal and permissible evil - the sort that we accept that we have to live with. As individuals, we do this special saying no sometimes by shouting an absolute 'no, I will not countenance that. I don't care about all the subtleties of
disengage. I do not see how giving the control of these corporations over to those who are absolutely indifferent to apartheid around the world can possibly lead to disengagement. As a result, my feeling personally is that a great strengthening of the kinds of pressure that investors in the large American corporations can put, a great strengthening of that pressure is a good idea, and divestment is a bad idea. I understand very much that the movement of the last several months has been extremely effective in focusing world press opinion and the opinion of the world legislatures against South Africa. That does not, however, mean that after this sort of guerrilla theatre which has been very successful, and of which I approve, it does not mean that after that theatre is over, that you shouldn’t continue doing things. Divestment, in my own mind, is stopping doing anything to influence the international corporations. Thank you."

Speaker Martin: "Our second affirmative speaker, Professor Richard Rosecrance, W. S. Carpenter Jr. Professor of International and Comparative Politics."

Professor Rosecrance: "Thank you, Mr. Chairman. Mr. President, Fellow Citizens: I’ll try and keep my remarks very short because I realize that we have a long night ahead of us even if the vote is affirmative in the end, and there are other things we might wish to do this evening. I just have one or two quick points about the history of Cornell’s position on the question of investments in South Africa, and I’d like to offer a slightly different perspective from the one offered by Bill Herbster. It does seem to me that one of the problems with our stand in the past has been that it hasn’t actually been fully implemented, and even when it was stated, it was stated in ways that were somewhat vague. For example, the Committee that Bill referred to whose report was approved by the Board of Trustees in 1979 didn’t commit the
University to the sale of securities that were not in accord with Sullivan or other comparable principles. All that it did was commit the University to consider the sale of such securities. I think in fact if one looks at the actual holdings that Cornell has had over a series of years, they don’t reflect any enormous implementation of even the most moderate and, indeed, perhaps too moderate, standard of concern about what our companies are doing in South Africa. For example, in 1979 and March, 1980 we held the stock of six firms which either had not signed or not carried out the Sullivan or comparable principles. In October, 1980 the number was five such firms. In December, 1984 and the most recent statistics that we can get, Cornell held two firms that were non-signatories, three that were not making acceptable progress under the Sullivan Principles, and two banks that had previously made major loans to South Africa and were in that sense implicated in maintaining their social system of apartheid. So, in this sense it doesn’t seem to me we really implemented whatever principles we have perhaps adumbrated. Indeed, I think I would say - I sort of beg to be corrected on this, I hope I’m wrong but I think until President Rhodes made a statement of a week ago, not one share of stock that Cornell holds had actually been sold because of a violation of the Sullivan or other comparable principles in seventeen years of resolutions, committee meetings and deliberations. For example, in 1981, Revlon did not even bother to report its activities in the Sullivan Principles but of course we continue to hold stock. In 1982 International Minerals and Chemicals refused to accept Black Labor Unions, but we did not sell the stock. In 1982 Xerox expanded its investment in South Africa in violation of the recommendations of the Ford and Rockefeller Foundation report which specified that companies should not make new investment in new product lines in South Africa, and we did not sell that stock, and I believe we hold it today. So, in
this sense it doesn't seem to me we have the best moral record in South Africa. We don't have the position to point with pride to our activity in the past on which we can build for the future. In fact, our record so far has been a fairly dilatory one.

"Now, I think the best argument for divestment that one can make and perhaps it has already been made, but I'll just reiterate it very quickly, is that the white apartheid government in South Africa has been so concerned that American and other divestment might take place that it has now branded such advocacy of divestment a criminal offense. This is one of the reasons why we will occasionally hear that blacks in South Africa have not supported divestment. Bishop Tutu did not support divestment when he was here because he could not, and yet every thinking person knows that he favors such action. I think really if we look at what has happened in the past, now is the time, even if it is only symbolic, for Cornell to take a stand. We are now in a situation in South Africa where I think compromise is still possible. It may not be possible five or more years from now. We are now at the point where it is still possible, I think, to get the black and the white community together with agreement with some form of compromise that provides one person one vote as an outcome in politics in South Africa without a blood bath. And I think it is time for us to take a stand that supports this in a way that we have not done in the past."

"Our second speaker in the negative is Professor James W. Mayer, Francis Norwood Bard Professor of Materials Science and Engineering."

Professor Mayer: "This is strange for me to be against any resolution. In fact, it is strange for me to be at a faculty meeting at all. I'll try and give you the background as to why I'm opposed to this resolution. In short, it doesn't go far enough, but let me describe exactly how I came to this
position. About seven years ago I went to South Africa to see what was up, particularly I was interested in how the South Africans managed to keep their undergraduate women in their dormitories from eleven to eight o'clock in the morning. That was an interesting feat that we should look at. When I was there, I became absolutely appalled at the system that existed. Like many of the physics camp, I was not particularly politicized to know what it meant to be black in South Africa, but I certainly quickly found out because I am a student talker. So, I would wander around and find disenchanted and disenfranchised students and talk to them - tremendously bitter. When you walk into facilities and find them segregated, it is a blow to you. If you try to take some student friends out and find you have to find a restaurant, it’s a blow. So, I decided to do something. It is contrary to some, but I actually think if you make up your mind that something’s wrong, you do something. So, I decided that I would try and have black students work with me, and so in fact, I did. I gumshoed around and went back to South Africa to visit research groups that had blacks, colored and white working together. Using our own group research funds, we invited a black student to work with us for two years and he managed to finish his Ph.D. He just received his degree. Now, this student, in the many hours we talked together, was also bitter about South Africa. I will say, however, that contrary to some of the opinions here, he felt that the presence of American industries was a positive factor in the living conditions. That was not what I had observed as I would tramp around the fields. The point is that some of the black students actually have some positive things to say about U.S. involvement. One, at least, felt U.S. company involvement was positive.

"The second point is I’m up a tree. I can’t recommend to the Trustees that we divest if I am not in a position to do the same thing. I feel I have a
prudent stand to make in regard to my family's investment, and yet I can't decide which companies to divest. The Sullivan Report, while admirable, gives no real guidelines and if you read Fortune or any of these others - absolute nonsense. Some companies do well, the IBMs, the Kodaks, apparently they are trying hard. So, I am in the spot that I don't feel I can recommend to the Trustees something that I am not personally prepared to do.

"So, here we have me in a position that I feel I am doing something about South Africa because I do look for black students to bring over here, and we pay them with our funds. The second thing I cannot find out for myself - I don't know what to divest - but third is this resolution doesn't go far enough. First of all, if we are going to apply pressure to companies, it is done in two ways. You show up for the stockholders meetings and you say what you have to say. In other words, if we are going to go for this divestment, we should go further, not divest in that sense, but actually go to the stockholders meeting and say something. A few banners at the company meetings might go a long way."

Speaker Martin: "Speaking in the affirmative, Associate Professor Congress Mbata, Africana Studies and Research Center."

Professor Mbata: "I was born in South Africa and lived the first 48 years of my life there. I think I know a little about what's happening there, and I think I can read between the lines of the press and so on in regard to South Africa, but let me first place before you what the black laborers of South Africa have to say on the situation. I will read this quote. 'It is sometimes argued by well-meaning people abroad that if the world boycotts South Africa, we the working people, will suffer most.' Even if this were true, and we do not believe it, let us assure our well wishers that we do not shrink from any hardship in the cause of freedom. The working people of our country do not eat
imported food or wear foreign clothes, nor do we benefit from the export of South African diamonds, wool, wine and gold. To our friends abroad we say that trafficking in the fruits of apartheid can never be in the interests of the workers who suffer under apartheid.

"I want next to remind ourselves of a report that was submitted by the Committee on South African Investments to the Faculty Council of Representatives in 1982. A section of the report reads:

The Committee notes that within recent times scholarly organizations have urged the academic boycott of Russia for its treatment of Jewish scholars and dissidents, and states which have not ratified the ERA Amendment to the U.S. Constitution have been avoided as sites for the national conventions of similar organizations. The horrible treatment of scholars and dissidents in South Africa is well-known, but a point often missed is that the white-controlled South African Government, though it has the resources and academic infrastructure to do otherwise, is consciously dedicated to a policy that makes it impossible for any of its Black citizens to become a scholar. In fact, their policy discourages and makes impossible the education of Black children and adults, period. The situation in South Africa is extreme, and we hope that in the not too distant future faculty members at Cornell will become aware that such is the case, thus making it possible to entertain resolutions, including boycott, which today our Committee hesitates to suggest.

That was in 1982. It is three years later, and I'm suggesting that it is about time we followed up on the report of our own committee.

"I want to focus on the reasons why overseas companies are not in a position to influence the South African government. I wrote an article some
time ago and perhaps in the interest of time, I may read extracts of it. First of all, the South African government has taken precautions to make certain that overseas corporations comply with South Africa's norms and laws, and an example of this is the fact that the law precludes corporations from withdrawing their assets until seven years has expired after declaring their intent to leave South Africa.

"This is what the Dick Clark report said. It pointed out that collectively United States corporations have made no significant impact on either relaxing apartheid or in establishing company policies which would offer a limited but nevertheless important model of multinational responsibility. The situation pointed out by Mr. Herbster has not been lost sight of, but I don't think he has advanced sufficient grounds to justify our remaining in the same position in which we were when the Clark commission reported.

"I would like, however, to sum up in brief by suggesting that unless we begin now, it may be too late. In fact, some of the actions that have been contemplated should have been thought of earlier and put into practice at the time. I'll take a minute more of your time and note that when I was coordinator of a group of black Africans in South Africa which met at regular intervals with officials of the American Consulate General in Johannesburg, and alternatively with visiting personalities from various government departments, we urged at that time that America should consider the advisability of an oil boycott of South Africa. We pointed out at the time that if this did not happen, that South Africa would be stockpiling oil and perhaps rendering itself much safer than it would otherwise be. We urged that an oil boycott would make certain that at that point in history, South Africa would be brought on its knees in a very short time since it could not carry on without oil. These suggestions were not heeded; South Africa has stockpiled oil and is now in a
position to withstand the effects of an oil boycott for quite a long time. I’m suggesting here that unless we support this measure we may find that it is too little and too late. Thank you.

Speaker Martin: "The Chair would urge in light of the number of speakers that we have that you do everything possible to limit your remarks to the five minutes. I’m sure everyone would appreciate it.

"Number three in the negative is Professor Frederick B. Hutt, Professor Emeritus, Poultry and Avian Sciences."

Professor Hutt: "My friend in South Africa with whom I exchange once a year notes on the state of the nation, one might say, told me in his letter last Christmas, ‘For Heaven’s sake, don’t send us anymore senators and don’t think that Bishop Tutu speaks for all of Africa; he doesn’t.’ He said the most logical man we’ve got is a man named Buthalesy, of whom I have never heard, and I thought no more of it until in the Wall Street Journal of February 20, on the editorial page I found an article by Buthalesy with the title ‘Disinvestment is Anti Black’. I propose now to read to you just a few sentences from that article. Time won’t permit any more. He begins:

In the struggle for liberation any black leader worthy of the title recognizes that the responsibility for bringing about radical change in South Africa rests on black shoulders. It is a South African struggle and blacks have to lead in that struggle until we pass the point where the drive for improvements becomes non-racial...

It was the large corporations that broke the apartheid barriers which resulted in advancements for black workers. Ford Motor Company’s bold indenturing of black apprentices against the law hastened the day when job reservation had to be abandoned. Progressive managements talking, dealing and negotiating with workers hastened the day of black trade union recognition.
This might be interpreted as a suggestion that perhaps if we wanted to help black Africans we should sell our Toyotas and Hondas and so on, and buy Fords. For large American companies to opt out of the South African situation is to opt out of the prospects of being catalysts in the process of change. Increases in economic investment in South Africa by U.S. companies associated with a U.S. constructive engagement policy with real meaning is a moral option that the U.S. now has. In the circumstances that now appertain withdrawal of investments in South Africa by Americans is a strategy against black interest and not a punitive stick with which to beat apartheid... More than 50% of all black South Africans are fifteen years old or younger. A huge population bulge is approaching the marketplace. To greatly increase underemployment and to greatly increase the already horrendous backlog in housing, education, health and welfare services would be unforgivable. Jobs make the difference between life and death. For Americans to hurt the growth rate of the South African economy through boycotts, sanctions and disinvestments would demonstrate a callous disregard for ordinary people suffering terribly under circumstances that they did not create, and finally, black South Africans do not ask Americans to disinvest. The strident voices calling for confrontation and violence are the voices most dominant themselves for disinvestment.

"The footnote that the Journal put under the article to tell us who wrote it says: 'Mr. Buthalesy is hereditary leader of the Zulu people of South Africa.' The Zulus are not just a tribe; they are a nation, and a great nation, and I think we might possibly want to consider that."

Speaker Martin: "Speaking in the affirmative, Professor Terence H. Irwin, Philosophy."
Professor Irwin: "I'd like to say a word to colleagues who are impressed as I was by the particular moral commitment undertaken by President Rhodes last week in his letter to the campus, and re-emphasized by Vice President Herbster tonight. They don't tell us that apartheid is good business and we should make all the money we can, and they don't tell us that the University should be morally neutral. That's not what we've been told tonight. The position they've taken is fairly clear for us. The position is that it's morally mistaken for us to profit from apartheid unless our doing so is a means to the ending of apartheid, and the further claim is give this particular experiment a chance to work.

"I want to make two points on the claim that we should give constructive engagement a chance to work. First of all, this is not a new experiment. It has been the predominant attitude of the western world to the republic of South Africa for most of its existence. The second point is that it's not an experiment about which we should be in reasonable doubt. It is an experiment which is an obvious and woeful failure. It had 25 years since the Sharpsville massacres. The political, economic and social fabric of apartheid has remained, it has strengthened in all those 25 years. There has been nothing concrete that has been offered this evening to show that our involvement - the involvement of American companies - has had any role in affecting the basic structure of apartheid. We may grant that it has caused some cosmetic changes. There has been no evidence brought forward to show it has made substantial difference through the basic structure of the system. Today apartheid is as vigorous as it ever was, more vicious that it ever was, it has been more thoroughly carried out than at any previous time. So we have good reason to accept the moral commitment that President Rhodes and Vice President Herbster have undertaken on behalf of the University, and we just need to read some of the historical facts somewhat differently. In the light of the clear
and overwhelming evidence going back over 25 years at the very least, we have absolutely no reason to believe constructive engagement has made any substantive difference to apartheid. We have no reason to believe it will make any substantive difference in the future. To refuse to look at these facts is either to be the victims of wishful thinking or to be determined to maintain the profit that we make out of apartheid, whatever the facts may be. The situation in South Africa is relatively clear and tells us something reasonably definite. We have a moral commitment not to profit from apartheid unless our profiting is a means to the ending of apartheid. We have absolutely no reason to believe that constructive engagement that’s involved in our profiting from apartheid is a means to the ending of apartheid. We have every reason to say, ‘here is an experiment that has failed.’ It is not a means to the end of apartheid. It is morally intolerable that we should any longer have to profit from apartheid."

Speaker Martin: "Speaking in the negative, Professor William Tucker Dean, Law."

Professor Dean: "Mr. Chairman, Mr. President: I didn’t intend to speak when I came here, but I would like to speak very briefly on university governance. I’ve been on this Faculty for 32 years. I served on the Committee on Academic Freedom. I have watched this faculty jealously and, without any exceptions, guard its prerogative to determine the content of our courses and what we choose to write about. That is what has made the University strong. As you all know, it is the lawful responsibility of the Board of Trustees to determine investment policy. I shall vote against the resolution because I am prepared to let the Trustees stay in their realm, and we shall keep our realm to ourselves."

Speaker Martin: "Our next affirmative speaker, Associate Professor Sally McConnell-Ginet, Modern Languages and Linguistics."
Professor McConnell-Ginet: "It seems almost otiose to add my voice at this point to those in support of the resolution, but I am going to do so and do so briefly. The major link in the argument for why we want divestment and why we want it now I think has already been addressed and supported by other speakers; namely, that continued U.S. involvement in corporations in South Africa is not only not in support of the struggle against apartheid, but that the withdrawal of those corporations from South Africa might actually help the fight against apartheid. But there are two prior points that I want to emphasize. First, I want to counter Tucker Dean's suggestion that our province lies outside making proposals, making suggestions to the Trustees as to how the University funds should be invested. I think we can and should, not only as individuals, but also as a University Faculty, invest our energies to effect this disinvestment. Second, the issue that needs to be addressed is why the local move for divestment could actually play a role in bringing about the withdrawal of U.S. companies from South Africa.

"On the first point, I've been very much involved in the Women's Studies Program at Cornell, and a basic premise of feminist scholarship is that intellectual inquiry is always informed by social, cultural and political values, that the academy is not a refuge from responsibility for the interplay between ideas and actions. We, the Faculty, must accept our share of responsibility for getting our University involved in support of black South African's opposition to apartheid in a variety of appropriate, feasible ways, and the divestment move is one of those ways. Other universities along with numerous city and state governments are out in front of us leading the way the University of Wisconsin, Michigan State, the City University of New York, Oregon State, the University of Massachusetts, the University of Maine. These six and some half dozen smaller colleges and universities have all completely divested their stocks of companies doing business in South Africa. Almost
thirty more have partially divested. Six states have enacted legislation that calls for divestment in their pension fund, and legislation is pending in 25 others including New York. City actions have spread across the country, with the huge New York City pension fund the largest affected. Even the City of Ithaca has adopted a policy of no South African investments. They couldn’t find any stocks in their portfolio. The impact of Cornell’s actions, both in its affect on public opinion and in its affect on U.S. corporations in South Africa, would be increased because we are not acting alone, and even the limited actions already taken have had an effect. The New York Times on Monday reported that U.S. corporations are indeed beginning to get out of South Africa. A news article said:

While most company officials state publicly that they are reassessing their South African operations more because of economics than politics, some concede privately that the ground swell of university demonstrations, city council resolutions and congressional concern is taking a toll. Experts attribute the companies’ doubts about maintaining a South African presence to a mounting campaign against corporate involvement in South Africa, which affects companies’ images.

"It seems to me that the question that faces us tonight is really simple. Do we turn a deaf ear to the plight of our black African sisters and brothers or do we add our voices to the ground swell?"

Speaker Martin: "Speaking in the negative, Professor Harold Bierman, Graduate School of Management."

Professor Bierman: "This is actually a historical moment. I have been at Cornell for 29 years, and this is the first time I have ever addressed the University Faculty. The last meeting I came to was in 1970. At that time there was a written or implicit rule that faculty not speak from notes; thus, I didn’t bring any tonight. I apologize."
"I am not here to praise the government of South Africa. Anybody that has lived through discrimination knows the evils of discrimination. I am not here to praise the proxy policies of this University at all times in its past. I'm here to condemn an attitude that neglects the fact that you stand to take a position that will harm one percent of the blacks of South Africa, because one percent of the blacks of South Africa is a big number and an important number. If you take away their jobs by a vote for withdrawal, you are reducing that average income that Professor Turner mentioned - from $1,600 to less than $1,600, but more importantly, you are hurting the other 99% of the blacks whose only hope for economic and social improvement is an improvement in the entire economic fabric of South Africa. As imperfect as the process is because it does not strike at the heart of the evil, as it is at least a step toward equality, one type of equality - an equality on an economic basis. And for you to sit here in Ithaca and vote for a reduction in the economic capability of the blacks of South Africa is an evil thing.

"Now, I suggest two intelligent paths of action. One is the political action that Bill Herbster mentioned. The second is a more subtle form of action; namely, if you think that more should be done to help the blacks of South Africa, I suggest the strongest vehicle for that help is the American corporation. The one percent number is evil; it is evil in the sense of being lower than it should be. Advocate investment in South Africa. Invest it with strings, if you wish. Invest with conditions. If the Sullivan Principles are not adequate, then dream up a set of principles that are adequate, but for goodness sakes, apply some intelligence to go with your morality."

Speaker Martin: "The previous question has been moved. The Chair is obligated to recognize that motion, but before doing that, the President has requested an opportunity to speak, purely from a neutral position. The Chair would hope that the mover of the motion would be willing to hold it until we give the President the opportunity. Is that agreeable?"
There was no agreement to withdraw or hold the motion.

The mover of the motion, Professor Patricia Carden, Russian Literature, called for a vote on the motion.

Speaker Martin: "This requires a two-thirds vote. If it’s passed, it means that we go immediately to a vote. All in favor of the previous question -- stopping debate and proceeding to a vote, say aye, opposed no.

"The Chair is in doubt. In all fairness, were it a simple majority vote, there would be reason for doubt, but the Chair rules that the motion fails at this point.

"There has been a call for division. May I invite the four original speakers to serve as tellers. We may be able to do it by an aye count, but I would appreciate the help of Professors Latham, Turner, Young and Senior Vice President Herbster.

A vote was taken on a motion which would cease debate and immediately move to a vote on the resolution if two-thirds voted in the affirmative.

Three hundred and five votes were cast, 165 affirmative, 140 negative. The motion failed.

Speaker Martin called on President Frank H. T. Rhodes.

President Rhodes: "I am grateful for the privilege of speaking.

"I deliberately came from the platform to the floor because I want to speak as a faculty member who also has an administrative responsibility, and at some times this week, the former has seemed much more congenial than the latter.

"There is no debate on the issue of apartheid. That much is clear. I respect and I appreciate the goodwill of those who don’t impute motives of lack of concern about apartheid to those who do not share their position. It is a system of legalized racial oppression that is repugnant to everyone whatever side of the issue they speak on. I also share a sense of frustration, as do
others, that there is no simple, clear-cut solution that provides an instant change of conditions to bring about order in South Africa.

"But the real question, of course, is whether Cornell should divest and what effect that would have. I want to raise three questions with you that I think are important as you go to the final vote. The first one is simply this. Even though we can't make an accurate and clean division of the consequences of apartheid, isn't it worth divesting simply as a symbolic gesture? I believe that that is a questionable argument, and I want to suggest to you that the Trustees have not only a compassionate responsibility as concerned human beings, but a fiduciary responsibility for the welfare of the whole University, and they will need you to clarify for them if you vote for divestment. First of all, what does divestment mean in terms of its wider implications? Should we, for example, reject gifts from these corporations, should we reject student fellowships, should we reject joint research projects, should we cease to purchase equipment? I hope that those of you who speak for divestiture will address those questions and their implications.

"The Trustees will also need to know, as you take a stand on this motion, whether apartheid is the only evil on which we should divest, or whether there are others in the wings waiting for action to be taken. This is not to minimize our abhorance of apartheid, but it is to put a practical question which burdens those of us who have the administrative responsibility for the overall well-being of this University. I am asking you to think carefully about the implications of what the motion contains.

"I understand those of you who grow impatient. I understand those who say that this topic has been debated for seventeen years and it's simply too long to wait for a report in the fall. I understand those who raise the question, 'are the Trustees really willing to listen?' Let me briefly answer those two questions as well as I can. Are the Trustees willing to listen? Are they
really flexible in their position? I believe they are, and when we talk of the Trustees, we talk of your Board of Trustees. You on that Board of Trustees have five faculty members. There are four students, there are three members of staff. That group of campus members makes up twenty-five percent or so of the total membership of the Board of Trustees.

"I believe the Trustees' present policy is not one of neglect, as some have claimed, but it is one of concern. You may not agree with the outcome, and I accept your right to differ, but the present Trustee policy is not the result of indifference. They decided to review this matter in depth one year ago, long before there was any protest on the campus. They held public hearings one year ago, long before there was any widespread concern, and they are now pursuing that question in depth as to whether or not it is a responsible position to continue to hold stock of companies that adhere to the Sullivan Principles. It is unlikely, I believe, and I must be direct with you, that there will be a change in Trustee policy before the report of the Proxy Review Committee in the fall, and I cannot predict what the outcome may be. But I can tell you, from conversations with the Trustees, that they are open to change.

"I want to thank you tonight for thinking through those wider implications. I respect your concern, and I am grateful for the debate."

Associate Professor Moncrieff Cochran, Human Development and Family Studies, moved that the question be called.

Speaker Martin: "The question has been called. Two-thirds affirmative vote will close debate and move immediately to a vote on the resolution."

The motion was voted on and passed. "We shall now proceed to a vote on the resolution. Do you wish to have it repeated?"

The resolution was read by Speaker Martin. He then invited the Dean of the Faculty, Secretary of the Faculty, and the President to join the previous four tellers to count the vote on the resolution.
The Chair announced again that only assistant, associate, full and emeritus professors are eligible to vote, and were all supposed to be down in the center.

A total of 395 votes were cast: 323 affirmative, 72 negative.

Speaker Martin: "Before we accept a motion for adjournment, Dean Bugliari wishes to make a statement."

Dean Bugliari: "I want to thank you all for coming to the meeting tonight, and I want to thank you all for the spirited debate. I want to thank our speakers, in particular, for the time they took to prepare the remarks that they made, and I am very proud of you all."

Speaker Martin: "If there are no objections, we are adjourned."

Meeting adjourned: 10:00 p.m

Most respectfully submitted,
Francine A. Herman, Secretary
MINUTES OF A MEETING OF THE FACULTY COUNCIL OF REPRESENTATIVES

May 15, 1985

Speaker Russell B. Martin called the meeting to order at 2:34 p.m. He then called on Dean of the Faculty, Joseph B. Bugliari, for comments.

1. REMARKS BY THE DEAN

Dean Bugliari: "Thank you all for coming to this very important meeting of the FCR this afternoon, and I would particularly like to invite you to stay for the meeting of the University Faculty which will start at 4:30, directly after the adjournment of this meeting. This is the annual meeting where we honor our colleagues who have or will be retiring at the end of this year. This year we will be honoring 33 of our colleagues, with a total collective number of years of service to the university of 814 years, or, 25 years per person on the average. In addition to having some nice words to say about those people who are retiring, Gould P. Colman, University Archivist, will put on a slide show entitled, 'Cornell Sideways by Magic Lantern' and those of you who have seen his presentation with the magic lantern will, I think, appreciate how really exciting they can be. There will also be a musical presentation by the Hangovers at the end of the program to salute the people who are retiring. So, if you can stay, I wish you would.

"I'd like to make a few, but very important announcements. First, I'd like to welcome any new members of the FCR who were recently elected and are here with us today, and secondly, I'd like to remind you that we are having another series of computer programs the first two weeks in June. If you are interested, let our office know, and we will sign you up."
"I would also like to announce that a special meeting of the FCR has been called for next Wednesday at 4:30 p.m. in this room. Some of you may have heard a rumor that something is afoot with CCTS, the Cornell Children's Tuition Scholarship program. There are revisions that are necessary in that program to comply with the new federal law, and Dick Schuler and Ron Ehrenberg have been working with the people in Personnel and in other areas on some sort of proposal on how to meet those conditions. We have not seen the final proposal, but we will have it and we are trying to give the faculty and those people who are interested an opportunity next Wednesday to comment on the proposal. My understanding at the moment is that the revisions will not be major, but still they may have some significant effect on some people. At the meeting, Lee Snyder will present the proposal that will go to the Board of Trustees, and Dick Schuler will comment on what the faculty committees have been doing with it.

"I would also like to report that I have received petitions with sufficient numbers of signatures on them of voting members of the University Faculty, so that we will have a referendum on the question of nullifying the vote that took place at the May 1 meeting of the University Faculty. The Review and Procedures Committee of the University Faculty and the Nominations and Elections Committee, the two committees that control and operate that referendum, will be meeting tomorrow to plan for that referendum.

"Finally, as some of you may know the Department of Defense has provided opportunities for faculty members here at Cornell to conduct basic unclassified research in conjunction with the strategic defense initiative. If you need information on these opportunities, it is available in the Office of Sponsored Programs. Several faculty members have raised questions and expressed concerns about participation by their colleagues in such research at Cornell. I would
like to notify you that these questions are being brought to the Faculty Committee on Research Policies and to the Research Council, and they are also being discussed by the Vice President for Research with concerned members of the faculty. Thank you, Mr. Speaker."

Assistant Professor Timothy Murray, English: "I would like to ask the Dean if he knows when this referendum will be."

Dean Bugliari: "No, I don't. That is not my choice. It is the choice of the two committees that will meet tomorrow and we will hear representatives from the group proposing the referendum as well as those faculty from the Committee Against Apartheid."

Professor Murray: "We feel it's important that the referendum be held when as many faculty members as possible will be here."

Dean Bugliari: "We can have the referendum out next week or we could have it in the fall. Those are the choices that have to be made by those committees."

Speaker Martin: "We are just short of a quorum, so we will delay for the moment the two next items: the approval of the minutes of the April 10 meeting, and approval of the slate. We'll proceed to the sixth item, and the Chair calls on Professor Douglas Fitchen for a presentation on Publicity for Research.

2. PUBLICITY FOR RESEARCH

Professor Douglas B. Fitchen, Physics: "I'd like to talk just a little bit about a subject that I've been looking at for the last few months; namely, publicity for research. I've been doing this as a project for the Research Council which, as you probably know, is a group of faculty, deans and center directors, about 18 in all, who meet with the Vice President for Research once a month to discuss policies and procedures affecting research. I'm a member
of that Council, and I was given a homework project of looking at an area that seemed to be one where some improvement might be needed. That is, how does publicity for research and scholarship at Cornell get to the outside world. So, I looked at that, and I wrote a short report, which you received about a month ago. What we did in that report was to look at the existing situation for publicity for research here at Cornell. We compared it with the situation at other peer universities, and we made some recommendations for change. The general finding, especially when we started looking at peer universities like Stanford, Michigan, and Illinois, was that while Cornell's efforts in some aspects of publicizing what we are doing seem good (particularly on the state level and to the state legislature, and publicity for individual colleges and centers), Cornell has not been very effective in publicizing what was going on at the University level. The Chronicle left much to be desired as a medium for getting the word out to others about what the faculty, students and staff have been doing in research, what we have achieved, and how we are doing it. A still larger vacuum exists because Cornell has no publication that is sent to all its alumni. There is the Cornell Alumni News, but it is not sent to people who don't send in their subscription fees, and there's no other thing at the moment which is sent to all alumni, parents, and friends of the University. Also, on a still larger scale, it seems to us that Cornell is less effective than it could be in getting the word out to the national media and having stories on television and radio and in newspapers and magazines describing the exciting news about scholarship and research at Cornell. There are a few exceptions, such as the recent publicity about the supercomputer in the Theory Center project. But news of our activities don't really need to be that overwhelming. Other interesting things are going on here which might be conveyed in better fashion to the outside public.
"Then we looked at some of the ways that other universities have their publicity operations organized, and we realized that perhaps part of the difficulty here arose because of the complex structure of Cornell University with its statutory and private parts. We looked at the people who were doing the job elsewhere; there are some very high caliber writers at Stanford, for example, of the sort that we have seldom if ever had associated with the publicity operation at Cornell. Another thing we noticed was that the faculty at Cornell didn't seem to have a very strong interest in getting the word out to the outside world on what's going on in research and scholarship. In fact, when I distributed a draft of this report to other faculty colleagues - a fair number, something like twenty to twenty-five percent - wrote back indicating to me that they enjoyed the fact that Cornell was far away from the big cities, that it was not a place that was in the limelight for publicity, and they would just like to see it stay that way.

"One of the reasons I came here is, first to raise a couple of key questions and also to try and raise the consciousness of the faculty to this issue. One key question is: Is it desirable to try to get more national publicity for research and scholarship at Cornell? We took that almost as a given, but according to some reactions I've received, it seems by no means a given across the whole faculty. A number of people have asked: Why is it worth doing that? We already get fairly good support for research. What is it that we would gain by subjecting what we do to greater scrutiny from reporters and TV and writers?

"One of the things we would certainly gain by better visibility might be the ability to attract better students. We already attract quite good students, but I think we could attract better ones if there were more visibility for Cornell as a whole rather than the present mode of visibility of
college-by-college or department-by-department. I think you'll agree, too, that the more visible Cornell is on the national scene, the easier it would be to attract top faculty and top staff. It is also clear from examples recounted by peer institutions who are more effective at it than we, that publicity is also advantageous in attracting support, particularly support from small foundations. Individual faculty may not have the stamina or the lists necessary to write to all five hundred of these foundations, yet perhaps one would have a coincidence of interest in their research to fund a particular project, especially in the humanities. On the other hand, Stanford publishes *The Stanford Observer*, an interesting newspaper with news and features on research and scholarship that goes to 165,000 people outside of the campus including many foundations and many media centers. There are many examples of how this effort has led to funding of research projects.

"Then, finally, it seems to me that there is another, more indirect reason for strengthening our publicity area: Cornell is one of the major research universities in the country - in the world in fact - and it has some obligation to tell the public why it is worthwhile to support excellence in research at a time of budget cutbacks.

"So, that's the general background. In this report we made recommendations to a number of different faculty groups. The lead recommendations are to the university administration. Then there are a set of recommendations to those people directly responsible for news services, both the News Bureau in Day Hall and Media Services in Ag and Life Sciences and Human Ecology and also other smaller news and publicity offices in individual colleges and departments. We made a recommendation to the Research Council itself that as one way to indicate they were serious about this, that they set up an internal Advisory Panel on Publicity for Research. That Panel has now
been appointed. In fact, we met three times in the last month. At the most recent meeting on Friday of last week, there was an open meeting with a Cornell alum and former Sun editor, now the Director of News Services at Stanford. Those of us who attended found it quite an interesting session. I encourage you to speak to one of the eight members of the Panel in an area close to yours about the issues they are considering."

Advisory Panel on Publicity for Research

Douglas B. Fitchen, Prof./Physics - Chairman
William E. Fry, Prof. & Chair/Plant Pathology
Theodore J. Lowi, Prof./Government; John L. Senior Professor of American Institutions
Douglas D. McGregor, Prof./Immunology; Director: James A. Baker Institute for Animal Health
Dorothy W. Nelkin, Prof./Sociology and Science, Technology and Society
Jack E. Oliver, Prof./Geological Sciences, Irving Porter Church Professor of Engineering; Director: Institute for the Study of the Continents
Jon Stallworthy, Prof./English, John Wendell Anderson Professor of English; Chair: A. D. White Professors-at-Large
Charles Walcott, Prof./Neurobiology and Behavior; Exec. Director:
Laboratory of Ornithology

Professor W. Donald Cooke, Chemistry, said he agreed with everything said, and one can't argue with the publicity. He asked Professor Fitchen if he had any idea what kind of dollar figure he was speaking of to implement it.

Professor Fitchen: "There is a monetary price. The thing that surprised us was to find out that what Cornell is presently investing in news services
and publicity operations is of the same magnitude as the very best places. In fact, Bob Byers, the man from Stanford, told me that the budget for his office was within about twenty percent of what the budget for the corresponding office in Day Hall is, but the effectiveness of the two operations is very different. So, we're already putting the resources in. One of the big differences is in emphasis. We are putting our resources in to having the writers spend a lot of their time putting out notices and releases that never go beyond Tompkins County. There is a very strong local emphasis in at least fifty percent of what they spend their time on. Stanford, on the other hand, has a central news office, but it is not burdened with more than 10 to 20 percent of the writing for news releases. The process originates with the unit, department, the center, whatever. When they send a notice in that so-and-so has been promoted from assistant to associate professor, they write it in such a way that it can go right out as a news release instead of having the writers rephrase and edit it. When there is a local meeting or a conference, the information is written at the origination level, and that relieves the central people from having to work on that. Instead, the writers - some of which are Pulitzer Prize winners - concentrate on writing much more substantial stories about what this professor is doing or the latest discoveries by a research unit. That's a very different emphasis. The dollar cost - accounting for all the decentralized costs at Cornell which adds up to several million - is probably more than at many other more centralized places."

Professor Royal D. Colle, Communication Arts: "I think it is an excellent report, and I hope it goes beyond just the recommendation stage. Two quick observations: One, since the visibility factor was dealt with in the context of admissions and, I guess, in the context of support for the University, to what extent do the people in admissions and in development
need to be brought into this situation? And second: I don’t share the report’s optimism about researchers themselves being aware or able to handle publicity or public relations or the other kinds of things that are necessary. I think that it would be useful for the University to offer some kind of a workshop for people so that we become more aware of what is useful to the public."

Professor Fitchen: The first question is clear. Up until this year the News Bureau was under the Vice President for Development, Dick Ramin, and then it was decided that it would be more appropriate to move it. Ramin’s emphasis is mainly on fund-raising, at which he’s very good, and he has less interest in the news services part. So, it was separated out and put under Dave Call, who has just been there for one year as Vice President. It is clear that those functions have to work closely together. On the other hand, it is also clear, according to Byers from Stanford, that the news bureau is more effective if it is seen as a really independent outfit which can say what it sees the way it sees it and can tell the bad things as well as the good. It is then more apt to be a credible source than if it is seen as just putting out a story in the most flattering way for Cornell’s interests. There’s a little difference. Our own publications do put Cornell in the most flattering light; and the news service can’t necessarily work just in that mode.

"On the second point, do the faculty need some encouragement, guidance training in how to deal with the media, I think the answer is definitely yes. One of the most interesting things we did at our first meeting about a month ago was to talk with Ken Wilson and hear about his experiences in dealing with the media. He’s been trailed around by New York Times reporters coming to his class and following him around to see what he does during a typical day, phone calls, TV camera crews coming in. How do you cope with that? And he
told us that he felt it was very important to have someone central in Day Hall who was savvy about these things, who could give a person suddenly caught in a fast-breaking hot research area, some guidance on how to stand up on television and not look stupid. What's the best way to get your story out in a way that will get picked up by the sorts of places you want it to get picked up by? Among the other recommendations in the report are several to the faculty encouraging them to take more initiative. I think the key is to have a more aggressive news staff who will come out and spend much more time talking to the faculty, but it is a two-way thing. It does take more awareness and more effort on the part of the faculty to do it well."

Speaker Martin thanked Professor Fitchen and indicated a quorum was now attained. He asked for approval of the minutes of the April 10 meeting. Hearing no corrections, they stood approved as distributed.

The Chair next called on Dean Bugliari for a presentation of the slate of candidates for FCR committees.

3. APPROVAL OF SLATE OF CANDIDATES

Dean Bugliari: "As you may or may not know, we elect new members to the FCR and after that part of the process is completed, we elect FCR members to serve on the various committees. On behalf of the Nominations and Elections Committee, I would like to place that slate in nomination (Appendix A, attached)."

Speaker Martin asked for further nominations. There being none, the slate was approved.

The Chair next called on Harold Craft, Acting Vice President for Facilities and Business Operations for a presentation on campus physical growth, parking and circulation.

4. CAMPUS PHYSICAL GROWTH, PARKING AND CIRCULATION
Secretary’s Note: Although Lew Roscoe and Bill Wendt used a number of overheads to illustrate the planned changes, which are not here reproduced, their presentations painted word pictures that make for easy comprehension as they appear for the record.

Mr. Craft: "We wanted to discuss with you briefly this afternoon the twin and related topics of overall campus development and the transportation plan. I recognize that this discussion usually dissolves into a discussion principally of parking or degenerates into a discussion of parking, depending upon your point of view, but I hope you recognize that really the two of them come together. Transportation and parking in itself is not an end, it’s really only a service function and is driven by the physical plant development of the University. This presentation really is the result of the recognition, a short while ago, that there seems to be an extraordinary amount of physical plant development at Cornell. That appears to be the result not only of the vitality of the University, but the success of the academic community in attracting money in spite of less than optimum publicity. As a measure of that, there is now on the plate of the Facilities and Business Operations, 33 major capital projects. The total is in excess of four hundred million dollars. Of these, nearly two-thirds are for new physical facilities, not renovations. They are expansions of facilities, new buildings. So, let’s say that is of the order of three hundred million dollars worth of new construction. I recognize that is just a number to you. Let me try to put that in just a brief perspective. The Biotechnology building is going up behind Corson/Mudd and behind Academic II. That is a building that is half again the size of either Corson/Mudd or Academic II, and its price tag is roughly thirty million dollars. We’re talking about ten Biotechnology buildings or more or less fifteen Academic IIs scattered around the campus."
That’s a daunting thought from a number of points of view. So, a lot of concrete and bricks will appear on campus, and that can’t really happen in a topsy-turvy way. That was recognized by one of our trustees - actually, it was recognized by a lot of people, but articulated nicely by one of our trustees at a meeting several months ago, when at the conclusion of the meeting at which plans for a number of physical projects were presented, the trustee rose and implored us to make sure that as we expanded the campus we did not in any significant way change the character or the beauty of the Cornell campus. I think it’s a goal that we all have. He was followed immediately by another trustee - an employee trustee, by the way - who said, ‘Oh, yes, by the way, we also want to be able to park next to our buildings.’ So, that provides an interesting challenge. That is, to add fifteen Academic IIs to more or less the center of campus, not to change the character of the campus, but to provide parking for everyone next to the buildings. And I think you recognize instantaneously that that is not a challenge that is easily met. There has to be some compromise made, some orderly planning process followed.

"Well, that’s really what we wanted to talk about today. First, we want to give you some idea of the types of physical plant developments that are now hanging fire, and the way that we have responded to that in the way of an overall plan for campus circulation, for transportation services and for parking. The overall campus development has been guided to a great degree by a document that is just now coming out from Lew Roscoe’s office called Campus Development Guidelines, which sets more or less broad rules as to how we can go about developing the campus in an orderly way. Incorporated within that is an overall transportation master plan.

"So, I would now like to turn it over to two gentlemen, Mr. Lew Roscoe, who is the Director of Campus Planning in my division, and Bill Wendt, who is
the Director of Transportation Services, and who works through Bill Gurowitz, and who will discuss both the physical facilities and the transportation plan. Both of these are aspects that will touch each of you every day and in many different ways. It is not the kind of thing that we can do in a vacuum by any means, so we really appreciate your comments, your thoughts. With that I turn this discussion over to Lew Roscoe, who will talk about physical planning."

Lewis Roscoe, Director, Facilities Planning: "We have a slide show for you. I hope the optics and also the electronics are up to the standards to which you are accustomed.

"What you see here is a map of the campus with a number of colored dots on it. The red dots represent the projects that are by and large under construction now or about to be under construction. The orange dots represent projects that are soon to be under construction, that are in active planning or design phases, and for which there are commitments. The yellow dots represent things that are coming along a little more in the discussion phase than actual design and not yet in construction. All of these are major projects. They aren’t twenty-five thousand dollar renovations, but generally speaking, they are million-dollar projects. Some of these are not building projects, but master plans. The Law School went through a planning program over the last couple of years and developed a plan for rehabilitation of Myron Taylor Hall to better accommodate the spaces now allocated for their purposes and also developed a program for an addition to Myron Taylor. The Engineering College is about to launch a very substantial master plan that will assess the current facilities of that college, look at the space allocations and building conditions and assess new space that may be required by that college (programs like the Theory Center and the Supercomputer). The Athletics Department has completed a master plan which has spelled out a number of building programs
related to their needs. That department has not had a major facility addition to its facilities in some twenty years, and in order to compete with our peer institutions, we must make improvements there. The Vet College has undertaken a master plan, currently underway. The Hotel School completed a planning process last year, and is now in an active design process. There is a tremendous amount going on and in the area around Bailey Circle, where the Academic I building is to be sited, there’s renovation now to Comstock, plans for Savage Hall, and so on. There is a tremendous amount of activity and a need to coordinate it and preserve the qualities of the campus as we have known them.

"All of this activity is continuing at about the same rate that it has been throughout the history of the University. The top curve [shown on slide] represents about ten percent growth. It’s a summation of the two curves underneath which are the endowed and statutory. At the top of this curve the number ten is ten million square feet of existing floor space on the Cornell campus. As we get into this current decade, in order to keep up the ten percent growth, we are facing another million square feet. That’s what Hal Craft was saying.

"How, then, in light of all of this, can we protect the assets that we have. The campus is considered one of the most attractive campuses in the country; it’s a rural kind of campus; it is not a highly densified urban situation where there is a lot of traffic pounding around all the time. It’s a quiet - relatively quiet - rural kind of setting, and this is one of the things that we have going here. The on-campus density is not great and has amenities we enjoy. There is a sort of pedestrian orientation about the place. It’s not Columbia University or even Yale, which doesn’t have the urban conditions of Columbia, but is also far more urban than our campus. Ours is basically
perceived as a pedestrian campus. The outdoor spaces (when the weather is nice) are very, very nice assets of this campus, used for personal recreation and classes. The quality of the campus environment is one of the great assets of this University that is growing very vigorously now, not in response to a galloping enrollment but in response to changing technology and the need to improve old facilities, such as this room which was renovated a year ago.

"How to preserve it? The automobile still has substantial in-roads on the campus. This is Central Avenue, an area where we’re right at the symbolic core of the University, where the library tower is obviously a symbol of the University and a place where an enormous number of pedestrians are moving to and fro, with ten thousand students milling out in the street in front of the Straight, moving across to the Campus Store, flowing in and out of the libraries and so on. Back in 1981, the University commissioned several landscape architects to look at just this central area of the campus - Central Avenue - and look at all the problems along it. On the north side of Central Avenue deteriorating pavement, parking up against buildings. Our first national landmark, Morrill Hall, has a parking lot pasted right up against the original west and front facade of that building. Proposals that were done as part of that scheme have shown us how we might rehabilitate this area, continue parking where it is essential, remove traffic where it is essential, and upgrade the amenities, visual qualities and the comfort and safety of pedestrians. It is this kind of effort that we hope to apply to the whole campus during this period of substantial growth while at the same time making possible reasonable accommodation for circulation and parking. In the late sixties in response to what was then a galloping increase in enrollment, the University set up a faculty committee on transportation and parking
that developed the scheme that you see in this slide which was to take the center of the campus and make it a kind of quiet, controlled core. This scheme removed many of the automobiles from the core and put them on the perimeter; people then moved in from the A and B lot by bus. This is the B lot (pointing to slide). Since that original program was established in the late sixties, B lot has grown from a capacity of six hundred cars to nine hundred. That's what that looks like as far as land coverage is concerned. The land that is covered there is approximately the size of the Vet College. If this had not been done by the University at that time back in the late sixties and other steps had not been taken, presumably these nine hundred folks would be circulating around the center of the campus looking for one or two of all of those hundreds of places and not finding them; or alternatively, a major portion of the center of the campus would have become paved.

"This is another aerial view, just to give you a shot at what's going on now or in recent years, right in one little central area of the campus. Here at the bottom (pointing to slide) is an addition to the Gannett Clinic which was constructed three or four years ago. Off the screen to the right is the Law School which has gone through a planning process and is raising money now for rehabilitation and an addition.

"Olin Hall has gone through a master planning process just for that facility in the last year or so, and there is now a program for reallocation of space in that building for rehabilitation and perhaps an addition. The Engineering College is entering a master planning process. There is discussion of what to do with Sage Graduate Center. Is it the right place for graduate students to be housed on the campus, or should some higher and better use be made of that facility? The Hotel School has in the works a twenty million dollar plan to upgrade the academic areas of the building to add to the Inn end
and to upgrade the dining facilities. The athletics master plan includes fix up of Barton Hall, addition of a new field house and other projects up there along upper Alumni Field.

"This is the site of most recent activity (pointing to slide) - Corson/Mudd did bring in two substantial departments from Langmuir, increasing the population in the center of the campus. Academic II will shift people from the Ag quad. This is the site of the new Biotech building. The site of the new Athletics field house is east of Lynah Rink. Three hundred twenty cars will be removed for constructing of the field house. This is Kite Hill parking. The other thing to mention about it is the amount of campus surface that is occupied by the automobile with surface parking.

"This is a view of the athletic field from the east end. This is Tower Road. There is the new Biotech site, the new field house building site and so on. One of the things to look at here is an illustration of a problem, and a solution with enhancement of the landscape for this edge of Tower Road. Currently, there are some hundred and fifty cars that park perpendicularly by driving up over the curb and parking on the tree roots along Tower Road. That’s not good for the trees. It not only compresses the roots, but it drops salt on the roots in the wintertime.

