

MINUTES
OF MEETINGS

UNIVERSITY FACULTY
AND
FACULTY COUNCIL OF REPRESENTATIVES

September 11, 1974 - May 28, 1975

September 10, 1975 - May 24, 1976

1974-75

Byron W. Saunders, Dean of Faculty
Russell D. Martin, Secretary of the Faculty
Wolfgang H. Fuchs, Speaker

1975-76

Byron W. Saunders, Dean of Faculty
Russell D. Martin, Secretary of the Faculty
J. Robert Cooke, Speaker

The President, Dale R. Corson, called the meeting to order at 4:31 p.m. Approximately 75 Faculty and two visitors were present. The President announced he was turning the meeting over to the present Speaker, Russell D. Martin, who would preside until his successor was elected.

1. CORRECTION TO APRIL 17, 1974 FCR MINUTES

The Speaker noted two corrections to the minutes of the April 17, 1974 meeting submitted by Professor Paul D. Ankrum, Engineering. On page 6, third paragraph, last sentence, "...indicating support for a required (not 'the present') Physical Education Program." On page 7, final paragraph, "Professor Ankrum said that the Engineering College requires a minimum of 126 credit hours for graduation, six of which (not 'gives 126 hours of credit, five of which') are completely free and that the Faculty does not discriminate as to course matter in this area." There being no objections, it was ordered that the minutes be approved as amended.

2. REMARKS BY THE PRESIDENT

The Speaker called on the President who said that he would defer most of his remarks to the October 16 Faculty meeting, but that he wished to comment on questions raised by Professors George H. Hildebrand, Economics and ILR, and Isadore Blumen, ILR, concerning the Human Affairs Program. It is a field study program, he said, instituted following the disturbances of 1969 chiefly by Professors William F. Whyte, ILR, and Benjamin Nichols, Engineering. A \$50,000 Ford Foundation grant supporting its initial operations had not been renewed, and the program has since been supported by University funds. Professor Hildebrand had raised questions about some new courses in economics offered by the Program, the President said, adding that he wished to inform the body of the present status of the Program. The particular problem arises not only from the fact that these courses cover a field that is dealt with in other parts of the curriculum, he said, but also from some advertising for these courses which is of perhaps questionable taste.

The 1973 Administrative Board of the Human Affairs Program consisted of Professor Sara Blackwell, Human Ecology; Dean David C. Knapp, Human Ecology; Dean Alfred E. Kahn, Arts and Sciences; Dean W. Keith Kennedy, Agriculture and Life Sciences; Professor Ulric Neisser, Psychology (first term only, replaced by Professor Leonard Reissman, Sociology) and two students. The present Board consists of Professor Blackwell; Dean Jean Failing, Human Ecology,

replacing Dean Knapp; Dean Harry Levin, Arts and Sciences, replacing Dean Kahn; Dean Kennedy; Professor Reissman and two students still to be approved. The 1973 Board recommended a budget for the current year supporting the same program as previously, but raising lecturers' salaries to the minimum prescribed in uniform University policy, he said. It also recommended authorizing the Program to continue on a two-year basis through 1975 with no expansion of scope; and it recommended that the Program be reviewed and evaluated prior to making any 1976-77 budget decisions, the evaluation group to consist of persons from within and outside the University. The Board also requested the Program's director, Daniel B. Leahy, to prepare a statement on the purposes of the Program and its educational activities. A statement was prepared with the assistance of Professor Whyte and was reviewed by the Board. The 1973 Board also directed Mr. Leahy to prepare position descriptions for each vacancy on his staff for the Board's review. This was done and the Board expressed no objection.

On May 11, 1974, the Board agreed that the new economics offerings, which are called sections in the Program and become courses upon being approved for credit by the Educational Policy Committee (EPC) of any credit-granting unit of the University, should be reviewed by the Committee on Independent Courses (CIC) of the FCR. The President recalled that in 1973 the FCR had adopted legislation requiring CIC review of courses given outside a school or college of the University, and said that there is some concern over who has jurisdiction in such cases since a course may not be given for credit in the Arts College, for example, without being approved by the Arts College EPC. It was generally assumed, he said, that all units such as the Human Affairs Program would follow all procedures in submitting courses to the appropriate committees for review. Although everyone concerned agrees that the Human Affairs Board ruled that the new courses had to come before the CIC, this has not been done, and the director of the Program has been told to confer with the Dean of the Faculty as to the proper procedures for submitting his courses to the CIC. The President pointed out that there are other courses given outside the organizational structure of University schools and colleges which as far as he knew had been approved by the EPCs in different colleges but which have not come before a CIC of the FCR. He said he was not sure about the procedure for resolving this situation or about what the FCR wished to do about it, and offered to answer questions from the floor.

Associate Professor Richard N. Boyd, Philosophy, suggested that the CIC was not legislated to approve independent courses but to evaluate them and make recommendations. The President agreed and read aloud that portion of the CIC enabling legislation dealing with granting credit.

Professor Blumen rose to comment on what he termed "the last of a long series of evasions bordering occasionally on fraud" by the Human Affairs Program. Their initial stance towards creation of a CIC, he said, was that they did not believe it necessary, or were uncertain of the need, to submit courses to the CIC for evaluation before listing them. It is now clear, he said, that the Program's Administrative Board knew last spring that such evaluation was required. If this were an ordinary academic program staffed by persons meeting ordinary academic standards, he said, the Faculty would not be so discomfited by such evasion. The Program is, however, rather substantially funded by the University, and none of its staff are members of a school or college faculty or of the University Faculty. It has "consistently and clearly deliberately" avoided any review by the University Faculty. If the Faculty gives up its unquestionable right to review the qualifications of teachers and the nature of independent courses, he said, it gives up all its rights to supervise independent programs. The Human Affairs Program has a record of complete turnover of directors and staff as course subject matter has changed, and its courses have antagonized a substantial number of administrative bodies in Tompkins County. In spite of promises made by the Central Administration to the FCR that it would be consulted on major budget matters, he continued, the FCR was not consulted on the 50 percent increase in the Program's budget or on the two-year extension of the Program. The amounts involved are about \$200 per Faculty member, he added. The legislation creating a Committee on Independent Courses clearly provides for Faculty advice regarding new and established programs and the systematic review of new courses, he said, advice which the Human Affairs Program did not seek. So, the Faculty is faced again with the Administration admitting it does not know what to do now that the Program has "announced a fire sale before the fire occurred." It is offering courses before any University body has reviewed them, and this despite the fact that the Arts College this year refused to grant credit for one of its courses. Professor Blumen concluded that it is unfortunate that the Program has been conducted by a small political coterie which wishes to politicize students of the University and that the University is spending several hundred

thousand dollars on the Program. He thought that the Administration should state what it proposed to do about such constant evasion, rather than asking the FCR what it proposed to do.

The President pointed out that the Arts College EPC had approved two of the three courses submitted to it by the Program for credit, that the Program was authorized to continue at exactly the same level this year as last, and that lecturers' salaries had been increased from \$4,000 to the neighborhood of \$7,000 in order to conform to the new University minimum level. He added that he did not disagree with much that Professor Blumen had said, but thought that the Faculty faced a problem in that many independent courses throughout the University had not been submitted to the CIC for approval. Professor Blumen asked what the Administration intended to do to see that such courses were approved. Such courses operate out of the Provost's office, he said. The President replied that he was not sure that the people who run some of these programs believed that.

3. REPORT FROM THE DEAN

The Dean of the Faculty, Byron W. Saunders, prefaced his report with some personal comments. He had not really expected to be elected dean when first approached, he said, and expressed appreciation for the confidence shown by his supporters and gratitude for the many letters he had received from Faculty members both within and outside the FCR since the election. He added that in a sense he was a "minority dean," because when there are three candidates running for an office it is difficult for one of them to receive a majority. He said he would try to fulfill the office to the best of his ability despite the time required to sit on all 23 Faculty committees. The Dean of the Faculty represents and serves the Faculty's interests, he said, serving as liaison with the University Administration in conjunction with Faculty Trustees. He said he would sit with administrative bodies as often as he could, not having been close to the FCR or the central Administration previously, in order to help familiarize himself and the FCR with current thinking. He said many of the Faculty already knew that he prefers a "low key" style and "small group" operation to the kind of procedures typified by "large letter-writing campaigns," and urged the Faculty similarly to consult him informally and in person. He said he feared the Faculty was in for "heavy weather ahead" centering on University finances. One of the real problems, he asserted, is communications and understanding the true state of affairs, both by Administration and the Faculty. He said he would try to relate the true state of affairs, no matter how dismal, to the

Faculty since he did not believe one could progress on the basis of notions or half-truths based on inadequate information. The Dean then made the following announcements.

The University Faculty meeting had been postponed from September 18 to October 16 because the President, who customarily addressed the meeting, would be out of town on September 18 and the University Board of Trustees was scheduled to meet before October 16, thus enabling the President to convey current information about Trustee matters to this body. The Dean said he thought that postponing the meeting from September to October still conformed to the legislation calling for a Faculty meeting at the beginning of the fall term.

A special meeting of the FCR will be held September 18 for the purpose of discussing the report from the President's Committee on the Land Grant Mission of the University. The Faculty had been asked last year to respond to this report, the Dean said, and the FCR Executive Committee had referred it to Academic Programs and Policies which has experienced difficulty in "coming to grips with it." It therefore seemed desirable to gain Faculty input so that the Executive Committee could then decide how to provide formal Faculty response to the report. He said that Professor Peter W. Martin, Law, a member of the Committee, would summarize the report at the meeting.

Senate legislation regarding the election of an employee Trustee of the University had prompted the Trustees to examine legislation concerning Trustees, the Dean said, and to ask the University Counsel to draft an amendment relating to Trustees elected by certain groups who cease to be a member of their constituencies. The Counsel proposed to change the University Bylaws by the addition of the following sentence, which the Dean read aloud: "The term of any Faculty Trustee, student Trustee or employee Trustee shall become vacant at such time as the incumbent's relationship to the University as Faculty member, student or employee is terminated permanently." The FCR Executive Committee had discussed the amendment, the Dean said, and agreed that it met Faculty concerns. There being no further comment, he said he would report to the Counsel that the proposed amendment seemed to protect Faculty interests in this matter.

At the request of the Chaplin for Jewish students, the Dean reminded the body that two Jewish Holidays, Rosh Hashanah and Yom Kippur, would fall on September 17-18 and September 25-26 respectively.

Returns have been received from a Faculty survey on indicia of academic quality at the University issued by his predecessor, Professor Norman Penney, Law, and the Executive Committee, the Dean said. He added that his office had no proposals to bring before the body at present and that the FCR Executive Committee planned to discuss the returns.

Many Faculty members were undoubtedly aware, the Dean said, that economic inflation had had an adverse effect on the financial state of affairs of emeritus professors. In consequence, he said, he intended to appoint an *ad hoc* committee to study the situation and report back to the body through the Committee on the Professional and Economic Status of the Faculty, unless he heard objection. There being none, he asked any FCR members knowing of individual cases of hardship among professors emeritus to so inform him.

The Dean reported for the record on an elective process executed since the last meeting since all returns were not received until summer. Elected to the Committee on Physical Education were: Tenured, Non-FCR - Gordon G. Hammes, Professor of Chemistry, Verne N. Rockcastle, Professor of Science Education, Bernice M. Scott, Associate Professor of Rural Sociology; tenured, FCR - Jerome E. Hass, Associate Professor, Business and Public Administration, Bertha A. Lewis, Associate Professor of Design and Environmental Analysis, William F. Mai, Professor of Plant Pathology; non-tenured, non-FCR - Christine A. Shoemaker, Assistant Professor of Civil and Environmental (originally written as Structural, corrected in October 9, 1974 minutes) Engineering; non-tenured, FCR - J. Robert Duncan, Assistant Professor of Pathology, Veterinary College. When finalized, the current committee structure will be published in the *Cornell Chronicle*, the Dean said.

Proposed sex discrimination rules and regulations prepared by the U.S. Department of Health, Education and Welfare were received by the University during the summer, the Dean said, with a request for immediate response, and the President had requested reactions from administrative and academic offices. A preliminary response had been sent to HEW during the summer, and a final response was due October 1. The Dean said he had asked the current FCR Executive Committee as well as those members who would be elected following the meeting to give the matter their best insight, a course he deemed preferable to calling another special meeting, and invited interested FCR members to convey their reactions to the proposed rules and regulations to him as soon as possible.

Professor Peter Stein, Physics, asked the Dean if it would be possible to distribute copies of the Land Grant Report to FCR members before September 18. The Dean replied that the full text of the report had been published in the March 28 issue of *Cornell Chronicle*, and that several copies were available in his office for study. Professor Stein stated that he considered the report an important one, and that it seemed onerous to ask all interested members to consult the Dean's copies. The Dean asked how many members preferred to receive copies of the report, noted that nearly half the body responded positively, and said he would distribute copies. Professor Robert H. Elias, English, suggested making xerox copies of the *Chronicle* version of the report to save expense, and Professor Penney suggested that FCR members should save their copies of the *Chronicle* for at least one year in order to avoid situations like the present one.

4. ELECTION OF SPEAKER

The Speaker requested and received unanimous consent to add the election of a new Speaker to the agenda, mention of which had inadvertently been omitted from the agenda as distributed. He called on Professor William T. Keeton, Biological Sciences, as Chairman of the Committee on Nominations and Elections, to present the first portion of his report. Professor Keeton moved the following slate for Speaker for a one-year term.

CHESTER H. FREEMAN, Professor, Communication Arts

* WOLFGANG H. FUCHS, Professor, Mathematics

There being no further nominations from the floor, nominations were closed and the two nominees left the room. Professor John Whitlock, Veterinary Parasitology, moved to hold the election by a show of hands. Carried. Professor Fuchs was elected by a vote of 36 to 35, and the Dean and Professor Keeton brought Professors Freeman and Fuchs back to the meeting.

5. REPORT OF COMMITTEE ON NOMINATIONS AND ELECTIONS

Professor Keeton presented the following slate for the Executive Committee:

EXECUTIVE COMMITTEE

4 tenured seats - 2-year term

* GWEN J. BYMERS, Professor and Chairman, Department of Consumer Economics and Public Policy

RICHARD H. LANCE, Associate Professor, Theoretical and Applied Mechanics

* Elected

- * NORMAN MALCOLM, Susan Linn Sage Professor of Philosophy
- * MALDEN C. NESHEIM, Professor of Nutrition and Director,
Division of Nutritional Sciences
- WOLFGANG O. SACK, Professor, Veterinary Anatomy
- HAROLD A. SCHERAGA, Todd Professor of Chemistry
- * PETER C. STEIN, Professor, Physics, Nuclear Studies

EXECUTIVE COMMITTEE

1 non-tenured seat - 2-year term

- J. CONGRESS MBATA, Associate Professor and Coordinator of
the African Section, Africana Studies and Research
Center
- JOHN R. WIESENFELD, Assistant Professor, Chemistry
- * JOAN W. WRIGHT, Assistant Professor, Community Service
Education

There being no further nominations from the floor, nominations were closed. Amidst applause, the former Speaker expressed his pleasure at the cooperation he had received from the body during his two-year term of office, thanked particularly Professor Freeman for his assistance as Parliamentarian, and invited Professor Fuchs to assume the Chair. The new Speaker said he would try to perform his office "as fairly as I can."

6. CHANGE IN *EX OFFICIO* MEMBERSHIP OF UNIVERSITY FACULTY

The Dean moved the following resolution on behalf of the Committee on Membership of the University Faculty:

RESOLVED, That the Office of the Treasurer be included in the list of ex officio members of the University Faculty.

The Dean spoke briefly to the motion, saying that in light of the Trustees' revised description of the duties of the Treasurer it seemed logical to include the Treasurer in the list of *ex officio* Faculty members. Carried unanimously.

7. CHANGE IN MEMBERSHIP OF UNIVERSITY LECTURE COMMITTEE

The Dean moved the following resolution on behalf of the Committee on University Lectures:

RESOLVED, That paragraph b. of the legislation governing the Committee on University Lectures be changed as follows:

(deletion in brackets, new material in italics)

- b. The Committee on University Lectures consists of [five] *seven* members of the University Faculty, plus the Dean of the Faculty and the University Publisher, *ex officio*. The Faculty members are appointed by the President for terms of four years.

The Dean explained that the Committee wished to have two more members to help with its workload and to provide for a wider representation of the various constituencies. Carried.

8. REPORT AND RECOMMENDATIONS FROM COMMITTEE ON ACADEMIC FREEDOM AND RESPONSIBILITY WITH RESPECT TO ISSUES RAISED BY FACULTY HEARING BOARD FOR THE HARTMAN CASE (Appendix A)

Professor Neal F. Jensen, Plant Breeding and Biometry, member of the Committee on Academic Freedom and Responsibility, reporting for Chairman Elmer Ewing who is on leave, said that the Committee's report, which was before the body, originated in the Faculty Hearing Board's report to the President on the Hartman case, which contained the following statement:

"The parties in this matter reached a satisfactory resolution of their differences before completion of the formal proceedings. It is therefore unnecessary for us to make a detailed report of findings in this particular case. However, the hearings extended far enough to reveal some ambiguities in existing University regulations, and certain awkwardnesses in procedure which deserve further comment."

Professor Jensen said the ambiguities were defined in the form of five questions appearing on the first page of his Committee's report, which revolved around two areas: 1) general understanding of what a professor's duties are, and 2) appropriate and timely responses of all parties to inevitable changes affecting this "contract" over time. The President sent the Faculty Hearing Board report to the FCR Executive Committee, Professor Jensen said, which referred it to Academic Freedom and Responsibility which responded with the present report.

His Committee had interviewed deans and persons involved in the Hartman hearing, Professor Jensen said, and received responses to the five questions. Questions 3. and 4. do not call for any action, he said, so the Committee's recommendations concern only questions 1., 2. and 5. and reflect what the Committee believes to be reasonable accommodations utilizing appointment, review and grievance procedures now in place at the University at the urging of the President. He then read aloud the recommendations in response to questions 1., 2. and 5.

1 and 2. Definition of professorial duties through letters of appointment and methods of revising such letters. We urge, as a matter of university-wide policy, that letters of appointment:

- a. Define with all reasonable precision the general nature of the responsibilities which the new professor will be expected to assume. (It will be desirable to allow much more latitude in some job descriptions than in others, and the degree of precision must rest ultimately with the department and the dean of the college.)*

- b. *Be sufficiently general that the definition of duties can be reasonably expected to last for a period of at least several years.*
- c. *Explain that any reassignment of responsibilities is not to be undertaken unilaterally, but only through the joint action of the faculty member and the appropriate representatives of his department and college.*

5. Procedures for readjusting responsibilities in relation to changes in individual interest. *Grievance procedures established at the college level should permit the initiation of complaints by either faculty or administrators pertaining to the assignment of faculty responsibility, alleged failure of a professor to carry out the duties of his position, and related matters.*

Professor Jensen moved:

That, The FCR receive his Committee's report and endorse its recommendations in response to questions 1, 2, and 5, of the Faculty Hearing Board report.

Seconded.

Professor Stein stated that he felt it was "probably impossible" to write a valid procedure for all departments of the University on this matter. He preferred, he said, the present structure which is essentially a free system, and said that to try to define it only creates more problems. Such a definition applies only to "desperate abuses" he said, of which there are not many, and asked if, from one grievance procedure, it was necessary to adopt a new procedure for handling grievances. The Committee's recommendations could also be misinterpreted, he said. He, personally disagreed with subparagraph c, of the recommendations pertaining to "reassignment of responsibilities." Therefore, he concluded, would it not be best to continue the status quo since there is danger that trying to define existing procedures would only worsen them. Professor Whitlock stated that the Hartman case was only "the tip of the iceberg." He said he agreed with Professor Stein in the case of departments operating on the so-called "Carl Becker" model, and could see no need to interfere with departmental interrelationships if they were good. But in fact, he said, they often are not, and the Faculty needs to keep "trouble spots" from developing further. There is no restriction in this legislation, he said, of the kind Professor Stein fears. Rather, it embodies the "Carl Becker" approach in writing. Professor Boyd asked if the FCR could obtain more information about existing practices and procedures in order to determine the extent of need before voting on receipt and endorsement of the Committee's report.

Professor Jensen replied that his Committee's research had established that the present situation was not serious in terms of number of potential grievance cases. He reminded the members that in the history of the University there had occurred only one major grievance case, and pointed out that the status quo had changed in that new grievance procedures were already in place. Professor Walter Lynn, Engineering, Chairman of the FCR Executive Committee, pointed out that the report's recommendations were non-prescriptive, i.e., they constituted a reminder in his view of how to proceed, and that he did not see that they were in any way confining to Faculty members. Professor Ian Macneil, Law, expressed concern that subparagraph c, of the recommendations could be taken, in an era when legalism too often overcomes common sense, as binding Faculty freedom. He moved to amend the report by striking out recommendations in response to questions 1. and 2. Seconded. Professor Vinay Ambegaokar, Physics, supported the amendment, saying that the phrase "misfeasance, malfeasance and nonfeasance," which he had often heard but never seen in print, seemed to have the ambiguity, and yet the precision, to deal with the situation. He recalled being told when he came to the University that assistant professors did not commit these crimes, tenured professors did not "consistently" commit them, and that deans should not commit "gross" misfeasance, malfeasance or nonfeasance. Professor Urie Bronfenbrenner, Human Development and Family Studies, expressed concern over whether subparagraph c. of the recommendations protected Faculty members from unilateral action by departmental representatives. He would like to be assured, he said, that paragraph 5. if endorsed, contained such protection. The Speaker asked if the wording of paragraph 5. did not explicitly include the protection of Faculty members. Professor Bronfenbrenner responded by asking if opposition to unilateral action constituted a legitimate grievance. By what standards, he asked, will behavior be judged in future grievance hearings? The Speaker asked Professor Bronfenbrenner if he was speaking for or against the amendment on the floor. Professor Bronfenbrenner replied that he was seeking information. Professor Macneil responded to Professor Bronfenbrenner by saying that he guessed a grievance committee would act according to the prevailing standards of the time, and that he thought that would be a lot better than anything this body could define today.

Professor Whitlock said he would describe a specific case, since he had been asked to be specific, and would try to reveal the actual case. The University contains, he said, in addition to well-defined departments what he

called "menageries or zoos" where there are assemblies of people from different disciplines within a single structure. One such department had taken in a specialist, he said, who had become a "general office boy" since no one else knew about his field or, in fact, what he was supposed to teach. The problem arose when that individual came up for tenure, and did not have a chance of receiving it because, he said, he had not taught a class or done any research. It turned out that he was a very bright individual, but had been "absolutely mismanaged." Such circumstances, he said, are not going to affect professors, but exist at the non-tenured level. More important than the promotion of assistant to associate professors by the Trustees, he said, is the University's selection of assistant professors, and they can and have been mismanaged. He concluded that he saw the original motion as a way to solve a specific kind of problem which exists.

Professor Shayle R. Searle, Plant Breeding and Biometry, opposed the amendment on grounds that recommendation 1., subparagraph a. conveyed the freedom for Faculty members and departments to work out satisfactory arrangements for both. Professor Stein commented in response to Professor Bronfenbrenner's remarks that the present time is a difficult one and hence it might be easier for a department to write a restrictive contract now than it was when he came to the University. Having written procedures available might, he added, encourage certain types of administrators to assign unwanted teaching duties to new Faculty members by including them in contracts, and could be used to support such action if matters came to a head. In the absence of such appointment letters as required by the recommendations, he said, common sense should prevail. He added that he felt it was unfair to impose such appointment letters on new Faculty members and not on present incumbents. Professor Jensen said his Committee had responded to a request from the President, and the present debate could lead to there being Faculty sentiment on only one point in the Committee's recommendations. He added that he was unsure of the recommendations' status as legislation, but that his Committee's purpose was simply to obtain a Faculty response to the President's request. Professor Penney expressed his concern with the negative implications of the FCR's not voting on the recommendations. If the amendment on the floor passes, he said, he hoped this action would not imply that the Faculty did not wish there to be letters of appointment sent to new Faculty appointees. The problem arose, he said, because Professor Hartman had been charged with nonfeasance, but when the Hearing Board got down to the case it could not determine what it was that

Professor Hartman was supposed to "fease," there being on record only a letter asking Professor Hartman to teach at the University. This seems insufficient, he said, and the intent of the recommendations is to specify the kinds and character of work to be done by new Faculty members, not their specific duties or the courses they will teach. This latter question had already been dealt with, he said, by a memorandum from Academic Freedom and Responsibility stating that the ultimate responsibility for deciding course assignments was the function of deans and department heads in consultation with the curriculum committee of the Faculty. The notion advocated by Professor Stein seemed a little unrealistic, he said.

Professor Blumen said that under the rules of the House the meeting would automatically close by 6:00 p.m. and urged a vote due to the lateness of the hour. The amendment was defeated. The original motion carried.

Adjourned: 5:58 p.m.

J. Leeming, Assistant to the Secretary

REPORT OF THE COMMITTEE ON ACADEMIC FREEDOM AND RESPONSIBILITY
WITH RESPECT TO ISSUES RAISED BY THE FACULTY HEARING BOARD
FOR THE HARTMAN CASE

President Corson referred a report "on certain general issues raised in the hearings conducted in the matter of Professor John D. Hartman" to the Dean of the University Faculty "for submission to appropriate faculty bodies for advice and input." (Cornell Chronicle, August 30, 1973, p. 6) The Executive Committee of the FCR in turn referred the report to the Committee on Academic Freedom and Responsibility.

The hearing board raised the following questions:

1. How far is it possible and/or desirable to define professorial duties in advance by means of formal contracts or letters of appointment?
2. If such written agreements exist, how long may they be regarded as binding? As circumstances change, what is the appropriate mechanism for reaching new agreements?
3. In the absence of formal agreements, where does ultimate responsibility for determining such duties lie and what are the obligations of the faculty member?
4. (a) Are there differences in the degree of obligation to conform to departmental responsibilities and norms in the three different areas of teaching, extension, and research? (b) Are obligations more precisely defined in applied scientific and professional subjects than in more basic areas of knowledge? If so, are the reasons for those differences defensible and generally understood?
5. Can more appropriate procedures be devised for dealing with cases in which apparently irreconcilable differences arise between a faculty member and a department?

The remainder of the hearing board's report was devoted to a discussion of possible answers to these five questions. With respect to the first two questions, the report urged wider agreement as to what should be included in letters of appointment. It said that such a letter should describe as clearly as practicable the responsibilities associated with the position and indicate how long the description would be binding. The letter should add that modification of assignments is not to be done unilaterally, but rather "by joint action of the faculty member and the appropriate representatives of his department and college."

The report discusses the problems raised by question three and points out that decisions to change a given individual's share of responsibilities ordinarily should not be taken unilaterally. It notes that a previous decision of the Committee on Academic Freedom and Responsibility establishes the right of the department ". . .to require certain specified teaching responsibilities from its members, and that this in no way infringes on academic freedom. . ." although

grievance procedures might be needed for extreme and prejudicial cases.

In discussing the fourth question, the report states that ". . .it would avoid trouble in the future if the faculty and administration would agree on some clarifying statement recognizing the research responsibility, the degree to which it may properly vary with circumstance, and the procedure for adjusting possible disagreements."

With respect to the fifth question, the hearing board urged explicit recognition that the interests of faculty members may change and the establishment of procedures for dealing with the problems that such changes may produce.

After interviews with Professor Robert S. Morison, chairman of the hearing board, and Professor Cushing Strout, former chairman of our committee (and in that capacity observer at the hearing board proceedings), our committee established a sub-committee to examine the issues raised. The sub-committee, chaired by Professor L. W. Gruenfeld, interviewed four deans and had correspondence with a fifth. In addition to asking the deans for their reactions to the questions raised by the hearing board, the sub-committee asked them how widespread they considered the problems raised by the hearing board to be. In how many cases is there disagreement between professors and department chairmen as to individual assignments? In the view of the deans, how well is the present system working, and what would be the potential advantages and disadvantages of changing it?

The deans interviewed seemed to feel that the number of aggravated cases of faculty who do not perform responsibilities in line with administrative expectations is very small. Even in the small number of cases mentioned, it is difficult to distinguish between those who are willing to do what is expected, but are incompetent, and those who would be competent, but are unwilling. It is very common for research interests of faculty members to shift over time; and there are many legitimate reasons for this, such as changes in the state of knowledge in a field and availability of funds or other resources.

Several colleges have initiated an annual review procedure to evaluate faculty performance. The deans were generally satisfied with the results. The manner in which the review is carried out varies from one part of the university to another, as might be expected when one reflects upon the diversity in subject matter areas, styles, and administrative units. In fact, one of the strongest impressions carried away from the interviews with the deans was that of the great diversity represented at Cornell, and the inherent difficulties in designing legislation that would speak meaningfully in the area of academic responsibilities and that would be appropriate to all parts of the University.

Because plans are under way to develop grievance procedures to be used at the college level, the deans were asked whether such procedures might be useful in settling disputes over responsibilities of individual faculty members. The deans expressed the hope that grievance procedures would be invoked only when less formal remedies had been exhausted, and most appeared rather reluctant to initiate them under any circumstances. However, the concensus was that if grievance procedures are available, and if deans or department heads are permitted to initiate action against a faculty member for allegedly not carrying out his duties, then in rare circumstances the deans might find it helpful to employ the procedures.

In addition to the information supplied by the deans, the committee has received thoughtful suggestions from several other members of the faculty. One of these has proposed legislation that would delineate in detail the powers and responsibilities of department chairmen in faculty hiring, promotion, and assignment of duties. After much reflection, the committee feels that the proposal lies outside the scope of the committee's assignments and might more appropriately be referred to the Committee on the Professional and Economic Status of the Faculty. We have suggested this course of action to the Executive Committee, with the observation that the "appointment policy for Cornell" adopted by the University Faculty on December 9, 1959 (Appendix A) might be reviewed and updated as part of the same study; we would also like to direct attention to the relevant passages of the President's report, "Cornell in the Seventies," some extracts from which we include in Appendix B.

Conclusions and Recommendations

The committee has adopted the following responses to the five questions raised by the hearing board.

1 and 2. Definition of professorial duties through letters of appointment and methods of revising such letters. We urge, as a matter of university-wide policy, that letters of appointment:

- a. Define with all reasonable precision the general nature of the responsibilities which the new professor will be expected to assume. (It will be desirable to allow much more latitude in some job descriptions than in others, and the degree of precision must rest ultimately with the department and the dean of the college.)
- b. Be sufficiently general that the definition of duties can be reasonably expected to last for a period of at least several years.
- c. Explain that any reassignment of responsibilities is not to be undertaken unilaterally, but only through the joint action of the faculty member and the appropriate representatives of his department and college.

3 and 4. Locus of ultimate responsibility, responsibility for teaching, extension, and research. In view of the enormous variation from one part of the university to another in faculty assignments and administrative expectations concerning teaching, extension, and research, the committee is unable to add to the hearing board's own discussion of these questions. In our opinion, a more specific statement by the FCR on the assignment and execution of responsibilities would have to be so abstract and general as to be meaningless.

5. Procedures for readjusting responsibilities in relation to changes in individual interest. Grievance procedures established at the college level should permit the initiation of complaints by either faculty or administrators pertaining to the assignment of faculty responsibility, alleged failure of a

professor to carry out the duties of his position, and related matters.

The Committee on Academic Freedom and Responsibility will move: that the FCR receive this report in fulfillment of the committee's charge to examine the report of the Hartman Hearing Board; and that the FCR endorse the committee's recommendations in response to questions 1, 2, and 5 of the Hearing Board Report.

Elmer E. Ewing, Chairman
Leopold Gruenfeld
Neal F. Jensen
Vaclav O. Kostroun
Bertha Lewis
R. M. Littauer
John E. Lowe
Dorothy Mermin
Marjorie Washbon
Robert Cotts, ex officio
Norman Penney, ex officio

April 23, 1974

Appendix A. Policy adopted by Cornell University Faculty,
December 9, 1959 (records, p. 2919).

A Faculty Appointment Policy For Cornell:

It is moved that the Faculty accept the following as an expression of policy with respect to the appointment of Faculty:

1. Preliminary Analysis of Candidates

(a) Preparing a list of possible candidates

In assembling a list of possible candidates reliance on traditional and customary sources of information may neglect the effects of changing conditions and overlook new sources of information. Every effort should be made to have the list include all qualified persons, regardless of their location or status at that time.

(b) Selecting candidates for interview

It is suggested that selection of from three to five candidates for personal interview be made with the assistance of the entire department, if possible. The choices should not depend upon travel costs. When necessary, funds should be made available, at the college level, to cover costs of interviews.

It will normally be desirable to give preference to candidates who are not fresh from training at Cornell. As a general principle, recent Cornell Ph.D's should be considered only if the number of Cornell graduates teaching in the department is small. While the desirable number of Cornell graduates in a department will necessarily vary, it is suggested that whenever this number exceeds about twenty percent there is a serious risk of intellectual and professional parochialism. It seems desirable not to appoint new Cornell Ph.D's to the faculty unless it is clear that no equally well-qualified persons are available.

2. Interviews

(a) Meetings with department members and with the Dean of the College

During the candidate's visit, he should meet and talk privately with the Dean of the College and each member of the department. Each faculty member should have an opportunity to get a clear impression of the candidate's scholarly capacity and promise and of more personal factors such as maturity, self-assurance, drive, etc. In large departments,

it may be necessary to limit the number of discussions with staff, but this number should never be less than eight, of which at least four should be with senior staff. Each member of the permanent staff should have the right to participate and a duty to insist on high standards for selection.

(b) Seminar

Every candidate should be asked to speak to the faculty, graduate students and/or undergraduates on some appropriate topic, usually relative to his recent work. He must, of course, be forewarned. Since a meeting of this sort is usually the only opportunity to evaluate a man's teaching ability, this valuable measure should be omitted only in exceptional cases. The department, either on its own initiative, or at the suggestion of the Dean, may wish to invite some staff members from other departments to the meeting.

3. Selection

The choice from among those candidates interviewed should be made by the department head with the concurrence of his faculty and of any out side staff members asked to participate in this process by the Dean. In cases where the new appointment will entail a substantial amount of supervision of graduate students, the Dean of the Graduate School should be invited to participate in the selection procedure in whatever way seems appropriate. After a review in the President's office of the candidate's qualifications and of the fiscal arrangements proposed a tentative offer can be extended, with a request for a decision within a stated period of time.

4. Supplementary Action

Should the offer be declined, the following succession of alternatives may be employed:

- (a) an offer may be made to the second-choice candidate;
- (b) additional interviews may be held and a new choice made;
- (c) a temporary appointment may be made, preferably of an eminent scholar, so that the process of securing a distinguished addition to the staff can be continued without pressure.

It is, of course, desirable to start the hiring process sufficiently early to avoid compromise on less than satisfactory appointments.

Appendix B. Extracted from Cornell in the Seventies, p. 41-42.

Recommendations in the Area of Academic Affairs

1. That at the time of appointment, nontenured faculty be made aware of the conditions of their appointment and the qualities on which the department will judge them for tenure. They should also have some idea of the probability of an assistant professor attaining a tenured position.

2. That in fairness to the individual, department chairmen keep nontenured faculty members informed of their progress toward tenure in some regular and formal way. Other tenured faculty members should also offer advice and counsel in a less formal way.

3. That the report of the Keast Commission relative to academic tenure be considered by the college faculties and by an appropriate committee of the Faculty Council of Representatives, with the object of reporting its findings to the University Faculty and the President.

The Provost, David C. Knapp, called the special meeting to order at 4:36 p.m. and relinquished the chair to the Speaker, Wolfgang H. Fuchs. 66 FCR members, 45 non-FCR Faculty members and eight visitors were present. The Speaker called on the Dean of the Faculty, Byron W. Saunders.

1. REPORT BY THE DEAN

The Dean requested FCR members who had not turned in ballots for the election of a new FCR Executive Committee to do so. He announced that he had received several reports regarding noncompliance by Faculty members with FCR legislation regarding scheduling classes from 4:30 to 6:00 p.m. and consuming two periods for a single class in the Monday-Wednesday-Friday sequence. He expressed the hope that Faculty members would comply with the legislation. He then said that this meeting had been called to discuss the Report of the Land Grant Mission* of the University submitted to the President, Dale R. Corson, by a Presidential Committee chaired by Professor Robert A. Plane, Chemistry, and since referred in turn to former Dean of the Faculty, Norman Penney, to the FCR Executive Committee, and to Academic Programs and Policies where it now rests. Academic Programs and Policies had suggested holding this meeting, the Dean said, to provide the Committee guidance in preparing a formal report stating the Faculty's position. The Dean announced that he and the Speaker deemed it proper to recognize voting members of the Faculty if they wished to speak. He urged active discussion in view of the Report's implications for University operations in the future.

2. REMARKS BY THE PROVOST

The Speaker called on the Provost who said the Report had been presented to the Board of Trustees in May, and that the Board had asked the President to report at the October meeting on actions taken; that most of the deans had given their responses to the President, and that the Planning Review Committee of the University Senate had the matter under consideration and was drafting a response. He said that his office had reviewed the Report's 17 recommendations to determine their feasibility of implementation, and that the FCR's reaction would be received by the central administration for full consideration in the context of all responses.

3. REMARKS BY PROFESSOR MARTIN

The Speaker called on Professor Peter Martin, Law, member of the Committee on the Land Grant Mission of the University, who said he would attempt to

*Report attached , Appendix A

describe how the Committee had viewed its charge and what recommendations the Committee had considered most important. The Committee tried both to restate in contemporary terms what the University's land grant status meant, he said, and to consider aspects or directions of the current program that were expressive of that status. The Committee had observed that land grant status was more than historical fact or an oddity; but was, in fact, a sense of continuing obligation, of accountability to the public and the state, and that it incurred an important relationship with the state. The Committee had also observed that the entire University shared whatever obligation or mission flowed from land grant status, he said. The status existed before the creation of the statutory units, and therefore both they, which came to Cornell in part because of its status, and the endowed colleges, which benefitted from the marriage of public funds and private endowment at the University's beginning and continued to reap the benefits of public land grant funds, shared this obligation. The Committee had also tried to determine what was particular about a land grant institution, he said, and he read the following excerpt from page 4 of the Report:

"Over the years it has been generally recognized at Cornell that research and teaching mutually complement one another to the benefit of both. It has been less appreciated that extension education and more traditional forms of education are complementary. We believe the basic thrust for a land grant university of the future should be to strengthen the connection between more traditional forms of education and educational service to a broader public."

As the Committee had examined the wording of the Morrill Land Grant Act and related legislation, Professor Martin said, it had concluded that embodied in the law were several concepts, among them the notion that teaching and research should relate to the people of the state (a broadening of the instruction to teach "the agricultural and mechanical arts") and the complementary notion that a land grant institution should try to reach population segments not reached by traditional university programs (extending the instruction "to serve the industrial classes"). The Committee's recommendations, therefore, fell into two areas: 1) reaching new people, 2) ways of relating current teaching and research to the community served by the University. Recommendations in the first of these categories were addressed to individual schools and colleges of the University, he said, suggesting for example that they consider the appropriateness of preparing paraprofessional training programs or the possibility of developing joint programs with two-year colleges to permit

students who are presently unable to afford a full Cornell education to enter a four-year program through a two-year college. Such recommendations often stemmed from existing programs in individual departments, he said, which the Committee felt might be adopted by other units of the University. Recommendations in the second area involving off-campus or extension activities were addressed to the University as a whole, he said, and the Report recommended extending New York State Cooperative Extension Universitywide. He read the following excerpt from recommendation 7 (page 9) of the Report:

"The concept of extended education should be recognized and implemented as an appropriate, essential function of Cornell University on a par with its traditional education and research functions. This concept is applicable to all academic divisions, not just the statutory colleges.

- a. An administrative division of extended education should be established for existing and yet-to-be established extension activities."

The Report also urged, he said, that Cornell underscore the importance of extension activities by assigning titles, funds, etc. to those Faculty members who undertook them. He concluded by stating that the Committee had not envisioned that Cornell serve all teaching and research needs of the state, but that the University's current resources be channeled to promote mutually profitable exchange with units in the state that would respond. The concept of teacher training, for example, was not seen as duplicating existing efforts but as assisting and complementing efforts of the state's two-year colleges.

The Speaker invited members of the Committee who were present to add their views. Assistant Professor James W. Converse, Rural Sociology, commented that throughout the Committee's deliberations he had maintained that Cornell was a much more elite institution than originally intended, and that his desire was to reduce the cost of a Cornell education. Therefore he had supported the concept of developing relationships with two-year colleges as a means of helping students otherwise unable to afford study at Cornell.

The Speaker opened discussion to the body. Professor Richard M. Talman, Physics, read a list he had made of ways in which he thought the quality of the University could be degraded by implementing the Committee's recommendations: more students, less supervision of students, increased political involvement, increased subjectivity in judging excellence, more complicated administrative structure (e.g., interdisciplinary organizations), redirection of resources presently applied to pure research to more applied research which at present is

reasonably supported by industry, distribution of responsibility for research directions, promotions, etc. to Universitywide bodies instead of departments, and redirection of perhaps one-third of the University by fiat. Professor John G. Hutchins, B&PA, asked why the administration was concerned about the University's land grant mission at this time. The reason, he surmised, might be that it was intended to "sell" the endowed colleges to the state with Cooperative Extension as the "quid pro quo." As evidence he quoted the phrases "uniform planning," and "uniform accounting" from the Report. "Is SUNY putting the squeeze on Cornell?" he asked, adding that while his remarks were entirely supposition he would like to know the answer before acting on the Report. He also observed that the Report seemed to ignore feelings of individuals who had donated large private funds to the University with the intent of preserving its quality. Professor Hutchins also asked if the kind of "cafeteria education" towards which the Report would lead the University constituted quality education. The present quality of research and teaching is the most important part of Cornell, he said, and professed his inability to comprehend the meaning of such phrases in the Report as "giving credit for work experience." He concluded by observing that the combined load of extension and research work would be too great for the individual Faculty member to handle.

Professor Walter T. Federer, Plant Breeding and Biometry, called the rhetoric of the Report "elusive and bad." Theoretical research at Cornell serves the whole of society, he asserted, whether now or in the future, and he urged the Faculty to let Cornell grow, not decrease, in quality. The Speaker was asked if it would be appropriate for the body to hear the original charge to the Committee on the Land Grant Mission in order to enable it to put questions in perspective. Professor Martin replied that the Committee had been asked to consider what was the appropriate future role for Cornell University in fulfilling its land grant mission. Professor Peter Stein, Physics, suggested that the Committee's interpretation of the University's land grant mission was not generally shared. Engineering and such Arts College departments as physics and mathematics teach the "mechanical arts," he said, adding that he found it difficult to assume that the only meaning of the land grant mission was to teach such subjects through cooperative extension. He said he found the whole tone of the Report offensive, and the statement that everyone should be engaged in extension intolerable, as he did the notion that physics is "elitist." He said he felt he served civilization and did not have to justify it. He had sought out members of the Committee on the Land Grant Mission, he said, in an effort to clarify his own understanding, but could not accept their rationale for statements in the

Report and had to fall back on its terminology. Taken literally, he said, the Report would put cooperative extension on a par with other academic areas, which would mean the loss of funds elsewhere in the University. It was absurd, he said, to state that the Faculty could perform such an "extra" chore when the size of the University was fixed. Professor Converse said he was struck by the parallels between the defense of the quality of the University and the arguments made in defense of theological seminaries in the 1860s. If anything, the Committee was concerned with improving the educational quality of Cornell, not degrading it, he said, and had examined the question of whether or not Cornell had moved away from its original mission to serve the people of the state. It had found little evidence of working people being served by units of the University other than Cooperative Extension, hence the emphasis on extension in the Report, he said.

Professor Urie Bronfenbrenner, Human Development and Family Studies, stated that he found no reaffirmation in the Report of what Cornell University is, or of how it should be responding to the contemporary world. Cornell is a distinctive institution, he said, in part because of its land grant status which marked it as a rebel against the standards of higher education in vogue at the time of its founding. The Report gives a procedural answer to the question of mission, i.e., broaden the University's audience. The fundamental question is rather what should the University, with its distinctive tradition and distinct obligation, be today, he said. It would be unfortunate if rejection of the Report by the Faculty constituted a rejection also of the challenge to determine what it means to be "our kind of institution in our time," he concluded, "because I think there is where our future lies as a great educational institution."
(applause)

Professor Robert H. Elias, English, said he did not recognize the Report in the criticism of it voiced by his colleagues, although he shared many of their concerns. There is difficulty over the word extension, or extended education, he said. If the Faculty defined it in mundane terms, such as measuring the height of kitchen counters, then it would of course reject the spirit and terms of the Report. He acknowledged that physicists such as Professor Stein would find it very difficult to teach high energy physics at the extension level, but pointed out that humanists and social scientists might easily adapt their subject matter to different audiences. He expressed delight at the Committee's recommendations to create alternative paths to degrees, consider the possibilities of paraprofessional instruction, and to extend to a broader community the kind of research in child training being done by the Department of Education.

Professor S. Cushing Strout, English, criticized the Report's definition of research as applied research conducted mainly by interdisciplinary groups drawing from both statutory and endowed units. He urged the Faculty to expand this concept to include interdisciplinary research conducted within the endowed colleges. He also opposed the notion of seeking some over-all objective or strategy that would encompass all parts of the University. Professor H. Peter Kahn, History of Art, said that as a member of the Committee he was astonished by the present reaction, adding that the Report reaffirmed some of the activities the Faculty was engaged in and called for more objective and expanded extension teaching. The Faculty seemed to fear, he stated, that if this came about there might someday be cows on campus. "We already have cows on campus," he said.

Professor Hutchins read the following excerpt from recommendation 18 (page 14) of the Report:

"The central administration should treat the statutory and endowed units alike administratively. This requires increased integration of the statutory colleges within the Cornell administrative process in budgeting, accounting, personnel and employment policies and procedures, and public relations."

He asked Professor Martin if he envisioned that, for example, the whole University would become a state college related to the State University and that the Faculty would become civil servants. Professor Martin replied that quite the reverse was the case. The Report, he said, had recommended that statutory units ought to be more securely within the University, not that endowed units become part of the state system. Professor Walter Lynn, Director, Center for Environmental Quality Management, pointed out that state and endowed units are on different fiscal year policies, a fact which compromises the Board of Trustees' wish to centralize budgets. He said he shared Professor Martin's view that the University should administer both state and private units rather than delegating statutory units to the state university system. Professor David L. Call, Director of Cooperative Extension, suggested that Professor Hutchins read the report of the Trustee State Relationships Committee, chaired by Trustee Morton Adams. He added that "extension teaching" was too narrow a definition of the extension function, which is to extend the resources of the University in many forms to a broader public than that now being served. Professor Bronfenbrenner said he had served on the Adams Committee as a Faculty Trustee. The principal concern of the Trustees and the Adams Committee was reflected in the phrase most commonly heard in their deliberations, that of maintaining and enhancing the concept of Cornell as one University.