"There is a plan that Bill Wendt will show you that calls for the relocation of these cars and some additional cars to be placed down here on the field. As it works out, there’s enough space between the edge of the playing fields and the bank that goes up to that tree line to put a double bay of cars there, take them off the tree roots, conceal them somewhat from Tower Road, and, we hope, rapidly improve the condition of those trees."

"This (pointing to slide) is the hot spot. Academic I is scheduled to begin construction on this site, and other projects are scheduled for this
area. In Martha Van there is a substantial rehabilitation of building systems that is going on in multiple phases over several years. Clark Hall has a substantial system rehabilitation that has been committed. This is Bailey Circle, which is the forecourt of our major auditorium on campus, the forecourt for the new headquarters building of the College of Ag and Life Sciences and for the Graduate School of Management. That's really not an appropriate land use, and there are discussions about conversion of that space into a pedestrian plaza where there could be recitals, concerts, gatherings, and so on, but not a sea of automobiles. The removal of the cars from these two areas around Bailey is not altogether bad because the demand on that area now creates a tremendous flow of people circulating around there looking for an inadequate number of spaces, and if another way of accommodating those people could be found, then the circulation problem would be improved, and the setting could be upgraded.

"There is a little program that you may have heard about for campus beautification for people who are interested in making relatively smaller gifts to upgrade smaller areas. And it's hoped that as we seek architects and landscape architects that are going to upgrade the physical appearance in a way that increases the amenity, we respond to parking needs, and get that parking tucked away so it is not obtrusive.

"At this point, Bill Wendt will describe to you the various changes to the parking plan and how it will relate to all of this."

William E. Wendt, Director of Transportation Services: "The dynamic growth that is occurring on the central campus really creates a challenge for the transportation program. It is a program that I think many of you would agree has been slighted over the past decade of growth as the University thought about retrenchment, about the University not taking such dramatic steps
forward, but a program in which there are primary objectives that need to be met in developing a sound program that responds to the changing campus environment. Those primary objectives are: to provide adequate commuter parking for our faculty, staff and students; to improve parking services for visitors and guests of the University; to do a much better job in providing short-term parking for faculty, staff and service needs and recognize the need for mobility and movement on such a large sprawling campus. We've somehow sacrificed that ability to move about in return for the ability of a few individuals to park all day on the central campus thereby restricting many of the mobility needs that are necessary to make the campus work effectively.

"While we are looking at the campus, we have many areas where there are currently existing traffic safety and pedestrian safety problems. These issues need to be resolved in this circulation and parking plan and we need further to meet the transportation needs of the new programs and facilities that Lew has just talked about.

"If you focus on the yellow areas on this slide, you can see the major areas of growth in new facilities that are planned. Lew has talked about most of those, but here is the Statler, the Barton Hall renovation, Biotechnology, the Savage addition, Clark renovation, Academic I and other new facilities mentioned. Along with the changing campus with new facility growth, there are a number of transportation projects that will occur concurrently during the next five years. The areas that you see in black on this map are those areas related to parking and circulation, which are projects that are currently on the books of the Transportation Department. Many of those projects will begin this summer, causing some temporary disruption to the campus as soon as next month. Those areas that are highlighted in purple on the map are those that will temporarily be used for staging and contractor
parking, in an effort not to displace staff and faculty that use parking facilities on the central campus. The areas that you see in red and they are fairly extensive - beginning up by Helen Newman, Balch and Risley, and continuing through almost every section of the central campus are areas where there will be new parking and circulation improvements.

"I'll focus in on each of those areas a little more, and understand here that this is a concept, not a final design project, but we will now be working and have developed a time line over the next five years to coordinate these projects with the planned facility additions and new construction. In this area (pointing to slide), the two major facility renovations of Statler and Barton, we will be changing the parking and service between those two buildings as well as organizing the parking south of Barton, developing a much safer Schoellkopf Drive, and making improvements in that area. Those of you who use parking along there now find that it is often a very dangerous situation. People are backing out into traffic, there's a curve there, there are several conflicts with pedestrians. The traffic booth, in its current location, causes visibility problems. A number of issues need to be addressed in planning and making improvements in that zone. Shown here (pointing to slide) are new parking and service areas for Academic II and the Biotechnology Center, and then, as Lew mentioned, the development of a major parking lot along the north edge of the alumni fields and the rehabilitation of the parking along Tower Road. This provides an opportunity to accomplish pedestrian amenities new lighting along Tower Road and other improvements in that zone.

"As we look at the area by Bailey Hall, you can see again the area that Lew talked about, creating a pedestrian plaza. This area would initially be turned over to contractors doing the construction of the Academic I building. The slide also shows improvements to the service drive and circulation
and Stewart for contractor needs during the Performing Arts construction. In
the area by Risley Hall and Balch, we will try to do some safety improvements,
add parking, and renovate the parking areas near Noyes Lodge. Noyes Lodge this
summer will undergo an interior renovation, and it will then become a bookstore
annex and dining facility. There will be a need for short-term parking outside
of that facility, and this parking would work with the Alumni House. We have a
situation now on this drive where we have many bike accidents occurring. The
attempt here is to remove the current Y configuration in that area, clean up
the area, improve the drive, add to parking and meet the service needs for
the Balch Hall complex.

"In all, when you start to look at this plan and what we will be doing,
the black dots indicate additional parking spaces being added. You can see
that occurring around the perimeter of the central campus zone, the red
dots indicate loss of parking, and most of that again is occurring right in the
central campus zone.

"There is one substantial new addition to parking indicated that I failed
to mention earlier - a five-hundred-car parking facility located at the momemt
on the site of Bacon Cage. That would be immediately west of the west stands
at Schoellkopf, and we envision that garage as accommodating faculty and staff
in that zone on an all-day basis. We've spent considerable time over the past
year looking at alternate sites and have finally concluded that this is the
best site for our first parking structure on campus. It will be coordinated
with the athletics master plan. There will be several components of the
athletics master plan included in the garage facility. It may be a phased
facility. In other words, we are envisioning right now that it will be tied to
a rehabilitation of the west stands, the press box on the west stands, some
things like additional squash courts and locker rooms may be included on that
site. That accounts for the major addition of parking in the zone, and again we are looking at garages that will not conflict pedestrian and traffic safety in the center core of campus. In all our planning, we have attempted to minimize vehicular circulation and traffic on the East Avenue/Tower Road and Garden Avenue core as much as possible in favor of a plan that develops a good circulation ring around the campus and kind of loops the outer campus and keeps the cars removed as much from the pedestrian center of campus as possible. In planning for this, I noted on this map how parking areas may be used. The areas in blue are those areas that would continue to be long-term faculty and staff parking. That means the all-day parkers. What you currently view now is your U permit in this zone, but you can see again the blue areas tend to ring the center campus here and most of that new building growth will occur in the core center of campus. The areas that are in red are those areas that will be short-term and service parking, again for short-term needs of faculty and staff who need mobility to move about, to come to meetings on the center of campus and move about, and then there are some areas here that are kind of candy striped red and white. They are what's noted here as designated visitor parking. In this zone in particular, that designated visitor parking is to accommodate the needs of the Hotel School and Statler Inn. The Inn will have approximately fifty more guest rooms. We will have some designated visitor parking by Martha Van for the nursery school, designated visitor parking for the clinic and other areas where there are specific program needs - Johnson Art Museum, for example.

"The green areas start to indicate where we would accommodate our graduate and commuting students and others who cannot be accommodated on the central campus, and you see those areas moving towards the upper campus to the east and new additions down in the Collegetown area.
"Note on this drawing the blue and white areas. In this zone of campus we need to think about how we can accommodate future growth. Lew mentioned the Business School thinking about a major addition. There are other programs in that zone that we expect will grow over the years, and our attempt here was to look for a site for a second parking garage that could accommodate the needs of the central campus zone. That site sits at the opposite end of central from the first structure, but again it works in terms of circulation along Forest Home Drive, access to downtown, to the north, the east and to the south of the campus. So, we’ve looked ahead in this plan to our second garage facility. We are in the process of selecting an architect for the Bacon Cage garage site and expect construction of the garage will move along very quickly during the coming year.

"If this were 1990, I would hope the campus would look something like this slide, and that we would have completed many of these projects. The one item to note on this slide is the completion of Schoellkopf Drive. New parking in the upper campus necessitates some change in the transit system to respond to that reallocation of parking on campus. We currently have two bus routes leaving the B lot - the B-Collegetown bus and the A-B Local. Both of them run by way of Tower Road. In this plan you see a bus route, the B-Collegetown route, which would run along Schoellkopf Drive, pick up people who were using these parking areas, mainly graduate and commuting students, continue on Schoellkopf Drive, be able to transport to the corner by the Business School, on to Day Hall for people who needed access to the Arts College, and on past Engineering and the Law School and into Collegetown. So, we’ve tried to accommodate the growth in additional parking with improvements in transit routes also."
"The net result of all that, I think is a number something like 742 in terms of what the net increase in parking would be in the central campus zone. We are adding visitor parking by almost 100 spaces. We are adding short-term parking to meet faculty, staff and visitor needs, we are adding a good number of faculty and staff long-term parking spaces and more or less holding our own in terms of our ability to accommodate students within this zone.

"Again, there are other projects that we are undertaking this year. Many of you may remember some of those projects from the 1984 transportation plan. There will be improvements in the north campus area to student parking. There are some improvements being made over near the Humphreys Service Building, so there are additions to parking beyond the 750 that you see here. This 1985 plan is a positive way of responding, both to the circulation and the parking needs in this zone. I caution one thing, and ask you all to remember that probably the most difficult time for all of this is going to be during the construction phases where we often have very little control over how things are proceeding and what day a certain road may be closed or what day a utility line will be dug up and some additional parking may be temporarily out of use. I think that the entire campus is bound to go through some discomfort during this intensive period of construction, but I think that we will have some good results to show the campus community when this is all completed."

Speaker Martin: "Since we have a very important resolution coming up, the Chair would suggest that we confine questions that we might have to the next 15 or 20 minutes."

Professor Royal D. Colle, Communication Arts: "Does it make any sense when you think of constructing the whole Bailey area of trying to build into the contract with the contractors a system whereby they bus their people in instead of having to drive their cars in?"
Mr. Wendt: "This is a union issue, and I'm not on the union negotiating side of the table, but there is a standard part of the union contract that they would be able to park within two tenths of a mile or something like that. It is not impossible to do that. In fact, the first change in that will occur this summer. I noted for you a parking area at the corner of Stewart and Edgemoor Lane that is approximately 1500 feet from the Performing Arts Center. That does not fall within the contract guidelines. We met this week with a representative for the major contractors. We can just be point blank and say, 'We can’t accommodate those people any closer to that building. We have no available space to do that.' Again, this is geared at a specific project, and each time we go at a specific project, we will have to set some limits and try and negotiate on them. In this case, they recognize that, and they are willing to walk that extra 400 feet. "We have the most pressing problem in that Bailey area, and that is my biggest concern when that all goes. That’s why we’ve created some other areas. We do need to provide for their supervisory personnel on site. There is a lot of movement of those people, but their other people may have to be bussed. I was not around when Space Sciences was built; busing was attempted and there were some major problems with it. I think we will be back into that mode, and we’ve made that pretty clear that the best we can do for them in that zone is something like the north campus lot at the corner of Triphammer and Jessup, or the A lot as the best. It’s going to be a little touchy, as Lew noted in his comments on the Building Trades Council contract. We will do our best to keep all of the parking we are using for faculty and staff and find temporary or other ways of accommodating those people. Busing is the most obvious."
Speaker Martin thanked all for their excellent presentations. He next called on Professor Sokol, Chairman of the Committee on Academic Programs and Policies, for a resolution.

5. RESOLUTION ON ACADEMIC INTEGRITY

Professor Thomas Sokol, Music: "In the interest of offering this faculty the opportunity to express its wish on whether or not to excise the academic misconduct section of the Code of Academic Integrity, which was adopted on April 10, we submit the following resolution:

To amend that portion of the Code of Academic Integrity adopted at our April meeting by striking out Part I, C. 3. a. and b., which deals with academic misconduct.

Professor Sokol reported that the Committee on Academic Programs and Policies met on May 7 to consider the resolution and expressed its opinion by 8 to 0 against the resolution.

Speaker Martin said that since the resolution was moved by the Committee, it required no second. At the April 10 meeting, there was an amendment to strike this part which was defeated by one vote. The motion would amount to amending that which was previously adopted. Since the body had previous notice, this motion only required a majority vote. The motion on the floor is to in effect strike part 3, sections a. and b. at the bottom of page 2.

Associate Professor Alan McAdams, Johnson Graduate School of Management, asked if someone could tell the group the net effect of the motion.

Speaker Martin: "If this is passed, part 3. a. and b. will be eliminated completely from the Academic Code. Professor Bugliari, do you wish to expand on that?"

Dean Bugliari: "Let me say first that I oppose the change that is proposed in the resolution. I do favor the resolution being brought back
to this group because I don't like to have a vote of 18 to 17 - that's only 35 people that participated.

"I do not think the inclusion of this into the Code is a real change. I have always believed that the members of the faculty had a right to control their classroom and their examination sites, and that in fact what is proposed here is nothing more than what I thought we already had as members of the faculty. You may ask why it was included in this proposal. The reason was when we made our study last summer of the Academic Integrity Code we found a number of situations that faculty members confronted and that they had difficulty dealing with. For instance, what do you do when you have two students talking during an exam? One, you may make an assumption that they are talking about the exam, in which case you charge them with a violation of academic integrity. The second assumption that you may make is that they are not talking about the exam, but they are obviously talking when they shouldn't. What do you do about that? The answer is that you might not want to charge them with academic integrity, but you might want to inflict some sort of penalty on them especially if it's repeated and especially if it's flagrant. The other problem is that we've had a number of cases where students brought something to an exam that was in fact a violation of the rules of the exam. Nevertheless, they never used them or if they did use them (as in one case where the student got a 14), the Board refused to assume that they really did use them. But, nevertheless, the faculty member felt some sort of a penalty was appropriate with that kind of a situation. Therefore, we included this as a substitute and made it quite clear that it was not academic integrity that was involved, but it was academic misconduct. Also, we included a set of safeguards that in effect provide that if the student were to be assessed a penalty for academic misconduct, he/she would be notified promptly that that
was about to take place, that they were to get 10 points off the test grade or whatever it was that was to be inflicted and had an opportunity if they felt that this was inappropriate to appeal that to the Academic Integrity Hearing Board as a method against any possible abuse. If you remember the April meeting, one of the arguments in connection with this proposal was that it somehow was inappropriate to inflict this kind of penalty on a student's grade. I guess I have always believed that grading was up to (within some reasonable limits) the purview of individual members of the faculty, and how faculty members judge students' overall performance when the course was essentially theirs. In fact, we have a rule that only members of the faculty can give a grade. Once you have given a grade, no one else can change that grade without your filing the necessary forms. Obviously, some faculty will grade on the basis of straight performance, and I think that's their privilege. Some will also add things like participation or lack of participation or attendance or lack of attendance, and notice that this rule only provides for 'may'. No member of the faculty is required to charge a student with academic misconduct. It only permits those faculty members who feel that that's an appropriate way for them to evaluate that student's performance to do it.

"One of the other suggestions was that this could be covered by the Campus Code of Conduct. I have talked to the Judicial Administrator. The present Campus Code of Conduct is not built to handle students talking during an exam or bringing unauthorized material to an exam. I don't think the Judicial Administrator would feel very comfortable handling those kinds of cases anyway. I really feel those are up to the faculty member to handle. Obviously, if there was some sort of a disruption that a student committed in class, that might be quite different, and the Campus Code of Conduct might be
appropriate for somebody who in fact conducts some sort of a disruptive protest in a faculty member's class.

"Finally, I think there was some concern that this could be abused. I know of no present cases, although I think we've already had the power to do what this rule provides, and I guess I trust that the faculty will really not abuse the use of this power but use it judiciously. There is a set of safeguards built into the system in case there should be any possible abuse that might occur. Thank you."

Professor Ralph Bolgiano, Electrical Engineering: "I come to you this afternoon with the impassioned plea not to confuse two issues and approve this resolution. I happen to have had the fortune, perhaps the misfortune, to be involved twenty years ago or thereabouts in one of the earliest incidents involving the separation within the academic community of issues of maintenance of an academic environment as distinct from the preservation of academic integrity. I refer to the issue of the Trojan Horse which was followed, some of you will recall, by the creation of the Sindler Commission on which I happened to sit and ultimately by the report of the Sindler Commission. If you read that report or if you recall that report, you will remember that Allan Sindler did a very, very carefully analyzed study and attempted to distinguish between the issues of the maintenance of an academic environment, which may in fact require the preservation of circumstances and conditions beyond those normally required in a civil community, and the maintenance of academic integrity. They are distinct; they need to be maintained distinctly. To confuse these two by subsuming the question of academic misconduct under the heading and within the Code on Academic Integrity would be a disservice to the academic community, to the whole concept of an academic institution, and it is for that reason that I implore you to vote in favor of this resolution. That
does not say in any way that there is no need to maintain and to perhaps introduce generally, a code of academic misconduct or a code of academic conduct, if you will. As Allan Sindler pointed out, it is very clearly a case that the academic community must preserve standards and conditions which are not necessarily held in the same value by the larger civil community. And if we are to be an academic community, we certainly need to look to those concerned. But, if that's the case, if we feel as a faculty that it is necessary to have a code which poses restrictions on individual conduct, student and others, but individual conduct which is detrimental to the maintenance of an academic environment, where academic pursuits may be pursued successfully and effectively, then let us establish a code of academic conduct; a code which is in fact under the jurisdiction of the faculty or at least has very strong faculty say in it and which specifically does what I'm told, what Professor Bugliari suggests, that the current Code of Conduct is not capable of doing. I'm not sure that's true. I think that needs to be looked at more carefully and more thoroughly. Certainly the present Code of Conduct is not worded in such a way as to emphasize adequately the need of the university community to maintain an academic environment. Despite all our efforts eighteen years ago, that was never quite fully implemented in the Code of Conduct as it presently fits. If the faculty feels that a code of academic conduct needs to be superposed, by all means proceed to do so, but don't confuse academic conduct with academic integrity. They are totally separate issues."

Professor Mary Beth Norton, History: "I have no desire to repeat what I said at the meeting where we were talking about this the first time. All of you have read the minutes. Professor Bugliari has just said that there are safeguards built into this system. I really have strong doubts about how
many safeguards are built into this system. How many students are actually going to go through any kind of appeals procedure, if they feel they have been wrongfully dealt with by a professor in this regard? I think it’s simply putting too much on students to ask them to take individual action if a professor has imposed a grade penalty for conduct in the classroom, which as I said last time in this debate, is utterly inappropriate for a faculty member to do.

Professor Walter Lynn, Civil & Environmental Engineering, asked the Dean if the faculty voted for this resolution, how would academic misconduct as defined in that section be dealt with by the faculty under the current situation?

Dean Bugliari: "Well, I'm not sure I can answer that question. I assume that basically the right of a faculty member to assess some sort of penalty is inherent in the system anyway. But if you strike the section, I assume the faculty member could still penalize the student, and if in fact they do do it, then there's no appeal. If a faculty member says, 'Look, you were talking in an exam, and I'm going to penalize you,' and then, throws the student out, I don't know what the student can do about it. He/she can go to the Ombudsman's office or come to me and see if we can help, but concededly, the grading is up to the members of the faculty as individuals. I think to strike it might say something to the faculty about whether they should be using such procedures, but I don't know that you would have the right to say they can't. And that's somewhat of a concern, too. As to Professor Bolgiano's point, I think we tried to make it quite clear. I agree that maybe we should have it in a separate document at some point in time, but notice it is quite clear in the first statement that academic misconduct as defined here is not academic integrity. The intent was for us to solve a problem, provide some guidance to members of
the faculty to deal with problems that they don't want to treat as academic integrity, such as talking during exams and so forth, rather than having to play it by ear or to do nothing more than to charge the student with academic integrity and then have a board overturn it."

Professor Terrence Fine, Electrical Engineering. "I'm in favor of keeping the wording in and defeating the motion to rescind. Last time it was suggested such actions be handled under the Campus Code of Conduct and because of that claim I fortunately got to read the Campus Code of Conduct and brought it with me and notice under the section on Maintenance of the Educational Environment, they refer to things like library theft, forgery of documents, threaten violence, threaten something in the neighborhood of violence. None of these things are academic misconduct. That's not the scale of events. We are talking about a much, much calmer, smaller sort of low profile of the kind of events that are in fact suggested in the legislation. I think they need to be handled on that level. Now it's not perfect. I don't quite agree with my impassioned colleague, Professor Bolgiano. I have seen his passion in action before in our department. I don't agree this time, either. It does not perfectly fit under academic integrity, but it fits much better there than anywhere else, and this seemingly isn't such a big issue that I think it needs to spawn yet a third tablet. Two tablets were enough for the Ten Commandments. Why can't we use two tablets here? I think it fits. It's not perfect, but it fits well enough. Let's keep it in; let's try it out. If we find out it doesn't work very well, we'll have ample opportunity to come back in the future and you can come and say you told us so and that we ought to revise it. But for the moment, let's just try it."

Assistant Professor Timothy Murray, English: "I'm not sure that it is a wise procedure to try something and see how it works and then come back and
revise it. Clearly, there are paragraphs in the Campus Code of Conduct that
deal with misconduct in a classroom, and one of our concerns at the last
meeting - some of you perhaps weren’t here, is that this paragraph isn’t at
all explicit. It says that academic discipline can be handled differently from
any form of academic misconduct. Those of us who oppose this particular
paragraph do so simply because we felt that the wording itself is entirely too
imprecise and that the code of conduct handles the situations that we now
have."

Professor John DeWire, Physics, and University Ombudsman: "I spoke
against having this particular package in the Code at the last meeting, and I
was taking care to not saying anything about it this time because, like
Professor Norton, I don’t care to repeat what I said then. There is another
aspect of this that worries me and it was touched on by Professor Bugliari,
mainly, if you look at this Code you find that there are a lot of words in
there that define what you mean by academic integrity, and for good reason. It
is a difficult thing to define. It has to do with what the professor says at
the beginning of the term about what should be the proper mode of behavior and
homework and so forth, and this has come about over a period of time. You
won’t find any words like that describing what you mean by academic
misconduct. I would like to ask - and maybe this is an extreme case - but if
Professor Bugliari sends his students to our office, the Ombudsman’s office, I
would like to ask what do I say when the student tells me that the teacher
said, ‘I’m lowering your grade because you don’t dress properly when you come
to class?’ Is that a case of misconduct? I can’t find a definition in there.
I feel we are throwing out a very fuzzy thing that I’m not sure we’ll be able
to deal with."
Dean Bugliari: "Now, let me try to respond, John. I would hope that you would clearly tell the student to appeal, because I think that obviously would be an abusive use. Notice that this only covers matters in the classroom or during examinations. We're not talking about something that occurs in the professor's office or any place else. It makes this quite clear in the first statement. We are talking about two specific settings. We are not talking about anything a student does in your office or any other place. It is only in that specific area where it involves other students that this applies. Clearly, it also gives some examples talking in an exam, bringing unauthorized material into the exam room and disruptive behavior in class. I suppose that disruptive behavior could include the guy with the outlandish outfit on, or a student who refuses to take his hat off or something like that, but I really hope you don't get that level of implementation. Really, we're trying to solve examination problems and classroom problems on, as Terry said, a much lower level, and I really hope we don't assume faculty are going to abuse it by penalizing some poor student for an outlandish outfit."

Professor Ronald Breiger, Sociology: "I would like to say that, like all of you, I spend a good deal of effort trying to insure that the grades that I assign to students reflect their performance in the course as accurately as I know how to reflect their mastery of the material. In my opinion, if you vote not to repeal this resolution, you will be watering down a communication that is my responsibility to have with graduate students who consider my students who look at those grades and do not know what portion of the grade reflects factors other than mastery of the subjects that I teach, and I would ask you not to water down what I consider to be my performance of my duties."

Associate Professor Mary H. Tabacchi, Hotel Administration: "Misconduct is much less of an offense than academic integrity, as I view it. I'm afraid
that you have to be careful, you don’t want to dilute the seriousness of the 
Code of Academic Integrity by having the boards deal with misconduct."

Secretary’s Note: Due to circumstances beyond our control, the remainder 
of Professor Tabacchi’s statement was lost. In her remarks, Professor Tabacchi 
explained the procedure at her School. Professor Fine referred to Professor 
Tabacchi’s statement when next he spoke.

Assistant Professor Jennifer Greene, Human Service Studies: "It is our 
responsibility to make clear to our students those criteria we will use, such 
as giving students the responsibility for their learning and their own 
behavior. I think we can choose to make the criteria whatever we would like 
them to be as long as they are reasonable and fair. It is then the student’s 
responsibility to honor those criteria and act in that fashion. I don’t think 
that situation should happen."

Professor Fine: "I’m getting confused. The speaker before the 
last asked what she would do, and said that she would in fact fail the person 
on the examination. She hoped it wouldn’t come to that, but she’d threaten 
to do that. And then she wished herself away from that situation. She 
hoped that the student hearing the threatening tone would in fact draw back and 
say, ‘Oh, no, I won’t fail the examination; I’ll stop talking.’ But what she 
has put down is the threat to grade. You seem to want to be able to apply the 
threat of a grade without the protection that’s in this legislation because the 
student can then go back to another board, and I don’t think that that’s right 
to go back to the other board and say, ‘Look, she is threatening me with this 
grade thing.’ I think that’s completely inappropriate. There’s now that 
protection for the student. You apparently would like to withdraw that. You 
would like to have a threat. You like to hope you aren’t taken up on it.
"The last speaker seems to be just wishing that something would not happen, that the students be made aware and be responsible for their own actions, but I’d like to know what happens when a student fails to live up to what I think to be their responsibility or what they understand to be their responsibility? What is available to me? Perhaps being in Engineering, I’m willing to work with tools in hand. All right, the tools in hand in this case happen to be grades. You go back and look at the Campus Code of Conduct. I won’t bore you with this, but it’s interesting reading. Bore yourself. Everything in there is very serious. It is not a laughing matter; it is not this sort of activity. They are talking about defrauding, forging documents, bribing officials, a list of activities that really belong, it seems to me, in criminal court. These are things you could take to criminal court. You could not take academic misconduct. Now, I admit it is not defined, and I never said it was defined. Nor are many things in the Campus Code defined. It is just a case of mathematics. There are no algorithms for this thing. There is some idea. If there is no meeting of minds between the student and professor, they can go to the hearing board. That’s why there’s the possibility of review with this thing. Where do you go to take a case like that? It seems to me that the closest thing that you’ve got is this Code of Academic Integrity. It fits reasonably well into that, really not perfectly under that. If you’d like to, you could open up a third booklet, but you don’t need to do that. It is not that big a deal. Why don’t you just let it go? It seems that you people realize what you need, but the question is, what do you do with it?"

Assistant Professor Gary Dunny, Veterinary Microbiology, asked why this couldn’t be put into the Campus Code of Conduct if the supporters thought that it filled some need?
Dean Bugliari: "We do not control the Campus Code of Conduct. That's controlled by the University Assembly and presumably, then if a faculty member says, 'I caught a student talking in class,' he/she would have to go through a hearing board and through the central administration process as opposed to being able to try to handle the problem personally. I don't think most faculty members would feel very comfortable doing that when two students are talking in class. I think they would deal with it exactly the way Mary said. They would say, 'Look, if I catch you talking again, I'm going to either have to do something to you or put you out of the exam.' And then I think Terry is right. If they talk again, then you have got to figure out what you are going to do. We've tried to give the students some opportunity to be able to deal with that if the faculty member did take the next steps. That's all we did. I would hope most faculty members would do exactly what you said, Mary, that if I catch you talking again, then I've got to do something, and if I do do something, there ought to be some way to review it."

Since there was no further discussion, a vote was take on the resolution (after a quorum count). The resolution was defeated by a vote of 18 affirmative, 31 negative. Part I, C. 3. a. and b. will remain a part of the Code as adopted on April 10.

Since there was no further business to come before the body, Speaker Martin announced that ten minutes remained before the University Faculty meeting and urged FCR members to remain to honor the retirees, hear some tremendous music, and see a wonderful slide show by Gould Colman. The meeting was adjourned at 4:20 p.m.

Respectfully submitted,
Francine A. Herman, Secretary
REPORT FROM THE COMMITTEE ON NOMINATIONS AND ELECTIONS

SLATE OF CANDIDATES FOR FCR SEATS ON COMMITTEES

Spring 1985

EXECUTIVE COMMITTEE OF THE FCR - 3 tenured vacancies, 2-year term

Larry D. Brown, Associate Professor, Geological Sciences
John L. Doris, Professor, Human Development and Family Studies
Paul M. Kintner, Associate Professor, Electrical Engineering
Andrew M. Novakovic, Associate Professor, Agricultural Economics
Bud C. Tennant, Professor, Clinical Sciences

EXECUTIVE COMMITTEE OF THE FCR - 1 non-tenured vacancy, 2-year term

Charles C. McCormick, Assistant Professor, Poultry and Avian Sciences
Daniel H. Usner, Assistant Professor, History

ACADEMIC PROGRAMS AND POLICIES COMMITTEE - 1 vacancy, 3-year term

William H. Kaven, Professor, Hotel Administration
Lloyd C. Street, Associate Professor, Human Service Studies

BUDGET COMMITTEE - 2 vacancies, 3-year term

W. Donald Cooke, Professor, Chemistry and Director, Occupational Health & Safety Program
James T. Jenkins, Professor, Theoretical and Applied Mechanics
David B. Lipsky, Professor, Industrial and Labor Relations
William D. Pardee, Professor, Plant Breeding and Biometry

FREEDOM OF TEACHING AND LEARNING COMMITTEE - 1 vacancy, 3-year term

Frederick T. Bent, Associate Professor, Samuel Johnson Graduate School of Management
Michael C. Latham, Professor, Nutritional Sciences

MINORITY EDUCATION COMMITTEE - 1 vacancy, 3-year term

Roger A. Morse, Professor of Apiculture, Entomology
S. Leigh Phoenix, Associate Professor, Mechanical and Aerospace Engineering

PHYSICAL EDUCATION COMMITTEE - 1 vacancy, 3-year term

Raymond T. Fox, Professor, Floriculture and Ornamental Horticulture
Thomas A. Zitter, Associate Professor, Plant Pathology

PROFESSIONAL AND ECONOMIC STATUS OF THE FACULTY COMMITTEE - 1 vacancy, 3-year term

C. Herbert Finch, Assistant University Librarian
Mary A. Morrison, Professor, Nutritional Sciences

RESEARCH POLICIES COMMITTEE - 1 vacancy, 3-year term

Carol J. Greenhouse, Associate Professor, Anthropology
Keith H. Steinkraus, Professor, Food Science and Technology, Geneva

All terms commence July 1, 1985.
MINUTES OF A MEETING OF THE UNIVERSITY FACULTY

May 15, 1985

The meeting was called to order by the Speaker, Russell B. Martin, at 4:30 p.m. He called on Dean of the Faculty, Joseph B. Bugliari, for an announcement of deaths of faculty members since the last meeting.

1. ANNOUNCEMENT OF DEATHS OF FACULTY MEMBERS

Dean Bugliari: "Today we honor 33 of our retirees, with a total of 814 years of service to the University. As I mentioned at the earlier meeting, that's an average of 25 years per person.

"It is also my sad task, though, to announce that the following members of the University Faculty have died since our last meeting.

Barbara Troxell, Associate Professor of Music, September 23, 1984
Vance A. Christian, Villa Banfi Professor of Hotel Administration, November 5, 1984
Ralph E. Krenzin, Associate Professor of Agronomy (retired), November 7, 1984
John H. Sherry, Professor Emeritus, Hotel Administration, December 26, 1984
William A. Wimsatt, Professor, Genetics and Development, January 9, 1985
Frederick O. Waage, Professor Emeritus, History of Art and Archaeology, January 28, 1985
Elizabeth L. Burckmyer, Associate Professor of Floriculture and Ornamental Horticulture (retired), January 30, 1985
Ethel E. Little, Professor Emeritus of Clinical Medicine, February 3, 1985
Charles E. Cladel, Professor Emeritus, Hotel Administration, March 7, 1985
Bernice M. Scott, Professor Emeritus, Rural Sociology, March 26, 1985
Lynn A. Emerson, Professor Emeritus, Industrial and Labor Relations, April 1, 1985"

Dean Bugliari then asked those present to pause for a moment of silence.
The Chair next called on University Archivist, Gould Colman, for a presentation on ‘Cornell Sideways by Magic Lantern’.

2. Cornell Sideways by Magic Lantern

Archivist Colman’s magic lantern brought memories of Cornell’s past to the screen. It was accompanied by the sprightly comment we have come to expect of Gould Colman. Our nostalgic visit was thoroughly enjoyable.

3. Recognition of Retiring Faculty

Speaker Martin: "And now we come to that very important part of the program, the introduction and acknowledgment of the retirees."

Dean Bugliari: "I would first like to call on Vice President David Call to introduce retirees from the College of Agriculture and Life Sciences."

Vice President Call: "It is my responsibility as Dean of the College of Agriculture and Life Sciences (I don’t have 38 retirees like two years ago) to recognize and introduce Harrison Geiselmann. Professor Geiselmann is a professor of math education, but more famous in the College of Agriculture for having taught the introductory mathematics course for many, many years - ALS 15 to thousands of students, and one of the first faculty members outside the College of Engineering to introduce computers in teaching. He has been recognized many times over for his endeavors in that area, and we were very pleased that just recently he was named the recipient of the Chancellor’s Award
for Excellence in Teaching in the State University of New York. Professor Geiselmann, we will miss you."

Dean Bugliari next called on Alain Seznec, Dean of the College of Arts and Sciences to introduce the retirees of the college.

Dean Seznec: "I was fascinated by some of those pictures, and I imagine that all the deans who are present here wonder how one can still hitch up one hundred undergraduates to a plow. If anybody knows the secret, pass it on.

"We have five very distinguished colleagues retiring this year from the College of Arts and Sciences. Two of them are not here; three of them are. Together they represent 140 years to the College and University, at an average of 28 years, which is an extraordinary record. What is more extraordinary is the distinction that each of them represents, the variety of fields - humanities, social sciences, and the sciences. It is impossible to summarize a career filled with such distinction, but I will say a few words that simply summarize at least external facts, which are, of course, much less important than the actual contributions of the individuals.

"Let me just say a word first about two colleagues who are not here today, so far as I know, and that's Professor Sho-Chieh Tsiang, Professor of Economics, who received his B.S. from the London School of Economics and Ph.D from the London School of Economics, taught at the University of Peking, the National Taiwan University, was with the International Monetary Fund and a consultant to the United Nations Secretariat. He came to Cornell in 1969. He has written a number of books and over fifty papers, primarily on the subject of quantitative economics and development.

"The second colleague who is not here is Professor Oliver W. Wolters. He received his B.A. from Oxford, his Ph.D. from the University of London. He served in the Malayan Civil Service from 1937 to 1957. He became a
professor at Cornell in 1964 and the Goldwin Smith Professor of Southeast Asian History in 1975. His major publications touch on Indonesian commerce, Malay history, history of culture of southeast Asia, and as you all know, he certainly is responsible above anyone else for the extraordinary richness and reputation of the program in Southeast Asian Studies at Cornell, which is probably the most distinguished one nationally.

"Let me now turn to colleagues who are here. First of all, Professor Eric A. Blackall. Professor Blackall received his baccalaureate from the University of Cambridge and his doctorate from the University of Vienna. He taught at Cambridge University from 1939 to 1958, and in 1958 we were very fortunate to lure him to Cornell. He promptly became the Chairman of the Department of German, which he served from 1958 to 1965 and helped establish an extraordinarily distinguished department. In 1980 he became the Director of the Society for the Humanities and was its director for the next three years. He has written very important works about German literature and Austrian literature. I will only mention three, The Emergence of German as a Literary Language, which was published in 1959 and republished many times since with additions; Goethe, the Novel in 1976; The Novels of the German Romantics in 1983. I might point out here the longevity of such a career, and I know he is working on further works still now. He has received an honorary degree from Cambridge; he is a Fellow of the American Society of Arts and Sciences, of the American Philosophical Society, and recently received the two highest awards by the German and Austrian government to scholars right here in a ceremony in Ithaca, New York. This doesn't say anything about the qualities of leadership, the quality and distinction as a teacher, teacher of teachers as well, having formed so many graduate students across the United States. But, I am glad to say we will not miss him because he is going to be
with us and will continue to be very much of a guide and a helper to the College of Arts and Sciences. I bring to him, as do his other colleagues, the great sense of respect and affection from all of us.

"The second colleague who is here, Professor Wolfgang H. J. Fuchs. Professor Fuchs received his B.A. from St. John's College in Cambridge - there seems to be a Cambridge mafia about - and his Ph.D. also from Cambridge University. He came to Cornell in 1948 and became a full professor in 1958. He became chairman of the Department of Mathematics in 1969 and served until 1973. You will notice, incidentally, that all three of the retirees here today not only are distinguished scholars and teachers but have also been honored by their colleagues as chairmen of their departments and they have had a great influence in building the strength of the departments to which they belong. Professor Fuchs has received Guggenheims and Fulbrights; he has been a Humboldt Senior Scientist. He is the author of books on mathematics and more than 50 research papers. He is a member of the American Mathematical Society and the London Mathematical Society. One of the many talents which I think his colleagues and I associate with Professor Fuchs has been his extraordinary leadership in promoting teaching of mathematics. It is not an easy subject and especially nowadays where mathematics is not always the most popular subject, but he has always insisted on the high quality of that field as well as, nevertheless, being very careful with the way in which students are taught. I know that for a fact, having received many letters on that subject, the admiration that both undergraduate and graduates hold towards him. For that leadership and for the leadership in mathematics over the years, I also wish to bring him the affectionate and respectful thoughts of all of his colleagues.

"The third retiree is Professor Robin M. Williams, Jr. Professor Williams did not go to Cambridge University, decided instead to go to North Carolina
State College and then went to Harvard where he received his M.A. and his Ph.D. In 1946 he came to Cornell, became chairman of the department in 1956 and served for five years, but even though he stepped down from that chairmanship, it was very clear that his leadership has been enormously influential over the many years. In 1967 he became the Henry Scarborough Professor of Social Sciences. His major area, and I use this word with some trepidation because in fact it covers many areas, is conflicts - both ethnic, local, national and international. As I looked at his CV, I noticed that there is an important book that comes out roughly every three to five years, and the list is enormous. Indeed, it includes a book that is about to come out this year. He is a member of the American Philosophical Society, of the American Academy of Arts and Sciences and was recently elected to the National Academy of Sciences. He is past president of the American Sociological Association and has been an editor since 1984 of Sociological Forum. Like the two predecessors, he, too, has served the College with great distinction, not only as a scholar and a teacher, but as a leader within the College, and I am glad to say that he will not be missed because he will be here with us and certainly, I and all my successors will want to turn to him for continued advice.

"To all three of you, again, I pass on from all of your colleagues our sense of respect and affection for all you have done for us."

Dean Bugliari called on Associate Dean Jack Squier, College of Architecture, Art and Planning to introduce the retirees from the College.

Dean Squier: "I'd like to say a few words about Francis W. Saul, who is here this afternoon. I'm pleased to say that I remember when Frank came. I had been here a year when he joined the faculty and I envy him his upcoming retirement and his trip to Alaska. Frank Saul has been a member of the
Architecture Department for over 25 years. He was a 1943 graduate of the United States Military Academy at West Point and in 1948 he graduated from Harvard University with an M.S. in Civil Engineering. From 1952 to 1955 he was a member of the Drexel University faculty, coming to Cornell in the Architecture College in 1959. During his time at Cornell, Professor Saul's major field of interest has been in the area of structures, and his courses have covered such topics as statics in the strengths of materials, structural steel design and architectural and construction law. He has served the Cornell community as Chairman of the University Military Curricula Committee and within the Architecture Department he has been involved with the financial aid, scholarship and minority affairs programs. In addition, he has been the chairman of the College Academic Integrity Committee and the Secretary of the College Faculty. Outside the University, Professor Saul's professional experience has included design and construction work with United Engineers and Constructors and the review of urban renewal plans and contracts for the urban renewal administration. He has served with distinction and honor and many generations of Cornell graduates owe him their knowledge of architectural structures. Your colleagues will miss you, Frank. Good luck on your trip."

Acting Dean William B. Streett from the College of Engineering was called upon to introduce the retirees from that College.

Dean Streett: "We have two retirees from the College of Engineering. One is not present today and one is present. Not present is Professor Leonard B. Dworsky of the Department of Environmental Engineering in the School of Civil and Environmental Engineering. Len Dworsky received his bachelor's degree from the University of Michigan in 1936 and joined Cornell in 1964 after many years in high level policy analysis positions in federal and state agencies. He was Chief of the Federal Water Pollution Control Program during
its formative years and during his federal government activities he was principally concerned with bridging the gap between technology and the social, economic and political aspects of water resources and environmental controls. From 1964 to 1974 he served as Director of the Cornell Water Resources and Marine Sciences Center. During his phased retirement in recent years he has spent the fall semesters at Cornell teaching courses in water resources problems and policies and environmental quality management, in addition to teaching in the Cornell-in-Washington Program. Professor Dworsky plans to continue his teaching activities, both in Ithaca and in Washington, as well as his writing activities and his membership on the Canada/U.S. and Mexico/U.S. boundary water commissions and on the Hudson basin project. His energy level and his enthusiasm for his work are undiminished, and every winter when he is in Florida, he sends a crate of oranges to the Department to make sure that they don’t forget him.

"Now, present here today is Professor Nelson H. Bryant of the School of Electrical Engineering. Nelson came to Cornell a half century ago as an undergraduate in 1935 and received his Bachelor of Electrical Engineering degree in 1939. He is recognized in Electrical Engineering most prominently for his extensive work in developing instrumentation in courses in the areas of electronic circuit design and digital electronics. Through the years, though, he was active in many more areas of electrical engineering including fluorescent lamp development, the study of radio scattering from the turbulent atmosphere and in bioelectronics and in his work in bioelectronics he was one of the first faculty members at Cornell to work in areas that we now classify as biotechnology. Just after receiving his bachelor’s degree in 1939 he worked for the Westinghouse Corporation for several years, then entered the Navy where he served for 2 and 1/2 years during World War II and then returned to Cornell
in 1946 as a member of the faculty. He has had 39 years as a member of the faculty. His sabbatical leave activities reflect the enormous range of his interests and activities while he was here at Cornell. He spent his first sabbatical leave in the 1950's at Stanford University at the electronics laboratory where he developed radar techniques and antenna arrays to scan the scattering region in the earth's atmosphere. In the early sixties, he worked at the University of Pennsylvania's Johnson's Foundation for Medical Research designing a rapid scanning spectrophotometer for use in biochemical studies. During the seventies he spent two leaves of absence with the Powers Manufacturing Company in Elmira designing electronic circuits and for many years he served as a consultant to that company. He is the co-author with one of his colleagues, Bill Erickson, of a book entitled, Electrical Engineering, Theory and Practice, published in 1952 and long used as the standard text in Electrical Engineering. He has participated in many administrative and committee functions at Cornell. I think the best measure of Nelson's accomplishments is through his long-term success with his students, particularly those whom he inspired to enter fields of biotechnology. His career is clear proof that academic brilliance may be obtained without the diversions that sometimes accompany what we nowadays call 'grantsmanship'. With these qualities combined with his personal attributes of patience, kindness and good humor, it is no accident that he is held in such high regard by all who know him. Added to his academic interests, Nelson is a naturalist, an avid gardener and an accomplished musician. For many years he was a member of the University Symphony Orchestra and on occasion still plays the trumpet with local groups. I am told he is something of an early jazz officionado and derives a great deal of pleasure in introducing to today's young people the pleasures of real Dixieland jazz. Fortunately for us,
Nelson will remain in Ithaca and will work half time designing electronic circuits for a firm called Ironics, which works in the field of automated manufacturing and is owned and operated by several of his former students. That's a very hot area now in engineering, so it's no surprise that Nelson is remaining right in the area where the action is in his continued work. So, Nelson, we thank you for your many years of service and wish you the best."

Dean Bugliari called on Dean Jerome Ziegler, College of Human Ecology, to introduce retirees from the College.

Dean Ziegler: "We have three distinguished faculty members retiring this year - Professor Jerry M. Rivers in the Division of Nutritional Sciences who is not with us this afternoon, Professor Ruth N. Klippstein, also in the Division of Nutritional Sciences, and Professor W. Jean McLean in the Department of Design and Environmental Analysis.

"I'll speak about all three of them together just for a moment because they have served, in splendid style, our College and this University for over 77 years together.

"Professor Rivers came as a biochemist from Texas. She was a very important figure in the reports and development of the College of Human Ecology out of the former College of Home Economics and most recently she initiated and has guided with great distinction the program in Clinical Nutrition in the Division of Nutritional Sciences and in our College which, I think, is known as one of the best in the country.

"Professor Ruth Klippstein is a nationally and internationally recognized leader in food preservation, food safety, nutrition, and health. She has been a stalwart on our Extension faculty, developing materials for all kinds and manners of citizen and professional groups needing nutrition and health information. Ruth has been particularly concerned with nutrition and the
elderly, nutritional value of foods, food fads, including weight control diets. She has done a great deal of work on the problems of sodium intake, dietary guidelines and nutrition and fitness. Professor Klippstein's professional activities and leadership role in our College and in the University are really too numerous to list, but I want to say that her commitment to professional activity is symbolized by the fact that last week when we had a faculty tea in our College to honor our retiring colleagues, she was over in Rhode Island making a presentation to the State Heart Association, and that says a great deal about Professor Klippstein's work in this University, in our College, in the state and outside. She came to Cornell in 1961 from Oregon State University where she was educated. She has been here ever since. I understand that you will be going back to Oregon to fish. Ruth, our congratulations to you and admiration for the work that you have done at this University.

"Professor Jean McLean has also been strongly involved in Extension activities, the surge in Extension in our College, and for over 25 years, the field of textiles. She came to Cornell in 1959 from the University of British Columbia in Vancouver where she was educated. She is also known as a national leader in the area of textiles and clothing and has received numerous honors and citations from many organizations in the field of textiles throughout our country. Perhaps her greatest contribution, in my view, has been her interest in 4H and youth development over the years and presentation of many programs to Extension people throughout the state, to youth leaders and to adults dealing with our young people. Again, her citizenship activities in our College and in the University have been enormous, and she has made a very significant and strong contribution to the College of Human Ecology. Jean and her husband, Doug, will move to Florida at the end of this summer. We, at
the College of Human Ecology will sorely miss all three and particularly Ruth and Jean who will not be with us on a day-to-day basis. We wish these three professors well and hope that you will come back and visit with us often."

Dean Bugliari next called on Associate Dean Robert Doherty, Industrial and Labor Relations.

Dean Doherty: "We have five members of our faculty who have retired during the course of this academic year. The first is Jacob J. Kaufman, a professor in our extension division located in New York City. Jack came to us some years ago from Penn State, where he had established a reputation as an authority on labor relations in the railroad industry.

"Abraham Nash, also from the extension division in our New York City office, received his Ph.D. rather late in life from Columbia after having worked as a laborer in the automobile industry for several years and his primary concern has been trade union organization and steward training.

"Walter Galenson came to us from the University of California and joined our Labor Economics Department as well as the Department of Economics in the College of Arts and Sciences, and Walter has worked in the field of trade union history. Most recently, he has published a history of the carpenters' union and a number of works in the field of labor economics.

"Dean Charles Rehmus has also retired this year. He received his Ph.D. from Stanford University, and his primary interest in the field of research as well as administration has been in labor and politics.

"One of our retirees is here, Frank B. Miller. Frank received his Ph.D. from the School of Industrial and Labor Relations after having done his undergraduate work at Reed College in Portland, Oregon. He received his Ph.D. in 1953 and immediately joined our faculty as a research associate. The following year he was an assistant professor and has moved steadily up the
ranks in our School. His primary teaching responsibilities have been in the Departments of Organizational Behavior and Personnel, where he has taught a variety of courses. His research interests have been in the area of personnel, primarily, and human relations theory. One of his publications called *Sex and the Personnel Director* contained a great deal of the latter category and not much of the former, almost to the point where one of his colleagues threatened to bring suit under the 'truth in labelling statute' that we pay much attention to in our shop. He has been a very active citizen, both at the University level and at the School level. Among the several committees on which Frank has served has been the Committee on Commencement. He has served on that committee for 23 years, and those of you who attend commencement exercises recognize him as the mace bearer. Perhaps one of his most important positions at the ILR school was as the Director of our Office of Student Services, where he has performed admirably, for a period off and on, of 12 years. Well, Frank, a teacher, a scholar, administrator and citizen, we will miss you sorely."

Dean Bugliari called on Acting Dean Charles Rickard, College of Veterinary Medicine, to introduce the retirees from the College.

Dean Rickard: "I was advised that these introductions might be very brief and mine will be indeed.

"There are three members of our retiring faculty who are not present, and I will mention them by name only: Dr. Ben E. Sheffy, Professor of Nutrition; Dr. Alvin F. Sellers, Professor of Physiology; and Dr. Edward C. Melby, Professor of Medicine, and former dean of our College.

"I had expected Dr. Malcolm C. Peckham, Professor of Avian Medicine to be here. I don't believe he is; I don't see him, so I will not be able to introduce him to you."
"One member of our retiring faculty is here, Dr. Robert W. Kirk. Dr. Kirk has served on our faculty for 33 years. He has taught all of the courses in his discipline; has served on all of the significant committees in our College and has been a cornerstone in the development of our College over the last two and a half decades. Dr. Kirk served as department chairman for eight years. He has been the author and editor of four textbooks which are the standard in his discipline. These have gone through many revisions, and he has kept them up to date to the present. He has received, I think, all of the national and international awards in his area that there are; many times being the first recipient of the award when it was established. I truly believe that he is the best known small animal veterinarian in the United States and probably in the world. We are pleased that he is going to stay around Ithaca. We'll counsel with him over the next several years and appreciate the many, many things he has done for the development and evolution of our College."

Dean Bugliari: "Now I'd like to call on Professor Kirk to say a few words about another retiree from the College of Veterinary Medicine."

Professor Kirk: "Turnabout is fair play, and it's only fair to recognize Dr. Charles Rickard who is completing 40 years as a member of the faculty. He is a Cornell graduate of 1943 with a D.V.M., a Masters and Ph.D. from Michigan State University. He came to Cornell and established a pathology program in the hospital. He was a professor of pathology for many years and chairman of the Department of Pathology for eight years. He also had the distinction of chairing another department, Microbiology, in the Veterinary College and to top off his administrative duties, he has been Associate Dean of our School for 15 years and Acting Dean since November, 1984. Dean Rickard also has been active outside of the School. He has established a very strong liaison and helped develop the Veterinary College at King
Faisal University in Saudi Arabia. He has also been active and one of the co-founders of the Aqua/Vet Program on Marine Biology, a Marine Medicine Program with the University of Pennsylvania. He is a very distinguished friend and a gentleman who has been a workhorse in the Veterinary College, esteemed by us all, and we’re glad he is going to stay in Ithaca."

Dean Bugliari: "Before we have the final presentation by the Hangovers, I’d like to mention the following retirees who are not present today but who are also retiring: John P. Barlow, Professor of Biology; Milton L. Barnett, Professor of Rural Sociology; Peter M. Cohen, Adjunct Associate Professor, Architecture; Richard B. Fischer, Professor of Environmental Education; George G. Gyrisco, Professor of Entomology; Joseph F Metz, Jr., Professor of Agricultural Economics; Winefrid Olakse, Assistant Professor, Health Services; Stanton Shannon, Associate Professor of Vegetable Crops, Geneva; Michael Szkolnik, Professor of Plant Pathology, Geneva; and Charles H. Uhl, Associate Professor of Botany."

After a very enjoyable musical salute to the retirees by the Cornell Glee Club Hangovers, Speaker Martin congratulated the retirees, and adjourned the meeting at 6:11 p.m.

Respectfully submitted,

Francine A. Herman, Secretary
MINUTES OF A SPECIAL MEETING OF THE
FACULTY COUNCIL OF REPRESENTATIVES
May 22, 1985

Speaker Russell B. Martin called the meeting to order at 4:30 p.m. He then called on Dean of the Faculty, Joseph B. Bugliari, for comments.

1. REMARKS BY THE DEAN

Dean Bugliari: "I just have a couple of announcements. First, at the meeting last week, I announced there would be a referendum on the issue that was brought to the University Faculty at the meeting of May 1. The Review and Procedures Committee and the Committee on Nominations and Elections have decided that the referendum should be held not now but at the beginning of next semester. Accordingly, the ballots will go out in early September, and they will be due the 20th of September. You will by that time have available to you a copy of the minutes of the May 1 evening meeting of the University Faculty and you also will receive two one-page statements on either side of the position.

"I will also remind you that we're having another series of computer courses the first two weeks in June. You should have gotten copies of information on those courses. We still have room in some of them if you would like to sign up or have other members of the faculty or members of a research group who might like to use those courses.

"The FCR elections are underway. Those are elections from members of the FCR to the various committees of the FCR. Those ballots were sent to present members of the FCR who will be continuing and those newly elected. Those who will be going off do not get a ballot."
"I'd like to remind you also about graduation. As you know from the material, the baccalaureate service will be at 9:30 in Bailey Hall. You are all invited to that. Graduation this year will be at noon - that's earlier than usual. For the procession, we should form at 10:30. The faculty group will form between Stimson and Olin Library. All the groups, of course, will pass between the faculty group at that point as they proceed toward Schoellkopf. I encourage as many members of the faculty who can to please come. It's a reasonable service for us. We get to walk in last; we get reserved seats; and we get to walk out first. I think the students appreciate our coming.

"I'd like to apologize to those of you for the fact that we've called this meeting in a little haste and with a lack of as much information as I would typically like you to have for such a meeting. We couldn't hold it before we got to the point where we had something to bring forward for you to look at. I would like to say a special thanks at this time to Dick Schuler, who is Chairman of the Professional and Economic Status of the Faculty Committee and to Ron Ehrenberg, who is a member of that Committee and also Chairman of the Executive Committee of the FCR, for all their help working with Lee Snyder and others on what you have today."

Speaker Martin: "We will move into the special purpose of this meeting, which is a discussion of the Cornell Children's Tuition Scholarship Program and possible proposed changes. We're going to ask two speakers to address the group and then the floor will be open for questions. First of all, we have Lee Snyder, Director of Personnel Services to be followed by Professor Richard Schuler, Chairman of the Committee on the Professional and Economic Status of the Faculty."
2. DISCUSSION RE CORNELL CHILDREN'S TUITION SCHOLARSHIP PROGRAM

Lee Snyder: "Effective last November in one of the late legislative sessions in 1984, a law was passed that affected tuition programs in higher education. These are dependent children's tuition programs. The original and initial reading of that law was somewhat vague, and we thought at that time and legal counsel concurred, that we probably didn't have a problem at Cornell at least not a major problem - because we had, as you remember, made an adjustment in 1983 where we did revise our children's tuition program. At that particular point we had a group that was grandfathered - anyone hired prior to July 1, 1983 was dealt with in one manner; anyone hired after that point had a different benefit. We thought that particular fix would put us in good stead for the change in law. Over the months that followed, we found that might not be true and as of about two months ago we realized that the grandfathering that had taken place at that particular time would not protect us, that in fact, we would have a problem, and our benefit would be considered a discriminatory one under the law.

"Section 117 of the Tax Code which is the portion of the law that we are dealing with is subject to several limitations which will affect the design of tuition remission programs. First, it does not apply to the remission of graduate level tuition, so effective July 1, 1985 any graduate level tuition program will be a taxable benefit. Second, and probably the most significant limitation of the Section 117 exclusion is that it does not apply to a prohibited group of employees unless the institution offers tuition remission on substantially the same terms to each member of a group of employees within the institution. In previous IRS regulations, in order for a plan to be non-discriminatory, the prohibited group was defined as 'those whose income exceeds the compensation of 90% of all the employees within the group'. In
other words, the top 10% of the group is the prohibited group for this particular interpretation.

"There are two provisions within the current CCTS program at Cornell that appear to make the program discriminatory under this section of the law. The first problem lies with the grandfathering which took place in 1983. Under that plan faculty and exempt employees who were hired before July 1, 1983 had no waiting period while non-exempt employees - in other words, secretaries, technicians, etc. had a ten-year waiting period. The second problem occurs with the revisions that were made in July of 1983, where individuals hired as associate or full professors had immediate rights to the benefit while all others had a seven-year waiting period after that point. It is those two particular provisions that caused us the most concern. Therefore, we are proposing some alternatives, and you have those before you today. Now, one of the alternatives that we could have applied was to do absolutely nothing, make no change in the program at all. If we were to do that, the plan would automatically become taxable on July 1, 1985 for that group that is in the upper ten percentile. And just for your information, at Cornell that would include anyone who’s making $45,000 a year or more. We thought that that was not a prudent use of benefit dollars to have it become taxable for people, and we wanted to protect the benefit as best we could, so we have provided a proposal that we plan to take to the Board of Trustees in two weeks, which you have in front of you."

Associate Professor Richard Schuler, Civil & Environmental Engineering: "In most respects I think the proposal is self-explanatory. What I did want to impart to you was the sense that as soon as Lee Snyder recognized there was a problem, he alerted the Professional and Economic Status of the Faculty Committee. Also, there is a separate committee to study CCTS."
Dean Bugliari is a member of that committee. Our committee met several times with Lee and his staff, with Ron Ehrenberg, who is a member of the Professional and Economic Status of the Faculty and also is head of the Executive Committee; with a number of the academic deans, both as a group and again at a meeting that was held last Monday.

"The sense of our committee in weighing a whole array of alternative proposals that were laid out before us, was that since CCTS had been studied and revised in a major way two years ago in 1983, and that really took almost a year or more of intensive study and discussion among the faculty, that since we now had to operate very quickly to come into compliance with the new law, that perhaps we ought to do that with a minimum adjustment to the existing CCTS program. Then if we decided that subsequently we would like to make additional or further adjustments in the program, that could be accomplished, but that ought to be done in a far more orderly fashion over the coming year. The problem, of course, is that coming into compliance immediately and still maintaining as much of the program intact as before, is going to cost the University a substantial amount of money in the first and second year — about $400,000-$600,000 - but that amount would diminish over time as the new program comes into a steady state. Four or five years in the future the additional cost to the University might be in the area of $100,000 - $200,000 a year. And these amounts are still under discussion because there is a number debate. The reason for the first year costs is what is being proposed which is to allow the staff to come into the plan more rapidly - the proposal to gain compliance, and that means an additional initial cost.

"The other issue, that I suppose in the long run that will need to be debated, is a fundamental policy question of whether or not the University should be engaged in granting fringe benefits which are taxable. I sense
that the Administration's position is that at all costs they would like
to avoid that, and I think there may be some merit in that argument given
the current emphasis in Washington of trying to increase tax revenues without
increasing tax rights, and I think once an employer begins to grant taxable
fringe benefits that may just open another opportunity for investigation.

"The second issue raised by the Administration against issuing taxable
fringe benefits is - wouldn't it be preferable to give the employees the money
and let them decide how to spend it. That is, as I see it, one of the longer
run philosophical issues that may have to be examined. But for the basic
contents of the proposal before you, the changes are as follows: Support for
graduate education, since that is taxable by law after July 1, will be
gradually eliminated. Any student who is entering grad school this fall for
the first time would still be covered for the full three years, and of course, any
students now in graduate school would be covered until their three years of
accumulated eligibility is up. Then it would be phased out for all additional
students. That's the major change in the plan, and the basis for that was
argued to be that it's taxable in any event, and the Administration did not
want to be in that position. On the other hand, all of the basic options of
the existing undergraduate plan are kept in place as far as the faculty are
concerned. The staff will get an improved plan in the sense that their
eligibility waiting period is much shorter than at the present. But then we
are going to gradually walk up from what is now a two-year waiting period
to a four-year waiting period and that will be done year by year so that
nobody is going to be caught in the Catch 22 of always being one year away
from being eligible. Again, the rationale for that is in part from a staff
perspective where the turnover rate is a lot higher and presumably, after
someone is here for four years, they intend to be a full-time employee rather than having someone come in to get the benefit for a year and then leave.

"There are other minor changes in the proposal. One is to eliminate the program for part-time faculty, prospectively. Any part-time faculty members who are now covered would remain. And the other change is to define a full-time faculty member as someone who has an appointment for eight months or longer. Those are the essential dimensions of the changes proposed."

Associate Professor David Heath, Operations Research and Industrial Engineering: "I was interested in the change in the duration of undergraduate study toward an undergraduate degree. In particular, the question concerns a student who might go to a junior college for two years, get an associates degree in the hope of transferring to a four-year institution. Would a two-year degree mean that he/she could not get support for the next two years toward a bachelors degree?"

Professor Schuler: "That certainly was not my understanding, and Lee is agreeing with that. My understanding is that it's a full bachelors degree, and as a matter of fact, the provision is specifically for ten semesters to allow for five-year engineering programs or dual degree kind of programs."

Mr. Snyder: "In fact, that is an improvement in the program. Prior to this time it was primarily eight semesters for an undergraduate degree and six for a graduate. We ran into a number of problems with people who were in five-year programs, such as Architecture, or people who decided to change majors at the last minute and had to go another semester to make it up. We were always in a position of granting exceptions to those kind of situations. So, what we have done is expand it now to ten semesters for an undergraduate degree."
Professor Heath: "What does the underlined word 'an' mean under item IV. Duration on page 5 of the handout?"

Mr. Snyder: "Just one undergraduate degree, one baccalaureate degree. And we should clarify that. That's a good point. We were not thinking associate degrees."

Assistant Professor Hollis Erb, Preventive Medicine: "There are instances in some professional schools in which the fourth year of college is actually the first year of professional school for students admitted as juniors who do not get to have a baccalaureate, but they are never going to receive a baccalaureate. They are going to go on for something, for instance a D.V.M. Would the fourth year of college still be covered under this program, even though it was the first year in a professional school?"

Professor Schuler: "We would not penalize those people."

Associate Professor Norman Uphoff, Government: "I understand the rationale that the Administration would rather get away from giving taxable fringe benefits instead of giving straight across-the-board-remuneration, but is there any provision in the sense that the reduction of benefits that would come, let's say, from taking back graduate studies would ever come back to faculty in taxable income?"

Professor Schuler: "The tradeoff is the following: the speed up of eligibility for undergraduate education is going to cost the University a tremendous amount of money. What essentially is happening here is they are trying to net out some of that increase by taking back the graduate education. Bear in mind that not all of that reduction in graduate education is really a net benefit to Cornell. It's only the reduction in the professional schools where there are limited spots. So, to answer your question, will the employee get that back - at this stage, that was not
contemplated. The idea is that you are netting out an increase in the benefit for at least some of the employees on the one hand with acknowledged diminution in the benefits on the other. Unfortunately, the people who are gaining and the people who are losing are not the same people. In a sense, this is also a gain for the faculty because if there wasn't some gain by the employee, we would lose."

Provost Barker: "If we don't make it a nondiscriminatory trend, then you'll pay taxes, and that's the dilemma that we will have to face, and the plan as proposed here as our best step at the moment is going to cost about $660,000 more. That includes whatever we're going to gain by not including the graduates. So, that is the system. The faculty group as a whole are gaining at least the privilege of not paying taxes."

Professor Uphoff: "The taxes are something less than 100%, right? So, you do not get the full benefit; you get some benefit from that, and then the question is whether there is a real problem for Cornell in extending that benefit. I'm still unclear about why this is a good way to go."

Mr. Snyder: "In the undergraduate program, if we didn't do anything, then there would be a group for whom the undergraduate tuition would be taxable, and that would be a definite loss. Now, you are receiving one hundred percent tuition. Let's say that's ten thousand dollars a year. If that becomes taxable, that's a loss to you as a faculty member or anyone who is a parent with a child in school."

Professor Schuler: "As I see it, one of the fundamental issues here is a policy of granting nontaxable fringe benefits. In a way, the least expensive approach for the University is to say, simply leave the plan as it is and it's taxable. It's certainly going to cost the faculty and staff something in terms of a reduced real benefit. Then, everything you do beyond that is
going to cost the University some amount of money and what we have in
discussion before us is, what do you get in exchange for the additional amount
that the University is going to have to contribute, and it is clear that there
has been some give and take in the discussion."

Professor Ronald G. Ehrenberg, Industrial and Labor Relations: "I think
Professor Uphoff really hit at the crux of the problem. The crux of the
problem was that what was previously a faculty program has now become, because
of the IRS law, a general all-university employee program; and if there are
substantial increases in cost, where is the funding going to come from to pay
for it? When the Professional and Economic Status Committee looked at this, we
were not concerned as much about the question of the taxation of graduate
benefits as we were concerned about what other places in the program might be
cut. One of the options that was proposed was that to restore horizontal
equity for people prior to 1983. For those of us who came prior to 1983,
faculty are entitled to one hundred percent Cornell tuition if they send their
children to Cornell. Staff are only entitled to fifty percent of tuition and
fees, which if you go to the endowed part of the University represents $3,000 a
year, and the proposal was to reduce the faculty benefit down to the level of
everyone else - fifty percent rather than bring everyone else up. Our
perception on the Committee was that more faculty would be hurt if we were
forced to reduce benefits down to the fifty percent level. They wouldn't be
hurt with the elimination of graduate benefits. Graduate benefits affect
approximately twenty to twenty-five people a year. Of the twenty to
twenty-five people per year, approximately half are involved in
MS/Ph.D. programs at Cornell and presumably if they are reasonably good they
receive financial aid in the form of research or teaching assistantships. And
so what we are really talking about is the twelve to fifteen people a year who
send their children to Cornell Medical, Law, Business or Vet School. These are the people who bear the costs in the future."

Professor Royal D. Colle, Communication Arts: "My question relates to that. Would your group consider just graduate benefits at Cornell and that the faculty who want to take advantage of those worry about the taxes?"

Mr. Snyder: "There are two issues with that. One is that for the dollars being spent to cover that particular tuition, the faculty member only receives a portion of the value of those dollars, although they become real dollars to the institution. The rest of it becomes a taxable thing that the federal government is going to pick up. Second, what we are trying to do is reduce the overall impact of the mandated changes in the program. One of the ways to do it was to eliminate the graduate study. That reduces the cost of the program by about $320,000 a year. So, what we’re trying to do is offset some of the mandated kind of things to make our plan nondiscriminatory, and the graduate program was one way to do that. Now, you need to be aware that Cornell, to my knowledge, is probably one of two or three institutions in the country that grant graduate tuition relief Columbia is the other one. Columbia is seriously considering dropping their graduate studies program. The issue becomes, to a number of people, how far do you go in the tuition aid program? Most institutions have said that up to the undergraduate degree appears to be a sufficient benefit. Beyond that it really isn’t equitable. Of course, that’s the whole issue with this particular benefit. Is it an equitable benefit? We receive a number of complaints a year from people who don’t have children or children who aren’t going to college who receive nothing in this area, and they are challenging it on a regular basis. Our intent is not to destroy the program, but we are trying to get it into a position where it is at least economically feasible to handle."
An unidentified speaker: "Mention was made here of ten to twelve people at the graduate level of Cornell, and you mentioned $320,000."

Professor Schuler: "Actually, the number is more like $63,000 and $28,000 in the professional schools. I think Ron and I would have some difference with Lee on what the cost is to Cornell. We think it needs to be calculated only on the basis of the people who attend the professional schools, which are those 28, in terms of a real cost to Cornell, but that still amounts to something in the neighborhood of $200,000."

Mr. Snyder: "We have not had deans in the graduate schools willing to waive the tuition. So, it actually comes out of the fringe benefit pool. That's another issue altogether, of course."

Professor Anil Nerode, Mathematics: "I'm worried primarily at this point about our competitive situation vis-a-vis our direct competitors. So, I'm asking both the Provost and the head of Personnel what changes are envisioned and what our competitors are doing now. In a competitive situation if you look at the people we are hiring, this business of putting a several year limit before getting the tuition benefit for full and associate professors coming in, will effectively exclude me from hiring any senior people. I'd rather have the taxable benefits given to those people coming in simply to keep us in the business of hiring distinguished people."

Mr. Snyder: "This is one of the issues we really looked at very closely because I feel that this is a benefit especially for Cornell located in Ithaca, New York. We need all the advantages we can get to attract people to this community - not that it is a bad community; it is a beautiful community. But some people don't want to come to a small rural setting. They want to be in the fast track - Princeton, Harvard - and they don't particularly care to come to a place like Cornell, especially if they have a professional spouse who is
looking for employment as well, and that becomes another issue I know you have been concerned with. So, these are the kind of things we took into consideration when we looked at the program. We did a quick review of other institutions, especially the Ivy League, Stanford, University of Chicago, institutions like that. I'm surprised at the number of those institutions that are taking the position they are going to put no additional dollars into their program. Three or four of those institutions are going to do nothing; they are going to let it become taxable. I think that affects a number of people in a negative manner, and they may have to back off from that position when the faculty and others realize what is happening to them. Some institutions are putting in longer waiting periods. The four years is sort of the average to the low average of all those other institutions that I surveyed. Most of them are around four or five years and that seems to be the reasonable cut-off point for a waiting period. As far as recruiting associate and full professors, we do know that there aren't a lot of those recruited in any given year, and those few who do have children of college age, I would suggest that the chairs talk with their appropriate deans and may in fact end up talking with Provost Barker about what you can do to sweeten the pot to attract those people, and there are some things that you can do to help that."

Another identified speaker: "Did the committee take into consideration to balance the cost of the graduate benefit by increasing the length of time of eligibility? Second, as I read it, my benefits have been changed since I came before July 1983. People who have students accepted for graduate education will continue receiving benefits that they were hired under, but my kids won't."

Mr. Snyder: "The first point is that we did consider longer waiting periods. The reason we decided against that is the very reason that
Chairman Nerode mentioned. We thought it would hurt our recruiting efforts for new faculty, pure and simple. I didn't say that this was a fair proposal. We're forced into this because of a tax change. It's going to affect some people in an adverse manner; we know that. We're trying to minimize that as much as we can and protect the nontaxability of the benefit, and there are a few losers in the process."

Mr. Snyder continued: "We have to bring a fairly substantial number of non-exempt employees - clerical, technicians, that group - up to speed with current employees because they had a ten-year waiting period, and all those people who were hired prior to 1983, have to be brought up to current levels. That's the real cost to the program. There is no question. It has nothing to do with future hires."

Professor Toby Berger, Electrical Engineering: "First of all, I just wanted to get clarification of figures. I have heard two different figures of how many people are currently receiving benefits at the graduate level under the program. I've heard numbers like 10 and 12 and numbers like 28."

Mr. Snyder: "There are exactly 63 in the program, and 28 of those are in professional schools."

Professor Berger: "I guess I'd like to make a general comment on behalf of the faculty because I think it's necessary for somebody to do so regardless of how much self interest may be involved in it. We are living, unfortunately, at the moment under federal administration which seems bent on affecting education - higher education especially - in several ways, and this latest poll to tax the graduate education benefit is just another step in that general pattern that we've been seeing. I know that many universities lobby in Congress to try to prevent these things from happening. It seems to me that it would be very nice if in some way or other people in the professoria
could feel that their administration is not going to take benefits away from them at the same time that they are suffering under federal administration. They could at least hope that the University could somehow find a way to adopt a stance that would if anything increase the overall benefits substantially so as to make up as much as possible for benefits lost because of the federal decision. So, I guess I'm opposed to seeing the elimination of any of the benefits that we previously had."

Provost Barker: "I just have to make the point that financially we're working in a closed system so that if the University finances this benefit it doesn't finance something else which relates to faculty benefits. So, it's not as though we had some source of funds outside the general pool of funds for faculty benefits. You are talking about how to distribute to a large extent within that domain so that the effect of it, which Dick mentioned, is that if it costs $600,000 a year, that that would diminish our ability to provide other fringe benefits or our ability to provide salary increases."

Associate Professor Alan McAdams, Johnson Graduate School of Management: "I think it's time for innovation. I don't know if we can get this done and do it in a way that's nondiscriminatory, but we ought to try to to vest the years the people have in the University. If we had vesting of the years and someone has already had four years in at some University, then that would count."

Mr. Snyder: "It's a law passed by Congress, and the Treasury Department has not submitted regulations to date, and the speculation is they don't intend to submit any regulations, so it's open to our interpretation. I think as we have a little more experience and we deal with other institutions and get a combination of thoughts concerning that interpretation, I would be pushing to put that in."
Professor Francis C. Moon, Theoretical & Applied Mechanics: "As pointed out, this was originally a faculty benefit. Now it is determined it must be across the board. Has anybody given any thought to the sabbatic benefit - it's used as a benefit - what happens to that in the future?"

Mr. Snyder: "I wouldn't raise the issue. It hasn't been mentioned."

Professor P.C.T. deBoer, Mechanical and Aerospace Engineering: "I agree with previous speakers in opposing the elimination of the graduate school benefit. If the grandfather clause is to be applied to that, then it should not be applied just to the students in the program right now, rather it should be applied to all the faculty who are here at the time. For example, one might have sons or daughters who have postponed their graduate studies and who are taking a job in the expectation that they could come back to Cornell to complete their graduate studies. It seems to me very unfair that those benefits would be taken away. Of course, I realize that the law will eliminate the possibility of having that tax exempt; nevertheless, that right is taken away from us by the federal government. Now, it seems to be unfair that on top of that the University would take away their benefit."

Assistant Professor P. Steven Sangren, Anthropology: "I have just a point about eliminating the graduate school benefit, and that is that as I understand it the increased cost of the proposed package here would be something that would be temporary, lasting two years as the staff were brought up to speed, whereas taking away the graduate benefit would be something that would last, presumably, in the long term, so that the cost to the University would be temporary, and then the cost to the faculty would be more permanent."

Mr. Snyder: "That's not quite accurate because there will be an ongoing increased cost because now we have people entering the system because the waiting period is only four years versus the current seven-year waiting
period. You'll see an escalation of the number of students enrolled in the program because people will get there quicker. So, there is an ongoing increased cost. We are not sure what that is until we have some experience. Dick mentioned about $100,000 - $200,000 a year; it's probably in that range somewhere, but we're not really sure."

Professor John F. Booker, Mechanical and Aerospace Engineering: "It appears in any event that the increased costs are associated with staff, and the losses are taken by faculty, and, therefore, given that situation, it does not seem that the Provost had the right group to look at for the closed system that largely includes the staff as well."

Provost Barker: "It's still a closed system."

Professor James Gillett, Natural Resources: "I was going to ask what the size of those two pools are and what percentage of the non-statutory pools would include insurance benefits and other benefits?"

Provost Barker: "How big a pool is there in the fringe benefit pool? I think the total University endowed fringe benefit pool is twenty-eight million dollars. The six hundred thousand dollars is only part of that fringe benefit pool we're talking about. The largest part of the fringe benefit pool is the retirement fund. This six hundred thousand dollars would be an increase on - I'm not sure what the current base is - but it's a couple of percent increase at least."

Mr. Snyder: "The increased cost that we are estimating the first year is about $660,000 to make the changes in the program. Out of that about $400,000 would be charged to the endowed pool. The other $260,000 would go to the statutory colleges, which is another issue altogether because that has to come out of tuition retainage which means students are going to have to pay more tuition in order to cover that particular benefit. But in the endowed sector
that $400,000 would represent about a 3 1/2% increase in the cost of that benefit. Now, as far as the overall increase to the total benefit pool - the Provost said twenty-eight million - it’s about .4% increase in the total pool."

Joseph Ballantyne, Vice President for Research and Advanced Studies: "Do we know how the $660,000 figure compares with the amount of taxes that would be paid by the top ten percent if we did nothing?"

Mr. Snyder: "We looked at that. I can’t recall because we had to make so many assumptions concerning the tax bracket that people would be in. I think we looked at it in terms of the 35% tax bracket and tried to do some estimates, and I don’t have that number with me. It’s a sizable number."

Professor Schuler: "As I recall, the number was substantial in the order of a similar magnitude."

Professor Stephen Lichtenbaum, Mathematics: "Is there any possibility that that portion of tuition which is not paid by Cornell could come under the same provision as the medical benefits and health insurance? In other words, we could pay for tuition before tax income rather than after tax income."

Mr. Snyder: "We would actually love it. We did everything we could to get it in there, but the legal interpretation is absolutely not."

Professor John Nation, Electrical Engineering: "Like every faculty member, I hate to see benefits erode as time goes by. In my own case, for example, when I first came here there was full tuition paid at Cornell and at other institutions. We’ve seen that erode in the last decade or so. I also agree with Tob deBoer’s statement about grandfathering the present students in graduate school unless we are required to do it that way by law."
It seems to me that the tenure of a faculty member here should perhaps determine the group that is grandfathered.

"I have a specific question that I'd like to ask regarding this graduate pool, and that is, have you considered the use of scholarships to students for graduate school where the benefit would presumably be in a much lower tax bracket rather than trying to award it to the parent in the higher tax group?"

Provost Barker: "John, I don't know that there ever was full benefit at other institutions. My understanding was it was a thousand dollars and that the recent change increased it. A thousand dollars might have covered it at some time. It was about fifty percent of what Cornell tuition was when it started, and it has obviously diminished since then.

"The other point, I don't know that it has been addressed, whether we could find some way of guiding the awarding of fellowships for graduate study to Cornell faculty children. We'd have clearly some debate among the faculty whether that's the right thing to do as a specially designated thing, and I don't know whether it would be legal, and I don't think that it was considered as a way."

Associate Professor John F. Thompson, Plant Biology: "In relation to this last one, I hope it is quite clear that the income to be taxed is that of the staff or faculty member and not of the graduate student. Could you please clarify that?"

Provost Barker: "That's correct. The fringe benefit would be perceived or could be a benefit to the parent and not to the student, and, therefore, the parent would pay taxes at whatever level their income required. It would then come down to the family income as a means of determining the taxation rate on that tuition."
"One thing I would like to ask Lee is whether we are eventually going to come down to a situation where there is no cost. I think that plan as proposed would bring us through a wave of fairly substantial increment declining, but I think only if we do away with graduate studies, and if we leave it in, I think that we're then going to stay up at least a bit. I don't know if it will be at the same high level."

Mr. Snyder replied that was the proposal.

Professor McAdams: "I just want to add an historic note. I chaired the Economic Status of the Faculty Committee in 1965 and at that time we did have 100% tuition at other schools. It was through the tuition exchange mechanism and we phased it out during the time I was on that committee, specifically because I think it became an enormous debit. We had more people going out than coming in and we had huge liabilities to pay out in cash at that time. But we did do it and he was right; erosion has been very, very substantial over that period."

At this time, Speaker Martin asked if there were further questions or discussion.

Provost Barker: "I'd just like to comment that we're going to go back and talk some more. There's value in the points that have been made here, and I think that we're going to have another session at least before we decide what to do."

Assistant Professor Gary Dunny, Veterinary Microbiology: "As a faculty member who has been here for six years and has a child on the way for the first time, I am just beginning to be concerned about tuition in 15-20 years. It's kind of alarming to think of the erosion of benefits that have occurred and the fact that you're going to be making long-range types of planning decisions based at least in part on your perception of benefits. I think the
University has to be very careful about taking benefits away from the people who are already here, and I would certainly tend to be on the side of trying to preserve those benefits as much as possible, even if it means offering somewhat less to incoming people. At least those people are aware of what the situation is at the time they are hired. It seems to me that if those benefits cannot be maintained by the University that the University is going to have in the long run, very little credibility in terms of hiring new faculty and staff."

Mr. Snyder: "I think your point is well made, and we spend a great deal of effort and time in improving benefits. I know since I have been here - that's only been a little over two years - we have made improvements in benefits. I have not seen an erosion of any benefit program to date. This particular program depends on how you interpret it whether it is an erosion or not, because the University is spending more money. Now you may be getting less for more, but that's really not the University's fault."

Associate Professor Richard Penner, Hotel: "I came in a little late, so I missed some of the presentation about taxable/non-taxable benefits. I wonder if as the proposals are refined, if a possibility exists to extend the graduate benefit to children who have not taken advantage of the undergraduate benefit. That is, I think it's ideal for a child who has grown up in Ithaca, hung around the campus, gone to the public schools, to go away for four years, have a college experience at another campus, and then come back here as a graduate student. I would like to see if there's a possibility that if a student doesn't take advantage of the eight semesters as an undergraduate, that the University would extend to that student, as a faculty or staff fringe benefit, six or even eight semesters of graduate study under some kind of basis, whether it's taxable or not. But I think that maybe we
ought to have at least the eight semesters on some basis. If it's not used as an undergraduate, then something should be extended to graduate level."

Mr. Snyder: "In the first place, under the current law it would have to be a taxable benefit. There is no way around that, and one of the proposals in order to finance the other aspects of the program would be to eliminate graduate studies after a phase-out period. So, your proposal is an interesting one."

Professor Penner: "But a taxable benefit is still a benefit to probably all of us, and I would think that if eight semesters are not used as an undergraduate, if we decided that our child fits better at another college, that that would be a good middle level for the University."

Mr. Snyder: "I think you’re bordering very closely on the kind of concept that someone who is a single individual with no dependents is going to say, ‘where do I get my share of this benefit’. I think you are encroaching on that very concept, so I’d be cautious."

Professor Berger: "Let me start first with Mr. Snyder’s last remark. The people who have no children certainly knew when they took their offer at Cornell about the existence of this program, and they shouldn’t expect that this program will be changed in some way so as to give them a part of the benefit pool that they didn’t have when they entered. They very well knew that situation, so I don’t think you have to feel any remorse about that. Secondly, I think that Professor Penner’s proposal has a lot of very strong aspects to it. It could perhaps simply be said that each child of a Cornell faculty or staff member is entitled, under the CCTS program, to a certain number of years and semesters, and I would say that eight is the minimum, and if you choose to take them in graduate school, well, of course, you will pay taxes because the government will make you. But it seems that that would be much more flexible
from the point of view of each child and that's perhaps at least something else that you should consider. Finally, I would add that I know that some people here have been working very hard for a few months, but we all have to realize that the federal government has been working for some sixty or seventy years now on an income tax structure which is a macrocosm of the society which tries very, very hard to set things up in such a way as to get the people who can most afford to pay for things to pay for them and the ones who can least afford to pay for things to pay less for them. Therefore, it would seem to me that even if we did nothing and ended up with both programs taxed, that somehow the people who’ve been losing some benefits are the ones among us who can most afford to lose and the ones who can most afford to pay; and the ones who can’t afford to pay won’t have to pay because they will still have the benefits. Somehow, I think that is socially fair."

Professor Ehrenberg: "One point that has been emphasized in the discussion is the need to separate out the benefits which serve the faculty and the benefits which serve the staff. I just want to emphasize that this is a point which the Professional and Economic Status Committee has worked very hard at this year in trying to stress to the Administration in terms of salary increases in the endowed colleges that the faculty pool should not be tied to the staff pool, and I think we made that point. Hopefully, the discussion today will allow the relevant administrators to realize that the faculty feels a little bit cheated."

Professor Robert M. Cotts, Physics: "Will there be a resolution that we will act on today or are we here for discussion only?"

Speaker Martin: "There’s no resolution, but that does not mean that someone could not make one."
At this time, there was not a quorum, so a formal resolution could not be made. Speaker Martin then explained that if someone were to move a resolution a sense of the body, or a straw vote, in effect, could be taken.

Professor deBoer suggested the following resolution, which was moved by an FCR member and seconded:

RESOLVED, that the faculty is opposed to the elimination of graduate education benefits for children of faculty members currently eligible for these benefits.

Speaker Martin: "Is there discussion on this before we get a sense of the body, not an official vote?"

Professor Berger: "Is the discussion limited to FCR members?"

Speaker Martin: "No. Any faculty member can debate. You can debate, you can attend, we welcome you, but you cannot vote."

Professor deBoer: "It seems to me it is useful for the faculty to express themselves. We have had several people speaking but we don't know what really the sense of the body is. It seems to me that it is helpful for the administration and the people discussing this to note a sense of the body. One could make a stronger motion in that one is opposed completely to the elimination. I'm making a statement to which I spoke earlier."

An unidentified speaker: "Just a question. When you said the children of faculty members currently eligible, that's faculty members currently eligible, or children?"

Professor deBoer: "Faculty members currently employed."

Professor Uphoff: "Would this have such clear discriminatory effects on staff that would make the whole program taxable?"

Provost Barker: "It is one of the things we will have to examine if we want to adopt this. It would make all of the programs taxable, undergraduate
and so forth, and it may be tantamount to suggesting that we just leave it alone for this year. We recognize that that’s one of the options which really hasn’t been discussed very much. Then next year everyone will be taxed whose salary is in the bracket that causes it to be taxed, but it would leave these aspects of the problem in place. That option was put forth by Lee, but there hasn’t been any discussion. The reason I’m bringing it up now is because if we were to adopt that, I think we would be more or less back in that position, and I would like to hear some discussion from the faculty."

Professor Nation: "I find my sentiments favor the motion in many ways. Were I a member of the FCR, I would find it difficult to vote for the motion. It’s rather difficult to define my own opinions on this rather narrow motion where there’s a much wider issue at stake. If we pass that particular motion, what is the impact from that motion on the other aspects of benefits? I find it rather difficult to vote on one part of the issue when there is a much wider topic to be discussed."

Professor McAdams: "I would like to propose a friendly amendment to our motion which may be a little bit out of order. I would modify the motion to be, if it does not jeopardize the tax exempt status of the undergraduate program, that this would be the sense of the body."

Associate Professor Frederick C. Gouldin, Mechanical and Aerospace Engineering: "The proposal to leave it alone, I think, will hurt the bulk of the faculty. If you take faculty 25-30 years old who start a family, by the time their children are 18 or 20, they are going to be full professors, and they are going to be in this tax bracket, and they are the ones who are going to be hurt by it. So, it seems to me that this question about what the impact will be of supporting one benefit on the undergraduate’s benefit is important. I think we have to look at the whole system."
Provost Barker: "As long as we in the future were to act in a way which would produce a nondiscriminatory benefit, we can change that benefit. In other words, we have to make that decision before July 1. What are we going to do next year?"

Professor Gouldin: "If we leave it alone, it is my understanding that this will cost faculty up to around $3,000 - $4,000."

Provost Barker: "Those who currently have children in the program."

Professor Gouldin: "It’s a substantial decrease in your salary."

Provost Barker: "That’s correct, and I have two in the system."

Professor McAdams: "Could I comment on that last comment? It seems to me that the friendly amendment that has been sneaked in there deals with exactly that question. It says that we certainly don’t intend that this motion would undercut the tax exemption of the undergraduate program. If the graduate could be grandfathered in the way we’ve suggested, while still not making the undergraduate program taxable because of discrimination, then we would favor it. But the graduate one is taxable anyway, so we’re not affecting it."

Professor Gouldin: "But the Board of Trustees could decide even if that were the case that it still would be too costly and therefore they would further decrease the undergraduate benefit even if it was non-taxable. So, the question has to be looked at, the whole system. The Board of Trustees looking at the University’s interest could say they can’t afford this extra benefit even if it doesn’t affect the undergraduate."

Professor McAdams: "That should come to my committee, which is the Budget Committee, and we’ll look at it and make sure it doesn’t happen."

Professor Schuler: "I wanted to make one point. Yes, if we continue the program the way it is, it wouldn’t cost the administration anything."
It would retain some flexibility because in subsequent years we could alter this on a more measured and reasoned basis, but it would cost the faculty in the first year in taxes. The program that has been presented before you, on the other hand, will not cause faculty taxes except for those who are sending their students to graduate school and nobody will get a diminished benefit from what they had anticipated up until this year. It still affords us the opportunity to review the program on a more measured and reasoned basis, and perhaps these equity issues - about retracting the graduate benefit - could be debated in a more reasoned light. So, it seems to me those are the real trade-offs we have before us given the gun we’re under to come up with something as of July 1."

Professor Ehrenberg: "I think we should distinguish between the effect of this motion on statutory college faculty and endowed college faculty. In the statutory college, the salary pool is completely independent of the Cornell Children's Tuition program. In the endowed college, it obviously is not. So, for those of us in the statutory college, having the graduate program is wonderful. It gives our students more money, and it leaves the dean with less flexibility. On the other hand, for those of you in the endowed college, this Cornell Children's Tuition program is directly competitive with salary dollars, and I think the estimate is $400,000, some one percent of the endowed faculty salary budget. So, essentially, to keep this program indefinitely, if there are no other increases in revenues, is equivalent to a one percent less salary increase in perpetuity for the endowed college faculty. I'm going to vote in favor of the amendment because it doesn't cost me anything, but I think those of you in the endowed college should think very seriously whether it's better to give this money to the small group of us who might be fortunate enough to send our children to graduate
school, and that will be roughly 60 per year, or whether this money might better be distributed in a one percent salary increase for the roughly 800 or 900 endowed college faculty. That's really what I see as the issue."

Professor Berger: "I think one point here is if we're trying to debate between possibly doing nothing and between instituting the changes that are being proposed, as Professor Schuler just said, and then re-thinking the matter a year later when we have some experience so that we could decide on the basis of that experience and that of other universities, perhaps we would want the more recent plan. But what that would mean is that in the interim, we will have eliminated the graduate program and given the past trend of benefits in this particular area, I find it hard to believe that the Board of Trustees is likely to subsequently vote on the new proposal which is going to reinstitute it in some way. So, I think that it's unlikely to work. If you take it out, in other words, you'll never get it back."

Speaker Martin: "We are beginning to lose members. Are you prepared to take a sense of the body?"

Professor Walter Lynn, Civil and Environmental Engineering and Director, Program on Science, Technology and Society: "I'm going to make a vacuous suggestion. While I understand Professor deBoer's interest in having a motion and conveying a message, the persons to whom that message needs to be conveyed are here. I'm reluctant because the message is already confused. There are a number of things connected to this issue that you've raised that seem to require a more deliberate structuring if the faculty wants to make some voice. While your intentions are right and Alan is correct in supporting that and it has been amended, in some way I would hope that you'd defeat the motion. Not that I'm opposed to it, but it is a cluttered message, which is not what you intended to convey. I think the intent of your message is right,
and I think that’s coming through in this discussion and that’s been delivered, but I’m reluctant to have the Provost say, ‘If you give me that message, what we will have to do is the following.’ And it appears to be some sort of a clear signal which is not as clear as I think you intended it to be. So, I will vote against that motion, not out of opposition, but because the message is not clear."

Speaker Martin: "We’re reaching close to our mandatory adjournment time. Is there anything further?"

Associate Professor June Fessenden-Raden, Biochemistry, Molecular and Cell Biology and Member, Program on Science, Technology and Society: "I disagree with the Director of my Program in that I think the message isn’t unclear. I think that it is very clear that there are a number of faculty members who feel that it is this point this year until it has been looked at that the graduate program should not be eliminated. It doesn’t mean that if given another year after looking at it one couldn’t eliminate it, but they don’t want to eliminate it now because they fully understand, as Professor Berger said, that once eliminated, there is virtually no chance of ever getting it back in."

Speaker Martin: "Are you prepared to get a sense of the body? The question first of all is that the friendly amendment would have been ruled out of order had this been an official meeting, and it would have had to have come to the floor and be voted on separately. I guess my question is, do you wish to vote on the amendment and then up or down vote on what’s left, or do you want to do it as a package?"

"If there are no objections, we will accept the friendly amendment which was to add the words ‘if it does not jeopardize the tax exempt status of the undergraduate program’. If there are no objections, we will accept the friendly amendment, which will now make the entire motion read:
RESOLVED, that the faculty is opposed to the elimination of graduate education benefits for children of faculty members currently eligible for these benefits if it does not jeopardize the tax exempt status of the undergraduate program.

"Are there any objections to accepting the friendly amendment as a part of the original motion? If not, it is so ordered and we will vote on it as a package."

The resolution was then voted on and passed by a vote of 27 to 5 as a sense of the body, although not binding at all.

Since there was nothing further to come before the body, the meeting was adjourned at 6:00 p.m.

Respectfully submitted,

Francine A. Herman, Secretary of the Faculty
MINUTES OF COMBINED FCR/UNIVERSITY FACULTY MEETING
SEPTEMBER 18, 1985

The meeting of the Faculty Council of Representatives was called to order by Speaker Martin at 4:30 p.m.

Speaker Martin said this is the meeting of the FCR which will be followed by a meeting of the University Faculty. He called on Dean Bugliari for announcements.

1. ANNOUNCEMENTS

Dean Bugliari first called attention to the enclosures that were circulated with the call to the meeting - the Prelim Examination Schedule, which shows when the major courses are scheduling their fall prelims; the revised Academic Integrity Code; and the list of Religious Holidays. He noted that while there was no rule that requires faculty to do anything about those holidays, he hoped that those holidays would be considered. He also called attention to the enclosure describing the film series entitled "South Africans Speak Against Apartheid" for which he credited Professor Billie Jean Isbell with providing; a list of Sage Chapel Speakers for this year; a list of Blood Pressure Clinics which are scheduled through September; and a list of speakers for the Cornell Research Club.

The Dean then went on to announce the results of the spring elections, thanked all members of the faculty who ran, and congratulated all those who were elected (appendices A and B attached).

Dean Bugliari continued: "Some of you may have seen a letter to the community which appeared in the Cornell Daily Sun and the Ithaca Journal on
September 16 from myself and John Sherry, and there are copies of that letter here if you did not see it.

"I would like to also announce now that there will be an October 2 meeting of the University Faculty. At that meeting President Rhodes will give his annual address to the Faculty. That is all that is presently on the agenda for that meeting, but there may be more as we go on.

"I would also like to mention that I have received a request for Faculty members to participate in the judging of a 1894 Memorial Debate Contest. The letter I received says:

The assistance of the Cornell Faculty is needed to maintain a ninety-year-old Cornell tradition. The Class of 1894 set up an endowment to provide prize money for an annual debate contest to be held on the campus. This contest was designed to provide the Cornell community with public debate on relevant social issues. This year's topic asks whether the U.S. media coverage of terrorist activities is justified. The contest is open to all undergraduates and it is judged by Faculty members. Because we are expecting a larger degree of student participation than ever, your help is needed. The contest will be held Monday, September 30, and Tuesday, October 1, from 4:30 to 9:00 p.m. each day. No previous debate experience is necessary. If you can volunteer as little as an hour and a half on either of those days, please contact Pam Stepp at 256-2079 or Robert Goldstein at 272-4487 in the evening.

"One last thing, I hope you are all aware that the deadline for ballots on the divestment referendum is four o'clock this Friday. They must be in my office by that time. The plan is to make the results public on Sunday, September 22nd, at 4 p.m. None of us have any idea of how the voting is going. Ballots won't be counted until Friday, but we do know that we do have upwards
of 1100 ballots that have been returned. I would indicate to you that there are 1550 regular members of the Faculty and an additional 400 Emeritus Professors who are eligible to vote. That is probably the largest turnout for a referendum or almost anything else I can think of by the Faculty, at least that I can ever remember in my twenty-five years here at the University.

"I would like to call on Professor Sherry for a nomination."