Professor Maurice F. Neufeld, I&LR, said he thought the Report had misled the Faculty to a large extent. He applauded the exchange of ideas that took place in the dialogue between the Faculty and the President last spring, but expressed fear that feelings of frustration and mistrust were still shared by Faculty and Administration. If such feelings were cleared up, he said, the Faculty might look upon the Report with more objectivity. In hopes of sharpening the Faculty's vision, he said, he would like to ask why the State University of New York should not be the land grant institution of the state. Professor Isadore Blumen, I&LR, likened the Report to previous administrative exercises in which, he said, Presidentially appointed or non-Faculty-appointed committees such as the Cranch Committee presented conclusions to the Faculty. Moreover, he said, as in the past the present Committee members were responding to criticism by saying that they did not mean to say what they had said in the Report and that their intentions were being misread. He found this insulting to Faculty intelligence, Professor Blumen said. The Report presumed, he said that the administration would direct extension activities, as it has those of interdisciplinary centers and programs such as COSEP, which he termed "disaster areas." There had been experience with colleges offering credit for career experience, he said, such as the State University's Empire State College, which he called a "diploma mill" granting "worthless degrees." The Committee had enthusiastically endorsed the labor liberal arts program run by the I&LR School in New York City, he pointed out, but apparently had never seen the Arts College's reports on the humanities courses in that program. Had they done so, he said, they would have been less enthusiastic. An example of using the University's expertise in "ongoing" field research, he said, would be the Storefront in downtown Ithaca, a project in whose creation three members of the Committee were involved. He attacked the concept of the administration directing both statutory and endowed colleges, saying that "a curious lack of initiative" in the central administration in pressing for salary increases in statutory units in recent years gave rise to the suggestion that attempts were being made to avoid embarrassing the endowed colleges. He attacked the concept of bringing more two-year college students to the University, saying they were considerably below the qualifications ordinarily expected at Cornell. Forced by external pressures to accept transfer students, the statutory colleges, he said, had either had unfortunate experiences with them or made the best of a bad situation. He concluded by asking why the Faculty should invite further rape, especially when the motive was to increase profits.

Associate Professor Roger M. Battistella, B&PA, said that Cornell was not alone in studying its mission. The Carnegie Commission, he said, had looked at the future of higher education and concluded that most institutions would have to adjust to fiscal reality and become more responsive to society's needs in a way that would complement their resources and strengths. He stated that initiative could be found to fill this need if it remained in the schools and colleges of the University rather than in the administration. Professor Raymond Bowers, Physics and Director, Program on Science, Technology and Society, asked the Dean what mechanism would be used to convey the Faculty's response to the topic under discussion. He asked if the Faculty had a mechanism to respond to what could be regarded as the opening document in a debate of profound importance to this University, and did it have a way to modify procedures in the light of changing times. It was not enough to criticize the Report, he concluded, since it dealt with very fundamental questions of educational policy that would affect the University over the next decade of operation.

The Dean replied that the Report was in the hands of Academic Programs and Policies which was charged with reporting a formal resolution to the body for approval. Professor Bowers said that appraising the land grant status of the University would probably require "starting from scratch," and asked if this were feasible or would the body limit itself to criticizing the present Report. The Dean replied that he alone could not make a judgment about the question.

Professor Norman Penney, Law, pointed out that the FCR had dealt with the University's land grant status several years previously in its discussions regarding keeping R.O.T.C. on the campus, and had concluded that fulfillment of the land grant commitment was a political judgment to be made by the State Legislature. Responding to Professor Neufeld's earlier question, he said that at the moment the Legislature was not persuaded that SUNY should be the State's land grant institution, but was subject to pressure to create two such institutions in the State, as is the case in Massachusetts for example. The Legislature was not bound in its actions by the terms of Cornell's founding, he stated, adding that perhaps the Faculty's goal should be to determine what the University's land grant status means to the Faculty and whether or not it wants to keep it.

Professor Stein commented that action by the Legislature was out of the Faculty's hands and that he had not heard of any real debate taking place on the subject in the Legislature. Determining the worth of land grant status to the University seemed a valid concern, however, he said. He also commented on what he considered unfair arguments regarding "elitism." Humanists and

agriculturalists get along fine on the campus, he said, but asked why the Arts College should be called on to undergo "major perturbation" in order to enter the field of extension teaching. He could only interpret the Report as putting extension "on a par" with on-campus teaching and research, he said, and while this might be argued as strengthening the University, he could not understand how it could be accomplished given the fixed resources described in the Report.

Professor Strout stated that his remarks had been directed at the content of the Report, not its language or tone. He added that he thought it was a mistake to consider this Report as a repetition of the Cranch Committee Report.

Professor Gwendolyn J. Bymers, Consumer Economics and Public Policy, said the discussion was avoiding the main issue of whether or not the Faculty had a responsibility to serve a broader audience. While sharing her colleagues' dislike of field study programs, she said, she had come to the awareness that at least through such programs one could do something about the quality of what children are learning.

Professor Hutchins asked the Dean to explain what action Academic Programs and Policies would take subsequent to this meeting. The Dean replied that the ultimate goal was to formulate an official expression of the Faculty's opinion on the matter, but that he was unsure of the procedure and form this process would take. Associate Professor Frederick M. Ahl, Classics, stated that part of the reason for the Faculty's confusion about the issue arose from the "thin line" that exists between serving the interest of the community and "being dictated to by groups claiming to represent the community at large." There is a difference, he said, between some of the Faculty's understanding of a broader public and the understanding of those considering matters from a political perspective. Thus the question boiled down to what extent the Faculty was going to allow political exigencies to influence the quality of education. Being an institution of higher education and charging tuition made Cornell elitist, he stated, and many of the Faculty equated such terms as "broader audience" with degradation of the quality of teaching. He asserted that this was a genuine fear in the minds of many Faculty members and that they required considerable assurance on the point. Professor Bronfenbrenner strongly urged the FCR Committee not to restrict its deliberations to the propositions made in the Report, adding that it was not the Faculty's responsibility to judge political exigencies, but rather to judge what higher education should be at this institution. He reminded the body that the distinctive quality of Cornell

had developed because it confronted the issue of what it meant to be a land grant institution at the time of its founding, and that it had introduced new kinds of subject matter to the curriculum because it had felt that this was in the interests of higher education. He said he hoped the Committee would ask, not what is politically expedient, but what should higher education be at an institution "which did not then and does not now simply follow directions set by other institutions that presume to that status." Professor Blumen pointed out that Academic Programs and Policies had the charge to report to the FCR, and said he thought its report should be much more responsive to the original charge to the Land Grant Committee than to the details of the Report.

Professor Neufeld said he interpreted the first six propositions of the Report, pertaining not to extension but to "what might be done on campus," as a polite request from the Land Grant Committee to the Faculty, as a rational body, to reconsider its mission. He pointed out that since the Arts College received monies as a result of the University's land grant status long before the Agriculture School was created, it had an educational and moral obligation to rethink its mission. Moreover, he suggested, the Arts College might be strengthened by the admission of capable students, "certainly as capable as the 'gentleman C' scholars who dominated Cornell University for decades," he added, who could not now afford a Cornell education. He hoped, he said, that the Faculty which prided itself on its objectivity in research and scholarship, would be equally objective in considering the economic, moral and scholarly aspects of this question, and would view the present Report as it was phrased and intended, not in the view of the political judgments voiced on this floor.

Adjourned: 5:57 p.m.

J. Leeming, Assistant to the Secretary

President's Committee
on the Land Grant Mission
of the University

Chairman: Robert A. Plane, Professor of Chemistry, College of Arts and Sciences

Lisle C. Carter, Professor of Public Policy, Graduate School of Business and Public Administration

James W. Converse, Assistant Professor of Rural Sociology, New York State College of Agriculture and Life Sciences

N. Bruce Haynes, Associate Professor, Extension Veterinarian, New York State Veterinary College

H. Peter Kahn, Professor of Fine Arts, College of Arts and Sciences

William H. Kaven, Associate Professor of Hotel Administration, School of Hotel Administration

Jane E. Knitzer, Assistant Professor of Human Development and Family Studies, College of Human Ecology

Dr. Allyn B. Ley, Director of Health Services and Clinical Professor of Medicine, Cornell Medical College

Norman Malcolm, Susan Linn Sage Professor of Philosophy, College of Arts and Sciences

Peter W. Martin, Professor of Law, Law School

Royse P. Murphy, Professor of Plant Breeding and Biometry, New York State College of Agriculture and Life Sciences

Paul R. McIsaac, Professor of Electrical Engineering, College of Engineering

Maurice F. Neufeld, Professor of Industrial and Labor Relations, New York State College of Industrial and Labor Relations

Isabel J. Peard, Professor of Education, Emeritus, New York State College of Agriculture and Life Sciences

Jason L. Seley, Professor of Art, College of Architecture, Art and Planning

Mark Barlow, Vice Provost

Thomas L. Tobin, Coordinator of State Relations, Secretary

Robert F. Risley, Vice Provost, Ex-Officio

Cornell University
March 25, 1974

Report on
The Land Grant Mission
of Cornell University

The divorce between the universities and the activities of life is astounding....We are still aristocratic in university matters. We think there are some subjects too common for university instruction. But a People's University, if it is true to the spirit of our age, must hold all subjects equally reputable, and provide instruction in all alike.... The analysis of soils is as important as the analysis of literature....A house is as rational as the geometry it embodies....In God's universe there is nothing common or unclean, and whatever is known about it must have a place in the curriculum of a People's University.

Jacob Gould Schurman
Founder's Day Address, 1888

There is general agreement that Cornell University should grow very little, if any, in numbers in the years ahead. There is also a general feeling within the University community that Cornell should, instead, grow in quality.

To do this requires the full utilization of all the strengths and resources peculiar to Cornell and their direction toward accomplishing the central mission of the University.

From its beginning the mission of Cornell has been defined to reflect the principles of the Morrill Land Grant Act. The combination of the principles of the Act and the philosophies of Andrew D. White and Ezra

Cornell led to Cornell's spectacular early growth about which historian Allan Nevins said during a Cornell centennial lecture (June 1962): "The rapidity with which Cornell University rose to greatness remains almost unparalleled in academic history..."

The initial requirement of the Morrill Land Grant Act specified that for any land grant university, such as Cornell, "the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the states may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life...."

The Charter of Cornell, approved by the New York State Legislature on April 27, 1865, repeated much of the Act but also allowed future modification of the basic plan with the words: "Such other branches of science and knowledge may be embraced in the plan of instruction and investigation pertaining to the University as the Trustees may deem useful and proper...."

Subsequently, the Hatch Act, passed in 1887, established agricultural experiment stations in every state in connection with land grant colleges and provided funds for agricultural research. Initial response to the Hatch Act in New York State led to the establishment of an agricultural experiment station at Cornell and a similar station at Geneva which later came under Cornell's administration. The Smith-Lever Act, passed in 1914, provided for the establishment and funding of extension programs. The Bankhead Jones Act of 1935 provided funds for teaching and approximately 60 per cent of these funds have supported teaching in the endowed units at Cornell.

Proceeds from the original Morrill Act established the endowment of Cornell University. State support for individual colleges and programs at Cornell came about much later: Veterinary Medicine (1894); Agriculture (1904); Home Economics (1924); and Industrial and Labor Relations (1944). In 1948, the State University of New York (SUNY) was established with the four statutory colleges at Cornell specified as units of SUNY under administrative control of Cornell.

From this brief description of the legislative history of Cornell as the land grant university of New York State, several facts seem clear:

A. The land grant concept applies to all units of Cornell, endowed as well as statutory.

B. Curricula should include agriculture and engineering as well as the liberal arts and the basic sciences. The University Board of Trustees has the authority and responsibility to add those specific programs which they deem appropriate to Cornell's land grant mission.

C. The original audience to be served were the industrial or working classes. Because 80 per cent of the U.S. population at the time Cornell was founded were involved in agriculture, they were the University's initial, primary audience, but as the make-up of the U.S. work force has changed, the population target of land grant colleges has been modified so that all elements of American society which can benefit should now be included. . Access to instruction is available to individuals without regard to race, sex, religion, age, or economic situation.

D. The provisions of the Morrill Land Grant Act specifying the teaching of military tactics are satisfied through the Cornell policy of voluntary ROTC programs.

Over the years it has been generally recognized at Cornell that research and teaching mutually complement one another to the benefit of both. It has been less appreciated that extension education and more traditional forms of education are complementary. We believe the basic thrust for a land grant university of the future should be to strengthen the connection between more traditional forms of education and educational service to a broader public.

This connection can and should be strengthened by preserving the disciplined, analytical process which is the basis for effective education. It will require a broadening of the audiences served by both so that the gap between them is narrowed. Furthermore, off-campus involvement can provide the University with a better understanding of the problems and structure of society at large to the benefit of both teaching and research.

On-Campus Education

True to its land grant tradition, Cornell has pioneered in efforts to extend college education to young people regardless of sex, race, or economic circumstance. In this regard, Cornell's early and remarkably heavy commitment to its COSEP program represents a good example of Cornell's response as a total university to its land grant obligation. The level of Cornell funds for minority education should be maintained at least as high as at present. It is hoped that these funds will be augmented from outside sources.

Educational offerings should be continually assessed to ensure that they are of maximum benefit to increasing numbers of students from various minorities entering Cornell. We think it is desirable that such new offerings, as they arise, be accommodated within existing organizational structures, so that they become an integral and strong part of the University's offerings.

Some of the recommendations below should reduce the cost of the students' education and so should make Cornell more accessible to all students who are economically disadvantaged.

Despite the Ezra Cornell motto, Cornell has not met its responsibility in offering on-campus instruction to people outside the traditional 18-25 age range. The Committee believes it is incumbent on Cornell, as a land grant institution, to extend on-campus instruction to those people of any age best able to benefit. Each of the recommendations below addresses itself to strengthening Cornell's educational efforts for students either below or above the traditional age range.

(1) Cornell's current summer program for high school juniors should be strengthened and expanded. The program allows students to try a college program without heavy academic risk. Thus, the program extends the age group served and enriches the high school class to which a participating student returns. A worthwhile addition would be minority students, intermediate in age between those currently served by Model-Cities Programs at Cornell and by the COSEP program. In order to provide advanced placement students with exposure to typical college courses, scheduling of the advanced placement program should be done carefully. The non-credit programs intended for high school students can and should be expanded significantly.

(2) There should be an alternative path to a Cornell degree which involves a shorter on-campus residence period and thus opens the possibility of a Cornell degree to students unable to afford either the time or money required for four years in residence. To a limited extent the path currently exists for students transferring to Cornell for a final two years on campus. The Committee feels that the residence requirement should not now be further shortened, but that the program for transfer students should be strengthened

and made available to increasing numbers through the following steps:

a. Grant future matriculation to high school seniors who complete two years of specified work elsewhere at a specified performance level. Such specified work may include (1) attendance at particular colleges (community colleges, Ag. & Tech. colleges, etc.) with which Cornell maintains liaison, (2) attendance at another college plus specified summer programs at Cornell, (3) incorporation of successful home study, advanced placement credit, or job experience into the preliminary two years. The exact specification of alternatives should be made by the appropriate committee or officers of the individual colleges at Cornell who should also consider any adjustments necessary in the Cornell offering. Representatives from community colleges could well be incorporated into the process on a continuing basis. (At present, Cornell refuses admission to qualified freshmen because of space limitations. Rather than enrolling at a two-year college, the vast majority of these students enroll at a four-year college. If they could be guaranteed later admission to Cornell as upperclassmen, the quality of transfer students would thereby be increased.)

b. Form closer ties with selected community colleges in order that students who had not initially thought in terms of Cornell would be encouraged to direct their programs toward transfer to Cornell for their final two years.

(3) There should be increased provision for students entering Cornell as freshmen to spend time away from campus on a credit or non-credit basis during their four-year program. In general, a year's work experience can contribute significantly to a student's education and should be facilitated. Organized credit programs for off-campus projects (e.g., the Environmental Semester, the Junior Year Abroad, field study programs) should be encouraged and expanded.

(4) Paraprofessional programs should receive careful study by all of Cornell's schools and colleges. It is not necessary that Cornell offer paraprofessional training in every area, but where Cornell has unique strengths (e.g., health delivery, veterinary medicine, nutrition and food services, architecture and planning, labor relations, etc.)--paraprofessional programs should be developed and/or expanded.

(5) The Committee sees increasing societal need for professional training beyond the baccalaureate level. Such training may be best attained through professional master degree programs. It is recommended that the graduate fields offering such degrees: examine their programs to ensure that they match existing needs; minimize as far as possible on-campus residency requirements. Where possible, credit should be granted for appropriate career experience. Furthermore, the General Committee of the Graduate School should survey the various professional fields and determine where additional professional master degree programs are needed.

(6) For individuals desiring advanced, post-degree work without credit, the Committee recommends a new program for "University Scholars." The program would be open to people having at least a bachelor's degree who could benefit from one or more terms on campus. University Scholars would have use of University libraries and other facilities and could attend regular

courses. The program would be administered by a University official charged with deciding whether an individual applicant would benefit from the program and with determining appropriate charges for the program. It is envisioned that the program would serve professional people desiring added training or re-exposure to university life, individuals whose career is undergoing a change of direction, visitors from other universities, retired people. Should the last category grow to significant numbers, a somewhat special program should be designed. It would include appropriate housing, seminar courses similar to Alumni University, plus regular university course offerings, lectures, and concerts. Should other identifiable groups emerge in significant numbers, special programs for them could be devised. The general program for "University Scholars" should be described in graduate bulletins and other University publications.

Off-Campus Education

Hosts of people in need of higher educational services do not require the usual on-campus academic fare. Some seek intellectual stimulation; others immediate and specific information. Because of the diversity of such individuals, they can best be reached through existing extension activities and through other institutions to which they belong. Extended education activities should be focused on the membership and, in particular, the leadership of such organizations as professional societies, hospitals, libraries, and public education systems.

Some of the Cornell activities which can serve as examples to be extended much more broadly in the future include:

--Problem solving for citizens of the rural area, an important activity of Cooperative Extension since its founding some 80 years ago.

- Designation of the new Johnson Museum to serve as an educational and cultural resource for the region as well as Cornell.
- The Industrial and Labor Relations School audio-tape series to assist administrators and teachers in the public education systems to understand and implement the New York State Taylor Law.
- The Labor-Liberal Arts Program for over 800 union leaders in five cities which encompasses two years of post-high school education directed toward both general and professional advancement.
- The Engineering College professional master's degree program employing audio-visual tapes of class lectures for use by industrial corporations.
- The plan to equip the 56 county extension agencies with video cassette playback units.
- IMPACT, a research project, intended to assess the needs for continuing education in the State, to inventory the existing continuing education resources, and ultimately to develop a system that will bring them together.

With regard to off-campus education, the Committee makes the following recommendations:

(7) The concept of extended education should be recognized and implemented as an appropriate, essential function of Cornell University on a par with its traditional education and research functions. This concept is applicable to all academic divisions, not just the statutory colleges.

a. An administrative division of extended education should be established for existing and yet-to-be established extension activities.

It would be the function of the Division to encourage development of extended education programs within the academic units. To avoid duplication and encourage cooperation, extended education activities at Cornell should be coordinated with other institutions throughout the State, including educational organizations, government institutions, cultural organizations, professional societies, etc. The new administrative division should report to the chief academic officer of the University.

b. The existing network of extension agencies throughout the State should be expanded to accommodate extension activities generated by all of the Cornell academic units, including interdisciplinary programs.

c. Appropriate committees of each Cornell academic unit, as well as interested individual faculty members, should be asked by their deans to suggest ways in which their subject areas can contribute to the extended education mission of Cornell.

d. The feasibility of an on-campus conference center should be assessed by a Presidential study committee.

e. Cornell should consolidate its dispersed enterprises in New York City into a coordinated effort in full cooperation with other New York City resources. To the extent possible, all Cornell activities in New York City should be centralized at a single location.

(8) Cornell should establish through its Department of Education the research and development capability on adult learning required to increase the knowledge and understanding of adult needs and institutions for continuing education as well as the development of appropriate pedagogy, curricula, counseling and advising resources. The Department should make its research

results available to the division of extended education for dissemination to the various publics involved.

(9) Cornell should expand its programs to prepare teachers, counselors, and administrators of continuing education programs. It should further assist, when called upon, the members of community colleges and two-year agricultural/technical institutions as well as others involved in continuing education in industry, proprietary institutions, etc.

(10) Cornell should continue and expand its efforts to assess the needs and interests of the people of the State, including those not now affected by existing extension services, to identify the educational programs available and those that are needed, and to develop an information "clearing house" that would effectively bring people and programs together.

(11) Each college advisory council should be asked on a continuing basis to recommend ways that their colleges can serve the needs of society by participating in extended education.

(12) In order to emphasize the importance Cornell places on its extended education function, the Committee proposes the following in regard to faculty reward structures:

a. In assigning rewards of tenure, promotion, and salary raises, extended education activities should receive a value comparable to that given teaching and research. Every ad hoc tenure committee should give positive consideration to the faculty member's work in extended education. Extension activities should be made attractive in every way possible to interest and hold a quality faculty.

b. In addition to new programs for extended education which can provide additional funds and faculty, the Cornell commitment

to this area could involve some reapportionment of current endowed faculty commitments from research to extended education.

c. Faculty involvement in extended education activities should receive extra compensation in cases where the faculty members' total load of teaching, research, and extension requires use of uncompensated summer periods or intrudes on his consulting time.

Research

Research is a key part of the Land Grant mission. The discovery of new knowledge and its application to human and humane concerns is a necessary activity of any land grant university. The university's traditional devotion to objectivity in research must be combined with a subjectivity of concern. Rigorous application of these principles will lead to new areas of endeavor for the future. In defining areas for future concentration, the criteria should be Cornell's expertise and the needs of society.

Today, more than ever before, it is increasingly clear that the activity level of applied research should be increased. Cornell has an obligation to maintain the same high standards for applied research as for basic research. It must recognize, however, the peculiar characteristics implicit in applied research and to this end the Committee makes the following recommendations:

(13) Because applied research is often interdisciplinary in nature, special mechanisms for its support should be fostered. In most colleges at Cornell the principal support given to research is availability of faculty time. This time is usually considered as belonging to a disciplinary department. Therefore, to foster interdisciplinary research, University funds must

be funnelled into college-wide and center programs.

(14) Because applied research often leads directly to results having significant societal consequences, Cornell should be concerned with assessing probable impacts. Programs such as Science, Technology & Society, Environmental Quality Management, etc., should be continued and augmented to play an expanded role in assessing effects of applied research programs. Furthermore, the University policy of no classified research on campus should be continued.

(15) To make certain that applied research is directed toward the important problems of society and that the direction does not favor particular groups within the public, there should be close ties between university extension activities and all units for applied research. For example, the College of Engineering, in particular, should address itself to this problem.

(16) A broad-based faculty committee should be established to suggest new areas where research, utilizing unique faculty skills, should be encouraged in order to develop new knowledge needed to meet future needs of society.

Cornell's Relationship to New York State

Cornell has a dual relationship with the State. One aspect of this relationship involves Cornell's role as the administrator of the four statutory colleges which are also units of the State University of New York (SUNY). The other aspect of the relationship centers on Cornell's role as the land grant institution of the State. As the land grant college, Cornell's ultimate responsibility is to the people of the State. The same ultimate responsibility applies to Cornell's role as the administrator of the four statutory colleges. Thus, a basic recommendation of the Committee is adherence

to this responsibility in all of Cornell's undertakings.

Specifically, we recommend that:

(17) Cornell should take steps to ensure that its special responsibilities as the land grant institution are understood within the total University community (faculty, students, staff, alumni, and friends) and across all of New York State. We believe this task is of central importance. There is increasing interest in public service within the endowed units at Cornell and it should be fostered. However, the lack of total University community awareness of, and support for, Cornell's land grant responsibilities weakens the University's ability to discharge its obligations with maximum effectiveness. And it is through the interdisciplinary combination of the statutory and endowed portions of Cornell that the most significant advances in land grant programs can be realized in the future.

(18) The central administration should treat the statutory and endowed units alike administratively. This requires increased integration of the statutory colleges within the Cornell administrative process in budgeting, accounting, personnel and employment policies and procedures, and public relations. Although identical systems and programs cannot be easily effectuated, all possible means of eliminating differences should be pursued. This objective also requires the increased involvement of the central administration in the representation of the statutory colleges with SUNY, and other appropriate State agencies.

(19) There is a fundamental need to develop a single unified long-range master plan for all of the statutory colleges which would be compatible with the comprehensive master plans of both Cornell and SUNY.

(20) The University's public posture at all times should reflect its special character as New York State's land grant university, an institution which is neither private, nor public, but both.

The Provost, David C. Knapp, called the meeting to order at 4:40 p.m., and relinquished the chair to the Speaker, Wolfgang H. Fuchs. 62 members and one guest were present.

1. CORRECTION TO SEPTEMBER 11, 1974 MINUTES

The Speaker announced the following correction to the minutes of the September 11, 1974 meeting. On page 5, third line, the text should read Christine A. Shoemaker, Assistant Professor of Civil and Environmental [Structural] Engineering (addition underlined, deletion in brackets).

2. REPORT FROM THE DEAN

The Speaker called on the Dean of the Faculty, Byron Saunders, for a report. The Dean referred to a letter he had received, circulated with the agenda for the meeting, from Edward M. Sills, a reporter for *The Cornell Daily Sun*, requesting admittance to the meeting. He pointed out that FCR legislation provides for attendance at meetings by visitors and the press, and offered a motion to deny Mr. Sills' request. Personally he did not favor granting the press general admission to meetings, the Dean said, since he felt this might stifle the candor with which members spoke and give an entirely different flavor to the manner in which meetings are conducted.

Professor Robert H. Elias, English, opposed the motion on the ground that to deny admission would not prevent *Sun* reporters from obtaining information from one or more sources following the meeting, a procedure which led to partial* coverage of issues. He pointed out that FCR legislation provides for a vote on the question of admitting the press before each meeting, and asked if there might not be some other way by which the Faculty could resolve the question on a continuing basis. The Dean said he intended to bring the question before Review and Procedures and the Executive Committee. He explained that he had moved denial of the present request because no important issues were on this meeting's agenda, and expressed his view that the body should resort to legislation on the question only when "burning" issues were to be brought before it. Professor Elias suggested testing Faculty opinion on this occasion.

Professor Francis M. Isenberg, Vegetable Crops, supported the motion on grounds that action at this meeting might set a precedent. He preferred to act on a committee's decision, he said, based on sifting the facts. Professor John Whitlock, Parasitology, said the question was influenced by the historical fact that student reporters had requested, and received, permission to attend meetings at which students had addressed the body. Professor Norman A. Malcolm,

*Originally written as impartial, corrected in November 13, 1974 minutes.

the Susan Linn Sage Professor of Philosophy, supported the motion, saying that he was not convinced that admitting the press would damage the candor and freedom with which members would speak. He suggested admitting the press on a trial basis and withdrawing the privilege if press accounts proved damaging. Professor Shayle R. Searle, Plant Breeding and Biometry, supported the motion on the ground that admitting Mr. Sills would set a dangerous precedent whether press reports proved damaging or not. He specifically opposed the sentence reading, "I would continue to make phone calls to have faculty members either elaborate on or clarify expressed opinions," in Mr. Sills' letter, saying that he would not participate in FCR meetings if he was going to be pestered in a "Washington Post manner" by *Sun* reporters afterwards. Professor Michael C. Latham, Nutrition, said he saw no point in excluding the press except when confidential matters were being discussed, and that the body could go into executive session in such cases. At the Speaker's urging, due to the press of business, the question came to a vote, and the motion carried 31 to 22. The Acting Secretary, Robert M. Cotts, imparted the results, including the information that Review and Procedures would consider the question in future, to Mr. Sills.

The Dean continued his report by expressing his thanks to Professor Cotts for replacing the Secretary, Russell Martin, who was ill, for this meeting. He then reported the names of new members of the Executive Committee, elected since the last meeting: Professor Gwen J. Bymers, Chairman of Consumer Economics and Public Policy, Professor Norman A. Malcolm, Professor Malden C. Nesheim, Director, Division of Nutritional Sciences, Professor Peter C. Stein, Physics, and Assistant Professor Joan W. Wright, Community Service Education. The Dean reported that pursuant to his announcement at the last meeting, he had appointed Professor Emeritus Blanchard L. Rideout, Romance Studies, Professor David L. Call, Director of Cooperative Extension, and Professor Cotts to serve as an *ad hoc* committee to look into the question of emeritus professors and their financial circumstances.

The Dean reported that in response to an Administration request for Faculty assistance in dealing with the University's financial problems, he and the Executive Committee had drawn up a list of "Faculty Counselors" willing to serve in this capacity. He read the list: Professor Alain Seznec, Romance Studies, Professor Emeritus Alice H. Cook, I&LR, Professor Norman Penney, Law, Professor Robert E. Habel, Veterinary Anatomy, Professor Raymond Bowers,

Director, Science, Technology and Society, Professor Sara E. Blackwell, Community Service Education, Professor Edwin L. Resler, Jr., Director, Sibley School of Mechanical and Aerospace Engineering, Professor Bernard F. Stanton, Agricultural Economics, and Professor John W. Reps, Architecture. The Dean added that the group had held one meeting, and that he and the present chairman of the Executive Committee, Professor Walter R. Lynn, Director, Center for Environmental Quality Management, would attend as many meetings as possible. The group did not constitute a Faculty committee as such, he said, and its members would be speaking as individuals rather than Faculty representatives.

The Dean reported that Academic Programs and Policies was discussing the report of the President's Committee on the Land Grant Mission of the University and would welcome inputs from Faculty members. He also reported that he had been invited to testify before the special Trustee Committee on Athletics, not, he presumed, as a Faculty representative but as an individual, adding that he would be happy, however, to transmit any Faculty opinions relayed to him. He concluded by reminding the body of the Faculty meeting on October 16.

Professor Elias pointed out that being invited to speak on budgetary matters as individuals rather than as Faculty representatives tended to undercut the authority of Faculty Counselors, and asked if a vote by the body endorsing their appointment might enhance their status. The Dean replied that a more formal procedure for establishing a permanent advisory group would come before the body in future. Professor Isadore Blumen, I&LR, stated that the Dean had set an important precedent in notifying the body that Faculty Counselors would serve as individuals, but that a committee appointed by the Dean, as opposed to an elected Faculty committee, neither obtained a "cross-section" of Faculty opinion nor spoke for the Faculty, adding that the President's committee on the ROTC had suffered from the same handicap. Professor Harold A. Scheraga, Todd Professor of Chemistry, asked if it would be appropriate to add to the list of Faculty Counselors a member of Professional and Economic Status of the Faculty. The Dean said he saw nothing wrong with such action, and pointed out for purposes of clarification that the Faculty Counselors were not a Presidentially appointed group. The choice of Faculty members willing and able to serve on the group had been made by the Dean and the Executive Committee without consultation with the central administration, he said. (Subsequently, the member appointed from the Professional and Economic Status of the Faculty to serve on the group was Professor Scheraga.) Professor Elias said he thought

Professor Blumen's point was irrelevant to the question since any Faculty committee may appoint a subcommittee which then becomes part of the Faculty committee structure. In this case, he said, the Dean and the Executive Committee took such action. He then moved the following resolution:

RESOLVED, That the FCR endorse the appointment of the "Faculty Counselors" to advise the President on budgetary matters.

Professor Blumen moved to amend the resolution as follows:

RESOLVED, That the FCR endorse the appointment of [the] "Faculty Counselors" to advise the President on budgetary matters [.] for this academic year. (deletions in brackets, additions underlined)

The amended resolution, which carried unanimously, is as follows:

RESOLVED, That the FCR endorse the appointment of "Faculty Counselors" to advise the President on budgetary matters for this academic year.

3. RESOLUTION ON GRADING PROPOSAL TO CHANGE NA TO F

The Speaker called on Associate Dean Malcolm S. Burton, Engineering, Chairman, Academic Records and Instruction, who moved the following resolution:

RESOLVED, That the present procedure of converting NA to F be stopped and the symbol of NA be printed on the grade slip and student transcript when it is appropriate.

Professor Mark S. Nelkin, Applied and Engineering Physics, moved to amend the resolution as follows:

RESOLVED, That the present procedure of converting NA to F be stopped and the symbol of NA be printed on the grade slip. [and student transcript when it is appropriate.] A course for which the grade NA is given should not appear in any form on the student transcript. (deletions in brackets, additions underlined)

Professor Nelkin supported the first part of the original resolution, saying that the NA grade served as a useful warning flag in many cases and that it was unfair to attach the grade of F to a course when through some malfunction a professor was led to believe a student was registered in a course when in fact he was not. In support of his amendment he said it seemed illogical to have a permanent record of a course which a student did not attend. Professor Blumen asked if, as an unintended side effect, the amendment would cause all record of a student having withdrawn from a course without permission of his college to be eradicated when a professor chose to give the student an NA. Professor Nelkin agreed with

Professor Blumen and said he believed such action was based on misinterpretations of the University grading guide, and that he saw no way to avoid such errors. Professor H. Peter Kahn, History of Art, said the Faculty could not, as a body, prevent such errors from occurring and urged passage of the amendment. Carried. Professor John G. Hutchins, B&PA, recommended removing all record of cancellations made in accord with registration procedures, but letting stand NA grades given to students who withdraw without permission. Professor Stein asked to hear the definition of NA, saying that it might solve all difficulties if the definition were to make it illegal to give an NA grade to a student who had appeared in class for more than two weeks. Dean Burton read from the University brochure, *Grades and Grading*: "NA, not attending: no record of enrollment or the instructor has reason to believe that the student has discontinued the course." Professor Elias asked Dean Burton if the next agenda item, a proposal to add grades of WS, WU and W to the grading system, would not deal with the situation. Dean Burton agreed. Professor Blumen urged passage of the motion as amended as a means of improving the present situation if not completely curing its problems. The motion as amended, which carried, is as follows:

RESOLVED, That the present procedure of converting NA to F be stopped and the symbol of NA be printed on the grade slip. A course for which the grade NA is given should not appear in any form on the student transcript.

4. RESOLUTION OF GRADING PROPOSAL ADDING WS, WU AND W

The Speaker called on Dean Burton who moved the following resolution on behalf of Academic Records and Instruction:

RESOLVED, That the grading symbols WS (withdraw satisfactory), WU (withdraw unsatisfactory), and W (withdraw at a time when judgment about satisfactory or unsatisfactory work could not be made) be added to the University grading system.

Dean Burton pointed out that the resolution had been previously discussed by the body and that a rationale which the Committee believed answered all objections then made was attached to the resolution as distributed. Professor Ian Macneil, Law, asked whether or not the resolution's intent was to establish a Universitywide rule governing all schools and colleges, saying that the intent should be made clear in the motion. Dean Burton replied that the Committee's intent was to place control in the individual schools and colleges, as is the case with grade cancellations which expunge courses from the record, a matter voted upon by the FCR in 1972. The Speaker suggested that the wording of the resolution expressed the Committee's intent. Professor Paul Ankrum, Electrical Engineering, suggested that the resolution and the rationale seemed to place

grading decisions in the hands of professors and students rather than with schools or colleges, and asked if the motion should not specify a time period after which the added grades would become operative. Dean Burton replied that the motion did not preclude use of the grade cancellation option and that it implied that use of the added grades would occur later in a term when the cancellation option was no longer available. Professor Kahn pointed out that each school or college establishes an advisory period within which students may withdraw from courses without permission of their units, so that use of the added grades would follow such periods. Professor Stein asked if a student would have a right to demand a W grade instead of an F if he dropped a course late in a term and claimed that there was still a possibility that he might have scored well in the final exam and received a passing grade for the course. Dean Burton replied that in such a case he thought the Faculty member would have to make a judgment on the matter. Assistant Professor Karen Arms, Biological Sciences, stated that the Faculty member in such a case was asked to grade a student at the date of his withdrawal and could not take the possible final exam score into account, but Professor Stein disagreed, saying the wording of the resolution was such that one could not make a judgment. Professor Ankrum opposed the motion on the ground that it would remove authorization to withdraw from a student's college and place it in the hands of individual Faculty members. Dean Burton was asked from the floor if a student receiving a WS grade would be allowed to take the same course the following year for credit. The Dean said he assumed the answer might vary with individual cases, but that a student would have to take the course again in order to receive credit.

Professor Elias spoke in favor of having a variety of grades for various occasions, citing the case of a student who was having difficulty continuing her studies as the result of an accident. If she received a leave of absence for medical reasons, he said, it would be useful to have the W grade to indicate how she was doing in her courses at the time she dropped them. Professor Richard M. Phelan, Mechanical and Aerospace Engineering, opposed the motion on the ground that it would exert great pressure on Faculty members in resolving complex situations. Professor Searle opposed the motion, saying that the basis of a Cornell education is the number of complete courses taken, and that he preferred to expunge incomplete courses and grade only completed course. The motion failed.

5.

PROPOSAL ON PART-TIME APPOINTMENT

The Speaker called on Professor George Conneman, Agricultural Economics, Co-Chairman of Professional and Economic Status of the Faculty, who moved approval

of the Committee's proposed regulations governing part-time appointment to the University Faculty. He pointed out that the rationale for the proposed regulations was that none existed, and that the proposal stemmed from a recommendation of the Provost's Committee on the Status of Women. He read the following comment, drafted by several Committee members, designed to convey the Committee's thoughts on the matter.

The Committee on the Professional and Economic Status of the Faculty has discussed the proposal at length, and accepts it in principle. Although varying among the professional disciplines, we see an increasing long-term interest in, and a need for, part-time appointments. The possibilities of such appointments will appeal to qualified men and women anxious to undertake teaching and research responsibility in their respective disciplines, but unable to do so on a full-time basis. The possibility will appeal to colleges or departments of the University who may be seeking particular research and teaching skills on a part-time basis (that is, not less than half-time) as a complement to those skills provided on a full-time basis. The existence of a part-time Faculty option need not, in and of itself, constitute a threat to junior full-time Faculty attempting to qualify for promotion or tenure.

Professor Conneman added that basic to the proposal was the provision that a Faculty member holding a part-time appointment would be eligible for all rights, privileges and benefits, including sabbatical leave, available to a full-time Faculty member, but that such rights, privileges and benefits would be made on a pro-rata basis.

Professor Hutchins urged his colleagues to examine the proposed regulations carefully, saying there are three types of persons who might take advantage of them. One, he said, is women who wish to move into and out of teaching in accord with their "problems at home." Another, he said, is the "weekend professor" who teaches all day Friday and/or Saturday and is gone the rest of the week. The third is the person employed full-time elsewhere who teaches one afternoon or evening a week for income or enjoyment. While part-time teaching is common outside the United States, he said, an advantage of the American system is that it is based on full-time teaching and research. He also questioned the long-range effect of hiring part-time teachers, some of whom might be excellent but who would save the University money, on Faculty salaries. He pointed out that part-time teachers make bad student advisors in his experience, and cannot serve on committees or be available to graduate students on the intimate and recurring basis required by such students. He also raised the question of finding, and

paying for, office space for part-time teachers, saying this factor alone should limit the number of such positions that could be accommodated at the University.

Professor S. Cushing Strout, English, pointed out that the regulations deal with "whole persons" teaching part-time, not "half-persons", adding that part-time teachers presently at the University do a substantial amount of advising, in fact one of them, his own wife, advises more hours than he does. Professor Macneil expressed concern over item 5.A. of the regulations (below),

5. Change of Appointment

- A. Any faculty member holding a part-time appointment may apply for transfer to a full-time appointment and any faculty member holding a full-time appointment may apply for transfer to a part-time appointment. Such application may be initiated by either the individual or (where applicable) his department chairman or his dean. Transfer shall be effected under conditions acceptable to the individual and his chairman (if applicable) and/or dean. At the discretion of his dean, the transfer may be made subject to the approval of the individual's departmental or college faculty.

saying that transfers between part-time and full-time status are sufficiently important as to be effected in the same manner as new appointments. He moved to amend the regulations by striking out the last two sentences of the item and substituting the following:

Transfers shall not be effected without the consent of the Faculty member and shall be effected by the same procedures utilized in the college for new appointments.

The Dean reminded the body that the proposed regulations were in draft form and that its resolution could only be recommendatory, asking the Board of Trustees to draft new legislation in the University Bylaws regarding part-time appointment. Professor Nelkin asked what the original motion on the floor was, and after a brief discussion Professor Conneman restated his motion to approve the proposed regulations. Professor Stein spoke against Professor Macneil's amendment saying he foresaw pressure being exerted on departments to hire part-time teachers and to specify that they be only part-time. He favored part-time teachers being able by their own actions to transfer to full-time status. Professor Bymers pointed out that her experience with part-time appointments in the College of Human Ecology had been excellent, and criticized the tone of the discussion for implying completely different standards for part-time and full-

time appointees. Most part-time appointees are just as concerned with the institution's reward system as full-time appointees, she said. She applauded the proposal's intent that the Faculty seriously consider ways to acknowledge biological differences, to recognize that some people want to make substantial contributions to the University but cannot work 50 hours a week, and to allow them to achieve tenure over an extended period. Pressure to hire people is not new, she concluded, adding that she would like to make the present process a two-way street. Professor Macneil agreed with Professor Bymers with respect to the intent of the original motion, but said he was concerned about only one aspect, the transfer of full-time appointees to part-time status which can result in part-time teachers working less than half-time. His amendment was addressed to the process of change, he said, not to its impact on the initial process. Professor Macneil's amendment carried.

Professor Kahn pointed out that the discussion had not dealt with the matter of full-time Faculty members who wished to teach half-time in order to devote more time to their professions, and had not made it clear that the Faculty was not seeking "cheap half-time appointments." Professor Lynn supported the intent of the original motion, but said he was troubled by the phrase "part-time" as implying accounting procedures and a quantitative measurement of teaching quality. Professor Elias said he assumed that if the motion constituted a recommendation to the Trustees they would spell out definitions compatible with their powers and jurisdiction. Professor Ankrum asked how many part-time teachers were now at the University, and Professor Arms replied that there were 61 including the level of assistant professor and excluding lecturers and instructors. Carried. (See Appendix A - Amended Legislation, attached)

Adjourned: 5:58 p.m.

J. Leeming, Assistant to the Secretary

PROPOSED REGULATIONS GOVERNING
PART-TIME APPOINTMENT TO THE UNIVERSITY FACULTY

1. Definition. A part-time faculty appointment is an appointment involving academic responsibilities requiring not less than one-half of the responsibilities required of a full-time faculty member.
2. Rationale. A part-time appointment is designed for faculty members who wish to maintain the continuity of their academic careers when professional and personal commitments restrict the time that they can devote to academic responsibilities. The availability of part-time appointments permits on an optional basis greater staffing flexibility for colleges and their departments than is now possible.
3. General Provisions
 - A. Colleges of the University may at their discretion appoint qualified men and women to part-time faculty positions.
 - B. A faculty member may, under conditions set forth below, transfer from full-time appointment to part-time appointment and vice versa.
 - C. A faculty member holding a part-time appointment will be eligible for all the rights, privileges, and benefits (including sabbatical leave) that are available to a full-time faculty member. Such rights, privileges, and benefits, however, will be made available on a pro-rata basis except when such pro-ration is not practically feasible.
 - D. The standards of performance as well as the procedures governing initial appointment, promotion, and/or tenure appointment for a faculty member serving on a part-time basis will be identical to those applied to a faculty member serving on a full-time basis. However, fulfillment of length of service requirements will be judged on the basis of equivalency to full-time service; e.g., two years of half-time service would be equivalent to one year of full-time service. Part-time faculty members would be considered for tenure not later than the equivalent of the sixth year of full-time employment in accordance with the Provost's memorandum of March 1971.
4. Original Appointment
 - A. An original appointment to a part-time position shall be made in accordance with the provisions set forth above.
 - B. A description of the responsibilities, expectations, and other relevant conditions of the part-time appointment shall be given in writing to the individual with copies distributed to the college dean and department chairman.
5. Change of Appointment
 - A. Any faculty member holding a part-time appointment may apply for transfer to a full-time appointment and any faculty member holding a full-time

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attached

appointment may apply for transfer to a part-time appointment. Such application may be initiated by either the individual or (where applicable) his department chairman or his dean. Transfers shall not be effected without the consent of the Faculty member and shall be effected by the same procedures utilized in the college for new appointments.

- B. Transfer shall be accomplished without gain or loss regarding length of service requirements.
- C. Any change in rank (promotion and/or tenure) associated with such transfer shall be subject to the standards and appraisal procedures required for appointment to the new rank.
- D. A description of the responsibilities, expectations, and other relevant conditions of the appointment which the individual is assuming shall be given in writing to the individual with copies distributed to the college dean and relevant department chairman.

b. See attached

Committee on the Professional and Economic
Status of the Faculty

Antonie W. Blackler
John F. Booker
George J. Conneman
Edward S. Flash, Jr., Chairman
Peter J. Kahn
Warren W. Knapp
John Keith Moffat
Timothy D. Mount
Elizabeth Wiegand
Norman Penney, Dean of Faculty, ex officio
Robert Cotts, Secretary of Faculty, ex officio

AMENDMENTS TO PROPOSED REGULATIONS GOVERNING
PART-TIME APPOINTMENT TO THE UNIVERSITY FACULTY

The following two paragraphs were amended by the Board of Trustees at their meeting on January 17-18, 1975, as recorded in their minutes, pp. 8871, 8882-83, 8902.

5. Change of Appointment.
 - A. Any faculty member holding a part-time appointment is eligible for transfer to a full-time appointment and any faculty member holding a full-time appointment is eligible for transfer to a part-time appointment. A change in status may be initiated by either the individual or (where applicable) his department chairman or his dean. Changes in status may not be effected without the consent of the faculty member and shall be effected by the same procedure utilized in the College for new appointments.
 - B. Changes of status shall be accomplished without gain or loss regarding length of service requirements.

6. Application. This regulation shall apply to all academic divisions of the University except the Medical College, School of Nursing, and the Graduate School of Medical Sciences.

The President, Dale R. Corson, called the meeting to order at 4:34 p.m. One hundred Faculty members were present. The President announced the death of:

W. Duane Evans, Professor of Statistics, Industrial and Labor Relations, May 25, 1974
Donald English, Emeritus Professor of Economics, July 9, 1974
Paul R. Hoff, Professor of Agricultural Engineering (retired), September 4, 1974
David B. Fales, Professor of Cooperative Extension (retired), September 15, 1974
Juan E. Reyna, Emeritus Professor of Mechanical Drawing, Agricultural Engineering, October 7, 1974

The President relinquished the Chair to the Speaker, Wolfgang H. Fuchs, who called on the Dean of the Faculty, Byron W. Saunders, for a motion to admit the news media.

1. MOTION TO ADMIT THE MEDIA

The Dean announced that a reporter from *The Cornell Daily Sun* had requested admission to the meeting, as he had to the last FCR meeting, and that in accord with procedures he was required to bring the matter before the body. Because the only item on the agenda was the President's remarks, he said, and because admitting the reporter would not set a precedent for the FCR but for the University Faculty, he moved to admit the reporter to this meeting only. It being determined that the meeting lacked a quorum and was therefore unofficial, the Speaker ruled that the reporter be admitted without speaking privileges.

2. REMARKS BY THE PRESIDENT

Taking for his text the Broadway songtitle, "Where Did the Good Times Go?", the President said the University faces two problems, the decline in the college-age population (by 1990 the number of high school graduates in New York State will have decreased by about 35 percent from the peak which will come in several years) and the sudden economic strain caused by excessive inflation and the drop in the stock market. It will be necessary, he said, to make adjustments and establish priorities based on the fraction of the college-age group wanting to attend college in the future and the extent of the University's involvement in nontraditional education programs. The President said he experiences two frustrations related to these problems. One is how to state them clearly and indicate their possible severity without "crying crisis" and causing undue stress in the community. If, for example, the economic situation continues the way it is going for a few years, there will be a crisis, if not there won't be, he said, but in either case serious readjustments will be required. Our goal, he said, is to maintain the quality of Faculty, student body, support staff and of the academic program.

His second frustration, he said, is the charge that the quality of Cornell education has decreased. He does not believe that the charge is correct, he said, or that the University has strayed from academic substance and goals. If, as has been said, the Administration has focused much attention to financial problems, it has been with the well-being of the University's academic side paramount, he said.