2. ELECTION OF SPEAKER

Professor John Sherry, Hotel Administration: "The second item on our agenda today is the nomination and election of the Speaker of our FCR. I'd like to nominate Russell Martin for that position. I need not tell you, I think, how much effort and time, (thankless most often, I'm afraid) he has performed for us in this capacity. I think he is certainly very well experienced and has indicated a willingness to continue to do this for us, even though he is an Emeritus Professor, and therefore does this, in effect, on his own time. The only atonement that Joe and I agreed to provide for the job was the opportunity to obtain soft drinks from the Dean's soft drink locker in 315 Day Hall. I do know that Russell is willing to do the job, and therefore, I place his name in nomination."

The nomination was seconded and there being no additional nominations, the Dean called on the Secretary to cast one ballot. He then proclaimed Speaker Martin to be the Speaker for another year, saying he would have to negotiate next year because he couldn’t keep doubling his pay.

Speaker Martin: "I notice that the competition for this job gets keener every year. Thank you very much for the privilege, and I will do my best.

"The Chair again calls on Dean Bugliari for a resolution concerning the Student-Academic Staff Grievance Procedure."
Before the Dean proceeded, a question was raised from the audience: "May I ask Dean Bugliari to clarify the circumstance as to the letter (Appendix C) that he referred to that he and the Chair of the Executive Committee of the FCR published? I'd like to know two things: Why at a crucial time when we have the referendum pending and the upcoming changes in the Campus Code, did the Dean and Chair of the Executive Committee of the FCR abandon the formal neutrality of their offices? And why did their letter seek only the endorsement of the Faculty instead of the two-sided debate it calls for?"

Dean Bugliari: "Let me try to answer both questions. You can perceive that as a non-neutral letter. I think both John and I did not perceive it as a non-neutral letter. I think secondly we were concerned because we heard the reports which I guess were totally unfounded that mass demonstrations and arrests as opposed to small numbers were going to start up again on Monday. The rumor was reported on Friday in The Cornell Daily Sun. We were concerned about what was happening; everyone spending all their time on the problem of what to do about the sit-ins in Day Hall rather than the focus on divestment. This was the feeling shared by John and myself, and we did not intend to take sides. I want to assure you of that. Decisions at this University should be made as nonconfrontational as possible, and in fact, what we really ought to do is strive for the kinds of things that I now see coming back into the process, which are arguments over the merits of divestment."

Professor Sherry: "I want to add to that. Of course, we understood that some of you might object, and that is your privilege. We did not intend to prejudge the situation or cause you to feel that you could not speak out freely today or any other time either in the Sun or in any other means that you choose. I thank you for making the comments that you did."
Associate Professor Nicholas Sturgeon, Philosophy: "I'd like to say that of course, everyone appreciates your right to express your opinion and to ask for others who agree, but I think there's a serious question about your office making this an official document, a request from the Dean of the Faculty and the Chair of the FCR Executive Committee.

"Rightly or wrongly, very many in the Cornell community, including many people on the faculty, think they have been making rational arguments on this subject for seventeen years, and part of the problem at Cornell is that the institution is run by a self-perpetuating Board of Trustees and an appointed administration. It takes two sides to make a rational discussion, and we had evidence last spring, for example, at the Proxy Review Committee Hearing that the Trustees view community opinion with utter contempt. Now, under those circumstances, many people think that minimal civil disobedience may be a rational tactic to call peoples' attention to rational arguments that have been made over and over and over. We recognize, of course, that there is disagreement about that, but since that's a widespread opinion among the faculty, this letter which says that the use of civil disobedience is an appeal to emotion rather than reason, takes sides on an issue which is very controversial among the Faculty, and I think among the people who have given this matter a lot of thought and study. That is why, respectfully, I suggest that it is not appropriate for the two of you to use your office as opposed to your status as members of the Faculty, which of course you are free to use, to circulate such a letter and ask for Faculty signatures."

Dean Bugliari: "I would not feel personally that there aren't situations in which I could be civilly disobedient under a certain set of circumstances. I guess what I'm saying is my concern is not for what happens necessarily with this issue. I understand this issue, I hope. What concerns me, though,
is that if all issues suddenly become decided this way on campus, you are going to be in the situation of appealing to emotion. It may be entirely natural to appeal to emotion, but I don’t think emotion makes for a rational decision. With respect to whether we have properly used our office in soliciting this, I guess I would have to say that if the faculty feels that way, I stand reproved."

3. STUDENT-Academic STAFF GRIEVANCE PROCEDURE

Dean Bugliari: "Step Three of the Student-Academic Staff Grievance Procedure currently reads:

If the matter is not resolved at the second step, it shall be referred to the Dean of the College and a fact finding panel consisting of three persons representative of a cross section of the Cornell community, selected from a list compiled by the Ombudsman. The members will be selected by the Ombudsman and all parties to the grievance will have the right to request the Ombudsman to remove any person from the panel that he/she feels would be unable to be impartial. Within two weeks after appointment of the panel the Dean and the panel shall hold a joint hearing and issue separate reports of their recommendations for resolving the grievance. If these recommendations concur, the Dean’s decision will be final and binding. If the reports are not in concurrence, the matter will go to the Provost who will hold a final hearing and issue a decision which will be final and binding upon all parties to the grievance.

Dean Bugliari: "About two years ago when this was changed to its present form, at the very last instance after we thought everything had been circulated to the appropriate committees and everybody else who had to go through it, the Ombudsman’s office included, we got notice that in fact they felt that Step 3 was a little too cumbersome in the way that it involved the Provost. I said
then that it was too far gone and we were going to pass it, or at least we were
going to propose it to the FCR, and if they wanted to come back - but they had
no idea how they could change it - we would try that at a later time. Nothing
happened, but almost a year later they came up with a proposal for change,
which you see here. The Committee on Freedom of Teaching and Learning met and
decided, in fact, to accept the change proposed by the Ombudsman’s Office. I
would add one other thing and that is while this procedure seems to have been
around for a long time and seems to have been amended on a considerable number
of occasions, it has never to our knowledge, been utilized. So, to some
extent, I’m not sure what we’re doing, but nevertheless here it is."

Dean Bugliari, on behalf of the Committee on Freedom of Teaching and
Learning, moved the following resolution:

RESOLVED, that Step Three of the Student-Academic Staff Grievance
Procedure be deleted in its entirety and replaced by the
following:

If the matter is not resolved at the second step, it shall be
referred to the dean of the college. The dean or his designee
shall, with the advice of the Office of Equal Opportunity,
review the matter and make a disposition of the grievance
within thirty days of referral. The dean may, in his discretion,
appoint an advisory panel of three persons who shall review the
matter and make recommendations to the dean. The decision of the
dean shall be final.

There being no further discussion, the resolution was voted on and passed.

Professor Nelly Furman, Romance Studies, suggested that the wording
(specifically, the word "he") describing the dean be changed to he/she. It
was agreed that this would be done. (See Appendix D for final document.)
Speaker Martin then declared the meeting of the FCR adjourned and the University Faculty Meeting in session.

1. ANNOUNCEMENT OF DEATHS

Dean Bugliari said it was with great sorrow that he noted the death of the following members of the Faculty since the last meeting in May:

    Henry Guerlac, Goldwin Smith Professor of History of Science Emeritus, May 29, 1985

    Trevor R. Cuykendall, Spencer T. Olin Professor of Engineering Emeritus, June 4, 1985

    James O. Morris, Professor, Industrial and Labor Relations, June 30, 1985

    Rose K. Goldsen, Professor of Sociology, August 2, 1985

    William H. Farnham, Professor of Law Emeritus; and former Dean of the University Faculty, August 14, 1985

    Peter Olafson, Professor Emeritus, Veterinary Pathology, September 3, 1985

Dean Bugliari asked those present to stand for a moment of silence. He then announced that there would be a memorial service for Rose Goldsen the next day, September 19, in Anabel Taylor Hall.

2. DISCUSSION OF PROPOSED REVISIONS TO THE REGULATIONS FOR THE MAINTENANCE OF PUBLIC ORDER

On behalf of the Review and Procedures Committee, Dean Bugliari introduced the following resolution as being before the University Faculty:

    RESOLVED, that the Board of Trustees of Cornell University refrain from adopting any changes in the Campus Code of Conduct until there has been campus-wide discussion and resulting consensus on the need for any proposed changes.
Speaker Martin: "You have all heard the motion. The Chair now wishes to ask Dean Bugliari for a statement. The Dean will be followed by the Provost and two speakers who have already requested permission to speak. Then the floor will be open for general discussion. Please remember to give us your name and department if you wish to speak."

Dean Bugliari: "I'd like to make a general statement in the way of background so that maybe some of you who know less about what's been going on than others might have an idea of what has transpired and brought about this meeting.

"First, I would say that in only what I could describe as a mandate, the Executive Committee of the Board of Trustees at its July 9 meeting instructed the Administration to come up with a revision of the Rules for the Maintenance of Public Order and, in addition, directed that such revision be ready for their action by September 5. On July 19, 1985 the proposed revisions, which are the subject of this meeting, were sent to the University Assembly with a notice that they would be implemented at the September 5, 1985 meeting of the Executive Committee.

"Despite the fact that August is normally a sleepy time in Ithaca, there was an outpouring of concern of putting anything in place by September 5. Through the work of a number of people - members of the Faculty, members of the Administration, the taking of any action on September 5 was deferred. In the meantime, Walter Relihan, University Counsel, made presentations to the University Assembly, the Student Assembly, and the Employee Assembly. On August 28 the FCR Executive Committee met with our seven Faculty representatives who sit on the University Assembly, and Provost Barker and Counsel Relihan, and as best as I can describe it, we had two and one-half hours of free, frank and open discussion of the issues. In the meantime I
received a large number of signatures of petitions from all over the University calling for a special meeting of the University Faculty on September 3 to discuss the resolution which is before you today. I met with David Lyons and Don Barr and since at this point, I had firm assurance that no action would be taken by the Executive Committee on September 5, it was agreed to forgo a September 3 meeting for today's meeting in order to be able to get more information in the hands of the Faculty for the debate. Since then you should have received several missives from the Provost and Counsel Relihan explaining the proposed changes and also you were sent a copy of Professor David Lyons' statement with the call to the meeting.

"At the September 5 meeting of the Executive Committee, presentations were made by Mr. Paul Morehouse and Mr. Alan Diefenbach, Faculty Trustee Mary Beth Norton and myself. I told the Executive Committee that in my opinion most Faculty, and I suspected most students, staff and employees had little idea, much less information, about the operation of the present judicial system, the nature and consequences of the proposed changes, and the events of last spring that allegedly precipitated the call for the changes - what happened in the judicial process, the actions which brought the students before the system. Secondly, I said that most faculty who had contacted me, and there were many, felt strongly that trying to make such comprehensive changes in the judicial system by September 5 and before there was any real chance for informed community input and reaction was wrong.

"As many of you are aware, the Provost in one of his letters to the community, good friend that he is, suggested that those who wished to comment send those comments to me. I have received a large number of comments. While I can't possibly do justice today to those responses, I note the following:
While some feel that there may be no need for change and some feel that proposals are appropriate and proper, most are in the middle. Maybe we need some changes, but not necessarily those that are being proposed. The biggest areas of concern in the letters have been over the selection process for the Boards and the mandatory penalties, not that there haven’t been concerns over lots of other sections, but those two are the major ones.

"Where are we now? In my opinion, I detect a willingness on the part of the Trustees through the Administration to discuss/negotiate over the proposed revisions. President Rhodes in his statement to the Executive Committee which was published in the Sun on September 10 stated, ‘We will continue to work with the Assemblies and the Faculty Council of Representatives in the hope of producing a revised proposal that will satisfy the Executive Committee’s direction of July. Revisions can be drafted that will respond to the sense of the University community that the current proposals need modification in order to merit the broad support needed to permit any code of conduct to work effectively.’

"Alan Diefenbach called me last night and said that he and two Assembly leaders were meeting with members of the Administration tomorrow to begin discussion on how to interact with the assembly.

"Finally one last point, a number of Faculty members have called or written me concerned that the established dismissal policy for Faculty members both tenured and non-tenured would be altered by the proposed changes in the Rules for the Maintenance of Public Order. I have absolute assurance from the Administration that such is not the case. While the judicial system may recommend dismissal, a final decision to that effect can only follow the long in-place procedures that we have had in the past."
Speaker Martin: "Provost Barker will speak on the issue as follows, and I quote: 'What went into the decision to modify the Rules for the Maintenance of Public Order and what are the areas of concern to the Executive Committee and the Administration with the current Rules?'"

Provost Barker: "It's quite clear that the reason that the Executive Committee of the Board charged the Administration to produce the new set of regulations stemmed from the view that the events of the spring term necessitated that, and that the system that was in place had not functioned adequately to protect the University. The Board of Trustees is required by a State Law (the Henderson Law) to have effective rules for the maintenance of public order, and so their judgment that the current rules were not effective indicated that there was a need to do something about it.

"The events of the spring: I think one of the key aspects of it was that the way in which the system did function on the campus led the Ithaca court system to withdraw its support for the University and, in essence, its protection of the University. So, those are a couple of the principal reasons that the Board charged the Administration to produce a new set of regulations. Now, then, the kinds of things which were perceived in the current regulations that in their view need to be addressed follow.

"First, it was thought that it may be necessary, and this is part of what was proposed, to separate public order issues from other kinds of issues that are dealt with on the campus, to separate those issues which deal with very large numbers of people pursuing what they perceive as civil disobedience from those issues which deal generally with students or single individuals doing things which they presumably shouldn't do. Another thing within the current system which needs addressing is some way to test the impartiality for the membership of the panels. How that would be done is an issue which I think
warrants some consideration, but that is an issue. Next, a need to provide the panels with legal counsel, and I would put immediately after that, impartial legal counsel, which may mean that someone who is not connected with the University, unless it's a Faculty member in the Law School, or someone from off the campus.

"Next, a need to be able to have group hearings rather than individual hearings when large numbers of people have been involved in the same activity in the same place at the same time.

"Next, to constitute panels, and this is where Dean Bugliari indicated there is clearly a great deal of concern. But fundamental to what was being proposed with respect to the panels was to have hearing panels that reflect a different balance of the campus communities and particularly to create panels that would have stronger representation from the Faculty, since the perception is that the Faculty are the members of the community who are here for the longest period of time and have the greatest vested interest in the campus.

"The next item would be to provide appropriate penalties for repeated violations.

"Those are the issues which I believe are already under debate on the campus with regard to the Rules for the Maintenance of Public Order. The new regulations as they were proposed intended to address those. It is clear, however, that we can only have effective regulations if they are in fact accepted by the campus community as being appropriate ones, and I think the situation that we are looking for now is, as Joe put it, advice. Negotiation is probably not the right word, but we are seeking advice and counsel from the campus communities as to what would be effective changes in the current Rules for the Maintenance of Public Order that would take care of the concerns that I indicated in that list of topics."
Professor Michael Latham, Nutritional Sciences: "I strongly urge the Faculty to vote for the motion and against the proposed Regulations for the Maintenance of Public Order. I don't think the motion before you goes anywhere near far enough, but I ask you this because I believe the proposed regulations are unnecessary, and we really weren't told why they were necessary. They could be very repressive, I think, for students, staff and faculty, because they aim to limit freedom of expression on this campus, and also because I think they are rather reminiscent of legalized injustices in countries such as South Africa and Nazi Germany.

"I want to talk mainly about trust or lack of trust. I will leave others to discuss the major problems with these ill-conceived regulations. The Faculty should feel, particularly angry, I think, because the Administration hoped to rush these appalling regulations through on September 5 without any consultation of us, the Faculty of the University. In my seventeen years at Cornell, I have disagreed with many actions of the Cornell Administration, but in general I have felt that the Faculty were usually informed in reasonable time and sometimes were even consulted about decisions that affected us all. But this time, no. These were to go through on September 5, when we had barely returned to the campus. The lack of trust seems to go further because it's embedded also in the regulations themselves, and I am very glad to hear the Provost indicating that there is some possibility of movement on this. He talks about increased representation of the Faculty on these panels. By representation, I take it to mean that the Faculty would elect Faculty to serve on these panels. The regulations as now before us leave the President to make the appointments of the five members of the judicial board. It does not trust us to elect Faculty to those boards; similarly, the appeal board is even worse because it has three academic deans appointed by the President. Clearly,
we the Faculty, are not trusted to sit on an appeals board. And so, we have one man, the President, being the complainant, being the prosecutor, being the jury, being the judge and even the appeals court for these regulations. I once heard something about independence of the judiciary. It seems that that's appropriate for the country but not for Cornell.

"Then, our Administration tries to tell us that the new regulations are very similar to those in existence at other Ivy League schools, but this is patently untrue. At none of the other Ivy League schools, and we have been given evidence of six of the seven, does the President appoint the panel of the Board who conducts these types of hearings. So, there is this major difference. The regulations before us seem to be designed to limit free expression of opinion on campus. They also constitute a law-and-order approach to a problem for which we currently have satisfactory regulations.

"I also don't see in these regulations anything about dealing with the Administration or the safety division when they break University rules. Vice President Herbster and Counsel Relihan, and even President Rhodes have talked loudly over the last several months about demonstrations, about sit-ins at Day Hall, about Shantytown and even about what I think was a disgraceful harassment of Professor Pearce Williams. But they do not talk publicly about the infringement of the photo policy of the University that took place during the summer. Safety officers were caught redhanded photographing a group of Faculty who were lawfully picketing outside Day Hall one Wednesday afternoon. We believe that photographs were taken on many occasions, but a safety officer was caught only once. The safety officer was not in uniform, was not outside the building; he was taking photographs through a slit in the window from the men's room located above the entrance of Day Hall. Attempts were made by safety officers to prevent us from getting the
information to reveal this. We all made complaints. Vice President Gurowitz who is in charge of these matters refuses to inform us what disciplinary actions were taken and, more importantly, he will not reveal who gave the orders to take the photographs of the Faculty, and how these photographs would have been used if we hadn't had them destroyed. Provost Barker in a letter to me has agreed, I am pleased to say, that there was an infraction of the University photo policy, and that he is committed to that policy. But, again, there is the matter of trust. The covert photographing of faculty who are not breaking the law, not breaking any Cornell regulation, can only have very chilling consequences for Faculty, employee, and student rights of free assembly and free speech at this University. And yet this gross infringement is clearly not of much concern to this Administration.

"Finally, the reason why we are all here today on this beautiful afternoon is, of course, South Africa and because of Cornell's financial support for a hideous government in that country. The activities of those of us who favor divestment have again become a thorn in the side of the University Administration. Almost everyone in the Cornell Administration, even William Herbster, has condemned apartheid. So have several members of the Board of Trustees. They often tell us that reasonable persons disagree about Cornell investment in South Africa, but in seventeen years, they have made no acceptable gesture of compromise. We have suggested temporary compromises. For example, freeze all future investment or meet us part way by divesting half of the 120 million dollars in the companies, but no, they are stubborn and incogitant and increased the investments 65 million dollars in 1978, now 125 million dollars today. Once again, the Trustees are engaged in a two-year study of this question. Surely we have had enough studies. I suggest that the Trustees can do away with the felt need for these repressive regulations by
removing that festering thorn from the University's side. If adopted, these regulations will be with Cornell long after Nelson Mandela or another Black leader is President of South Africa or Azania, as it will then be called. If the University would divest now, then the felt need for new regulations would disappear.

"Finally, when a University like Cornell tries to implement more stringent laws against demonstrations than exist in the capital city of our own country, I really think that we must feel that something is very wrong. Yet, this is what the case will be if these regulations are passed. I ask you very sincerely, whatever your political views are, to think very hard and to vote for this motion and against these regulations."

Professor David B. Lyons, Philosophy and Law: "The resolution before the University Faculty calls upon the Board of Trustees to make no changes in the Campus Code of Conduct until there has been campus-wide discussion and resulting consensus on the need for any proposed changes. I want to explain this resolution and argue for it. The resolution does not deal directly with specific changes that have been proposed in the Campus Code of Conduct; specifically, in the Regulations for the Maintenance of Public Order. It concerns the conditions under which changes could properly be made. Some of these proposed changes have not been explained by the rationales that have been given. Let me mention just one, which I think may be the most significant one. There's a clause entitled, 'Interpretation' which reads 'All proceedings brought under these Regulations for the Maintenance of Public Order shall be governed exclusively by these provisions and no other University rules, regulations or procedures shall apply.' No one has even tried to explain what this means, no less why it might be needed. Let me suggest two things to you. One apparent effect is this. The Statement of Student Rights is now
enforceable under the Campus Code. That Statement draws an exceptionally clear line between permitted and prohibited demonstrations. This clause would make the Statement of Student Rights irrelevant to the revised Regulations, so it would eliminate clear guidelines for campus demonstrations.

"Why would one want to do this? Compare two cases. First, last spring demonstrators against CIA recruitment on campus were charged and convicted of violating the Campus Code, presumably because they denied access or mobility to some individuals and thus crossed the clear line drawn by the statement regulating campus demonstrations.

"Secondly, demonstrators against Cornell's investment policy were not similarly charged presumably because they did not cross the clear line established by the Statement of Student Rights. The interpretation clause would nullify the Statement of Student Rights in precisely the context it was meant to operate. If the Administration wishes to discourage or punish annoying or embarrassing demonstrations, this would be one step to take, along with gaining control over the judicial system. This brings me to my third point.

"The actual effect of the proposals would be far more profound than those who have proposed them have suggested and may appreciate. The interpretation clause that I've just been commenting on would have another effect as they now stand, regardless of their intention. Under current University rules, dismissal procedures for Faculty provide for hearings before five-person boards composed of University Faculty members. This has been referred to already. This sort of selection procedure, which involves two faculty members selected by the accused faculty, two of whom are selected by a complainant and a fifth chosen by the four is used for other procedures on the campus. It is clearly meant to assure the parties of a fair hearing. The interpretation clause
could have no other legal significance in this context than to bypass such arrangements. When the central Administration believes that public order is involved, the implication, regardless of the intent, is that faculty members accused of attempting to obstruct any University operation in any way could be tried, convicted and dismissed by boards that are under the effective control of the Administration. The proposals constitute a major threat to academic freedom at Cornell, and it has been no surprise to me that I have been contacted out of concern by both the state and the national offices of the AAUP for precisely this reason. It is possible, of course, that the change was not intended by the authors of these proposals. That would show how much work needs to be done before changes like these are adopted, which is the point of the resolution.

"Fourth, the arguments given so far for these changes are unsound or so questionable that they cannot provide a rational basis for any legislation. Legislation made on the basis of the rationale provided us by Counsel Relihan would be irresponsible. The main argument that has been given for these proposals is that the campus judicial system broke down last spring when it failed to punish more than 1,100 demonstrators who were cited for violating the Code, including those it had tried and convicted. It has been claimed that events of last spring show that the campus judicial system is ‘unable to handle mass disruptions’. This is a gross misrepresentation of the facts. The campus judicial system never failed to deal with mass disruptions because it was never called upon to do so by the Administration. The charges against those who demonstrated in Day Hall last spring concerned their presence in Day Hall after 5 p.m. and only after 5 p.m., the nominal closing time of that building, and their failure to obey an order to leave the building after
5 p.m. No charges were ever brought against anyone for disruptive activities before 5 p.m. in Day Hall. It is absurd to claim that those who stayed in Day Hall after its closing time disrupted normal operations in that building when it is claimed that the whole point of closing time was said to be that normal operations in the building had ceased for the day. If any disruption of normal Day Hall operations occurred, it must have been before 5 p.m., but demonstrators were not charged with disruptive conduct before 5 p.m. Why? Perhaps because their demonstrations stayed on the permitted side of the clear line drawn by the Statement of Student Rights. That would explain the reason for the interpretation clause which has never been mentioned by the composers. Perhaps that was not the reason. Perhaps the Administration wished to permit the demonstrations until closing time, then to order them ended. It doesn't matter. The point is that no one was charged with disruptive conduct in Day Hall before 5 p.m. when disruption might have been possible. It is now unreasonable to accuse a board of failing to convict or punish disruptive demonstrators when no board was ever asked to do so. It is absolutely absurd to propose changes based on this kind of factual allegation. As the demonstrations were not treated as disruptive violations of the Campus Code before 5 p.m., the Hearing Board concluded that the only possible offense after 5 p.m. was failure to obey a lawful order. But the lawfulness of the order to leave Day Hall was called into question by judicial advisors, I hasten to add, not by the demonstrators and the people who were charged themselves, but by those who were set up by the University judicial process to serve as their defense counsel - by Law School students. These judicial advisors argued that the Administration was using the building's nominal closing time as an excuse to get the unwelcome demonstrators out of the building. Now, the Board did not accept this argument. It said that the
failure to obey such an order was a violation of the Code, but it regarded the question as so close, and the argument of the defense counsel as so reasonable that the demonstrators' refusal to obey did not warrant punishment. However, it said that any future such acts would be punished.

"That doesn't seem to me like a breakdown of the system. This is, I think, a fair statement of the relevant facts. But I don't ask you to accept my version of what happened. All I ask you to consider is the question of whether it is at least as plausible as the arguments that have been given by Counsel Relihan. This brings me to my last point.

"While the Board of Trustees has legal authority to change the Regulations for the Maintenance of Public Order, hasty changes of the sort now being contemplated would be at best unwise, and I urge upon you to consider that hasty compromises drawn between now and the next meeting of the Board would be equally unwise. First, I believe that the rationale that has so far been given by the proposed changes in our Code is inaccurate. It does not explain point by point why the specific changes are needed and how exactly they would work. It does not acknowledge and perhaps its authors do not recognize the full implications of the proposal, and the main argument for the changes turns upon an absurd presentation of the facts. If changes in the Regulations are thought needed, the issues should be studied carefully. The relevant facts should be studied in an impartial and not an impatient manner. Specific problems should be identified and changes should carefully be framed to meet those specific needs. This can't be done quickly. It can't be done here. It can't be done in the University Assembly between now and October 11. It can't be done well without full campus participation.

"Second, the changes that have been proposed are supposed to affect only the Regulations for the Maintenance of Public Order, which constitute
Article II of the Campus Code of Conduct. Some of the changes that have been proposed, such as the establishment of a new judicial system and the clause on interpretation, would substantively affect Article III of the Campus Code. This would violate provisions of the Campus Code that places authority to change Article III in the University Assembly. I don't know whether such a change made by the Board would be lawful or not, but in any case the Board's imposing such changes would violate its understanding with the Cornell community, and we have a right to urge it not to do so in this manner.

"Lastly, the process as well as the outcome should be one the Cornell community can regard as legitimate. Otherwise, the University judicial system will really break down. On May 10, 1985 the President's own commission to review the campus judicial system presented its report. It did not review the system in light of last spring's events. Its report, however, suggests the mistake of rushing to judgment. The report of the commission did say this, and I quote from that report: 'The present University judicial system is the product of extensive community involvement, involvement in enactment, involvement in the University Hearing Board, and the University Review Board.' The commission said, furthermore, that an important consequence of these facts about the current University judicial system is that 'its dispositions reflect community standards.' All of these virtues of the current system would be sacrificed not only by the substantive proposals but also by the sort of rushed, narrow process that has been contemplated for making refinements. That is why we believe that the University Faculty should urge the Board to make no changes in the Campus Code until there has been campus-wide discussion and a resulting consensus on the need for any such changes."

Speaker Martin noted that there had been two speakers in the affirmative and asked if anyone wished to speak against the resolution.
Professor Gordon M. Messing, Classics and Linguistics: "I want to say that when we talk about rushing to judgment, what do we mean by rushing, for Heaven sake? We have already had this on the boards now for a good month, and I wonder how much discussion is really needed. There are some decisions that are extremely difficult for me. I know that whether it's a question of whether I take coffee or tea in the morning, it is agonizing. But a decision like this, all one has to do is to read what happened because I wasn't here last spring, and when I see it, to say that the system has not broken down seems to me in absolute contradiction to the facts. We have just heard from Professor Lyons an extremely legalistic presentation justifying what so plainly is a collapse of that system completely. Now, it may very well be that what we are being asked to endorse is not in itself the perfect solution. There will have to be some compromises, I admit. There is no doubt about that. It seems to me that the proposition before us contains more than a little hypocrisy. First of all, there is the question of campus-wide discussion. How much more campus-wide discussion is there going to be? We have already had a great deal of it, and furthermore, and it seems to me that this is a contradiction of terms. We talk about a consensus. When have we ever obtained a consensus on anything and still more, a subject of this kind? I strongly suspect that the framers of this proposal had in mind something quite simple which they are not saying, and that is to talk the question to death and never allow it to come up before the Trustees. I think that in one of my specialties, the Romans who celebrated the calends on the first day of every month used to refer to the Greek calends because the Greeks had none and speak about postponing something to the Greek calends. This is what that proposal proposes to do, to postpone it to the Greek calends."
Professor Isadore Blumen, Industrial and Labor Relations, suggested the word "permanent" be inserted between the words "any" and "changes" in the resolution. The amendment was seconded and Professor Blumun continued: "I hate to give advice to my distinguished colleague, Professor Lyons. I will, therefore, give him the advice which Muriel Humphrey once gave to Hubert. 'Hubert', she said, 'a speech does not have to be eternal to be immortal.' I will try to be brief.

"There is an urgent matter before the University. We are faced with the problem of harassment, of interference of freedom of speech, of attempts to intimidate faculty, staff, and administration. The groups that are doing so make it unequivocally clear in public that it is their intent to force the University by repeated harassment to come to a conclusion which they may or may not arrive at on the basis of reasoned debate. It is true that very slowly after Pearce Williams was harassed Mr. Lyons' friends got together and decided that they would condemn it - slowly, gently, quietly in public and in a delayed way, but that didn't stop the harassment. You know it as well as I. You know as well as I that they are forcing our staff in the Bursar's office to work under intolerable conditions, that in order to get good photo opportunities they have to force the police to carry them out so that the photographers can get good pictures. You know as well as I that they wear masks in Day Hall. You know as well as I that they harass the President after midnight so that they can make their point. This is not rational debate. This is attempt to harass, and if we are going to have freedom of speech on campus we have to move, move quickly, and move effectively.

"Now, Professor Lyons is absolutely right in one respect and that is that these are by no means perfect solutions. Indeed, Professor Lyons, I do not believe that legislation and punishment in and of itself represents a solution.
But some of these things are necessary. We cannot wait until we have the kind of incident they had at the Mathematics Center in Madison when this kind of escalation of rhetoric brought us to the point where people were killed. We have got to stop it now. We have got to be careful. I don't want anything permanent in place right now. In my judgment, we haven't had a chance to adequately discuss the matter, but this that we have seen here is not legislation of the kind we have in South Africa or in Nazi Germany or a Professor in his exaggerated rhetoric, my distinguished colleague here, might have added, the Soviet Union.

"This is legislation which is, as most proposed legislation is, imperfect. It needs help. It needs correction, but we have got to get something in place because if we do not, we will be helpless. The issue here is not South Africa. It has little or nothing to do with South Africa, and the people there say so. They have their signs up, and they say the issue is student power. They have other signs up, and they talk about the removal of S. C. Johnson because they don't like the policies of his company. They want him removed from the Board of Trustees. They have other signs up and they talk about Nicaragua. These people have a long litany, and the moment you talk about compromise with these people, the moment you reach that, they escalate the demand. They have glorious visions. They think back to the days when we had armed men on campus and when Cornell could claim that it was the center of disruption and where we could not go anywhere in the world without having attention called to the fact that we as faculty had collapsed and talked and talked in the face of this outrage.

"Let's remember what the issue is: The issue here is freedom of speech. The issue here is the protection of the Faculty, of our staff and our students
from intimidation by those, who, in their self-righteousness, are determined to impose by harassment what they cannot get by reason."

This ended the discussion. The amendment to insert the word "permanent" was voted on and defeated.

At this time a motion was made and seconded to stop debate. It was voted on and defeated, and the floor was announced open for further debate.

Professor John Doris, Human Development and Family Studies, proposed an amendment that would strike the word "consensus" and substitute "majority opinion".

The amendment was seconded, and Professor Doris spoke to the amendment: "I have a little trouble imagining we could get consensus if by consensus we mean the entire Faculty. I think we can measure a majority opinion by having a ballot. Therefore, it’s much more workable in terms of a resolution."

Dean Bugliari: "I may say something that is theoretical, but I want to point out that by obvious appeal, whatever the University Faculty feels about this issue, obviously it should be weighed with the greatest of emphasis. I want to remind this group that under the legislation it’s the University Assembly, on which we have seven members that has the ability to determine whether these regulations will go in or whether they will not; to determine that we of the Faculty are the sole group involved in this process bothers me a slight bit. I think if we want to send messages through our seven representatives, that is one thing. If we want to send messages like the original proposal, which is: don’t go ahead and fill the facts in with some consensus, but to go to a point where a ballot is like a majority, then I’ve got a problem with what we may be in fact doing. This is only an observation."

There was no further discussion of the amendment, and it was put to a
vote, where it was defeated. The resolution was then put back on the floor for further discussion.

Professor W. Donald Cooke, Chemistry: "I really have a question. I think I'm presenting it to whoever drew up the motion as to what it means. And this is the word consensus. It came up twice before. I think before I can vote intelligently on this I would like to know what it means, and I ask three questions: What is meant by consensus in the context of this motion? Who will decide if a consensus has been reached? Is the Board requested to refrain from acting if there is no consensus?"

Professor Michael E. Fisher, Horace White Professor of Chemistry, Physics and Mathematics: "I was not one of the framers of the resolution, so maybe it's not appropriate to say what I understood by consensus. I think what is important is that if we run the University and the community, then we must have some communal understanding to which we consent. I don't necessarily agree with everything with which I consent, but I understood the tradition in this country, and I think it's a great one, of aiming for consensus, is something we should reach for. There are occasions when one can't have a consensus; but my understanding that what we are asking the Trustees to look for is a system which will have the consent, and I think it is also understood, although we speak as Faculty here, that when we want our consent, we are concerned with the consent of the community in which we operate. So, I would read it that way, and again stand for correction. I think that is a crucial issue, and along with consent goes the issue of trust. In my mind, one of the saddest things was the lack of trust that apparently was displayed toward the faculty and the University at large by the Administration and the way they operated. I think one of the issues in this resolution is the re-establishment of that trust, of the Trustees by us, of the Trustees by the Administration and of the
Administration by us. I understand consensus as meaning consent, and I think that is what we should be aiming for, and I like the resolution."

Professor Fisher went on to answer the next question: "Don Cooke and I have sat through many long hours in various aspects of university governance here. The mechanisms by which one seeks to arrive at consent, of course, are through meetings such as this, at which there are votes taken and opinions are expressed through the University Assembly and through the other bodies. It is, unfortunately, from some points of view, a time consuming operation, but I think the mechanisms are in place. They are always imperfect, but I would again understand that to mean that a board be set up or the Assembly be asked to set up a board, the administration would make appointees, the President would make appointees, the Faculty would, and we would go ahead along the lines of the last twenty years.

"I think the question of who decides when a consensus is reached, again comes through the operation of these four and through the operation of these various faculty bodies, student bodies and assemblies.

"I think there is a question of whether we are under some sort of an emergency, and I frankly accept the arguments that although you have to keep an open eye on these things, we are not under that extreme state of emergency. And again, when emergency situations come in, I believe that the powers are there. I don't think we are at that stage, but I think consent and trust are crucial."

Professor Dominick C. LaCapra, History: "I think when something approaches consensus in a community, it is especially important when it's a question of the judicial system and punishment. What is happening here reminds me in terms of historical analogies of FDR's attempt to attack the Supreme Court when he didn't like a specific decision. I think when we
address the issue in the way of judiciary functions, we have to have in mind very different considerations which extend over a much longer term. And I think in this case further deliberation, especially concerning the judicial system, is crucial. In fact, many aspects of the proposal have been admitted by people who had implications they did not foresee. For example, the relationship between the section on interpretation and procedure for dismissal of faculty. But that shows that further deliberation is absolutely necessary."

Professor Benjamin Nichols, Electrical Engineering, moved the question to stop debate. It was seconded. Speaker Martin reminded the body that a two-thirds vote means an immediate vote on the motion itself.

The motion was voted on and carried, and a standing counted vote was taken on the resolution. It was passed by a vote of 154 to 14, with 3 abstentions.

As there was no further business, the meeting was adjourned at 6:10 p.m.

Respectfully submitted,

Francine A. Herman, Secretary
REPORT ON ELECTIONS

Spring 1985

AT-LARGE MEMBER, FCR - 4 seats, 382 ballots cast

Raymond T. Fox
Andrew M. Novakovic
Robert S. Parker, 2-year term
Beate I.E. Ziegert

REVIEW AND PROCEDURES COMMITTEE - 3 seats, 362 ballots cast

Robert J. Babcock
George L. Casler
Charles C. McCormick

NOMINATIONS AND ELECTIONS COMMITTEE - 3 seats, 408 ballots cast

Patricia J. Carden
Tove H. Hammer
Bernard F. Stanton

MEMBERSHIP OF THE UNIVERSITY FACULTY COMMITTEE - 1 seat, 363 ballots cast

Hollis N. Erb

ACADEMIC FREEDOM AND RESPONSIBILITY COMMITTEE - 1 seat, 370 ballots cast

Kenneth A.R. Kennedy

ACADEMIC FREEDOM AND RESPONSIBILITY COMMITTEE - 1 non-tenured seat, 361 ballots cast

Jennifer C. Greene

ACADEMIC PROGRAMS AND POLICIES COMMITTEE - 1 non-tenured seat, 350 ballots cast

Timothy J. Fahey

ADMISSIONS AND FINANCIAL AIDS COMMITTEE - 2 seats, 376 ballots cast

William B. Duke
Sidney Saltzman

ADMISSIONS AND FINANCIAL AIDS COMMITTEE - 1 non-tenured seat, 356 ballots cast

Edward W. McLaughlin

BUDGET COMMITTEE - 1 seat, 392 ballots cast

Olan D. Forker, 2-year term

BUDGET COMMITTEE - 1 non-tenured seat, 366 ballots cast

Susan Hester
FREEDOM OF TEACHING AND LEARNING COMMITTEE - 1 seat, 353 ballots cast

Richard E. Ripple

MINORITY EDUCATION COMMITTEE - 1 seat, 362 ballots cast

Vernon M. Briggs, Jr.

MINORITY EDUCATION COMMITTEE - 1 non-tenured seat, 359 ballots cast

Roy Alvarez

PHYSICAL EDUCATION COMMITTEE - 1 seat, 328 ballots cast

Pascal A. Oltenacu

PHYSICAL EDUCATION COMMITTEE - 1 non-tenured seat, 318 ballots cast

Paul H. Steen

PROFESSIONAL AND ECONOMIC STATUS OF THE FACULTY COMMITTEE - 1 seat, 375 ballots cast

Thor N. Rhodin

RESEARCH POLICIES COMMITTEE - 1 seat, 342 ballots cast

Gerhard H. Jirka

UNIVERSITY-ROTC RELATIONSHIPS COMMITTEE - 3 seats, 368 ballots cast

Richard G. Moore, 2-year term
Ruth Schwartz
Raymond G. Thorpe

COUNCIL ON PHYSICAL EDUCATION AND ATHLETICS - 1 seat, 359 ballots cast

Harold A. Scheraga

UNIVERSITY ASSEMBLY - 3 seats, 2-year term; 1 seat, 1-year term, 361 ballots cast

Stephen R. Cole
Jason Millman
Roger A. Morse
Teoman B. Pekoz, 1-year term
REPORT ON ELECTIONS
FCR SEATS ON COMMITTEES
Spring 1985

EXECUTIVE COMMITTEE OF THE FCR - 3 seats, 54 ballots cast

John L. Doris
Paul M. Kintner
Bud C. Tennant

EXECUTIVE COMMITTEE OF THE FCR - 1 non-tenured seat, 53 ballots cast

Charles C. McCormick

ACADEMIC PROGRAMS AND POLICIES COMMITTEE - 1 seat, 55 ballots cast

Lloyd C. Street

BUDGET COMMITTEE - 2 seats, 53 ballots cast

W. Donald Cooke
William D. Pardee

FREEDOM OF TEACHING AND LEARNING COMMITTEE - 1 seat, 56 ballots cast

Michael C. Latham

MINORITY EDUCATION COMMITTEE - 1 seat, 51 ballots cast

Roger A. Morse

PHYSICAL EDUCATION COMMITTEE - 1 seat, 47 ballots cast

Thomas A. Zitter

PROFESSIONAL AND ECONOMIC STATUS OF THE FACULTY COMMITTEE - 1 seat, 55 ballots cast

Mary A. Morrison

RESEARCH POLICIES COMMITTEE - 1 seat, 53 ballots cast

Keith H. Steinkraus
During the spring term much discussion, debate and other forms of action took place on the campus relating to the issue of divestment. Most of this discourse was conducted at the high level one would expect at a great educational institution dedicated to free expression and the interchange of thought on controversial issues without fear or favor.

At the same time a small number of incidents, which can only be characterized as forms of harassment, were also reported by individuals on various sides of the issue.

One particularly unfortunate course of conduct involved telephone calls to a faculty member's home throughout the night. To make matters worse, leaflets were distributed encouraging such activity.

A second disturbing incident involved the photographing of faculty members at a peaceful noon demonstration outside Day Hall in contravention of the Campus photo policy.

The Bethe Committee wrote in 1969: "The major obligations of a free university are to communicate and extend knowledge, to subject to continuous critical scrutiny and transmit man's intellectual and cultural inheritance, and to provide conditions in which students are stimulated to explore, to challenge, and to learn. The effective conduct of these enterprises is only possible in a climate of understanding, good-will, and the toleration of diverse views."

We strongly encourage participation by all members of the community in the debate of controversial issues.

We equally condemn any actions which attempt to prevent or coerce others from the expression of their views.
STUDENT-ACADEMIC STAFF GRIEVANCE PROCEDURE

Purpose:

This procedure provides a means whereby any student registered at the University who has reason to believe himself or herself to be the victim of legally prohibited discrimination or of discrimination on the basis of sexual or affectional orientation by an academic staff member or assistant in the execution of his or her designated academic responsibilities, can seek redress of such grievance. This procedure encourages informal resolutions, but provides also for more formal steps to protect students from illegal discrimination by academic staff and assistants, while guarding against the possibility of injustice resulting from false and malicious charges.

Definitions for this Purpose:

Student: For application of this procedure, Student will refer to anyone registered in the University, whether part time or full time, extramural or regular, graduate or undergraduate.

Academic Staff: In the application of this procedure, academic staff will be considered to include all those who exercise any authority or power over the student's academic work: i.e., not only professors of all ranks, and lecturers, instructors, extension/research personnel, librarians and other academic staff, but also graduate and undergraduate students who may be acting as teaching or research assistants.

Administration of Procedure:

This procedure will be administered by the University Ombudsman.

1Excluding the Medical School

2Categories as of January, 1984 include, but are not limited to: age, race, color, creed, religion, national or ethnic origin, and sex. The prohibition includes sexual harassment, defined as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment or academic status; (2) submission to, or rejection of, such conduct is used as a basis for an employment decision or an academic decision affecting that person; or (3) such conduct has the purpose or effect of substantially interfering with a person's work or academic performance or of creating an intimidating, hostile, or offensive working or learning environment.

Brochure: Sexual Harassment, Cornell University Office of Equal Opportunity, July 1983

(over)
General Provisions:

1) Any party to a grievance shall have the right to be accompanied at any conference or hearing by an advisor. Any administrative expense in conducting the hearing shall be borne by the University. If the aggrieved wishes to retain counsel, he or she shall bear the expense of such representation. If the advisor is an employee of the University, the advisor will be allowed reasonable time to perform his/her function as an advisor without loss of pay.

2) All conferences and hearings shall be private and not open to the public. All records shall be treated as confidential and returned after the last step of any formal case to the Office of Equal Opportunity.

3) The aggrieved may appeal recommendations or decisions at each step.

4) No student shall be discriminated against or otherwise adversely treated because of filing a grievance. If any individual claims discriminatory treatment for initiating or participating in, or giving evidence in, any grievance, the claim will be heard immediately at Step Two of this procedure.

5) The deadlines described in the procedure are recommendatory and presume normal operating conditions. However, the parties in the grievance procedure should be permitted reasonable flexibility given the unusual nature of the academic schedule, calendar, and vacation periods of the University.

6) Information on the existing legislation and policies of the University relevant to the grievance may be obtained by the parties from the Dean of the Faculty.

First Step:

Within a time appropriate to the incident or situation, the aggrieved shall make a complaint to the Ombudsman's Office, which shall provide counseling if necessary. It shall keep a record of the circumstances including time, date and place of the occurrence, nature of the grievance, and the relief requested. Within a reasonable time (e.g., 10 days) of the receipt of the complaint, the Ombudsman's Office shall try to arrange a resolution of the complaint.
Second Step:

If the grievance is not resolved at the first step, the matter shall be promptly (e.g., 3 days) referred by the Ombudsman's Office, with a written complaint made by the aggrieved, to the department chairperson or division director, who shall investigate the matter and ascertain the facts. The Office of Equal Opportunity shall also be notified in writing at this stage. The chairperson shall arrange a conference with the aggrieved within two weeks in an effort to resolve the complaint. The accused may or may not elect to be present, but the chairperson must provide the accused with an opportunity for a personal hearing.

Third Step:

If the matter is not resolved at the second step, it shall be referred to the dean of the college. The dean or his/her designee shall, with the advice of the Office of Equal Opportunity, review the matter and make a disposition of the grievance within thirty days of referral. The dean may, in his/her discretion, appoint an advisory panel of three persons who shall review the matter and make recommendations to the dean. The decision of the dean shall be final.

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3In the event the academic staff member is the division or department chairperson, a copy of the complaint will be delivered to the Dean of the College, and the Dean of the College then becomes the point of referral in Step Two, with the Dean of the Faculty then being the point of referral in Step Three. Also, if the academic staff member's responsibilities are under the direction of a higher ranking academician (e.g., teaching assistant supervised by a faculty member), the grievance should be reviewed first at that level, before proceeding to the department or division chairperson.

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Adopted by the Faculty Council of Representatives, April 13, 1983, Records, pp. 5632-38C, Appendix A; February 8, 1984, Records, pp. 5775-84C and p. 5794C, Appendix A; September 18, 1985, Records, pp. 6135-36C, Appendix D.
MINUTES OF A SPECIAL MEETING OF THE UNIVERSITY FACULTY

October 2, 1985

Dean of the Faculty, Joseph B. Bugliari, announced that the Speaker, Russell Martin, was out of town, and he would act as Speaker for the meeting. He then called the meeting to order at 4:30 p.m.

1. ANNOUNCEMENTS

Dean Bugliari announced that there would be no FCR meeting in October, but there were plans for one in November. He then proceeded with a brief update of the parking situation.

"I have received from one source or another many letters and comments on the problem of parking. There are really two areas of concern - the short-term problem, those centered around the Central Avenue situation, and another one centered around the Bailey Circle situation. Some of the problems, I think, are due to a failure to communicate. I will say no more on that, but I think that's at least part of it. There is also a long-term problem that is going to be affected by the major construction that will take place on the campus over the next 3-5 years.

"Let me tell you a few things that have gone on because I know some people are extremely concerned about it. As I understand, there has been a meeting with Dean Seznec of the College of Arts and Sciences, and, I think, Bill Gurowitz and Bill Herbster and other people to try to do some things about the short-range problem on Central Avenue. Vice President Herbster will be sending a letter to all of the members of the University Faculty discussing the problem, and he is here this afternoon, also."
"At last Tuesday's meeting of the Deans' Council at which the Provost and Vice President Gurowitz were present, about thirty minutes was devoted to the discussion of parking, and on the fourteenth of this month, the Professional and Economic Status of the Faculty Committee, which is our committee to which we've delegated the responsibility of parking, will be meeting with Bill Wendt and Bob Matyas to talk about parking. Bill Wendt has agreed to appear at the November FCR meeting with an update on the presentation he made last May.