A major part of the economic problem, he said, is the swiftness with which it has developed. Increases in University expenses over the past year have far exceeded the national inflation rate. As a result, he said, he recommended to the Trustees the previous week that they accept a \$1.8 million deficit by the end of the current academic year. The deficit figure is arbitrary at best, he said, simply meaning that if present projections hold up, the University will have failed by that amount to succeed as planned and will require a \$1.8 million drawdown of capital funds. Some University expenses have increased as much as 200 percent, he said. One of the "disheartening numbers" he quoted was that inflationary increases in coal, oil and electricity costs over the past year had exceeded the more than three million dollars in Bundy payments received this year from the state, payments which, through the University's efforts, had been increased 50 percent last year.

In addition to increased expenses, he said, income has declined. The University has continued to pay out eight percent of the average market value, calculated over the previous five-year period, of the Capital Fund for operating expenses. The figures seemed reasonable when established in 1968, he said, but would now appear as "sheer folly" to any kind of conservative financial person. He pointed out that not maintaining the endowment at a level that would produce the same fraction of total income as at present would of course jeopardize the University's future.

Total income from invested funds has gradually shrunk over the last decade, he said, and the University is receiving fewer gifts. The University is second or third in the country as far as total gifts to the whole University are concerned. (\$32.5 million in unrestricted gifts for operating costs, alumni gifts for capital purposes, income gifts from foundations) and second only to Harvard in total gifts from alumni (approximately \$25 million). However, the President said, not much of the total amount is available for current operating expenses. Most gift support for operating expenses comes from the Cornell Fund, the alumni annual giving effort, which dropped this year from the \$4 million level it had maintained since 1969 to around \$3.5 million and could decline further.

The Trustees and principal friends of the University are sharing in a dedicated effort to keep this source of income up, he said. One result of the present situation, he said, is that plans to catch up on deferred maintenance projects accumulated as the University attempted to save money have been abandoned. A realistic assessment of funds currently needed for deferred maintenance would be measured in tens of millions of dollars, he said.

He believes one obvious way to take up the slack is to use capital funds as a "surge tank" to help tide the University over its crisis. Unfortunately, a substantial fraction of available capital funds are restricted to use at the Medical College, and others are encumbered by being placed in escrow to the State Dormitory Authority. The University has borrowed between \$50 and \$60 million from the Authority, he said, and if forced to use available reserves to pay operating expenses would have approximately \$20 million in totally unencumbered funds. If it became necessary to liquidate \$5 or \$6 million of that amount to meet an emergency, he said, the University would "be in very serious trouble about the next few years and how we are going to survive them." A study of the situation being conducted by a Trustee committee chaired by Trustee Stephen H. Weiss should provide a basis for projections when it is released in January, he said, adding that the Administration will want to project on the basis of three conditions, a continuation of present economic conditions, an upturn with the inflation rate being controlled and the stock market gaining strength, and a "disaster plan" to meet a depression of several years duration.

In general, the President said, he is optimistic about the situation and heartened by being able to discuss alternatives and take a constructive approach to the problem. "I expect us to be able to proceed on our mission with a minimum of discomfort and disruption," he said, "but it's going to take community-wide discussion of the tradeoffs and the priorities in order for us to see where and how to go." He re-emphasized that if the economy improves there will be difficulties but no crisis; if it gets worse, "major surgery will begin."

He then listed some of the tradeoffs with which the University is concerned. Regarding tuition, for example, he said he had talked to a number of students and persons at other universities recently and had observed a tendency on the part of students and their parents to believe that universities had an infinite capacity to absorb inflation while they and their parents had little or none. The only way the family with substantial educational expenses can maintain its

standard of living, he said, is if the University lowers tuition. Therefore, he said, since everyone must share in the problem the question is "how?". Part of his frustration, he added, arises from dealing with problems honestly. In response to a question at the first meeting of the University Senate this year, he said, he had said that he did not see how the University could get away with a tuition increase of under eight percent this year, hedging his answer with "ifs, ands and buts" regarding a continued inflation rate of 12 to 15 percent a continued disposable income rate of eight percent etc. His answer had been repeated and distorted, he said, to the point where *The Cornell Daily Sun*, in reporting on the Trustee meeting just passed, had said: "While no figure for tuition increase was given by the Trustees, Corson has asked for a minimum increase of eight percent." He will ask for nothing, the President said, until the Board meets on January 17 to receive recommendations about next year's budget, and will know nothing about tuition increases until all tradeoffs have been made and all alternatives weighed. The only thing he is certain of, he added, is that tuition will not go down.

Tradeoffs also apply to Faculty salaries, he said. While it is absolutely imperative to maintain a Faculty that can provide intellectual leadership, the University would have to raise tuition if it were to set Faculty salary increases at 12 or 15 percent, equal to the increase in the cost of living. It will require a lot of discussion to decide what the proper tradeoff is, he concluded.

Tradeoffs also apply in the area of maintaining the excellence of the Libraries, he said. The Libraries' most recent annual report recorded an 8.2 percent per year compound growth over the past decade in the cost of bound volume acquisitions, and he reported that Giles F. Shepherd, Acting Director of the Libraries, had told him that he thought the current rate was 18 or 20 percent. Decisions must also be made regarding Faculty support staff, he said. The number of support people per Faculty member rose from 2.8 in the 1950s to 4 in the 1960s. Support personnel fall into two categories, he said, either secretaries and technicians or administrators, and it must be decided what the Faculty wants and needs in way of support. There has been a "great increase" in quality of much of the support activity through the addition of high-quality technicians in the past ten years, he stated, many of whom are paid on contract and grant money so that cutting them back would not constitute a savings to the University. During 1973-74, he added, the nonacademic staff in schools and colleges increased by five percent while the central administrative staff decreased slightly. The question remains as to what present policy should be.

Concerning future enrollment policy, the President said he does not believe the University should attempt to solve its financial problems by accepting more students, but should attempt to move toward its goal of 16,500 students and level off at that point. At present the enrollment is 100 less than planned for in *Cornell in the Seventies*, he said, the equivalent of about \$300,000 in gross tuition, but added that the pool of applicants is good and that it seems unlikely that Cornell will suffer a decline in either number or quality of students. This year the University added about 3,500 new students at all levels at Ithaca from about 23,000 applicants, he said, and in the freshman class accepted about one in three of the number of applicants, half or more of which matriculated. He described an increase in the number of dropouts as a major problem. If dropouts for financial reasons increase, the University will be in trouble, he said, adding that a 1,000-student dropout would have serious effects.

The final tradeoff he discussed was in the area of financial aid. The University aims for a broad mix of economic and sociological levels in the student body, he said, and in order to do that puts seven to eight million dollars yearly into financial aid. The number of students applying for financial aid has decreased slightly in the past three or four years, he said, and at present about 7,000 out of a total undergraduate body of 11,000 or 12,000 students receive such aid. There is evidence that the bias in the student economic mix is moving toward the upper income level, he said, adding that it is important to avoid creating a bi-model distribution of students as far as family income is concerned. Again, he pointed out what University policy should be as tuition increases remains in doubt.

Turning to the statutory colleges, the President said that the University's relations with the state may be affected by changes at both the Governor's level and in the Legislature. Statutory budgets have been pared severely by the State University and the State Budget Office in recent years, he said, and the present friendly working relationship with Albany may have to be developed all over again if the situation there changes.

In this regard the University will be able to call on a hard-working Trustee committee on state relations, he added, one that has "clout" in Albany and is concerned about the University's welfare.

Community input will be required to deal with these problems and establish priorities, he said. He mentioned current discussions with the deans, with FCR members designated to discuss the problems and with the Planning Review

Committee of the Senate. The Provost is meeting with Faculty and student groups, he said, in an attempt to increase the sense of community in the whole University in order to face these problems more intelligently. The President said he was "enormously heartened" by a luncheon meeting at which he and the Provost met with some students, saying that if they were representative of the student body he could assure the Faculty it was doing a good job. Their main concern, he added, was tuition. He expressed his amazement too that the major concern of one of them was the "miserable ability of Cornell students to write and speak the English language."

While the future is not going to be easy, he concluded, he said he is convinced that it can be rewarding, and that if the University community attacks the problems with all its intelligence, determination and dedication, Cornell can continue its high-quality program and even enhance it.

The President was asked from the floor about the status of the energy task force formed a year ago to conserve energy use on campus. He replied that the task force was at work, and that consumption of electricity and steam rose sharply until 1973, then showed an abrupt drop in the neighborhood of 10 percent.

Professor John G.B. Hutchins, B&PA, said he had been heartened by the FCR debate on the Land Grant Report, and asked if the President cared to comment on the report, saying that he had interpreted it as recommending that the University move away from quality education to some form of mass education involving changing from a four-year to a two-year program, greater emphasis on cooperative extension, modified admissions processes etc. presumably with the intent of reducing costs to students. The President suggested that the Provost was better qualified than he to comment. The Provost said the matter was still in the discussion stage with alternatives being studied, and that no changes in the present system would be adopted without lengthy analysis first. He said he saw nothing in the Land Grant Report inimical to "what Cornell has been and will continue to be."

3. REPORT FROM THE DEAN

The Speaker thanked the President and called on the Dean for a report. The Dean spoke briefly about his concern that the Faculty does not participate in its own election and committee process as much as it could, and his desire to elicit more participation. Serious problems confront the Faculty, he said, relating not only to the University's financial problems but also to actions by the University Senate such as two official bills, one of which would ask the Faculty to give up its concern with and control over academic integrity, the

other of which would advance the registration period for the spring semester to January 1 without changing the starting date of classes. The second bill's intent seems to be to make intercession part of the second semester, the Dean said, adding that the bill seemed suspicious in nature to him. He urged interested Faculty members to attend open hearings on such matters. Other problems of concern to FCR committees and to be brought before the Faculty concern the privacy of records, accountability, the sex discrimination guidelines proposed by the Department of Health, Education and Welfare, and academic freedom, the Dean said. He urged Faculty members to become involved in the legislative process to the maximum extent possible and reminded the Faculty that non-FCR members could attend FCR meetings and easily obtain permission to speak.

Adjourned: 5:37 p.m.

J. Leeming, Assistant to the Secretary

In the absence of the President and the Provost and there being a quorum, the Dean of the Faculty, Byron W. Saunders, called the meeting to order at 4:37 p.m. and proceeded to give his report. Fifty-nine members and several guests from the University Faculty (non-members of FCR) were present.

1. REPORT FROM THE DEAN

The Dean reported first on the status of the resolution on college level grievance procedures passed May 8, 1974, and the proposed regulations governing part-time appointment to the University Faculty approved October 9, 1974. The Faculties of some of the schools and colleges were considering adoption of appropriate grievance mechanisms in accord with the May 8 resolution, he said, and he urged the Faculties represented at the meeting which had not done so to proceed with adoption procedures. The resolution also called on the President for appropriate administrative action, the Dean said. Although the Deans' Council had expressed some concerns about the resolution, the Dean said he thought these would be resolved shortly.

The part-time appointment regulations were under administrative review, the Dean said, because they required a change in Trustee legislation. The Provost had advised the President that he saw no problems in securing Trustee approval by January, the Dean said, adding that he was reporting on the matter because it might bear on staffing plans during the coming year.

Turning to pending legislative matters, the Dean reported that the University Senate calendar bill referred to at the last meeting had "died a natural death." The 1976-77 academic calendar was still before the Senate Calendar Committee, however, he said, and he reminded the body of a pending proposal from the Faculty Committee on the Calendar which would be offered at the next FCR meeting. The proposal would deal with the length of the instructional period per semester, suggested inclusion of appropriate vacation times for academic purposes, etc.

The Dean reported that he had submitted a statement at a public hearing on the Senate Academic Integrity bill. Although he hoped the statement expressed the majority Faculty opinion, the Dean said he had submitted it for himself and had made clear that he had not been authorized to speak for the Faculty on this matter. The Dean said he had informed the Senate Committee on Academics that he felt academic integrity was a function of the Faculty and that he saw no merit in the Senate trying to legislate a matter not in its province. He

also said he thought the Faculty had serious problems in the area of academic integrity, and that he had communicated his concern to an FCR committee. The question of academic integrity deserved serious thought and concerted effort of the body, he added.

The Dean reported that a reporter from *The Cornell Daily Sun* had requested admittance to the meeting, but had withdrawn his request on being reminded that *The Sun* had made its point by being admitted to the October 18 Faculty meeting and on being asked to allow the FCR to act on the matter through its legislative process. The body would receive a formal motion on the matter later in the meeting, he said.

The Dean reported that he had received an inquiry from Mrs. Martha Allee of the Senate office as to the Faculty's concern on the Senate's statement of student rights. There were several issues involved in the statement which had not been cleared by the FCR and were within the Faculty's province, he said, and since the Senate planned to re-write portions of its statement he urged any members with concerns about the matter to communicate them to him for forwarding to the Senate.

The Senate had passed a procedural due process act at its last meeting, the Dean said, adding that he felt objections expressed by certain Faculty members had been resolved. The final element of concern, he said, had been the word sanction in the Senate legislation. At his request, the Dean said, and with the cooperation of the Senate Speaker, Mr. Robert Harrison, the Chairman of the Senate Codes and Judiciary Committee, Mr. Joseph A. Harmon, the explicit statement had been made that anywhere the word sanction occurred in the Act it automatically excluded anything having to do with academic matters, requirements or grades.

The Dean read a letter he had received from Dr. Allyn B. Ley, Clinical Director of Health Services, stating that his department had been receiving increasing numbers of requests from Faculty members for written excuses or statements regarding their students' visits to the Gannett Clinic and pointing out that it had been the Clinic's policy for a number of years not to issue such statements. The letter reiterated the policy of Health Services as follows:

- "1. We will not issue excuses for medical illness.
2. We will continue to send each college office, each day, a list of students admitted to and discharged from the infirmary or hospital.
3. We will continue to provide each student discharged from the infirmary a statement indicating that he was a patient there for the interval indicated.

4. We will continue to verify that a student made a visit to the Clinic at a specified time if a Faculty member requests such verification."

Regarding the announcement of the Texas Instruments Foundation Founders' Prize circulated with the call to meeting, the Dean explained that the choice of the phrase a young man on page two of the announcement had been that of the Foundation, not his own. He confessed negligence in not putting the phrase in quotes, said he had been reminded in no uncertain terms that the University contained others than young men who might be eligible for the prize, and apologized to the women present for not having acknowledged the source of the phrase.

Finally, the Dean explained that he had approved a payroll date of December 31st rather than Thursday, January 2, on the grounds that it seemed intuitively obvious that income taxes would be higher in 1975 than in 1974, and that payment within the current year would defer higher social security deductions by two weeks. He relinquished the chair to the Speaker.

Professor Robert H. Elias, English, corrected the minutes of the October 9, 1974, meeting as follows: section 2., second paragraph, third line, the last word should be partial (not impartial). The minutes were approved as corrected.

The Speaker asked if there were any questions or comments regarding the Dean's report or related matters. Professor Peter Stein, Physics, expressed his concern over the "general feeling" that the University was in a financial crisis, as indicated in a letter sent by Harry Levin, Dean of the College of Arts and Sciences, to his Faculty alluding to the possibility of departments being eliminated due to budget restrictions, and in frequent statements by University officials appearing in *The Cornell Daily Sun*. He expressed his unhappiness that no opportunity existed for the Faculty to receive information about the budget or to take some position on budgetary decisions. He said he had strong feelings about what the priorities were, but did not know how to get approval for them or for general Faculty feeling to be interjected at this time. On the other hand, he said, the twelve Faculty advisors appointed to confer with the Administration on budget matters constituted a "natural channel" for such a process. They were the Faculty's representatives, he said, and could express their feelings about the situation to their colleagues and also give indications of what "tradeoffs" were available and what alternatives existed, giving the Faculty an opportunity to take a position regarding the situation. He therefore moved "that within a month (the FCR) ask the twelve Faculty advisors to present

the FCR with a report on the budget, that included in this report be some feeling about the various possibilities for meeting the situation that have been considered, and that the FCR have some opportunity to take a position with regard to that."

Professor Walter Lynn, Director, Center for Environmental Quality Management, asked if the wording of the resolution was appropriate, specifically the word report, in view of the fact that the Faculty advisors were not chosen as representatives of the body. They were selected by the Executive Committee in response to a request from the President, he said, with the Dean providing invitations to serve in an advisory capacity to the President on budget questions, and as such were not instruments of the FCR. Professor Stein said he had no objection to changing the wording to reflect Professor Lynn's concern and reiterated his own concern that no official body existed to provide such information to the Faculty. The Dean said he had discussed the matter prior to the meeting with Professor Stein and agreed with his views as well as Professor Lynn's. He himself was concerned with providing maximum communication between the Faculty and the Administration, he said, and interpreted the resolution, if it passed, as meaning that the Faculty advisors, who had no chairman, and the FCR would devise a means of getting together to share information and try to answer as many questions and concerns of the sort Professor Stein had raised as possible. In that connection, he added, he had asked the President to meet with various school and college Faculties to provide them with more information than he had at the October 16th Faculty meeting, and that as a result meetings were scheduled with the Engineering Faculty on November 25, the Architecture, Art and Planning Faculties on December 2 and with the Arts Faculty on December 3. Professor Stein's resolution as amended carried and is as follows:

That within a month (the FCR) ask the twelve Faculty advisors to present the FCR with a statement on the budget, that included be some feeling about the various possibilities for meeting the situation that have been considered, and that the FCR have some opportunity to take a position with regard to that.

Professor Lynn asked the Dean if Faculty members other than those in the three colleges he had mentioned could attend the meetings with the President. The Dean replied that he believed other Faculty would be welcome to attend the meetings, the only possible concern being that some of the questions might cause embarrassment.

2. REPORT FROM COMMITTEE ON FREEDOM OF TEACHING AND LEARNING (Appendix A)

The Speaker called on Professor S. Cushing Strout, English, for a report from the Committee on Freedom of Teaching and Learning on two bills passed by the Senate, the Procedural Due Process Act of 1974 and the Non-Smokers Relief Act. The Committee felt, Professor Strout said, that the dominant concerns of the Due Process Act did not reach to matters with which the Committee must properly deal as questions of freedom of learning. The Act's language was "extraordinarily vague" at critical places, Professor Strout added, citing the phrases "administrative staff," "University departments" and instructions "that affect students" as examples, and could possibly, therefore, be construed in such a way as to infringe upon Faculty rights and privileges. Assuming, however, that the Act was meant to regulate nonacademic matters, he said, the Committee thought it did not fall within its purview. While supporting students' rights to have access to a system of grievance procedures, the Committee felt that the Act implied a centralization of enforcement through the Judicial Administrator, he said, and it favored as a matter of wisdom and practicality a more decentralized method. Following "much dispute" about the pertinence of the Non-Smokers Relief Act to its charge, the Committee had concluded that it should not formulate policy on smoking for the University, he said, nor establish a system of enforcement. Committee members appreciated some students' feeling that their classroom attention was inhibited seriously by the presence of smokers, and that a few smoking teachers might find their ability to teach inhibited by abstinence from their habit. Where smoking is permitted in well ventilated classrooms, the Committee felt that the absence of a general policy resulted in the need for accommodation between smokers and nonsmokers according to principles of civility too concrete and particular to be formulated in rules, he said. The Committee did think it was within its province to encourage Faculty to be sensitive to the possible effect of this issue in some circumstances on the teaching and learning process, Professor Strout said, and that it was incumbent on smokers to be sensitive to the feelings of nonsmokers, but hoped that such courtesy was not the special province of any committee.

3. REFERRAL OF VISITORS QUESTION TO REVIEW AND PROCEDURES

The Speaker called on Professor Lynn who moved the following resolution on behalf of the FCR Executive Committee:

RESOLVED, That the Faculty Council of Representatives requests the Review and Procedures Committee to consider immediately the problems, policies and recommendations it wishes to make to satisfy the resolution passed by the Cornell

University Senate, identified as Senate Bill E-60-a--SA 284 which reads in part as follows: "...and specifically recommends that all meetings of the Faculty and the Faculty Council of Representatives and their committees be publicized and open, except in special circumstances. This item shall be placed on the agenda of an early meeting of the Faculty Council of Representatives." This resolution instructs the Review and Procedures Committee to consider the question of visitors at University Faculty meetings, Faculty Council of Representatives meetings and meetings of standing committees or administrative boards.

Professor Lynn pointed out that the *ORGANIZATION AND PROCEDURES OF THE UNIVERSITY FACULTY* requires prompt response from the FCR to formal requests from the Senate to place items on the agenda. Carried.

4. TRANSFERRAL OF P.E. REQUIREMENT SUPERVISION TO PHYSICAL EDUCATION

The Speaker called on the Dean who moved the following resolution as Chairman of the Committee on Review and Procedures:

RESOLVED, That all responsibilities of the Committee on Academic Records and Instruction concerning the physical education requirement which were enumerated originally for the University Faculty Committee on Requirements for Graduation as recorded in the University Faculty records, pages 2346, 2559, 2569, 3009, be transferred to the new Faculty Committee on Physical Education established by the FCR on May 8, 1974 and recorded on pages 4284-87C.

The Dean pointed out that the resolution called for the transfer of existing requirements and legislation from the current Committee on Academic Records and Instruction to the newly created Committee on Physical Education. Carried.

5. LEGISLATION FOR A UNIVERSITY FACULTY LIBRARY BOARD

The Speaker called on the Dean who moved the following resolution on behalf of the Committee on Review and Procedures:

RESOLVED, That the following enabling legislation to create a University Faculty Library Board be approved.

THE UNIVERSITY FACULTY LIBRARY BOARD

The interests of the Faculty in the policies and operations of the University libraries shall be represented by the University Faculty Library Board.

Membership. The Board shall consist of the Provost, ex officio, and/or the Vice President for Research, ex officio, and the Director of the Libraries, ex officio, twelve appointed Faculty members who shall serve overlapping four-year terms, and two students selected in a manner acceptable to the Faculty Committee on Nominations

and Elections. The President shall appoint the Faculty members of the Board with the advice of the Dean of the Faculty who shall have canvassed the University Faculty for expressions of interest and desire to serve. The Faculty members shall be chosen in such a way as to represent the special library interests of the various disciplines.

Organization and Meetings. Regular meetings of the Board shall be scheduled once each month during the academic year. At the last meeting of each academic year the members of the Board shall elect one of the appointed members as Chairman for the next academic year. The Chairman shall prepare the agenda in consultation with the Director and other members of the Board and shall call the meetings. One of the appointed members shall serve as a recording secretary.

Duties. The Board shall join with the Director in reviewing library policies and shall advise the Director in formulating policy. The Board shall assist the Director by keeping him informed of the library needs of the Faculty and by keeping the Faculty informed of the needs of the libraries. The Board shall present an annual report of its work to the President and to the Dean of the Faculty and shall report to the Faculty Council of Representatives whenever either Board or the Faculty Council of Representatives thinks it advisable.

The Dean pointed out that the present Library Board had been created by a resolution from the FCR Research Policies Committee drafted in response to a request from the Vice President for Research who felt that the former Library Board was not fulfilling its function. The new Board was at work, the Dean said, but its members felt it would be highly desirable to have FCR sanction directly rather than the sanction of a committee. The present proposal embodied the precise wording of the original legislation creating the Board, he said, except for the additions of the phrase University Faculty in the language and provision for two student members of the Board, the latter addition having been made at the request of the new Board and at the suggestion of the Vice President for Campus Affairs, William D. Gurowitz.

Associate Professor Jerome E. Hass, B&PA, moved to amend the first sentence of the resolution's paragraph on Organization and Meetings to read as follows: [Regular m]Meetings of the Board shall be scheduled [once each month] during the academic year. (Deletions in brackets, new material underlined.) His rationale, , , he said, was that the Faculty had to attend enough meetings already, and that to require the Board to meet monthly would impose undue strain on it. Professor H. Peter Kahn, History of Art, pointed out that the original wording had been

recommended by the former Library Board because its meetings were infrequent, and that history had shown that without specific instructions such a situation was inevitable. Mr. Giles F. Shepherd, Jr., Acting Director of the Libraries, asked that the Board not be encouraged to meet infrequently if it was to be of service and assistance to the Director of the Libraries. Professor John G.B. Hutchins, B&PA, opposed the amendment on the grounds that the Libraries had become "big business" with major financial and storage problems, and that therefore they required regular attention. The amendment failed.

Professor Hass moved to change the number of appointed Faculty members serving on the Board from twelve to six, saying that six seemed an adequate number to fulfill the Board's functions. Mr. Shepherd stated that the Board's function was not to run the Libraries, but to provide communication between the Libraries and the Faculty, and that therefore he wished to see twelve Faculty members serve on the Board. The amendment failed. The main motion carried.

6. LEGISLATION CREATING A UNIVERSITY BUDGET COMMITTEE

The Speaker called on the Dean who on behalf of the Review and Procedures Committee moved the following resolution:

RESOLVED, That the following enabling legislation to create a Committee on the University Budget be approved.

COMMITTEE ON THE UNIVERSITY BUDGET

The Committee on the University Budget of the Faculty Council of Representatives is hereby established. The Committee on the University Budget shall:

- 1. Undertake a continuing and comprehensive analysis of the financial condition and policies of the University;*
- 2. Develop priorities, based on educational considerations, which should be reflected in the University Budget;*
- 3. Participate, with the cooperation of appropriate administrative officers, in the budget-planning process, both short-term and long-term;*
- 4. Be organized and operate under the Rules and Procedures governing standing committees of the Faculty Council of Representatives.*

The Dean explained that approximately one year earlier the Administration had requested Faculty participation and consultation in the budgetary process, and that after some discussion and informal consultation a recommendation had been forwarded to Review and Procedures and the Executive Committee, but not to the FCR as a whole. As a result an *ad hoc* committee had been appointed and had met over the summer to consider the scope and operating method for such a

consulting group, but had failed to reach consensus on the matter. The *ad hoc* committee had delivered a report on its deliberations to Review and Procedures which had drafted the present resolution. The Dean said he thought a Committee on the University Budget, unlike the Committee on the Professional and Economic Status of the Faculty which considered Faculty concerns within the total financial picture and the budgetary process, would be concerned with issues of policy affecting the funding of programs and the viability of academic processes, and that while its charge was a general one, it would define its own role as it became involved in the budgetary process.

Professor Hutchins submitted the view that item 1. of the resolution constituted a full-time job, and said that the direction in which he felt the resolution should lead was towards creating a committee which would view the University operation from an over-all point of view. While agreeing that the Faculty needed to be able to provide inputs to the budgetary process, he pointed out the difficulty caused by individual departments lobbying with the Administration for their own views. He suggested changing the name of the Committee to the Committee on University Policy, or perhaps on University Budgetary Policy, in order to underscore the need for a Faculty committee to advise on major policy questions concerning the Faculty.

Professor Elias said Professor Hutchins had raised a critical point which would become obvious when nominees for the Committee came before the Faculty. The Committee must consist of either financial experts who may or may not be experts representing educational priorities, he said, or educators who may be expert in one field but not others. "Where," he asked, "is this to be loaded, to finance or for academic tradeoffs?" Both the *ad hoc* committee and Review and Procedures had discussed this point, the Dean replied, and the final judgment had been that Nominations and Elections should take this consideration into account in following regular nominating procedures. Admitting there were problems, such as the fact that the current number of standing committees greatly reduced the availability of nontenured FCR members to serve on new committees, the Dean said he could only leave it to Nominations and Elections to procure the kind of expertise that Professors Hutchins and Elias had suggested.

Professor Kahn suggested that the Committee's function was to advise budgetary experts in the Administration and to make sure that Faculty views were heard and perhaps heeded. Professor John H. Whitlock, Parasitology, pointed out that successful experience in this matter could be observed in the Senate

where committees dealing with a \$20,000,000 campus life budget, because of staff support within the Administration and some dedicated committee members, could actually see how they made policy decisions which they could carry to the body. Although lacking expertise, these people had progressed in four years from ignorance through ineptness to impressive success, he observed. Professor Hutchins agreed with Professor Whitlock's view, but said the amount of work required to fulfill the Committee's charge innovatively and with imagination constituted a major problem. Professor Lynn pointed out that the present resolution had been about a year in the making, and that it represented "brand new territory" for the Faculty. Only the Committee's members could decide how to carry out their charge to advise the Administration regarding "tradeoffs," he said, adding that one purpose of the resolution was to avoid the necessity for further *ad hoc* committees to study the matter. He also commented that in his experience the Administration welcomed Faculty advice on budgetary matters. Professor Stein asked if the Committee would act independently, setting its own academic priorities, or if it would seek confirmation of its views from the FCR. The Dean replied that he assumed the Committee would be responsible to the FCR in the same manner as any other FCR committee, and that if it wished to express Faculty opinion, it would come back to the body with a resolution which if passed would constitute Faculty opinion, not the opinion of the Committee's nine members. Professor Isadore Blumen, I&LR, asked if the Dean's remarks would become part of the record of the meeting and was told by the Speaker that they would certainly be included in the minutes. Professor Blumen said that this particular set of remarks was an important part of the legislative and administrative record.

Professor Hutchins moved to amend the resolution by changing the name of the Committee to the Committee on University Policy and Budget. He stated that he thought the Committee should be concerned with the "over-all topside policy of the University" as distinct from the FCR Executive Committee which is concerned with detailed matters. The amendment would suggest less concern with minor budgetary matters and more concern with over-all problems, he said. Associate Professor Richard N. Boyd, Philosophy, opposed the amendment on the ground that it would suggest that the Committee's primary role was to advise the Administration on policy. The original motion charged the Committee with advising both the Administration and the Faculty on policy, he said, and the

Committee's title should reflect the concerns raised by Professor Stein and the need to obtain answers about the veracity of the Administration's claims, rather than the need to serve purely as an Administration advisory group. Professor Blumen pointed out that there already existed a Faculty Committee on Academic Programs and Policies, which the central Administration "studiously ignores."

The amendment failed. The main motion carried without dissent.

Adjourned: 5:35 p.m.

J. Leeming, Assistant to the Secretary

October 24, 1974

To: Dean Byron W. Saunders

From: The Committee on Freedom of Teaching and Learning

Our committee discussed the Senate's Due Process Act of 1974 at our meeting of October 23rd. We feel that the dominant concerns of the Act do not, so far as we can tell, reach to matters with which the committee must properly deal as questions of freedom of learning. At the same time we feel that the language of the Act is at critical places extraordinarily vague, despite its own provision proscribing "overbroad or vague" rules. We have no way of knowing if "administrative staff," for example, includes teaching as well as non-teaching persons, what sanctions can be said to be levied "by University departments," and what sort of instructions would not be included in a sweeping reference to instructions "that affect students." (See Section One, C,D,E,) It is possible, therefore, that the Act could be construed in such a way as to infringe upon faculty rights and privileges. Assuming, however, that it is meant to regulate non-academic matters, we think the Act does not properly fall within the purview of our committee.

We do think that students should have access to a system of grievance procedures, as the faculty does through recent FCR legislation. The Procedural Due Process Act, however, appears to imply a centralization of enforcement through the Judicial Administrator, and we favor as a matter of wisdom and practicality a more decentralized method.

We also discussed the Non-Smokers Relief Act. There was much dispute on the committee about the pertinence of this Act to our committee's charge. We can appreciate the possibility that some students may feel that their class-room attention is inhibited in a serious way by the irritating presence of a large number of smokers. We also appreciate the possibility that a few smoking teachers may find their ability to teach, in the course of a very long seminar, inhibited by abstinence from their deeply ingrained habit. We agree, of course, that where safety regulations require it, non-smoking in classrooms and lecture halls must be observed. We are in sympathy with the establishment of smoking and non-smoking areas in libraries in order to preserve the rights of both parties. In classroom situations where proper ventilation exists and there are no prohibitions of smoking for reasons of safety, we think the absence of a general policy established by Department Chairmen or Deans necessarily results in the need for accommodation between smokers and nonsmokers according to principles of civility too concrete and particular to be formulated in rules.

In any case we do not think this committee should formulate policy on smoking for the University, nor establish a system of enforcement. We do think it is within our province to encourage faculty to be sensitive to the possible effect of this issue in some circumstances on the teaching and learning process. It is especially incumbent on smokers to be sensitive to the feelings of those who may believe, without being arbitrary, that a smoky atmosphere jeopardizes their own health. That is a matter of courtesy, which we hope is not the special province of any committee.

Harlan P. Banks
Walter T. Federer
Donald P. Hayes
James McConkey
Dwight Sangrey
S. Cushing Strout, Chairman
Paul J. VanDemark
Constance Wood
Joan Wright

The Dean of the Faculty, Byron W. Saunders, called the meeting to order at 4:36 p.m. 85 members and seven visitors were present. The Dean announced that the following Faculty and *ex officio* University officers had been invited to attend the meeting and been granted speaking privileges: Professor Gilbert Levine, Agricultural Engineering; Professor Julius Fabricant, Veterinary Science; Associate Professor Christopher Pottle, Electrical Engineering; Professor Benjamin Nichols, Electrical Engineering; William D. Gurowitz, Vice President for Campus Affairs; Byron G. McCalmon, University Registrar; Elmer E. Meyer, Jr., Dean of Students and Assistant Vice President for Campus Affairs.

The following persons, the Dean said, had been invited to attend pending the body's approval: Michael Hilf, student, Chairman of the Academic Integrity Hearing Board; Thomas Cottingham, student, Executive Secretary of the Board; Robert Harrison, student, Speaker of the University Senate; Stephen C. Brock, Associate Director, Center for Improvement of Undergraduate Education. The Dean moved that they be admitted with speaking privileges in discussion of matters relevant to their concerns. Carried.

The minutes of the meeting of November 13 were approved.

1. ANNOUNCEMENTS BY THE DEAN

The Dean announced that the current senior class had requested speakers from outside the University at commencement. This seemed to him inappropriate in view of University tradition, he said, a view which had been endorsed by the FCR Executive Committee. He suggested that members feeling strongly one way or the other on the matter communicate directly with the President.

The Dean announced that a copy of the formal agreement with Boyce Thompson Institute was available in his office for perusal by members.

He announced that the policy question regarding admission of visitors to Faculty and FCR meetings and to Faculty committee meetings was still under consideration by Review and Procedures.

The Dean reminded the body that requests for nominations for the Budget Committee authorized at the November meeting were in members' hands, and urged their prompt return. The Committee on Nominations and Elections was scheduled to review nominations December 16, he said, adding that it would be necessary to hold a special meeting of the FCR in order to act on the Committee's slate in time for the Budget Committee to make any significant contribution.

The Dean announced that he was in the process of appointing, at the request of the Executive Committee, an *ad hoc* committee to study the question of academic

integrity. Consideration of academic integrity by the Senate Committee on Academics had brought to light some conditions which deserved consideration by the Faculty, he said, adding that his action was unrelated to the proposed revisions to the Code of Academic Integrity placed on the agenda.

The Dean announced that reapportionment of FCR seats had been made in accord with FCR legislation, that deans and directors had been notified of the changes, and that calls for replacements would be issued in January. Only minor adjustments had been made, he said. (Appendix A, attached)

The so-called "Buckley amendment" to the law regarding confidentiality of student records, passed in November, opened student files to their observation, the Dean said, and raised certain problems. The present situation remained unclear since there was a possibility that the law might be amended. He wished to remind the Faculty, he said, that protection of confidentiality of records was not a clear issue, especially in regard to material written since the law was passed, and he urged care in the writing of letters of recommendation to graduate schools. Professor H. Peter Kahn, History of Art, inquired as to the University's present policy regarding release of records considered confidential. The Dean replied that present stated policy was that material solicited in confidence would remain confidential. He added that since the effective date of the legislation, forms used by the Graduate School for letters of recommendation bore a disclaimer to the effect that material provided in confidence might be produced to students.

The Dean announced that the Senate's Community Bill of Rights was still not acted upon and would require approval by the Senate, community, Faculty and the Board of Trustees. The Senate was attempting to shorten the approval process, he said, and the Committee on Freedom of Teaching and Learning had been considering the Bill and coordinating with the Senate on its final form. A "tentative final draft" of the Bill had been distributed at this meeting, he said, and he urged members concerned with the matter to give their comments to him, to the Senate or to Professor S. Cushing Strout, English, Chairman of Freedom of Teaching and Learning, by January 15. He had been told, he said, that savings in election costs as high as \$8,000 could be realized if the Bill were not delayed by the need for extended Faculty discussion and revision.

The Dean reported his disappointment that more Faculty members had not attended the December 4 meeting between members of the Coalition to Fight Tuition Hikes and four members of the Board of Trustees. He termed the meeting a "disaster" because of the lack of decorum and the uncalled for political rhetoric

indulged in by students at the meeting, saying that he had since found it necessary to apologize to the Trustees for the students' behaviour. The budgetary issues remained before the Faculty, he said, while a small group of students was interested more in discussing politics than in rational discussion of the issues. He regretted, he said, that more Faculty had not been present at the meeting to speak with a "level voice," not necessarily in agreement but for the purpose of maintaining a rational atmosphere.

The Dean reported that pursuant to the motion by Professor Peter Stein, Physics, passed at the last meeting, asking the 12 Faculty advisors on budgetary matters to report on their deliberations and advise the Faculty how it might respond to budgetary urgencies, he had queried the advisors and found that most of them were at a loss as to how to respond to the motion. Since they were trying to act as a sounding board for the President and the Provost, he said, they found it difficult to report on their actions. At the latest of three meetings they had held with the Central Administration, the Provost had asked them to respond to four questions:

1. What are the key questions which we need to address in order to maintain and strengthen academic excellence in a period during which resources are likely to be diminishing?
2. What specific programs or groups of related programs are the highest priority candidates for analysis?
3. Who ought to do the analysis?
4. What programs or services can we do without?

He had read every advisor's response to these questions, the Dean said, and considered an abstract of the responses to be beyond him. He noted remarkable unanimity regarding maintaining academic excellence, Faculty and library strengths, avoiding uniform financial cuts and involving the Faculty intimately in budget deliberations, but said he had found it impossible to paraphrase the advisors' thoughts. Nor could he see how the Faculty might respond to such a nebulous situation as he had described. He suggested that the statement which the Committee on Professional and Economic Status of the Faculty wished to submit, which was next on the agenda, might help formulate Faculty thinking on the matter, and stated that the Faculty Budget Committee, which he wished to see established as soon as possible, would be the primary force in expressing Faculty opinions on budgetary matters. The problems are long-term, he added, and deserving of continued, rather than *ad hoc*, consideration by the Faculty. He apologized to the advisors for not being able

to be more precise, and said some of them present might wish to add their comments to his. The Speaker, Wolfgang H. Fuchs, asked for comments from any advisors present and received none.

2. STATEMENT BY PROFESSIONAL AND ECONOMIC STATUS COMMITTEE

Professor George Conneman, Agricultural Economics, Co-Chairman of the Committee on Professional and Economic Status of the Faculty, moved for discussion the statement from his Committee regarding salary policy and related budget decisions (Appendix B, attached).

Professor Conneman asked the body to consider primarily the ideas, rather than the wording, presented in the statement. The statement resulted from the Committee's meeting with the Provost and Samuel Lawrence, Vice President for Administration, and from its subsequent discussion, he said. He then read through most of the statement, stressing the lack of information provided the Committee and the fact that Committee members believed the University's basic goal must be the preservation of quality in teaching and research, particularly in times of severe economic stress.

Associate Professor P.C.T. deBoer, Mechanical and Aerospace Engineering, inquired if the ranking of average Faculty compensation in the endowed colleges given in paragraph two of the statement was that given by the American Association of University Professors, and if in fact it was true that the Management Systems Analysis Department had not gathered salary data from other institutions, and was told by Professor Conneman that this was the case. Professor Norman Malcolm, Philosophy, pointed out that it seemed inappropriate at a time when the country was in a deepening economic recession, when the University was putting a "freeze" on the hiring of nonacademic support staff, and when many qualified people were unable to find work, to hear as a primary objective that Faculty salaries should be increased. Professor Walter Lynn, Civil and Environmental Engineering, asked if the Committee had a specific percentage salary increase in mind in recommending raising salaries "to approach the increase in the cost of living." Professor Harold A. Scheraga, Todd Professor of Chemistry and a member of the Committee, said that the number suggested to the Committee by the Central Administration was 8 per cent. While the increase in the cost of living was 12 per cent, he said, the Committee did not wish to "haggle" over the figure and therefore did not discuss another figure. He and Professor Conneman, agreed, however, that implicitly the statement called for a mandatory increase in Faculty salaries of 12 per cent. Professor Lynn asked if anyone had checked the accuracy of the Committee's

conclusion that such an increase would be possible "if resources are allocated among all University programs." Professor Conneman replied that the Committee had found it impossible to check this fact with the limited information provided it, but the statement reflected the Committee's desire to be shown that such was not the case.

Professor Robert Elias, English, expressed his concern over the statement's "writing off" the underpaid status of assistant professors and some associate professors. While statistically compensation for professors may have fallen from a rank of 8 to 9, he said, the sums paid professors were a good deal higher than those paid assistant and associate professors. Many of the latter must teach in the summer session, he said, and are trying to earn credentials for promotion, but the University has clearly built in a salary scale that has made promotion virtually impossible. He also supported the Committee's recommendation that the Faculty be involved in decisions to expand or contract academic programs, but expressed strong concern about defining areas within the Faculty's purview. Should the Faculty be concerned in weighing the importance to the University of nonacademic programs such as athletics, he asked, adding that Professor Stein had asked much the same question of the President at a meeting with the Arts College Faculty and had received one of the worst answers, in Professor Elias' opinion, heard from the present administration, namely that the question was "very complicated." Professor Scheraga said that both Professional and Economic Status of the Faculty and the *ad hoc* Budget Committee, of which he was also a member, were being asked to do a job without being given sufficient data. Professional and Economic Status had been given at most one sheet of "over-all figures," he said, from which to make major decisions. The Committee tried to probe further but without success, he said. Obviously there were many charges being made which required investigation,, he said, but if the Faculty was to take significant steps, it needed both the data and a well thought-out agenda for meetings with the Central Administration. The Faculty needed to identify waste in both academic and nonacademic areas, he said, and what the Committee was calling for in its statement was not platitudes but a "clear hard review" so the Faculty knew where cuts could be made, something that it had not had before. Associate Professor David B. Wilson, Biological Sciences, said he found it hard to justify any increase in Faculty salaries, given the economic conditions at the University, even if wasteful areas were identified and eliminated. There is a balance between Faculty salaries

and tuition, he said, and increasing one would increase the other. Professor Stein stated that in signing the statement he did not interpret it as demanding a 12 percent increase in Faculty salaries, but rather as asserting a fact which should not be overlooked, namely the deterioration in competitiveness of salary scales at the University in comparison with other institutions. Another major point of the statement, he said, was that the Administration should adopt as a standard for the removal of particular programs whether or not they were important to the increase and dissemination of knowledge. Professor Kahn criticized the statement for equating competitiveness among institutions with Faculty salary levels at Cornell, saying that the highest salaries in education are paid by the City College of New York. He also criticized it for equating priorities with salary increases, saying that at this time it was unwise to ask students to support Faculty salary increases. Professor Lynn endorsed the concept of urging the Administration to monitor the salary situation and make every effort to improve it, but expressed concern about the statement's equation of Faculty salaries with excellence. He professed his inability to determine how a given program contributed to academic excellence and expressed the hope that the Central Administration was working on the problem. The Speaker declared the Committee's statement received by the body and proceeded to the next agenda item.

3. REPORT FROM COMMITTEE ON PHYSICAL EDUCATION

Professor William F. Mai, Plant Pathology, Chairman of the Committee on Physical Education, reported that the Committee had met twice, on October 4 and November 15, and had heard from Dean Robert J. Kane, Physical Education and Athletics, Mrs. Martha B. Arnett, Director of Women's Physical Education, and Mr. George D. Patte, Director of Men's Physical Education, regarding Physical Education staff, the nature of Physical Education programs, the number of students in various programs, and current needs and long-range plans of the Physical Education Department. A third meeting was planned for December 13, he said, at which the Committee would consider the information it had obtained and its future activities.

4. REPORT ON CENTER FOR IMPROVEMENT OF UNDERGRADUATE EDUCATION

The Speaker called on Professor Gilbert Levine, Agricultural Engineering, Secretary of the Committee on Academic Programs and Policies, to move acceptance of the Committee's report on the Center for Improvement of Undergraduate Education (CIUE). In Professor Levine's absence, the Dean of the Faculty reported that

the Committee had spent "quite a little time" discussing the matter, adding that Assistant Professor Shaler Stidham, Jr., Operations Research, who was present, had, he believed, been an important "architect" of the report and might wish to make some comments. The Dean moved acceptance of the report and placing it on file. Carried. (Appendix C, attached)

5. TWO RESOLUTIONS FROM THE ACADEMIC INTEGRITY BOARD

The Dean moved adoption of the first of two resolutions from the Academic Integrity Hearing Board:

RESOLVED, That II.B.3 and II.B.4 of the Cornell University Code of Academic Integrity be amended as follows:
(deletions in brackets, additions underlined)

II. RESPONSIBILITY

B. Faculty Responsibility

3. In cases of suspected violation of the Code of Academic Integrity by an undergraduate, the alleged violation is to be reported to the Chairman of the Academic Integrity Hearing Board who will institute a hearing. If [a] course grades must be [given] reported prior to the hearing, [an "INCOMPLETE" should be reported] no grade whatsoever shall be given and the affected student's grade card in the course would show a blank. After the Board's determination of guilty or innocence, the instructor shall give an appropriate grade for the course. Penalties for violating the Code of Academic Integrity are the prerogative of the Board which shall take into account all the circumstances of the case.
4. A faculty member may not lower, for punitive purposes, the grade of a student who has violated, or allegedly violated, the Code of Academic Integrity. A student may request the Chairman of the Hearing Board to institute a hearing if an instructor assigns a grade or takes any other action against a student, based on an alleged violation, without following the procedures outlined in paragraph 3. The Chairman, after investigating the circumstances, shall institute a hearing if he believes it is warranted.

The Dean said he had requested the change in paragraph II.B.3. because the original language called for the use of the grade "incomplete," which seemed inappropriate in the circumstances. Where academic integrity is involved, a Faculty member should give no grade, he said, and this action would signal the Registrar's Office to insert, by hand, the grade for the complete course

where needed. An incomplete grade, by Faculty legislation, does not reflect any equity earned in a course, he said. The addition to paragraph II.B.4. was suggested by the Board, the Dean said, since it had found that some Faculty members were not following the procedures outlined in the original language.

Professor Isadore Blumen, I&LR, expressed his disappointment with previous failures to revise the Academic Integrity Code. Obviously the Code was not working, he said, and the present resolutions completely removed from the Faculty any control over academic dishonesty. For all practical purposes, he said, the Faculty will tolerate dishonesty because the system is too cumbersome to control. He therefore wished to move to restore to the Faculty the right to penalize students for violations of academic integrity, he said, and wished to do so in such a way as to insure that students would have the right to appeal penalties imposed on them, and to insure that those students lacking the "wit" to make an appeal would still have someone acting in their behalf. He therefore moved to amend the original resolution by deleting from paragraph II.B.3. all material following the first sentence, and by deleting from paragraph II.B.4. both the proposed addition and the last phrase in the second sentence, i.e., "without following the procedures outlined in paragraph 3." He also suggested that a motion be made to table the entire matter, and the Speaker obtained such a motion. Carried.

The Dean moved a second motion on behalf of the Academic Integrity Hearing Board:

RESOLVED, That II.A.2. of the Cornell University Code of Academic Integrity and the introductory paragraph of the examples of ACTIONS OF THE ACADEMIC INTEGRITY HEARING BOARD be amended as follows:
(deletions in brackets, additions underlined)

II. RESPONSIBILITY

A. Student Responsibility

2. A student shall be guilty of violating the Code if he:
 - a. [knowingly] represents the work of others as his own;
 - b. uses or obtains unauthorized assistance in any academic work;
 - c. gives fraudulent assistance to another student[.];
 - d. gives assistance that he knows to be unauthorized to another student.

ACTIONS OF THE ACADEMIC INTEGRITY HEARING BOARD

The Academic Integrity Hearing Board determines the actions which it may impose. Should a person be found guilty of a violation of the Code, he may have several actions imposed simultaneously. In cases of a first offender who is only found to have unknowingly represented the work of others as his own, the Academic Integrity Hearing Board may issue a serious warning and/or require counseling with a member of the University staff.

Professor Elias spoke in favor of the motion, saying that it added to the definition of academic integrity and should be self explanatory. Professor Eric A. Blackall, Jacob Gould Schurman Professor of German Literature, opposed deletion of the word "knowingly" from II.A.2.a. on the ground that such deletion was ludicrous without a clear understanding of the meaning of the word "work" in the same phrase. If a student achieves his own interpretation of a poem, unaware that he was duplicating previous research, is he to be punished, he asked, adding that if the word "work" were defined as written work, or the actual words used by previous researchers in published articles, then the resolution would make sense. The Speaker asked if Professor Blackall wished to offer an amendment to retain "knowingly," and Professor Blackall said he rejected the entire resolution. Professor Paul D. Ankrum, Electrical Engineering, moved to retain the word "knowingly." Carried. Professor deBoer suggested that the deletion of "knowingly" from II.A.2.a. conflicted with the new material added to ACTIONS OF THE ACADEMIC INTEGRITY HEARING BOARD making it an offense to the Code to unknowingly represent the work of others as one's own. Professor Malcolm asked the meaning of the phrase "fraudulent assistance" in II.A.2.c., and Mr. Hilf explained that there was some confusion among members of the Board on this point, the consensus of opinion being that it might mean "unauthorized", but that a search of the FCR minutes had produced no substantiation of this interpretation. Professor Malcolm moved to strike 2.c. from the resolution. Professor Gwen Byers, Consumer Economics and Public Policy, moved to table the resolution because of the imminence of a major problem involving academic integrity. Carried.

6. RESOLUTION FROM COMMITTEE ON CALENDAR AND SCHEDULES

Professor Fabricant, Chairman of the Faculty Committee on Calendar and Schedules, moved the following resolution:

The Calendar and Schedules Committee of the FCR proposes the adoption of the following legislation:

RESOLVED, That the instructional length of the academic terms to be included as part of the academic calendar shall consist of:

1. At least 14 full weeks of classroom instruction (exclusive of a study period and final exam).
2. In addition to the normal semesters above, a winter term of not less than three weeks (exclusive of any Christmas vacation period) between semesters.
3. Because of the academic pressures created by 14 continuous weeks of instruction without a break a one-week vacation period approximately half-way through each 14 week term.

The Speaker called for discussion of the resolution's three parts seriatim. Professor Fabricant pointed out that his Committee, which contained one representative from each of the colleges, had unanimously approved the resolution, and that it embodied responses to a ballot sent the Faculty with the resolution. Since no Faculty legislation existed mandating or even suggesting action in this area, he said, he hoped the FCR would give it careful consideration and approval for the guidance of the Senate in its deliberations on the academic calendar.

Professor Elias pointed out that the Faculty could only advise the Senate on this matter since the Senate had been delegated final authority on the calendar whereas the Faculty could only be responsible for its academic implications. Therefore, he said, the FCR could only produce a sense of the body resolution on the matter, and could not say what the calendar "shall" consist of but what it "should" consist of. The second part of the resolution, he said, without any debate and bypassing all committees, institutionalized the existence of a "winter session." Actually, he said, this matter should be referred to Academic Programs and Policies as well as to Professional and Economic Status of the Faculty, the latter because it was not clear whether or not students would be required to pay tuition or whether or not Faculty would be paid to teach during the session. The third part created a vacation, recess or break, without regard to whether students would de facto take a week off at Thanksgiving as many already did, he said. Assistant Professor Robert Connelly, Mathematics, moved to table the resolution. Professor Blumen said the resolution could not be tabled without some debate and therefore Professor Connelly's motion was out of order. Asked by the Speaker if he wished to move to postpone indefinitely, Professor Connelly refused to do so.

The Dean observed that there seemed to be a degree of emotion over the issue, generated perhaps for the wrong reasons. While the Senate, by enabling legislation of the Trustees, had been given jurisdiction over the academic calendar, he said, Trustee legislation and University Bylaws, in the latest

revision dated October 12, 1974, still gave the Faculty, as part of its charge, the academic calendar. The question, therefore, was one of interpretation as to each body's jurisdiction. Since the issue had first surfaced in *The Cornell Daily Sun*, he said, the untrue notion had persisted that if this resolution were passed the 1975-76 academic calendar would be changed. The real question was the effect of the resolution on future calendars, he said. A year ago the Senate Committee on the Calendar had asked the FCR Committee on Calendar and Schedules by letter for information about the calendar, including a request for advice regarding its academic content, e.g., should there be classes on Labor Day, and the letter had stated that the Senate was not authorized to change the existing calendar. Faculty members with opinions or statements regarding the length of the academic term should make them known now, he said, adding that the Speaker had suggested discussing the resolutions seriatim because Faculty had concerns about each portion of them. The great preponderance of replies to a questionnaire circulated among the Faculty the previous year had opted for a 14- or 15-week semester, he said. He reminded the body that for years the University had used a 15-week semester, and that the 13 1/2-week semester being recommended by the Senate had been established by the Faculty before the Senate had come into being, so that the Senate was merely continuing present practice. If the Faculty acted on the present resolutions, he said, such action would be transmitted through normal channels, from the Dean to the President and from the President to the Senate, and further problems, if any, would be worked out by the Senate Calendar Committee with the FCR Committee on Calendar and Schedules. The fact remained, he said, that there was no evidence that the Faculty at any time had taken a position on the question of what the length of an academic term should be.

Regarding the second resolution, he said, there were programs now in place requiring a three-week intersession. There would be more, he said, if the Faculty could know that such time was going to be available consistently rather than sporadically. Although the Calendar and Schedules Committee was under considerable pressure to shorten the intersession, he said, certain programs such as Biological Sciences had a strong need to continue instruction into the spring growing season. Such grounds may not be easily justified academically, he added, but at the same time the calendar need not be "cast in concrete". Hopefully the Faculty could provide some "boundary levels" on what the length of academic instruction should be, he concluded.

The Speaker stated that he did not believe the resolutions had been formally moved, and declared that the motion to table, being contrary to the spirit of *Robert's Rules of Order*, was therefore out of order. Professor Malcolm moved to recommit with instructions to consider the points made by Professor Elias. Professor Fabricant supported the motion, saying Professor Elias' objections were valid, and asked how the matter could be brought not only before his own committee but before other FCR committees who might help incorporate the body's wishes. Professor Elias suggested that the Dean could bring the matter before the Executive Committee for referral to appropriate committees. Professor Kahn supported the motion on the grounds that a report had been published in August 1974 by the Summer Session on the practicability of a winter session in January 1975, and that since that report had not come before this or any other body, the FCR could not reasonably debate the issue without knowledge of the report's contents. Professor John G.B. Huchins, B&PA, said he understood the resolution called for the fall term to start in mid-August, and that he hoped the Committee would consider what seemed a tendency toward earlier starts. He expressed concern over the three-week winter intersession, saying there was no need for such length nor should it take as much time as it now did to perform end-of-term paperwork. He personally would opt for a 15-week term with two or three weeks holiday after Christmas and a much shorter intersession, he said. Professor Malcolm's motion to recommit carried. The Speaker asked if any of the Senate members present wished to comment. None did. He then called on the Dean who announced that effective February 1, 1975, Dr. Giles F. Shepherd, Jr., Acting Director of the University Libraries, would retire. He read aloud the following resolution passed by the University Faculty Library Board:

WHEREAS he is about to shed his responsibilities as Acting Director of the University Libraries, and to begin a life uncluttered by committee meetings, and

WHEREAS we admire him for his achievements and love him for his virtues,

BE IT RESOLVED that we the University Faculty Library Board, in the name of the Faculty as a whole, thank

Giles F. Shepherd, Jr.

for his many years of service and leadership in the University Libraries,

commend him for his vigorous devotion to scholarship and to Cornell, and

wish him well in his new freedom.

Dr. Shepherd received extended applause.

Adjourned: 6 p.m.

J. Leeming, Assistant to the Secretary

FACULTY COUNCIL OF REPRESENTATIVES
Apportionment of Seats by Constituency

	<u>1972-75**</u>	<u>1976-78</u>
Africana Studies and Research Center	1	1
Agriculture and Life Sciences	24	25
Geneva Experiment Station	3	4
Architecture, Art and Planning	3	3
Arts and Sciences	28	28
Business and Public Administration	2	2
Engineering	11	11
Health Services	1	1
Hotel	1	1
Human Ecology	5	5
Industrial and Labor Relations	3	3
Law	1	2
University Libraries	1	1
Grad. School of Nutrition*	1	
ROTC	1	1
Veterinary Science	<u>4</u>	<u>5</u>
Total	90	93

* The Graduate School of Nutrition is now the Division of Nutritional Sciences. Its members are associated with the College of Agriculture and Life Sciences and the College of Human Ecology. They are now counted in these constituencies.

**The first cycle of the FCR including its start-up period resulted in a four-year life. By legislation, from here on, the three-year life will be executed.

STATEMENT FROM THE COMMITTEE ON PROFESSIONAL AND ECONOMIC
STATUS OF THE FACULTY REGARDING
SALARY POLICY AND RELATED BUDGET DECISIONS

The Committee on the Professional and Economic Status of the Faculty believes that budgetary decisions should serve the preservation and raising of the academic excellence of the University. Again this year the Committee has been given far too little information (essentially none beyond what has already been published in the Chronicle) and given far too little time (despite previous promises to be in "early" on the budget process) to make the type of intensive salary and budget analysis necessary.

Cornell has fallen behind comparable institutions in faculty salaries since 1970 according to data from the Management System Analysis; from 1970 to 1974 average compensation in the endowed colleges for Professors has fallen from a rank of 8 to 9; for Associate Professors from 5 to 10; and for Assistant Professors from 9 to 15. We believe that a salary increase large enough to reverse this trend and approach the increase in the cost of living is mandatory. We believe that such a salary increase is possible if resources are allocated among all University programs - academic, non-academic, and administrative support - based on how each program contributes to the fundamental objectives of the University: the generation and dissemination of knowledge.

The Committee also believes that the following principles and standards should be considered when setting salary policy and implementing other budget decisions:

1. An across the board policy (either in cuts in academic programs or increases in faculty salaries) does not work toward excellence. While it is easy to implement, administratively, it is an abdication of responsibility to make the hard decisions of identifying areas of excellence. Changes in programs should be made selectively. While all programs must be continually reviewed, the basic reasons for the existence of a University demand that cuts be made overwhelmingly preferentially in those non-academic and administrative programs that do not carry their weight in supporting the goals of the University. A faculty committee should be involved in any major decisions to expand or contract academic programs.

(over)

2. Particularly in times of severe economic stress the basic goal must be the preservation of quality in teaching and research. This means that increases in the salary pool must be used selectively to reward the best faculty members and to maintain an atmosphere in which adequate time and facilities for research are available to productive scholars. There can be no simple formula concerning junior versus senior faculty which will accommodate this goal. The responsibility must be given to the deans and department chairmen.

3. The administration should propose specific administrative procedures for allocating resources and implementing selective raises and cuts in academic budgets, and in cooperation with this committee should develop a mutually agreeable reporting system by which progress towards this objective can be evaluated. A report that reflects the administration's decisions should be available to FCR committees annually in May.

The Committee on the Professional
and Economic Status of the Faculty

Elizabeth Wiegand, Co-chairman
George Conneman, Co-chairman
Warren Knapp
Mark S. Nelkin
Harold A. Scheraga
Cary S. Hershey
Seymour Smidt
Howard M. Taylor III
Peter Stein, Executive Committee
representative
Byron W. Saunders, Dean of Faculty,
ex officio
Russell D. Martin, Secretary of Faculty,
ex officio

CAPP STATEMENT ON CIUE

The Committee on Academic Programs and Policies has reviewed the report of the ad hoc Committee to Evaluate the Center for Improvement of Undergraduate Education and information and reactions subsequently submitted by the Director of the Center, James B. Maas, and the CIUE Advisory Board. We offer the following comments:

The Center appears to have been performing three functions:

- (1) a service function to the teaching staff of the University: dissemination of information, use of CIUE facilities for preparation and presentation of instructional materials, collaboration in developing and evaluating audio-visual instructional materials and video technology;
- (2) an incentive function for faculty members, through the Center's Faculty Fellows Program; and
- (3) a research function - supporting (through grants from external sources) research in education.

The first and second functions - oriented as they are toward the Cornell community in particular - depend on Cornell for financial support. The administration of the University has indicated that it feels the activities comprising function (1) are worthwhile and that it would continue to support them if CIUE did not exist. Function (3), supported primarily by outside funds, would presumably continue as long as the Director is able to procure such funds. The existence or non-existence of the Center would seem to have little bearing on his ability to do so. Thus, the only significant casualty from the disappearance of the Center would seem to be the Faculty Fellows Program.

The desired response from the Advisory Board has been disappointing. Only one member chose to offer any opinions, and his were mostly negative. If there is a significant sentiment on the Board for continuation of the Center in its present form, this Committee was not made aware of it. While favorably disposed toward the aim of the Center and substantially in agreement with the report of the ad hoc Committee to Evaluate CIUE, in the present (financial) climate and in light of the lack of vigorous support of the Center, this Committee cannot recommend continuation of CIUE in its present form. The Committee does, however, believe that several of the activities which CIUE has undertaken, particularly those in (1) above, deserve continuing University support, even though the support may need to be at a much smaller dollar level than at present.

One possible approach to this would be to reorganize CIUE into a program which concentrates both on structured voluntary faculty efforts to improve undergraduate teaching, and on maintaining central files and information on such items as course evaluation procedures and audio-visual aids. If this approach is not feasible and CIUE is phased out, the Committee would urge the University administration to preserve and continue those CIUE programs which relate most directly to Cornell's needs.

Herbert Everett, Chairman

Franklin A. Long

Eleanor Jordan

Gilbert Levine

Henry N. Ricciuti

Shayle R. Searle

Shaler Stidham

David B. Wilson

Byron W. Saunders, Dean of Faculty, ex officio

Russell Martin, Secretary of Faculty, ex officio

The Provost, David C. Knapp, called the meeting to order at 4:35 p.m. and relinquished the Chair to the Acting Speaker, Associate Professor J. Robert Cooke, Agricultural Engineering. 64 members were present.

1. ANNOUNCEMENTS BY THE DEAN

The Dean of the Faculty, Byron W. Saunders, announced that the regulations governing part-time appointment to the University Faculty, approved at the October 9 meeting, had been approved by the Board of Trustees, that appropriate legislation had been formulated, and that the new policy would become effective July 1, 1975.

The Dean confirmed reports that the Board of Trustees had established a Committee on Academic Affairs, and assured the body that this action was in no sense intended to abrogate Faculty authority over academic matters. Rather, it reflected Trustee interest in knowing what academic problems existed, he said, and the specific charge to the new committee was to become aware of such problems and inform the Board of them so that members could better perform their functions as Trustees.

The Dean announced that within a week's time all department chairmen would receive copies of "The Report of the Trustee *Ad Hoc* Committee on Capital Financing", which resulted in the President's memorandum to the Faculty, Senate and Trustees outlining his procedures to implement the recommendations in the report. The memorandum proposed two procedural steps, he said, one being a series of studies by the deans and faculties of the schools and colleges, the other being a series of task force studies to deal with academic matters cutting across several colleges and with administrative and support services. He assured the body that no foregone conclusions had been drawn, and urged each Faculty member, if asked to serve on a study group, to devote the earnest consideration and time required to address these significant and serious questions. It would be of maximum advantage to the University, he said, to have Faculty participation in this decision making process, since otherwise administrative decisions would be made independent of the Faculty. He noted that the memorandum had assigned three specific charges to the forthcoming Faculty Committee on the Budget, adding that the President needed, and was obviously prepared to receive, the Faculty's views on these questions.

2. APPROVAL OF NOMINATIONS FOR FACULTY COMMITTEE ON BUDGET

Professor Walter R. Lynn, Civil and Environmental Engineering, member of the Committee on Nominations and Elections, presented the following slate of candidates for the Committee on the University Budget on behalf of his committee:

Tenured FCR
Three-year staggered term, 3 seats

- VINAY AMBEGAOKAR, Professor, Physics
- * DAVID J. DANIELSKI, Goldwin Smith Professor of Government and
University Ombudsman
- WILLIAM MCGUIRE, Professor, Structural Engineering
- * J. GORMLY MILLER, Director, Cornell University Libraries and
Professor, Industrial and Labor Relations
- * PETER C. STEIN, Professor, Physics, LNS

Non-tenured FCR
Three-year staggered term, 1 seat

- J. CONGRESS MBATA, Associate Professor and Coordinator, African
Section, Africana Studies and Research Center
- * TERRY L. WEAVER, Assistant Professor, Microbiology, Food Science

Tenured non-FCR
Three-year staggered term, 3 seats

- * ALICE H. COOK, Professor Emerita, Labor Relations, Labor History,
Labor Theory, Trade Union Structure and Functioning
- SCOTT B. ELLEDGE, Professor, English
- JAMES A. KRUMHANSL, Professor, Physics, LASSP
- DAVID L. RATNER, Professor, Law
- EDWIN L. RESLER, JR., Joseph Newton Pew, Jr. Professor of Engineering
and Dir., Sibley School of Mechanical and Aerospace Engineering
- ALAIN SEZNEC, Professor, French, Romance Studies
- SEYMOUR SMIDT, Professor, Business and Public Administration
- * ROBERT S. SMITH, Professor, Farm Finance, Agricultural Economics
- * BERNARD F. STANTON, Professor and Chairman, Department of
Agricultural Economics
- ELIZABETH WIEGAND, Professor, Consumer Economics and Public Policy

Non-tenured non-FCR
Three-year staggered term, 1 seat

- PETER CHI, Assistant Professor, Sociology
- * RICHARD E. SCHULER, Assistant Professor, Civil and Environmental
Engineering and Economics
- DOUGLAS E. VAN HOUWELING, Assistant Professor, Government

Professor Lynn commented that there was a large number of candidates for membership on the Committee because for the first time in his experience many persons had expressed interest in serving on a committee. The Speaker opened the floor to additional nominations with the understanding that anyone nominated had expressed a willingness to serve. Assistant Professor Cary S. Hershey, Policy Planning and Regional Analysis, nominated Professor Sidney Saltzman, Chairman, Policy Planning and Regional Analysis Department, Architecture, Art and Planning, for a tenured non-FCR seat on the Committee. There being no further nominations, the Speaker obtained a motion to close the nominations and

*Elected

instruct the Committee on Nominations and Elections to conduct an immediate election. Carried. As a procedural matter, Professor Lynn requested the nominator to ask Professor Saltzman to prepare a brief biographical statement to be included in the ballot which would be mailed the next day.

Adjourned: 4:47 p.m.

J. Leeming, Assistant to the Secretary

The President, Dale R. Corson, called the meeting to order at 4:25 p.m. 158 Faculty members and 2 visitors were present. Minutes of the October 16, 1974 meeting were approved as distributed. The President then announced the death of the following:

Paul J. Kruse, Emeritus Professor of Education, February 17, 1974

Wilbur E. Meserve, Emeritus Professor of Electrical Engineering,
October 28, 1974

Charles L. Walker, Emeritus Professor of Civil Engineering, January 15, 1975

George S. Butts, Emeritus Professor of Communication Arts, January 25, 1975

Peter Paul Kellogg, Emeritus Professor of Ornithology, January 31, 1975

Leonard Reissman, Professor and Chairman, Department of Sociology,
January 29, 1975

Marie M. Rivera, Assistant Professor of Health Services, January 31, 1975

1. REPORT FROM THE PRESIDENT

President Corson reported that efforts to determine University priorities in the face of the current financial situation were underway. Professor Ian R. Macneil, Law, had agreed to organize priorities task forces, he said, and in addition, each of the colleges had organized study groups under the leadership of the deans. He hoped reports would be completed by the end of the spring term, he said, adding that the situation was not getting any better but that by jointly finding the best course to follow, the Administration and the Faculty could insure that the University would remain as a strong institution.

Among urgent problems facing the University, he said, was the dilapidated condition of the heating plant. Increased oil and gas prices had forced the University to halt its shift to these relatively clean fuels and revert to coal. He had toured the plant twice to review the problems involved in burning coal, and had found the equipment inadequate to the task and also so antiquated and in disrepair as to be hazardous. About \$3.1 million would be required over the next 18 months for the first phase in upgrading the system, he said, of which \$1.3 million would be needed to meet pollution requirements imposed on the University by the State Department of Environmental Conservation. The University had signed the consent order specifying such controls.

Another serious problem was posed by the budget for the statutory units at Cornell submitted to the Legislature by the Governor, the President said, and which resulted in a net reduction in dollars for 1975-76 as compared to the 1974-75 budget. The College of Agriculture and Life Sciences had been hit hardest with a \$400,000 reduction in research funds and the abolition of 17 positions. The only unit whose budget had been increased was the Veterinary College with

a \$150,000 increase. The Legislature could not increase items in the Governor's budget, but could effect changes in the supplemental budget passed at the end of the session, probably by late spring or early summer. The Administration would do its best to have some budget items corrected, he said. He thought some budgetary actions such as transferring funding for county agents from Cornell to the State University Budget were illegal. Such funding is part of Cooperative Extension which by statute is funded through Cornell. Also, a planned Family Life Center in the College of Human Ecology has prospects of about \$1 million in Federal funding, he said, but had been abolished by the Governor's budget.

The President noted that the Governor had proposed, in his inaugural address, to cut state expenditures by 10 percent. The statutory budgets had substantially cut funds for accessory instruction, he added. Although it was too early to know what the thrust of the current legislative session would be, he said, continuance of support for the Bundy program seemed assured, and it seemed almost certain that the State's Tuition Assistance Program for freshmen, enacted last spring, would be extended to sophomores.

The President commented on the newly established Trustee Committee on Academic Affairs, saying that creation of such a committee had been approaching for the past five years despite his attempts to deflect it. The Board's rationale, he said, was that the academic program was the main business of the University and therefore the Board should know more about the program than it did. The Committee's charge was to inform the Board concerning the University's academic affairs to enable the Board to perform its function better. He then read a paragraph from the University Bylaws specifying that educational policy was the business of the Faculty, as follows: "Article XIV, 3. Subject to the authority of the University Faculty on all matters affecting general educational policy, it shall be the duty of each separate college or school faculty to determine the entrance requirements for its own students; to prescribe and define courses of study for them; to determine the requirements for such degrees as are offered to students under its jurisdiction; to recommend to the Board such candidates for degrees as may have fulfilled the requirements therefor; to enact and enforce rules for the guidance and supervision of its students in their academic work; and in general to exercise jurisdiction over all other educational matters in the particular college or school."

The President mentioned that the Offices of Admissions and of Financial Aid had been merged following many months of discussion, and expressed the hope that the merger would result in improvement of process in both areas. He reported that to date applications for admission were up 4.6 percent over-all in comparison to a year earlier, being higher in Engineering and Agriculture and lower in the Arts College. The previous year there had been 23,000 applicants for 3,500 places at Ithaca, he said. The Medical College one year earlier had received 4,650 applications for 101 places, he added, and this year had received more than 8,000 applications, making it difficult just to keep pace with the paperwork.

The President expressed his concern over a change in the Faculty's relationship to the Senate. There were no candidates for 20 percent of vacant Faculty Senate seats in the upcoming election. The Senate had been successful so far in its history largely because of the complete dedication of the Faculty involved in it, adding that if the Senate were to continue, significant Faculty participation would be required.

The University had continued to do well regarding grants from foundations, the President reported, and research funds were not reduced as much as at other institutions. He reported on a \$1.2 million grant received at the end of the year from the Andrew Mellon Foundation to endow a program for young scholars in the humanities. Seven postdoctoral teaching fellowships would be established in the Arts College, providing young humanists part-time teaching and research positions which would enable them to command good jobs when they left the University.

The President then called on Professor Macneil, Director of Institutional Priorities.

2. REPORT ON PRIORITIES TASK FORCES

Professor Macneil said he was involved in organizing the task forces, defining their charges and securing people to serve on them. The first task force, concerned with general services, had been established with Mrs. Donna M. Raynsford, manager of administrative services for the Arecibo project in the Department of Construction, as chairman. Also serving on this task force were Professor Robert J. Young, Animal Nutrition, head of the Department of Poultry Science, and Mr. Anthony Treadwell, graduate student, B&PA. Associate Professor June M. Fessenden-Raden, associate director of academic affairs, Biological Sciences, had agreed to chair the task force on learning environment, and

Mr. Alan W. Morrison, Jr., assistant director, Biological Sciences, would chair the task force on physical plant use and maintenance programs. Professor Macneil solicited suggestions from the Faculty for particular lines of task force inquiry or for task force membership. No qualifications were required for task force membership, he said, except the need to find the "best people" and to ensure a "broad base" of inquiry. He expressed the hope that all task forces would report by April 30 in order to meet the June 30 deadline.

Professor Macneil stressed the flexibility of the organization of the priorities study, saying that the current list of task forces would appear in the next day's *Cornell Chronicle*. He said that he, the President and the Provost had few preconceived targets of inquiry and therefore wished to urge the Faculty and non-Faculty members of the University to give serious attention to communicating ideas about areas of inquiry. He concluded by urging members not to assume negative answers to questions asked by task forces. No conclusions had been drawn but he intended to see that a lot of questions were asked and hoped that the Faculty would receive them openly.

3. RESULTS OF ELECTION TO UNIVERSITY COMMITTEE ON BUDGET

The Speaker, Wolfgang H. Fuchs, called on Professor William T. Keeton, Biological Sciences, chairman of the Committee on Nominations and Elections, who reported the following results of the election of members to the new University Committee on Budget:

Non-FCR members

Alice H. Cook, ILR, tenured
 Robert S. Smith, Agr. Econ., tenured
 Bernard F. Stanton, Agr. Econ.,
 tenured
 Richard E. Schuler, Civil & Environ.
 Engr. & Economics, non-tenured

FCR members

David J. Danelski, Govt., tenured
 J. Gormly Miller, ILR & Library,
 tenured
 Peter C. Stein, Physics, tenured
 Terry L. Weaver, Food Science,
 non-tenured

4. REPORT FROM THE DEAN

The Dean of the Faculty, Byron W. Saunders, reported the creation of an *ad hoc* Committee on Academic Integrity to examine the entire area of academic integrity. He asked that the Faculty communicate any concerns in this area to the committee members: Associate Professor Ross J. MacIntyre, Genetics, chairman; Associate Professor Daphne A. Roe, Nutritional Sciences; Professor Albert J. Sievers, Physics; Professor Joel H. Silbey, History; Assistant Professor David A. Singer, Mathematics. The Committee hoped to submit its conclusions and recommendations to the FCR by April 30, he added.

The University Committee on Budget had started work, the Dean said, and its members were attempting to acquaint themselves with the budgetary process and were in the process of electing a chairman. The Committee planned to meet weekly, and had scheduled an interview with the Provost to be followed by an evening discussion, he said, actions indicative of the intensive nature of its operation.

The Dean pointed out that the Faculty Handbook was due for reissue this year, and asked the Faculty to notify him of any mistakes or items requiring modification in the present issue.

The Dean concluded by urging all non-FCR Faculty members who could, to stay on for the February FCR meeting which would follow the present one, in order to hear arguments regarding the Senate Bill of Rights which would be discussed. He urged the maximum level of Faculty attendance at all FCR meetings, stressing his concern over possible divergence between Faculty and University governance. He, himself was not sure if the present structures were the proper ones, he said, adding that he believed Professor Macneil, who shared this concern, might launch an inquiry into the question of governance through the Faculty, the FCR and the Senate. He reminded the Faculty that to the extent it abrogated its own responsibilities, necessary actions would be taken by the Administration. Broad Faculty participation in governance was required in order to insure the maximum possible control and order, he concluded.

5. LEGISLATION CONCERNING COURTESY TITLE

The Speaker called on the Secretary, Professor Russell Martin, who moved the following resolution on behalf of the Membership Committee:

RESOLVED, That Article XVIII of the Bylaws be amended by adding a new Section 3 as stated below and then renumbering the remaining sections under Article XVIII:

3. *Courtesy appointments: Persons having professional qualifications for regular faculty appointments, who are housed in an academic department and who serve as a member of the academic department although employed by an outside agency, may be appointed by the President with full voting rights in the University Faculty to the staff of instruction and research in one of the Grades of Appointment listed in Section 1 with the modifier "courtesy" appended to the appropriate title. Such courtesy appointments may be approved by the President for renewable terms of up to three years each. Courtesy appointments, reappointments and promotions shall be subject to the same departmental and college reviews as regular professorial appointments. The fringe benefits for individuals holding courtesy appointments will be those associated with the source of salary.*

Associate Professor Donald B. Solá, Modern Languages and Linguistics, opposed the motion saying he found it disturbing that as many as 28 "outsiders" would have a vote on Faculty affairs in view of the important value accruing to status as a Faculty member. The Dean responded that the resolution would make existing practice official, pertaining as it did to persons who were already performing professorial duties, although their salaries came from outside the University. Professor Madison J. Wright, Agronomy, pointed out that his department employed four such individuals who served the University well and deserved courtesy appointments. Carried.

6. VOTING STATUS FOR VISITING OR ACTING PROFESSORS

Professor Martin moved the following resolution on behalf of his Committee:

RESOLVED, That Article XIII of the Bylaws be amended as follows:
(additions in italics and underlined)

The nonvoting members of the University Faculty shall consist of the professors, associate professors and assistant professors in (1) the Medical College, (2) the School of Nursing, and (3) those bearing the adjunct, visiting or acting title. The University Faculty may grant to any group of nonvoting members the right to vote on any question deemed by the Faculty to be of interest to such group.

Professor John H. Whitlock, Veterinary Science, asked if the resolution included the Graduate School of Medical Science. The Vice President for Research, W. Donald Cooke, said it was possible to include the College faculty, although this would add about 300 members to the University Faculty. Professor Whitlock moved to amend the resolution to include Medical Science Faculty. Professor Isadore Blumen, ILR, urged postponing a decision until the question raised by the amendment had been explored by the Membership Committee, and suggested a vote to defeat the amendment as one device for accomplishing this. The amendment failed, and the Speaker asked for a motion to recommit. Professor H. Peter Kahn, History of Art, expressed regret that the resolution had not been recommitted before the body voted on the amendment. Professor Blumen said that his remarks were intended to place something in the record alerting the Faculty to look into the matter. The main motion carried.

7. UNIVERSITY COUNSEL AS *EX OFFICIO* FACULTY MEMBER

The Secretary moved the following resolution on behalf of the University Membership Committee:

RESOLVED, That the title of University Counsel be made an ex officio member of the University Faculty.

Professor Norman Malcolm, Susan Linn Sage Professor of Philosophy, moved to delete the phrase title of from the resolution's wording, and the resolution carried as amended, below.

RESOLVED, That the University Counsel be made an ex officio member of the University Faculty.

8. RESOLUTION ON VISITORS AT MEETINGS

The Speaker called on the Dean who moved the following resolutions on behalf of the Review and Procedures Committee:

RESOLVED, That items IV,B,7 and IX,D,6 of the ORGANIZATION AND PROCEDURES OF THE UNIVERSITY FACULTY be amended as follows:
(See Appendix A, attached)

The Dean explained that the Senate has passed a resolution in November requesting that meetings of the Faculty, the FCR and their committees be open, and that current legislation under the Organization and Procedures of the University Faculty did not allow that. Amendment of constitutional provisions may be initiated by resolution of either the Review and Procedures Committee or of the FCR, he said, and in this case, since the resolution came from Review and Procedures, the FCR had not had to address the issue. The resolution removed the mandatory closing of meetings to the public and called on Review and Procedures (in the case of FCR meetings the FCR Executive Committee) to determine in advance if a meeting would be open or closed. The decision by Review and Procedures would occur about two weeks before a meeting under the normal cycle, he added. Having been passed by a vote of 7 to 1 by Review and Procedures, the resolution, if passed today, must go to a Faculty referendum, he said. Rejection would kill the issue for one calendar year.

Professor Gordon M. Messing, Classics and Linguistics, spoke against the motion on grounds that the same question had upset many Faculty members in the late 1960s. The present policy treated visitors adequately, and the resolution only raised difficult new considerations. Moreover the present system was sufficiently democratic, he said, and encouraged an easy-going atmosphere in which the Faculty could do business. Professor Jay Orear, Physics, moved to amend item IX,D,6 of the resolution by deleting the phrase, "if authorized by the Executive Committee (See X,B,1)", and the last sentence, beginning "If the Executive Committee..." in order to allow Faculty members to attend FCR meetings with automatic speaking privileges but not voting rights. The Dean supported the amendment on the ground that it would encourage greater Faculty attendance at FCR meetings. Carried.

Professor Blumen requested and received permission for the body to consider items IV,B,7 and IX,D,6 seriatim. A resolution on IV,B,7 carried, with a call for division, by a vote of 82 to 53. Professor Blumen asked if there was a quorum present. After counting the abstentions, the Speaker announced that there

was not a quorum. Professor Stein asked for a ruling as to whether a quorum call after a vote had been taken was legal. Dean Justin Davidson, B&PA, pointed out that the quorum question had been raised before abstentions were counted and recorded. The Speaker replied that he had counted abstentions only to ascertain the total number present. At the request of Professor Robert M. Cotts, Physics, the Secretary and the Dean counted those present in the room and determined that there was a quorum, although they did not agree on the exact number. The Dean explained that the lowest figure counted was 158 and that 154 constituted a quorum. The ORGANIZATION AND PROCEDURES OF THE UNIVERSITY FACULTY call for "a majority of a quorum,"* he said. With 154 members required for a quorum, 78 affirmative votes would be needed to pass a resolution, and 82 votes were cast for the resolution.

The Speaker opened the floor to discussion of item IX,D,6. Professor John G.B. Hutchins, B&PA, moved to amend the item to admit a limited number of visitors to meetings, the limit to be set by the Executive Committee of the FCR in order to avoid a crowded meeting and mass demonstrations. Professor Kahn said that without a definite limit on the number of visitors the legislation would be meaningless. Professor Hutchins then moved to amend the item to read "a number deemed reasonable by the Executive Committee under the circumstances." Professor Malden C. Nesheim, Nutritional Sciences, suggested that the wording in item IV,B,7, "accredited members of the press or other public media, without discrimination, or a limited number of other visitors, or both, for all or a portion of the meeting" applied to item IX,D,6 and therefore answered Professor Hutchins' objection. Professor Hutchins withdrew his amendment. The main motion carried. The items, as amended appear below, with words in italics being the new material.

IV,B,7. Visitors *may* be admitted to meetings of the Faculty. A *decision to open or close meetings to visitors will be made by majority vote of the Review and Procedures Committee when it establishes the agenda for each meeting*, either to admit accredited members of the press or other public media, without discrimination, or a limited number of other visitors, or both, for all or a portion of a meeting. *The decision of the Review and Procedures Committee concerning a particular meeting may be appealed by a motion properly made and seconded at the meeting in question. A majority vote of the voting members present constituting the quorum shall be sufficient to amend, modify or reverse the decision of the Review and Procedures Committee*

*Verification of this opinion following the meeting disclosed that a quorum is required (it was present) but that only a majority of those voting (not a majority of a quorum as quoted above) would be necessary for passage. The actual requirement therefore is less stringent than reported at the meeting. B.W. Saunders, Dean

concerning the status of visitors at the meeting. If visitors are admitted, they shall sit in the gallery, or otherwise apart from the main body of the meeting, and shall not be permitted to participate in the debates but, if it is so authorized by the decision admitting them to the meeting, they may be permitted by the presiding officer to address the meeting.

IX,D,6. Visitors at Meetings. The provision of Article IV, Section B-7, *as amended*, relating to the presence of visitors at meetings of the University Faculty, shall apply to meetings of the Council of Representatives, except that *the Executive Committee of the FCR when establishing the FCR agenda for each meeting shall make the determination as to whether the meeting is to be "open" or "closed" to visitors and with the further exception that any member of the University Faculty who is not a member of said Council shall be entitled to attend any meeting of the Council as a visitor, and to participate in debate, but not to make motions or vote.*

Adjourned: 5:26 p.m.

J. Leeming, Assistant to the Secretary

RESOLVED, That items IV, B, 7 and IX, D, 6 of the ORGANIZATION AND PROCEDURES OF THE UNIVERSITY FACULTY be amended as follows:

(deletions in brackets [], additions underlined)

IV. POWERS OF THE UNIVERSITY FACULTY; MEETINGS

B. Meetings of the University Faculty

7. Visitors

[Ordinarily,] Visitors [shall not] may be admitted to meetings of the Faculty. [This rule may be waived] A decision to open or close meetings to visitors will be made by majority vote of the [voting members present] Review and Procedures Committee when it establishes the agenda for each meeting, either to admit accredited members of the press or other public media, without discrimination, or a limited number of other visitors, or both, for all or a portion of a meeting. The decision of the Review and Procedures Committee concerning a particular meeting may be appealed by a motion properly made and seconded at the meeting in question. A majority vote of the voting members present constituting the quorum shall be sufficient to amend, modify or reverse the decision of the Review and Procedures Committee concerning the status of visitors at the meeting. If [so] visitors are admitted, [visitors] they shall sit in the gallery, or otherwise apart from the main body of the meeting, and shall not be permitted to participate in the debates but, if it is so authorized by the [vote] decision admitting them to the meeting, they may be permitted by the presiding officer to address the meeting.

IX. POWERS, DUTIES, AND MEETINGS OF THE FACULTY COUNCIL OF REPRESENTATIVES

D. Meetings of Council of Representatives

6. Visitors at Meetings. The provision of Article IV, Section B-7, as amended, relating to the presence of visitors at meetings of the University Faculty, shall apply to meetings of the Council of Representatives, except that the Executive Committee of the FCR when establishing the FCR agenda for each meeting shall make the determination as to whether the meeting is to be "open" or "closed" to visitors and with the further exception that any member of the University Faculty who is not a member of said Council shall be entitled to attend any meeting of the Council as a visitor, and, if authorized by the Executive Committee (See X-B-1), to participate in debate, but not to make motions or vote. If the Executive Committee has not had the opportunity to pass upon a request to so participate (as where a matter is brought up which is not on the agenda) such participation by a Faculty visitor shall be within the discretion of the Speaker.

RATIONALE: Early in September request for admission to both Faculty and FCR meetings was made by a representative of the CORNELL DAILY SUN. In addition we are required to consider this problem as the result of a resolution in the Senate and the implementing resolution in the November 13, 1974 meeting of the FCR. Current legislation requires that a vote be taken at each meeting whenever such a request is made. Any time a vote is favorable it would mean representatives of the press would be admitted but other members of the media would not know that they were welcome. The vote on the request in September showed a definite desire to reject at that meeting but sentiment was expressed for making it possible for visitors to attend under some conditions. It was felt the proposed legislation would allow for this flexibility and eliminate the need for voting at the start of each meeting.

The Speaker, Professor Wolfgang H. Fuchs, called the meeting to order at 5:27 p.m. 73 members and 17 visitors were present. The minutes of the special FCR meeting of January 22nd were approved as distributed.

1. RESOLUTION ON MEMBERSHIP OF UNIVERSITY-ROTC RELATIONSHIPS COMMITTEE

The Speaker called on the Dean, Professor Byron W. Saunders, to present the following resolution on behalf of the Committee on University-ROTC Relationships and the Review and Procedures Committee:

RESOLVED, That the legislation for the Committee on University-ROTC Relationships be amended as follows:

(deletions in brackets, new material in italics)

The Committee on ROTC Relationships shall consist of six Faculty members, the Commanding Officer of each military service offering instruction at the University, two administrators appointed by the President of the University and [six] *seven* students.

2. [Two] *Three* of the students shall be nominated from, and elected by, students actively enrolled in ROTC programs at the University [.] *to represent the three services of the Air Force, Army and Navy.* The other four students shall be selected or elected from the various colleges having students enrolled in the program in a manner acceptable to the Faculty Committee on Nominations and Elections.

The Dean explained that the resolution aimed to provide representation of all three of the military services on the Committee, and that Review and Procedures had unanimously approved the Committee's request. Carried.

2. UNIVERSITY SENATE BILL OF RIGHTS

The Speaker called on Professor Cushing Strout, English, chairman of the Committee on Freedom of Teaching and Learning, who moved adoption of the Senate Bill of Rights by way of approving it. He explained that this strategy was meant to promote discussion of the bill without the need to vote on it, and would be followed by a motion to go into a committee of the whole. The Speaker called on the Dean who explained that the present bill, after passing through a series of vicissitudes, had reached its present stage primarily through the efforts of a student, Mr. Joseph Harmon, chairman of the Senate Codes and Judiciary Committee. It had been discussed with the FCR Committee on Freedom of Teaching and Learning, he said, which did not unanimously agree on the bill. Because it was an amendment to the Senate Constitution it required passage by the Senate, the FCR, the community, and ultimately the Board of Trustees. The bill in its present form was not satisfactory to many of the Faculty. Both the

Senate Speaker, Mr. Robert Harrison, and Mr. Harmon had agreed to having the FCR discuss the bill as a committee of the whole, then resubmitting the bill to appropriate FCR committees to obtain a consensus. He then moved to continue as though the FCR was a committee of the whole. Professor Isadore Blumen, ILR, requested and received permission to have the debate recorded in the minutes. In response to a question from the floor, the Dean further clarified the proposed procedure by stating that following determination of Faculty opinions on the bill in this meeting, the Executive Committee of the FCR wished to commit the bill to the Committees on Professional and Economic Status of the Faculty, Academic Freedom and Responsibility, and Freedom of Teaching and Learning, and that in addition, some kind of joint committee among these three committees, the Executive Committee and/or some additional group would be formed to meet with the Senate to attempt to resolve differences of opinion. He added that at present no machinery existed to provide for joint Senate-Faculty action on a given issue. Professor Peter Stein, Physics, asked if the document's wording could be changed after it had been discussed by the FCR. The Dean replied that this clearly might happen, but that the intent was to modify it in accord with the FCR's ultimate legislative statement. At the suggestion of Professor Norman Malcolm, the Susan Linn Sage Professor of Philosophy, the body voted to act as if in a committee of the whole. Professor Strout then spoke to the Bill of Rights. He said that it had had a "dismal history" until this year when Mr. Harmon had met with members of his committee and *vice versa* in efforts to bring the bill to its present state. He then spoke to possible objections to the bill which he said his committee had discussed with Mr. Harmon and members of the Senate Codes and Judiciary Committee, and received answers which satisfied their doubts.

First, he conceded that the Senate vote on the bill was a very close one, but pointed out that this is commonly true in constitutional issues and that the U.S. Bill of Rights had been passed in several states by very small margins. Another criticism one might make, he said, is that the bill is based on a false analogy with the U.S. Bill of Rights. He said he believed nobody involved with the Senate bill had delusions of grandeur, nor was there any thought of imitating or usurping the scope of the U.S. Bill of Rights. Rather, he said, the Senate bill was based on the understanding that a University is a particular society with its own special virtues and problems. Another question that might be raised was whether the Senate Bill of Rights represented an

exercise in the politics of abstraction, i.e., a system of rights predicated on concepts of what ought to be without respect for the historical existence of achieved rights and obligations within our own society. He said he believed this was not the case, and that the Senate Bill recognized and acknowledged existing procedures, as they were described in section I.a.2 of the bill. Fourthly, he said it might be feared that the bill was unrealistic in ignoring the limits necessarily involved in the exercise of freedom and over emphasizing rights at the expense of duties. This cannot be said of the bill in its present form, he said, although it might have been said of an earlier form of the document. The bill realistically authorizes protecting not only liberty, but also the property and the safety of members of the University, he said, and while it prohibits sanctions against beliefs or opinions, it provides for sanctions against illegitimate actions. As for enforcement, Professor Strout said that although earlier versions were groping for some centralized method of enforcement, on a false analogy with the Supreme Court, this bill clearly supports decentralized enforcement procedures and recognizes the existence of alternate routes to the settlement of grievances, including Faculty committees and the Ombudsman. Professor Strout conceded that some ambiguity of phrasing existed in the document, if only because some issues are so complex that they cannot be resolved in a sentence, for example, the conditions that would justify basing some groups on age, sex, or belief. One can only point to the complexity, he said, and the spirit in which it is to be resolved. Therefore, the intent of the Senate and FCR committees was that the document reflect their concern that the test of "good faith" be applied to arguments for the relevance of age, sex, ethnicity, or ideology to the composition of particular groups on campus, and that judgments be made by locally relevant bodies on the issues raised. Quoting Justice Marshall, he said the Bill of Rights must be seen as a chart and not a blueprint. His committee was much concerned, Professor Strout said, about the danger of the bill introducing some sweeping new powers. In its current version he did not believe this to be the case. Most speculation had turned on the due process clause. Read closely, however, it turns out to be limited in ways consistent with the interests and rights of the Faculty. He stressed that the rights to which the due process clause apply are not merely anyone's interests nor "a vague litany of all possible rights anybody could think of," but only the specific rights enumerated in the document.

The Committee did not believe that "parchment barriers," as James Madison called them, could ever replace one's own ethos, spirit, or sense of liberal values, but like Madison, the Committee believed that (in his phrase) they could provide "good ground for an appeal to the sense of the community." So Madison, on this ground, was converted to the U.S. Bill of Rights, he concluded, and so also the Committee was converted to this Senate document.

Professor John G.B. Hutchins, B&PA, proposed adding under section III of the Senate Bill of Rights a subsection c. which would state: "Members of the Cornell Community shall not be illegally restrained from access to, use of, and exit from academic facilities, libraries and offices usually used by such members through mass or individual action." The Speaker pointed out that while motions were definitely in order, they could only be adopted by going back into formal session. His understanding of the discussion, he said, was that it was intended to obtain Faculty input, following which, the bill would be sent back to committees for further discussion and their motions, if any, would be brought before the body for action. Professor Stein expressed concern over misreadings which people might make of the document. He urged treating it, like the U.S. Bill of Rights, as a real document which could be legally binding, and therefore could receive amendments at this point as an attempt to clear up any ambiguities that might exist. He pointed out that no place in the document was there a statement to the effect that the Faculty constantly made judgments regarding students and their colleagues. The Faculty should have the right to make these judgments without being subject to the due process clause of the Bill of Rights, he said. At the same time, one could make a claim about the validity of such judgments since the issues were not always clear. He suggested adding a sentence to the document to the effect that the due process clause did not apply to "ordinary academic judgments" made by the Faculty. He added that he thought it would be helpful to have this point explicitly spelled out. Assistant Professor David A. Singer, Mathematics, asked if it was necessary to have a provision such as the one Professor Hutchins had suggested since he believed that the Campus Code of Conduct already covered this type of situation. Professor Strout responded to Professor Stein's remarks by sympathizing strongly with his concern while observing that it was impossible to prevent the misreading of any document. He pointed out that the only enumerated right pertinent to Professor Stein's fears was section VI.a., guaranteeing an explanation of evaluations of performance. The language did not specify anything beyond an explanation, which is what good teachers, he said,

normally now give in accounting for a grade - or ought to. He added that the document does not apply to promotions or tenure and suggested that fears about the consequences of misreading the bill ought to be based on specific phrases that warrant them before moving any amendment of it. Professor Walter T. Federer, Plant Breeding and Biometry, urged that the body not act on the bill until it had reached full understanding of it. He said it should have come to the FCR before going to the Senate, however, it was now too late for that. On the other hand, he pointed out, the bill would not go to the Board of Trustees until it had been approved by the Faculty. He therefore urged his colleagues to amend the bill, if they wished, before approving it. He then pointed out regarding the bill's clause about the Faculty having primary jurisdiction over academic matters, that the Committee on Freedom of Teaching and Learning suggested language making this clause explicitly apply to all provisions of the bill. Such a statement was removed by the Senate Committee. Associate Professor Richard N. Boyd, Philosophy, pointed out that paragraph 5.c., as written, meant that the Faculty would not have routine access to student records which they obviously need, and suggested that the paragraph be modified.