"At this point I will answer any questions, but I hope we might save questions on parking until after the President has spoken, since he may mention it, too.

"I will now call on President Rhodes who will announce the Distinguished Teaching Award recipients for the year 1984-85."

2. DISTINGUISHED TEACHING AWARDS

President Frank H. T. Rhodes: "Mr. Dean, Ladies and Gentlemen: One of the happiest responsibilities of the year is to announce the teaching awards because it is on the devotion and the skill of these people as well as countless other colleagues that the effectiveness of the University depends."

The President then went on to announce the recipients. (See Appendix A attached.)

3. REMARKS BY PRESIDENT RHODES RE "STATE OF THE UNIVERSITY"

"I want to talk with you in some detail about the year ahead and to point out what I see are the challenges and the problems, warts and all.

"I believe we are off to a good start, and that isn't to disguise the deep concerns that we have on campus as we enter the new year. I'm going to talk about them later, but the general health of the University is good, and I think it's getting better. We can see evidence of that in the awards received by members of the faculty last year. We received two out of 19 National
Medals of Science, a remarkable proportion for one institution. Roald Hoffman and Wendell Roelofs were the recipients. We received eight Guggenheims, placing us fourth in the nation in terms of those awards. We received nine out of 100 Presidential Young Investigator Awards, which placed us third in the nation. That does not cover the many individual awards in fields as different as physics, literature and Japanese language. I won't mention those individually, but they will be included in the printed report that I submit to the Trustees later on.

"It was also a good year for new faculty appointments. Those of you who have had an opportunity to meet new faculty colleagues, either in your own departments or outside them, know something of the breadth and professional promise that they bring to Cornell.

"It was a spectacular year in terms of research funding. In 1984-85, total funding for research reached more that $200 million, up almost 18 percent over last year. Federal funding alone accounted for $122 million, up almost 19 percent over last year, at a time when, with few exceptions, federal support for scientific research has leveled off.

"It was a good year for annual giving, with significant improvement over the year before, and it was a good year for our commitment to a balanced budget. We ended the year with well-balanced budgets in the endowed and statutory units on campus and at the Medical College.

"It was a good year in terms of student recruitment. The 2,800 freshman places in the Class of 1989 were filled from a list of 19,848 applicants. That total has increased by 20 percent over the last four years, a period when the college-age population in the Northeast has declined by almost 20 percent. SAT scores continue to improve in both math and verbal. In fact, combined SAT scores over the last four years are up by 15 points. The proportion of people
in the top 10 percent of their high school class continues to go up, increasing from 65.6 percent to 76 percent over the past four years. So, it's not just in quantity, but in quality that we continue to prosper in admissions.

"The one disappointment is that we're down a little in certain under-represented groups of minority students. Members of minority groups make up 19.6 percent of the entering class, but we're down in the number of black students and the number of Hispanic and American Indian students compared to the all-time high of a year ago. We mean to get those numbers back up again. I'd be glad to talk to you, if you are interested today, about the ways in which we are hoping to do that.

"Last year was a good year, also, in the development of new programs. Let me especially thank you for the cooperation you gave us with Project Ezra, which has involved 214 members of the faculty in 155 different projects, using personal computers supplied by IBM. A full 11 percent of our faculty are not involved in various Project Ezra programs.

"And it was a good year for our relationship with SUNY. The new agreement, which was described in some detail earlier in the year, has already proved its worth in our budget submission, and I believe it will continue to be of major benefit to us in the years ahead.

"Last year was a good year also for the new administrative appointments. We appointed permanent deans in Engineering, Veterinary Medicine, Admissions and Financial Aid and I&LR. Gormly Miller is serving as acting librarian this year, replacing Mr. Martin, who has left us for another position. Nancy Saltford, who is here today, is acting dean of Human Ecology while Jerry Ziegler is on a study leave.

"That speaks well, I think, of the strong position in which we enter the new academic year, but I want also to talk about the three major priorities,
as I see them, for the coming year, and to talk about four major problems, as I see them, on campus.

"The three program priorities we have identified involve, first of all, the continued strengthening of our role as an undergraduate teaching institution. I believe we have it in our grasp to become the premier research University for undergraduate teaching. The breadth of our offerings, the devotion of our faculty -- from the most recently appointed to the most senior -- to undergraduate teaching is something that makes us virtually unmatched among our peers. During the year a number of very important initiatives will be established and, in some cases, developed.

"The Cornell-in-Washington Program, housed in a new facility that opened in April, has almost 70 students and a number of faculty members in residence. K. C. Parsons is in charge of the program this year and is attempting to bring the fine arts and humanities into the orbit of Cornell-in- Washington. Public policy and architecture will always dominate that program in terms of numbers, but we hope to make use of the rich resources available in the nation's capital for other studies as well.

"The Mellon Fresh Combinations Program is an initiative about which most of you have probably not yet heard. We have a substantial sum of money from the Mellon Foundation to encourage new combinations of what have traditionally been separate and distinct disciplines. This year we will be starting a new program in the History and Philosophy of Science and Technology, in which some of you here are involved, and another new program known as Reason, Social Values and Policy (RSVP), which is being established by people from a wide variety of departments and colleges.

"The third initiative I want to bring to your attention is the Minority Research Internship program which we launched this summer. I shared with you
last year my concern that the number of under-represented minority students in Ph.D. programs were not only low, but dwindling in a number of areas. At the time I spoke, for example, there were only two black students nationwide who completed Ph.D.s in computer and information science. We've simply got to increase the numbers of talented young men and women from minority groups in Ph.D. programs.

"One method of doing that is to bring undergraduates into a research internship during the summer between their junior and senior years. We've done that, in cooperation with Princeton, Stanford and Berkeley and with support from the Ford and Mellon Foundations. This summer we had the first 24 students distributed among our four campuses. A few students stayed on their home campus, but most went to other campuses, and the results have been spectacular. I hope this program can be expanded to other campuses, and I want to thank those of you who took part as mentors this summer in a program that is clearly full of promise.

"The fourth development in the program area grew from the concern that we run on the edge of the campus a hotel system with little relationship to the academic life of the lecture rooms, the labs and the libraries. Early last spring, a letter went out from a committee headed by Professors Isaac Kramnick, Steven Kaplan, and Clive Holmes inviting you to join us in a new program called Faculty Fellows. A Faculty Fellow holds office hours in one of the dorms and eats some meals with students in the cafeterias. We had 40 volunteers apply for the program, and the enthusiasm of students, as well as of participating faculty, is very gratifying. That's going to be a program of growing importance, I think, in the years ahead.

"Cornell Abroad is the fifth initiative I want to mention. We made a commitment a year ago to make it much easier for Cornell students to study
abroad, believing that most of them are going to spend their lives in an increasingly international environment. This year, the number of students studying abroad is up by 40 percent over the year before, and we shall have some 255 students studying at 20 institutions in seven countries under the auspices of Cornell Abroad. That is a remarkable achievement in a short time, and I want to pay tribute to Davyyd Greenwood and Arch Dotson, who have done so much to make it possible. We hope to expand Cornell Abroad, and we shall seek your continuing help in doing so.

"It is important that the significance of these programs is conveyed not only to the campus but also to those outside it -- potential donors, potential faculty members, potential students, and to the state and federal government. So, with your help, we are hoping to appoint a person whose full-time responsibility will be in public, state and federal relations. We have a faculty committee taking part in the interviews, and we are grateful for the help and advice you've given us. We hope to make an appointment this semester. That's goal number one -- developing stronger undergraduate programs and making them known to a wider public.

"Our second major goal is to restore the standing of four of our graduate/professional schools: the College of Veterinary Medicine, the Law School, the Medical College in New York City, and the Johnson Graduate School of Management. Each of those schools and colleges has had a unique set of challenges, and we are now on the road to meeting them, in some cases with the appointment of a new dean, in other cases with increased state support, in other cases with major benefactions and fund raising efforts that will enable us to change the character of the program.

"Objective number three is strengthening the research base of the University, and we have committed ourselves for the last three years to
undergirding the research capacity of the University. Biotechnology, for example, is now on the move, not only as a program, but also in terms of planning the building which will be its home. Almost a year ago, Governor Cuomo came to the campus and announced his support for the program with a grant of $20 million and a low-interest loan of another $10 million. We hope to break ground fairly soon for the new biotechnology building, which will be located near Corson/Mudd and the new Comstock Hall. This troika of buildings will permit a concentration of biological faculty and students on the campus.

"Work is well underway on the telecommunications system and accounts for some -- but not a major part -- of the inconvenience you are experiencing as far as parking is concerned. The outside plant work -- the digging and the duct installation -- is now complete, and the fiber optic cable is being installed. We hope to have all the buildings wired and ready to go by mid-December, but that is going to mean continuing inconvenience. It’s noisy when cable is being installed in the buildings, and I know that in some cases it seems that that work is done during peak teaching hours. We need your help, as well as your patience, in trying to minimize the inconvenience.

"Library automation is something that will be very much in the news during the coming year, and the first steps toward a fully automated library system have already been taken by a faculty and library staff committee meeting under the chairmanship of Professor Jane Hammond. After more than a year of careful review, they are now in the final stages of developing that program. We hope that work will start very soon.

"The supercomputer is now a fact of life. It was a gleam in our collective eye just a year ago, and under Ken Wilson’s outstanding leadership that program continues to gather support. The Mathematical Sciences Institute is an
important addition to our campus, and a grant of $12.5 million over a period of five years will allow a whole range of new appointments on the campus and support for graduate students. And I want to mention, finally, the new program in ceramics in Materials Science under the leadership of Art Ruoff.

"All that represents an undergirding of the research capacity of the University, but I'm very conscious that most of it is in the area of big science. When the Trustees meet on campus later this month, I want to tackle with them, and with the community, the larger question of, 'Is big science good for the University?' assuming that the University is good for big science. What are the balances we have to watch as we pursue initiatives of such major proportions?

"Let me now turn to major campus issues. One controversial topic I want to mention here as I introduce general campus issues is the Strategic Defense Initiative or 'Star Wars'. A large amount of research funding has recently been made available under that program, and, as you know, about 700 individuals on this campus, including more than 100 faculty members, have signed a statement that they will not accept funding from that source. To date we've received no funding from SDI, but we have taken the view that so long as the research proposed is consistent with Cornell's guidelines concerning openness and the true mission of the University, use of human subjects and other such basic requirements, the decision on whether to accept funding should be left to the individual faculty member. I'm grateful for the quality and responsibility of the debate that has taken place on SDI.

"Let me mention several other campus issues that will remain with us through part or all of the year. There is the whole question of investment policy. That, at the moment, is linked to South Africa, but there is no reason to suppose that South Africa will be the only topic of concern when it comes
to managing the portfolio of the University, not only to produce growth in the endowment and dividends, but also to be a responsible investor. South Africa has divided this campus and virtually every other campus in a way that perhaps no other issue has since Viet Nam. We've had debates, including a special meeting of the faculty. There have been informal discussions. There have been sit-ins. There have been two faculty votes, the latest one with 651 supporting the motion for divestiture and 516 against. I'm aware that different people will read that vote in different ways. The 'Chronicle' had two quite different interpretations, one regarding it as an overwhelming vote in favor of divestiture; the other regarding it as an indication that the faculty were equally divided. I don't want to attempt to interpret it tonight, but I do want to say that the worsening situation in South Africa is something that has been on the minds of all of us, whatever our particular view on divestiture.

"There have been decisions by different universities recently that go in different directions. SUNY, most recently, and Columbia, a couple of weeks ago, have decided to divest their holdings in companies doing business in South Africa. Other institutions -- Harvard, the University of California, Stanford -- have recently affirmed that they will not divest, that they will continue policies which are essentially similar to ours. A number of companies, which I suspect will be a growing number, have themselves decided to withdraw their business activities from South Africa, and the federal government has adopted new sanctions.

"We continue to have a sit-in in Day Hall each day. These sit-ins are now generally well behaved, in contrast to those last spring, but they still are a major inconvenience, to put it no more strongly, to those who work in the building."
"So, where do we stand as far as the policy of the University is concerned? Until the Trustees decide otherwise, we continue the policy that was developed in 1979. Nobody pretends it is perfect; nobody claims it is the only reasonable way to go, but it is one that arose from a careful and responsible review of the University's position. Our policy is that we will invest only in companies that abide by the Sullivan Principles or a similar set of guidelines and that are making satisfactory progress under those guidelines, and we will not invest in banks that offer loans to the South African government.

"A committee of the Trustees, consisting of Patricia Carry Stewart as chairperson; Aubrey Robinson, a federal judge; Paul Tregurtha, a Trustee; Professor Erik Thorbecke; and Kenneth Williams of the Class of '85, is now in its final review of the matter and will present a recommendation to the Investment Committee of the Board of Trustees in December. The matter will go to the full Board in January, and they will, I presume, vote on it. In the meantime, the Trustees are meeting with various members of the Cornell community who wish to express their views.

"Let me mention the third campus issue: the campus judicial procedures. I bring this before you, not in any sense to offer a solution, but simply to explain the dilemma we face in attempting to reach a responsible position. A year ago I set up a Campus Judicial Review Commission under the able chairmanship of Peter Martin, Dean of the Law School. The commission reported in early spring, just before events on the campus showed the need for a somewhat more comprehensive review. The committee deliberately did not extend its work, and in its submission, it pointed out that a further review would be required. Their recommendations are now before the Codes and Judicial Committee of the University Assembly."
"In the meantime, we had a very large number -- over a thousand -- arrests of individuals who were sitting-in in Day Hall, sometimes under conditions that really did tax the patience and the ability of Public Safety to deal with the situation. On one occasion, you remember, there were over 360 people taking part in one sit-in. Since so many people were involved; since those who were charged were found guilty, but not a single penalty was imposed; since we had apparently lost the City Court's willingness to act in the matter (all the charges brought in City Court were dismissed); and since they were concerned both about the impartiality of some members of the hearing boards and about the unwillingness of other members to serve on the hearing boards, the Trustees, acting under their obligations prescribed by the Henderson Law, took the view that they had a responsibility to develop a new system.

"They instructed us to publish a draft set of proposals, and those draft proposals were met by widespread criticism on the part of students, faculty and others when they were published in July. That doesn't surprise me, though, in fact, it isn't easy to know whether we can develop a set of procedures that will satisfy everybody. We deliberately held those proposals without any further action until the campus community could debate the issue at length, in spite of the fact that the original plan had been for the Trustees to act on September 3.

"Those early draft procedures have now been substantially modified. There have been very constructive conversations with individual members of the faculty, with the Executive Committee of the FCR, with the leaders of the University Assembly, and with leaders of the local chapter of the ACLU. In all those, remarkable progress has been made in reaching agreement on what the new procedures should involve. They look very different from the ones that were circulated early in the term, but they are ones, I think, that can satisfy all
or most of the concerns of the campus community, as well as provide an impartial and effective system to deal with mass protests and similar demonstrations. If possible, we hope to bring those proposals to the October meeting of the Board of Trustees in finished form, having had them reviewed by the University Assembly, which is the body charged with giving an opinion. We shall, of course, also bring them to the FCR for comments. If we're making satisfactory progress but haven't yet reached the point of completion, then I propose to recommend that we defer any action by the Trustees until December. You, members of the Faculty, have played a crucial role in helping us improve the early procedures, and we shall need your continuing help in finding a system that, on the one hand, protects the basic learning environment of the University and, on the other hand, protects fully the right of personal dissent and personal protest and expression. But we should not, I think, accept the existence of an atmosphere where every day we face disruption and confrontation, however worthy the motives of the people involved may be.

"Let me go on to issue number four in terms of campus concerns, and that's financial aid. This is a troublesome problem because we have reached the point where our resources are simply insufficient to meet the full financial need of everybody admitted on a need-blind basis, and that's the way we continue to do it. The Provost has an advisory committee which has been meeting regularly and which will present a report in mid-November. It is perhaps too optimistic to hope that the report will give us a completely developed procedure that we can apply instantly to the needs of the people coming next year, but it will sketch out the general directions in which it is possible for us to go. We shall need a good deal of understanding and a good deal of careful thought as to what those directions should be, and we shall be
making some very important decisions on financial aid before the end of the year.

"I want to talk about one more thing. During the course of the year we shall be beginning or planning a number of major new campus facilities. It was P. G. Woodhouse, in a memorable phrase, who said, 'You can't have an omelet without breaking the eggs.' That applies also to new construction on campus. The new facilities will improve the life of the campus in a very significant way. They will also involve some disruption of the flow of traffic and some inconvenience to individual members of the community. Let me just list for you, if I may, the projects we shall face during or soon after this academic year.

"The first of these, and one of the biggest, is Academic I, the new building which will close off the west end of the Ag quad. It will house the Dean's office as well as three major departments of the College of Agriculture and Life Sciences -- Communication Arts, Education and Landscape Architecture. It will serve the whole campus community in having a 600-seat auditorium and also a cafeteria that will seat 400. It's going to be paid for by the State, and the cost will be about $15 million. Academic I generated a good deal of campus discussion about its architectural merits in the design phase, and I hope you will find that the new design is one that adds something rather than detracts from the beauty of the campus. Before we can begin construction, which we hope will be very early next year, we shall have to demolish some of the buildings in the southwest corner of the Ag quad. That matter is now under active review by the State, and as you know, there are a number of people who feel strongly that those are buildings of some architectural merit, and should be preserved.
"The second building which we hope to begin during the year is the much-delayed Center for the Performing Arts. We had hoped by now, having broken ground a year ago, that we would be well into the construction, but we've been delayed because bids for construction have been some $5 million over the anticipated construction price of $12.5 million. That's a very sobering, in fact, it's almost a heartbreaking experience, and we're now working with the architects and with estimators to see what we can do to prune the price but still go ahead with construction of the facility.

"Statler Hall is another building on which we've made no formal announcement, but on which we expect to begin renovation soon. We shall seek private funds for doing that, and we think there are very good possibilities of receiving them. We hope to add to the Statler's present fifty guest rooms either 50 or 80 additional guest rooms -- the number is still not finalized -- as well as adding an executive conference center and upgrading the existing rooms and the teaching facilities. Construction, we hope, will begin about the middle of the next calendar year, and you will be involved, I'm afraid, in some short-term inconvenience as far as dining facilities are concerned.

"Athletics is another area in which at present we have major limitations. We have built no major new athletic facility for 25 years. It is also true that in a number of academic areas we have built no facilities for longer than that. But the number of people -- faculty, staff and students -- seeking to use athletic facilities has quadrupled in that period. And so, we have an ambitious new program to build a multi-purpose gymnasium, to add a few more squash courts, and to renovate Schoellkopf and other outdoor playing areas. That will be very much in the news during the coming year as we begin what looks like a very promising campaign."
"Two other building projects will get underway during the year. We hope to build townhouses on North Campus, north of Robert Purcell Union, but south of the parking lot there, which will provide an additional 320 or so beds for students. The townhouses will be completed during the course of the year, and we hope that they will be occupied by the beginning of next academic year. But they will not in the short term give us added housing space because we intend to renovate the buildings on West Campus, which are now sadly run down. They were cheap buildings when they were put up, and they reflect the use they have had over a number of years. Some of them have almost reached the point of being an embarrassment to us.

"In addition, there will be a new parking structure, and some of the inconvenience you are now facing involves an expansion of on-campus parking. The parking structure will be under the west stands of Schoellkopf. It will pay for itself over a relatively limited time in user fees from both permanent members of the campus community and visitors.

"That does not exhaust the list of facilities needs. The College of Engineering faces critical problems, as does the College of Arts and Sciences in some areas. Architecture is in the most dilapidated building on campus. That may be a close call, but I believe it is true. Human Ecology faces critical needs in Nutrition, and I could continue. All of those are demonstrated needs, but we have not yet been able to assemble the resources to meet them.

"So we face a year of challenge from a position of strength. This will be an important year in the history of Cornell. As we contemplate the year ahead, my chief concern is not that Cornell will collapse or sink below the waters, but that we shall strain the basic sense of tolerance and civility and mutual respect and understanding on which, in large measure, the work of the
University depends. I think all of us have a stake in maintaining the openness, balance, trust and patience that are part of the secret of the success of universities. The incredible freedom we have to say whatever we want and pursue any study we want has existed for only the past 100 years or so of the 900-year history of universities. Yet during that period the universities' combined contribution to the welfare of humankind has been greater perhaps than during all the 800 years before. That, in large part, is due to the openness and freedom which are the hallmarks of the University community.

"I hope that in the coming year, in spite of whatever frustrations there are, we can have your support and help in maintaining that atmosphere."

As there were no questions for President Rhodes, the meeting was adjourned at 5:15 p.m.

Respectfully submitted,

Francine A. Herman, Secretary
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*Will not be attending October 2, 1985 Faculty meeting.*
MINUTES OF A MEETING OF THE FACULTY COUNCIL OF REPRESENTATIVES

November 20, 1985

Dean of Faculty, Joseph B. Bugliari, called the meeting to order at 4:30 p.m. He then proceeded with his remarks.

1. REMARKS BY THE DEAN

Dean Bugliari: "First, you’ll soon be receiving some information on another round of computer courses that will be given during the first two weeks in January. Again, those courses are primarily for members of the faculty, but if there is room, we’ll accommodate other members of the academic staff on a space-available basis.

"Secondly, there is presently underway a development of a computer grading program under the direction of Professor J. Robert Cooke from Agricultural Engineering. Hopefully, when we get it ready it will be usable for all courses of all sizes, and the idea is that you will get a disc from the Registrar with your students in it, and you will be able to do all the grades and all the computations and everything, and when you are all through, you send the disc back. Hopefully, we will have that on a a trial basis this spring and by next fall, we will be ready to go with it.

"Thirdly, we are about to undertake another revision of the Faculty Handbook. I have no intent of letting twelve years go by again before we get out another edition. There are some major changes that will be included, such as the revised Academic Integrity Code, the revised tenure and promotion rules, and of course, if there’s a revision of the rules for the Maintenance of Public Order, they will go in there, too."
"There are two more items that will come before this body in the spring, which if implemented, should also be included. One of them is the proposed Conflict of Interest Policy, which is presently before the Committee on Academic Freedom and Responsibility and the Research Policies Committee. The second is a set of procedures for handling academic fraud. This started off by being a good idea on the part of the Provost that we have something in place, and now there is an impetus, as many of you may know, by the National Institute of Health, to have such a procedure in place. That will come to this body before it is implemented. That is also before the Research Policies Committee and the Committee on Academic Freedom and Responsibility.

"With respect to the Regulations for the Maintenance of Public Order, the President will have something to say in a minute about how that's progressing, but I would like to note that I have copies of a much revised proposed change in my office. Copies, I understand, are also available at the Information Desk in Olin Library, the Office of University Relations at 120 Day Hall, and the Assemblies Office at 165 Day Hall. I also have word that there might be another possible revision which will outdate this one. If any of you have any input you wish to make, you can contact any one of the following faculty members who are our representatives on the Assembly: Stephen R. Cole, Theatre Arts; David A. Levitsky, Nutritional Sciences; Jason Millman, Education; Roger A. Morse, Entomology; Teoman B. Pekoz, Civil and Environmental Engineering; Stewart J. Schwab, Law School; and John Sherry, Hotel Administration. If you wish, you can contact me, and I will forward your input. Also, you can pick up a flow chart of events and timetables leading up to the Board of Trustee vote on divestiture in January, and if you have a question about that, you can ask the President about that, too.
"Finally, one last request. I think most of you know that each year we send out a Memorial Statement. We also try to make those Memorial Statements available to the families and friends of faculty members who are in them. If you are through with your copy, instead of throwing it away, send it back to me. We have had this year an unprecedented demand for copies, and I'd like to try to make available as many copies as we can to the families of these people."

Dean Bugliari asked if there were any questions and someone wanted to know if the revised Faculty Handbook would have information on grading levels at Cornell as they had been removed from the Handbook on the grounds that Cornell was unsure of the grading policies.

Dean Bugliari suggested that, unfortunately, that is probably the way that issue still stands, and urged everyone to let him know if anything else should be included or of any corrections to what is presently written. He projected next summer as the time the new Faculty Handbook would be coming out, making it available in the fall.

The Dean announced that there would be a fifteen-minute period devoted to questions addressed to President Rhodes or Provost Barker. He went on to say that he had been told that it was not the equivalent - and he wasn’t supposed to say it is the equivalent - of Prime Minister’s time, but he said it anyway.

2. COMMENTS BY PRESIDENT RHODES

President Rhodes: "Mister Dean, Ladies and Gentlemen: I think there may be some unfortunate analogies if we regard this as parliamentary question time. I won’t pursue them in any detail.

"Bob Barker and I have been talking with Joe Bugliari about ways in which we might be more available to listen to the concerns of Faculty members and to respond to questions. One way we hope to do it is by being here from time to
time to tell you what is going in our shop and to listen to your questions. We hope to meet on occasion with the FCR Executive Committee to float out proposals and get their reaction. We are also looking at other ways to keep you informed and involved. We met this afternoon with the chairs and directors of Arts and Sciences. That was a very valuable session for us as we think about the rotation of the deanship there.

"Before I invite your questions, it might be helpful if I commented briefly on three points. The Dean mentioned the schedule for Trustee review of the Proxy Review Committee's recommendation. I want to remind you of four important dates for that. On December 5, the report of the Committee will be presented to the Investment Committee. It will be published on or before that day, depending on when it is available from the committee, and will be available to the campus public. The Investment Committee will listen to the report; it will take no action on December 5.

"On January 9, the Investment Committee, in a special meeting, will reach a decision on what to recommend to the board based on the report. Those meetings, both to be held, as is customary, in New York City, will be open, and tickets will be available.

"We also plan a public meeting here on campus on January 27, when the term has begun, at which members of the Board of Trustees will be present to listen to campus comments. We hope there will be a significant number of trustees present, and we have particularly invited the chairs and vice chairs of all trustee committees. This open meeting will be held in Alice Statler Auditorium, a place big enough to accommodate those who wish to be present.

"There will also be opportunity for public comment at a fourth meeting on January 31, at which we presume the board will take action. We are inviting
up to four members of the Cornell community, to be selected by the Trustee Communications Committee, to travel to New York City and present their viewpoints at that meeting.

"I want to raise with you a second topic with which we are struggling at the moment. We have had very serious concerns about the increasing cost of health insurance for faculty members and employees at Cornell. Lee Snyder is with us and can talk in more detail about this if you have questions. I want simply to tell you that in the next four or five months we shall have to make some fairly major policy choices about the pattern of health insurance. In 1980, the total cost for health insurance for the campus was $1 million. Last year it was $6 million, $1 million more than had been allocated in the budget. Some of that represents improved benefits, which have been welcomed, but most of it represents increased costs. You may think that this extra million just comes out of Aetna's pocket, and not Cornell's, but in fact, we are self-insured for health coverage; the program is simply administered by Aetna. We now have to scramble to make up that $1 million overrun. We will have to increase the costs for family coverage during the coming year. What we are looking at for the longer term, however, are new patterns of health care provisions, including an HMO possibility, a rather reduced care possibility, and the standard option. Members of the faculty will have the opportunity to select among those.

"The third thing I want to mention is that discussions are continuing at a very encouraging pace on the Regulations for the Maintenance of Public Order. There will be an important meeting tomorrow at which University Assembly representatives will review the latest revisions. I think there is a very good possibility that we can have agreement between the University Assembly and the Administration on what the new regulations should look like. We all have a
stake in having regulations that are workable, on the one hand, and fair and reasonable, on the other. I think we are very close to achieving that."

Professor Charles Levy, English: "Several months ago, President Rhodes, you were quoted in the Journal and the Chronicle as having said in the course of an address you delivered in Oklahoma, and I quote: ‘The liberal arts have become increasingly disengaged from the concerns of humanity. Many profess to be humanists and devote their lives to areas of high extraction while the larger issues of the world elude them.’ As it stands, that statement is itself fairly abstract. Could I ask you two things? First of all, for considerable specification of that statement, particularly with regard to what you find being done here at your University. And second a question of role, in what role do you conceive yourself as making that statement and what role were you urging upon your audience, that of an educational administrator who feels a certain responsibility for that state of affairs and, therefore, a certain responsibility to rectify that state of affairs, or simply as an individual with a professional educator’s concern about the state of affairs you described, taking advantage of a bully pulpit to bear witness to this concern?"

President Rhodes: "Well, you don’t leave me many options. Amplification I would be happy to give, and I can best do that by giving you a complete text, which I think you would find helpful in putting my remarks in context. The occasion of the talk was a meeting of some 10 percent of all the teaching faculty from all the universities of Oklahoma. They were looking at the pattern of higher education in Oklahoma’s universities, both public and private, in the next ten years. My particular concern was to stress to them the importance of moving away from a purely vocational view of Oklahoma’s economic future and trying to embrace the more general concerns of learning that are embodied in liberal arts. In the course of that, the sentences that
you quoted were included. The substance of the particular comment you quote was that vocationalism and professionalism are not unknown within the humanities. They are present there, too. One of the yearnings that students show -- not just in Oklahoma, but all over the country -- is to grapple with some of the big issues that confront them. That is the sort of thing that Professor Urie Bronfenbrenner's Program on Common Learning is addressing, and it is an endeavor that requires the participation not only of humanists but also of many others. I think you will find the whole text interesting from the point of view of developing that thesis. If you want a shorter version, you can find it in an article that I did during the summer on the back page of The Chronicle of Higher Education which said pretty much the same thing about the need for integrity in a wider sense.

"Was I using the meeting as a bully pulpit or was I speaking as a a hired hand? I was speaking as an individual invited to address a group of faculty members in Oklahoma, as somebody who has an administrative responsibility and as somebody deeply concerned about the continuing role of the humanities and the liberal arts in all undergraduate education."

Professor Michael Fisher, Horace White Professor of Chemistry, Physics and Mathematics: "President Rhodes, I hardly need tell you that many faculty, students and others in the community are concerned on the question of divestiture and the resulting demonstrations characterized as civil disobedience. It seems to me that if you feel sufficiently committed to a cause to undertake civil disobedience, then you must be prepared to undertake appropriate penalties and go through the appropriate judicial procedures. On the other hand, as a member of this University, I respect commitment to issues, and I respect the demonstration of that commitment. I'm not saying I'm prepared to go into Day Hall myself and be arrested. On the other hand, I
think the people who have been into Day Hall and have been arrested have not been there with the view to disrupt the University in any deep sense. They have certainly chosen a way for making their opinions known, with which you may not agree. On the other hand, we have a University judicial system. And I think I'm not just speaking for myself when I say that I'm really very upset that the University has felt it necessary to prosecute these individuals in the downtown courts when we have a judicial system here, maybe not perfect, but we have one in place, and I've been led to understand, and again, perhaps I'm misinformed and if so, I hope you'll tell me, that some of these individuals have in fact been prosecuted under the campus judicial code as well. That seems to me really a very unresponsive way of reacting to something which is a matter of commitment. I ask you why has this been done. Will you not reconsider this approach?"

President Rhodes: "Our obligation is to maintain the safety and well-being of the campus and ensure that we have conditions under which all our people can pursue their responsibilities without interruption and without intimidation. We have not had those conditions. We had up to 360 people sitting in in Day Hall during working hours and after working hours last semester. That is a dangerous situation that threatens the safety and well-being of many members of the University. We have had bomb threats. We have had personal threats against several members of the Cornell community. We have had a shantytown that we tried to remove and faced forceful resistance in doing so. It was only the issuance of a court order, in the end, that allowed us to get rid of it, in spite of a fire, in spite of health hazards. There is nothing in the Campus Code that suggests that people will not be prosecuted both under the Campus Code and by using the civil courts. In fact, the Henderson Law, under which we operate, makes it very clear that campus
penalties, which we are required to have, will be in addition to civil penalties, if those are imposed. And I'm afraid that although we have a campus judicial system, it failed for various reasons last year. We had 1,200 arrests and essentially no convictions, and the responsibility for maintaining the safety of the University has to include some kind of deterrent. We have had more than 150 arrests, I think, this semester. We would be negligent, with that level of sit-in activity, if we did not use every means at our disposal to try to maintain order on the campus. I do not think that you can suggest that we have an essentially friendly situation where there is no potential harm to individuals. We have had some very ugly situations, and we do have a responsibility to safeguard the rest of the campus from excessive demonstration of public views on a particular topic."

Professor Fisher: "I think I have to take exception to your reply in as far as I was absent in the spring so all I know is by hearsay. On the other hand, I was present through the period 1966-1972, and I think to characterize what happened in the spring as very ugly relative to that, is somehow putting things out of proportion. I think it has disturbed a number of faculty who have been here this time, but more specifically, my question was addressed to the fall when the people responsible for the campaign seemed to have more or less admitted something of what you say, that things have been extravagant, out of proportion. There has been no shantytown that I've heard of in the fall. It has been, in my understanding, very disciplined, and I would have thought it would have been appropriate for the University's response to have been scaled down in a comparable way. You also have known, I'd have hoped, what the faculty reaffirmed, how strongly the faculty feels. I think that we should convey to you and to the administration that there is a feeling of respect for that view and a feeling that the University has been
using a very heavy hammer in this period. With due respect, you have told me your interpretation of the events of the spring and I have my own, but I don't think that answers the issue for what is going on now."

President Rhodes: "I'm grateful for your calibration of the events of the spring against 1969. I can only say that with the safety of the University to consider, I think we have done and continue to do the responsible thing. The fact that we don't have a shantytown in the fall is not the result of any change of heart, I think, on the part of some people on campus. It is the result of a court restraining order. It was rebuilt within hours of its demolition, and, had it not been for a temporary restraining order, we would probably have one today until the snow comes.

"In the end somebody has to make a policy decision about the well-being and the efficient functioning of the University. I think that what we've done has been responsible and that the reduced level of activity this fall is, in fact, a reflection of the effectiveness of going downtown with those charges. But people of goodwill and good judgment will no doubt differ on this. Events will show in time, I think, whether it is possible to interpret it one way or the other.

"But I do respect your view. I do not misunderstand the seriousness of bringing civil charges. It is not an easy decision, I want to assure you. It is one of the most painful that anybody can be called upon to make. On the other hand, I think a campus committed to turmoil, day in and day out, does lose many of the things which make it a center of scholarship."

Professor John McClain, Johnson Graduate School of Management: "One of the things that does make this place different from other places is the availability of the faculty to be present when students need them. One of the
reasons for that is because it's so easy to get here and be here and pleasant to be here.

"My gripe right now has to do with the parking plan. I have a very brief question. My understanding is that the availability of parking will go down before it goes up, will actually be reduced for some period of time, and I would like to know if that is correct?"

William E. Wendt, Director of Transportation: "I sure hope you are not correct, and I'll try to alleviate those fears in a few minutes."

Professor McClain: "If I'm not correct, I won't even ask the second question."

Professor Philip E. Lewis, Romance Studies, commented on Professor Fisher's question, asked if we are still operating under the current Campus Code, and proceeded to read from the Code (Article I, Section 2 A. and B.):

A. In situations where the misconduct violates the law and University conduct regulations, the University ordinarily shall seek to exercise its jurisdiction so as to avoid dual punishment for the same act.

B. When an individual subject to University judicial jurisdiction is apprehended by University officials, the University shall seek to handle all but very serious breaches of the law as code violations within its own jurisdiction...

Professor Lewis continued: "My question is how was it determined that the acts by the two people who have been arrested in Day Hall were interpreted as very serious breaches of the law that had to be regarded as criminal trespass and taken to court downtown, and more generally, I'd like to know how concerned the University is with the question of dual punishment for an act of that type which I interpret as a classic act of civil disobedience."
President Rhodes: "Professor Lewis, thank you. Civil disobedience, of course, carries the privilege of both being disobedient but also accepting a penalty for it. I am sure that all of us, as Professor Fisher pointed out, agree on this.

"You stated your question, then said it was premised on an assumption. Your assumption, I believe, is not justified. Article I from which you quoted from Sections 2 A. and B., is not part of the Regulations for the Maintenance of Public Order. It was never approved by the Board of Trustees. It sits in the book lacking approval.

"Let me read you in return the Regulations for the Maintenance of Public Order, which have always made it clear that the University may pursue penalties in both realms. Section 6450 of the Education Law requires the governing boards of all colleges and universities to enact internal rules of public order, and it provides that, 'The penalties for violation of such rules and regulations shall be in addition to any penalty pursuant to the penal law.' That is the State requirement for the rules under which we are required to operate."

Professor Lewis: "As far as you are concerned, in the administration, what then is the status of Article I.?

President Rhodes: "It has not been approved by the Board of Trustees, with regard to the Rules for the Maintenance of Public Order. One of the things we need to do, once we get the new Regulations for the Maintenance of Public Order in place, is to have a comprehensive review of the Campus Code."

Professor Lewis: "I understand those principles and polices as being essentially null and void."

Dean Bugliari: "I only have one comment to add and that is with respect to the non-Rules for the Maintenance of Public Order situation; those rules do
apply. If we're talking about things other than this, I think Article I clearly does apply because the Assembly has the authority to do that now. I'm not commenting on the validity of anything; I'm just saying that it does have some validity in non-Rules for the Maintenance of Public Order."

Associate Professor Richard S. Booth, City and Regional Planning: "I find simply extraordinary the notion that a great University would print a Code that everybody has read through the years and then the University would take the position that the Code would not apply when a major set of circumstances do not come under that Code. Whatever rules apply, according to the legislature, certainly the rules the University adopts to govern itself apply, and until this moment, I have not heard anyone argue that Article I in the Campus Code is not applicable in these situations. Certainly, the University can make it applicable. The fact that it's there and printed and been handed out to tens of thousands of people imposes on the University an obligation to act in a manner consistent with those terms."

President Rhodes: "Professor Booth, it does apply to cases that don't involve the maintenance of public order. There have been no occasions since '69 to test it, but it has never been adopted by the Trustees in the Rules for the Maintenance of Public Order. The handbook from which the reading has just taken place does need revision. I share your astonishment, but that is the case. This is one of the things, once the Rules for the Maintenance of Public Order are published, that must be appraised."

Dean Bugliari thanked the President and called on William Wendt, Director of Transportation, for a brief update on parking since last May's presentation.
3. TRAFFIC UPDATE

William Wendt, Director of Transportation: "I want to thank you again for the opportunity to come and speak with you about what is going on with campus parking and circulation. We've had a lot of press this fall about certain projects, and I'm here to talk about what you're likely to see this spring and summer and what the year 1986 will bring to the campus.

"Last spring I spoke with you about the plan that you see on the board. This is the physical blueprint of what the campus will look like several years down the road. This shows how the new buildings and additions planned by the academic units will sit on the campus and how the parking and circulation network will respond to those new programs and buildings.

"I have presented this plan more than thirty times to various groups in the University community, including some of your departments and other groups of employees throughout the spring. This gave me an opportunity to hear the concerns people had about the parking system and circulation in general, and respond to those issues with revisions to this plan. I'll try to highlight the major elements of this capital improvement plan.

"Located just west of Schoellkopf stadium, a parking garage is planned for spring construction. The garage will hold 700 vehicles and completion is set for mid-August, 1986. Last spring we talked about a garage that would hold 400 to 500 vehicles. With all of the success that you have had in raising funds for new buildings and new programs, it was decided that a structure for 700 cars seemed more appropriate. The garage will be the first parking garage on the campus.

"The major entrance/exit will occur off of Campus Road, with a minor entrance off Schoellkopf Drive between the squash courts and Schoellkopf Hall. This will be our first attempt at using gate controls for parking. The gate
control system will operate with the faculty or staff identification card. The magnetic strip on the back of the card will be encoded for individuals assigned to the garage. We expect that type of system to be used in other areas of the campus to provide better control and keep illegal parkers out of areas for which individuals have purchased permits. We feel gate control is a good alternative to ticketing.

"Another major parking facility will be built along the north edge of Alumni Field between the Corson/Mudd complex and Wing Drive. The first section was constructed during Fall '85 as a temporary lot. The completed lot will accommodate about 272 cars on grade. In the future, we will be able to place a deck over a portion of that lot and provide approximately 160 more parking spaces along Tower Road.

"The slide shows many improvements along Schoellkopf Drive, continuing all the way up to where Tower Road intersects with the B Lot drive. This project includes improvements to Schoellkopf Drive, reorganization of the parking along it, additional parking in the Morrison area, and new parking on Judd Falls Road where the state shops are currently located. These buildings are slated for demolition in the near future.

"All of the areas that are outlined here will be affected by transportation-related projects. The areas outlined in red show projects beginning in 1985-86, followed by those areas in blue in 1987; the areas outlined in yellow will complete the plan in 1988. The anticipated construction is extensive; I'm sure that people from the Arts College will be relieved to see there are no projects slated in that area of campus. However, many of you who have not been affected recently by parking and circulation improvements will experience a rather sudden change this coming year.
"We are planning now for the disruption. As you can see on the slide, the buildings highlighted in yellow will be under construction in 1986. This is probably the most energetic building program that the University has ever attempted in one year. The areas in a dark color next to the yellow areas are contractor staging. The areas highlighted in red are temporary parking lots for contractors. We will keep contractors away from faculty and staff parking areas as much as possible.

"The area of greatest activity in 1986 is adjacent to Bailey Hall. Some of the projects are already in progress; for instance, Martha Van Rensselaer Hall and Comstock Hall are in phase one of renovations. The area between Martha Van Rensselaer and Comstock has been use for contractor staging for several months now. That will continue as MVR goes into phase two of its rehabilitation project. At the same time, a rehabilitation project is going on at Clark Hall. A project on the Microkelvin facility at the edge of Clark Hall is winding down now. Lecture room renovations in Rockefeller Hall are scheduled to begin shortly. A two-floor addition to the Space Sciences building will begin in 1986. Groundbreaking will occur soon for a major addition to Savage Hall; this will remove the parking lot between Savage and Newman Halls and displace about 70 individuals this spring. Stone Hall will be removed and Academic I will put a very large footprint on the Ag Quad. Academic I is slated to begin this spring.

"The effect of those projects is to lose parking by Savage Hall, CRSR, and by Academic I. The areas in blue by Clark and Baker Halls and east of Seeley/Mudd Hall will be replacement parking spaces for faculty and staff. The parking near Seeley/Mudd will be continued up Tower Road, as I discussed a few minutes ago."
"In the area just south of that, good pedestrian access will be a major concern. It will be a noisy and muddy area, providing aggravation for everyone who works in that zone. It is going to be difficult to move pedestrians as well as vehicles through this area. We are attempting to maintain and develop a workable plan to control the construction projects and provide for the needs of individuals in the area.

"Any one project may require 40 to 50 additional construction people on site. By adding all the projects, it is clear there could be 300 to 500 more people working in some months in this location.

"Other major facility additions will begin in 1986, including the addition to Statler Hall. The parking structure will be well underway in the spring. It is associated with several athletic projects. There will be a new press box for Schoellkopf Field located above the parking structure. The west stands will be renovated. A concourse behind the west stands will connect the parking garage to the west stands. New squash courts will be built along Schoellkopf Drive, just to the south of the drive. The Hoy Field grandstands will be removed for contractor staging and the edge of Hoy Field will provide contractor staging for the Upson Hall addition, which is about to get underway.

"This summer the groundbreaking for the Biotechnology building will take place. The building will use the entire area east and south of Corson/Mudd Hall. Another very large structure, the multipurpose athletic fieldhouse, will displace approximately 320 parking spaces when construction begins. (The start date is unknown as of February, 1986; may be spring, 1987.) These spaces will be replaced by spaces east of the lot and in the garage. The completion of the garage in August is very critical; with the 700 spaces we will have a gain in parking on the central campus by the fall semester. The
garage will have three levels of covered parking and one level of rooftop parking. The capacity will be greater than that of the A Lot.

"Construction for the Performing Arts Center will begin this winter. In 1987, we expect the Law School addition to begin. We've made provisions to provide more contractor parking for these projects. In 1986, we also anticipate a renovation in Olin Hall as a temporary home for the Theory Center. A large and permanent structure will then follow somewhere in the Engineering quad very soon after that.

"The area by Rice Hall will be developed as contractor parking for those involved with the Academic I project and several of the other projects in the Bailey Hall area. The Food Science processing lab is also expected to begin in 1986. Almost no area of the campus will be untouched.

"In the west campus area there will be construction during the next three years while the University Halls are renovated. Each building will require about six months of work and the work will be done one building at a time. Contractor parking will be provided on Stewart Avenue, near the Communication Arts building, and on other University properties just west of Stewart Avenue.

"The north campus is the site of the townhouse project, a 320-bed project currently underway. A small parking lot of about 45 spaces was lost when the foundations were placed in the ground. The contractors will be using the A lot, where we have an abundance of parking.

"We think we have developed a good physical plan for parking and circulation to take the University into the next century. There are parking shortages at some of the other colleges. As the College of Architecture, Art and Planning moves ahead with their master plan, and the Business School moves ahead with its plan, we will be able to tackle some of the other parking problems."
"The parking and circulation construction I have outlined is the hardware for the transportation program; we are now working on the software to make this system work efficiently and effectively. The Committee on Transportation Services, under the auspices of the University Assembly, is working with the department to make sure we have an adequate software package to complement the new physical layout and capital program.

"We are exploring ways to join the campus more effectively. A U permit presently is valid anywhere on the central campus. The effect of that was very obvious this fall when we had one project on Central Avenue in the Arts quad and the effect of taking 70 parking spaces out of circulation was to provide a domino effect as far away as Morrison Hall. A zone concept of parking could prevent this from happening as we get into a much more aggressive building program.

"We’re also considering ways of satisfying both the long-term and the short-term parking needs of the community. One of the big problems is that people don’t have an opportunity to park for a short time and get to high-activity buildings. We have a very limited number of short-term parking spaces on the central campus. We will provide more short-term parking spaces in the central zone, including the parking along Tower Road and Garden Avenue in particular. Long-term (all day) parkers will be placed in the parking garage. Many people will then be able to come to central campus and stay for up to two hours. We’ll provide most of the mobility that people need.

"One of the things I’ll be doing is communicating with faculty groups, employee groups, and other groups around the campus this year. I began talking to people about some of these concepts this fall. I’ve had invitations from many of you to speak with your departments in small groups. I welcome the opportunity to go into more detail on these plans with you at your leisure.
"I hope this provides a fairly concise update in terms of what we expect to be doing over the next several years. The plan is dynamic and changing. There are more program changes and new facilities coming on board. We will respond to them as we know about them.

Dean Bugliari thanked Mr. Wendt, and announced that following Mr. Herbster’s talk, perhaps there would be time for some questions for both speakers. He called on William Herbster, Senior Vice President.

4. PLANNING AND DECISION MAKING PROCESS RELATING TO FACILITIES

Senior Vice President Herbster: "Joe suggested that I take a few minutes - and he has just told me it’s fewer - to discuss with you the process by which a variety of the non-academic decisions on the campus are made and in turn, to focus on the issue of whether we consult sufficiently with constituent groups within the campus.

"I’m confident of one thing, and that is that the process must appear quite confusing to those of you who see it from a distance. And I must admit that on occasion it is confusing even to those of us who are involved in it.

"I want to mention a couple of things in regard to the decision making process. First of all, Cornell’s a quite complicated place, as you know a partly public, partly private institution with literally two governing systems and highly decentralized to boot. Second, we are going through a period of evolution, expansion, and change in our academic programs (just to cite a few examples - Common Learning, the Theory Center, the writing program, Study Abroad, and so on.) There are a lot of things happening in a lot of different directions. Third, many colleges are shifting their focus from an almost exclusive attention to undergraduate or graduate education, more and more to research. We were staggered the other day to realize that research expenditures in Ithaca exceeded $160 million in 1985, an increase of more
than fifty percent in the last ten years in constant dollars. That is, if you back inflation out, we have grown by fifty percent in research revenues and expenditures. The impact of such growth is staggering in a lot of different ways. Related to the changes in academic programs and the growth in research is the need to retrofit or build new facilities, and, unfortunately, you just saw an all too vivid depiction of that phenomenon. Finally, as we try to evolve into the twenty-first century, we are paying a lot of attention to try to upgrade employment practices, to change and improve our compensation picture in the midst of what are all-too-real financial stringencies. These are major examples of the kinds of change which are taking place at Cornell. And, obviously, change is never comfortable. It leads to friction; it leads to a sense of great unease at times. But we work very hard, and I think all of you do, too, to accommodate change and to ease, to the extent that we possibly can, the frictions that are created.