The Speaker reminded the body of the lateness of the hour and suggested that those not able to make comments at this meeting could communicate their opinions to members of the Executive Committee. Professor Blumen asked if it would not be possible to continue discussion at the next FCR meeting. The Speaker agreed that this could take place and added that the body could refer the document to various FCR committees as had been suggested earlier for amendment and rephrasing. The Speaker then returned the meeting to formal session and called on the Dean of the Faculty to make a motion to refer the Bill of Rights to the three FCR committees mentioned earlier. The Dean urged FCR members to communicate their concerns to him or to any of the committee chairmen and then moved to refer the bill to these three committees and any others that the FCR Executive Committee deemed appropriate. Carried.

Adjourned: 6 p.m.

J. Leeming, Assistant to the Secretary

The President, Dale R. Corson, called the meeting to order at 4:39 p.m. Fifty-seven members and seven visitors were present. The President relinquished the chair to the Speaker, Professor Wolfgang H. Fuchs.

1. ANNOUNCEMENTS BY THE DEAN

The Dean of the Faculty, Professor Byron W. Saunders, asked that voting members of the FCR sit in the first seven rows of the room to facilitate voting. He noted for the record that the results of the referendum on opening Faculty and FCR meetings to visitors had been 342 votes in favor and 131 votes against open Faculty meetings, and 338 votes in favor and 135 votes against open FCR meetings. He reminded members that legislation voted upon called for the Review and Procedures Committee, in the case of Faculty meetings, and the FCR Executive Committee, in the case of FCR meetings, to determine when they set the agendas whether or not meetings would be open or closed.

The Dean announced that consecutive Faculty and FCR meetings would be held on Wednesday, May 7th, rather than on the second and third Wednesdays of the month as previously announced, because of a meeting on May 14th in New York City which would require attendance by several members of the FCR. He added that Professor Peter Stein, Physics, Chairman of the University Faculty Budget Committee, would make a report at the May 7th Faculty meeting.

The Dean reported that the ^{ad hoc} Committee on Academic Integrity authorized by the FCR Executive Committee would be reporting to the Executive Committee in May, and that a report to the FCR members might be expected in early Fall.

The Dean noted that the Board of Trustees in March had approved grievance procedures passed by the FCR with the exception that the paragraph dealing with appointment procedures had been deleted and a parallel document would be provided to handle questions of appointment, reappointment and tenure decisions. The reason for this action, the Dean said, was that these items were covered by existing Faculty legislation and Trustee Bylaws. (see Appendix G)

The Dean reported that the Engineering College had submitted a new program in geological sciences to the Executive Committee for review, which in turn had referred it to the Committee on Academic Programs and Policies. The action arose, he said, from the transfer of the Department of Geological Sciences from the Arts College to the Engineering College and the subsequent identification of the program. The committees had reviewed the program and determined that no action was required of the Faculty. (Degree Program, Appendix A)

The Dean reported that the Bill of Rights had been referred as authorized by the FCR, to three Faculty committees, of which one had reported on the Bill and two had not. He said he anticipated further action on the Bill by October at the earliest.

2. NOMINATIONS FOR VARIOUS OFFICES AND COMMITTEES

The Speaker called on Professor William Keeton, Biological Sciences, Chairman of the Committee on Nominations and Elections, who moved the two slates of nominees for various offices and committees (Appendices B and C, attached).

Professor Keeton pointed out that Assistant Professor J. Bruce Long, Asian Studies, had withdrawn his candidacy, leaving Assistant Professor David B. Lewis, Policy Planning and Regional Analysis, and Assistant Professor Joan W. Wright, Community Service Education, as candidates for one non-tenured Faculty Trustee seat. There being no further nominations from the floor, a motion was received and carried to allow the Committee on Nominations and Elections to proceed with organizing an election. Professor John H. Whitlock, Veterinary Pathology, reminded the body that by Trustee action, 40 percent participation in the voting for Faculty Trustees was required, and the Dean urged Professor Whitlock to encourage his colleagues to take part in the voting.

3. REPORT ON COMPUTER USAGE (Appendix D)

The Speaker called on Professor P.C.T. deBoer, Mechanical and Aerospace Engineering, who moved that a report from the Research Policies' Subcommittee on Computer Usage, which he had chaired, be received by the body with a request that it be published in the *Cornell Chronicle* (See *Chronicle*, Volume 6, Number 29, April 24, 1975). Professor deBoer pointed out that the report stemmed from FCR resolutions requesting clarification from the Research Policies Committee on the governance structure of computer operations and an outline of the scope and nature of various uses of the University computer. The report concerned only the University computer, the IBM 370/168, and was essentially for informational purposes, Professor deBoer said, noting that a letter from Samuel Lawrence, Vice President for Administration, was appended to the report since operation of the University computer was under his control. The Subcommittee had conferred with Mr. Lawrence on the content of the report, he said, and the letter contained further clarification of the report's contents by Mr. Lawrence. Carried.

4. DEANS' COUNCIL RECOMMENDATION ON APPOINTMENT PROCEDURES (Appendix E)

The Speaker called on Professor Walter Lynn, Civil and Environmental Engineering, Chairman of the Executive Committee, who moved the following resolution:

RESOLVED, That the FCR endorse the report from the Committee on the Professional and Economic Status of the Faculty regarding the Deans' Council recommendation on appointment procedures.

Professor Lynn explained that the motion was designed to get the document on the floor for discussion and was not intended to convey endorsement by the Executive Committee or encourage a vote in its favor.

Professor Isadore Blumen, I&LR, asked if photographs were authorized during the meeting, there being a newspaper photographer in the room. The Speaker requested that photographs not be taken at this meeting since he did not have the unanimous consent of the body to permit photographs.

The Dean explained that the draft of the Deans' Council memorandum received by members contained a statement on page 1 which appeared to conflict with Faculty legislation. The statement reads: "Both recommendations should recognize that decision on appointment policies and procedures is a prerogative of the President and/or the Board of Trustees." He pointed out that Deans Harry Levin, Arts and Sciences, and Edmund Cranch, Engineering, had submitted written statements to him expressing the general opposition of their Faculties to Recommendation 4 of the report. In addition, he said, he and the Committee on the Professional and Economic Status of the Faculty, whose comments on the Deans' memorandum were appended to it, were concerned over Recommendation 10 providing for a dean to declare exceptions to Faculty tenure decisions and thus to circumvent Faculty participation in such decisions if he felt it best for his school or college to do so. This recommendation conflicted with Faculty legislation dated December 9, 1959, he said. He also expressed concern that the Deans' memorandum was not structured to "amend, modify or reject" previous Faculty legislation. While agreeing that it was sometimes appropriate for deans to be concerned with academic policy questions, the Dean stated that the Trustees had clearly placed academic policy in the hands of the Faculty. He expressed the belief that it was not appropriate for a dean to make exceptions to Faculty decisions on his own, and that it would be more appropriate for the Faculty to provide for such exceptional situations and to make provisions to deal with them when they occurred. Rather than reject the Deans' memorandum, he said, Professor Lynn stood ready to offer an alternate resolution.

Professor Norman Malcolm, Philosophy, stated that Dean Levin's statement had resulted from a meeting held with his department chairmen the previous October at which "very substantial criticism" of the Deans' Council memorandum

had been expressed. Both the Committee on the Professional and Economic Status and the department chairmen objected to the recommendation that tenure decisions be made in the seventh year of employment rather than the sixth, he said, adding that Professional and Economic Status had failed to analyze other aspects of the Deans' Council memorandum, for example, the "rigidity" of Recommendations 6 and 7. Where Recommendation 6 called for initial appointment as instructor for a term of "up to two years" and Recommendation 7 called for the initial appointment as assistant professor for a term of "up to four years," he said, it would be preferable to provide that such appointments "may" be made up to two or four years, thus making it possible, but not mandatory, to make four-year appointments. He also expressed concern over Recommendations 4 and 5 regarding tenure review, pointing out that while Recommendation 4 provided for tenure review in the seventh year of employment with earlier review in special cases, Recommendation 5 provided that if a candidate for tenure is reviewed early there shall be no second tenure review during a subsequent year of service. Professor Malcolm said he interpreted this provision as denying a second tenure review to some candidates, a fact he found difficult to imagine was intended.

Professor John G.B. Hutchins, B&PA, spoke to Recommendation 8 regarding promotion from assistant to associate professor without tenure. The Recommendation specified that such promotion should be rare and should constitute a special exception to normal procedure, he said. He pointed out that the position of instructor seemed to have disappeared from the Faculty structure and that the University now seemed to have a three-rank system rather than a four-rank one. Since younger Faculty members mature at different rates, he said, early tenure review could create inequities, although at the same time the University wished to be protected against the long-term involvement of funds for Faculty members. There is need for an "in between" position without tenure, he said, in order to recognize young people and keep them on the Faculty. Therefore, he urged the creation of four Faculty ranks, two with tenure and two without. Such a system, he added, would encourage younger Faculty members who had not yet developed their teaching skills to the fullest to stay at the University, and would discourage early tenure decisions, which tended to hurt the University.

The Speaker said that the discussion had revealed several points of concern and that therefore he wished to reveal the substance of Professor Lynn's alternate motion, i.e., to create an *ad hoc* committee to review appointment procedures and report to the body in early 1975-76. The proper procedure for

approving this motion, he said, would be to vote against the motion on the floor and support the alternative motion. Professor Whitlock stated that the Board of Trustees had recently re-emphasized its stand that the University Faculty had responsibility over educational policy, placing on the Faculty the responsibility for a commitment of up to three-quarters of a million dollars in the case of each Faculty appointment. "You cannot appoint 25 professors in this University without having tremendous impact on education policy," he said, adding that educational policy was not covered in the Deans' Council memorandum. "This document," he concluded, "is a lot of ink spilled to give deans *carte blanche* in educational policy." (See minutes of May 7, 1975 meeting for Professor Whitlock's corrected statements.)

Professor Blumen asked if a nay vote on the motion before the body would bring the substitute motion to the floor and the Speaker replied that it would. Professor Robert Elias, English, suggested moving Professor Lynn's alternate motion as a substitute. The Dean pointed out that the body owed the Deans' Council a response to its report. Professor Lynn suggested that if the body were to reject the Deans' Council memorandum, it would be left with no further action but transmittal of this rejection to the deans. He proposed action which would transmit to the Deans' Council the FCR's inability to accept its memorandum along with an expression of intent to act on its own. The Dean stated that the comments made in this meeting and the written statements from Deans Levin and Cranch would be forwarded to the Deans' Council, and that, therefore, accepting the alternate motion would resolve the problem. Professor Stein suggested that the body could express its views by deleting the first sentence of the Committee's comments and endorsing them as amended. In response to a question from the floor, the Speaker confirmed that the motion before the body embraced both the Deans' Council memorandum and the attached comments of the Committee on the Professional and Economic Status of the Faculty. Professor Blumen moved to table both the comments and the memorandum. Carried. Professor Lynn stated that he thought the body had acted wisely in tabling the Deans' proposal until the FCR could respond with one of its own. He then moved the following resolution:

RESOLVED, That the Dean of the Faculty, with the advice and consent of the Executive Committee, appoint an ad hoc committee to review the present legislation of the Faculty regarding appointment procedures and to report to the FCR such findings and recommendations as appear to be warranted. Such a report should be received as early in the 1975-76 academic year as possible.

Professor Paul Ankrum, Electrical Engineering, asked why it would not be appropriate to have the Committee on the Professional and Economic Status of the Faculty study the document rather than an *ad hoc* committee. The Dean explained that Professional and Economic Status had other commitments which kept it occupied. Professor Lynn pointed out that the Dean's research had led him to believe that there existed Faculty legislation covering the point at issue, i.e., the right of a dean to take exception to Faculty decisions on tenure, and said that creation of an *ad hoc* committee would provide the body with the opportunity to review this legislation. The Dean agreed, stating that the December 9, 1959 legislation and a 1969 memorandum from then Vice President for Academic Affairs, Stuart Brown, implementing the 1959 legislation both deserved to be studied in an attempt to resolve concerns raised by the deans which were apparently not covered by previous legislation. Professor Eric Blackall, German Literature, asked why the document referred to as a memorandum from the Deans' Council was headed by a salutation to the Deans' Council from an *ad hoc* committee on appointment procedures, and asked precisely what this committee was. The Dean explained that the Provost had appointed the committee from the membership of the Deans' Council. Professor Lynn's motion carried.

Adjourned: 5:29 p.m.

J. Leeming, Assistant to the Secretary

The Degree Program in Geological Sciences

Introduction

As a result of the energy shortage, projected mineral shortages, concern over the environment, planetary exploration, and dramatic new basic discoveries, interest in geology is currently on the rise in most universities. At Cornell, this effect has been accentuated because of the program of revitalization of the Department of Geological Sciences which began in 1971 and which brought the Department to the College of Engineering.

Currently, college students wishing to major in geology do so through the College Program. The College Program is adequate for some students but inadequate for those who prefer more specific guidelines. In order to accommodate this latter group, and to make the College more attractive to prospective freshmen and transfers, the degree program described below is proposed.

The keynote of the program is emphasis on training in the basic sciences and mathematics. The existing basic studies program of the College provides a near ideal base for majors in geology at Cornell. In the junior and senior years, students in the program will take the geology core plus selected courses in other disciplines depending upon their interests. This combination of strength in the basics that characterizes training in engineering plus specialized training in geology and related disciplines should produce graduates well-equipped to work, or to study further, in the earth sciences.

THE DEGREE PROGRAMS

Bachelor of Science

In the College of Engineering, students interested in entering the Field Program in Geological Sciences follow the Basic Studies Program for the first two years. It is recommended that Geology IGE101 and IGE102, Chemistry 208, and, for those students interested in geobiology, Biology OBA101-102 and OBA103-104 be taken as electives during this period.

Students in the Field Program in Geological Sciences are required to complete the following, or their equivalents: (1) the six core courses in Geological Sciences, IGE325, IGE345, IGE355, IGE356, ICE376 and IGE388; (2) an acceptable summer field course, or equivalent; and (3) four approved advanced courses in physics, chemistry, biology, engineering, or mathematics. Programs during the third and fourth years are as follows:

Term 5

Geological Sciences IGE355		4
Geological Sciences IGE376		4
Required Science	3 or	4
Liberal Elective		3
Technical or Free Elective	3 or	4
	<hr/>	<hr/>
	17 to	19.

Term 6

Geological Sciences IGE356	4
Geological Sciences IGE325	4
Required Science	3 or 4
Liberal Elective	3
Geological Sciences IGE704*	6

or

Technical or Free Elective	<u>3</u> or <u>4</u>
	17 to 19

(Summer Field Course)*

*The choice of which field course is taken, whether IGE704 or an approved summer field course, should be made with the approval of the Student's advisor. The field course will normally count as two courses towards satisfying degree requirements.

Term 7

Geological Sciences IGE345	4
Required Science	3 or 4
Liberal Elective	3
Technical or Free Elective	3 or 4

13 to 15

Term 8

Geological Sciences IGE388	4
Liberal Elective	3
Required Science	3 or 4
Technical or Free Elective	3 or 4
Free Elective	3 or 4

16 to 19

Students intending to specialize in geophysics should select their Required Sciences from the following courses or their equivalents: BMA421, 422, 423, Applicable Mathematics; IPA355, Intermediate Electromagnetism; IPA333, Mechanics of particles; IPA456, Intermediate electrodynamics; IPA434, Continuum physics; BPS410, Advanced experimental physics.

Students intending to specialize in geochemistry (including petrology, mineralogy, mineral deposits) should select their Required Sciences from the following courses or their equivalents: Chem 300, Introductory Quantitative Analysis; Chem 301, Experimental Chemistry I; Chem 302, Experimental Chemistry II; Chem 303, Experimental Chemistry III; Chem 357-358, Introductory Organic Chemistry; Chem 389-390, Physical Chemistry I & II; Chem 410, Inorganic Chemistry; ITK311 Structure and Properties of Materials; ITK335, Thermodynamics of Condensed Systems.

Students intending to specialize in geobiology should select their Required Sciences from the following courses or their equivalents: OBB316, Invertebrate Zoology; OBD431-432, Principles of Biochemistry; OBE145, Plant Biology; OBE448, Plants and Time (Paleobotany); OBG361, General Ecology; OBG373, The Vertebrates; OBG476 Organic Evolution; OBI281 Genetics; Chem 253, (353) Elementary Organic Chemistry; IGE471, Invertebrate Paleontology

Students wishing to pursue further training or immediate employment in applied geology (environmental/engineering geology, mineral exploration and exploitation, ground water, petroleum geology or geological engineering) should select their Required Sciences from the following courses or their equivalents, with two of four from the same field: Soil Science 301, Identification, Appraisal & Geography of Soils; 501, Soil Chemistry; 507, Soil Physics; IID301, Elements of Soil Mechanics; IID610, Engineering

Properties of Soils; IIA685, Physical Environment Evaluation; ITK331, Structure and Properties of Materials; ITK446, Mechanical Properties of Materials; IIC301, Fluid Mechanics; IIC302, Hydraulic Engineering; IIE301 Environmental Quality Engineering; BMA421, 422, 423, Applicable Mathematics; Math 371, Basic Probability; Math 472, Statistics.

Students wishing a more general background or wishing to remain uncommitted with regard to specialty, must choose at least two of the four Required Science courses from the same field and all four Required Science courses must be at the 300 level or above.

A total of four Liberal Electives are normally taken during the 5th, 6th, 7th and 8th terms in addition to two Technical Electives and two Free Electives. The Technical Electives may be chosen from offerings in Geological Sciences or in other science or engineering fields, and may be courses also approved as Required Sciences.

Students intending to pursue graduate study in geology are reminded that many graduate schools require proficiency in reading the scientific literature in one or two of the three languages: French, German or Russian. Undergraduate preparation in at least one of these languages is therefore advantageous.

Outstanding students in this program may request substitution of an honors thesis for a 4th year technical elective.

The College Program

Students who wish to follow a program of study in geological sciences substantially different from those outlined above may do so under the College Program. Such students should consult with the appropriate faculty members as early as possible. A description of the College Program is given on p. .

April 1, 1975

REPORT FROM THE COMMITTEE ON NOMINATIONS AND ELECTIONS
SLATE OF NOMINATIONS
FCR Seats on Committees

ACADEMIC FREEDOM AND RESPONSIBILITY COMMITTEE - 1 tenured seat, 3-year term

Ian R. Macneil, Professor, Law

Raymond G. Thorpe, Associate Professor, Chemical Engineering

ACADEMIC PROGRAMS AND POLICIES COMMITTEE - 1 tenured seat, 3-year term

Richard H. Lance, Associate Professor, Theoretical and Applied Mechanics and
Associate Dean, College of Engineering

Bernard C. Rosen, Professor, Sociology

ADMISSIONS AND FINANCIAL AIDS COMMITTEE - 1 non-tenured seat, 3-year term

Richard N. Boyd, Associate Professor, Philosophy

Dan E. Moore, Assistant Professor, Rural Sociology

PHYSICAL EDUCATION COMMITTEE - 1 tenured seat, 3-year term

J. Paul Leagans, Professor, Education

James C. White, Professor, Hotel Administration

PROFESSIONAL AND ECONOMIC STATUS OF THE FACULTY COMMITTEE - 1 tenured seat, 3-yr term

John Bentinck-Smith, Professor, Clinical Pathology, L.A.M.O.S.

Olan D. Forker, Professor, Agricultural Economics

RESEARCH POLICIES COMMITTEE - 1 tenured seat, 3-year term

Richard Polenberg, Professor, History

Robert S. Shallenberger, Professor, Food Science and Technology, Geneva

April 1, 1975

REPORT FROM THE COMMITTEE ON NOMINATIONS AND ELECTIONS

SLATE OF NOMINATIONS

FACULTY TRUSTEE - 1 tenured seat, 5-year term

Sara E. Blackwell, Professor, Community Service Education
 Sidney Saltzman, Professor and Chairman, Policy Planning and Regional Analysis
 Alain Seznec, Professor of French, Romance Studies
 Adrian M. Srb, Professor, Genetics, Biological Sciences

FACULTY TRUSTEE - 1 non-tenured seat, 2-year term

David B. Lewis, Assistant Professor, Policy Planning and Regional Analysis
 J. Bruce Long, Assistant Professor, Asian Studies
 Joan W. Wright, Assistant Professor, Community Service Education

AT-LARGE MEMBER, FCR - 4 seats, 3-year term

W. Keith Bryant, Professor, Consumer Economics and Public Policy
 Howard E. Evans, Professor, Veterinary Anatomy
 Henry P. Goode, Emeritus Professor, Operations Research
 Juris Hartmanis, Professor, Computer Science
 Stephen W. Jacobs, Professor, Architecture
 Sonya Monosoff, Professor, Music
 Robin M. Williams, Jr., Henry Scarborough Professor of Social Sciences

REVIEW AND PROCEDURES COMMITTEE - 3 seats, 3-year term

Joseph B. Bugliari, Professor, Agricultural Economics and B&PA
 Elmer E. Ewing, Professor, Vegetable Crops
 James A. Gross, Associate Professor, Collective Bargaining, I&LR
 Richard P. Korf, Professor, Mycology and Dir., Plant Pathology Herbarium
 David Novarr, Professor, English

NOMINATIONS AND ELECTIONS COMMITTEE - 3 seats, 3-year term

Barry B. Adams, Professor and Chairman, English
 Robert E. Bechhofer, Professor and Chairman, Operations Research
 Gordon M. Kirkwood, Frederic J. Whiton Professor of Classics
 Philip J. McCarthy, Professor and Chairman, Economics and Social Statistics, I&LR
 Nancy C. Saltford, Associate Professor, Design and Environmental Analysis

MEMBERSHIP OF THE UNIVERSITY FACULTY COMMITTEE - 1 seat, 3-year term

Stanley W. Davis, Professor, Hotel Administration
 W. Jean McLean, Associate Professor, Design and Environmental Analysis

ACADEMIC FREEDOM AND RESPONSIBILITY COMMITTEE - 1 tenured seat, 3-year term

Carl A. Ginet, Associate Professor, Philosophy
 Peter W. Martin, Professor, Law

ACADEMIC PROGRAMS AND POLICIES COMMITTEE - 1 tenured seat, 3-year term

Marjorie M. Devine, Associate Professor, Nutritional Sciences
 James L. Gaylor, Professor and Chairman, Biochemistry, Molecular and Cell Biology

(over)

ACADEMIC PROGRAMS AND POLICIES COMMITTEE - 1 non-tenured seat, 3-year term

Jacqueline V. Falkenheim, Assistant Professor, History of Art
Sandra F. Siegel, Assistant Professor, English

ADMISSIONS AND FINANCIAL AIDS COMMITTEE - 2 tenured seats, 3-year term

Alice J. Davey, Associate Professor, Consumer Economics and Public Policy
Alexander Kira, Professor, Architecture
Yervant Terzian, Associate Professor, Astronomy

FREEDOM OF TEACHING AND LEARNING COMMITTEE - 2 tenured seats, 3-year term

Marvin Carlson, Professor and Chairman, Theatre Arts
Norman R. Scott, Associate Professor, Agricultural Engineering
Allen W. Wood, Associate Professor, Philosophy

FREEDOM OF TEACHING AND LEARNING COMMITTEE - 1 non-tenured seat, 3-year term

Moncrieff M. Cochran, Assistant Professor, Human Development and Family Studies
Sherman G. Cochran, Assistant Professor, Chinese History

PHYSICAL EDUCATION COMMITTEE - 1 tenured seat, 3-year term

George G. Gyrisco, Professor, Entomology
Burnham Kelly, Professor, Architecture
Joel H. Silbey, Professor, American History

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

C. Arthur Bratton, Professor, Agricultural Economics
David L. Ratner, Professor, Law
Jason L. Seley, Professor, Art

PROFESSIONAL AND ECONOMIC STATUS OF THE FACULTY COMMITTEE - 1 non-tenured seat, 3 yr term

Joseph F. Gentili, Jr., Assistant Professor, Urban Planning and Development
John M. McCann, Assistant Professor, Business and Public Administration

RESEARCH POLICIES COMMITTEE - 1 tenured seat, 3-year term

Helen Y. Nelson, Professor, Community Service Education
Richard Rosecrance, Walter S. Carpenter, Jr., Professor of International and
Comparative Politics

RESEARCH POLICIES COMMITTEE, 1 non-tenured seat, 3-year term

Carol B. Meeks, Assistant Professor, Consumer Economics and Public Policy
James Webster, Assistant Professor, Music

ACADEMIC INTEGRITY HEARING BOARD - 2 seats, 3-year term

Paul D. Ankrum, Professor, Electrical Engineering
Doyle A. Eiler, Assistant Professor, Agricultural Economics
Paul L. Hartman, Professor, Physics, and Engineering Physics

ACADEMIC INTEGRITY APPEALS BOARD - 2 seats, 3-year term

Wolfgang H. Fuchs, Professor, Mathematics

Kenneth A.R. Kennedy, Associate Professor, Anthropology and Biological Sciences

James O. Morris, Professor, Industrial and Labor Relations

William F. Rochow, Professor, Plant Pathology

UNIVERSITY-ROTC RELATIONSHIPS COMMITTEE - 2 seats, 3-year term

Carl E. Coppock, Associate Professor, Animal Science

Dean L. Linscott, Associate Professor, Agronomy

Arthur A. Muka, Professor, Entomology

A. Reeve Parker, Associate Professor, English

PHYSICAL EDUCATION AND ATHLETICS, COUNCIL ON - 1 seat, 3-year term

William B. Duke, Associate Professor, Agronomy

Henry N. Ricciuti, Professor, Human Development and Family Studies

REPORT OF SUBCOMMITTEE ON
COMPUTER USAGE

P.C.T. de Boer, Chairman
N.R. Lyons
W. L. Maxwell
A. Silverman
P.C. Stein
February 27, 1975

FOREWORD

This subcommittee was formed in December 1973 as the result of a resolution of the Research Policies Committee:

"Be it resolved that the Dean of the Faculty will appoint a committee to provide an outline of the various uses of the Cornell University Computer."

This resolution arose as a side issue while the Research Policies Committee was considering another resolution on December 3, 1973, "Governance structure ^{respecting} ~~representing~~ computer operations". The subcommittee took as its charge the concerns expressed in the following quotation from the comment relating to the latter resolution.

"Specifically, the need for a new computer has arisen from extensive increases in usage. There appears to be a general lack of information on the scope and character of these increases. It is important that such information be made available."

COMPUTER USAGE AT CORNELL

The Office of Computer Services (OCS) supports both academic and administrative computer work at Cornell. Figure 1 a) shows the expenditures on these two activities from 1968 to 1974. During the first three years shown, OCS received an annual NSF subsidy of about 0.3M dollars. In addition, there was an annual University subsidy of about 0.2M dollars during the first, second and fourth year. The main feature to note in Figure 1 a) is the large relative increase of administrative computing expenditures as compared to academic computing expenditures. The latter include research and instruction, as well as expenditures labelled "special projects", "departmental", "enterprise", and "outside". In 1967-68, administrative computing expenditures were about 35% of "academic" ones, while in 1971-1972, this figure had risen to over 70%. Since that time, both types of expenditures have remained relatively constant (see also Table I). The trend to constancy after 1971-1972 contrasts with estimates in a report which the Subcommittee encountered early in its study.¹ This report projected administrative computing expenditures to be about 1.6M dollars in 1974, and about 2.6M dollars in 1980, representing a growth rate of about 24% per annum from 1972 to 1974, and of about 8% per annum from 1974 to 1980.² Academic computing was projected to remain relatively constant, reaching 1.25M dollars by 1980. For completeness, it should be noted that these projections never were authorized by the University Computing Board (UCB).

¹Excerpts from the Future of Administration Computing at Cornell, prepared for the University Computing Board by J.A. Campbell, Management Systems and Analysis, February 1973.

²These costs, actual and estimated, do not include all of the expenses involved in administrative computing; there are considerable expenses in the administrative offices themselves for preparing information for the computer and digesting information spewed out from it.

In its July 1973 report, the UCB projected an annual growth rate of roughly 14% in use of general purpose funds for instructional and research computing, and of 5.3 to 9.5% for administrative computing.

The dollar amounts represented by Figure 1 a) can be plotted in still other ways. One such way is shown in Figure 1 b), which provides a more accurate reflection of the cost of academic and administrative computing, but is limited to the fiscal years 1971-1974. The main difference with Figure 1 a) is that the items "special projects" etc. have been subdivided into academic and administrative expenditures, as appropriate in each case. Furthermore, subsidies and profits have been omitted. For the limited number of years shown, Figure 1 b) again indicates a relative increase of administrative versus academic computing.

Confronted with the data shown in Figures 1 a) and b), our task seemed clear: to understand the relatively stable OCS expenditures on academic computing and the relatively rapid increase in these items for administrative computing.

Academic Computing

Academic computing costs are divided between research and instruction. The total computing expenditures for research at Cornell are much larger than those shown in Figure 1, since those shown reflect only monies paid to OCS in either real or allocated dollars. There are a number of independent computing centers on the Ithaca campus which are devoted to academic research. The operational costs of these centers are borne by research contracts and do not constitute a financial burden to Cornell. There are also some research projects which

rent time on very large computing systems at other places (such as Berkeley, Brookhaven and Argonne) via remote terminals and telephone lines, and at a much lower total cost than available through OCS.³

Researchers in the physical sciences have been the main users of these alternative sources of computing capability.

A very important part of academic computing at Cornell involves instructional computing. Expenditures required for introductory instructional computing have risen from \$257,000 in 1972-73 to \$377,000 in 1973-74 (see Table I), largely because of a substantial increase in student jobs run under the new IT (Instant Turnaround) classification.⁴

Such increases were strongly advocated as a means of improving the quality of teaching by an ad hoc committee established to review the decision to move up to a more powerful computing system at OSC.⁵

³During the fall term of 1974, OCS has instituted a discount scheme, offering a reduction of 30% for an annual computing commitment between \$5000-\$10,000, of 50% for a commitment between \$10,000 and \$20,000, and of 70% for commitments over \$20,000. These discounts apply to research computing, only, and are subject to the condition that 80% of the work be done on the third shift, or on weekends. While availability of the scheme improves the competitive position of OCS with respect to outside computing systems, the latter still have not lost their attraction to large scale computer users.

⁴IT resulted from coordinated efforts between OCS, the Programming Language Cornell (PLC) development, and academic units, and provides free access to the computer for jobs with a duration of one second or less. A small fraction (12%) of the capacity of the new IBM 370/168 computer is reserved for IT at all times, and turnaround time (which is the time between loading the program and receiving the output) usually is a few minutes or less. When there are many IT users during a given period, the turnaround time becomes larger (typically about ten to twenty minutes), because of limitations on the rate at which output can be printed. During such periods, input loading may be suspended.

⁵Report on the University Computing Board's Recommendations to increase the computing capacity of the Office of Computer Services, (University Computing Board, July 1973) an ad hoc committee appointed by the Dean of the Faculty; no date, but appeared September 1973; page 3.

The expansion considered by this committee could double the University's expenditures on instructional computing. It would clearly require changes in the relative amount allocated by the University to OCS for administrative, instructional and research computing. We did not have time to explore this potential additional increase in the usage of OCS facilities for instructional purposes. Nevertheless, we feel the OCS facility generally accommodates the student needs well, and at reasonable cost.

Administrative Computing

While a detailed examination and understanding of administrative computer usage was beyond the scope and resources of this subcommittee, it did seem necessary to attempt a general understanding of the reasons for the rapid increase in OCS administrative expenditures and an evaluation of their benefits.

Wherein are the pressures for this large increase in administrative computing? Explanations for them are:

1. Cornell is growing rapidly in size and complexity.
2. There is a need for increasing the efficiency of planning and managing of the enterprise.
3. Externally mandated demands for accurate summary reports based upon information which is not now kept in computer files have increased.

The argument is then made that these factors create a demand for more detailed information and this information can only come from data stored in computers. To quote from the report previously mentioned⁽¹⁾, "Pressures from within for better understanding and management of the University's increasingly complex resources and responsibilities will provide an additional demand for information which can best be stored, manipulated, and retrieved by computerized management information systems."

In order to assess the extent to which these pressures have influenced the present and future status of administrative computing,

we examined several of the major administrative computing expenditures (see Table II). In order of size, the major components in 1973-1974 were Payroll (\$306,000), Student registration (\$251,000), Public Affairs (\$198,000), Admissions (\$121,000), and Library (\$74,000). Together these components are responsible for more than 75% of the administrative computing budget. The committee attempted to understand roughly the nature of the work being done in each of these areas with the exception of Public Affairs (fund raising). In each, we tried to understand the ways in which increasing size and complexity, internal demands for academic planning, and externally mandated demands have necessitated computerized systems. We furthermore tried to assess the extent to which computerized systems have increased the efficiency and lowered costs of the tasks they perform and have made possible better academic planning.

Payroll

This area of administrative processing should more properly be entitled payroll-personnel. There is a commitment to maintain a large centralized data base for payroll and personnel information on all employees in the endowed and State colleges. This centralized data base and its associated computer programs were established in 1971 using a file management system of IBM called Information Management System (IMS).

The developmental and operational costs of this new payroll system are substantially higher than originally estimated. Also the weekly payroll run (normally starting on Tuesday evening) tied up the resources of the IBM 360/65 computer so much that other users were often denied use of the computer facility when payroll was being run. Installation of the new IBM 370/168 apparently has solved this problem. Dividing the computing production expenditure for

payroll (approximately \$210,000 per year) by the total number of checks written (approximately 332,000 per year) yields a cost of about \$0.63 per check.⁶ According to the few outside experts that the subcommittee contacted informally, a typical commercial cost would be about \$0.25 per check. It is difficult to establish the applicability of such estimates to the situation at Cornell University without entering into a much more detailed investigation.

As far as providing information to outside agencies is concerned, Messrs. Willers and Arthur of the Personnel Department are of the opinion that the computer is not serving their departmental needs well. For example, much of the information requested by HEW is not available from the computer. Also, good cumulative data are not available on health and automobile insurance programs or on vacation and sick leave plans. Generally, they feel that the filing of information using IMS is cumbersome.

Admissions

In 1973-74, the central admissions office spent \$92,000 on production. These funds were used to prepare listings for the college offices for each applicant (approximately 20,000 per year total). This listing contains a computer print-out sheet for each applicant to the college, giving information such as college applied to, high school, name, rank, activities, Cornell relatives, information on parents, social security number, and also the names and information on all current candidates from the same high school. Complete, cumulative listings are prepared at periodic intervals; during the busiest part of the year they are prepared as often as twice a week.

⁶ Including non-production and MSA (Management and Systems Analysis) manpower raises the figure of \$210,000 to \$306,000 (see Table II), and the cost per check to \$0.92.

In discussions with personnel at the College of Engineering and the College of Arts and Sciences, it appeared that these listings were useful but that they had not materially affected the operation of the admission offices. In one of them the net effect was that the hand filing system could be kept more up to date; there was no reduction in clerical staff coincident with or following the introduction of these listings.

The committee did not have time to make a detailed cost-benefit analysis of this computer application. However, it has the feeling that there is an increase in administrative costs, without proven benefits arising from the computer listing in terms of a better student selection.

Student Registration (Student Information System)⁷

The Student Information System (SIS) is a computer program that has been written by a programming firm specifically for Cornell. It will store information about a student in a data file which will be continuously accessible to the computer. The actual information stored will be biographical and academic. Typical biographical information includes the student's name, address (e.g., permanent, Ithaca, billing, grade reporting, etc.) and social security number. Typical academic information consists of courses taken and grades obtained, current course registration, and, at appropriate times, pre-registration information including desired section assignment. This list is not complete, but is representative of the information contained. The file will not contain medical information or advisor or counselor reports. The information to be contained in the data file is roughly equivalent to the sum of the information that is now stored about students in the registrar's office, and in the departmental or college office.

SIS is costly and difficult to implement. It has been delayed two and one-half years, and will be very costly to the University once it is operational. Many of the tasks that will be carried out by SIS

⁷ During the last month or so there have been developments with respect to SIS that are left out of account in this discussion.

are already being done by the computer. However, it is anticipated that computer charges for running SIS will be from \$150,000 to \$250,000 annually which is to be compared with \$102,000, the registrar's computing charges for production in 1973-1974. In its initial version, all information will be entered either by means of IBM cards or by specially marked paper forms, and all outputs from SIS (such as a particular student's record, or the pre-registration figures for a particular course) must be obtained by running a program at an OCS terminal. In the future, however, it is foreseen that there will be many terminals around the campus which are "on-line" to the computer, and which will be able to gain instantaneous access to the SIS file, either to change the information stored therein or to read information written there. It is to be expected that an "on-line" system will increase the computing costs dramatically. It is also clear that an "on-line" system increases the security problems greatly. At present, the data file containing the registrar's data is written on a disc that is normally not connected to the computer. The entry and retrieval of information to and from that disc is done at prearranged times, and only at these times is the disc attached to the computer. No computer programmer, no matter how clever, can communicate with a disc that is not attached to the computer. However, when the SIS system has its full "on-line" capability, the information will be always accessible to the computer, and it would not be surprising to find out that a non-authorized programmer had discovered a means to break the codes that protect the files from an unauthorized user.

We attempted to trace the history of the decision to implement SIS, and to assess the probable benefits of SIS to Cornell. A number of people told us that the decision to implement SIS was in response to needs expressed by the teaching faculty. Although the University Faculty Committee on Registration and Schedules (now the Committee on Academic Records and Instruction) was kept informed of developments concerning SIS, and participated in some of these developments, we concluded that the demand for SIS was generated in the offices of the University Administration and of the Deans of several Colleges.

Direct faculty input was in the main limited to the acceptability of SIS. All questions about the need for a new system, its worth and desirability and its place in the University priorities were resolved without significant direct faculty input.

The anticipated benefits to Cornell of SIS fall into two categories. It is stated that certain tasks that are presently being done will be done better and that other tasks that are now done by hand or not done at all will be done by the computer. In the first category are a list of bookkeeping tasks that are familiar to every faculty member. In particular, it is said that pre-registration lists, registration packets, and course enrollment lists will be produced more quickly and more accurately than is now possible. Course grades will be entered more quickly into a student's permanent file than is now done. SIS will be more flexible than the present system and will allow greater freedom in the introduction of new grading schemes.

At present, the assignment of course meeting times and classrooms are done by hand in departmental and college offices. When the number of students that can be accommodated in a particular course is limited, the selection of students for that course is also made by hand. SIS was designed to be capable of scheduling meeting times in such a way as to minimize conflicts, although such use is not immediately planned. The system also has the capability to select students for courses on the basis of objective criteria, such as major, year, etc. In addition, it is felt that its flexibility will provide an easier method of response to government reporting requirements. Such response is now made partially by hand.

Our conclusions, after reviewing the costs and stated advantages of SIS, are that its benefits do not justify the effort and moneys that have been expended. It should be pointed out that there was no claim, even by its proponents, that the system will save the University money. We found that in some instances SIS may be less flexible than the present system.

We believe that the present system (i.e., the record keeping system that antedates SIS) is out-moded and unnecessarily cumbersome. However, we feel that a vastly simpler and less expensive system

could perform the basic academic bookkeeping function while causing far less turbulence, cost, and security problems at the Cornell Community than SIS. We find that the additional features provided by SIS, which are in large measure responsible for its expense and complexity, are of marginal utility. In particular, we are not convinced that the capability of scheduling meeting times will ever be a very important benefit, and we believe that the on-line capability is of dubious value. Indeed, even when SIS becomes operational, we believe that the on-line capability should not be implemented because of the additional expense.

We further question the advisability of completely abandoning the hand filing systems at the departmental and college levels. The ability of a human being to respond to the special needs of small numbers of students is difficult to match with a computer. Jobs such as mandated government reporting and scheduling class hours to avoid conflicts may be done as efficiently by clerks at the departmental level as by a centralized computing system.

Library

The experience of the library is instructive in several ways. It is a very good example of the optimism which almost certainly is inherent in estimates of the cost and time required to develop, program, and install a new system. It also suggests that well developed, reasonably priced, commercial systems are available for special purposes.

The library has a locally developed computerized acquisitions system, installed in the late '60's. In 1967, the cost was estimated to be \$12,000 per year extra over manual processing. Actual cost to the library in 1972-1973 was \$74,000. Not surprisingly, the library management is disappointed by this difference. The main benefit of computerizing the acquisitions system has been that better service can be provided to library users. The library management is now looking into the purchase of a small computer recently developed specifically for handling library acquisitions. The computer hardware costs about \$120,000, while the estimated annual maintenance is \$5,000.

The library also has a computerized cataloging system shared with the Ohio Library Center, Cleveland, Ohio. The costs have been those

anticipated and the service is judged satisfactory. Some decrease in the size of the library staff (roughly 10% over the last three years, mostly in the central processing department) has been effected by this particular computerization.

The point here is that small special purpose computers, designed for particular jobs, with proven performance are becoming available in many areas. For many problems, this may be a less expensive and more satisfactory solution than using a large central computer for which programs have to be developed for each application.

Administrative Computing-Evaluation

Our examination of the major components of the administrative computing budget did not lend much support to the previously mentioned reasons for an increased administrative computing budget. The increase in size and total budget (in constant dollars) of the University in the last 20 years has been a modest factor of two. Professors still teach, advise, and grade students and engage in research much as they did a generation ago. While the subject matter may have increased in complexity, we find no evidence that the management of academic affairs or the size and complexity of the University has increased enough to necessitate a computerized information system. Furthermore, it became apparent to us that the demands for a computerized information system generally did not come from the professorial staff. While it is possible that the proposed student information system will have benefits for the faculty and students, such as more up-to-date pre-registration lists and better scheduling of classes, we found no evidence that the project was initiated in response to a strongly expressed need. Nor did we find evidence that there was any significant input from the faculty about the advisability of the increased expenditures that will surely result from the implementation of this system.

We further found little support for the hypothesis that the computer had significantly reduced the cost of any operation. For

example, in the admissions operation the computer now does clerical tasks that were previously done by hand. However, there has been no decrease in the clerical staff and there is no overwhelming evidence that the whole operation has been significantly improved by the introduction of a computerized system. We further found no evidence that academic functions had been seriously improved by the introduction of a computerized system. While there is no question that a fully computerized system can give precise and quick answers to many questions that can only be known approximately without a computerized system, we did not find evidence that academic operations had been impeded by lack of that precise information.

A complicating and expensive feature of the planning for future administrative use in the payroll and student information systems is that an attempt was made to design these systems so that they satisfy not only present needs but are flexible enough to provide for anticipated future needs. In addition, the goal was an "on-line interactive system," which provides instantaneous access to data from remote locations. Again, quoting from the same report⁽¹⁾, "If industrial experiences are relevant to higher education, on-line, interactive entry and retrieval will present an excellent vehicle to provide the needed flexibility to administrative users with a minimum of day-to-day support of OCS and MSA" (Management and Systems Analysis).

In addition to the internally generated pressures for increased administrative computing, there are also external pressures arising from the reporting requirements imposed by various government agencies. In fact, in our conversations with members of the administration, this subject was a very important one. Not only were the requirements judged onerous now, but it was feared that the task would become increasingly more demanding. Cornell is now required by law to respond to approximately 50 questionnaires annually from various governmental agencies. Some of these requests for information require detailed analyses of such data as the makeup of the student body, course enrollments, or faculty commitments. While some of the requests for information are identical from year to year, new requests arise periodically which require data to be sorted in new ways. One way to respond to these requests for information is to have a computerized information system that contains

enough information to enable the administration to respond to every conceivable request for information from the government without further contact with college and department offices. Such a procedure was generally favored by those involved in preparation of the responses. While it insulates and protects the faculty and the student body from external interference, it can only be implemented at the high costs of maintaining a sophisticated computerized information system. On the other hand, it would be possible to answer these requests for data without a computer by asking the departmental and college offices for the information needed. The problems raised by these mandated requests for information are not simple, and need further study by both faculty and administration.

Thus, growth in size and complexity, good management practices and government reporting requirements all contributed to the present and anticipated growth in administrative computing. We have examined these various aspects in some detail, and have not become persuaded that Cornell would be well served by a large growth in administrative computing. We question some of the reasons given for the past growth; we question the cost effectiveness of some of the major administrative computing applications; and we question the desirability of providing the possibility of instant access to a very large body of information, much of which, to us, seems irrelevant to the functioning of the University. In fact, we even question the wisdom of storing some of this information.

Though we believe there is some need for administrative computing, we believe the elaborate, expensive, on-line systems now planned or in existence are unnecessary. In view of past performances, we also doubt that such complicated systems can be made to work smoothly except at much greater expense and on a much longer time scale than now anticipated.

In the following lines, we discuss some of the reasons for these conclusions. We examine in more detail some of the assertions made about the need for increased administrative computing, and about the benefits to be reaped.

UNIVERSITY GROWTH AND INCREASED COMPLEXITY

How rapidly has the University grown? One measure might be the increase in the number of people employed by the University. In the last twenty-five years the number of students, of faculty, and of support staff, all have increased by a factor of two. This seems to us a rather moderate growth, not necessarily requiring radically new management techniques. We also note that some Universities (Berkeley, for example) were larger thirty years ago than Cornell is today.

Another indicator of growth is the total budget. In 1950, the University budget was about \$30,000,000. In 1974 the budget is about \$200,000,000, an increase of about a factor of seven. Part of this increase is simply due to inflation. If the University did not grow at all, the budget would increase at the inflation rate. If we assume an inflation rate of 4%/year, the budget would have grown from \$30,000,000 in 1950 to \$80,000,000 in 1974. Thus, the true growth is approximately a factor of two and one half. It is not clear that the rapid growth in research contracts reflects itself in a proportional growth in the need for central administration. Much of the administration of these contracts is done locally, by the researchers. In any case, the budget reinforces the picture of a moderate real growth in the last twenty-five years.

Increased Complexity of the University

There is a rather generally held opinion that Cornell is a much more complex organization than it was in 1950. The reasons for the added complexity are generally not so clear. The academic functions of teaching, learning, and research have changed rather little. Of course, there has been the modest increase in numbers previously noted, but the nature and style of the activity hasn't changed. It is no more complicated to teach or study now than it was twenty-five years ago. If in general professors spend more time on research, this is compensated for by lighter teaching loads. Being a professor is a demanding job. Competing demands of teaching, research, not to mention a myriad of secondary tasks, such as writing this report, can be very

trying. However, the problems and rewards seem to us about the same as they have always been. If there has been an increase in the complexity of the University, as seen by students and professors, it seems to us to have been generated largely by increasingly complex administrative procedures. Frequently cited reasons for the increased complexity are the enactment of Federal Legislation such as the Fair Labor Standards Act, and also the increased number of centers and special programs at the University. Furthermore, there is a new burden imposed by Government reporting requirements, which we will discuss in some detail later in this report.

Directions of Increasing Computer Usage

We would like to discuss the benefits derived from the increased use of computers in various areas from our point of view.

Increased use is being made of the computer for storing and processing various academic records. We have not been aware of any great benefits to either students or faculty from this practice. Grades are not processed any more rapidly, possibly less so. For example, some years ago, mid-term grades were available for advisors at pre-registration time; this has not been true for some years now. It is our subjective impression that the various computer outputs we are provided with from time to time have not been particularly useful to us.

As mentioned before, the new direction in administrative computing envisions, eventually, a complicated, expensive, on-line system with capabilities which we believe to be of dubious usefulness. The system has rather disturbing implications with regard to privacy and confidentiality of records. It imposes on future generations of students the burden of frequent updating of records in order to keep the system operating.

The student information system is already several years behind schedule and its completion is certainly several years away. These long delays have involved substantial additional costs. We wish to emphasize that our reservations about this system stem not only from the technical difficulties and the expense of developing it, although we do believe these have been grossly underestimated, but also from our doubt that the benefits will outweigh the disadvantages even when the system is fully developed.

Burden Imposed by Government Reporting Requirements

We have found this to be a rather elusive topic. It is difficult to get any quantitative feeling for the dimensions of the problem. However, there is no doubt that the problem looms very large in the eyes of the staff having to deal with it. There is also much uneasiness that the demands will increase greatly in the future.

In an attempt to get some feeling for the present problems, we have looked at a number of the forms Cornell is required to fill out. It is our general impression that rather simple methods for adequate compliance can be found. For example, some of the information required could rather easily be obtained from department offices. One of the arguments for rejecting this kind of approach is the desire to shield the faculty from nonessential problems. However, it is not clear that the faculty isn't paying too high a price for this protection. In any event, we are not convinced that comprehensive data banks capable of instantly responding not only to the questions now asked, but to all foreseeable questions, provide either a feasible or desirable way to respond to the problem. We are skeptical that an acceptable approximation to such a system can be devised in reasonable time, at reasonable expense, and without intolerable invasion of privacy.

We believe that intrusion of the government into the affairs of the University poses a very serious problem. We believe that the issues it raises go beyond the question of how to respond to onerous and occasionally foolish questionnaires. We believe that the problem requires very careful study, in which the faculty has an obligation to participate.

Summary and Recommendations

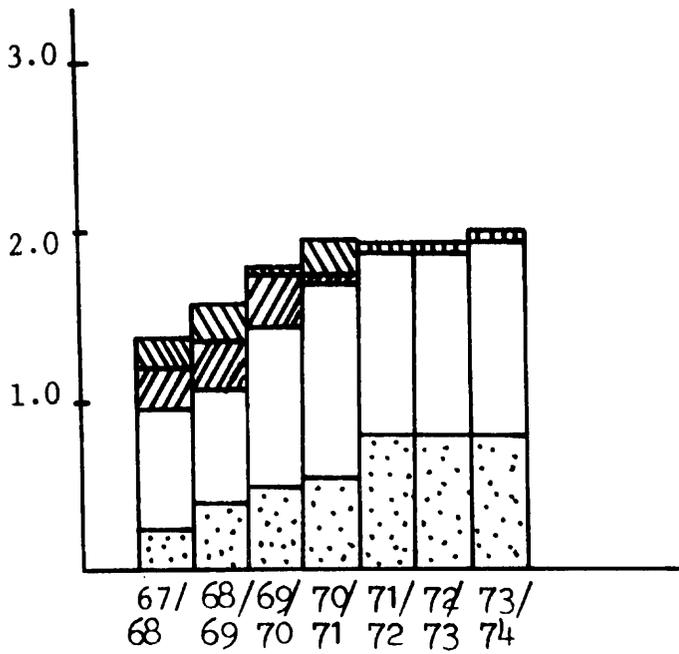
1. This report raises a number of questions about administrative computing. Generally, we question the validity of the almost automatically made assumption that more is better where data storage and retrieval is concerned. We believe that some control in the proliferation of complex systems such as SIS is necessary. We do not wish to make specific suggestions for such control, although we believe the faculty should be intimately involved in their formulation. We recommend that the Dean of the Faculty explore possible mechanisms to this purpose.

2. We believe the faculty has an obligation to understand and help solve the problems arising from various legal and reporting requirements imposed by the government. As a start, we suggest a joint administration-faculty investigation into these problems so that concrete and quantitative ideas about their nature can be formulated. Eventually, the solution requires the understanding and cooperation of the government. For this purpose, joint action by a number of universities might be effective and we urge investigation of this possibility.

Acknowledgments

Of the many people who have made themselves available for discussions with members of the subcommittee or who provided help in other ways, we should like to mention Mr. S.A. Lawrence, Mr. H.G. Vaughan and the staff of MSA, Mr. J.W. Rudan, Mr. G.F. Shepherd, Mr. R.M. Ross, Mr. D.K. Willers, Mr. P.C. Arthur, Mr. B.G. McCalmon, Ms. J. Failing, Mr. R.A. Scott, Mr. A.R. Seebass, Mr. L. Mench, Mr. D.A. Huff and Mr. G.V. Chester.

Dollars in Millions

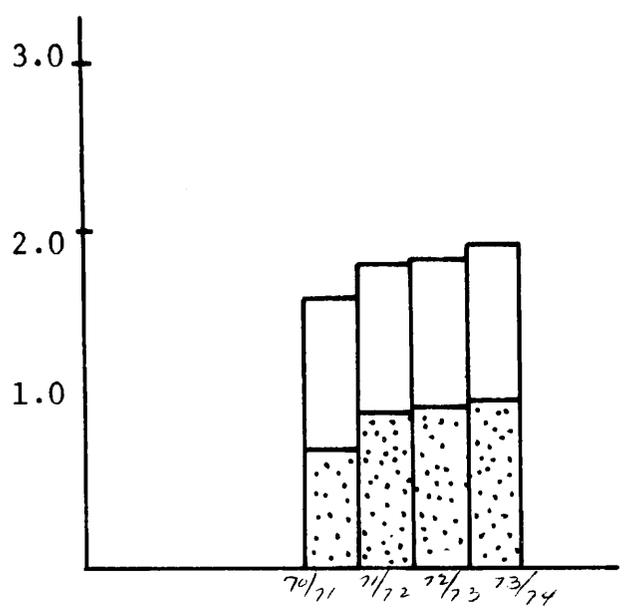


KEY:

- University Subsidy (loss)
- Profit
- NSF Subsidy
- Academic, including "special projects", "Departmental", "enterprise", and "outside".
- Administrative

a) overall distribution

Dollars in Millions



KEY:

- academic
- administrative

b) distribution by type of user

Figure 1. OCS income for 1967-68 through 1973-74.

Source: a) Exhibit A, February 20, 1975 } provided by
 b) Exhibit C, March 10, 1975 } S.A. Lawrence

TABLE I

OCS INCOME FOR THE FISCAL YEARS 1972/73 AND 1973/74.
ALL FIGURES IN THOUSANDS OF DOLLARS.

	1972/73			1973/74		
	Real Funds (1)	Univ. Funds (2)	Total	Real Funds (1)	Univ. Funds (2)	Total
Research	507*	90	597	457	86	543
Instruction	7	257	264	23	377	400
Total academic	514	347	861	480	463	943
Administrative (3)	985	combined	985	1006	combined	1006
Outside (4)	58	-	58	63	-	63
Total (5)			1904			2012

* Includes instruction supported by Statutory Colleges, estimated at \$15,000.

(1) Real Funds are convertible Funds; i.e. they could have been spent on something other than computing.

(2) University Funds are funds allocated by the University to be used only on computing.

(3) Only the combined figures are available for 1973/74

(4) Income derived from off-campus users.

(5) This figure represents total income including income from computer services as well as from personnel services, charges for materials and miscellaneous rentals.

Source: Exhibit C, March 10, 1975, provided by S.A. Lawrence

TABLE II

ADMINISTRATIVE COMPUTING EXPENDITURES, INCLUDING PRODUCTION AT OCS,
NON-PRODUCTION (MAINTENANCE AND DEVELOPMENT) AND MSA (MANAGEMENT
AND SYSTEMS ANALYSIS) MANPOWER

	<u>1971-1972</u>	<u>1972-1973</u>	<u>1973-1974</u>
Student Registration (old & new)	} 312,915	170,221	251,036
Student admissions		97,564	120,934
Student financial		30,803	28,812
Endowed payroll	191,038	180,539	179,809
State payroll	163,557	154,636	126,168
Public affairs	169,767	218,731	198,144
Library	75,371	78,460	73,864
B & P, + Communications	35,118	59,675	62,747
MSA (Exec Staff etc.)*	6,101	39,188	47,649
College Stores	54,717	55,579	47,062
Personnel	26,907	40,836	39,959
Other	72,465	47,941	67,806
	-----	-----	-----
Total	1,107,956	1,174,172	1,244,070
MSA manpower*	218,666	199,059	219,283
OCS subtotal	889,290	975,113	1,024,787

* Does not include all gross salaries and wages, fringes and general expenditures, which amounted to \$514,230 during 1972-1973, and to \$566,704 during 1973-1974.

Source: MSA 1004, March 10, 1975, Attachment I, provided by H.G. Vaughan

CORNELL UNIVERSITY

ITHACA, NEW YORK 14850

Vice President for Administration

April 9, 1975

Professor P.C.T. deBoer
Mechanical and Aerospace Engineering
287 Grumman
Cornell University

Dear Professor deBoer:

Thank you for the opportunity to comment on the report relating to Computer Usage at Cornell being presented to the Research Policies Committee and for incorporating the data relating to trends in computing expense developed by OCS in the appendix tables to the report.

I believe that these data properly reflect the trends in computer use by administrators over the past six years. During the late sixties and through 1971-72, several significant extensions were made in the application of computers to payroll preparation, admissions, and library procedures. Over the last three years, under the pressure of University-wide budget restrictions, administrative computing expenses have levelled off. Some new capabilities have been added but concurrently steps have been taken to improve running times and efficiency of existing programs. On net, charges to general purpose funds for administrative computing have accordingly held approximately level over the past three years. Use of the OCS computer by the SIS contractor and to test SIS products, financed through a special one-time appropriation of capital funds, has resulted in a modest growth of total administrative computing.

It does need to be emphasized in any treatment of computing costs that the very large proportion of the reported figures reflect necessarily arbitrary assignments of the so-called "joint cost" of operating the large Langmuir computer. Also because the computer is owned and much of the peripheral equipment is on long-term lease, these joint costs are not easily modified. Many users feel that the billing algorithms which are used to distribute these joint costs place an unduly high proportion of the costs on those users whose data processing requires manipulation of large files or who use large core regions -- conditions that characterize many administrative applications. It should also be recognized, however, that revising the rate structure to be acceptable to everyone is a time-consuming and almost impossible task, and further that any "savings" realized may not result in any reduction in OCS' expense budget.

I hope that readers of your report also will recognize that the discussion of Student Information Systems has been overtaken by events. Computer charges in the \$200 to \$250 thousand range to run the programs developed by the SIS contractor were clearly disproportionate to the benefits of the program and work under the contract has accordingly been suspended. An "on-line" operation and use of the computer to assign class times and rooms never were elements of the approved project plan although the software was designed to permit shifting to this type of operation should the basic system prove fully successful and "stage 2" development project be approved. At this point it is clear that "on-line" operation is not likely to be approved within the foreseeable future and it is doubtful that centralized room and class-time assignment by the computer will ever come to pass.

I would also like to emphasize that most of our large administrative computing systems fulfill a variety of purposes. Your committee's report properly emphasizes the concern of the administrative group for being able to meet our external reporting requirements in ways which minimize the already heavy workload in departmental offices. The payroll-personnel system offers a striking example. An MSA tabulation shows this system to be the basis for 134 special reports and listings each year, totalling some 667,000 pages of computer output. Much of this relates to internal financial controls, bank reconciliation procedures, and certifications to federal and state auditors. However, the system also is the source of all computer-based personnel reporting (including most affirmative action reports), of all reporting necessary in the administration of fringe benefit programs, and of all social security and other tax deductions. Furthermore, there is at Cornell an unusually high volume of short-term student and other employees working under a variety of arrangements. In total, during 1974, 23,500 employees appeared on the payroll. Dividing this number into the total computing expense, including non-production costs, yields a figure of under \$9.00 per annum per employee for all computer records and reports, including payrolls - a dramatically different perspective on the program than the 62¢ per check figure cited in the report.

The Library example cited in the report illustrates several other aspects of administrative computing, which often are misunderstood. First, most systems grow incrementally. The system developed for the Library in 1967 was a system of significantly different content and scope than that now being run for \$74,000 per annum. Second, the use of such systems often creates new personnel costs which may offset and thus negate anticipated savings in personnel. (This factor appears to have contributed substantially to the Library's concerns inasmuch as the Library's plan for covering an initially estimated \$34,000 computing expense assumed that certain typing, filing, and bookkeeping tasks could be curtailed to reduce net costs to \$12,000.) Finally, costs to the user have been significantly influenced by changes in the computing environment and billing algorithms. The doubling in computing costs experienced by the Library between 1968 and 1975 reflects both the impact of changes in OCS pricing structure, a roughly 50% expansion in the status file, and a variety of other adjustments in the Library program. These latter include both an increase in print volume and decrease in rate of new entries to the file.

Also, as noted in the Library comment, specialized mini-computers often appear to offer an attractive alternative to individual users, who feel that such equipment might be assumed at minimal additional cost by their organizations. Direct equipment costs, however, are only a portion of the total costs, including software development, production control, maintenance, and overhead. At least some degree of centralization accordingly has been adopted in administrative computing in virtually all colleges and universities. At Cornell, the acquisition of the 370/168 was premised on continuation of a high degree of centralization in computing activities.

Your committee has concluded that although "there is some need for administrative computing, we believe the elaborate, expensive, on-line systems now planned or in existence are unnecessary." Undoubtedly different judgments will continue to be reached by different people as to proper levels of expense and elaboration, but I can assure you that no administrative systems are now on-line, that no on-line systems are planned (though there is a possibility of introducing direct data entry for library acquisitions), and that our objective is to deal with large, complicated processes in as simple, straightforward, and economical manner as possible.

Sincerely,



S. A. Lawrence

FINAL DRAFT

CORNELL UNIVERSITY

MEMORANDUM

To: Members of the Dean's Council
From: Ad Hoc Committee on Appointment Procedures
Date: October 31, 1974
Subj: Recommendations Concerning Appointment Procedures

The Ad Hoc Committee on Appointment Procedures unanimously recommends the attached report and its recommendations for your consideration and adoption.

In forwarding this report, the Committee notes three associated matters about which it wishes to express opinion.

- (1) If and as adopted by the Dean's Council for recommendation to the President, the report should be submitted to the Faculty Council of Representatives for similar recommendation to the President. Both recommendations should recognize that decision on appointment policies and procedures is a prerogative of the President and/or the Board of Trustees.
- (2) Implementation of recommendations and, in particular, recommendations concerning the granting of tenure, should include reasonable "grandfather" provisions. The University should honor past commitments to individuals. It should make new alternatives available to individuals at their option. The Committee wishes particularly to note that it does not view these changes as means of solving current financial problems of Cornell. The appropriate grandfather provisions recommended offer no financial incentive for adopting these recommendations. As they should, the recommendations must be judged primarily on their academic merit.
- (3) These recommendations do not address the question of "part-time" tenure. We suggest that the part-time tenure problem is best explored after resolution of the recommendations for full-time tenure.

RECOMMENDATIONS CONCERNING
APPOINTMENT PROCEDURES

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RECOMMENDATIONS CONCERNING
APPOINTMENTS PROCEDURES

SCOPE

The Ad Hoc Committee on Appointment Procedures recommends that the statements set forth below be recommended by the Dean's Council as policy for adoption by Cornell Administration.

The Committee emphasizes that these recommended policies cannot be expected to govern all appointments. Individual circumstances will vary: the Administration should make exception to these policies when, in its opinion, extraordinary circumstances so warrant. In short, the Committee recommends its conclusions as guidelines, not as rules to be followed slavishly. The Committee believes that the recommended policies will adequately meet needs in the great majority of all appointment matters.

LENGTH OF TIME BEFORE CONFERRING TENURE

The following recommendations apply to tenure decisions where the initial appointment at Cornell of the individual is instructor or assistant professor.

Recommendation 1:

Time counted toward the tenure decision should, except as noted in Recommendation 3 below, meet the twin tests of: (a) time at Cornell, and (b) time since appointment as assistant professor.

Time should be counted in semester units, each semester counting one-half year, except that no more than one year (two semesters) of time may be counted toward tenure in any consecutive 365-day period. Summer appointments or the summer portion of twelve-month appointments should not be counted as additional time toward tenure. Where appointments or time at Cornell begin during a semester, the semester should be counted toward the twin tenure time tests only if the appointment occurs prior to or at the mid-point of the semester.

Rationale

Most, but not all, schools and colleges at Cornell now count time toward tenure from appointment as assistant professor. The Committee believes that it is desirable that all schools and colleges follow this same policy. The Committee also believes that time spent at the instructor level or as acting or visiting assistant professor--often in completion of doctoral requirements--does not usually constitute good evidence of future scholarly ability.

The paragraph on "counting time" has been incorporated in the recommendation to help eliminate current ambiguities.

Recommendation 2:

Each School and College at Cornell should formalize its criteria for appointment to assistant professor.

Rationale

The Committee notes that, in many instances, assistant professorship is automatically awarded on completion of doctoral requirements. In other cases, assistant professorship is granted without a doctorate--where prior experience is relevant or where the field has not progressed to the point where doctoral education is common. In still other instances, assistant professorship is granted only after post-doctoral experience. Perhaps the common denominator of these varying practices is that the individual is judged competent to conduct and to supervise ongoing, scholarly work. Thus, these varying practices reflect a common standard which should

mark the start of time counted toward tenure. For better understanding, the Committee believes that schools and colleges and appropriate sub-units should formalize their criteria for appointment as assistant professor.

Recommendation 3:

When an initial appointment at the assistant professor level is made to an individual with substantial prior experience, the President should, at the request of a Dean, have the option of granting credit for up to three years of time toward the tenure requirement. The decision for such time credit toward tenure should be made before formalizing the initial appointment and should be reflected in the letter of appointment.

Rationale

This statement formalizes existing policy with which the Committee concurs.

Recommendation 4:

The tenure review should normally be conducted during the seventh year of service, as defined above. When in the judgment of both the Dean and the President the welfare of Cornell is better served, the tenure review should, in such extraordinary circumstances, be conducted earlier than the seventh year of service. At the request in writing of the individual involved and, when in the judgment of both the Dean and the President the welfare of Cornell is better served, the tenure review should, in such extraordinary circumstances, be conducted later during the eighth year of service.

- (a) Without regard to the year of review and when the tenure decision is favorable, the individual should be granted tenure at the appropriate time in the academic year during which the review takes place.
- (b) Without regard to the year of review and when the tenure decision is unfavorable, the individual should be granted the option of serving a terminal one-year appointment following the academic year during which the review takes place.

When the appointment of an individual expires at the end of one or more academic years following the academic year during which the review takes place, the individual should be entitled to serve the remainder of the appointment and such service should be deemed to satisfy the terminal appointment option.

Rationale

When any single length of time is set as a requirement for conferring tenure, Cornell runs two risks. One risk is that of losing outstanding people for whom evidence supporting the desirability of tenure is conclusive prior to

the specified time period. A second risk is that of granting tenure to a person not deserving of tenure because of lack of conclusive evidence during the time period. Any judgment about the most appropriate time period for granting tenure balances these risks.

The Committee recommends a change from the current pre-tenure period of a normal six years to a normal seven years. In its judgment, the following evidence is compelling:

- (a) As reflected by their standards, the formal judgment of the American Association of University Professors about the most appropriate pre-tenure period is seven years.
- (b) A significant number of other leading universities have pre-tenure periods equalling or exceeding seven years.
- (c) For the indefinite future, market conditions are expected to minimize losses due to the first type of risk described above.
- (d) Based on the personal experience of its members, the Committee believes that an unacceptable level of questionable tenure decisions is still being made because of the current six-year pre-tenure period. The Committee does note, however, that improvement in tenure decisions has occurred during the period since issuance of the Plane memorandum.

Although recommending a one-year extension of the pre-tenure period, the Committee recognizes that exceptional instances may arise where the individual to be considered for tenure may have conclusively demonstrated, by scholarship and teaching, a case for earlier review or where the individual to be considered for tenure may be in the process of completing research or teaching improvements, the results of which will constitute substantial evidence concerning tenure. In these instances, it is desirable to provide options for accelerating the time of review and for deferring it for a maximum of one year. This proposed policy formalizes a procedure that has been followed in the past when, in the judgment of the Dean and the President, it has been appropriate.

The provisions regarding timing for formal conferral of tenure and for terminal appointments formalize existing policy. The Committee concurs with this policy and notes that it agrees with AAUP standards.

Recommendation 5:

Review of an individual for tenure should be mandatory during the seventh year of service unless: (a) accelerated or deferred under the provisions of recommendation 4 above, or (b) the individual in writing submits a resignation effective during or at the end of the current term of appointment. If an individual is reviewed early for tenure under the provisions of recommendation 4 above, a second tenure review should not be held during a subsequent year of service.

Rationale

The recommendation makes clear established policy that tenure review (and the conferral of tenure) is mandatory if an individual is to remain at Cornell beyond the pre-tenure period. More importantly, it provides the individual with the option of choosing between: (a) the effort and uncertain, but formal, outcome associated with a tenure review and, (b) no effort and no formal outcome associated with resignation. The "in writing" provision is recommended to preclude misunderstanding about exercise of such option.

The "one review" policy is recommended to provide the equity of one-and-only-one tenure review for all individuals. The policy should incidentally help insure that requests for early review are well-founded.

INITIAL AND SUBSEQUENT APPOINTMENTS TO INSTRUCTOR

Recommendation 6:

The initial appointment as instructor should be made for a term of up to two years. Subsequent reappointments, if made, should be for terms of up to two years. The maximum term of service for an instructor should be five academic years except that an instructor who has been concurrently registered in the Graduate School may be continued in that grade for a maximum of eight years. Service should be continued beyond such maximum periods only for reasons which, in the judgment of the President, are temporary.

Rationale

This recommendation proposes a change in current bylaws of Cornell which limit the term of appointment to instructor to one year. The reason for recommending this change is aid in attracting qualified instructors where the need and justification for a two-year appointment are clear. The Committee anticipates that many appointments as instructor will and should continue to be made for a one-year term.

All other provisions set forth above concerning reappointment and maximum service are consistent with current Cornell bylaws.

INITIAL AND SUBSEQUENT APPOINTMENTS TO ASSISTANT PROFESSOR

Recommendation 7:

The initial appointment as assistant professor should be made for a term of up to four years. A subsequent appointment, if made, should

be for a term of up to four years. The maximum period of service for an assistant professor should be eight years. Service should be continued beyond such maximum period only for reasons which, in the judgment of the President, are temporary.

Rationale

This recommendation proposes a change in Cornell bylaws of making both initial and subsequent appointments for terms of up to three years. A major reason for recommending this change is to permit better evaluation of the individual when reappointment is considered. Cornell now follows and should continue to follow the AAUP guideline of providing one year's advance notice of reappointment action. With an initial appointment of three years, individuals are now usually reviewed for reappointment during the second term of their second academic year. It is the view of the Committee that this time is inadequate for a competent evaluation of the individual. An initial term of four years would provide two and one-half years of experience on which to base a more informed decision.

The Committee emphasizes the "up to" character of its recommendation. Initial appointments and subsequent reappointments should not uniformly be made for four years. Deans should recommend shorter appointments to the President when, in their judgment, such shorter appointments are appropriate.

APPOINTMENT OF ASSISTANT PROFESSORS TO ASSOCIATE PROFESSOR WITHOUT TENURE

Recommendation 8:

On request of a Dean and with the approval of the President, promotion of Assistant Professors to Associate Professor Without Tenure should be continued on an exception basis.

Rationale

The Committee considered and rejected a proposal to institute associate professorship without tenure as a normal progression in academic rank. At the current time, informal policy does permit award of associate professor without tenure in exceptional instances. The three professional schools -- Business and Public Administration, Law and Veterinary Medicine -- make frequent use of this exception provision because of use of associate professor without tenure at competitive schools. On a more limited basis, other schools and colleges also find this exception provision to be highly desirable. The Committee recommends that this informal policy be formally adopted. At the same time, the Committee strongly affirms need for the policy to be administered on the basis of true exceptions. Formal statement of the policy should not be viewed or used as a move toward instituting associate professor without tenure as a normal academic rank.

INITIAL APPOINTMENTS WITH PRIOR ACADEMIC EXPERIENCE

Recommendation 9:

For individuals who are initially appointed with substantial prior experience, the ranks of associate professor without tenure and full professor without tenure should continue to be available. The length of initial appointment should be extended from up to three years to up to five years.

Rationale

Cornell bylaws now provide that individuals initially appointed by the President to a term of up to three years as associate or full professor without tenure may have their term extended with the approval of the Board of Trustees. Such reappointments are rare. The Committee believes that, in many instances, three years does not provide adequate time for evaluation. Thus, the Committee recommends lengthening the term of possible appointment to a maximum period of five years. The Committee recommends that a Dean, with the approval of the President, be permitted to utilize this maximum five-year appointment period in a flexible manner. For example, a Dean, with Presidential approval, should be able to make an initial five-year appointment or he should be able to make an initial three-year appointment and later extend it for another two years.

UNIFORM POLICIES AND PROCEDURES

Recommendation 10:

The Committee recommends that the Dean of each school and college should, in consultation with the faculty, establish written policies and procedures for making initial appointment, subsequent appointment, promotion and tenure decisions (hereinafter referred to as "appointment decisions"). While recognizing that the needs of individual schools and colleges vary, the Committee believes that more uniformity is desirable in policies and procedures for appointment decisions. As one step in this direction, the Committee recommends that written statements on appointment decisions treat each of the following substantive issues:

- (a) Criteria by which appointment decisions will be made.
- (b) Appropriate consultation of the Dean with members of the faculty prior to the Dean's making his appointment recommendations to the President.
- (c) For tenure recommendations, independent review of recommendations by competent professionals, within or without Cornell, who are not associated with the recommending unit.

- (d) Confidentiality of evaluations by students, faculty members and peer reviewers.
- (e) Important procedural matters such as initiation and authorization of reviews, evidentiary matter to be considered, timing of reviews, notification and counseling associated with outcomes, and grievance procedures.

In clarification, the Committee emphasizes that the above listing of issues is intended as neutral and not prescriptive of the policies and procedures to be developed. For example, appropriate consultation of a Dean with a college faculty may be that which the Dean and the college faculty mutually agreed to be appropriate. Alternatively, although perhaps unlikely, the Dean may choose not to consult with the faculty on appointment decisions since he is not required to do so under existing Cornell bylaws.

As a facilitative process for establishing these written policies and procedures, the Committee suggests that the Administration may well wish to establish and distribute a "model" process for appointment decisions. Individual schools and colleges can then revise and tailor the model to fit their particular needs.

Rationale

These recommendations flow directly or indirectly from discussion of three related issues:

Disclosure: Many problems concerning appointment matters appear to arise from lack of clear understanding of current university policies, if not from lack of policies. The Committee believes that university policies concerning appointment matters should be clearly stated and widely disseminated to the audiences--members of the faculty, Deans and other administration staff--whose lives they affect or who are involved in applying them. In addition to creating better faculty morale through better understanding, the Committee believes that a statement of policies and procedures will also improve the efficiency and effectiveness of the administrative process.

Environment: All universities, including Cornell, are experiencing increasing social and economic pressures which show few signs of abating in the near term. These pressures are expected to produce a more litigious environment. While no comprehensive data are available, many other colleges and universities have reported increased use of grievance procedures and litigation to redress alleged faculty injustices, largely involving promotion and tenure. If anything, this trend toward litigation is expected to increase in the future.

Clear policies and procedures will not alleviate the basic pressures that are promoting this litigious trend. They can, however, help to eliminate those complaints which arise due to lack of care or misunderstanding of policies. Further, clear policies and procedures can help adjudication.

Uniformity: At other universities as well as Cornell it is not desirable and probably not possible to have precisely uniform policies and procedures for

appointments The needs and temperament of each school and college at Cornell vary now and can be expected to vary over time. Nevertheless, common policies for principal substantive issues seem reasonable. The details of dealing with these substantive policy issues should probably vary from college to college, but the existence of basic policies and procedures to deal with them should be uniform.

Respectfully submitted,

E. Cranch
J. Davidson, Chairman
K. Kennedy
H. Levin
N. Penney
B. Saunders

Comments by the Committee on the Professional and Economic Status
of the Faculty on the Ad Hoc Committee Memorandum on
Recommendations Concerning Appointment Procedures

We have reviewed this document, and find it for the most part useful and well thought out. We find ourselves in substantial disagreement, however, with Recommendation 4 concerning the timing of the tenure review. This disagreement concerns the substance of the recommendation and the validity of the evidence presented in its support.

It is our opinion that the most satisfactory general guideline is that a tenure review be conducted as early as possible. In our experience the mistakes are seldom made when assistant professors are promoted early. These are usually the outstanding people who will, in any case, be promoted eventually. The difficult cases are the ones for which the six year waiting period is needed. In our opinion, adding a seventh year will contribute little but additional psychological strain and possibly the loss of talented junior faculty.

Our main concern is that decisions be made promptly and decisively, especially if they are difficult. The strong candidate should be promoted as soon as possible. The marginal candidate should not be given a second three year appointment. The gain in future objectivity by postponement of the tenure decision is usually illusory, and may well reduce the quality of the faculty, both in the short term and in the long term.

Committee on the Professional and
Economic Status of the Faculty

February 19, 1975

Approved unanimously by Committee on Professional and Economic Status of the Faculty at its meeting on February 19, 1975.

The pertinent Grievance Procedures, as amended, are listed below. (Trustee amendments are in *italics*.) Also the title of the document was changed from *Regulations and Guidelines for College-Level Academic Grievance Procedures* to *Guidelines for College-Level Academic Grievance Procedures*.

IV, 6. Appeal. Procedure for permitting one of the parties to a grievance of a decision made in accordance with college-level grievance procedure to appeal for a University-level review of that decision in accordance with the procedures of the Faculty Committee on Academic Freedom and Responsibility. (Application of academic grievance procedures does not limit the individual academician's right to available legal remedies as an alternative and/or as a supplement to faculty grievance procedures.)

IV, 6. Review. *Procedure for permitting one of the parties to a grievance of a decision made in accordance with college-level grievance procedure to ask for a University-level review of that decision in accordance with the procedures of the Faculty Committee on Academic Freedom and Responsibility.*

V. CONFORMANCE WITH UNIVERSITY POLICY

Decisions made under the academic procedures must conform to existing University policies. Such decisions may lead to the establishment of new policies, but they may not, in and of themselves, constitute new policies.

V. EFFECT OF GRIEVANCE PROCEEDING

Any grievance proceeding contemplated herein shall be advisory to the respective deans and the President and Trustees of the University. While a prior academic personnel action may be reversed, modified, or affected as a consequence of the proceeding, the proceeding itself shall not effect that change.

GUIDELINES FOR COLLEGE-LEVEL ACADEMIC GRIEVANCE PROCEDURES

Part I - OBJECTIVES

1. The objective of academic grievance procedures is to provide appropriate means whereby an individual holding an academic appointment at Cornell University who believes himself or herself to be aggrieved can obtain consideration and, possibly, redress of his or her grievance.
2. The objective of the Guidelines set forth below is to establish standards for the development and maintenance of specific grievance procedures within the different colleges of the University. Although specific procedures may vary from college to college in accordance with the particular circumstances of each, they should be consistent in their recognition of the interests and responsibilities of the individual, the college, and the University.
3. A system of accepted and understood academic grievance procedures is intended to serve as one of the means by which a community of self-governing academicians exercises its freedom and responsibility.

Part II - DEFINITION AND ASSUMPTIONS

1. Definition.* For the purpose of the following regulations and guidelines, a grievance is defined as an injustice of harm arising from a specific situation involving an act or acts of alleged unfairness which the individual regards as just cause for protest on his or her own behalf (or individuals on their own behalf).
2. Nature of Grievable Action. An academic grievance procedure can be applied to the substantive and/or procedural aspects of any grievance arising out of the academician's execution of his or her designated responsibilities. Grievable actions might grow out of a number of separate or related aspects of those responsibilities, of which the following are illustrative but by no means limiting: (a) reward; (b) academic freedom; (c) work assignment; (d) working conditions; (e) discrimination by race, creed, sex, or age; and (f) existence of, adequacy of, and adherence to equitable grievance procedures. The frequent interrelationships among these different aspects necessitate one set of academic grievance procedure guidelines and standards adaptable to all aspects rather than separate guidelines and standards for each.
3. Right to Invoke a Formal Grievance Action. The individual academician has the right as a condition of his or her appointment to seek through formal grievance procedures involving the judgment of his or her peers a redress of those decisions made and/or those actions taken at the departmental, college, and/or University level that he or she considers intolerable to the effective execution of his or her responsibilities.

*By action of the Executive Committee of the Board of Trustees, on March 13, 1975, p. 8957, such grievance procedures are not applicable to complaints with respect to appointment, reappointment, promotion or any tenure decision.

4. Limitation on Right to Invoke a Formal Grievance Action. The right to invoke a formal grievance action does not extend to abnormal participation in or obstruction of the normal decision making processes. The desire to prevent or to anticipate or to register mere unhappiness over a particular decision or action, does not, in and of itself, justify invoking a grievance procedure. Only when direct negotiations between parties to a dispute have been exhausted and not led to a resolution of a dispute may the individual (or individuals) resort to invoking the academic grievance procedure of his or her college.

Part III - COVERAGE

1. Academic grievance procedures are applicable to all employees of the University (except as noted below) who, because of the predominantly academic nature of their responsibilities, hold teaching, research and/or extension appointments; i.e., to those men and women holding appointments as Professor, Associate Professor, Assistant Professor, Visiting Professor (all ranks), Adjunct Professor (all ranks), Instructor, Senior Lecturer, Lecturer, Senior Research Associate, Research Associate, Senior Extension Associate, or Extension Associate.
2. Academic grievance procedures are not applicable to degree candidates having appointments such as Teaching Assistant, Research Assistant, or Graduate Research Assistant.
3. An individual who, by his or her appointment, is covered by more than one University grievance procedure, may choose the procedure under which he or she wishes to protest a particular grievance. An individual may not, however, invoke more than one grievance procedure for the same grievance.

Part IV - MINIMUM STANDARDS FOR COLLEGE-LEVEL GRIEVANCE PROCEDURES

1. Establishment of procedures:
 - a. Establishment of grievance procedures applicable to the academicians of the college as defined in Part III.
 - b. Publication and distribution of the provisions of the procedures to all individuals covered by them.
2. Committee Organization and Structure:
 - a. Designation by appointment or election of responsibility for handling grievances to either an existing committee or committees or especially created committee or committees.
 - b. Adequate notice to all college academicians of such assignment and provisions concerning the assignment.
 - c. Charge to the committee(s) regarding responsibilities, mandate, discretion, limitations, etc., for the handling of grievances under the established procedures.
 - d. Adequate representation on the committee(s) of the various components of those with academic appointments by e.g., rank and/or discipline and/or department and/or nature of appointment.
 - e. Exclusion from participation as a committee member any individual who is a directly affected party to the particular grievance at issue.

3. Committee Responsibility: Understanding by the academicians of the college that the purpose of the committee handling grievances is to resolve them either by helping the parties reach a decision acceptable to both or by rendering a recommendation.
4. Operation of Procedures:
 - a. Arrangements which require attempts to settle individual grievances by direct negotiation between parties concerned before application of grievance procedures.
 - b. Explicit procedures for (1) submitting a grievance in writing to a designated party; (2) referring to the appropriate committee; (3) establishing essential facts and unresolved issues; (4) arranging for adequate documentation; (5) establishing time schedule for handling particular grievances; and (6) communicating both recommendations and ultimate decisions.
 - c. Right of the committee handling the grievance to decide (1) whether or not direct negotiation remedies have in fact been exhausted; and (2) whether or not facts warrant consideration on the substantive and/or procedural aspects of the issue, a detailed investigation, hearings, recommendations and decisions.
 - d. Provisions assuring equitable and expeditious handling of individual grievances.
 - e. Submission by the appropriate committee of written report to the dean of the college, setting forth findings and recommendations.
 - f. Requirement of written notice from the dean to the principals of the grievance, the University Provost, and the Dean of the Faculty of his acceptance or rejection of the Committee's recommendations with reasons therefor.
5. Confidentiality:
 - a. Provisions for maintaining strict confidence with regard to all matters relevant to individual grievances on a criterion of need-to-know.
 - b. Provision for summary notice within the college of the case, the issue, and the resolution at the request of a party to the issue and with the concurrence of the committee.
6. Review: Procedure for permitting one of the parties to a grievance of a decision made in accordance with college-level grievance procedure to ask for a University-level review of that decision in accordance with the procedures of the Faculty Committee on Academic Freedom and Responsibility.

Part V - EFFECT OF GRIEVANCE PROCEEDING

Any grievance proceeding contemplated herein shall be advisory to the respective deans and the President and Trustees of the University. While a prior academic personnel action may be reversed, modified, or affected as a consequence of the proceeding, the proceeding itself shall not effect that change.

Part VI - GRIEVANCE EXPENSES

Any necessary expense of the hearing shall be borne by the University with the exception that if the individual wishes to retain a representative or counsel, he shall bear the expense of such representation. If the employee is represented by another individual of the University, the representative will be allowed reasonable time to perform his function without loss of pay.

Part VII - IMPLEMENTATION

1. The Dean of the Faculty shall publish and distribute, in such manner as he deems appropriate, copies of this legislation to academic personnel of the colleges as well as to deans and department heads.
2. Consistent with the relevant procedures of the respective colleges, members of the faculty are urged to:
 - a. initiate establishment of college-level procedures in conformity with the foregoing standards and guidelines, if none exist.
 - b. initiate review of college-level procedures if they exist; and, if necessary, institute such modification as may be necessary to bring them into conformity with the foregoing standards and guidelines.
3. The Committee on the Professional and Economic Status of the Faculty shall, as may be requested:
 - a. consult with and advise academic and administrative officers and members of the college faculties on the establishment and maintenance of college-level grievance procedures consistent with the foregoing standards and guidelines.
 - b. certify as to the adequacy of college-level grievance procedures in terms of the foregoing standards and guidelines.

The President, Dale R. Corson, called the meeting to order at 4:23 p.m. Faculty and several visitors were present. Minutes of the February 12, 1975 meeting were approved as distributed. The President announced the death of:

Temple Burling, Emeritus Professor of Industrial and Labor Relations,
February 16, 1975

James C. Bradley, Emeritus Professor of Entomology, February 25, 1975

Christian Midjo, Emeritus Professor of Fine Arts, December 29, 1973

John W. Layer, Emeritus Professor of Agricultural Engineering, March 13, 1975

Charles M. Nevin, Emeritus Professor of Geology, March 24, 1975

James A. Baker, Professor of Veterinary Virology, Director of Veterinary
Virus Research Laboratory, April 14, 1975

1. REPORT BY THE PRESIDENT

The President spoke on a number of matters of concern to the Faculty and the University community, among them the proposed reorganization of COSEP (Committee on Special Education Projects), Affirmative Action, University finances, changing public attitudes, the ongoing studies of University priorities, and academic excellence.

Regarding COSEP, he said first that there had been no discussions whatever directed toward abolition of the program or the office, but rather of reorganization, consolidation and transferring functions in order to strengthen the program. In March, he said, the Board of Trustees had reaffirmed its commitment to educational opportunities for minority students and had encouraged the Administration to continue to pursue the fulfillment of this commitment. "We intend to continue this pursuit," he said. Second, he said, the COSEP staff had been involved in the discussions on proposed reorganization of several minority program functions within the Central Administration and the possible transfer of some of those functions to individual academic units. Mr. Delridge Hunter, Director of COSEP, and Mrs. Mary Mosley, Director of the Learning Skills Center, were involved in discussions concerning the Center's future relationship to academic departments. During past weeks, he added, the Provost, David C. Knapp, had met with representatives of two minority student groups and various interested individuals to discuss the future development of minority education on campus. Few students take Center courses, he said. The Center's major work had been tutoring students in departmental courses, and good working relationships had evolved from the tutorial system, much of it from departmental initiative. Whether responsibility rests with the Center or departments, he said, the governing principle is meeting special education needs of minority students.

Although his own and the University's commitment to the goals of affirmative action remained undiminished, the President said, a host of problems had been generated at both the federal and the University level, and reaching desired objectives had been filled with individual and community frustration and confusion. The University, he said, must make sure its own house is in order, and must join with other universities to help clarify "the confusing, sometimes conflicting, frequently overlapping standards, procedures and record keeping required by a host of federal offices and agencies."

Turning to financial problems, the President stated that the statutory colleges had suffered major setbacks in the Governor's budget and in additional cuts made by the Legislature. He and the statutory college deans had met repeatedly, he said, with state officials in both executive and legislative branches, seeking to correct what they saw as major mistakes in priority assignment. He and Provost Knapp had visited with State Budget Director Peter Goldmark, he said, to point out actions which eliminated significant parts of the University's research and extension education programs, to attempt to convey the impact which these budget cuts would have on the welfare of the state to seek relief in the supplemental budget. They also asked that the statutory colleges receive equal treatment with other parts of the State University, he said. Available data indicated that, because of the research and extension program cuts, Cornell had borne a disproportionate share of the State University reduction. For example, he said, the Legislature had reduced the ILR appropriation more than five-and-one-half percent below the executive budget recommendation, while State University-operated units were cut less than one-and-one-half percent. The action appeared to derive from a priority assignment to classroom teaching as opposed to research and extension education, he said, and he and the Provost had left with Budget Director Goldmark the message that, at a minimum, research and extension work should be given equal priority with classroom teaching in deciding how the State's resources were to be managed. He added that he had received the decided impression in Albany that the higher educational emphasis in New York State from the executive and legislative viewpoint was on undergraduate classroom teaching. Neither partisan nor political, this emphasis seemed to cross all lines at the State governmental level. He said that the University must make every attempt to stress the quality of its operation and its total mission. He noted that in a recent speech to alumni, Dean Justin Davidson, B&PA, had predicted that private universities would increasingly enter the political arena and might thus become

politicized. The President said he wished to keep the University apolitical, but that it was necessary to learn how to cultivate political support for high quality centers of learning and inquiry.

He noted too "an undercurrent of anti-intellectualism" in society, saying the University would require more public support in future and that it must work to achieve such support. Part of that work, he said, involved intense self analysis, such as the study of University priorities being accomplished via school and college self-studies and the task forces appointed by Professor Ian Macneil, Law. Decisions which must flow from the task force and college studies would rest with him, he said, adding that he would seek the advice and counsel of the academic deans, the Faculty Committee on the University Budget and the University Senate. Decisions affecting the 1976-77 budgets would have to be made in the early fall, although implementation of those decisions would necessarily extend over many months. "The 1976-77 budget is a critical one in the history of Cornell," he said, adding that there must be significant savings in operating expenses, and the magnitude of these savings, the projected inflation and necessary expenditures, and prospects for increased revenues would all have to be weighed against each other as wisely as possible in order to insure the best possible academic program within the University's resources. "Cornell's ability to survive educational and societal rigors is manifested by its very existence today, in these troubled times more than 100 years after its founding. Cornell is not only strong -- it is doing exceptionally well," he said.

Turning to the University's academic excellence, the President said that external reviews of the College of Engineering, the Law School and the Division of Biological Sciences within the past year had shown them to be outstanding in performance of their academic mission. Equally indicative of the University's academic strength had been the five final reports he had received from the New York State Regents Doctoral Evaluation Program, he said. Review teams had visited the campus to rate five graduate programs -- English, History, Chemistry, Physics and Astronomy -- and in their reports to describe these departments had used superlatives. He also cited individual excellence, saying he had found solace in the large number of letters of congratulations to Faculty members he had recently written -- to Roald Hoffman for the Linus Pauling Award in Chemistry, to Richard Barnes for the Elvehjem Award for Public Service in Nutrition, to Urie Bronfenbrenner for the 1975 Educational Research Association Award for distinguished contributions to educational research, to Harlan Banks

for the State University Chancellor's Award for Excellence in Teaching, to Jack Kiefer, Robert Whittaker and Kenneth Wilson for their election to the National Academy of Sciences, to Nelly Furman, Clive Holmes and Pei-Shin Ni for their Clark Teaching Awards, and to Toby Berger, Robert Finn, Leon Heppel, James Houck, George Kahin and Robert Richardson for their Guggenheim fellowships.

The President also noted the high quality of the student body at Cornell as shown by the following statistics: 35,002 applications were received for 5,125 places in all academic units in the fall of 1974; 14,916 freshman applications were received, 5,425 were accepted and the entering class numbered 2,678. The Law School entering class of 168 students was drawn from nearly 3,000 applications. At the Medical College there were 4,651 applications for 101 places in the fall of 1974. There were currently 9,000 applications for the 101 places in the 1975 class, he said.

"The students themselves -- like Richard Sheff -- give testimony to their quality," he said. "Mr Sheff is a straight-A premedical student in the College of Arts and Sciences' College Scholar Program and winner of a two-year full scholarship to Oxford. He said recently, 'I look at Cornell as an almost unlimited resource to be taken advantage of by the student.' Let us work together to preserve that resource for the likes of Mr. Sheff and for those who will follow him," he concluded to warm applause. The President relinquished the chair to the Speaker, Professor Wolfgang Fuchs.