"Joe asked me to focus on the question of how decisions are made in a situation like this, and what attempts are made to listen and to communicate. First, it’s important to note that in nonacademic matters, although they all obviously affect the academic mission of the University, the Board of Trustees or various state governmental bodies have the final say. That is, they must put final approval on all key personnel, financial, and facilities matters. In determining what should or should not be presented to the Board or the State for approval, the planning and budgeting process plays a very important part.

"As you know, we have articulated a series of University goals and objectives. The President put these out about five years ago. The longer range plans of each of the colleges, divisions, and support operations are updated periodically (at least every two years) in light of those goals and
objectives. In turn, we try to integrate the budget process into the planning process and vice versa.

"Out of that comes a whole series of issues, opportunities, policy changes, new facilities, new programs... you name it. As we begin to examine what should or should not go to the Board, we use a number of mechanisms to try to obtain feedback to assess the impact the proposed action might have on the various constituencies which compose the campus community. Just to cite the main mechanisms for obtaining such feedback, the Faculty Council of Representatives and its various committees play a very important role (particularly the Budget Committee, in terms of any matters which are financial, and the Professional and Economic Status Committee in terms of anything that relates to personnel matters).

"The second is the University, Student and Employee Assemblies and their various committees, which again we look to for comment on or, in some cases, as Bill Wendt pointed out, to actually structure policies or strategies.

"The third is the Campus Planning Committee, which is particularly looked to in terms of facilities matters or things that would otherwise affect the physical well-being of the campus.

"Fourth is the Deans' Council, which deals with all matters relating to academic affairs and the operations of the colleges. In addition, the Personnel and Controller Support Groups (which have representatives on them from all the colleges, major divisions, and support operations) are looked to for comment on any proposed policy changes or, again, indeed to help formulate proposed changes in policies and procedures relating to personnel and business matters.

"Last is a variety of ad hoc campus meetings, such as the ones Bill alluded to, which are held when we have a topic which we believe is
particularly hot, troublesome, or where we really believe we need a very broad view, even beyond what we can attain from these other mechanisms. Examples range from changes in fringe benefits to the parking and transportation plan. "Sometimes the process works and sometimes it doesn’t. Two examples - both relating to parking. One where it worked was two years ago when we came forward with a campus plan which would have emphasized much more peripheral parking and much less parking on the central campus, along with a completely new method for financing that parking. That was brought to the campus community at a variety of meetings and was soundly rejected. We withdrew the plan.

"A second, more recent one where we thought we had communicated and obviously we failed, was last spring where, once again, we presented not only a revised version of the parking and transportation plan which had been changed based on previous discussion with the campus community, but as well as that pointed out the type of construction and disruption that was going to take place on campus. As the Dean pointed out, we even made a presentation to this group last spring.

"Unfortunately, we missed the point, which is people understand things in the abstract but they have more difficulty turning that abstract into reality. This fall, when the reality came, we finally heard from the campus community about what was really going to concern them, and I think was a legitimate concern - no one was prepared for the disruption that took place on this campus. That, we regret, we goofed and for that we’re sorry.

"We learned something from this experience. Professor Nerode suggested that there is a need not only to carry the message to deans or to the broader campus community through a meeting such as this, but literally to start meeting with affected groups to make certain that they understand in very
specific terms what changes are being planned and the likely impact of those changes. We are working very hard this fall holding a series of what are known as ‘sector meetings’ with deans who will be affected by changes. We have met with the ‘Bailey Hall deans’ Agriculture, Arts and Sciences, Human Ecology and the Graduate School of Management and with the ‘ILR parking lot deans’, which include the obvious ones surrounding in that area as well as the Director of Physical Education and Athletics. In other words, people have an immediate stake in areas where there are going to be major changes. From that, we hope to springboard into faculty meetings and into meetings with individual departments which will be most affected.

"To sum up, I’m not sure which is worse, change or no change. Frankly, I don’t think we have much of a choice here. I believe that this is an institution which is alive and vibrant as a result of initiatives that have been instigated by its faculty. We in the central administration are playing a massive game of catch-up trying to keep up with the genius of the faculty. It’s uncomfortable as we go through this process. We don’t kid ourselves that we’re making life easy for you as we try literally to provide you with the tools that you need - new or upgraded facilities. In other words, this construction wouldn’t be taking place if it weren’t for your genius. We can and we will communicate better; we are certainly going to emphasize that, and alleviate to the extent that we can the discomforts on campus, but I don’t think we should kid ourselves and think that the discomforts are going to go away completely."

A question was raised as to whether anything had been done to beef up the traffic police so as to have effective control.

William Gurowitz, Vice President for Campus Affairs, answered that if what was meant by "beef up" was to increase the staff, the answer was "no".
However, he said that for the past few weeks people at the booths had been trying to keep those who should not be on campus from entering campus and found that ticketing had been very effective. Several compliments had been received and parking made easier since that had been done.

An unidentified speaker said that eventually around Bailey, Savage, Newman, etc., there isn't going to be any permanent parking or very little, and that her concern was about getting a lot of visitors in there and requiring faculty to hike over to the athletic field and join 700 people who have to leave a parking garage and go to that ridiculous corner at Rt. 366. She added that Martha Van presently receives mail and UPS a day late; the access to the loading dock has been cut out.

Mr. Wendt: "Right now there are 300 parking spaces from where you leave Tower Road and circulate around Savage. The plan includes loss of 88 spaces permanently, and that is a large loss. That doesn't mean business as usual. There were only 70 spaces lost from Central Avenue, and we all heard the uproar. There will by parking added on Tower Road. We're trying to mitigate that as much as we can by putting in temporary and new parking behind Clark and Baker. We do have that problem of U permit holders. When I talk about short-term, I'm not just talking about visitors. I'm talking about U permit holders and faculty. We have a large group in Newman, for instance, who need to move from Newman to Wilson. We have talked to people in Chemistry and Clark, and we've talked to MVR people, and I'm scheduled to talk to the Space Sciences people about how to effectively use that so the right people are using it. Should it be two-hour parking, if you need to go into your office and have one class, you can use it. When you are on campus all day, you'll be able to park on Tower Road and walk five minutes to your building."
That's the type of strategy that the Committee on Transportation Services is looking at to come up with an effective plan based on what we hear.

"In response to your second question about what's happening at MVR, that project has just been completed two weeks ago. There are some changes that had to occur. We anticipated that and planned it with the deans. Mail schedules changed because mail access is off Forest Home Drive. These are the type of changes we have to live with and use effectively."

The Speaker elaborated that she thought a loss of mail service going out and coming in, is thoroughly significant in a university community, and the post office isn't part of the planning process. There are delivery trucks piled up everyday because they don't want to go around. These aren't University people; these are outside people and not necessarily cooperative.

Mr. Wendt: "I can only say that all of those issues that you've talked about with delivery and mail have been discussed at great length with the deans and administrators in the College there, with the Campus Planning Committee, and with other groups. The College needed visitor parking; they also needed service parking; and they also needed more faculty/staff parking. That's one area where we have made major in-roads with additional faculty/staff parking. There were 34 additional parking spaces placed on the north side of Forest Home Drive. Last fall there were an additional 36 spaces constructed, just completed for the College. We have a big improvement over what was there, and I think many people would agree to that. I know these disruptions and problems you've mentioned, and people are working on them."

A question was asked as to whether there was a comprehensive published document as to future plans.

Mr Herbster: "Every time we think we have one someone comes up with a new idea. Three years ago we thought we had one, but then a group of faculty
generated the impetus in Biotechnology. Then we settled back and sort of put our feet up and along came the Theory Center and the new Math Center. So, every time we think we have got the thing so that we can now put it into a printed plan and go public, someone gets another great idea. It's one of the joys of working here, but it is also one of the most unbelievable frustrations you can imagine. Trying to figure out how we will replace facilities, finance facilities and programs, as well as maintain a campus community, which is truly a community, you just can't believe the amount of frustration, and I know we frustrate you in the process, but it's a reality of this unbelievably vigorous institution and the people in it.

"I think by this spring we should be in a position where we can give you a fairly comprehensive look at five years, as best we know, and then be prepared for revision."

Dean Bugliari announced that after talking to Professor Nichols and Dean Murphy there was no conceivable way to go through all the things that had been planned for the presentation on Admissions and Financial Aid, but Professor Nichols was just going to say a brief word.

5. BRIEF REMARKS RE FINANCIAL AID

Professor Benjamin Nichols, Electrical Engineering: "Susan told me we should have known that when we're on the same agenda as parking, we wouldn't have a chance. She didn't mention divestment or Rules of Public Order and a few other things, and we're pretty small potatoes compared to some of this.

"We heard at the beginning about the health cost going up from one million to six million, and our increase in financial aid isn't nearly that big.

"There is a real issue involved with the future of support for undergraduate students at Cornell, and there has been a 26-member commission
appointed by the Provost, with Faculty, Students, Trustees, Alumni, and Staff represented. We have been considering this matter for the last six months and have just come out with a report for the Provost. It maintains our commitment to financial aid to students as an important part of maintaining the academic excellence of Cornell. It describes some things that we can do to help balance the budget. We described what things we need to do to make a budget, and we tried to discuss the various options that are open to us if in fact the situation gets out of hand, and the things that drive it out of hand. There are two: One is the level since 1980 and certainly a major decrease in constant dollars of federal support for financial aid, and the other is the fact that the educational costs of the University go up faster than the rate of inflation, which means that the other factors such as family contributions and so on do not go up as fast, leaving a gap. We could describe that in some detail, but we don't have the time. This report will be available in the libraries. Perhaps if there are one or two short questions, I could answer them."

Dean Bugliari said an opportunity would be made at the February FCR meeting to discuss it.

A summary of the Commission's Report would appear in the Chronicle the next day.

Dean Bugliari then turned the meeting over to the Secretary of the Faculty, Francine Herman, who asked for unanimous consent of the group to go into executive session for the purpose of considering a report from the Nominations and Elections Committee. She announced that faculty members could stay, but only FCR members could vote. She called upon Professor Sherry, Chairman of the Executive Committee of the FCR.
Professor Sherry moved, on behalf of the Nominations and Elections Committee, that Dean Bugliari's term as Dean of the Faculty, normally terminating June 30, 1986, be extended for two more years, through June 30, 1988. Professor Sherry said that Dean Bugliari had agreed to continue if the FCR, pursuant to Section IV G of the Organization and Procedures of the University Faculty does in fact vote to extend his term.

On a vote call, the FCR unanimously re-elected Dean Bugliari for another two years.

The meeting was adjourned at 6:00 p.m.

Respectfully submitted,
Francine A. Herman, Secretary
MINUTES OF A MEETING OF THE FACULTY COUNCIL OF REPRESENTATIVES
February 11, 1986

1. REMARKS BY THE DEAN

Dean Bugliari noted that both Speaker Russell Martin and President Rhodes were unable to be at the meeting due to illness. Both the President and the Provost intend to participate in the March 12th meeting.

He also reported that a huge number of supportive letters addressed to President Rhodes regarding Cornell's decision not to accept the ten million dollars in federal funding are available in the Office of the Dean of the Faculty for anyone to read. He went on to say that presidents from every major university and college and many small ones (with a notable exception being Boston University), a number of senators and congressmen and a large number of our faculty members and faculties of many other institutions have sent such supportive letters.

He announced that the canvass for candidates, both for committee vacancies and, most importantly, for Faculty Trustee, was in the mail. He asked that if anyone had any nominations that they please fill them out and send them in.

The Dean also reported that the Academic Integrity Handbook had been distributed to everyone in charge of academic integrity in each of the colleges and that he is receiving comments from them; the plan still is to have that Handbook available for everybody by the beginning of the fall term.

Dean Bugliari informed the members that Vice President Matyas and Transportation Director Bill Wendt had asked if they could come to the
March 12 FCR meeting to talk further about what is going on with construction and parking; Lee Snyder has asked to come and talk about what is happening with the endowed health insurance program.

The Dean also said that he did not know anything more about Stone Hall than what he reads in the newspaper. He has it on good authority, however, that while Cornell is interested in the situation, the most recent battle is between the State Construction Fund, Historic Ithaca, and the City of Ithaca. No expressions of faculty concern about Stone Hall have come to his attention, and he did not know whether the faculty should be involved. He also said that he was not really sure if anything could be done even if the faculty were in some way concerned.

Dean Bugliari then called on Professor Benjamin Nichols, member of the Admissions and Financial Aids Committee, for a report.

2. REPORT ON ADMISSIONS AND FINANCIAL AID

Professor Benjamin Nichols, Electrical Engineering: "Among the other people who were supposed to be here is Susan Murphy, the Dean of Admissions and Financial Aid. This was supposed to have been a team effort, but she is away this week.

"As you may remember, this report was originally scheduled for last November, but it turned out there wasn't time because of other things that went on at the meeting, and so this will be that report plus a slight update. "

"I come to you in two capacities. One is as past chairman of the FCR Committee on Admissions and Financial Aids, which has now been in existence for three years. Also in the audience are several members of that Committee - Professor McGinnis, the present Chairman, and Professor Harriott. The other is as a faculty member of the Provost's Commission on Financial Aid. Professor Harriott was at least as active a member as I was on that Commission."
As questions arise, he will have some contributions to make as well as my supporters in the audience from the staff of Admissions and Financial Aid.

"Over the past couple of years there has been a lot of talk about financial aid and the problems of financial aid - which some of us now call 'student aid.' Unfortunately, there were a lot of frightening things that were said at the time and a lot of fears were aroused. These may be valid in the long run, but probably not quite as pressing in the short run as we thought. It appears that we still have some time to deal with the fundamental issues that are involved in student aid. At any rate, last April, as a result of the various pressures from students, faculty and others, the Provost appointed a commission, which he chaired, to make recommendations about general policies concerning student aid for the future and also to deal with some of the immediate issues. It was a very active commission. We started work in April and reported in November. We had considerable staff help, the active participation of Dean Susan Murphy; Associate Dean Deborah Pointer, who is here; Donald Saleh, Acting Director of Financial Aid and Student Employment; the Director of University Development, Carol O'Brien; a Trustee, Dr. Wolfson, who attended quite regularly; and the Director of Institutional Planning, Paige Ireland, was very active. Of the other members I want to particularly note the contributions of three students - David Moss, Cindy Hsu, and Bernard Weintraub.

"Copies of that report which was titled 'The Challenge of a Shared Commitment' was presented to the Provost and copies are available in the office of Institutional Planning.

"Since the time that the report was presented, it has gone to the Academic Affairs Committee of the Board of Trustees, and as I understand it, many of the recommendations have been adopted. Some of those will be acted on by the Board of Trustees in March. There are several recent developments which might
be mentioned. One of them is that our fear that tuition would continue to go up at rates far exceeding the rate of inflation was probably justified. It appears that there will be more than a nine percent increase in tuition for the endowed colleges for next year, and that will not help the picture for student aid. On the other hand, the actual amount that is being expended this year for student aid is less than what was anticipated. I'm not sure what the exact reasons for that are, but it does illustrate the fact that it is very difficult to project the need for the future accurately. There are a lot of guesses that have to be made, and one of the guesses has to do with just what the financial status of incoming students and of their families will be. You have to predict how rich or poor incoming students will be and what their families' incomes will be, and this year we seem to have a somewhat wealthier group of students than was anticipated. I don't know any other explanation. In one sense, at least the fact that the stress on the budget is actually less than was anticipated is good news. The obvious bad news since November is that the fear that the support from the federal government will decrease over the coming years is probably justified. Unless something changes in Washington, the effect of the federal budget policies are going to be perhaps even worse than we anticipated.

"It is the view of both the Faculty Committee and the Commission that financial aid for students is an important priority for the University. Its existence supports strongly our commitment to academic excellence by enabling qualified students to attend Cornell regardless of their families' financial condition. It brings to the campus an environment of social and ethnic diversity which is a very healthy condition for all of us on the campus, and it supports a commitment to New York State. Since I know many of you are not aware of how the system works, let me try to describe it briefly. At
present the University admits students without regard to their financial need. The Commission, the Faculty Committee, and I believe the Board of Trustees, is committed to continuing that policy. When a student applies for financial aid, there are two factors that come into play. The first, of course, is that an analysis is made of the costs of attendance. For the endowed colleges, the estimate for this year is around $15,200. That is based upon a tuition of $10,500, an estimate of the cost of books of $340, an estimate for room and board of $3,600, and an estimate for personal expenses of $770.00. That gets you to $15,200. In addition there is a variable amount put in to help support travel. Having established the cost of attendance, a financial aid package is developed to cover that cost and this is called 'meeting full need'. I think that phrase should be taken with a grain of salt in the sense that what it actually means is that a budget is developed which adds up to this $15,200. But that budget consists of many parts. The first part, of course, is the parental contribution. After parents fill out forms and submit IRS statements to back up those forms, a calculation is done to determine what the parents can contribute annually to the student's support. In addition, the student's own assets are considered and a percentage of those assets are used as part of the total expected family contribution. Finally, you assume that students will earn some money - net income - from their summer work and for everyone except pre-freshmen, that is now taken to be $1,400. These three components are added to determine the total family contribution. Then, some students are eligible for various federal and state grant programs. At the federal level there is the Pell Grant, which is based entirely on need and has nothing to do with the cost of attendance. There are, as I understand it, around 2,500 students at Cornell who receive Pell Grant aid.
That can go up to as high as $2,100 a year. Although Congress has authorized an annual increase in the amount of the Pell Grant, the money has not been appropriated for that purpose. In fact, there is some danger that it will go down. In addition, New York State provides the so-called Tuition Assistance Plan which again is based upon need, and many of our students get that. That can go up to as high as $2,700 a year. If you add these grants to the family contribution, and subtract the total from $15,200, you get what is the student’s demonstrated need. So, that is the amount that still has to be met. How is that met? The first way is by what is called ‘self-help’. This year, ’85-86, that self-help figure averages around $4,600 per student. How does a student get the $4,600? In the first place, the student is assigned the ability to earn money through the federal college work-study program. The student has a license to get a job on (or sometimes off) campus and is budgeted to earn $1,400. Most students don’t earn that much, but in the budget it is assumed that they will.

"The second part of the self-help component enables the student, through the University arrangement with the federal government, to borrow money. There are two major loan programs. One is the National Defense Student Loan Program (NDSL) which enables the student to borrow $1,500 a year. The other is the Guaranteed Student Loan Program which the University certifies, but which is done through banks, in which the student can borrow $2,500. So, a student may be given the opportunity to borrow a maximum of $4,000 under those two programs. If in fact the self-help is budgeted at $4,600 and the budget work study is $1,400, the amount that may be borrowed is $3,200, which is not the maximum. However, as the self-help figure goes up, and it will be going up year by year, we are very rapidly approaching that maximum, which would mean that a student under those conditions would graduate owing about $16,000."
"Now all of that is under the self-help package. Having subtracted that, you are then left with the amount of the grant that is provided out of University funds. That makes up the difference to the $15,200.

"So, while we talk about meeting full need, what we mean is that this overall partnership of family, student, federal, state and University support is what ends up meeting the need, and the students carry a considerable load of this. Particularly I might emphasize that the debt that students are graduating with is continuing to increase, and in the view of the Commission, is reaching a limit that we should try to avoid going beyond. In our opinion all future planning for meeting full need should use additional loans as a last resort.

"I should quickly say that there are two major exceptions to what I just said. One of them has to do with what is called the rating program. For the last four years all admitted students have been rated by the admissions committees of their various colleges as having relative attractiveness, either 1, 2 or 3, with 1 being the most attractive, 2 average, 3 being the least attractive. So, what has been done is to use the average self-help figure that I mentioned, $4,600, for the 2s. Then, for the most attractive students, the 1s, the self-help has been about $1,000 less, which means that, of course, their grant is $1,000 higher. For the 3s, the self-help has been even higher approximately $5,300. For these students the grant is reduced, and they are now at the stage where they are having to borrow almost the maximum amount I mentioned in order to meet the budgeted self help. The intention of the rating program was to try to maximize the use of the scholarship money to attract or entice the most ‘attractive’ students to enter by giving them a higher scholarship grant while offering the ones rated lower a smaller scholarship grant.
"In the opinion of the Faculty Committee and of the Commission, that was a misguided effort. We recommend that the rating system cease to exist. We understand that most of the colleges are moving in that direction. One of the problems with the rating system is that students are judged on what we know about them before they come here, and the information is only partially predictive. Yet that rating, at least for most of the students, continues at its initial value for four years, so that if a student is a 1, he is a 1 for four years whether or not a student who is a 3 has performed better at Cornell. The other exception is that special attention has been given to the needs of very low-income students and to those of minority students. The self-help package that I mentioned is reduced for all students coming from families whose income is less than $10,000, and for minority students whose family incomes are between $10,000 and $30,000.

"It surprised me somewhat to learn that we have about 500 Cornell undergraduates from families with incomes of less than $10,000 last year, which tells us something about the diversity we do have.

"The Commission believes that attention should continue to be paid to low-income students and to minorities. We have recommended some adjustments in that process. In particular we don’t think it’s sensible to have just a sharp cut-off -- you get a larger grant if the family income is below $10,000; you don’t get it if the income is above $10,000. So, we are recommending a graduated difference. We also believe that the program for minority students should be handled somewhat differently. We believe that the funds should be there, but instead of being handled entirely by the Financial Aid office, it should be handled jointly by Financial Aid and by the office of Minority Affairs to target that money more effectively.
There are two basic reasons why looking to the future, we are going to have considerable difficulty meeting the goals for student aid that we would like to meet. One of them is that the federal support since 1980 has either been fixed or decreasing, definitely decreasing in terms of constant dollars. There has been no increase to match inflation. Since federal support has been an important feature of the shared commitment, as it goes down, the difference is going to have to be made up somewhere.

The second reason for the increased difficulties is that tuition continues to go up considerably faster than the rate of inflation and, therefore, faster than what one can assume families can contribute. So, you have this increased gap as tuition goes up, family support goes up at a slower rate and the federal support goes down or at best stays constant.

However, it is important to narrow the problem down to see how bad it is. A number that I'd like you to remember in thinking about this problem is the number of what I'll call 'general-purpose students' who get scholarship grants. The burden on the budget is the burden on the general purpose budget, the budget that the University has the flexibility to assign, the budget from which our salaries come. It is that portion of the budget that goes only to undergraduate students. The support for graduate students is an entirely different issue. Further, the grant money that goes to undergraduate students in the statutory colleges is on the average repaid the following year from state funds, so there is no net outgo out of the general purpose funds for statutory students. Also in the endowed colleges, the Hotel School operates independently so that the grants that we are talking about are only the grants that go to the undergraduate students in the endowed colleges of Arts and Sciences, Engineering, and Architecture, Art, and Planning. These are the 'general-purpose students.' Of those approximately 7,000 students, there are
approximately 2,500 receiving grants. So, about 36% of the general purpose students receive some grant. The average grant for those 2,500 students is around $5,000 this year.

"You may hear that the number of students on financial aid is about 5,600. All of those students have to be provided with financial aid packages developed by the Financial Aid office. But many of them come from the statutory colleges. Others do not receive any grants because whatever need is developed is taken care of entirely through the work and loan part of the package. So, again while that is important support for the students, it is only the ones receiving grants that have a direct effect on the General Purpose Budget, and there are about 2,500 out of the 7,000 general purpose students.

"One of the charges to us by the Provost was to establish some better budgeting procedures for financial aid. Up to now as the procedure that I've described went on, there has been no budget limit set. Whatever it took to meet the need in terms of grants was met. From a budgeting point of view, it has been very difficult to say how much would be needed. Whatever it took was paid. The Provost has now said that we need to have some kind of a cap on this, and the procedure for setting the cap that he has suggested, and which I believe will be adopted, is to take a fixed percentage of the income that comes in from tuition and fees. The percentage that we're talking about now is of the order of 14-15% for this year and for next year. Of the tuition income from 7,000 students paying this year $10,500 (or next year about $11,500), about 15% would go for student aid. The figure this year actually going out of the General Purpose Budget for financial aid is around eleven million dollars, and that amount is a bit more than 5% of the total general purpose fund. When one hears that financial aid is providing the major pressure on our budget, I
find that a slight exaggeration. It is true that as we look ahead to future years we can predict that the amount needed is going to have to go up, and it isn’t clear where it will come from. However, at the moment we are talking about a budget for student aid that is about 5% of the total General Purpose Fund, and not all of the problems with the budget can be charged to financial aid.

"With that background, let me say a little bit about the recommendations of the Commission, and then perhaps there will be time to answer some questions.

"The Commission generally agrees with setting a cap, but we’re not convinced that a fixed percentage is the right way to do it. We have suggested that some flexibility in the percentage should be adopted, particularly if tuition continues to go up considerably faster than the cost of living.

"We’ve made a lot of budgetary suggestions, such as factoring inflation into all the elements that go into the aid budget. One of the elements that we think needs adjusting is the income from student jobs. I did not mention one of the really marvelous programs that exist in student aid, the Tradition Program, which has been supported by a group of alumni over the last few years. Students who have demonstrated a commitment to work, and have worked at least 300 hours, and are awarded Tradition Scholarships. It reduces their need for borrowing. We think that’s a great direction to go, and we hope it will grow. In terms of the students’ work, in general the rate at which students are being paid for their work on campus, has not been going up as other salaries have been going up. We believe that a regular increase in wage rates should be factored in and money targeted for that purpose.

"We also think there are some inequities in the way parental contributions are figured, and we’ve heard complaints from the parents about that. One of
the problems is that assets are taken into account. As a result, if you compare two families who are earning the same current income, one of whom has saved for their children's education and has those assets, and another family that has not saved and doesn't have the assets, then the one that has the assets is expected to contribute more under the present system. That doesn't seem fair, and we are suggesting that in figuring parental contribution, some figure be set as to what assets would be expected for a family with a certain current income. While we do not recommend any additional loan program for students, we are recommending programs that would enable families to borrow. One of those programs is now being instituted, the so-called Shelf Program, which the University is participating in, which provides loans to parents. These are not student loans.

"I should have mentioned perhaps that the student loan program repayment starts and the interest starts being charged, after graduation. That, of course, is not true of the parental loans.

"There is a great need for improving the whole budget planning process, and in particular, the amount for student aid that would come from the endowment and gifts. We have recommended that the portion of the endowment that goes to support student aid should be separated from the general endowment so that better budgeting can be done in terms of what that income would be. The Development Office has proceeded remarkably in the last year to develop expanded drives for money for student aid. It is only in the last year that there has been a box added to the pledge cards for the alumni fund drive which enables a donor to check off student aid as one of the possible specified uses. A full-time person has been employed in the Development Office with the specific assignment of raising funds for student aid. There seems to be a lot
of alumni support for that, and we are hoping that increased giving will help meet a part of the need.

"One of the recommendations that the FCR might want to take into consideration is the suggestion of a small change in the academic calendar. We believe that if the students are able to get out earlier in the spring, they can earn more money over the summer. By getting into the job market faster, they have a better chance of getting a job and the length of the summer work period is expanded. This can be accomplished by sacrificing a week or two of the intersession between the winter and spring semesters. We support that suggestion, and so I believe does the Academic Affairs Committee of the Board of Trustees.

"Finally, we think that there is a lot to be done in finding out how students actually do support themselves. I’ve talked about a budget package, and it has been assumed that students do what the package says, that they borrow the money we think they might borrow, or that they earn the expected money through jobs. In fact, that is simply not known. We do know that students, for example, who are supposed to earn $1,400, on the average earn $1,000 in college work-study. Presumably, if they are spending as much as the budget says they are spending, that money comes from somewhere -- we don’t know where. In fact, there is probably a lot that needs to be learned about what the burden is. We don’t know how many students leave because of financial problems. We recommend an on-going study to determine how students actually meet their financial needs and this should be done in some independent way to avoid students feeling that whatever information they give will be used against them.

"I haven’t talked about the things that might have to be done if the projected deficits in future years are as bad as we think, but there certainly
needs to be a very on-going and close look to see what the effect of any changes in financial aid policies are on the admission of low-income students and minority students. For next year, using a self-help figure that is increased by about 5% over this year’s figure, no drastic steps are needed. We will be able to ‘meet the full need’ of all the students who apply for financial aid. But looking ahead to future years, it is hard to see how that will be done without some other steps."

A question was asked regarding the summer research internship as to how it was progressing and how it is being implemented.

Donald Saleh, Acting Director of Financial Aid and Student Employment, explained the second summer was coming up and there is a movement afoot to expand the program, to try to get some of Cornell’s minority students to stay on campus during their sophomore year to develop research skills so that when they leave campus to go to Princeton or Stanford or wherever between their junior and senior years, they are better versed. He said that Joycelyn Hart would be the person to contact regarding that.

Dean Bugliari called on Deborah Pointer to speak to the body about applications and admissions, particularly how we are doing regarding minority applications.

Associate Dean Deborah Pointer, Admissions and Financial Aid: "As of February 5, we received 20,994 freshman applications, which is a 7% increase; this time last year we had 19,765. So, we have had a significant increase in freshman applications. In terms of minority applications this year, we have had a significant increase in Puerto Rican applications; last year we had a significant decrease. Those have gone up over 17%. Black applications are up about 2%; Asian applications are up about 17%; Mexican-American candidacy is where we were last year, and American Indian slightly up by a few applications.
Overall, in terms of minority applications, I think we have had a real good year for part one, and now I'm trying to get applications completed so we can get those folders ready for the Selection Committee. But overall, we've had a good year for University admissions, with an increase in minority applications of about 500."

Ms. Pointer also noted that the West Coast is starting to generate more applications and that it was nice to start beating out some of our competitors who have established offices there. There are also significant increases in applications from the midwest, and from metropolitan New York, which, she said, was an area of some decline last year.

Ms. Pointer also suggests that the minority and Puerto Rican rise in applications had to do with some of the activity that we had from juniors who had significant increases in the island of Puerto Rico as well as metropolitan New York.

As to decreases, she noted that Upstate New York is where they have occurred and an area to be developed, although minority applications from the Rochester area have been rising.

A question was asked: How much financial aid will be needed?

Ms. Pointer replied that it looks like most of them are going to ask for and receive the average self-help.

Donald Saleh: "Where there are going to be ratings it looks like what is going to happen is that colleges can either choose between having everyone at standard or average self help, which would be a 2 or splitting the students between 1s and 3s, 3s being slightly higher than the 2s, and the 1s would be significantly lower, so that what it comes out to mathematically, is that you would have to have eight number 3s for every number 1. There will not be the big jumps between 2s and 3s that there were last year. For example, last
year it was $4,650 and $5,200; this year it may be more like $4,900 and $5,000 between 2s and 3s. There will be a difference, but it is going to be a minimal difference between the two."

Professor Peter Harriott, Chemical Engineering: "It sounds as if the admissions group has been letting the admissions people in the individual colleges make the decision to move away from the rating system rather than making that decision themselves. Suppose one of the colleges sent in applications where 20% were 1s and 30% 3s, we've recommended to the Commission that in spite of that rating, all these people be treated the same."

Ms. Pointer: "One of the things we discovered is that we still need to do more analysis, and even though it is a recommendation, we're still sort of playing it out as to what impact it would have on individual colleges. For example, what impact would it be if all the minority students in a particular college didn't have the impact of ratings or what impact would it have on disadvantaged white students? So, we're looking at that and we're still deciding, but I don't think there's any real final determination to do away with ratings until we've really analyzed it.

"The Commission will be continuing discussions and meetings as we have a lot to do between now and May. So, we will be calling you so we can continue that."

Professor Harriott: "I think it would be a shame if we did not implement some of these for the freshman class rather than continuing things which we see are unfair and saying that we can work it out later."

Dean Bugliari asked if the decisions on the financial aid package are already made for the students who will be coming in the fall of 1986.

Don Saleh said that the way the time schedule was working is that the Admissions offices are making admissions decisions right now and that the pace
will start to pick up during the month of February. After decisions are made, the Financial Aid Office is notified. He said that they had just started to review applications and that their busy time is in March when letters are mailed to students.

Dean Bugliari: "I guess that's not what I'm asking. Somebody has to decide the kind of questions that Peter has asked. Presumably, somebody last fall had to make a decision as to what would be the way financial aid would be handled for students coming in the fall of '86. Then somebody would have to make a decision this spring or this summer about what things are going to look like for the fall of '87, right?"

Professor Harriott: "No, the students aren't told when they get their letter what their financial aid package is. That decision can be delayed until April. The students don't know about the rating system, and they don't know just how much they are going to have to borrow, so it is the Admissions and Financial Aid Office that will decide very soon whether or not they are going to make any change in the policy over what they did in previous years; and I think they are still trying to make that change, and that's why it's urgent that they decide on some of these issues where we recommended changes, rather than continuing the present system or letting it change a little bit just by virtue of the fact that individual colleges may not rate so many students 1 or 3. But I think that changes should be made by the admissions group and implemented for the people coming in '86."

Don Saleh: "I think you will see that we have implemented some of the recommendations, either in full or in part this year, given that it was November when the final Commission report came out. Much as you were saying, we need some lead time, and for us to make massive changes in, for example, determining self help levels, takes quite a bit of work and quite a bit of
testing before we’re confident of where we want to be. There is going to be a graduated scale implemented for next year in self-help levels, and I think you’re going to see a difference in how we define the population that was getting self-help reductions by virtue of minority status. I would say the final decision is close, but is not made yet. That is something that is going to have to go to the Provost. In fact, we will be prepared, probably, by next week to speak to the Provost about that. So, with those kinds of things, and with the rating, I think, what the colleges are saying to us is probably 4 of the 7 colleges are essentially going to go where the Commission has said they want them to go. But the decisions are being made in conjunction with Central Admissions and with the Deans of the colleges. It’s not just admissions people in the colleges who are making the decisions. For example, in Engineering, discussion is taking place with the Dean as well as the Admissions Office. So, I do think you’ll see us making major steps in this first year, and for the four months we have had to work on the recommendations, I think those are fairly significant, and you will probably see some more next year."

An unidentified speaker: "There was a statement made in this presentation about the -- I’m not sure whether it was part of the old situation or not -- but the idea of the handling of monies by the Financial Aids Office and the Minority Office in combination or divided in some way. This was just a thought, apparently, that was discarded. To me, it seems like a very dangerous situation. I think that all financial aid should be handled on an equal basis and not set up two separate measurements for students. The Minority Affairs Office might well make recommendations, but it seems to me that the final decision should rest with the office of Financial Aid in order to preserve overall equality. This business of getting into two separate packages and two
separate ways of providing monies, seems like a very, very dangerous thing. If that was part of this whole thing, I disagree very strongly."

Ms. Pointer: "The point that had been made was more of a broad statement. What we really said was the colleges as well as the Office of Minority Affairs should be able to define for whom we want to target funds. For example, it could be that there is a disadvantaged white student who wants to major in Philosophy in Arts and Sciences, and there are so few of them that come to Cornell that the college might want to target special funds that way. But the general gist of this was that the Office not set up separate financial aid offices, that the Financial Aid Office would maintain the system in terms of packaging all of that, but there would be more input from the Minority Affairs Office as well as the various admissions offices on campus as to how we can target money. We are concerned about being equitable, fair and accessible to all students. So, I think your point was a good one."

Don Saleh: "I think that what we’re going to see this year is that the Minority Affairs Office in conjunction with Deb and the Admissions staff will make recommendations as you said on which students in the admissions process are students who are underrepresented at the University. I guess the long-term goal we are moving towards is to begin to identify students who are under-represented in the University and use those funds that have been designated for minority and low-income students in the past to help the University in the packaging of financial aid by the Financial Aid Office, and we will then use those monies for those students who have been so designated."

Dean Bugliari: "The real answer to the question then is that the Minority Office will not have a separate set of funds of its own to administer but rather they will be administered through the Financial Aid Office."

A question was asked with regard to financial aid to athletes.
Don Saleh answered that he had never seen any of the athletes receive a 3 rating, where they might have otherwise gotten a 2, because they were an athlete.

Dean Bugliari thanked the presenters and everyone who attended the meeting, mentioning that he hoped to see them at the next FCR meeting on March 12. He then adjourned the meeting at 5:30 p.m.

Respectfully submitted,

Joseph B. Bugliari, Dean of the Faculty Secretary pro tem
Suddenly, on March 12, 1986, the tape recorder which has so faithfully imprinted the mellifluous tones of faculty and administration voices over many Cornell semesters, died at its periodic home (120 Ives Hall), just as President Rhodes rose to speak. Its plucky heart was put to rest by a freak crossed circuit, occasioned, perhaps, by the impending news of drastic cuts in federal aid to higher education. There will be no calling hours. Friends may make contributions to a new sound system through the office of the Dean of the Faculty, 315 Day Hall. All gifts are tax deductible.

Secretary’s Note: Because of our technological loss, these minutes are but a pale recounting of a sometimes colorful FCR meeting in March. The Secretary asks your indulgence on this occasion. FAH

The Speaker, Russell Martin, called the meeting to order at 4:37 p.m. He then called upon Dean of the Faculty, Joseph Bugliari, for announcements.

The Speaker next called upon President Frank H. T. Rhodes

1. REMARKS BY PRESIDENT RHODES

President Rhodes spoke primarily about federal budget cuts in the research area. President Rhodes and Provost Barker then answered some questions from the floor about the cuts.

Associate Professor Ann T. Lemley, Textiles and Apparel: "I share your concern about federal budget cuts in the research area since as a researcher I worry about them, too. But I am further concerned that you did not mention the $7 million cut to Cornell Cooperative Extension in President Reagan’s FY87 budget. This represents a withdrawal of the federal partner in Cooperative Extension. Does the fact that you did not include this cut in your remarks reflect the level of Cornell’s concern about this budget item?"
President Rhodes replied that the omission of this cut only reflected his time limit, which precluded his noting everything. He went on to say that he was concerned about the cuts to Cooperative Extension at Cornell and elsewhere. The current plight in Agriculture, he said, required a strong Cooperative Extension both in rural and urban areas. The President thanked Professor Lemley for raising the question.

The Speaker next called upon Lee Snyder, Director of Personnel Services, for a discussion of Health Care costs.

2. PRESENTATION ON HEALTH CARE COSTS

Using a series of overheads, Mr. Snyder revealed the following:

HEALTH CARE COSTS

* Increasing at twice the rate of inflation.
* In 1985 [USA residents] spent $335 billion for health care.
* Health care costs are approximately 10% of the GNP.
* Cornell faculty and staff spent $7,500,000 on health care in 1985-6% of payroll.

Next, Mr. Snyder described what Cornell is doing about these costs:

* Health Care Carrier
  - Minimum premium funding arrangement
  - Utilization review
  - Coordination of benefits
* Mandatory Second Surgical Opinion
* Same Day Surgery
* Preadmission Testing
* Maintenance Prescription Drug Program
* Hospital Bill Review Program
* Consumer Awareness Program
To put the expenditures and savings into perspective, Mr. Snyder then showed three overheads reflecting (1) their endowed fringe benefits costs, (2) the use of health care dollars by type of service, and (3) a comparison of cost containment between the years 1984 and 1985. See Appendices A, B, and C attached.

Finally, Mr. Snyder outlined strategies for dealing with the health care problem.

*Prepaid health care (HMO, IPA)  
*Preferred Provider Organization (PPO)  
*Contract medicine  
*Offer an alternative plan  
---comprehensive with deductible  
*Revise premium structure to reflect family size  
*Increase co-payment of drug program

Snyder also explained that Cornell is "self-insured", which means that we pay Aetna (the present carrier) "about five percent (5%) of each claim."

The Speaker next called upon William Wendt, the Director of Transportation Services, and William Gurowitz, Vice President for Campus Affairs, for a presentation and discussion of the subject near and dear to most FCR hearts -- construction and parking.

3. CONSTRUCTION AND PARKING 1986 SCHEDULE

Many questions were asked by a number of people, including Professors June Fessenden-Raden, Charles Levy, and Ann Lemley. Among them:

What about noise during construction? (Levy)

Vice President Gurowitz replied that construction noise might mean that some classes would have to be moved. Professor Fessenden-Raden asked how
"realistic" it was to think of moving classes, and Mr. Gurowitz replied that he thought there was some latitude during certain hours.

Professor Lemley asked the following series of questions:
Will there be enough parking for people in the "blue zone"? This is the area in which most parking is to be eliminated, and very little new parking will be added.
Will there be U-pool stickers for U-zone parking? Some pools are made up of people who work in buildings which will be in different zones.
Will U stickers be valid at Helen Newman?

Bill Wendt answered "yes" to all the above questions.
The meeting was adjourned at 5:37 p.m.

Respectfully submitted,

Francine A. Herman, Secretary
## ENDOWED FRINGE BENEFITS COSTS

### MAJOR CATEGORIES

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($) 000 thousands
### Use of Health Care Dollars by Type of Service

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<td>Medical</td>
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<td>Prescriptions</td>
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<tr>
<td>X-ray/Lab</td>
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<td>Others</td>
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## Cost Containment

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<tr>
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<tr>
<td>Total Hospital Admissions</td>
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<tr>
<td>Total Number of Hospital Days</td>
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<td>Average Length of Stay</td>
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<td>Total Charge per Admission</td>
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<td>Total Number of Surgical Procedures</td>
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<td>Average Charge</td>
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<tr>
<td>% Performed as In-patient</td>
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<td>29.1%</td>
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(Population: Active, under 65)
MINUTES OF A MEETING OF THE FACULTY COUNCIL OF REPRESENTATIVES
April 9, 1986

Speaker Martin called the meeting to order at 4:30 p.m. and called on Dean of the Faculty, Joseph B. Bugliari, for announcements.

1. ANNOUNCEMENTS

Dean Bugliari urged everyone to vote in the upcoming elections. There might not be a meeting in May, he said, but if need be, there may be a short one prior to the University Faculty meeting of May 21, where retirees will be honored.

Speaker Martin: "We were scheduled to have Eric Dicke with us this afternoon to talk about the shutdown of Barton Hall for renovations during 1987. Eric had to be out of town, but we have a very capable replacement in the person of Tim Martin, Director of Architectural Services."

2. REPORT ON BARTON HALL SHUTDOWN

Mr. Martin: "I can give you the outline of this; I probably can't answer in the kind of detail that Eric could, but let me explain what the Barton project is all about and when we can anticipate shutdown for renovation there. Barton Hall renovation is a shared effort by state and endowed. We're coordinating with the State University construction fund. This project involves revamping the heating system within the building and ventilation and replacement of the playing floor. Part of the coordination with the construction fund is to minimize disruption and find alternative space for normally held events during the time of the shutdown. Timing of the shutdown is somewhat imprecise at this moment, but it is expected to occur in 1987, between April and October. There has been work ongoing with Fran Apgar who has
a large hand in coordinating events in Barton as far as finding replacement space. One of the major events we are all aware of is graduation. In the event of rain, Barton is used as a standby.

"There will be a floor in Barton Hall in June of '87. It may be a temporary one provided to cover the contingency of the Cornell University graduation. There are a whole series of other events which are now being worked on in terms of finding alternative space."

There were no questions at that time, and Mr. Martin informed the body that if there were any questions at a later time, to contact Eric Dicke in his office.

3. PRESENTATION OF SLATE OF CANDIDATES

Dean Bugliari presented the Slate of Candidates for approval. The Speaker then asked for any further nominations. There being none, the slate was approved as distributed (see Appendix A, attached).

Speaker Martin: "The Chair next calls on the Dean for presentation and vote on the resolution on the proposed Integrity Policy Statement."

4. INTEGRITY POLICY STATEMENT

Dean Bugliari: "Let me make a couple of comments. You will notice that this statement is intended to be legislation from the faculty, and we are going to ask for a vote. I would also call to note that there are three or four other items on the agenda for discussion only. The reason for that is we felt that before either the Trustees or the Administration put those policies into place, it would be a good idea to have an opportunity for the University Faculty and the FCR to discuss those.

"All of this material, whether up for a vote or for comment, has already been worked over by the Committees on Academic Freedom and Responsibility and Research Policies. Professors Sydney Shoemaker and Stephen Ceci, who are
co-Chairmen of the Academic Freedom and Responsibility Committee during the past year and Wesley Gunkel, Chairman of the Research Policies Committee, are here to answer questions. In addition, the Provost, who has been involved back and forth on these proposals, is here, and I expect the Vice President for Research, Joe Ballantyne, to be here, too.

"Let me say something first about the Integrity Policy Statement, which is the document before you. This came about, I think, at the suggestion of Provost Barker and some other people, that in fact we needed such a statement to be in place. About the time that people were talking about it, we also discovered that the NIH required some sort of a policy statement. At that point there was an added incentive to produce something, and it was a product of the combined activities of the Academic Freedom and Responsibility Committee and the Research Policies Committee.

"We tried to make it as simple as possible. Our intention is not to create a new system, but merely to create a sort of screening process up front, and then use the existing systems that we already have after we got past that point.

"Just a couple of other notes. I got a call from the Medical School, and, believe it or not, they want to be included under this proposal. They have asked, if we approve it today, that we make them subject to it also, providing that I would have the opportunity to put somebody down there to act for me so I don't have to go down to New York City. Presumably, then, somebody who is a member of their faculty organization down there would act as the screen in the Medical School. You can't have the dean do it because he is the person who would be involved in the process. So, I would ask that we also understand, I hope, that the Medical School will be bound by it, too, at least that is what they said they wanted, subject to having a deputy for me down there.
"Lastly, of course we sent this out to all of the Faculty, and I received a number of proposed changes, most of them I took to be 'friendly' amendments. I hate that term, but I guess that is what you have to call them. What you see before you if you picked up a copy today is the process of indicating where we were, what we dropped and what we added, and I'd like to go over those with you." (See Appendix B attached.)

The Dean, on behalf of the Committees on Research Policies and Academic Freedom and Responsibility, moved the following resolution:

WHEREAS, a proposal to establish an Integrity Policy Statement has been prepared in conjunction with the Committees on Academic Freedom and responsibility and Research Policies, and
WHEREAS, said committees have reviewed and approved said Integrity Policy Statement, therefore,
BE IT RESOLVED, that the FCR adopts the Integrity Policy Statement and that it be effective immediately.

Professor Raymond T. Fox, Floriculture and Ornamental Horticulture: "I was just wondering regarding the third page where there is a review because of probable cause having been established, the person then has to defend himself or herself at their own expense. Now, that would be fine in my mind if the person was judged guilty, but if the person is not guilty, then it seems to me that this is an unfair expense to that person."

Speaker Martin: "Professor Fox, before we get into this, perhaps we ought to take care of the two other items here, and that has to do with the editorial changes that have been made on the copy you have today plus the reference to the Medical School. Are there any objections to incorporating those?"

An unidentified speaker questioned the coverage of graduate students, referring to page 2 where it says: "This legislation does not cover
undergraduate, graduate or extramural students..."

Dean Bugliari: "That's only to the extent that they are already covered by the Code of Academic Integrity. If a graduate student is involved with a class problem, they they would come under the Code of Academic Integrity. That's the way it is already, and that is why that was put in there to clarify that. If it's something that involves research that's not covered by the Code of Academic Integrity then they would come under this legislation. If a graduate student was taking someone's course and were caught in a violation, they would proceed under the Code we've already got. We don't want to give them two alternatives."

Professor James W. Gillett, Natural Resources: "If that's true, then this applies only to academic integrity relative to research. A student employee who does not have an academic appointment by the University who was involved in fraud and misrepresentation of data would not be covered by this, and they wouldn't be covered by the student conduct code, either, would they?"

Dean Bugliari: "I guess since our area is academics and we have jurisdiction over academic people and not over non-academic people, I'm not sure that we can do anything. I'd ask the Provost if he has any feeling on that, but our feeling was that we, as the Faculty, had jurisdiction in the area of academic matters but not necessarily in the area of people who are non-academic. That's why we tried to limit it to people whom we thought we had something to do with."

Provost Robert Barker: "I think that the phrase '...a member of the staff of instruction and research...' would be covered if the graduate student were employed as a member of the staff of research."

Speaker Martin: "Is there further discussion relative to these editorial changes?"
Secretary of the Faculty, Francine A. Herman, Hotel Administration: "I have a very friendly amendment about an unfriendly comma. Sixth line from the bottom of page 3, would you take the comma out, please?"

Dean Bugliari agreed, and since there was no further discussion regarding the editorial changes, Speaker Martin announced that the changes would be adopted in the Statement.

The Speaker then asked for comments relative to incorporating the Medical School.

Professor Walter R. Lynn, Director, Program on Science, Technology and Society: "This really confuses me. The Medical School certainly can adopt this legislation for its own faculty. Why include it, when, in fact, there have been efforts made to separate it in a variety of senses. Why it would choose to be included in this context, I don't know, and I don't know what the role of the Dean is. Does the Dean have any stature in the Medical School Faculty?"

Dean Bugliari: "I got a call from Joanne Blauer who said she had talked to both Dean Horecker and Dean Meikle, and they felt this should be one University policy, and it ought to cover them, too. I had not even thought that they were going to do it. They deliberately called and said that as long as they could have the option of adding a footnote that would provide for somebody down there, they would like to be included. They have the problem of complying with the NIH, also. They felt this really doesn't take anything away from their autonomy because it leaves everything right down there with them."

Professor Lynn: "My objection is just a matter of form. I don't object to the Medical School being included. It's a question of deciding what they are included in and what they are not included in, rather than doing it on an ad hoc basis."
Dean Bugliari: "I felt that if they wanted to be included, I don't see why we should tell them they couldn't join the party. I was expecting them to say they didn't want to be included and got a completely different response. I'm puzzled, too, Walter, but at least if they want to be, let's allow them to be. That's my feeling."

A question was asked as to whether this was the decision of the Dean or the Faculty. Dean Bugliari replied that it was the two Deans, Horecker and Meikle, and he stated that he would like the body to feel that if the Medical School wanted to be included that they should be and that everything that could be done to promote this type of thing in some areas is a good idea.

Associate Professor Alan K. McAdams, Johnson Graduate School of Management: "Who speaks for the Faculty of the Medical School?"

Dean Bugliari: "I assume that the Deans either had the concurrence of the Faculty or had better get it. What I really wanted from this body was the understanding that if they, including their Faculty, wished to join us we would embrace them under this with an appropriate footnote to put the right person in place down there. If they don't want to join us, then we will go our own way. I didn't think it would be fair to have you suddenly find out we had included them."

Professor McAdams: "So this is permissive and not binding?"

Dean Bugliari: "I hope you are right, Alan, that if the Faculty down there think that this is not at all a wise thing for them, then let them go back their own way and not be forced to come under this."

Speaker Martin: "The assumption is that the request would be approved, is that it?"

Dean Bugliari: "That's right. I got the impression that they were in favor of and supportive of it."
There was no further discussion, and Speaker Martin asked the body to vote on incorporating the Medical School in the proposal. It was voted on and carried.

Dean Bugliari: "Professor Fox asked an interesting question. One of the problems, I think, and I'll let the Provost get into it, too, is that we didn't know what the answer to your question was, so we deliberately put the phrase that you see before it, and another battle will come another day as to what that phrase means. I will tell you quite frankly that the Counsel's Office had a little bit of misgiving about even including that phrase, and I think our Committees, and particularly myself, felt that we ought to leave it in there and go back to battle. I guess my personal feeling is that there ought to be some coverage in certain kinds of situations where a person is found absolutely innocent of an absolutely baseless charge and has to run certain expenditures. But you see we've deliberately left that issue in there, although I'm quite sure we haven't resolved it, and in that sense the Committee on the Professional and Economic Status of the Faculty is working on some revisions of the Indemnification Policy. I'm sure that will be one of the issues that comes up in that Committee, but I'll let the Provost speak."

Provost Barker: "I don't think there is anything else to add to that. This phrase says that if there are any rights under indemnification, they would apply, but that is going to have to be the judgment in each particular case because in the process here, the University starts by basically being the accuser, if you will, that fraud has occurred, and so at least at the front end, indemnification by the University is inappropriate. But if, as was said, the person were found to be innocent of the charge, then indemnification may be appropriate, and that's what the phrase was intended to convey. I think each individual case will have to be examined."
Professor Howard C. Howland, Neurobiology & Behavior: "I want to speak against the motion. Let me say I'm not against academic integrity. I'm very much for getting a carefully worked-out statement that will stand a test. I really think we are talking about very serious business here. I think that this statement is going to be looked at by lawyers. It may even appear in the national press, if past experience is any indication of what might happen. So, I'm very concerned that we get the wording of the statement right.

"The paragraph I have problems with is one small paragraph entitled 'Academic Fraud or Dishonesty.' What I want to do now is focus your attention very carefully on the wording of that paragraph and show you where I think we can get into trouble with it.

Professor Howland read the paragraph. He went on to say: "I have no objection to the first sentence. The sense of the following text is to define by important examples how one can violate these standards of integrity. The text continues, ‘...This includes, but is not limited to, plagiarizing the work of others, i.e., intentionally or knowingly representing their words or ideas as one's own...’ Here I have a minor objection. I think that if you look into the definition of plagiarism, plagiarism includes stealing, and I think stealing should be in there explicitly. The text continues ‘...Willful failure to acknowledge or credit the work of others...’ Here we get into a difficult area. I think that the authors of scientific papers often knowingly fail to acknowledge or credit the work of others because they don't think that the work is worthy of citation. Generally, these authors are not on campus, but were they, it would certainly be a very embarrassing event to have the case brought before the Dean every time one of the authors becomes offended. Well, you may say, 'that's not what we meant.' But I don't really know what it means, and I think it has to be very specific."
"The text continues ‘...Deliberate falsification, fabrication, or wrongful manipulation of data, citations, or information...’ Wrongful manipulation of data, could be not taking the advice of a statistician, and if that's true, I think a lot of us are guilty of that. Let me tell you where I'm coming from. I come from a laboratory where things are hotly contested. I deal with research colleagues, and we fight to get good papers out on time, and it seems often get involved in these kinds of arguments. So, please, if you are not with it, stretch your imagination a little bit and see what sort of cases can be brought under these regulations.

"The document continues ‘...Forgery of academic documents; the abuse of the confidentiality of information obtained from colleagues or other persons...’ And here again, I think the net is cast too broadly. I can see that the abuse of confidentiality of information obtained from other persons may be a heinous crime, but it doesn't necessarily constitute academic fraud. I could imagine a situation somewhere where it did, but it is not captured specifically in that statement. I think the wording is too broad. The text continues ‘...Intentionally or knowingly helping another to commit an act of academic dishonesty or fraud, or otherwise facilitating such acts...', I have no objection except for the objection to the original definition. But then I come to a very substandard disagreement with the last statement, ‘...and the intentional or knowing failure to comply with established policies governing research and its publication.' Now, I don't think that necessarily constitutes academic fraud. Let me give you two examples. I'm glad you mentioned the Medical School because they tend to run on a more authoritarian standard. One example might be a research director in a laboratory saying, 'Every student who publishes a paper - undergraduate, graduate or postdoctoral - will submit the paper to me before it's published.' That is an established research policy,
and so somebody publishes a paper, maybe a postdoc publishes work that he did somewhere else, and the professor gets angry.

"There are loads of arguments that are going to come up potentially in front of the dean under that sort of definition of academic fraud. As a second example, and one that is close to home: We now have a very large number of regulations from NIH on animal welfare. Some of those regulations are absolutely silly. They concern not keeping more than one species in one room at one time. Fortunately, that doesn’t happen in zoos and fortunately, that doesn’t happen in nature, but that’s the regulation. I may have deliberately violated that policy. Because we are not clearer in our intent, I believe occasions could arise under this language that are so severe and so serious that it might be impossible to submit a piece of prose that this faculty could immediately agree upon."

Professor Lynn asked the status of a University Faculty member making amendments at this state.

Dean Bugliari: "You can speak and, hopefully, convince some other member of the FCR to make an amendment."

Professor Lynn: "One of the interesting situations that Howard brings up is that if you deleted all the material after the word ‘this’ in the second sentence to the end of that paragraph, what it does is in fact make the statements about dishonesty and fraud and avoids the truly uncomfortable set of words like ‘willful, deliberate, wrongful, abuse, intentional, knowingly,’ all of which are open to wide interpretation. I admit that the committee obviously worked hard to give people an impression of what was intended by this, but I think Professor Howland’s point is well taken. In the act of doing that, it also confuses the situation."
Dean Bugliari: "I think maybe Professor Shoemaker would at least like to comment."

Professor Sydney S. Shoemaker, Philosophy: "I wish I had an earlier draft of this because we were urged to expand this paragraph, but I am not a member of this body, so I cannot make amendments. It seems to me that some of the objections could be removed, and I agree that the phrase 'wrongful manipulation' is too vague, but I think if you remove that phrase and if you simply remove the final clause after the last semicolon, the most substantial objections would be removed, and I urge somebody to move that amendment."

Speaker Martin asked if there was a member of the FCR who wished to move that as an amendment.

Associate Professor Nicholas Sturgeon, Philosophy, moved the amendment. There was a request to have the amendment repeated.

Professor Shoemaker: "I suggest that we remove the words 'or wrongful manipulation' in the sixth line down of the third paragraph and that we remove the final clause 'and the intentional or knowing failure to comply with established policies governing research and its publication.'

The amendment was seconded, and the Speaker asked if Professor Sturgeon wished to speak to it.

Professor Sturgeon, Philosophy: "I thought that what was said on its behalf was adequate."

Associate Professor Henry H. Hagedorn, Entomology: "I'd like to speak against the amendment. I agree with the earlier speaker that the remaining paragraph after the word 'this' should be eliminated. I don't see that removing those few phrases is going to help that much. For example, the phrase 'the abuse of the confidentiality of information' is a weird statement. I don't know what that means. I don't, in fact, see sense to the whole thing.
Exactly what are we trying to achieve by putting down this set of examples?" Professor Hagedorn then concluded that the "first sentence" seemed to be all that was necessary.

There was no further discussion, so the amendment was voted on. A standing count had to be taken, and the amendment was approved with a vote of 29 in favor to 21 opposed.

Professor Gillett: "To what extent would personal actions or actions of administrators apply to the first sentence of this paragraph we're discussing? What would happen, for example, if a director, dean, or department head were to call up an old buddy colleague and have some action taken against a colleague about a private dispute within the academic ranks or if an administrator were to take an action in calling an old friend who is a publisher, an editor of a manuscript, and the manuscript is either withheld or altered as a personal favor?"

Dean Bugliari: "It doesn't sound very honest to me to do something like that. One of the things I think you have to understand is that no matter what we do, if we just leave the first sentence, there are obviously going to be judgment calls that somebody is going to have to make. I guess my role, as I see it, is basically the gatekeeper; to make sure that somebody isn't charged with something that is absolutely fabricated, and also at the same time, to protect people who want to bring complaints against somebody, particularly junior people who might have a complaint against a senior person. Now, once it gets past there, then it goes back to the college and presumably the people in the colleges are going to have to decide how to handle each one. That is one of the niceties of the system because each college deals with its own people, just what I think we should do at this institution, but it seems to me that if somebody came to me and said that, 'Look, I have a problem. I wrote
this article for the paper, and my dean called the publisher. It seems to me that that is not quite right. I would have no problem with sending it somewhere else where perhaps something could be done."

Provost Barker: "I was present at the discussion of this statement more often than I care to remember, and I think the idea of trying to include some example to make it more useful to people who are reading this for the first time, was intended to have some instructional value. For example, the case that Howie cited in which a person signs that they are indeed living up to federal regulations with regard to animals and then don’t. Well, that’s just plainly against the law, so I’m not too concerned about crossing it out because we can put such a person in jail, I suppose, if we want. I think it’s very important to have somewhere some of the things which constitute academic fraud, whether it’s in this document or elsewhere, and I think that’s the reason for a partial listing and using the words ‘includes, but is not limited to’. Joe is right. The Dean of Faculty ends up as being the person who really has first-line duty to interpret whether an act is fraud or not."

Professor Hagedorn: "I guess it would help me a bit if we took out the part of the sentence that says ...‘the abuse of the confidentiality of information obtained from colleagues or other persons.’ As Dr. Howland said, that probably isn’t academic fraud. It is often difficult to know what is meant by confidential information. Furthermore, I am not so sure that in an academic environment ideas shouldn’t be openly discussed and I am uncomfortable with exactly how that relates to this.

Provost Barker: "One of the worst instances nationally of academic fraud was just that; someone received a paper for review and then used it as though it were their own, and it certainly was confidential information. I mean everybody understands that when they receive a paper for review. So, they
received confidential information and repackaged it and got it into press before the person who had really done the work. It was that incident which gave rise to the strong interest by NIH that institutions would in fact want to define some of those things as academic fraud and have some mechanism for dealing with them. I think much more difficult issues come up, as, if you are having a cup of coffee with a colleague and they convey something to you about the work that they did yesterday in the lab, we have a shared view of whether that is a confidential or a privileged communication and whether you are then free to go and use that for any purpose whatsoever. I find that there is a big difference of opinion about that kind of thing. But I think in the case of something which clearly you accept as confidential and then misuse, then it falls within the definition of academic fraud."

An unidentified speaker said it sounded like the examples cited fall under the category of plagiarization and might cover some of the more severe cases.

Provost Barker: "I think plagiarization would be from already published work, and the kind of thing we are talking about is confidential because it isn't published."

Assistant Professor P. Steven Sangren, Anthropology: "As I understand plagiarism, it would cover that kind of situation, and the ambiguity involved in confidentiality is insignificant, so I don't think plagiarism is understood to apply only to published documents."

Professor Hagedorn: "I was wondering if you couldn't write that in such a way as to make it more clear to fit the case that the Provost mentioned."

Associate Professor Larry D. Brown, Geological Sciences: "Can allegations arise from outside the University community?" (The answer was 'yes'.) "In that case, I would think the phrase 'willful failure to acknowledge or credit the work of others' would be one of the more serious ambiguous phrases."
Dean Bugliari: "I don’t disagree, but we’ve had situations where there are claims between people; we’ve got things going where in fact authorship is disputed, and one person claims they willfully left him/her off as co-author of an article. Now, it seems to me that if we are talking about the merits of who wins and who doesn’t, that’s another question, but that’s a disputable question that somebody ought to look at."

An unidentified speaker: "To the Dean’s point, it seems to me that such disputes do arise and they are frequent, and should be resolved by a process which doesn’t necessarily accuse somebody of academic fraud."

Assistant Professor Timothy C. Murray, English: "I would also like to address this phrase ‘willful failure to acknowledge or credit the work of others.’ In the humanities, that would constitute not footnoting any given number of authors who might have happened to have written on the same subject, and it’s almost a mere impossibility."

Dean Bugliari: "As the gatekeeper, I would assume that an explanation that says, ‘look, there are 40 authors I could have cited here, and this person claims they are one of them.’ I could never consider that to be willful. I realize that may not solve the problem completely."

Professor Murray: "Linguistically, there wouldn’t be such a thing."

Assistant Professor Cynthia Chase, English: "I guess the point is then of the appropriateness of its coming up in the context of academic fraud. That is a charge context for that question."

Joseph M. Ballantyne, Vice President for Research and Advanced Studies: "It seems to me that all of these examples given in the latter part of the paragraph only serve to modify the sentence. The criteria used in any judgment would be whether that act violated the standards of integrity that were accepted in that field. Hence, I think it’s easy to get caught in the trap of
trying to construct all sorts of things which might fall under the details of the work but would not violate the standards of academic integrity."

An unidentified speaker: "Perhaps this problem can be resolved by the second sentence, to say 'This may include'. The point that is being made here is that it depends on the circumstances whether these things are or are not violations of integrity.

Professor Lynn: "It seems to me that the point is being made that the intent of this legislation is not in dispute, it is the way it has been carried out. In deference to Mr. Shoemaker and his committee, in attempting to lay out in detail which will clarify, it simultaneously obfuscates the problem. The point has been made again that, in fact the Secretary is now creating a legislative history which I presume in some way will explain what the concerns are, and that's important. I'd like to convince Mr. McAdams or anybody else to delete the balance of that paragraph, but some way to include it parenthetically as simply describing a struggle that's involved in attempting to articulate these differences in detail. And it gets lost in the shuffle. There are just too many forms that have come out in this meeting, confusion in what should be included or not, and I think the purpose intended is lost in the final analysis."

Dean Bugliari made a motion to add "could include". "You could even put a bracket around it, but to some extent I think the idea that the Committee spent all this time was, as the Provost suggested, to have some guidance for somebody."

An unidentified speaker suggested if that change were made then the words "but is not limited to" should be eliminated.

Associate Professor David C. Heath, Operations Research and Industrial Engineering: "I'm speaking against the amendment. I would like to suggest
that it will be very difficult for us as a group to write something which makes sense by attacking it in little bits and pieces, and I would, therefore, suggest that we not amend it any further, and for that reason I would like to see this amendment defeated."

The amendment was voted on and passed.

Professor McAdams: "I will now succumb and move that we delete all after the first sentence in the paragraph."

Speaker Martin: "In other words you would eliminate everything under that Academic Fraud or Dishonesty paragraph except the first sentence. Is that correct? Do you wish to speak to it, Professor McAdams?"

Professor McAdams: "I do feel that it could be possible to offer some verbiage in the way of a footnote, but to make it a part of the Policy Statement itself, I think, opens the question to all those matters that we have been discussing, many of which I find very persuasive after listening to my colleagues."

An unidentified speaker: "I'm opposed to the amendment on the ground that it seems important to include examples. It seems to me there are two options here. One is to try, as we've been doing in pieces, to write an all-encompassing piece of legislation, and that's very difficult. If we think that we can't write an adequately worked-out list here, the alternative ought to be to send the motion back to the Committee and have it worked out. I do think that the examples serve a purpose, so I would be opposed simply to leaving the examples out."

Professor McAdams: "I would accept that as a friendly amendment..."

Speaker Martin: "The Chair begs to interrupt. I was ordered a number of years ago that in this body there is no such thing as a 'friendly amendment'..

Professor McAdams: "Well if there were, let me tell you what I would
like. I would have accepted a friendly amendment which said that in a footnote. The Committee should include some illustrative examples.

Speaker Martin: "You are eligible to make an amendment to the amendment to that effect, if you wish."

Professor McAdams: "I can amend my own?"

Speaker Martin: "Yes."

Professor McAdams: "I just did."

The amendment to the amendment was seconded.

An unidentified speaker said it sounded as if it requires the document to go back to the Committee. If that's right, then it would have to come back to this body for approval anyway.

Provost Barker: "I think that if there were a footnote written, it could come back, but if the amendment to the amendment took place, we would at least have a policy in place following this meeting, and the wording of this specific footnote could then be reviewed and discussed at a subsequent meeting. Personally, I do think we need some discussion, not on the wording of these things, but what we really think is academic fraud."

Associate Professor Gary M. Dunny, Veterinary Microbiology: "I'm confused. Are you proposing to include everything after the first sentence as the footnote, or are you proposing that a footnote be written of unspecified content?"

Professor McAdams: "What I'm proposing is that we modify the Policy Statement deleting all but the first sentence in this paragraph, that a footnote be created by the Committee and let that footnote come back at a later date for final approval."

Associate Professor Stephen Ceci, Human Development & Family Studies: "As a member of one of the committees that has seen this document for the past
several months, I don’t think if it’s sent back to our committee, we will, quite honestly, be able to do a whole lot better than what you’re looking at, and I think the reasons are that on the one hand we recognize that the disciplinary differences which all of us have, have differential interpretations of many of these illustrative examples. On the other hand, we are cognizant of the need to provide something more concrete than just the opening sentence, and for that reason, I think some of us felt that separating the preamble from the procedures represented a reasonable protection. While we may disagree with the violation of citation or crediting the work of another depending on our discipline, after all the final arbitration of those is going to be interpreted by people who presumably have expertise within the given discipline. So, I for one don’t think that our committee is ever going to be able to write illustrative examples that will apply to cross all fields. Nor do I, by the way, see the need to do all that."

Professor McAdams: "I think you have just done it. Your preamble, the first two sentences of which you spoke, I think, would be an ideal introduction to the footnote, and in that context, I think we would have a much more useful document, but you have made a series of distinctions which makes it difficult for any set of words to apply across disciplines, and I think that should be incorporated in your footnote, and I think our Secretary along with our sound system have picked up some very useful information."

Professor Gillett: "Are there any published written standards of integrity in the conduct of research?"

Provost Barker: "There are for other institutions."

An unidentified speaker said he wasn’t clear as to the difference between writing the examples in the middle of the page versus the bottom of the page.

Dean Bugliari: "My assumption as to where we would be if we adopted all of
this is what the Provost said. If we could adopt this document subject to adding a footnote later that would to explain everything that comes after communication. My personal feeling is that 'could' did that anyway, but that's the difference that we may have."

The comment was made that it is going to look peculiar to have a section which has one sentence and then a footnote. If that sort of modification is made, something else ought to be changed as well.

Provost Barker: "I agree with the last remark that we should remove the title, 'Academic Fraud and Dishonesty,' which is fairly close to being an editorial kind of thing. Also, I think the discussion has been very useful because I identified two elements in the illustrations. One are things which are clearly academic fraud in anybody's definition, such as plagiarism, and I think no one doubts that. The other areas are ones where an act may be academic fraud, including those which were spoken of earlier and we deleted. In those areas, I think we could perhaps use that approach in clarifying the illustrations also, that some things definitely are and some things may be."

An unidentified speaker: "It seems to me that to refer this back to the committee to write a footnote is certainly something we shouldn't be doing at this stage after all this effort, so I am speaking against that. Time is short, and it seems to me by putting in a 'could' provides enough flexibility to avoid the real difficulties that were stated by others."

Speaker Martin: "The Chair would remind you there are three other items for discussion, not for vote, that are on the agenda, and we have twenty minutes to go before our mandatory adjournment. Are you prepared to vote on the amendment to the amendment which refers to the footnote moved by Professor McAdams?"
The amendment to the amendment was voted on and defeated, and Speaker Martin then went back to the amendment, which was to strike in that paragraph on page 1 everything following the first sentence.

The amendment was voted on and defeated.

Speaker Martin: "We are now back to the original document as previously amended. Any further discussion before we vote?"

An unidentified speaker: "I'd like to second Provost Barker's comment, but I'd just like to make another statement in support of striking more needless examples and that they really serve as a tool for abuse of the document itself. I think one of the dangers of a statement is that it is abused by people who bring frivolous or nuisance cases up and by including examples, those kinds of people with a tool to bring those kinds of cases."

Dean Bugliari: "The purpose of the screening was to stop them. They might think they had some basis for at least coming down and talking about it, and I don't think you're going to stop that, anyway."

Professor C. Eugene Ward, Naval Science: "This might be the appropriate time to look at procedures that are being used. I just wanted to ask the Committee if the reports that you are going to receive are going to be written or oral?"

Dean Bugliari: "I think that depends on each case. Sometimes I'd require it to be in writing. Other times I'd talk to people. I suppose if it really comes to the point of referring to somebody, I'd want a written statement from them that that was their decision."

Speaker Martin: "If there are no objections, we shall proceed to vote. (There was an objection).

"There has been an objection to moving the previous question. All in favor of the previous question which will close debate, say aye."
The previous question was voted on and defeated.

An unidentified speaker: "I just wanted to ask if the various deans have signed on to this document and are prepared to assume the responsibility. It could be done differently by a subcommittee. He is being put in the position of being both judge and jury."

"The deans have all seen it. Then there are faculty grievance procedures in each of the colleges, which a person would presumably go back through to contest whatever decision the dean made. Those procedures are all in place. The beauty of the system was we did not have to create a new system."

Associate Professor David A. Young, Director, Bailey Hortorium: Is it possible to make another motion? As I read this now, with the deletions, the only one that I have a problem with is 'willful failure to acknowledge or credit the work of others.'"

Professor Young moved that that statement be deleted.

Provost Barker: "Is the intent of the amendment to state that that never could be?"

Professor Young: "No."

Provost Barker: "If it is preceded by the word 'could', it would say that it didn't have to be, but deleting it, I imagine that would imply never could be."

Assistant Professor Gary C. Bergstrom, Plant Pathology: "I think the fact that 'is not limited to' is left in there should answer that question."

The amendment was voted on and passed. The document was voted on, after the part which was changed was read by Dean Bugliari: "This could include, but is not limited to, plagiarizing the work of others, i.e., intentionally or knowingly representing their words or ideas as one's own; deliberate falsification or fabrication of data, citations, or information; forgery of
academic documents; the abuse of the confidentiality of information obtained from colleagues or other persons; intentionally or knowingly helping another to commit an act of academic dishonesty or fraud, or otherwise facilitating such acts."

Professor McAdams: "If I could offer an amendment, I would offer the amendment to delete 'the abuse of the confidentiality of information obtained from colleagues or other persons.'"

The amendment was voted on and defeated.

The Integrity Policy Statement, as amended, was voted on and passed (Appendix C, attached).

5. DISCUSSION OF CONFLICTS POLICY, INTERNATIONAL HEALTH AND SAFETY POLICIES AND STATEMENT ON NON-UNIVERSITY USE OF UNIVERSITY FACILITIES (Appendices D,E,F attached)

Dean Bugliari: "The other three documents before us, which are the Conflicts Policy, the International Health and Safety Policies, and the Statement on Non-University Use of University Facilities, are really not something that we are being asked to vote on. We are being asked to comment on them. I’ve already received some comments in writing from some people, but I think we now have twelve minutes, and we have the Vice President for Research and the Provost here, and I think we could use the twelve minutes for any kind of comments that you might direct to them about these documents. They also have gone through the same two committees, both the Research Policies Committee and the Committee on Academic Freedom and Responsibility."

Professor Lynn: "I would, first of all, want to commend the Administration for preparing what appears to be a basically workable policy on the conflicts-of-interest, and the only comment I would make, as it seems to be largely advisory to the Faculty, is the interesting question of whether a
conflicts policy would be best handled by a division of these conflicts according to whether they are faculty, staff, or other individuals. In a truly professional sense, it seems to me that the faculty ought to be dealing with conflicts of interest problems of the faculty. What happens if such things arise with the staff?

"You know that time relates to the character of the disclosure. In some way conflicts-of-interest largely apply in a public sector. Individuals entering into government with the possibility of having previous activities or current activities from which they could benefit directly by their association in the political process, may have a conflict-of-interest and rules pertaining to that via Congress and other bodies are a matter of procedure and law. In this body we do not have that. The instrument using disclosure as a remedy in the sense of anticipating and requiring individuals within a body to expose their difference is in fact viewed as being a constructive instrument. What form that takes is in fact important and how public that is is also important. So, it's clearly in the public sector. If that's the paragon, if that's the basis of which disclosure is important, those conflicts of interest are a matter of record, and they are available for discussion. This document doesn't deal with that; it deals with the question of any disclosure that took place and perhaps some improvement in the character of that disclosure. The Board of Trustees, for example, has a very explicit form for a disclosure statement, in which a poll is taken and explicit questions are asked. This document makes no reference to that for faculty members."

Professor Murray: "I have a very vague comment to make about the Conflicts of Interest Policy which is vague, but it has to do with the broad inclusion of spouse, children, family and friends, etc., and it seems to me that the implication behind this is that this is a document modeled on single,
head of household income in a large frame. What I am wondering is what are the implications of this document for spouses not employed by Cornell living in a small area such as Ithaca who are perhaps attaining financial independence? The question that I just have to pose is, does this imply that spouses must fully disclose all of their business engagements to the University before they can enter into this with the University?"

Provost Barker: "I think not as long as the University-employed spouse is determining what that business is and what compensation would be for it. That's when there would be a conflict, and in discussing this with some of the staff, that was the kind of problem that one spouse had because of a catering business. The other spouse was employed by the University and was in a position to hire the catering business on occasion, and the question should then be made clear to that person’s supervisor that one of the options was to hire the spouse, so that’s the kind of thing which I think needs disclosure, but it doesn’t imply that all disclosure of a spouse’s business is a necessary thing. Only if that spouse is going to do business with the University in a connection which involves the University employed person."

Associate Professor Richard Schuler, Civil & Environmental Engineering and Economics: "I have two minor, nit-picking points, but I think that they could be misconstrued in what I see otherwise as an excellent document. On Attachment A, the first page, the last whole paragraph: ‘...and a company in which the member is financially interested...’ Couldn’t that be construed to be just a stockholder? I don’t think that’s what’s really intended there, maybe some wording such as ‘a substantial financial interest’, and I think that is probably the intention of that language.

"The second comment is on page 5 of Attachment A, example 9. Could that
not be construed to say you couldn’t serve on a panel at NSF if any other member of your department received a grant from NSF, for example?"

Provost Barker: "In this case, the intent was to refer to one’s involvement in corporations rather than NSF."

Professor Schuler: "Again, perhaps it might be well to make that clear."

Provost Barker: "We’ll look at them."

Professor Lynn: "I just thought I’d call attention to the fact that the Administration in concocting this document chose to separate the examples, literally by calling them attachments from it’s Conflicts statement, including deference to Professor Schuler, they do have that standing, and they have the same problem. By trying to explain them, it also raises lots of questions as to what the intent is, but it’s more valuable in the sense that it is an attachment. It is not part of the document, and it stays that way."

Dean Bugliari: "Before we quit, I’d like to thank both of the committees that worked on all of these documents and also to say at least with respect to the other three, any comments that you have that you’d like to make after you look at these documents and would like me to relay to the Provost or to the Vice President for Research, I’d be glad to do so. And you are, of course, equally free to send them directly and avoid the middle person. I’ve saved some here that I’m going to hand out in just a minute that I got from other of our colleagues who couldn’t be here today.

"I thank you all for coming."

Speaker Martin adjourned the meeting at 6:00 p.m.

Respectfully submitted,
Francine A. Herman, Secretary
REPORT FROM THE COMMITTEE ON NOMINATIONS AND ELECTIONS
SLATE OF CANDIDATES
(all terms commence on July 1, 1986 unless otherwise stated)

FACULTY TRUSTEE - 1 vacancy, 4-year term

J. Robert Cooke, Professor, Agricultural Engineering
Tove Hammer, Associate Professor, I&LR
Faust P. Rossi, Samuel S. Leibowitz Professor of Trial Techniques

AT-LARGE MEMBER, FCR - 3 vacancies, 3-year term

James A. Dunn, Professor, Education
Ronald G. Ehrenberg, Irving M. Ives Professor of I&LR
Nelly Furman, Associate Professor, Romance Studies
Isabel V. Hull, Associate Professor, History
Ellis R. Loew, Associate Professor, Physiology

MEMBERSHIP OF THE UNIVERSITY FACULTY COMMITTEE - 1 vacancy, 3-year term

James W. Gillett, Professor, Natural Resources
Carl A. Gortzig, Professor and Chairman, Floriculture and Ornamental Horticulture

NOMINATIONS AND ELECTIONS COMMITTEE - 3 vacancies, 3-year term

Kraig K. Adler, Professor, Neurobiology and Behavior
Ralph Bolgiano, Jr., Professor, Electrical Engineering
Alan Dobson, Professor, Veterinary Physiology
James J. Eyster, Professor, Hotel Administration
Paul R. Mcisaac, Professor, Electrical Engineering

REVIEW AND PROCEDURES COMMITTEE - 3 vacancies, 3-year term

Jonathan Culler, Class of 1916 Professor of English; Director, Society for Humanities
Alan J. Hahn, Associate Professor, Human Service Studies
Anthony M. Petrovic, Associate Professor, Floriculture and Ornamental Horticulture
Ronald L. Seuber, Assistant Professor, I&LR

ACADEMIC FREEDOM AND RESPONSIBILITY COMMITTEE - 3 vacancies, 3-year term

Dale A. Oesterle, Associate Professor, Law
George J. Posner, Associate Professor, Education
Peter Schwartz, Assistant Professor, Textiles and Apparel
James S. Thorp, Professor, Electrical Engineering
Thomas C. Weiler, Associate Professor, Floriculture and Ornamental Horticulture

ACADEMIC PROGRAMS AND POLICIES COMMITTEE - 3 vacancies, 3-year term

Wilfried H. Brutsaert, Professor, Civil and Environmental Engineering
John F. Burton, Professor, I&LR
Molly P. Hite, Assistant Professor, English
Ann T. Lemley, Associate Professor, Textiles and Apparel
Kenneth A. Strike, Professor, Education
Winthrop Wetherbee, Professor, English and Classics
ADMISSIONS AND FINANCIAL AIDS COMMITTEE - 1 vacancy, 3-year term

Jennifer C. Greene, Assistant Professor, Human Service Studies
Timothy C. Murray, Assistant Professor, English

BUDGET COMMITTEE - 3 vacancies, 3-year term

Roger Battistella, Professor, Human Service Studies and JGSM
Paul M. Kintner, Associate Professor, Electrical Engineering
Philip E. Lewis, Professor, Romance Studies
Robert S. Smith, Professor, I&LR

FREEDOM OF TEACHING AND LEARNING COMMITTEE - 1 vacancy, 3-year term

Susan Buck-Morss, Associate Professor, Government
James R. Houck, Professor, Astronomy

FREEDOM OF TEACHING AND LEARNING COMMITTEE - 1 non-tenured vacancy, 3-year term

Risa L. Lieberwitz, Assistant Professor, I&LR
William D. Philpot, Assistant Professor, Civil and Environmental Engineering

MINORITY EDUCATION COMMITTEE - 1 vacancy, 3-year term; 1 vacancy, 2-year term

Marvin I. Adleman, Professor, Floriculture and Ornamental Horticulture
David A. Caughey, Professor, Mechanical and Aerospace Engineering
Robert L. Harris, Associate Professor, Africana Studies and Research Center

MINORITY EDUCATION COMMITTEE - 1 non-tenured vacancy, 3-year term

Carolyn (Biddy) Martin, Assistant Professor, German Literature
Satya Mohanty, Assistant Professor, English

PHYSICAL EDUCATION COMMITTEE - 1 vacancy, 3-year term

Robert T. Farrell, Professor, English
John E. Lowe, Associate Professor, Clinical Sciences

PROFESSIONAL AND ECONOMIC STATUS OF THE FACULTY COMMITTEE - 1 non-tenured vacancy, 3-year term

Bernard Faure, Assistant Professor, Asian Studies
Beth Rubin, Assistant Professor, Sociology

RESEARCH POLICIES COMMITTEE - 1 vacancy, 3-year term

Barbara A. Baird, Assistant Professor, Chemistry
Richard Rosecrance, Walter S. Carpenter Jr. Professor of International Law and Comparative Politics

UNIVERSITY-ROTC RELATIONSHIPS COMMITTEE - 2 vacancies, 3-year term

John F. Cummings, Professor, Anatomy
Thomas F. Lynch, Professor, Anthropology
Gene H. Oberly, Professor, Pomology
COUNCIL ON PHYSICAL EDUCATION AND ATHLETICS - 1 vacancy, 3-year term

Douglas F. Antczak, Associate Professor, Veterinary Microbiology
William B. Duke, Professor, Agronomy

UNIVERSITY ASSEMBLY - 4 vacancies, 2-year term commencing June 1, 1986

Nina L. Bassuk, Assistant Professor, Floriculture and Ornamental Horticulture
Steven W. Cornelius, Assistant Professor, Human Development and Family Studies
Caryl G. Emerson, Assistant Professor, Russian Literature
Sander L. Gilman, Professor, German Literature
Carol S. Kramer, Assistant Professor, Consumer Economics and Housing
Roger Trancik, Assistant Professor, Floriculture and Ornamental Horticulture
INTEGRITY POLICY STATEMENT

Preamble

The search for truth underlies all our academic values as an educational institution. Members of the Cornell community, whether faculty, students, or staff, are expected to perform their scholarly and scientific activities with scrupulous honesty and the highest ethical standards. In all of their academic work they should show respect for the facts, for the appropriate standards of evidence, and for the contributions and scholarship of others.

While taking all reasonable steps to protect the rights and interests of individuals whose work or performance is questioned, the University will vigorously investigate allegations of academic fraud or dishonesty.

Academic Fraud or Dishonesty

Academic dishonesty or fraud includes any act that violates the standards of integrity in the conduct of scholarly research and communication. This includes, but is not limited to, plagiarizing the work of others, i.e., intentionally or knowingly representing their words or ideas as one's own; willful failure to acknowledge or credit the work of others; deliberate falsification, fabrication, or wrongful manipulation of data, citations, or information; forgery of academic documents; the abuse of the confidentiality of information obtained from colleagues or other persons; intentionally or knowingly helping another to commit an act of academic dishonesty or fraud, or otherwise facilitating such acts; and the intentional or knowing failure to comply with established policies governing research and its publication.
Procedures

All members of the University community have an obligation to report acts of academic fraud or dishonesty. The initial report of such a violation, whether on the part of a faculty member, a member of the staff of instruction and research, a graduate student, or any other person [employed by the University] with a University appointment, should be made to the Dean of the Faculty.* Upon receiving such a report, the Dean of the Faculty shall make a preliminary review. During this preliminary review all reasonable precautions should be taken to protect the interests and reputation of the individual against whom the charge was made, in case the charge should turn out to be unfounded, as well as to withhold the identity of the person who made the disclosure. If the Dean finds, upon preliminary review, that the allegations are insufficient to warrant further investigation, he or she will terminate the inquiry. But if the allegations appear to warrant further investigation, i.e., "probable cause" has been established, then the Dean of the Faculty shall refer the matter to the dean(s) of the appropriate college(s), or the head(s) of the appropriate administrative unit(s) to conduct a review of the case, implementing procedures the college or administrative unit has established for dealing with such cases. The review [should] may involve the consultation of disinterested experts from both within and outside the University. During

*Note: This legislation does not cover undergraduate, graduate or extramural students insofar as their actions are already covered by the Code of Academic Integrity as amended on May 15, 1985.
this review the accused shall have a right to be represented by legal counsel
of his or her own choice and at his or her own expense, subject to any rights
under the University's Indemnification Policy. If the review establishes to
the satisfaction of the appropriate dean or unit head that academic fraud or
dishonesty has occurred, [the administrator in charge of the review] he or she
will recommend an appropriate penalty; possible penalties range from a
reprimand to dismissal, depending on the seriousness of the offense. [Where
there are] Applicable general University disciplinary procedures appropriate to
the class of researchers to which the accused belongs, [these] will be invoked
in implementing this recommendation. The individual may appeal the
administrator's decision, using the appropriate grievance procedures.
Throughout the investigation of suspected wrong-doing, those conducting the
review should do their utmost to maintain confidentiality and to protect the
rights and legitimate interests of both the accused and the accuser.
INTEGRITY POLICY STATEMENT

Preamble

The search for truth underlies all our academic values as an educational institution. Members of the Cornell community, whether faculty, students, or staff, are expected to perform their scholarly and scientific activities with scrupulous honesty and the highest ethical standards. In all of their academic work they should show respect for the facts, for the appropriate standards of evidence, and for the contributions and scholarship of others.

While taking all reasonable steps to protect the rights and interests of individuals whose work or performance is questioned, the University will vigorously investigate allegations of academic fraud or dishonesty.

Academic Fraud or Dishonesty

Academic dishonesty or fraud includes any act that violates the standards of integrity in the conduct of scholarly research and communication. This could include, but is not limited to, plagiarizing the work of others, i.e., intentionally or knowingly representing their words or ideas as one's own; deliberate falsification or fabrication of data, citations, or information; forgery of academic documents; the abuse of the confidentiality of information obtained from colleagues or other persons; intentionally or knowingly helping another to commit an act of academic dishonesty or fraud, or otherwise facilitating such acts.
Procedures

All members of the University community have an obligation to report acts of academic fraud or dishonesty. The initial report of such a violation, whether on the part of a faculty member, a member of the staff of instruction and research, a graduate student, or any other person with a University appointment, should be made to the Dean of the Faculty.* Upon receiving such a report, the Dean of the Faculty shall make a preliminary review. During this preliminary review all reasonable precautions should be taken to protect the interests and reputation of the individual against whom the charge was made, in case the charge should turn out to be unfounded, as well as to withhold the identity of the person who made the disclosure. If the Dean finds, upon preliminary review, that the allegations are insufficient to warrant further investigation, he or she will terminate the inquiry. But if the allegations appear to warrant further investigation, i.e., "probable cause" has been established, then the Dean of the Faculty shall refer the matter to the dean(s) of the appropriate college(s), or the head(s) of the appropriate administrative unit(s) to conduct a review of the case, implementing procedures the college or administrative unit has established for dealing with such cases. The review may involve the consultation of disinterested experts from both within and outside the University. During this review the accused shall have a right to

*Note: This legislation does not cover undergraduate, graduate or extramural students insofar as their actions are already covered by the Code of Academic Integrity as amended on May 15, 1985.
be represented by legal counsel of his or her own choice and at his or her own expense, subject to any rights under the University's Indemnification Policy. If the review establishes to the satisfaction of the appropriate dean or unit head that academic fraud or dishonesty has occurred, he or she will recommend an appropriate penalty; possible penalties range from a reprimand to dismissal, depending on the seriousness of the offense. Applicable general University disciplinary procedures appropriate to the class of researchers to which the accused belongs will be invoked in implementing this recommendation. The individual may appeal the administrator's decision, using the appropriate grievance procedures. Throughout the investigation of suspected wrong-doing, those conducting the review should do their utmost to maintain confidentiality and to protect the rights and legitimate interests of both the accused and the accuser.

Adopted by the Faculty Council of Representatives April 9, 1986.
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Attachment A

General Considerations

Permissible Activities

Apparent Conflicts Requiring Prior Disclosure and Resolution

Possible Conflicts

Conflicts of Commitment
CORNELL UNIVERSITY CONFLICTS POLICY

ARTICLE I - INTRODUCTION

Trustees, executive officers, deans, directors, faculty and staff all serve the educational and public purposes to which the University is dedicated. Accordingly, all such members of the University community (hereafter "members") have a clear obligation to conduct the affairs of the University in a manner consistent with those purposes and to make all decisions solely on the basis of a desire to promote the best interests of the institution.

This statement recognizes and affirms the settled tradition and expectation that members will conduct their relationships with each other and the University with candor and integrity.

This statement confirms the University policy that faculty and other employees who accept full-time appointments have a primary commitment to the University and that they will be sensitive to the possible adverse effects of their external activities. It is recognized, however, that the quality of teaching, research, extension service, and the administration of University programs may be enhanced when members participate in extramural activities which enhance their value to the University, so long as their primary commitments to the University are not adversely affected.

These policies and procedures will permit members of the faculty, staff and administration to identify, evaluate and correct or remove real, apparent and potential conflicts of
interest and commitment. The appearance that a conflict may be present may be as important as the reality. Accordingly, the first essential step in all of the procedures set forth below is disclosure and discussion.

A. ALL MEMBERS

A member is considered to have a conflict of interest when he or she or any of his or her family or associates (to his or her present knowledge) either (1) has an existing or potential financial or other material interest which impairs or might appear to impair the individual's independence and objectivity of judgment in the discharge of responsibilities to the University, or (2) may receive a financial or other material benefit from knowledge of information confidential to the University.

The family of an individual includes his or her spouse, parents, siblings, children and any other blood relative if the latter resides in the same household. An associate of an individual includes any person, trust, organization or enterprise (of a business nature or otherwise) with respect to which the individual or any member of his or her family (1) is a director, officer, employee, member, partner or trustee, or (2) has a significant financial interest or any other interest which enables him or her to exercise control or significantly influence policy.

B. FACULTY

Faculty who accept full-time appointments have a primary commitment which includes meeting classes, being available to students and colleagues outside the classroom, serving departmental, college, and University committees, conducting research, publishing scholarly works, and otherwise meeting the
changing needs of the University. Those holding Cooperative Extension appointments have specified obligations of service to the public.

Although a specific work week is not defined for faculty members, it is expected that such membership constitutes a full-time obligation and that, with the exceptions explicitly permitted by University policies on consulting and other related professional activities (attached hereto and made a part hereof as Attachment B), they will not engage in other employment.

C. STAFF

In the case of staff members, commitments of time and the expectations attached to such positions are more explicitly defined and, therefore, the likelihood of conflicting external activities are reduced. Nevertheless, the University expects that staff members also will recognize the possibility that their external activities, commitments and interests may have adverse effects on the performance of their University obligations.

D. PART-TIME APPOINTEES

Faculty and staff members who hold part-time appointments commonly will have major obligations and commitments, not only to the University, but to one or more outside agencies. The potential for conflict may be significant. Accordingly, part-time employees are expected to exercise special care in disclosing and fulfilling their multiple obligations.
E. TRUSTEES AND EXECUTIVE OFFICERS

Trustees and executive officers of the University are fiduciaries and owe special duties of care and loyalty to the institution as a whole and must keep the University's interests paramount to all others.

ARTICLE II - CATEGORIES OF CONFLICTS

The University thrives when its faculty and staff pursue and support research and scholarship with vigor. Their activities must include interactions with many external agencies. Predictably, some external relationships will have the potential to create conflicts of interest or commitment, or the appearance thereof. In many situations these conflicts will be apparent only and can be resolved by disclosure. Actual conflicts fall into two categories.

A. CONFLICT OF INTEREST

Typically, a conflict of interest may arise when a member has the opportunity to influence the University's business, administrative, academic or other decisions in ways that could lead to personal gain or advantage of any kind.

B. CONFLICT OF COMMITMENT

A conflict of commitment arises when a member undertakes external commitments which burden or interfere with the member's primary obligations and commitments to Cornell.

C. EXAMPLES OF CONFLICTS

It is difficult to specify precisely what constitutes an objectionable conflict in all situations. Illustrative examples
are given in Attachment A to assist members in understanding where and how such conflicts may arise.

ARTICLE III - CONFLICT DISCLOSURE AND AVOIDANCE

Members are expected to evaluate and arrange their external interests and commitments in order to avoid compromising their ability to carry out their primary obligations to the University. In the first instance, conflicts should be avoided or resolved through the exercise of individual judgment or discretion.

Full disclosure of the circumstances surrounding a real or potential conflict should be made prior to making the commitment or initiating the activity which poses the possible conflict.

A. MEMBERS OF THE FACULTY AND STAFF OF INSTRUCTION & RESEARCH

Disclosure should be made to the college or division in such form and manner as the dean or director may prescribe. The department chair or unit administrator may act as representative of the dean or director for the purpose of receiving and evaluating such information. Disclosure shall be sufficiently detailed to permit an accurate and objective evaluation. Each member has an obligation to cooperate fully in the review of the pertinent facts and circumstances. The dean or director shall make a determination which resolves and removes the conflict or appearance of conflict.

B. MEMBERS OF THE STAFF

Disclosure should be made to the college, division, or other administrative unit in which the member is
employed in such form and manner as the vice president, vice provost, dean, or director may prescribe. Members involved in the following duties must be particularly conscious of possible conflicts or the appearance of such conflicts: the procurement, exchange or sale of goods, services or other assets, the negotiation or formation of contracts or other commitments affecting the assets or interests of the institution, the handling of confidential information and the rendition of professional advice to the University. Disclosure shall be sufficiently detailed to permit an accurate and objective evaluation. Each member has an obligation to cooperate fully in the review of the pertinent facts and circumstances. The head of the college, division or department shall make a determination which resolves and removes the conflict or appearance of conflict.