2. ANNOUNCEMENTS BY THE DEAN

The Dean of the Faculty, Professor Byron W. Saunders, called on Professor William T. Keeton, Biological Sciences, Chairman of the Committee on Nominations and Elections, to give the results of the University Faculty elections. Professor Keeton expressed pleasure at the voting response for Faculty Trustees, it being necessary to obtain satisfactory participation in this election. There were 642 ballots cast for one tenured seat on the Board, approximately 42% of the constituency, and the winner was Adrian M. Srb, Genetics, Biological Sciences. There were 155 ballots cast for one non-tenured seat on the Board, approximately 34% of the constituency, and the winner was Joan W. Wright, Community Service Education. The Dean read the remaining results of the election. (See Appendix A for FCR results)

AT-LARGE MEMBER, FCR - 603 ballots cast - 4 seats

Howard E. Evans, Veterinary Anatomy, was elected in the first round

Robin M. Williams, Jr., Henry Scarborough Professor of Social Sciences, was elected in the first round

Henry P. Goode, Emeritus Professor, Operations Research, was elected in the fourth round

Sonya Monosoff, Music, was elected in the fourth round

REVIEW AND PROCEDURES - 577 ballots cast - 3 seats

Joseph B. Bugliari, Agricultural Economics and B&PA, was elected in the first round

Elmer E. Ewing, Vegetable Crops, was elected in the third round

David Novarr, English, was elected in the third round

NOMINATIONS AND ELECTIONS - 580 ballots cast - 3 seats

Philip J. McCarthy, Economics and Social Statistics, I&LR, was elected in the second round

Robert E. Bechhofer, Operations Research, was elected in the third round

Barry B. Adams, English, was elected in the fourth round

MEMBERSHIP OF THE UNIVERSITY FACULTY - 508 ballots cast - 1 seat

W. Jean McLean, Design and Environmental Analysis, was elected in the first round

ACADEMIC FREEDOM AND RESPONSIBILITY - 512 ballots cast - 1 tenured seat

Peter W. Martin, Law, was elected in the first round

ACADEMIC PROGRAMS AND POLICIES - 501 ballots cast - 1 tenured seat

James L. Gaylor, Biochemistry, Molecular and Cell Biology, Biological Sciences, was elected in the first round

ACADEMIC PROGRAMS AND POLICIES - 454 ballots cast - 1 non-tenured seat

Sandra F. Siegel, English, was elected in the first round

ADMISSIONS AND FINANCIAL AIDS - 483 ballots cast - 2 tenured seats

Alice J. Davey, Consumer Economics and Public Policy, was elected in the first round

Alexander Kira, Architecture, was elected in the second round

FREEDOM OF TEACHING AND LEARNING - 536 ballots cast - 2 tenured seats

Norman R. Scott, Agricultural Engineering, was elected in the first round

Marvin Carlson, Theatre Arts, was elected in the second round

FREEDOM OF TEACHING AND LEARNING - 428 ballots cast - 1 non-tenured seat

Moncrieff M. Cochran, Human Development and Family Studies, was elected in the first round

PHYSICAL EDUCATION - 587 ballots cast - 1 tenured seat

Joel H. Silbey, American History, was elected in the second round

PROFESSIONAL AND ECONOMIC STATUS OF THE FACULTY - 575 ballots cast - 1 tenured seat

C. Arthur Bratton, Agricultural Economics, was elected in the second round

PROFESSIONAL AND ECONOMIC STATUS OF THE FACULTY - 458 ballots cast - 1 non-tenured seat

John M. McCann, Business and Public Administration, was elected in the first round

RESEARCH POLICIES - 512 ballots cast - 1 tenured seat

Richard Rosecrance, Walter S. Carpenter, Jr., Professor of International and Comparative Politics, was elected in the first round

RESEARCH POLICIES - 447 ballots cast - 1 non-tenured seat

Carol B. Meeks, Consumer Economics and Public Policy, was elected in the first round

ACADEMIC INTEGRITY HEARING BOARD - 518 ballots cast - 2 seats

Paul L. Hartman, Physics and Engineering Physics, was elected in the first round

Doyle A. Eiler, Agricultural Economics, was elected in the second round as the alternate member

ACADEMIC INTEGRITY APPEALS BOARD - 546 ballots cast - 2 seats

Wolfgang H. Fuchs, Mathematics, was elected in the first round

William F. Rochow, Plant Pathology, was elected in the third round as the alternate member

UNIVERSITY-ROTC RELATIONSHIPS - 527 ballots cast - 2 seats

A. Reeve Parker, English, was elected in the first round

Carl E. Coppock, Animal Science, was elected in the third round

COUNCIL ON PHYSICAL EDUCATION AND ATHLETICS - 520 ballots cast - 1 seat

Henry N. Ricciuti, Human Development and Family Studies, was elected in the first round

The Dean said he had received several inquiries regarding the current status of the academic calendar. The Senate had reconsidered it, defeated three amendments, and had reconfirmed the original as passed on April 16, he said. The calendar calls for an August 19 start and completion around June 2. He noted that the calendar passed by a vote of 21 to 13 and expressed his disapproval of the action as having serious financial and academic implications. No assessment had been made, for example, he said, of the impact of the calendar on summer job opportunities for students. He said he had discussed the matter with the Provost and would discuss it with the President, and invited comments from Faculty members.

The Dean reminded the body of the need to adhere to the final examination schedule, saying he had heard there were numerous proposals to schedule examinations during study week. This practice is not in keeping with University Faculty legislation, he said, and procedures exist for making exceptions to the schedule. Making change for the sake of change is not in keeping with the original purpose of study week, he said, which was instituted as much at the behest of the Faculty as by students.

The Speaker called on the Reverend W. Jack Lewis, Director of Religious Affairs, who drew the Faculty's attention to three events marking the centennial of Sage Chapel, a special convocation May 11 at which the Faculty was invited to process, a convocation June 1 honoring retiring Faculty members, and an alumni memorial celebration on June 15.

3. RECOGNITION OF RETIRING FACULTY MEMBERS *

The Speaker called on the Dean for recognition of retiring Faculty members. At the Dean's invitation, the deans or their representatives from various

*After the meeting it was called to our attention that Associate Professor Phoebe Goggin, Clinical Medicine, would take early retirement June 30, 1975.

schools and colleges introduced retiring members of their Faculties, citing the longevity of their careers at the University, their involvement in University offices, and their professional accomplishments.

Dean Keith Kennedy, Agriculture and Life Sciences, introduced the following members of his College:

Lawrence B. Hixon, Professor of Education and Coordinator for Certification
 Francis M.R. Isenberg, Professor of Vegetable Crops
 Orvis F. Johndrew, Jr., Associate Professor of Poultry Science
 George C. Kent, Professor of Plant Pathology and Coordinator of Planning
 and Development
 Olaf F. Larson, Professor of Rural Sociology and Director, N.E. Regional
 Center for Rural Development
 Harry A. MacDonald, Professor of Agronomy

He also cited the following Faculty members who were unable to attend the meeting:

Clifton W. Loomis, Professor of Agricultural Economics
 John C. Matthyse, Professor of Entomology
 George W. Trimberger, Professor of Animal Science

President Corson introduced the following members of the Arts and Sciences College on behalf of Dean Harry Levin:

Isaac Rabinowitz, Professor of Semitic Languages and Literature
 J. Saunders Redding, Ernest I. White Professor of American Studies
 and Humane Letters

He also cited the following Faculty members who were unable to attend the meeting:

Hans A. Bethe, John Wendell Anderson Professor of Physics
 Henry E. Guerlac, Goldwin Smith Professor of the History of Sciences
 and Director of the Society for the Humanities
 Robert S. Morison, Richard J. Schwartz Professor of Science and Society
 Dean H. Justin Davidson, B&PA, introduced the following member of his

School:

John G.B. Hutchins, Professor of Business History and Transportation (B&PA)
 and Professor of Economics

Professor Kenneth B. Bischoff, Director of the School of Chemical Engineering, introduced the following members of the College of Engineering on behalf of Dean Edmund Cranch:

Jay E. Hedrick, Professor of Chemical Engineering
 Charles C. Winding, Herbert Fisk Johnson Professor of Industrial Chemistry

Dean Roger Cramton, Law, introduced the following member of his School:

Rudolf B. Schlesinger, William Nelson Cromwell Professor of International
 and Comparative Law

The Dean of the Faculty cited the following Faculty members who were not able to attend the meeting:

Madeline C. Blum, Associate Professor of Design and Environmental Analysis - Human Ecology
 Cyril L. Comar, Professor of Physical Biology - Veterinary College
 Myrtle H. Ericson, Professor of Hotel Administration
 Duncan M. MacIntyre, Professor of Industrial and Labor Relations
 George B. Winter, Class of 1912 Professor of Engineering

4. REPORT FROM UNIVERSITY BUDGET COMMITTEE

The Speaker called on Professor Peter Stein, Physics, Chairman of the University Budget Committee, for a report. Professor Stein reported that the Committee had held approximately 10 meetings, most of which were devoted to familiarizing members with the intricacies of the University budget and shaping a mental framework conducive to formulating opinions on budget matters. The Committee had decided, he said, not to audit the University budget or analyze investment policies, nor to consider itself the voice of the Faculty on budget matters.

Committee members had read the report on capital financing of the Trustee *Ad Hoc* Committee chaired by Trustee Stephen Weiss, had talked with administration members, read staff documents, studied the current budget and had discussed these matters among themselves and reached some understanding of the University's financial problems, he said.

Committee members felt at this point, he said, that their goal was to help both the President and the University with the knowledge that they had acquired, perhaps through analysis of the task force reports, for example, and if possible to develop a position to be brought to the Faculty for discussion. It was also possible, he said, that in the course of its study and evaluation the Committee might develop its own proposal on budget matters for consideration by the Administration.

(Appendix B)

Professor Stein then displayed the attached table and commented on it in an attempt to explain how the Administration had reached the conclusion that the University would have a 10-million-dollar annual deficit by the year 1980 and that a 10 to 15 percent annual program cut would be required in order to avoid this deficit.

The table concerns only the endowed campus budget, Professor Stein said, and reflects the Administration's* assumptions that most University expenses and revenues would rise proportionate to the national inflation rate, but that salaries and fringe benefits (the latter being in part influenced by external factors) would rise at a faster rate than national inflation. Figures are scaled to represent 1980 dollars.

*Original word "Committee's" corrected by Professor Stein.

Item I. (Change in capital fund policy) represents the Trustees' decision to stop spending some portion of capital for current expenses, thus removing a source of revenue estimated at \$2.5 million. Item IV. (Expiring grants) represents costs to the University of continuing externally funded programs beyond their funded periods. Item IV. (Failure of government support to keep up with inflation) represents the Administration's "best guess" as to the amount of government support expected in the form of overhead research funding, tuition assistance programs, etc.

Reducing University expenses annually by \$10,000,000 (1975 dollars) would eliminate the projected 1979-80 deficit of \$14,000,000, he pointed out. To place the projected deficit in perspective, he said that total Faculty salaries in the endowed colleges now amount to approximately \$15 million annually.

In answer to previous criticisms made by Faculty members, Professor Stein said that although the Committee could not be sure the present analysis was correct, its members believed that these were "honest figures derived by honest men doing their best," and that this was the right way to analyze the University's financial problems. Committee members had discussed possible, but extreme* remedies, he said, including a 30 percent increase in enrollment, reducing maintenance costs, raising tuition at a faster rate than national inflation, and keeping salary raises below the national inflation rate. Finally, the Committee had discussed reexamining the University's capital fund policy, and had decided that the answer to this question was not self-evident.

The Committee agreed with the Administration, he said, that cuts should be made without lowering the excellence of the academic program, but in trying to determine areas where this could be done such as student services, grounds maintenance or athletics, had concluded that opinions varied to such an extent on these matters that a simple answer could not be reached. The Committee intended to continue its study, he concluded.

The Secretary announced that the body lacked a quorum to consider a resolution on *ex officio* membership of the University Faculty.

Ajourned: 5:47 p.m.

J. Leeming, Assistant to the Secretary

*Original words "admittedly improbable," corrected by Professor Stein.

RESULTS OF THE ELECTION

Spring 1975

FCR ELECTIONS TO COMMITTEES

ACADEMIC FREEDOM AND RESPONSIBILITY - 65 ballots cast - 1 tenured seat
Ian R. Macneil, Law, was elected in the first round

ACADEMIC PROGRAMS AND POLICIES - 59 ballots cast - 1 tenured seat
Richard H. Lance, Theoretical and Applied Mechanics, was elected
in the first round

ADMISSIONS AND FINANCIAL AIDS - 60 ballots cast - 1 non-tenured seat
Dan E. Moore, Rural Sociology, was elected in the first round

PHYSICAL EDUCATION - 55 ballots cast - 1 tenured seat
J. Paul Leagans, Education, was elected in the first round

PROFESSIONAL AND ECONOMIC STATUS OF THE FACULTY - 57 ballots cast - 1 tenured seat
Olan D. Forker, Agricultural Economics, was elected in the first
round

RESEARCH POLICIES - 61 ballots cast - 1 tenured seat
Richard Polenberg, History, was elected in the first round

<u>ADDITIONAL ITEMS NOW KNOWN THAT WILL HAVE A NEGATIVE FINANCIAL IMPACT IN 1980</u>	Approximate Annual Effect On <u>1979-1980 Budget</u> (millions of dollars)
------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------

I. Change in capital fund policy	\$2.5
II. Present annual deficit	1.5
III. Additional maintenance and renovation	1.5
IV. Expiring grants	1.0
V. Miscellaneous	1.0

<u>ADDITIONAL ANTICIPATED ITEMS WITH NEGATIVE FINANCIAL IMPACT IN 1980</u>	
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I. Effects due to depressed stockmarket and future deficits	\$3.0
II. Increased plant and equipment costs	2.5
III. Increase of payroll costs beyond inflation including fringe benefits	2.0
IV. Failure of government support to keep up with inflation	1.5
V. Expected rise of fuel costs beyond inflation	1.0
	<hr/> \$17.5

<u>ADDITIONAL ANTICIPATED ITEMS WITH POSITIVE FINANCIAL IMPACT IN 1980</u>	
--------------------------------------------------------------------------------	--

I. Income from additional endowment	\$2.5
II. Increased gifts	1.0
	<hr/> \$3.5

Net Annual Deficit in 1979-1980 - \$17.5 - 3.5 = \$14.0

The Speaker, Professor Wolfgang H. Fuchs, called the meeting to order at 5:48 p.m. 64 members and 2 guests were present. Minutes of the April 9 meeting were approved with the following amendment by Professor John H. Whitlock, Veterinary Science. On page 4386C, second line, delete "Professor Whitlock stated" through the end of the paragraph and insert the following: Professor Whitlock stated that the Board of Trustees had recently re-emphasized its stand that the University Faculty had responsibility for Educational Policy. Whenever a new professor was appointed it involved a commitment of the order of three quarter of a million dollars of the university resources in the future so, of course, such appointments have an administrative component. On the other hand, you cannot appoint 25 professors in this University without having a tremendous impact on educational policy so the faculty must participate effectively in such appointments. Recommendation ten allows deans, at will, to set aside faculty participation in appointments contrary to the express legislation of the University Faculty. This document spills a lot of ink to give the deans "*carte blanche*" in educational policy.

1. RESOLUTIONS BY THE DEAN

The Speaker called on the Dean of the Faculty, Professor Byron W. Saunders, who moved the following resolution:

RESOLVED, That the rules be suspended in order than an organizational meeting of the 1975-76 members of the FCR can be called during the current academic year to approve a slate of nominees for the 1975-76 Executive Committee, to approve a slate of nominees for the position of Speaker and to authorize the necessary election.

In the past, the Dean said, approval of slates of nominees for Executive Committee membership and the post of Speaker had occurred in September, delaying the conduct of business until October. The rules called for the body to be in continuous session through commencement of the current year, he said, and it therefore seemed appropriate to suspend the rules in order to approve the slates and authorize an election before the coming September. Carried.

The Dean then reported the results of elections to FCR committees:

ACADEMIC FREEDOM AND RESPONSIBILITY - 65 ballots cast - 1 tenured seat
Ian R. Macneil, Law, was elected in the first round

ACADEMIC PROGRAMS AND POLICIES - 59 ballots cast - 1 tenured seat
Richard H. Lance, Theoretical and Applied Mechanics, was elected
in the first round

ADMISSIONS AND FINANCIAL AIDS - 60 ballots cast - 1 non-tenured seat
Dan E. Moore, Rural Sociology, was elected in the first round

PHYSICAL EDUCATION - 55 ballots cast - 1 tenured seat

J. Paul Leagans, Education, was elected in the first round
PROFESSIONAL AND ECONOMIC STATUS OF THE FACULTY - 57 ballots cast -
1 tenured seat

Olan D. Forker, Agricultural Economics, was elected in the first
round

RESEARCH POLICIES - 61 ballots cast - 1 tenured seat

Richard Polenberg, History, was elected in the first round

The Dean called on the Secretary, Professor Russell Martin, as Chairman of the Committee on Membership of the University Faculty to move the following resolution:

RESOLVED, That voting privileges shall continue to be extended to all present ex officio members of the University Faculty. Effective July 1, 1975, new ex officio members must also hold a professorial title in order to become a voting member of the University Faculty.

Professor Vinay Ambegaokar, Physics, asked if the word member in the last line of the resolution should not be changed to members and the Speaker accepted this correction.

The Dean read a letter he had received from Professor J. Gormly Miller, Director of the University Libraries, opposing the motion and pointing out that future appointments of directors of the Library, or associate or assistant directors, would no longer carry voting membership in the University Faculty. The Dean said he had discussed the matter with Professor Miller and told him that the resolution was not intended to change Library representation in the FCR. The resolution stemmed from an incident at the last Faculty meeting, he said, in which a vote had resulted in a plurality of about 17 members, and it had become apparent that *ex officio* Faculty members were sufficient in number to decide policy in close votes. At present there are 37 *ex officio* members of the Faculty, the Dean said, 19 of them holding professorial titles and 18 of them not holding titles. It therefore seemed appropriate for the Committee on Membership of the University Faculty to discontinue the policy of granting voting rights to *ex officio* members of the Faculty who did not hold professorial titles. Professor John G.B. Hutchins, B&PA, asked the Dean who were other *ex officio* members of the Faculty who did not hold professorial titles, and the Dean read excerpts from the list of *ex officio* Faculty members in the *General Legislation of the University Faculty and FCR*. The resolution as carried, follows:

RESOLVED, That voting privileges shall continue to be extended to all present ex officio members of the University Faculty. Effective July 1, 1975, new ex officio members must also hold a professorial title in order to become voting members of the University Faculty.

The Dean moved the following resolution:

RESOLVED, That the following clauses (#11, #12, #13 and #14) be added as amendments to the "Rules and Procedures for Governing Standing Committees of the FCR" as originally adopted on December 1, 1971 and subsequent amendments.

11. Committees shall consider placing on their agenda all written requests for recommendations, interpretations, or advice sought by an individual or agency of the University Community. When a committee accepts requests other than from the FCR or the Dean of the Faculty, the Dean shall be promptly notified. When appropriate, the identity of individuals shall be protected.
12. On major questions and questions of policy, a committee shall take no action beyond formulating recommendations and reporting them in writing together with proposed resolutions to the FCR through the Dean of the Faculty and the Executive Committee, except where there is an established precedent appearing in the minutes of the FCR.
13. On lesser matters or issues for which a precedent has been established, each standing committee may make interpretations or give advice directly to the individual or agency who made the request and report in writing by minutes or otherwise their actions to the Dean of the Faculty.
14. Committees shall keep written minutes of all meetings and place a copy promptly with the Dean of the Faculty.

The Dean explained that the question of who speaks for the Faculty had been raised last spring as a result of confusion among some vice provosts and FCR committee chairmen. The question had been referred to Review and Procedures by his predecessor in office, he said, and the motion on the floor had been drafted by a subcommittee and approved by the Committee. Professor Walter R. Lynn, Civil and Environmental Engineering, Chairman of the Executive Committee, was ready to propose an alternate resolution, he said. The Speaker called on Professor Lynn who moved the following resolution:

It is moved that the following section 12 be substituted for sections 12 and 13 in the original motion and that section 14 on the original motion be renumbered as section 13.

12. Committee recommendations, reports, resolutions or other actions have status as FCR policies or positions only when approved by the parent body. (Individuals or agencies of the University community should be cautioned that any communications from standing or *ad hoc* committees of the FCR are not binding on that body without its formal consent.)

Professor Lynn pointed out that the language of the original motion raised difficulties in defining "major" vs. "minor" questions of policy, and "policies" vs. "nonpolicies". His motion, by requiring the consent of the FCR for Faculty committees to speak for that body, provided a better solution to the difficulty, he said. The Dean asked Professor Lynn if his was a substitute motion or an amendment to delete portions of the original motion, and the Speaker ruled that it should be considered an amendment. Professor S. Cushing Strout, English, asked what this resolution as amended signified so far as Committee members informing persons who had brought up matters for deliberation as to the results of Committee judgments. Professor Lynn replied that the issue related to the giving of advice and information regarding policy, not to the carrying out of original charges to committees. For example, he said, if Clauses 12 and 13 were passed the Faculty Committee on the University Budget would not be able to engage with the Administration in dialogue with a view to providing Faculty input in an informal sense on budget matters. He added that his goal was to make the provisions of the original resolution more flexible, since he felt that in their present form they were too rigid. Professor Isadore Blumen, I&LR, suggested changing the wording by adding after "when approved by" in the third line of Professor Lynn's amendment "or under the authority of," and Professor Lynn accepted the change. The resolution, as amended carried and appears below.

RESOLVED, That the following clauses (#11, #12 and #13) be added as amendments to the "Rules and Procedures for Governing Standing Committees of the FCR" as originally adopted on December 1, 1971 and subsequent amendments.

11. *Committees shall consider placing on their agenda all written requests for recommendations, interpretations, or advice sought by an individual or agency of the University community. When a committee accepts requests other than from the FCR or the Dean of the Faculty, the Dean shall be promptly notified. When appropriate, the identity of individuals shall be protected.*

12. *Committee recommendations, reports, resolutons or other actions have status as FCR policies or positions only when approved by or under the authority of the parent body. (Individuals or agencies of the University community should be cautioned that any communications from standing or ad hoc committees of the FCR are not binding on that body without its formal consent.)*
13. *Committees shall keep written minutes of all meetings and place a copy promptly with the Dean of the Faculty.*

Adjourned: 6:04 p.m.

J. Leeming, Assistant to the Secretary

The Dean of the Faculty, Professor Byron W. Saunders, called the special meeting to order at 2:10 p.m. The Dean welcomed new FCR members, and explained that this was a special meeting called to avoid delay in organizing the 1975-76 FCR. The 1974-75 FCR being still in session, the rules had been suspended to permit this meeting.

The Dean called on the Secretary, Professor Russell D. Martin, who presented the following slate of candidates for Executive Committee membership and the post of Speaker on behalf of the Committee on Nominations and Elections:

Slate for EXECUTIVE COMMITTEE - tenured
two-year term
4 seats

- ** ROGER M. BATTISTELLA, Professor of Medical Care Organization and
Coordinator, Sloan Program of Hospital and Health
Services Administration
- ** ELLIOT L. ELSON, Associate Professor, Chemistry
HENRY P. GOODE, Emeritus Professor of Operations Research
- ** WILLIAM F. MAI, Professor, Plant Pathology
WILLIAM McGUIRE, Professor, Structural Engineering
NEIL L. NORCROSS, Professor, Immunology L.A.M.O.S. and Secretary of
Veterinary College
- ** RICHARD POLENBERG, Professor, American History
BERNARD C. ROSEN, Professor, Sociology
ROBERT W. SPALDING, Professor, Animal Science

Slate for EXECUTIVE COMMITTEE - non-tenured
two-year term
1 seat

- RICHARD N. BOYD, Associate Professor, Philosophy
WILLIAM B. TRAVERS, Assistant Professor, Geological Sciences
- ** CONSTANCE L. WOOD, Assistant Professor, Plant Breeding and Biometry

Slate for SPEAKER
one-year term

- ** J. ROBERT COOKE, Associate Professor, Agricultural Engineering
WOLFGANG H. FUCHS, Professor, Mathematics and Speaker

The Dean asked if there were further nominations from the floor. Professor Norman Malcolm, Susan Linn Sage Professor of Philosophy, stated that Associate Professor Richard N. Boyd, Philosophy*, had been voted tenure by his colleagues and therefore his name should not be included in the slate for a non-tenured seat on the Executive Committee. The Dean asked when the tenure appointment would become operative and was told by Professor Malcolm July 1. After brief

*The Dean has determined that Professor Boyd's promotion to tenure status is currently being processed but could not take effect earlier than February 1, 1976. Hence his name is being retained on the non-tenured slate.

** Elected

discussion, the Dean ruled to transfer Professor Boyd's name, subject to clarification of his status, to the slate for tenured Executive Committee seats.

There being no further nominations, the Dean received a motion to close nominations and authorize Nominations and Elections to proceed with elections. Carried.

Adjourned: 2:17 p.m.

J. Leeming, Assistant to the Secretary

MINUTES
OF MEETINGS

UNIVERSITY FACULTY
AND
FACULTY COUNCIL OF REPRESENTATIVES

September 10, 1975 - May 24, 1976

Byron W. Saunders, Dean of Faculty
Russell D. Martin, Secretary of Faculty
J. Robert Cooke, Speaker

The Provost, David C. Knapp, called the meeting to order at 4:37 p.m. 68 members and 20 guests were present. He reminded the Body that at a special September 24 Faculty meeting the President would make a major statement on analysis of the recently completed priority studies, and would discuss budget issues confronting the University in 1976-77 and beyond.

1. REMARKS BY THE PROVOST

The Provost said he wished to report on the health of the University, in a noneconomic sense, by summarizing admission results for the current year. Applications had increased four percent over the previous year, he said, including increases in freshman applications of 2.4 percent and in transfer applications of 8.6 percent. Applications increased 2.5 percent in endowed units, 6 percent in statutory units. Offers of admission were made to 33.7 percent of applicants, a 2.6 percent increase over the preceding year. Anticipated new freshman and new transfer registrants as of August 25 totaled 3,520, 3.2 percent above the preceding year.

Turning to qualitative aspects of the entering class, the Provost said that its median verbal SAT score of 603 showed no major modification, having been 612 in 1974, 611 in 1973 and 609 in 1972. The entering median mathematical SAT score was 670, he said, compared with 677 in 1974, 665 in 1973 and 662 in 1972. The Provost noted that the number of SAT scores over 700 had declined since 1972, both nationally and at Cornell, but that the percentage of the above-700 national pool applying to Cornell had risen slightly in the past year. With respect to verbal SAT scores, the figure was 7.2 percent in 1972, 9.1 percent in 1973, 8.4 percent in 1974 and 8.6 percent in 1975. The mathematical SAT score figures had increased from 7.5 percent in 1972 to 9.1 percent in 1973, 9.2 percent in 1974 and 9.5 percent in 1975.

Regarding rank in high school classes, he said, 55.3% of current freshmen reporting rank were in the first tenth of their class, 21.2% in the second tenth, thus 76.5% were in the top fifth of their class. This compared with figures of 74.4% in 1972, 74.6% in 1973 and 76.0% in 1974-75.

Total sponsored research expenditures increased 14.6% in 1974-75 over the preceding year, the Provost said, the first significant increase in five years. Research funds for 1970-71 had risen 2.4% over 1969-70, 5.2% each of the following two years, and had decreased 4.3% the following year. Acceptances of research requests to the National Science Foundation rose 20% in 1974-75, excluding ARECIBO construction, and National Institutes of Health acceptances rose 16%. He added that the Vice President for Research, W. Donald Cooke, had reported that approved grants for the first four months of 1975-76 were "very strong."

The Provost reported that the President had appointed an Affirmative Action Advisory Board chaired by Professor Judith T. Younger, Law, Deputy Dean of the Law School. The Board had been given two charges, first to assess the organization and processes for affirmative action on campus, and secondly to monitor and audit revisions in the affirmative action plan during the current year. Federal regulations require such a board, he said, adding that recent reports in the press indicated increased Washington interest in compliance reviews and affirmative action programming. The Provost reported that the Trustee Committee on the Status of Minorities at the University, which had in effect served as a task force on minorities, was expected to report at the October meeting of the Board. He concluded by informing the Body that if his office and staff could provide any data or information which would be useful in the members' assessments of various activities on campus, he hoped they would call on him to make reference to the appropriate persons for cooperation.

2. ANNOUNCEMENT BY THE DEAN OF STUDENTS

The Speaker, Associate Professor J. Robert Cooke, Agricultural Engineering, called on the Dean of Students, Elmer E. Meyer, Jr., who informed the Body of two publications for students issued by his office. One was the new Student Handbook, and he invited comments or corrections from the Faculty to be incorporated in a subsequent issue. The other was a new counseling and advising booklet distributed to department chairmen and the staff of the college and school academic advising offices. He said the latter contained detailed descriptions of the responsibilities of advising and counseling staff members and might help Faculty in directing students to appropriate persons for help.

3. REPORT FROM THE DEAN

The Speaker called on the Dean of the Faculty, Professor Byron W. Saunders, who welcomed new members and reminded them to sign in at meetings. He reminded the Body that regular meetings were held on the second Wednesday of each month in the academic year and that special meetings were called as required. He reported that two *ad hoc* Faculty committees, one on academic appointments, the other on academic integrity and the Faculty Committee on the Budget, had met over the summer. He had prepared an annual report to the Faculty he said, containing legislative enactments and matters which he felt to be of serious concern. These included appointment policies and procedures, which were of serious concern because of the University's current budget situation, adding that he hoped the *ad hoc* committee dealing with this matter would report to the Body at either the November or December meeting; and the precise methods by which the Faculty could influence the University budgetary process and have its concerns about educational policy

heard. He reminded the Body that the Bill of Rights passed by the University Senate in the spring had been referred to the FCR and in turn to three FCR committees, one of which had reported and the other two of which were pending. He stressed the need to seek a concurrence of views on the revised document in order to obtain Senate, Faculty and subsequent Trustee approval with the greatest efficiency. Among other concerns which he had, the Dean said, was the manner in which the Faculty enforced its own legislation, and the fact that the Faculty was one of the principal offenders in this regard. He pointed out that the Faculty had legislation, for example, governing class hours, examination times, etc., and then cited an example of an individual Faculty member ignoring the regulations without censure by his colleagues. The Dean then announced that the President, wishing to respond to the entire Faculty on the matter of the status of the priority studies, had made himself available for questioning on October 8th, normally the date of the FCR meeting. The Executive Committee had proposed holding the Faculty meeting on October 8th and the FCR meeting October 15th. He then moved to suspend the rules to permit this change. There being no objections, it was so ordered.

4. RESOLUTION TO RECEIVE REPORT ON ACADEMIC INTEGRITY

The Dean moved the following resolution on behalf of the *ad hoc* Committee on Academic Integrity:

RESOLVED, That

1. *the FCR receive the report of the ad hoc Committee on Academic Integrity appointed to study and make recommendations concerning the maintenance of academic integrity in the several schools and colleges at Ithaca, and*
2. *the ad hoc Committee be discharged with thanks, having fulfilled the assignment they were given, and*
3. *discussion of the report and the proposed Code of Academic Integrity be initiated immediately but with the adoption of the Code, including any amendments thereto, occurring no earlier than the next scheduled meeting of the FCR on October 15, 1975, and*
4. *the adoption of the proposed Code be contingent on the passage of a specific resolution for this purpose, such resolution to be prepared and distributed in the call to the October 15, 1975 meeting.*

Carried.

The Speaker asked each Faculty member to identify himself by name and college affiliation when speaking, and asked members to insist on strict adherence to the Rules of Order if desired, saying that otherwise he would expedite business by asking for unanimous consent on matters he deemed noncontroversial.

The Speaker called on Professor Ross J. MacIntyre, Genetics, Biological Sciences, Chairman of the *ad hoc* Committee on Academic Integrity, for a statement. Professor MacIntyre said his Committee had reviewed the workings of the present Academic Integrity Code over a four-month period, principally through an extensive series of interviews with Faculty members, and had proposed substantial changes in the methods of handling breaches of the Code. He said the Committee had been particularly impressed by the dedication and hard work of Mr. Thomas Cottingham, Executive Secretary of the Academic Integrity Boards, and of Mr. Michael Hilf, former Chairman of the Academic Integrity Hearing Board. The primary reason for proposing changes, he said, was that the interviews had revealed that Faculty attitudes were not in accord with the present judicial process. The Committee had relied on interviews as its primary information source, because of its distaste for surveys. It felt an open hearing would become a forum for demagoguery, and because of shortness of time, relied on the interview procedure. The interviews were almost unanimous in revealing that Faculty members felt cheating was widespread at Cornell, and the Committee had concluded that if judicial procedures acted as a deterrent to cheating, then the present system was not effective. They also concluded that most Faculty members did not use the present system either through ignorance or dislike of it.

The Committee also concluded that Faculty members felt they were better judges of individual cheating cases than the hearing boards, that the judicial process unfairly placed the burden of proof on individual Faculty who became prosecutors in the system, and that the system was too slow and lenient. As a result, most Faculty tended to settle cases themselves, the Committee concluded, leaving students no appeal except to the University Ombudsman. The Committee's proposals, he said, aimed to provide more rapid justice, to place appeals boards in the schools and colleges, thus involving Faculty in the process, and to structure appeals so as to protect students and provide ways to deal with repeated offenses.

Professor Joel Silbey, History, speaking as a Committee member, said that the Committee had also become concerned with the question of Faculty integrity, but had felt that this subject was not included in its charge and that adequate sanctions seemed to be available. The Speaker pointed out that Mr. Cottingham and Miss Barbara Kauber, the Judicial Administrator, were present and available to answer questions. He also said that he understood the rules of discussion permitted voting members of the FCR to introduce motions and Faculty, including *ex officio* members, to take part in the debate.

Professor David B. Lyons, Philosophy, pointed out what appeared to be confusing wording in Section II.B.2. of the proposed revised Code in that it

mentioned Appeals Board twice with no previous reference. He went on to express his concern that the proposals, while radical in nature, did not seem to answer concerns raised by the Committee's deliberations, for example, how to deal with widespread cheating. They might make chances of apprehension and conviction higher, thus increasing deterrence, but the only presumptive argument that they would reduce cheating was that under certain circumstances the net could be spread so fine that more cheaters would be apprehended. He also asked if there was any more assurance that the Faculty would be aware of the proposed system than the existing one. If not, he said, then the new system would merely legitimize "frontier justice" in Faculty offices, with students not being advised of their right of appeal or of appeal procedures. This would result in abandoning the values of impartiality and presumption of innocence. The proposed appeals system increased this danger, he said, in making one basis on which a Faculty member might institute an appeal the fact that the sentence given was too lenient. The choice, he concluded, lay between the questionable efficacy of such a system in minimizing cheating and the certainty that the system would minimize impartiality and the presumption of innocence.

Professor Wolfgang Fuchs, Mathematics, agreed on the need for impartiality, and suggested that the hearing board might consist of an elected body of students and Faculty. He said that most Faculty were reluctant to initiate proceedings under the present system because it was time consuming, inconvenienced the Faculty and, in fact, exposed them to embarrassment and even maltreatment, and because the hearing board was too far removed from the actual circumstances of each case. Dean Meyer supported the concept of Faculty members being involved, at least in the initial stages, in cases of alleged cheating by their students, adding that the proposed system limited a Faculty member's course of action, where cheating was found, to giving a failing grade to the student. He suggested giving students the option of being heard either by Faculty members or a hearing board. Another difficulty with the proposed system, he said, was that of monitoring consistency. In this regard, he said, the Senate had suggested that existing hearing boards also take appeals, a provision which would insure a degree of consistency. Regarding Professor Silbey's remark, Dean Meyer said he assumed that the Faculty understood its responsibilities, but he was not sure if students know what that Faculty responsibility is. Professor Richard M. Phelan, Mechanical and Aerospace Engineering, said that he had replaced an original member of the Committee and had been impressed by the Committee's conscientiousness. He had concluded, he said, that the present system was "worse than worthless" and must

be changed, but that there was no perfect solution. The process must be decentralized, he said, and brought closer to the Faculty member involved. The proposed code, however, went too far in requiring the individual Faculty member to make a final decision at an early point in the process. Also, he said, it was necessary that the system reach the lowest level that certifies students for degrees, and that therefore a standing committee to review action and to monitor consistency was required. He suggested that existing school and college committees be used to enforce the academic integrity system consistently in each unit, with one member*attending hearings as a special voting member, and that appeals be taken by higher level committees within academic units. It would be a mistake, he said, to place the decision on separating a student from the University in a Faculty member's hand rather than with a group.

The Dean of the Faculty commented that the Body seemed to be viewing the purpose of the academic integrity process as the apprehension of "sinners" rather than what he believed to be its proper objective, to protect the integrity of the academic process and of the degrees of the various schools and colleges. Professor Benjamin Nichols, Electrical Engineering, Speaker of the Senate, asked if any provisions existed for modifying the proposal before taking final action, adding that two Senate committees had expertise in this area but he doubted if their ideas had received Faculty consideration. The Dean replied that the FCR Executive Committee would decide when to place the matter on a future agenda, and suggested that concerns be communicated to his office, adding that the proposed new code would be printed in *Cornell Chronicle* the next day.

Professor Gwendolyn J. Bymers, Consumer Economics and Public Policy, and Chairman of the FCR Executive Committee, expressed the hope that the final document would eliminate the "adversary role" permeating the present discussion. She stressed the need to educate students regarding academic integrity rather than to prosecute them, and urged the Faculty not to over-emphasize procedures, which were already tremendously involved and cumbersome. Rather, she said, the need was to protect students' rights with a nonadversary system.

Professor MacIntyre responded to Professor Lyons saying that he could not claim that any judicial system would act as a deterrent on cheating nor was the proposed system intended to do so. Rather, he said, the Committee wished to make sure that students enjoyed the right of appeal. Regarding Faculty ignorance of the judicial system, he said this would probably always be the case and that he saw no remedy except publicizing the system's presence. Professor Silbey stated that the Committee had discussed the question of publicizing the new code and had decided that it would be sufficient to have it printed in the Student

*Subsequently amended by Professor Phelan to read: ...with the student's advisor attending...

Handbook. In addition, he said, the Committee expected the Faculty to inform its classes and teaching assistants of the existence of the system and to make sure they knew what was expected of them. He agreed with Professor Lyons regarding the sacrificing of certain values in adopting the proposed code, saying that the Committee had tried to legitimize present Faculty procedures via the code and to make them reasonable within the confines of the Faculty's responsibilities. The Committee had considered, for example, permitting any number of observers to attend hearings, he said, but in view of Faculty interview responses had adopted the policy of keeping the system as simple as possible while adding an "impartial observer." Associate Professor Daphne A. Roe, Nutritional Sciences, a Committee member, stated that she wished to make clear the Committee's emphasis on independent witnesses being invited to hearings and stressed that the proposed code provided that students might bring any number of such witnesses with them to hearings.

Adjourned: 5:40 p.m.

J. Leeming, Assistant to the Secretary

The Speaker of the Senate, Professor Benjamin Nichols, Electrical Engineering, called the Senate meeting to order at 4:39 p.m. 67 FCR members and approximately 300 guests, including Senators, were present. He relinquished the Chair to the Dean of the Faculty, Professor Byron W. Saunders, who reminded FCR members that this was an official FCR meeting and required signing in. He pointed out that this first joint meeting of the Senate and the FCR posed certain procedural restraints, and said that President Dale R. Corson would call the FCR to order at the beginning of his address. The FCR portion of the meeting would be adjourned at the conclusion of his address. He said Faculty discussion of the President's remarks is scheduled for the October 8 Faculty meeting and for others at the October 14 Senate meeting. He requested that there be no photographs taken and said tape recorders were allowed. He turned the Chair over to Professor Nichols, who asked Senators to sign in and said that the Movement Against Cutbacks would make a brief announcement following adjournment of the meeting.

1. ADDRESS BY THE PRESIDENT (Attached, Appendix A)

After calling the FCR to order, the President said he wished to report to the Faculty and inform the University community concerning the study of University priorities. Cornell's greatness as a university should be the "given" from which all priority discussion proceeded, he said. In this regard he noted the Faculty's preeminence in scholarship and research as recognized by a recent Mellon Foundation Humanities grant, by accreditation reports on various schools and colleges, by the National Science Foundation acceptance rate for initiation grant proposals from young engineering Faculty in 1974-75, and by the tripling of the number of Cornell Faculty in the National Academy of Sciences in the past eight years, the number now being 28. In contrast to many other institutions, he said, federal funding at Cornell had increased by approximately 13.5 percent in 1974-75 over the previous year, NSF funding by 18 percent, NIH funding by 16 percent. He noted that Cornell was the only institution to single-handedly operate a national facility, the National Astronomy and Ionosphere Center at Arecibo, Puerto Rico, that it was one of two universities operating a major high energy physics facility, and that it operated the best of ten materials science research laboratories in the country. He also noted that Cornell had turned back 70 percent of recent faculty raids, losing 29 and gaining 44 "stars" in recent years.

Future emphasis must be on academic programs and the quality of research and other scholarly work, he said, adding that the most successful teaching programs flowed from the highest scholarship and the most important research. He further

emphasized that, to contribute to intellectual and social leadership through its alumni, Cornell must preserve the intellectual quality and social diversity of its student body.

Cornell must also maintain its independence in the face of the ever-increasing demand for public accountability, he said, and this demand must be balanced with the University's need for the autonomy necessary to vigorous intellectual development.

The President commended the work of the task forces, and in particular Professor Ian Macneil, Law, who directed the priorities study, assuring the body that Professor Macneil had operated with complete independence. He commended the college and inter-program studies as realistic assessments made by those intimately concerned with problems, saying they pointed out difficulties in reducing or eliminating academic programs and the fact that priority setting must not result in the levelling of programs. He said he had received valuable reactions also from the FCR Budget Committee and the Senate Summer Study Group as well as from discussions with the deans.

The President then turned to general priority considerations other than research, scholarly work and the attraction of an able and socially diverse student body. The University would continue to pursue affirmative action goals in employment of academic and non-academic personnel, he said, noting that he had appointed an Affirmative Action Advisory Board chaired by Professor Judith Younger, Deputy Dean of the Law School, to review the effectiveness of current affirmative action organization and procedures, and that Cornell could expect an affirmative action compliance review in the near future.

Cornell would continue to provide opportunities for minority students to study and complete their education, he said, a commitment restated by the Trustees in March. The COSEP advisory committee would review recommendations of the Trustee Committee on the Status of Minorities, expected to be made at the October Board meeting, as well as those of other groups, specifically the Coalition of Minority Students, and would make recommendations on the specific structure and functioning of the COSEP program beginning in the year 1976-77. During the current academic year the COSEP office would continue to provide the services offered in the past.

He was committed, the President said, to stabilizing enrollment at 16,500 students, a level which had been nearly achieved, and to keeping salaries, in particular academic salaries, competitive at all levels. He intended to slow the impact of increased tuition levels, he said, although this depended in large measure on capacity to reduce expenditures without injuring academic programs and to gain additional income. Prospects for increased federal and state support did

not seem good, he said, but Cornell would continue to make strenuous efforts in this area despite a climate which he described as "cold and unreceptive" particularly on the state level. Tuition and financial aid must be considered together, he said, since financial aid was the mechanism for seeking a desirable mix within the student body.

The University was also committed to the people of the state, he said, and must maintain its mixed private and quasi-public character in the face of the present climate in Albany. State budget cuts and transfers in the last session of the Legislature totaled \$3.3 million, he said, forcing statutory units to reduce programs, terminate some 90 positions and lay off 38 persons. The University had requested restoration of \$1.6 million through the supplemental budget, he said, and received \$150,000. He expressed the hope of improving the legislative and state relations picture in line with recommendations of the Trustee Committee on State Relationships, but added that it would be a difficult and expensive assignment.

An over-all commitment, he said, was to institutional financial health, with revenues and expenses in reasonable balance, with adequate funds for good wage and salary scales, with tuition increases tied appropriately to inflation rates and with flexibility for academic experimentation and change.

The President said that the FCR Budget Committee to some degree and the Senate Summer Study Group to a greater degree had questioned the severity of financial pressures on the University. He disagreed with them on this issue, he said. Although the projected \$1.7 million deficit for fiscal 1974-75 had been reduced to \$900,000 through acceptance by the community of the challenge to reduce operating costs, he said, the use of \$5 million of capital resources planned for in the budget had been increased to nearly \$6 million, thereby losing forever annual endowment income of \$300,000 or \$400,000. "The fraction of our expenses supported by endowment income is steadily declining because we are eating heavily into the endowment principal to pay operating expenses," he said, adding that this practice must be slowed. He rejected the suggestion, made with some seriousness, he said, that erosion of capital be continued with the expectation that the state would rescue the University ultimately, saying that he believed that disaster lay in that direction. He then listed pressures that would continue regardless of the state of the national economy or the stock market. These included the cost of returning to coal as the primary fuel and of meeting state Department of Environmental Conservation regulations (the latter reaching perhaps as much as \$8 million). He also cited heating costs, a "huge" deferred maintenance

backlog, the "looming cloud" of federal Occupational Safety and Health Act legislation and recently passed federal pension reform legislation requiring an annual outlay in the \$500,000 range. The University was also committed to picking up, with general purpose funds, a number of programs formerly supported by foundations, he said. Some foundation funds had temporarily been placed in the Capital Fund, but with the distressed state of the stock market had disappeared faster than anticipated, preventing their planned phasing into the general purpose budget. The projected total annual level of programs to be assumed by general funds could reach the three-quarter million dollar range by 1980, he said. "Regardless of the general economy, we are in trouble with our capital financing and there is little reason to suppose the situation will improve within the next several months," he said. Causes included the collapse of the state Urban Development Corporation and the New York City financial crisis, which made it difficult to sell bonds carrying only the moral backing of the state. He said he saw no possibility of selling two series of state Dormitory Authority bonds, totalling \$25 million, to finance construction projects already completed in Ithaca and at the Medical College. To avoid completely exhausting unrestricted funds in the Capital Fund it would be necessary to finance certain projects either from current fund balances of restricted funds or by investing true endowment funds in physical plant, he said, either practice being open to criticism. The University's total debt burden, he said, is already about \$80 million.

Another pressure was the need to expand library facilities, he said. Olin Library had reached near capacity some ten years sooner than projected, and urgently needed relief would cost millions. In sum, he said, he foresaw no lessening of financial pressures on the University irrespective of the economic situations's volatility and the uncertainty of economic projections. He had so appraised the situation to the Trustee Executive Committee at its September meeting, he said, informing them that Cornell must proceed with budget adjustments of at least ten percent and perhaps as much as 15 percent over the next few years, starting with the current year.

Program savings in excess of two million 1974 dollars were built into 1975-76 budgets, he said, and further savings of equal magnitude in 1976-77 would be required just to cover known increases in utility and fringe benefit costs and to offset planned reductions in Capital Fund pay-out.

Task force recommendations were studied by the Administration during the summer, he said, and their impact reviewed by the affected units. It had been concluded that the required savings could not come from support areas alone. In

light of uncontrollable expenses and reductions already made, he said, he had concluded that Faculty salary expenditures must be reduced by ten percent or perhaps more. Since it appeared that such reduction could not be made over three years without discontinuing the appointment of new assistant professors and dismissing tenured faculty, steps which for the sake of the University's future vitality neither he, the Provost nor the deans wished to take, the President said he had secured approval from the Trustee Executive Committee to "stretch out" the period of retrenchment in Faculty staffing at his discretion. Detailed analysis of the larger colleges showed that reductions could be accomplished over four years through resignations, retirements, leave and contingency funds without substantial change in Faculty appointment or promotion rates. Each college would be treated according to its specific situation, he said, adding that the cost of the stretch-out would probably be at least \$2 million. Reaching this goal would not mean that the support operation need necessarily absorb \$2 million more in cuts by 1977-78 to compensate for the cost of the academic stretch-out, he said, but would require examining income enhancement and as yet unexplored savings possibilities.

The President announced that he had obtained a mandatory energy conservation plan from Mr. Robert Matyas, Vice President for Planning and Facilities, with expected annual savings of 200,000 1975 dollars, which would be discussed with campus segments most directly affected and published at an early date.

He said the Administration had been planning with key Trustees, alumni and friends of Cornell for a major gift campaign, details of which were expected to be announced in mid-October.

The President stressed the essential role played by the University's support staff, saying that some task force reports had shown little sympathy and understanding of this role.

The University's primary mission -- learning on the part of students and Faculty -- should be apparent at every stage of discussion, he said. He noted three major academic issues which had emerged from the task force reports and the college and inter-program studies, first, the need for development of techniques to measure academic strength; second, improvement of the first two years of the undergraduate learning experience, and third, the initiation of a more comprehensive and effective approach to sponsored research. Accordingly, he said, he had asked the deans to develop Faculty and departmental evaluation and assessment systems, the schools and colleges to institute any corrective measures suggested by these evaluations and assessments. He stressed the need

to narrow the distance between the instructor and the instructed by placing renewed emphasis on the Faculty's role as "mentor, critic, counselor and adviser" for students. He said also that plans were being discussed to return a portion of recovered salary (academic year salary paid by research contracts and grants) and of overhead funds to a research contingency fund within originating schools or colleges.

While there was general agreement on the high priority accorded maintaining library strength, he said, it would be difficult to exempt the University Libraries budget, which was larger than the budgets of seven of the ten colleges at Ithaca, from reduction. "The Libraries will be the top priority, however, with the acquisitions budget receiving special attention," he said.