C. DEANS AND DIRECTORS

Deans and directors of the colleges, schools and units defined at Article I, Section 7 of the University bylaws, shall file an annual disclosure statement with the Provost regarding their own external commitments and interests in such form as the Provost may direct.

D. TRUSTEES AND EXECUTIVE OFFICERS OF THE CORPORATION

The University Counsel and Secretary of the Corporation shall continue to obtain annual written disclosure statements regarding external commitments and interests from all members of the Board of Trustees and all executive officers of the Corporation as defined at Article VI of the University bylaws and shall advise the Audit Committee of the Board of Trustees regarding such matters as necessary. The Committee or the Board of Trustees shall resolve and remove the conflict or appearance of conflict.
ARTICLE IV - RESOLUTION OF CONFLICTS INVOLVING FACULTY AND STAFF OF INSTRUCTION

A. INITIAL DISCLOSURE

In the event that disclosure reveals a real or apparent conflict, the dean, director or other authority designated by the dean or director shall review the facts and attempt to resolve the matter informally with the faculty or staff member.

In the event that the member objects to the resolution by the dean or director, the matter shall be referred to an advisory committee designated by the Provost.

B. THE ADVISORY COMMITTEE

It is anticipated that most conflicts will be resolved through disclosure and review processes at the departmental, college or other subordinate level. However, if a conflict remains unresolved following earlier reviews, the dean, director or other designated administrator will submit the matter, together with a recommended resolution, to the Provost who shall appoint an advisory committee which shall include the Dean of the Faculty, and two senior members of the faculty. The committee shall consider the matter, determine whether a conflict exists, evaluate the severity of the conflict, and recommend to the Provost the steps necessary to resolve the conflict. The Provost may accept, reject or modify the recommendations.
If the member disagrees with the Provost's determination, the member may request a further consideration of the matter and, in that connection, may examine the recommendations of the Advisory Committee, including supporting evidence, and offer other relevant information or explanations. The University Counsel shall serve as advisor to the Provost. Following such reconsiderations, the Provost shall make a final and binding determination in writing.

If the determination requires the termination of the member's appointment, the procedure adopted by the Board of Trustees and University Faculty regarding such cases may be invoked by the member. That is, the President shall appoint a board consisting of five members of the University Faculty, of whom two shall be selected by the faculty members, two by the President and the fifth by the other four. The Board may modify the proposed remedy but shall have no authority to alter the determination of the Provost regarding the meaning, interpretation or applicability of the Cornell University Conflicts Policy.

ARTICLE V - RESOLUTION OF CONFLICTS INVOLVING:

A. DEANS AND DIRECTORS

Questions involving external commitments or interests of deans and directors, as defined at Article I, Section 7 of the University Bylaws, shall be brought to the attention of the Provost, who shall resolve the matter.

B. TRUSTEES AND EXECUTIVE OFFICERS OF THE CORPORATION

The University Counsel shall advise on matters involving external commitments or interests of trustees and executive officers of the Corporation and, where appropriate, shall
consult with the Audit Committee, which shall resolve the matter or, where appropriate or necessary, refer it to the Board of Trustees for resolution.

C. OTHER MEMBERS

Questions involving external commitments or interest of employees, other than members of the faculty and staff of instruction and research, deans and directors, trustees and executive officers, shall be disclosed to the appropriate vice president, vice provost, dean or director, (hereafter "head") or their designee. In the event that disclosure reveals a real or apparent conflict, the head or designee shall review the facts and attempt to resolve the matter informally.

In the event that the member objects to the resolution by the head or designee, the non-academic Employee Complaint and Grievance Procedure may be invoked. In the event that a member may be entitled to arbitration of the proposed resolution, the arbitrator may reject or modify the proposed remedy but shall have no authority to alter the determination of the University regarding the meaning, interpretation or applicability of the Cornell University Conflicts Policy. Members of collective bargaining units may invoke the applicable contract grievance procedure.
ATTACHMENT A

The following commentary and examples are intended to provide guidance in the identification of conflicts of interest or commitment. The list does not cover all possible situations which might involve an actual or apparent conflict of interest. It is intended to be illustrative only.

GENERAL CONSIDERATIONS

Members involved in business ventures as owner, operator, or major investor must be alert to the possibility that a conflict may arise. If the enterprise does no business with the University, only the area of conflict of commitment is likely to be involved.

If the enterprise does business with the University, or might do business with the University, the member is expected to disclose that fact. Generally, there will be no conflict if the member is not in a position to influence the University with respect to the business of the enterprise in which the member holds an interest.

A member may not review, approve, or administratively control contracts when the contract is between the University and a company in which the member is financially interested or when the contract is with a member of the employee's immediate family or when a member of the employee's immediate family is an employee of the contractor and directly involved with activities included under the contract or has a substantial interest in the contractor.

No gifts or accommodations of any nature may be accepted by members when to do so could possibly place them in
a prejudicial or embarrassing position, interfere in any way with the impartial discharge of their duties to the University or reflect adversely on their integrity or that of the University. Subject to this restriction, members may accept modest gifts, meals, entertainment and other normal social amenities so long as such amenities are not extravagant under the circumstances.

PERMISSIBLE ACTIVITIES

The following activities are clearly permissible and do not require disclosure as an actual or potential conflict under the terms of this policy.

Example 1. Acceptance of royalties under the terms of the University's Patent Policy or publication royalties or honoraria for commissioned papers and lectures.

Example 2. Services to outside educational, professional, scientific, artistic, cultural, civic, business or other organizations which enhance the value of the member to the University and do not adversely affect the member's primary commitment to the University.

APPARENT CONFLICTS REQUIRING PRIOR DISCLOSURE AND RESOLUTION

The following activities have the potential to create conflicts of interest or commitment and should be reviewed and disclosed prior to being undertaken.

Upon full disclosure, the University may approve a transaction or affiliation, provided no conflict of interest is involved and further provided that the member furnishes an annual statement indicating compliance with the University's

(over)
Conflict of Interest Policy. The University shall disapprove the transaction or affiliation, if a conflict of interest is involved which cannot be resolved or removed.

Example 1. A member may not directly or indirectly lease, rent, trade or sell real or personal property to the University without full disclosure of the relevant facts.

Example 2. A member may not possess an interest in or participate in the profits of any organization that deals or seeks to deal with the University without full disclosure of the relevant facts.

Example 3. A member may not accept appointment as an officer; director or serve in any management capacity in an external commercial, industrial, business or financial organization or profit-making enterprise which deals or seeks to deal with the University without full disclosure of the relevant facts.

POSSIBLE CONFLICTS

Conflict is possible, even if unlikely, in situations such as those listed in the following examples, and members should give careful consideration to that potential. In many cases the potential for conflict can be removed by disclosure.

Example 1. Relationships that might enable members to influence Cornell's interactions with outside organizations in ways that may lead to personal gain, to the taking of improper advantage by anyone, or the improper diversion of University assets from the primary missions of the University, including the time and talents of its faculty and staff.
Example 2. Situations in which a member, while serving as a consultant to an external organization has access to unpublished, privileged information from a colleague that has potential commercial value and wishes to provide that information to the external organization.

Example 3. Situations where a member directs students into a research area or other activity from which the member intends to realize personal financial gain. A conflict may arise if students are directed to areas of lesser scientific or scholarly merit to enhance the potential for monetary gain or if the financial potential exists only for the member.

Example 4. Situations where the member is asked to assume executive or managerial positions with outside organizations that might seriously divert the member's attention from University duties, or create other conflicts of loyalty.

Example 5. Disclosure or use for personal profit of unpublished information coming from University research or other confidential University sources, or assisting outside organizations by giving them access to such information except as may be authorized by official University policies.

Example 6. Consultation that impose obligations that conflict with Cornell's Patent Policy or with Cornell's obligations to research sponsors.

Example 7. Situations where a substantial body of research that could and ordinarily would be conducted by the investigator within the University is directed elsewhere.

4. (over)
Example 8. Situations where the member is invited to advise or serve an organization doing business in the general area of the member's University responsibility or which is related to that field.

Example 9. Situations where a member is offered a position on a scientific or administrative board of an organization that has research contracts with the member's unit.

Example 10. Situations where a member is offered research support from an organization in which the member serves as a director, a member of an advisory board or as a consultant, or in which the member holds a significant equity position.

Example 11. Situations where the member occupies a position in an enterprise doing business in the area of the member's University responsibility or which is related to that field.

Example 12. Situations where the member is involved in independent business ventures as owner, operator or major investor, particularly if the corporation is doing business with the University.

CONFLICTS OF COMMITMENT

Assessment of a conflict of commitment is more difficult than assessment of a conflict of interest. Generally, such conflicts will be apparent in the failure of individuals to discharge fully the role and duties expected of them.

1. Commitments that involve frequent or prolonged absence from the University on non-University business.
2. Commitments that engage a substantial portion of the time a member is expected to spend in University related activities and which thereby dilutes the amount or quality of participation in the instructional, scholarly or administrative work of the University.
February 11, 1986

CORNELL UNIVERSITY INTERNATIONAL HEALTH AND SAFETY POLICIES

AIM:

Cornell is a university with substantial international connections and interests. Recognizing that a significant number of faculty, students, and staff conduct teaching, research, or university business abroad, Cornell University is establishing procedures designed to increase access to information about international health and safety conditions. The aims are to provide information; promote discussion of these issues between Cornell faculty, staff, and students and their supervisors; and to assist members of the Cornell community in avoiding health and safety risks in foreign locations.

Cornell University does not compel or even encourage faculty, students, or staff to undertake teaching, research, or university business in foreign locations which pose extraordinary danger to their health or safety.

PROCEDURES:

For the University's aims to be met, it is necessary that as many Cornell travelers as possible be apprised of the information resources and the opportunities to receive assistance in the development of contract language, if needed.

1. A Cornell University Foreign Travel Information Desk will keep an updated file of U.S. Department of State "Travel Advisories" and will attempt to obtain additional Department of State, national embassy, and other information, if requested to do so by the Cornell traveler. The "Desk" will also regularly inform the Office of Sponsored Programs about emerging health and safety risks abroad.

The existence of a university information service regarding foreign travel will be announced regularly to staff members in a variety of ways: through the Personnel and Travel Offices, through Chronicle announcements, and through Dean, Department Heads, and Directors memoranda, and via inclusion in the Faculty Handbook.

2. The Office of Sponsored Programs will periodically publish the "Guidelines for Conducting Sponsored Research Overseas" in the OSP newsletter to inform Principal Investigators of their responsibilities both before and during international research projects. OSP is revising its Academic Approval Form to specifically request that attention be given to "health or safety conditions overseas." Principal Investigators are encouraged to seek advice from the Office of Sponsored Programs in the early stages of the proposal development process.
With respect to overseas activities involving sponsored programs, the Office of Sponsored Programs will include in their review of awards, consideration of terms (such as Force Majeure and "best efforts") with a view to providing the University with sufficient flexibility to meet contract obligations and protect the safety of overseas personnel. In some cases specific research contract language may need to be developed. The decision to undertake a contractual obligation to perform research or related services on behalf of the University in an unstable foreign environment where it can be reasonably anticipated that intervening events may significantly delay performance or render performance impossible should be made in full consideration of such circumstances. The project director and the Office of Sponsored Programs should consult on these matters. In such cases the Office of Sponsored Programs will seek contract language which will minimize the risk to the University due to a resultant inability to perform.

3. Requests for specialized international health information should be addressed to the Director of the Department of University Health Services and/or the traveler's personal physician. Health briefings for international travelers will be offered twice yearly to all members of the Cornell community, under the supervision of the Cornell Department of University Health Services and with the participation of qualified health care providers. These seminars aim to provide travelers only with the most basic information regarding good health practices and potential health hazards encountered abroad.

4. The availability of information concerning sources of pertinent safety and health data shall be made known to faculty through their department heads and deans, to graduate students through the Graduate School, and to undergraduate students through the appropriate Director of Undergraduate Studies. Faculty, staff and students contemplating foreign travel are encouraged to contact the appropriate office for access to available information sources.

* The University's efforts to provide information on health and safety conditions abroad are not intended to be comprehensive. Information on safety abroad from different sources may be fragmentary or contradictory, and individuals are urged to seek information about specific health conditions in particular locations and how these might affect their personal health from their own physicians.
GUIDELINES FOR CONDUCTING SPONSORED RESEARCH OVERSEAS

February 11, 1986

By choosing to travel, the Principal Investigator and project staff members are providing their informed consent to conduct research overseas after becoming aware of the health and safety conditions known about their specific location.

1. At the time of proposal preparation, the Principal Investigator, project staff, and department heads should consider the health and safety conditions present at the proposed overseas location. Information regarding such conditions can be sought through the Foreign Travel Information Desk and the Director of the Department of University Health Services. Consideration should be given to how these conditions will affect the safety of University personnel, the continuity and validity of the proposed research, as well as any ethical issues involved.

2. At the time of award and when hiring University personnel and students for specific overseas work assignments, the Principal Investigator shall be responsible for providing project staff with the "Cornell University International Health and Safety Policies."

3. Upon arrival in a foreign country where local conditions merit, the Cornell traveler should contact the U.S. embassy to advise them of the individual's purpose and activities, in-country travel plans, and place where they can be contacted if safety conditions change. The traveler should request updated health and safety information as well as information on any areas where travel by Americans is restricted due to undue risk.

4. In recognition of the fact that the health and safety conditions of a given location can change rapidly, the University delegates to the individual working overseas, or the project field leader in the case of a field team, initial responsibility for making decisions in the field which are necessary to maximize personal safety.

5. The individuals working overseas shall be responsible for immediately notifying the Principal Investigator and the Office of Sponsored Programs when changing conditions warrant a change in the project's workscope or work stoppage due to an unacceptable level of personal risk. The University, acting through OSP, will then negotiate with the sponsor to implement a change in workscope or a termination of the project, as determined by all parties involved.
University policy prohibits Cornell personnel from engaging in research on campus which is confidential to the sponsor or classified for security purposes ("Statement on Sensitive and Proprietary Research," May, 1985). The present statement is an amendment to this policy which clarifies the policy for use of University facilities by non-Cornell personnel.

University facilities exist for free and open use by Cornell faculty, students, and staff. Other uses are of secondary importance. In general, non-Cornell personnel using University facilities are expected to abide by the same policies as University personnel. Proprietary use of University facilities by such people is therefore not usually permitted. In exceptional cases where the best interests of the University and the other parties would be served by use of University facilities by outside persons for proprietary or confidential purposes, the Vice President for Research may grant permission by petition. He will regularly report the approval of such petitions to the FCR Committee on Research Policies. In considering such requests, the Vice President will apply the following criteria:

1. There must be a clear need to carry out the proposed work at Cornell.

2. A proposal or abstract describing in general terms the purpose of the proprietary work to be done must be submitted for review through the normal channels for use of the facility, e.g., a local review committee. The proposal should be judged for merit and appropriateness for the facility in question, on the same grounds as nonproprietary work. If the proposal is passed, it becomes part of the public record in the facility. That is, the existence of proprietary use of a Cornell facility may not be kept secret.

3. All details of the proprietary work to be done (including confidential information) that are relevant to the safety of personnel or of the facility must be made available to and approved by the University officer in charge of the facility (e.g., the laboratory director) prior to final approval of the project. The University officer will assure that the proposed work conforms to usual safe operating procedures, but will not divulge technical aspects of the work which are confidential.

4. Involvement of University faculty, students or staff in the proprietary work is limited to the normal facility support services provided for all users.

5. There will be no difference in the operating personnel or procedures of the facility for proprietary or non-proprietary work. There will be no special security precautions, no special access restrictions, no personnel clearance requirements. Users of University facilities for proprietary work will have to accept this risk of disclosure.

6. The organization performing the proprietary work must pay Cornell appropriate costs of the use of the facility.

7. Only a small fraction (usually not more than 10%) of the use of the facility shall be devoted to proprietary purposes.
Speaker Russell Martin called the meeting to order at 4:30 p.m. in Bache Auditorium. He then called on Dean of the Faculty, Joseph B. Bugliari for comments.

1. COMMENTS BY DEAN BUGLIARI

Dean Bugliari announced that there would be a slight shift in the agenda: he would make his announcements and also indicate the members of the faculty who have died since September. The next item would have been the program on retirement ending with a salute from the Hangovers. But the Hangovers were going to salute the retirees first since they had exams and then go on with the rest of the program.

Dean Bugliari: "We are again running our computer courses. You are all welcome to go even if you are retiring. Material is down in front if you would like to look at it. We are also welcoming non-faculty if they are recommended by faculty members and we have space available in the programs. So, if you are interested, please come.

"You all should have received information on commencement. You are, of course, invited to the baccalaureate at 9:30 in Bailey Hall. The speaker will be the Reverend Peter J. Gomes, Minister of the Memorial Church at Harvard University. The procession will start forming at 10:30 and start moving at 11:00. You can pick up gowns to the limit of our supply at G-1 Barton Hall from Friday, May 30, from 10:00 to 4:00 and Sunday after 8:00 a.m. You are supposed to return them by 2:00; otherwise, you have to take them to the laundry.
"The third announcement, in case you haven’t heard, is the result of the Faculty Trustee election. Professor J. Robert Cooke of Agricultural Engineering was elected to a four-year term."

2. ANNOUNCEMENT OF DEATHS

The Dean next announced reported deaths since the September meeting.

Arthur E. Nilsson, Professor Emeritus, Finance, September 20, 1985
Francis E. Mineka, Class of 1916 Professor of English, Emeritus, October 4, 1985
John P. Barlow, Professor of Biology, Emeritus, November 17, 1985
Walter L. Nelson, Professor of Biochemistry, Emeritus, November 22, 1985
Melvin G. deChazeau, Professor of Business Economics and Policy, Emeritus, November 28, 1985
Josiah R. Livermore, Professor of Plant Breeding & Biometry, Emeritus, April 22, 1982
Paul J. Zwerman, Professor Emeritus, Soil Conservation, December 24, 1985
Michael D. Whalen, Associate Professor, Bailey Hortorium, December 27, 1985
Herrell F. DeGraff, Professor Emeritus, Agricultural Economics, January 4, 1986
Leo C. Norris, Professor Emeritus, Poultry Nutrition, February 3, 1986
Charles C. Winding, Herbert Fisk Johnson Professor of Industrial Chemistry, Emeritus, March 17, 1986
William J. Wright, Professor Emeritus, Cooperative Extension, March 19, 1986
A. Gordon Nelson, Professor Emeritus, Counseling Psychology, April 7, 1986
Robert M. Smock, Professor Emeritus, Pomology, April 22, 1986

Clifford R. Harrington, Professor Emeritus, Extension Administration, May 11, 1986

He then asked those present to stand for a moment of silence.

3. SALUTE TO RETIREES BY THE HANGOVERS

The Hangovers gave their usual outstanding and entertaining performance.

Speaker Martin: "At the meeting of the Review and Procedures Committee in planning the program for this afternoon, it was suggested that it would be nice if some noted people from the Cornell community could come and help us with a few words honoring each of the retirees. Thanks to the efforts of Dean Bugliari, we have have those two important people - President Rhodes and Dean Seznec.

"I would now invite President Rhodes to speak first, and he will be followed by Dean Seznec.

4. REMARKS BY PRESIDENT RHODES

President Frank H. T. Rhodes: "Mr. Chairman, Mr. Dean, Ladies and Gentlemen: "I like the title professor, and there are many days that I think it is infinitely preferable to the other one that you used. It is one of which I am very proud.

"I want just to say that the presence of the Hangovers to pay tribute to all members of the faculty and especially those who are retiring is an indication, if any were needed, of the sense of respect and gratitude that all of us feel. The Hangovers really serve Cornell in remarkable ways with real devotion. Some of us here were at a dinner a week ago in New York City where we honored some of the major friends and benefactors of the University. The Hangovers on the final day or two of study week traveled down by van, sang, and immediately traveled back to Ithaca from New York City. It's that kind of
commitment that they reflect which is a tribute to you here today, and I want to share in it.

"There is no adequate way to thank all of you for your service over the years, and I want to make that a comprehensive statement of thanks and to say that those of us who have the privilege of serving you in administrative positions recognize that the University is the faculty. David Starr Jordan, the first president, said that the faculty was the glory of old Cornell during his four years here, the first four years of the existence of the University. Everything else was crude, raw and discouraging, but with the faculty, there was inspiration, and the secret of Cornell's greatness has been the devotion of the men and women who are members of the faculty in that continuing sense of inspiration for generations of students. It would be easy to catalog the successes of this year, and I don't propose to do that. You will know them well. What is gratifying, however, is to see not only the successes of established and respected senior faculty, scholars who are known internationally, people like Tom Eisner, who received the Procter Prize of Sigma Xi a few weeks ago; Vinay Ambegaokar, who received a Humboldt Award; Mitchell Feigenbaum, who received the fourth Wolf Award to go to a Cornellian since the prizes were established in 1978, but also the younger members of the faculty, the people that you have selected within your own departments. I was gratified, for example, amongst the seven Guggenheim winners on the faculty, to note that two of them from Cornell went to assistant professors. They were two of only five assistant professors nationwide to receive those awards, and that's an indication that you continue to choose your colleagues with care and discernment and skill. That rubs off, of course, into the lives of the countless students who have the benefit of learning under your guidance and direction. I was interested in the award, just within the last month, of
five fellowships for graduate study in Southeast Asian Affairs which were awarded by the Social Studies Research Council. There were five nationwide, and all five of them went to Cornell trained students in that field of Southeast Asia. That's a remarkable tribute, again, to a broad range of disciplines and the distinction and devotion of faculty members over the years.

"Thirty-two faculty members retire this year, and Dean Bugliari tells me that your service amounts to an astonishing 979 years. I was afraid for a moment that he was pushing so hard to get over a thousand that he might nudge somebody else into retirement, and I'm glad that he has not been successful in doing that. I want to say that we are aware that that doesn't recognize simply a cumulative total, but it represents years of individual devotion and commitment, years of scholarly undertaking, years of varied kinds of relationships with the University but with all a larger sense of commitment to the search for understanding and knowledge, which the University represents.

"I want especially to thank you for all the ways in which you have been good citizens of the University, over and above the ways in which faculty members are expected to be, the committees you've served on, the students you've advised and counseled, the way in which you have been advocates for the needs of the University in countless areas over the years.

"I have the pleasant responsibility of meeting with alumni fairly frequently, and the one thing that will always come up in the course of a five-minute conversation is the influence that Professor X or Y had upon a particular student twenty, thirty, forty years ago. That's the thing. It's not the buildings, it is not the beauty of the campus, it is not even the weather. It is Professor so-and-so who made a noticeable difference in my life and who was to me a mentor and a friend. It's that kind of commitment, also,
in addition to your scholarly commitment that we thank you and salute you for today. It's a privilege on behalf of the University to say thank you."

5. REMARKS BY DEAN SEZNEC

Dean Alain Seznec, College of Arts and Sciences: "I am very pleased and very honored that the Dean of the Faculty has asked me to speak to the faculty as a whole even though I will later on speak for my own college. This is indeed a considerable honor. I suspect that I owe it to the fact that on the one hand I am retiring, too, in a certain manner after eight years as Dean, and probably even more that I have just concluded my twenty-eighth year at Cornell which begins to match, though not quite, some of you in this room.

"The first message I would like to bring to you is one of gratitude, gratitude for what you have brought to the University and, therefore, to the rest of us in terms of energy and visibility and distinction. We all thrive upon your achievements, and, indeed, you serve as models as well. I shudder to think of the number of hours represented here, indeed, in offices talking with students, on ad hoc committees, on search committees, on every other kind of committee. These hours, besides those spent in research and teaching, are those which weave the fabric of the University itself, and clearly in this way you have contributed to the very history of Cornell and helped change it or on the other hand, helped maintain some of its strengths. And for this, I think all of us on the faculty are most thankful and wish to follow in your footsteps.

"The second word is a very simple one, too, and it is keep in touch. I, as Dean, have had to turn to a number of my senior colleagues emeriti and ask them for help, and it has been forthcoming every time. We hope that all of you will feel welcome to come back to your departments, college, to the University, because you still have much to contribute. I've had the good fortune of having
a father who was a professor and two grandfathers who were professors, and I know that a professor fortunately never stops being a professor. There may be some drudgery that you will probably not miss too much, including those famous committees, but the intellectual drive and interest that drove you into the career in the first place will always be there, and for that, of course, you will be able to help us. As I said, I have turned often to emeriti in these last eight years for advice and help. I have found that the knowledge they have of the University is formidable, the care that they have for the University is formidable, and yet they are now beyond the battles, beyond the partisan strife, and I think our emeriti can constitute probably one of the greatest resources and riches of this University.

"So, in short, I would say to you, please don’t forget us because we will certainly not forget you."

Speaker Martin thanked President Rhodes and Dean Seznec for contributing to the program this afternoon. He next called on Dean Bugliari for recognition of retiring faculty.

6. RECOGNITION OF RETIRING FACULTY

Dean Bugliari: "I would like to in turn call upon the deans of the various colleges to introduce and acknowledge their retiring faculty. I will start with Dean David L. Call, College of Agriculture and Life Sciences."

Dean Call: "Before honoring the retiring faculty, on behalf of the deans, I would like to honor Alain Seznec. He has been a great colleague; he has been a pleasure to work with; he has been cooperative, sharing, has a great sense of humor, and he is a wonderful person. Thank you very much, Alain."

There was a round of applause for Dean Seznec.

"As I said this morning, the Deans' Council won't be the same without a former member of the French Foreign Legion."
"We have fourteen faculty retiring from the College of Agriculture and Life Sciences, totaling 452 years of service, which is substantial. There are a number of them here today, and I would like to introduce them and ask them to stand, and I would like to say a few words.

"Professor Harold R. Capener from the Department of Rural Sociology first came to Cornell in 1946. He completed his graduate work, left, came back, was named a professor in 1964 and was chairman of the Department, 1966-1976. He is very well known for the application of sociological principles and theory to many problems related to agriculture, particularly to farm families. In the past several years he has been very helpful in working on the problems of farm family financial stress in New York. His caring, sharing attitude has been very, very important. He has also been an important undergraduate teacher and a great colleague. Thank you very much, Professor Capener.

"Professor Walter T. Federer, Professor of Plant Breeding and Biometry, came as a professor in 1948. In 1978 he was named Liberty Hyde Bailey Professor of Biological Statistics. He is an outstanding teacher, an outstanding researcher, an outstanding advisor, member of editorial boards, both in mathematics and statistics. In fact, he has done so much that we had to have a symposium this summer to discuss his work to see if everybody else could understand it, but certainly in the area of experimental design, he is known world-wide. He has been a great colleague, a great contributor to the college and the University. We are very proud of you, and we thank you very much, Professor Federer.

"Professor Frank V. Kosikowski, Department of Food Science, was appointed instructor in 1942. He has been here quite awhile. Frank is probably one of the world's renowned scientists in the area of fermentation, particularly when it comes to cheese. A couple of years ago he got a lot of publicity because
he made wine out of whey. He even made *Time* magazine. I tasted his wine, and I know why you can't buy it. It was excellent wine, but it was too expensive, wasn't that the problem, Frank? If you are ever invited to his lab, be careful because he will have you tasting brandy and other things made from whey. Frank is very well known within the College. He pioneered in the area of international food science, has trained graduate students who have assumed important positions all over the world, has been an important leader both within New York State and the nation. We are very proud of Frank's contributions to Cornell, the nation and the world.

"Professor Robert E. McDowell, Department of Animal Science is a professor of international animal science. He has been at Cornell, was named a professor in 1966 and is probably as well known internationally for his work in animal science as well as anybody in the world. He was Chairman of the Board of the International Livestock Center in Ethiopia for several years, and I have never yet found a question with respect to livestock anywhere in the world that Professor McDowell hasn't been able to answer. I think at times he follows my motto of what we don't know we make up, but I know that is really not the case. From Kenya to Mexico to Australia to China, wherever he has been, he has found his own students and students of others, and he has made enormous contributions to the better feeding of the world.

"Professor W. Frank Shipe, Department of Food Science, was appointed assistant professor in 1949 after he got out of the military. He has pioneered research in the area of factors influencing fluid milk quality, flavor, methods of analyzing sensory characteristics, but probably is best known for his teaching. He has taught three different courses. He has devoted a great deal of time to the training of undergraduates and graduates and also has been an important person in contributing to the strength of New York's dairy
industry. He has been forced to drink some of Kosikowski's wine, but he has survived. He has contributed greatly to the Department of Food Science. Frank, you have been a wonderful colleague.

"The other faculty members are still laboring in the fields, and I will mention them: Professor R. Brian How, Agricultural Economics; Professor Donald L. Jewett, Cooperative Extension; Professor Russell E. MacDonald, Biochemistry, Molecular and Cell Biology; Professor Leonard R. Mattick, Food Science and Technology at the Geneva Experiment Station; Professor Roy L. Millar, Plant Pathology, and former chairman of the Department; William F. Rochow, Courtesy Professor, Plant Pathology; Professor Edward A. Schano, Poultry and Avian Sciences; Professor John R. Stamer, Food Science and Technology at Geneva; and Professor Dwight A. Webster, Natural Resources."

Dean Bugliari thanked Dean Call and congratulated the retiring faculty from the College of Agriculture and Life Sciences. He then called on Dean Seznec to introduce the retirees from the College of Arts and Sciences.

Dean Seznec: "There are four members of the College of Arts and Sciences retiring this year. I know one of them is here; I do not believe that the others are, so let me briefly talk about those who are not here and end with the professor who is here.

"The first is Bruce Wallace, Professor of Genetics and Development, who came to Cornell after getting an A.B. in 1941 and a Ph.D. in 1949, both at Columbia, and spending ten years at Cold Spring Harbor, a biological laboratory. He came to Cornell in 1958, a specialist in population genetics. He was past president of many associations, including the American Society of Naturalists, the Genetic Society of America, the Society for the Study of Evolution and a member of the Academy of Science since 1909 and winner of the Alexander von Humboldt award for Senior American Scientist."
"The second colleague is John McCoy, who got his B.A. in Kansas in 1943 and joined the O.S.S. and was attached to the first Chinese commando in Guandung and Hunan provinces and was literally parachuted into China in 1944. Very few professors reach their research in this particularly interesting manner. He was not only parachuted into China and stayed there but won the Bronze medal as well. Upon his return, he earned his M.A. at Chicago, studied at Harvard, then came to Cornell for his Ph.D. from 1962-1966 in Linguistics in Chinese, and to our great benefit stayed with us. He has been a Ford Fellow and a Fulbright Fellow. He has stayed for many years in China and is one of the people who knows certain Chinese dialect better than anyone in the world. I think President Rhodes will remember a time when the two of us and many others from Cornell were visiting Beijing, to arrange some concordance with the People's Republic and the Vice-President of China. When it came time to talk with John McCoy, we saw an enormous smile on the face of the Vice-President of China because he realized that he was talking to a man who knew more Chinese, as he said himself, than most Chinese ever will, and knew more about Chinese culture and language than most Chinese ever will. It was a very wonderful moment, I think, for all of us Cornellians, and I think, President Rhodes, you will agree.

"The third retiring professor is also a linguist, Professor Robert B. Jones, Professor of Linguistics. He was trained at California, Berkeley. He also began part of his career during the war and served in military intelligence in the Foreign Service Institute. He came to Cornell in 1955 and has been a distinguished member of the Southeast Asia Program, which as you know, is one of the jewels of Cornell. He has focused on historical and scriptive work in Southeast Asian languages, especially Burmese and Tai."
He has been a consultant for the National Science Foundation, the Defense Language Institute, the Ford Foundation, and the Library of Congress.

"Last, by by no means least, we have a colleague who is here, and that is John W. DeWire, Professor of Physics. Professor DeWire earned his Ph.D. at Ohio State in 1942. Like many distinguished physicists at Cornell, he began work at Los Alamos, and like many distinguished physicists, he came to Cornell in 1946 and was immediately snatched to the Laboratory of Nuclear Studies. He began as a research associate, then assistant professor, associate, and full professor in 1958. His interests were in experimental nuclear physics. He has been the Associate Director of LNS from 1968 to 1984. He has been part of an extraordinarily distinguished group of Cornellians, along with Bob Wilson and Boyce McDaniel who have literally put Cornell at the very heart of nuclear studies over the years. Professor DeWire continues to be active in the charmingly and poetically named CLEO project. As a member of the literary side, I approve of that title, although I am sure that the letters stand for something far more complicated than the muse that it seems to suggest. He, too, is a winner of the Alexander von Humboldt Senior Scientist Award, which he won in 1974 and 75. He has been a long-time respected member of the Board of Trustees of Brookhaven National Laboratory and the National Radio Astronomy Laboratory. And finally last, but not necessarily least, a second career parallel with his distinguished career as a scientist began in 1983 when he became the University Ombudsman, and there he has served as a model of rationality and calm in an office which needs both. As Professor Don Holcomb, the Chairman of Physics, wrote about him, 'He will be a Professor Emeritus in the most literal sense of the term, one who has served with great merit.'"

Dean Bugliari added his congratulations to the retirees of the College of
Arts and Sciences and called on Associate Dean K. Bingham Cady to introduce the retirees from the College of Engineering.

Associate Dean Cady: "I'm standing in for William Streett, the Dean of Engineering, who is away from Cornell raising money in order to pave the way to try to replace the four men retiring today.

"The College of Engineering is proud to honor four of its long-time servants: Julian C. Smith, Joseph L. Rosson, Simpson Linke, and Benjamin Siegel. Their combined service to the University and faculty is 156 years.

"Julian C. Smith, who is not here today - he is away on business - is a Professor of Chemical Engineering. He came to Cornell in 1936 as a freshman. He received a Bachelor's degree in Chemistry and Chemical Engineering, went to DuPont for four years and came back to Cornell as a faculty member in 1946. Professor Smith is a specialist in the mixing of liquids, slurries, and in the handling of granular solids. He is the author of many papers and a renowned textbook with one of his colleagues here, Professor Harriott, on the Unit Operations of Chemical Engineering. It is now in its fourth edition and is used world-wide. Julian is a licensed engineer and holds several patents and is a consultant to many government agencies and corporations. He served as the Director of Continuing Education in the College of Engineering, and from 1975-83, was chairman of the School of Chemical Engineering. That's a time when the graduate programs and research in chemical engineering grew dramatically. Professor Smith is retiring here in Ithaca and will continue his consulting and writing.

"With us today is Joseph L. Rosson, Professor of Electrical Engineering. Joe graduated from the University of Tennessee in 1942, was in the second World War as commanding officer of a landing ship, served on two oceans and one sea. He taught for awhile in Tennessee, and then in 1947 he came to us as
an instructor of Electrical Engineering. He has been on the Cornell faculty for 39 years. In 1950 he married Olive, the department secretary, so from then on we knew we had him. Joe served as an engineer on the Frankfurt Arsenal Project in several mechanisms. In the 50’s he directed an atmospheric refraction project on radio waves. In the early 60’s he was director of the extra high voltage cable project, and in 1968 Joe initiated an electric car design project which - this is unbelievable to me - more than 70 undergraduate and graduate students have worked on over the years. Either the design of the electric car is extremely interesting or extremely difficult. I imagine both. Joe is a legendary teacher in the School of Electrical Engineering, and he is the father of its most famous course the junior laboratory called Superlab. Joe will remain in Ithaca and continue to help the School and the College and the University. This is good because it is impossible for us in Engineering to even conceive of the School of Electrical Engineering without Joe Rosson.

"The third man is Simpson Linke, Professor of Electrical Engineering. If we count that Sam came in 1946 as an instructor as well as a graduate student, then he has been a member of the faculty for 40 years. His Bachelor of Science degree is from the University of Tennessee in 1941. He worked for Tennessee Electric Utilities Board for awhile, served four years in the military and joined the faculty formally in 1949. He supervised the power network calculator facility until 1960. He served as assistant director of the Laboratory for Plasma Studies in the College of Engineering from 1968 to 1975, and became coordinator for graduate studies. He’s been graduate field representative since 1981. He has been on sabbatic leave in interesting places and some not-so-interesting places. He organized and chaired an international symposium here at Cornell on hydrogen economy in 1973 and a joint
Cornell/Los Alamos scientific laboratory seminar on superconducting magnetic energy storage in 1977. He is a member of IEEE and many other societies - Sigma Xi, Beta Kappa Nu. Sam will retire also to Ithaca, continue his research in electric power systems, and, believe it or not, will now get to write his textbook in Power Systems Analysis and Electric Power Production.

"The fourth man retiring from the College of Engineering is a latecomer - Benjamin Siegel. By latecomer, I mean that he came in 1949. Ben has incredible credentials. He has a Bachelor of Science and Ph.D. degree from Massachusetts Institute of Technology. He was a postdoctoral associate at Cal Tech and a research associate at Harvard and M.I.T. He has also been at the Weitzmann Institute of Science. Ben was the first faculty member to be recruited by a new department, the Department of Engineering Physics in the College of Engineering. That Department grew out of Physics here at Cornell, and the first man they hired was Ben. Ben had set up electronmicroscopy laboratories at the Weitzmann Institute and at M.I.T., and he came here to head the electronmicroscopy laboratory at Cornell. His fields of research are ion beams and ion beam lithography and computer image processing for electron microscopes. This research is associated here at Cornell with the Materials Science Center and the Knight Laboratory, the national research and resource facility for submicron structures. Ben is a member of the American Physical Society, Electronmicroscopy Society, and many other professional organizations."

Dean Bugliari congratulated the retirees from the College of Engineering and then introduced Dean Jerome Ziegler to announce the retirees from the College of Human Ecology.

Dean Ziegler: "We have two distinguished faculty members from the
College of Human Ecology who are retiring today - Professor Mary E. Purchase and Professor M. Vivian White.

"Professor Mary E. Purchase came to Cornell in 1945 from Utica, not Utica, New York, Utica, Michigan, where she had been a high school teacher in math and science. She completed a Masters Degree in Chemistry and Physics here at Cornell and went on to Iowa State University where she received her Ph.D. Having taught between times at Iowa State and at the University of Tennessee, Mary returned to us in 1961 in the Household Economics and Management Department in the former College of Home Economics and has been an outstanding professor and a beloved teacher and widely recognized leader in the field of Home Economics throughout the country, specializing in household equipment and in the chemistry of soiled materials. She holds memberships in three honor societies and was recently made a fellow of the American Society of Testing Materials and received their Award of Merit in 1986. In 1983, Professor Purchase took her last sabbatic leave and that was her first one overseas to bring her own expertise to Sudanese young women in the field of home economics. Her fortitude and her commitment to that kind of work is well known. Mary’s retirement from the Department of Textile Science comes now with a long list of publications, national memberships and consultations really too numerous to mention and many graduate students who look upon her as a master teacher. She leaves us with the affections and good wishes of all in the College of Human Ecology. We look forward to her remaining in Ithaca where we can call upon her experience."

"Professor M. Vivian White has been with us since 1947. She was educated in Canada at the University of Manitoba in Home Economics, then went to the University of Minnesota and received a Masters Degree in Textile Chemistry in 1948 and came here, and then went in 1969 to Britain where she received a Ph.D.
in Textile Technology from one of the most famous universities in that field, namely Leeds. While Vivian has spent a good deal of time teaching and doing research and extension work in public service here in the United States, and of course, at Cornell and with our students in the College, much of her work has been focused on the establishment of standards for the care of textile materials in an international arena. She has been a member, leader and chair of U.S. delegations to Paris, The Hague, London, and a number of Canadian cities, and recently, to the People's Republic of China. On the development of international standards for the care of textiles, she has served as Chair of the Technical Advisory Group, on textile care labeling of the American National Standards Institute, and she has been a long-time member of Board of the Institute, and a Director of the American Society of Testing Materials, and was also made a fellow in 1985 and received their award of merit. Her list of professional organizations goes on and on. In addition to her teaching and advising and extensive public service, Vivian White is an accomplished photographer with a special interest in nature photography and has exhibited in several cities in upstate New York and here at Cornell. We hope, Vivian, that you will continue to reside in Ithaca and not just return to Canada and give us the pleasure of your art and your company."

Dean Bugliari congratulated the retirees from the College of Human Ecology and called on Dean Peter Martin to introduce the retirees from the Law School.

Dean Martin: "The Law School stands tall but small on the corner of campus, and the small size of its faculty is why retirement is a very infrequent event. And that is why when the Dean of the Law School is here saluting three retiring faculty members, representing one-tenth of our faculty, all of whom have served and helped build the Law School over a period of
at least 30 years, that is a momentous occasion. We are talking about three pillars of the institution, and with their retirement, the big walls and the heavy slate roof of Myron Taylor Hall will press far heavier on their colleagues.

"I introduce first W. David Curtiss. David is a double-degree Cornellian, receiving his A.B. from Cornell in 1938, his L.L.B., the honest law degree in 1940. That was before it was turned into a phony doctorate. He practiced law then for a brief period in a region he still calls God's country - Sodus, New York, before entering teaching. In 1947 he came down to Ithaca to Myron Taylor Hall and settled in. A committed and compassionate teacher, David has won the respect and affection of thousands of students. We all know that is where the true legacy of a teacher lies. Talk to generations of law students, graduates of a decade or two or three ago, and you find that Curtiss formulations of basic legal principles have been etched indelibly. They can recite for you word for word how he had them review the fundamental elements of criminal jurisprudence. Three years ago I received a letter from a graduating law student. It began, 'As I'm sure you know, Professor Curtiss is a wonderful teacher. His warmth, enthusiasm and wisdom have won the respect of all of his students.' I did know and I do know for I've heard it from countless students. Summarizing what David has meant to the law school and Cornell and our larger community, one is drawn ineluctably to the word 'service'. David's judgment and sensitivity and unmistakable loyalty have led to countless calls to serve as Associate Dean of the Law School from 1958 to 1962, as Faculty Trustee of the University from 1966 to 1971, as member of the New York Temporary State Commission on the State court system, as Chair of the Tompkins County Criminal Justice Advisory Planning Committee in 1974. Following the latter effort, the Board of Representatives of Tompkins County unanimously passed a resolution
extending appreciation to W. David Curtiss for chairing the committee, for countless hours spent in planning, coordinating, and guiding the work of the committee and its outstanding contribution to Tompkins County, empty flattery. It moved to implement the bulk of the committee’s recommendations and that was true respect. It was a marvelous characteristic of David’s leadership that he seeks improvements that represent significant reform but as he does so, he assembles support in a way that achieves concrete and exciting results. I salute my friend, my colleague, and my counselor, W. David Curtiss."

"W. Tucker Dean received his law degree and began teaching in the same year as his colleague, Curtiss, but in a different venue. A University of Chicago Law School graduate, Tucker entered law teaching at the University of Kansas, from which post he moved to NYU a year later. In 1953 he came down to Ithaca or to be more specific, the Village of Cayuga Heights, and that has been his jurisdiction and as some of us know all too painfully, he has for nearly 25 years ruled in the Village of Cayuga Heights as Village Magistrate. In diverse ways, Tucker has served his colleagues in the Law School and through the University, particularly as a stimulus. His views have prodded us all. Zero-base budgeting was for a time a faddish phrase. Long before it became a faddish phrase, Tucker’s zero-based approach to such questions as grading policy and the allocation of space within Myron Taylor Hall pressed his colleagues and Dean to consider assumptions long dormant and time has confirmed much of his vision. In 1964 Tucker addressed a memorandum to then Dean Forrester urging that long-term planning for increased space occur and proposing a wing which ‘would extend from the present southeast corner of Myron Taylor Hall along Central Avenue to the gorge, built in harmony with existing architecture. It is estimated such a wing could be built for somewhere in the neighborhood of $1 and 1/2 million.’ A year later he noted
the value of securing an architect's sketch and enlisting donor support for such a venture. It has only taken 20 years, and oh, how much more expensive. Wide ranging in his interests, a steadfast and active participant in faculty seminars, Tucker has been an encouraging teacher, gracious colleague, committed citizen. It is our great good fortune that he will remain our colleague as professor of law emeritus.

"The third retiring Law School faculty member I must introduce and salute at a distance for Harry G. Henn is held in Florida not, I'm sad to say, by tax considerations, which we would all understand, but by illness. The hand of Henn on corporations, Harry graduated from the Cornell Law School in 1943, and then heeded its call to return to teach in 1953. Mr. Corporations, Mr. Copyright, Harry personified two important fields of the law to countless law students, just as his treatise and case books on corporations became that field's standard reference, Henn's copyright primer published in 1979 set the standard in another. Long involved with the Copyright Society of the United States, its president from 1961 to 1963, Harry shared the same leadership around the community, the University and the profession, in the A.B.A., The Cornell Daily Sun Board, the Ithaca Opera Association. Three magnificent colleagues, three exemplary careers, which to our lasting good fortune have blossomed and borne fruit here at Cornell in the Cornell Law School."

Dean Bugliari: "Thank you, Peter. Having had all of those three wonderful gentlemen as teachers when I was here at the Cornell Law School and hopefully, considering all three of them to have thereafter become close personal friends, I'd like to add a very special congratulations to all of the retirees from the College of Law."

"I now call on Dean Robert Phemister to introduce the retirees from the College of Veterinary Medicine."
Dean Phemister: "We have two faculty members retiring from the College of Veterinary Medicine this year - Howard E. Evans and Julius Fabricant. Neither one was able to be with us, but let me recount some of their achievements.

"Howard Evans joined the faculty in 1946 as an instructor in the College of Arts and Sciences. He joined the faculty in Veterinary Medicine in 1950, became a full professor in 1960 and department chairman in 1976, a position that he holds to this day. He has been a professor-at-large in the Division of Biological Sciences since 1975 and a Faculty Trustee of this University since 1980. His interest in natural history is far ranging, from mammals to birds, fish to reptiles and marine invertebrates. I've found that there is little that Howard doesn't know a great deal about. He has served on the most prestigious societies, served as an officer of the most prestigious societies of his discipline as a president of national and international societies, served on the editorial board of the most distinguished journals of his field. He is the co-author of the standard text in his discipline, truly a remarkable teacher, scientist and friend in the College.

"Julius Fabricant joined the faculty in the department of what was then Pathology and Bacteriology in 1949, became a professor of avian diseases in 1960. He spent much of his career doing research on a variety of diseases of poultry, respiratory diseases to start with. He, along with Philip Levine, discovered the cause and later the means of controlling the major disease of ducks - viral hepatitis. He then went on to become a world authority on microplasma as a cause of disease long before most people believed such organisms existed. Most recently he and his wife, Kathryn, have been engaged in some very exciting work on the role of herpes virus in atherosclerosis in poultry."
"Not too long ago Howard Evans showed me his schedule for the next eighteen months, so I know that he will be extraordinarily busy. His schedule looks, I think, if anything even busier after retirement than it has been over the last 40 years.

"The reason that Julius Fabricant is not with us today is that he can’t take time from his research, which is the most exciting, I think, of his career, to take time to come to meetings such as this. He is in the laboratory today and has been every day since he actually retired at the end of December."

Dean Bugliari: "Thanks, Bob, and I’d also like to add my congratulations to the retirees in the College of Veterinary Medicine. Howard Evans, in particular. I’ve never believed his one-eyed sheep theory, but I’m sure it is probably true.

"I’d also like to mention three other retirees - Professor of Clinical Medicine, Christopher Bull; and Professor of Hotel Administration, Paul L. Gaurnier; and Professor of Consumer Economics and Housing, Jean Warren.

"Let me add one more thing before we leave, and that is that while in fact we will really miss you all; in fact we really won’t. As some of you know, we have an Emeritus Professors Association, which is a very active group, and we keep track of you and we will be sending you information and also soliciting dues from you, and if I don’t say that, Matt Drosdoff, who is the President of the Association will have my hide.

"Thank you all for coming, and again, congratulations to all the retirees."

The meeting ended at 5:37 p.m.

Respectfully submitted,
Francine A. Herman, Secretary
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