The future of interdisciplinary work at Cornell, like the future of the Libraries, transcended that of all schools and colleges, he said. While the Task Force Report on Centers and Interdisciplinary Programs had proved more controversial than any other reports, he said, its spirit -- that there should be opportunity for genuine interdisciplinary exploration, that special structures to accomplish this objective should only be devised when existing structures are inadequate, and that special structures no longer playing unique roles should be discontinued -- was completely sound. He listed his own role in developing interdisciplinary study at Cornell, involving the Center for Radiophysics and Space Research, Materials Science Center, the Division of Biological Sciences and the Center for Environmental Quality Management, to give strength to his assertion that the interdisciplinary approach had worked at Cornell with unusual success. Where this success is demonstrable it should be preserved, he said, and where it has faltered there should be no hesitancy to channel resources elsewhere.

The University will move toward a more consistent policy on initiation, funding and review of center programs, he said. He announced that the Center for Urban Development Research would be phased out in 1976-77 and its on-going research efforts shifted to appropriate colleges, that administrative responsibility for the Society for the Humanities would be shifted to the Arts College, and that the Human Affairs Program would be discontinued after the present year.

The term "center" covers operations ranging from Arecibo, a national facility, to the Center for Applied Mathematics which is primarily a graduate program. Three centers -- Materials Science, Arecibo and the Laboratory for Nuclear Studies -- had a total of some \$8 million in annual research funds at an annual cost of \$40,000 in unrecovered funds. With three centers (Materials Science,

Arecibo and Water Resources) the existence of an independent organization had been mandated by the funding agency. In every case, he said, the research supported externally was that which the Faculty was eager to pursue and which greatly benefitted graduate students.

The President said he accepted the principle of decentralization put forth by Professor Macneil in his report on the task force studies, and that the Administration would continue with definition and implementation of a more effective decentralized operation. Defining decentralization at Cornell was difficult, he said, citing his own experience in trying to balance centralized and local accounting procedures, and only recently the deans and central administrative staff had discussed the whole issue.

Regarding inadequacies of the Central Administration reported by the Task Force on the Staffing and Organizing of the Central Administration, the President said he had discussed the problems at length with the Task Force members and was attempting to move in the direction they had recommended. He said that more than 500 responses had been received to advertisements for a Senior Vice President, and that when Mr. Arthur Peterson, University Treasurer, retires next year he expected to adopt the Financial Vice President structure recommended by the Task Force. He added that at a time when central administrative staff should be working more closely with colleges and departments, it had been reduced in size and was increasingly occupied with external bureaucratic pressures.

Turning to the University Senate, the President expressed concern over a lack of participation, particularly by Faculty, an apparent Faculty unwillingness to commit necessary time to make the Senate function best, and the small student voter participation in elections for Senate members and for student Trustees. He expressed disappointment that the Senate had declined to conduct a self-study, choosing instead to react to the Task Force studies. Survival of the Senate was a community responsibility, he said, and the Senate would have to accept its share of expense cutback. He said he anticipated receiving a report from the Trustee Committee on Athletics shortly to assist in determining the future course of athletics at the University, an area of campus life within the Senate's jurisdiction. He would withhold major policy decisions pending Trustee action on the report, he said, but in the meantime Athletics would also have to accept its share of expense reduction.

The major cost reduction emphasis in 1976-77 would be in administrative support services, he said, adding that he anticipated savings of 1.5 million 1975 dollars in these areas. He stated that the major thrust of priorities planning was aimed at the 1976-77 budget year which would begin July 1, 1976, budget guidelines for which were being drafted and would be distributed shortly.

He then discussed specific administrative support actions, in alphabetical order, starting with administrative data systems and computing. While expensive, difficult to implement, and to many seemingly out of place in an academic environment, information systems are necessary to a complex research university in an increasingly bureaucratic and regulatory external world, he said.

The goal over the next few years would be to spend as little as possible on administrative computing without placing the University in legal jeopardy or rendering it unable to cope with legitimate internal demands for information, he said. He agreed with the recommendation of the Task Force on Administrative Data Systems and Administrative Computing "that there be no new administrative data handling systems for the next several years," despite the fact that this would result in an inability to respond to growing pressures such as the need for extensive reports required by federal pension reform legislation. By developing no new systems, he said, the Administration could implement another task force recommendation that the University seek to stabilize and simplify existing systems. Also, the Division of Management Systems and Analysis would be reduced from 26 positions to 18 in 1976-77, and would undertake software development only when additional funds were available from the sponsoring unit.

The President said that, following a task force recommendation, changes in registration and scheduling procedures requiring computer assistance would be done by Cornell technical staff and only in response to user needs, enabling savings of approximately \$75,000 in system purchase costs. More to the point, he said, a far simpler and cheaper student information system would result.

Regarding general services, the President said specific cost-saving moves included reduction in the number of duplicating machines and creation of additional copy centers, expanded use of standardized stationery, reduction in the Photographic Services, Day Hall mail room and Messenger Service staffs, closer and more effective cooperation by the Purchasing Department with colleges and departments, and more effective travel arrangements through the University Travel Office. He added that paperwork, including publications, was being scrutinized on the basis of cost and effectiveness with a goal of cutting publication costs by 25 percent over two years.

The Publications Task Force recommended abolishing *Cornell Chronicle* and *Cornell Reports*, the University's newspaper for alumni, and contracting for space in the *Cornell Daily Sun* and *Cornell Alumni News*, the President said, while the Public Affairs Task Force recommended retaining both publications and considering economies. He said he believed the University needed a "regular, reliable, and professional means of ensuring timely and accurate dissemination of information

and exchange of opinion," functions which could not be served by outside publications with different objectives and audiences, adding that he had found broad support for the *Chronicle* among Faculty and employees. At his request, he said, *Chronicle* had achieved a ten percent reduction in budget the previous year and would reduce publication costs 25 percent this year by reducing the number of pages, the number of issues and by reducing distribution costs. Survey responses indicated alumni support for *Cornell Reports*, he said, describing it as a valuable aid to the University's fund raising and alumni support program. It will implement economies which will serve to decrease the many communications to alumni by including material previously sent separately.

The President said he subscribed to the idea of assigning all revenues and costs to responsibility centers, but that in his experience implementation would be difficult. He said that one college wished to undertake such an analysis and budgeting exercise in parallel with normal budgeting practice this year, and that this seemed a good way to start.

The President said he believed a 20 percent cutback in the Safety Division, building guards, life safety, energy, general housekeeping and related areas to be a realistic short-term possibility, but that he could not assign an over-all savings factor until a current study was completed.

User charges were being considered in a number of areas, the President said, adding that they appeared to be appropriate where a service was discretionary or a luxury whose cost should not be imposed on non-users. They should not be applied to services essential to the University's educational mission, where a common reason existed for a service to be continued, where costs would exceed revenues or where the service must be utilized by everyone at approximately the same level. Pre-medical students are now charged \$25 to receive help from the premedical advisory office in applying to medical school, he said, and further stated that he would strongly recommend to the Senate that a charge be instituted for use of campus buses, excluding staff who are required to park in peripheral lots.

The President concluded by urging continued cooperation in preserving the University's greatness in the face of change. "The tenor of the times is against research and against scholarship," he said, "and against expensive education." Ironically, he added, many academic people seemed not to perceive that they were placed in jeopardy by the public desire for accountability and a greater role in educational decision-making. He had discussed some of the short-range decisions, today, he said, and the process would continue.

Adjourned: 5:45 p.m.

J. Leeming, Assistant to the Secretary

CORNELL CHRONICLE

Thursday, September 25, 1975

Corson Talks of Strengths, Cuts and Decision-Making

Cornell University's decision-making process to meet the problems it faces is an ongoing one, requiring both short-range and long-range solutions, President Dale R. Corson told a joint meeting of the Faculty Council of Representatives and the University Senate in Ives Hall yesterday.

He dealt specifically with some of the short-range decisions that have been made, many of them as a result of Task Force efforts of the past year, and more generally with medium- and long-range problems with which the University will continue to deal.

Here is the complete text of Corson's address:

Members of the Faculty Council and members of the University Senate:

I have asked for this joint meeting in order to report to you and to inform the community concerning the study of University priorities.

In establishing any set of

priorities and particularly in determining the present and future priorities for a university such as Cornell, it is first necessary to establish the base from which these priorities proceed and the goal toward which they are aimed. There

must be a clear sense of what Cornell should be in the future followed by specific actions designed to achieve that future.

Cornell University is a pre-eminent university. It is a respected university with a

Corson Talks to FCR and Senate

Continued from Page 1
position of authority in higher education. It is also an illustrious university with world-wide renown. Cornell's reputation has been made by the scholarship and research of its faculty, and by the achievements of its graduates.

The Nobelists, the Pulitzer winners, the National Book Awardees, and the Guggenheim winners have all contributed to this reputation. The Michael Kammens, the Karel Husas, the Mike Abrams, the Eric Blackalls, the Archie Ammons, the William Austins, and many others have built a solid Cornell reputation in the humanities, a reputation recognized earlier this year when the Mellon Foundation granted Cornell \$1.2 million for support of the humanities, in particular to assist young humanists whose opportunities have been dimmed by the economic stress on higher education.

Cornell's professional schools and colleges continue to enjoy excellent reputations documented in the reports of accrediting teams which visited the College of Engineering and the Law School this past year. As additional evidence, the National Science Foundation funded six out of seven proposals for initiation grants submitted by young faculty in the College of Engineering in 1974-75. Similarly, the faculties in each of the statutory schools and colleges occupy positions of intellectual leadership within their professional fields just as they have from their earliest days on the Cornell campus.

In the sciences, the number of Cornell faculty in the National Academy of Sciences has almost tripled in the past eight years, the number now standing at 28. Cornell ranks with a few major universities in the competition for National Science Foundation funds and, in contrast to many other institutions, federal funding at Cornell has not declined.

Overall government funds, excluding the Medical College, increased by some 13.5 percent last year over the previous year. National Science Foundation funding increased by 18 percent and National Institutes of Health funding by 16 percent. Cornell is the only institution that single-handedly operates a national facility — the National Astronomy and Ionosphere Center at Arecibo, Puerto Rico. It is one of two universities which operates a major high energy physics facility and it operates one, and the best, of ten materials science research laboratories in the United States.

An indication of Cornell's stature is its continued attraction to outstanding faculty. Cornell has, in recent months, been able to turn back 70 percent of the raids on its faculty. While it is true we have lost some prestigious professors, a larger number have decided to come to Cornell. The statistics for the past few years are 29 losses; 44 gains of those the press call "stars" in the faculty installation.

That should be the given from which all priority discussion proceeds. That greatness, in the face of challenge, competition, and rapidly-increasing costs, must be maintained.

Cornell is a major research university. The reputation of any university is going to rest, more than on any other factor, on the quality of the scholarly work produced by its faculty.

The overriding future emphasis, therefore, must be on academic programs and most particularly on the quality of research and other scholarly work. This in no way lowers the importance or the quality of the teaching programs of the University. On the contrary, the most successful teaching programs flow from the highest scholarship and the most important research.

It should be further emphasized, as Cornell looks to the future, that any university which is going to make a contribution to society in an intellectual and social leadership sense through its alumni must, year after year, have students who come from the upper levels of intellectual ability, and who come from many different backgrounds. We at Cornell cannot expect to nurture the next generation of scholars and leaders unless we preserve the intellectual quality and the social diversity of the Cornell student body.

Cornell is an independent university. It must maintain that independence in the face of the ever-increasing demand for public accountability. This accountability arises from the general acknowledgement that private higher education is more and more a part of the public purpose and the public budget. The problem in the future is to balance that requirement for accountability with the University's need for the autonomy necessary to vigorous intellectual development. These standards of accountability must not reduce higher education to the lowest common denominator and Cornell must resist the pressure toward higher educational homogeneity.

In summary, we look to the future Cornell as a great and independent university whose emphasis is on high scholarship and significant research and whose student body is one of intellectual quality and social diversity.

We look to the future, but first we must look at the present, for "the future is purchased by the present." It was with the future of this University in mind that the study of University priorities was begun, the task forces established, and the college self-studies and inter-program studies undertaken.

I want to commend the work of the task forces, and, in particular, Professor of Law Ian Macneil, who directed the priorities study.

Cornell is a complex institution. In no other way, than through the work of the task forces and other priorities studies, involving many dedicated people, could I have

obtained so much thoughtful input on such a diversity of subjects. I am grateful particularly to Ian Macneil. I assure you that he operated with complete independence.

Reading and understanding the task force reports and translating their proposals into action has been, and will continue to be, a formidable task. The reports have many implications, they came with few price tags attached, and they generated the need to sort out short, medium and long-range solutions. What I say today is not the end of the decision-making. It is only the beginning.

The college and the inter-program studies also represent large amounts of work. They are realistic assessments of problems and possibilities by the people who live with these problems every day. They point out the difficulties in cutting back or cutting out academic programs. They point out that priority setting must not result in the levelling of the University's programs.

Outside of the task force reports and the college self-studies and the inter-college studies, I have received valuable reaction from the Budget Committee of the Faculty Council of Representatives and from the report of the Senate Summer Study Group as well as from discussions with the deans of the various schools and colleges.

There has been also much thoughtful commentary in reaction to the task force reports from individuals directly affected by those reports. Some of the task forces had some of their facts wrong. Some made judgments without understanding the problems. Some made judgments I wouldn't make. But all this invalidates neither the concept of the task force studies nor the usefulness of the recommendations.

Against the backdrop of the task force studies let me outline a series of general priority considerations.

I have already commented on the overriding priority of research and scholarly work by the faculty and on the attraction of an able and socially diverse student body.

A faculty working at the frontiers of understanding and knowledge, and teaching an outstanding student body, makes the Cornell experience a rich one.

It continues to be University policy to pursue affirmative action goals in the employment of academic and non-academic personnel. I have appointed a new Affirmative Action Advisory Board, with Deputy Dean Judith Younger of the Law School as chairman, to review the effectiveness of our current affirmative action organization and procedures. Affirmative action policies and procedures are currently under review in Washington and compliance reviews have been stepped up over the last several months. Cornell can anticipate such a review within the near future.

Cornell continues to be committed to providing an opportunity for minority students to study at the University and to complete their education here. This commitment was most recently restated by the Board of Trustees last March. The University is also committed to ensuring that these programs function at the most effective level possible, and just as other parts of the University will undergo change during the next several years, so also must minority programs. The Trustee Committee on the Status of Minorities expects to make its recommendations at the October meeting of the Board.

The COSEP Advisory Committee will review the recommendations when they are forthcoming, along with those of other groups (specifically the Coalition of Minority Students), and make recommendations on the specific structure and functioning of the COSEP program beginning in the year 1976-77. In the meantime, during the current academic year, the COSEP Office will continue to provide the services which have been offered in the past.

I am also committed, in keeping with the goals, priorities and plans outlined in the *Cornell In The Seventies* report, to maintain a stabilized enrollment level of 16,500. This level has been nearly achieved although much has been made in recent days of some minor variations from the projected figure. There have been serious suggestions that we increase income by increasing enrollment without addition of staff or facilities. I am not prepared to do that. The enrollment goal remains at 16,500.

Another commitment is to a salary policy which will keep Cornell competitive for staff at all levels and which, in particular, will maintain a competitive academic salary position.

My intent is to slow the impact of increased tuition levels. However, the University's capacity to do this is in large measure dependent on its capacity to reduce expenditures without injuring the academic program, and on gaining additional sources of income. Increased federal and state support would help offset tuition increases, but I must say bluntly that the prospects for such increases on a continuing basis over the long-range do not seem good.

Cornell, along with other institutions, has made and will continue to make strenuous efforts to achieve greater support, but the climate, particularly on the state level, is cold and unresponsive. In speaking of tuition, we are speaking also of financial aid, for tuition and financial aid must always be considered together. It must further be understood that the University's financial aid policy is the mechanism by which it seeks a desirable mix within the student body.

Another commitment which Cornell has and will maintain is

a commitment to the people of New York State. We must maintain the character of Cornell as a mixed private and quasi-public institution. The maintenance of this unique character is becoming much more difficult. As I just said, the climate in Albany is unresponsive. Cornell fared badly during the last session of the New York State Legislature. State budget cuts and transfers, together with later expenditure ceilings, totaled \$3.3 million and forced statutory unit heads to reduce programs, to terminate some 90 positions and involved the lay-off of 38 persons. The University requested restoration of \$1.6 million through the supplemental appropriation at the end of the legislative session in July. We received \$150,000.

There is need, after acknowledging our difficulties, to put our legislative and state relations picture into proper perspective.

The Trustee Committee on State Relationships, through its chairman, Trustee Morton Adams, has made recommendations for an effective program aimed at adequate state support. We hope that we will do better this year, but it will be a difficult and expensive assignment.

Finally, an overall commitment is to institutional financial health with revenues and expenses in reasonable balance, with adequate funds for good wage and salary scales; with tuition increases, after the economy has stabilized, tied appropriately to inflation rates and with flexibility for academic experimentation and change.

Before I proceed to more specific priority decisions, I must discuss the University's financial outlook. The Faculty Council of Representatives Budget Committee to some degree, and the Senate Summer Study Group to a greater degree, have questioned the severity of the financial pressure. I disagree with them on this issue. The pressures are as severe as they were when the task force and college studies were undertaken last winter. Let me tell you why.

We started the 1974-75 year projecting expense equal to income plus planned use of capital. By last spring we projected a gap of \$1.7 million. When the fiscal year ended last June 30, the gap had been closed to \$900,000. The reduction of that gap by \$800,000 is a tribute to the Cornell community which accepted the challenge and reduced operating costs.

However, the budget plan called for the use of \$5 million of capital resources. With the use of another \$900,000 to fill the gap by which expenses exceeded the plan, a total of nearly \$6 million of capital was used, thereby losing forever annual endowment income of \$300,000 or \$400,000.

The fraction of our expenses supported by endowment income is steadily declining because we are eating heavily into the endowment principal

operating expenses. We slow this practice. The city as we know it is the city which past generations spanning more than 100 turned over to us. We like obligation to the institutions which follow us. suggestion, made with seriousness, supported erosion of capital, maintaining at its present everything we do with an expectation that New York State would rescue us in the end. I believe that disposes in that direction and I have the idea.

improved national economy will help Cornell but there are many pressures on us that are not going to go away whatever happens to the market or to the inflation rate. This is an immediate financing plan problem arising from a forced return to coal as the primary fuel and from the New York State Department of Environmental Conservation's estimates, with a total cost of more than \$5 million and possibly as much as \$8 million.

Costs for heating plant conversions are heating costs. Cold winters in succession and fuel consumption and minimized snow removal costs. It is too much to ask for a third, or a fourth, such a reduction in a row.

University has a huge maintenance backlog. A looming large is a building labeled OSHA, the Occupational Safety and Health Act legislation, the cost of which is unknown and would be many, many

times the pension reform program, with the requirement beginning this year, for the use of reserve funds to pay the future pension payments with the requirement of reporting on the benefit matters to both the board and to the public. This will also result in an annual dollar outlay, possibly in the \$500,000 range. Pension reform are pieces of legislation, the implementation will be

difficult. University has a commitment to pick up with general funds a number of formerly supported foundation funds. Some of these foundation funds were heavily in that part of our budget known as the Fund. With the disintegration of the stock market, Cornell had to "cash in chips", so to speak, to operating expenses that have disappeared much more than anticipated while commitments to the program remain. Had the market been depressed the proceeds would have been phased in as a general purpose fund gradually as planned. Budgeted total annual level programs to be assumed for general purpose funds which the three-quarter dollar range by 1980.

Because of the general economic conditions we are in trouble with capital financing and the reason to suppose that the situation will improve in the next several months.

collapse of the New York State Urban Development Corporation (UDC) and was intensified by the New York City financial crisis. Bonds which carry only the moral backing of the State are currently difficult to sell, and if sold, command a very high interest rate.

We see no possibility of selling two series of New York State Dormitory Authority bonds, totalling \$25 million, which we had intended to sell in the summer to finance projects already constructed here in Ithaca and at the Medical College in New York City. One of the series might have sold, but at a ten per cent interest rate and a 30-year commitment.

Under these circumstances, Cornell has no alternative to financing these projects through such short term, temporary, bank loans as we can arrange, or with its own funds for the present and into the indefinite future. To avoid completely exhausting unrestricted funds in the Capital Fund it will be necessary to finance certain projects either from the current fund balances of restricted funds or by investing true endowment funds in our own physical plant. Either practice is open to criticism. Our total debt burden, incidentally, is already about \$80 million.

Expansion of our library facilities is an early priority. Olin Library shelves are nearly full — some ten years sooner than was projected 15 years ago when Olin was built — and relief is urgent. No matter how we provide the relief it will cost millions.

We must also recognize that implementation of the general priorities I have already outlined will be expensive, in several cases requiring greater financial outlay than at present.

So, in sum, I do not foresee a lessening of the financial pressures on Cornell. I say this knowing full well the volatility of the current economic situation and knowing that economic projections today are uncertain at best.

This was the appraisal which I presented to the Trustee Executive Committee when it met here on September 9; that Cornell continues to face a major financial problem and we must proceed with budget adjustments of at least ten per cent and perhaps as much as 15 per cent in our various programs over the next few years, starting with the year we are already in.

In the simplest terms a ten per cent program cut means that if there are a certain number of people purchasing a certain amount of equipment and supplies each year prior to the cut, there will be ten per cent fewer people purchasing ten per cent less equipment and supplies after the cut. In a period of inflation the number of dollars required after the cut can be less than, or greater than, the number required before the cut.

The exact amount of the projected program cut depends on how much of the gap can be closed though increased income and on how the national economy develops. Savings in programs which would have

million 1974 dollars are already built into the 1975-76 budgets. We will need further savings of at least this magnitude for 1976-77 just to cover known increases in utility and fringe benefit costs and to offset planned reductions in Capital Fund pay-out. The Executive Committee instructed the University administration to continue toward the objective of financial equilibrium by 1978.

With these likely requirements in mind, a major portion of the summer was devoted to analyzing the task force recommendations, identifying those which can be adopted immediately, those which can be adopted in the middle-range future, and those which can only be adopted, if at all, in the long-range future. The impact of all the recommendations was studied by the units most directly affected. The result of this analysis was a clear conclusion that the required savings cannot be made in the support areas alone. These areas involve substantial expenses which are, to a first approximation, uncontrollable. In addition, these are the areas which bore the biggest portion of the budget-balancing operation of the past few years.

In light of the large amount of essentially uncontrollable cost and in light of the reductions already made in support areas I have come to the conclusion that the expenditures for faculty salaries in the endowed colleges must be reduced perhaps by ten per cent and perhaps by somewhat more. From the college studies and from discussion with the deans it is clear, however, that such a reduction cannot be made in three years — that is, in two years beyond the year we are in now — if, at the same time, we are (1) to continue the appointment of new assistant professors, and (2) not to dismiss tenured faculty. There is simply not enough money which will become available from retirements and resignations in the next two years to make reduction by attrition possible.

The continued appointment of new assistant professors and the continued promotion of assistant professors to tenured positions is absolutely essential to the future vitality of the University and we must continue such appointments and promotions.

Although other universities in the State are dismissing tenured faculty and although I think it likely that the next decade will see changes in the tenure system neither I, nor the Provost, nor the deans, wish to consider dismissal of tenured faculty.

How, then, do we reduce the expenditures for faculty salaries? Detailed analysis of the larger colleges shows that if the reduction is stretched out over four years after this one instead of two, much of the reduction can be accomplished through resignations, retirements, leave and contingency funds without substantial changes in the rate of appointment or in the rate of promotion to tenure of assistant pro-

I took these considerations to the Executive Committee of the Board of Trustees on September 9 and asked approval of a plan to extend the necessary faculty cutback over a four-year period.

While asking that we keep the 1977-78 overall equilibrium goal before us, the Executive Committee authorized me to use my discretion in determining the rate at which reductions might safely be made in faculty size. In giving me the discretion, the Executive Committee told me to have in mind continually that the University's primary objective must be the maintenance of a distinguished faculty for teaching, research and public service.

I am exercising this discretion to stretch-out the period of retrenchment in faculty staffing. The goal, in the words of Dean Edmund Cranch, is to accept "financial stringency without academic strangulation." Each college will be treated according to its specific situation. The cost of this stretch-out is considerable — probably at least \$2 million.

While the Trustees asked that we keep the 1977-78 equilibrium goal before us this does not mean that the support operation need necessarily absorb an extra \$2 million of cuts by 1977-78 to compensate for the cost of the academic stretch-out. That would mean cutting beyond equilibrium in the support side with a subsequent rebuilding job to reach final equilibrium — a totally unsatisfactory prospect.

Although the stretch-out will strain a serious financial situation still further, the fundamental decision comes down to a question of human resource value versus money resource value where there possibly is a choice.

In order to keep the 1977-78 equilibrium date before us it will be necessary to examine income enhancement possibilities and perhaps as yet unexplored savings possibilities.

One method of achieving additional savings is through a mandated energy conservation plan. In 1973-74, when rapidly rising energy costs first hit us, we achieved a 15 per cent reduction in energy use through a voluntary conservation plan. We had hoped to achieve another ten per cent in 1974-75 but we failed almost completely. I have now asked Vice President for Planning and Facilities Robert Matyas to design a mandatory plan and he has given me one. I expect early discussion of the plan with the segments of the campus most directly affected.

As soon as a satisfactory plan is available, it will be published. An annual saving of 200,000 1975 dollars is reasonable to expect.

One stepping stone to the achievement of equilibrium is expansion of gifts to the University. We have been planning with key trustees, alumni and friends of Cornell for a major gift campaign, the details of which we expect to announce in mid-October.

Let me return to the relationship of the support side of the University to the academic side. I want to stress the essen-

tial role played by those who provide the services that support the work of the faculty and students. In times such as these it is easy to overlook the importance of that support. Without it the whole academic operation would come to a halt.

A few of the task force reports came down hard on support employees. Some of the reports could be read to imply that support personnel play little role in the University, that the same work could be done with fewer employees, that employees should be replaced by students, and union contracts changed. In some cases there appeared to be little sympathy and understanding of the role the support staff plays in helping students and faculty do their jobs. I want to correct that impression. Able, dedicated men and women are essential in accomplishing our mission.

At every stage of our discussion we should keep the University's primary mission before us. The purpose of the University is learning, learning on the part of the student, and learning on the part of the faculty. The report of the Task Force on Academic Responsibility of the Faculty reinforces both these aspects of learning. "We believe", the report says, "that the reputation of Cornell rests primarily on the quality of the research and scholarship of its faculty." Later, the task force says, "Students deserve excellent teaching and sound advice; the faculty has the responsibility to provide them with both..."

Using these task force quotes as my text let me now outline some specific considerations and actions arising from the task force reports. I would like to place the task forces, for purposes of my analysis, under two broad umbrellas; one being teaching, research and academic support; the other being general support services. In establishing these categories, I will reserve the right to speak to three other issues which jump across my two umbrellas. They are centralization/decentralization, the University Senate, and the central administration.

Three major academic issues with which the University should concern itself as it looks to the future, according to the task force reports and according to the college and inter-program studies, are (1) the development of techniques to measure academic strength, especially in terms of faculty and departmental evaluation, and development of budgeting techniques to ensure that strength, (2) the improvement of the first two years of the undergraduate learning experience; and (3) the initiation of a more comprehensive and effective approach to sponsored research.

Saying that Cornell students deserve excellent teaching does not imply that the teaching here is being done poorly. If one looks at the results of course evaluations, one sees that it is relatively unusual for a faculty member to receive a mediocre rating. I believe the Cornell faculty is doing an excellent job of teaching and I think the faculty

...es they are also. What we
it strive for is the assurance
excellent teaching con-
as and that sound advice to
ents is increased.

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colleges at Ithaca it
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with the acquisitions
ceiving special atten-

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rdisciplinary study.
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nterdisciplinary Pro-
ved more con-
han any of the other

group of activities which were
difficult or impossible to com-
pare, one with the other.
However, the spirit of the task
force report that there should
be opportunity for genuine in-
terdisciplinary exploration, that
special structures to ac-
complish this objective should
be devised only when existing
college structures are inade-
quate, that special structures
no longer playing a unique role
should be discontinued—that
spirit is completely sound.

Interdisciplinary study and
research is important. New dis-
ciplines grow out of old, as in
the case of Biochemistry and
Biophysics.

I have had a major part in the
development of in-
terdisciplinary study at Cornell
as department chairman, dean,
provost and president. As
Physics Department chairman I
had a major hand in creating
the Center for Radiophysics
and Space Research, spanning
the interests of Physics,
Astronomy and Electrical
Engineering. As Physics
Department chairman and
Dean of Engineering, I worked
with Professors Henri Sack and
Robert Sproull in establishing
the Materials Science Center.
As provost, I was assigned by
President James Perkins to
follow through on the forma-
tion of the Division of
Biological Sciences and I was
pleased to work on the
establishment of the Center for
Environmental Quality
Management (CEQM).

I put these credentials before
you to give strength to my as-
sertion that the in-
terdisciplinary approach has
worked at Cornell with unusual
success. Solid research has
been done, library collections
improved, research facilities
upgraded, and in some cases,
such as in the Biological Sci-
ences, there have been major
improvements in curriculum.

Where success in in-
terdisciplinary study at Cornell
is demonstrable, it should be
preserved; where it has
faltered, there should be no
hesitancy to channel resources
elsewhere.

We will move toward a more
consistent policy on the initia-
tion, funding, and review of
center programs. We will
phase out the Center for Urban-
Development Research in the
1976-77 academic year with the
provision that on-going re-
search efforts and programs
now housed there will be shift-
ed to the appropriate colleges.
Administrative responsibility
for the Society for the
Humanities will be shifted to
the College of Arts and Sci-
ences. The Human Affairs
Programs will be discontinued
after this year. Responsibility
for other centers will undergo
examination during the year
and changes made as ap-
propriate.

The center budgets undergo
the same scrutiny and are sub-
ject to the same guidelines that
are applied to other academic
units insofar as University
funds are concerned.

As I said, the report of the
task force on centers brought
the greatest reaction of any of
the task force reports. One of
the major reasons and pro-

operations ranging from
Arecibo, which is a national
facility operated by Cornell
for the National Science Founda-
tion, to the Center for Applied
Mathematics which is primarily
a graduate program. Perhaps
we need a more descriptive
terminology for the great vari-
ety of these endeavors. Three of
the so-called centers (Materials
Science, NAIC, and the
Laboratory for Nuclear
Studies) have a total of some
\$8 million in annual research
funds at an annual cost of
\$40,000 in unrecovered funds.
With three centers (MSC, NAIC
and Water Resources) the ex-
istence of an independent or-
ganization is mandated by the
funding agency.

In every case the research
which is supported by the ex-
ternal funds is the research
which the faculty is eager to
pursue and the students,
primarily graduate students,
benefit greatly by the existence
of the research program.

A major issue which crosses
all sectors of the University is
that of centralization versus de-
centralization. Ian Macneil, in
his report, says "the
touchstone of Cornell ad-
ministrative structures and
policies should be the freedom
of department, faculty and stu-
dents to pursue their intellec-
tual interests." He says im-
plementation of such a policy
calls for "maximum decen-
tralization of authority respect-
ing the missions of teaching
and research." Macneil also
says that "decentralized
freedom does not mean decen-
tralized licence."

The Macneil statements on
decentralization as well as
those on the optimum level of
central policy-making are solid
guidelines.

I accept the principle of de-
centralization. The colleges
already have a great deal of
autonomy. I agree with Dean
Robert McKersie of the New
York State School of Industrial
and Labor Relations when he
says that our problem is having
both centralized and decen-
tralized operations without
gaining the best of either.

The difficulty is defining
what decentralization *in prac-
tice* means for Cornell. Since I
first became a dean I have
sought adequate information
from the central accounting of-
fice so that some local record
keeping could be discontinued.
Now the central staff has been
reduced to the point where no
one is available for further
work with the colleges to de-
velop a better system.

Only last Saturday, the vice
presidents and other senior
central administrative staff met
with the deans to discuss how
to approach more effectively
the whole centralization-
decentralization issue. We will
continue with definition and
implementation of a more ef-
fective decentralized operation.

It is easy to see from the re-
port of the Task Force on the
Staffing and Organizing of the
Central Administration that this
operation is less than fully ef-
fective. We must do a better
job than we are doing now. I
have discussed the problems
at length with the task force
members and we are moving

Vice President is under way.
We have had more than 500
responses to our advertise-
ments, many from well-
qualified people. We must be
sure to recruit the right person
and this is taking time.

When Treasurer Arthur
Peterson retires next year, I ex-
pect to move to the Financial
Vice President structure recom-
mended by the Task Force, but
I want the new Senior Vice
President available first so that
he or she can have a free hand
both in defining the financial
position and in determining
other aspects of the organiza-
tion.

At a time when the central
administrative staff should be
working more closely with the
colleges and departments, the
central staff has been cut back
in size and it is increasingly oc-
cupied with external
bureaucratic pressures.

Another issue which crosses
all segments of the University
is that of the University Senate.
The Senate has been a useful
form of governance during its
five years. I have been pleased
to work with it, but I am con-
cerned about three or four
specific circumstances. One is
the lack of participation, the
empty seats not only at meet-
ings, but in the membership,
particularly on the part of the
faculty. Another is an apparent
growing unwillingness, by the
faculty mostly, to commit the
amount of time necessary to
make the Senate function best.
Another concern is the small
student voter participation in
elections for Senate members
and for student trustees. I was
disappointed that the Senate
declined to conduct a self-
study of itself but chose only to
react to the task force studies.

The dedicated effort which
has gone into the Senate so far
is essential to its operation.
That effort has to be increased
if the Senate is to survive.
Survival of the Senate is a
responsibility of the Cornell
community. The Senate is a
creation of the community; the
community, therefore, must
tend it. In the meantime, the
Senate must accept its share of
expense cutback.

One of the areas of campus
life which comes within the
Senate's policy jurisdiction is
physical education and
athletics. I anticipate a report
from the Trustee Committee on
Athletics this fall to assist in de-
termining the future course of
athletics at Cornell. Until I
know what that Committee re-
commends and until the Board
of Trustees acts on the Com-
mittee recommendations, I do
not want to make any major
policy decisions. In the mean-
time, Athletics also must ac-
cept its share of expense re-
duction.

The major cost reduction
emphasis in 1976-77 will be in
administrative support
services. I anticipate that 1.5
million 1975 dollars in savings
can be achieved in these areas.

I might remind you that
although some of the budget
actions being undertaken will
be for this current fiscal year,
the major thrust of the
priorities planning is aimed at
the 1976-77 budget year which
begins next July 1. The

will be distributed shortly.

So as not to impart undue
trauma by randomly ordering
my discussion of specific ad-
ministrative support actions,
let me take them in
alphabetical order.

So, we start with ad-
ministrative data systems and
computing. Information
systems are a recent and little
understood phenomenon in
higher education. They are ex-
pensive, difficult to implement,
and seem to many to be out of
place in an academic environ-
ment. They are, however,
necessary to the successful ad-
ministration of a complex re-
search university in an increas-
ingly bureaucratic and regu-
latory external world. Deciding
what is possible to live without
is a difficult problem knowing
that our current systems are
outdated and have significant
deficiencies.

Other institutions have for
many years spent far more
than Cornell on data systems,
and appear to be cutting them
back less than we are going to
do. It has only been because of
the dedicated efforts of compe-
tent staff members that our
computing and data process-
ing systems have been able to
keep up, more or less, with the
current demands placed upon
them.

Our goal over the next
several years will be to spend
as small an amount as possible
on administrative computing
without putting the University
into legal jeopardy or render-
ing it unable to cope with
legitimate internal demands
for information. If we cut back
too far, we face a problem not
unlike the deferred main-
tenance problem now facing
Cornell's physical plant.

The Task Force on Ad-
ministrative Data Systems and
Administrative Computing re-
commends "that there be no
new administrative data hand-
ling systems for the next
several years." I agree with this
recommendation. Those things
we are living without now, we
can continue to live without.
We must recognize, however,
that this will result in an inabil-
ity to respond effectively to
growing pressures to provide
information. For example, the
extensive reports required by
the new federal pension reform
legislation will have to be com-
piled by hand. Whether we like
it or not, demands on our in-
formation systems will change
with changing legal require-
ments and with any new in-
ternal practices as, for exam-
ple, in grading procedures.

By developing no new
systems, we can redirect ef-
forts to improving the efficien-
cy and effectiveness of existing
programs. This reduced ad-
ministrative computing use is
in line with another recommen-
dation of the task force, which
reports that "we should over
the next few years seek to
stabilize and simplify existing
systems."

There will be a reduction in
the Management Systems and
Analysis (MSA) function. In
1969-70, when this unit was
established, the staff of the un-
its which were combined to
make up MSA numbered 26
full-time equivalents. MSA
staffing peaked last year at 21

positions. The 1975-76 budget figure (including those two hourly wage positions) is 26, and several of those positions are vacant. The 1976-77 planning figure for MSA includes 18 positions. In consonance with recommendations of the task force, software development will be undertaken by MSA only when additional funds are available from the sponsoring unit.

The task force recommendation on a future student information system has been followed. Whatever changes in registration and scheduling procedures we develop which need to be assisted by the computer will be done by our own technical staff and only in response to the user's needs. (I consider the student to be the most critical user). In this way, we will be able to save some \$75,000 in system purchase costs. But, perhaps more to the point, we will end up with a far simpler student information system and thus one which is not as expensive to operate annually.

In the area of general services, the so-called "war on waste" must continue, both as a formal program and as an attitude in the University community.

Specific cost saving moves in this area include the following:

- reduction in the number of duplicating machines and creation of additional copy centers.

- expanded use of standardized stationery.

- reduction in the Photographic Services, Day Hall mail room, and Messenger Service staffs.

- closer and more effective cooperation by the Purchasing Department with colleges and departments.

- more effective travel arrangements through the University Travel Office.

While the printed word is a critical ingredient in fulfilling the University's purpose, greater attention must be given to expenditures in this area. Both old and new publications, the articles we photocopy, the paper used for correspondence, and even the forms created to facilitate our academic and business activities, are being scrutinized, not only on the basis of cost, but also on effectiveness. One goal is to cut publication costs by 25 per cent over the next two years.

The Publications Task Force has recommended that the *Cornell Chronicle* be abolished and space contracted for in the *Cornell Daily Sun* and, further, that *Cornell Reports*, the alumni newspaper, be replaced by space purchased in the *Cornell Alumni News*. The report of the Public Affairs Task Force, on the other hand, suggested that these publications be retained, but that economies be considered.

I believe the *Cornell Chronicle* continues to serve the valuable communications function it was created to serve in 1969. A university of this size and complexity needs a regular, reliable, and professional means of ensuring timely and accurate dissemination of information and exchange of opinion. These func-

tions cannot be served by relying solely on outside publications, which have different objectives and different audiences. I have found broad support for the *Chronicle* among faculty and employees.

I have asked that the *Chronicle* make economies. Last year, a ten per cent reduction in its budget was put into effect. This year the publication costs will be reduced by 25 per cent by reducing the number of pages, by reducing the number of issues, and by reducing distribution charges.

Cornell Reports is the only publication which all Cornell alumni receive. Responses from a recent alumni survey indicate that the vast majority of its recipients read the publication and want it continued. It is a valuable aid to our fund raising and alumni support program. Its \$20,000 annual publication cost is probably recaptured several times over each year. *Reports* also will implement economies, however, which will serve to decrease the many communications to alumni by including in its pages material which heretofore was sent via separate mailings.

The responsibility center analysis received considerable attention from several task forces and Ian Macneil made several references to it in his report. A responsibility center analysis is a retrospective look which assigns all revenues and all costs to responsibility centers, so that the true cost, including all administrative costs, of every operation will be known. Each school and college would be a responsibility center as would some 20 other research and instructional activities at Cornell.

In some respects, the responsibility center concept has similarities to federal revenue-sharing. It recognizes that some revenues are produced most effectively centrally but that the decisions on their utilization may be made more effectively at the local operating level.

Ian Macneil recommends that the University adopt the responsibility center concept as a budgeting mechanism. As a way of doing things, as an idea, this concept interests me and I subscribe to the idea. However, the implementation is difficult, as I learned when I was a dean and undertook, in a tentative and unproductive way, some responsibility center analysis. This is a complicated matter and we must proceed cautiously. One college wishes to undertake such an analysis and budgeting exercise, in parallel with normal budgeting practice, this year and this seems a good way to start.

In April of this year, I requested a study of some safety and security problems related to various facilities on the Ithaca campus. This study has included the Safety Division, building guards, life safety, energy, general housekeeping, and other related matters. The initial results indicate that there is significant potential for savings, supporting similar recommendations of the task force reports. I expect a 20 per cent cutback to be a realistic short-

term possibility in some of these units. Until this study is complete it will not be possible to assign an over-all savings factor for the Safety Division.

User charges, as forcefully recommended by the Task Force on the Utilization of User Charges and again in the Macneil report, are being considered in a number of areas.

User charges are a means of increasing revenues, and they can be used to reduce costs through diminishing demand for services. While these effects may be desirable, user charges may also create economic discrimination or cause increased administrative costs greater than the revenues realized. Service charges appear appropriate where the service is discretionary, or the service provided is a luxury whose cost should not be imposed on non-users.

User charges should not be applied when the service provided is an essential part of the educational mission of the University, or where there is a general community reason for the service to be continued, or where the cost of assessing a user charge exceeds the revenues derived, or the service is one which everyone must utilize at approximately the same level.

There is agreement on two new user charges. First, pre-medical students are now being charged a fee of \$25 at the time they seek help from the premedical advisory office in applying to medical schools.

Second, I will make a strong recommendation to the University Senate that the use of campus buses be reviewed and that a charge be instituted for use of the buses. University staff who are required to park in the peripheral lots should continue to ride the buses without charge.

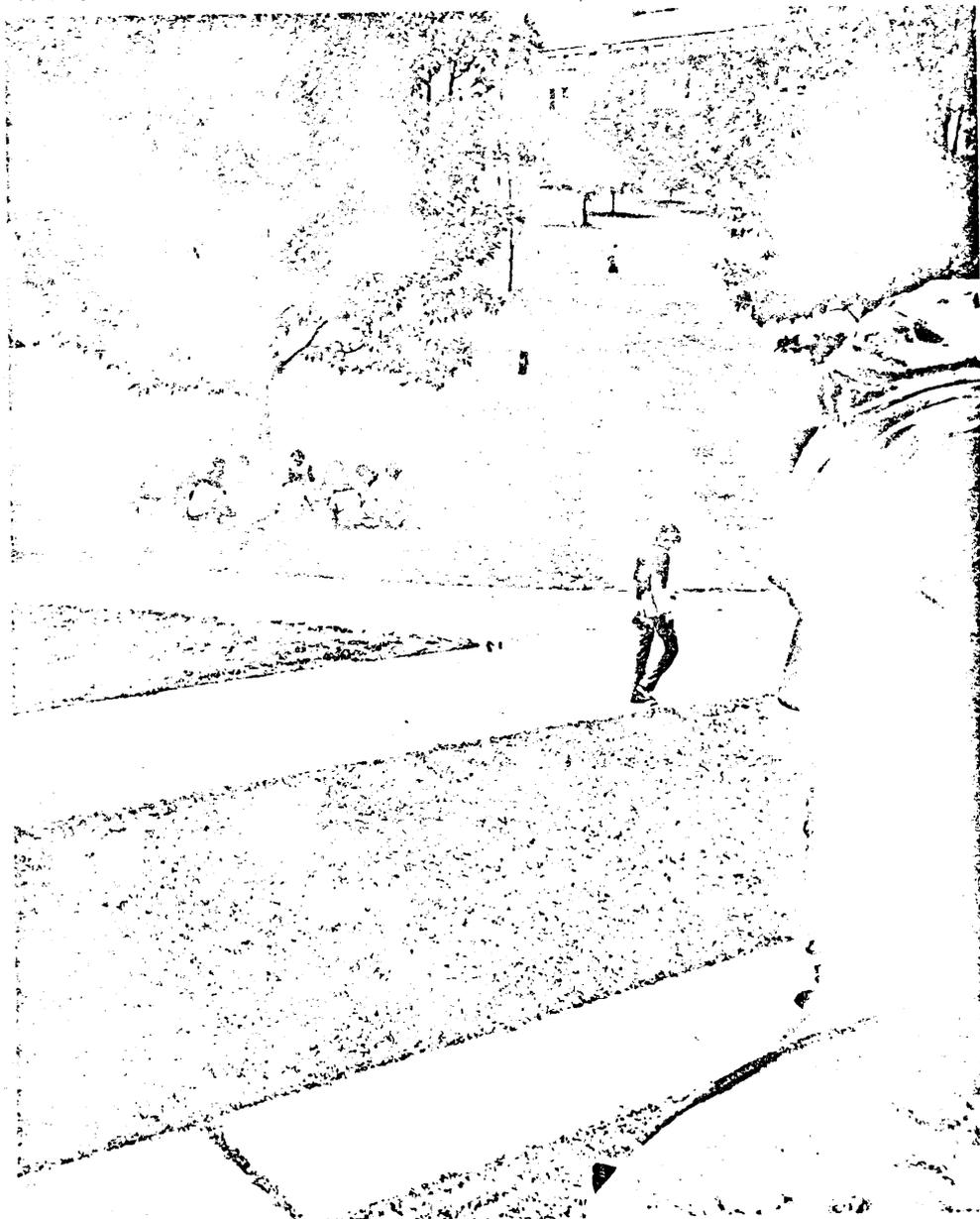
Now, in closing, let me look farther into the future of the University. Cornell's future is irrevocably woven into the tapestry of higher education in the United States. How we maintain in this country the capacity to produce high quality research and scholarly effort is central to our problem. The tenor of the times is against research and against scholarship, and against expensive education. As costs increase, the public mandates more and more a role in educational decision-making.

The public wants the academy to work toward a solution of the most pressing problems. The public wants the university to solve the school busing problem and clean up the smoke and help diminish crime in the streets, and the public wants all this done now. It becomes restless with academic people who have been sitting in their laboratories for the past 25 years. The tragic irony is that many academic people seem not to perceive that they are placed in jeopardy by this public lust for control and for institutional accountability.

Things are not as they were in the past. Nor are they ever going to be. It is essential that we do what we have tried to do and do what we are doing, choosing those elements which are the most important to us as a university and concentrating on them.

We proceed, therefore, having established priorities, and having reaffirmed commitments, to implement specific actions within the broader objectives. All the answers obviously are not forthcoming today. This September 24 statement is not an oral panacea. After I finish speaking today decision-making will not be over. The process of decision-making will be an ongoing one. There are some matters which can be decided or accomplished immediately or in the short-range and I have discussed some of them. Others will take a little longer, still others a lot longer. The Cornell community is alert to the University's problems and is exhibiting excellent cooperation. We must continue to face the problems and to work toward solution of those problems. We must continually review and reassess our condition and our progress. We must work toward maintaining Cornell as the great university it has been, is now, and must continue to be. Most of all, we must work toward these goals together.

Thank you.



The President, Dale R. Corson, called the meeting to order at 4:33 p.m. 69 members and 14 visitors were present. The President announced the death of:

Eric H. Lenneberg, Professor, Psychology and Neurobiology,
May 31, 1975

Donald D. Delahanty, Professor of Large Animal Medicine,
Obstetrics and Surgery, July 10, 1975

Ta-Chung Liu, Goldwin Smith Professor of Economics,
August 14, 1975

1. ANNOUNCEMENT BY THE PRESIDENT

The President announced that official enrollment as of September 20, 1975 was 11,783 undergraduates, 3,654 graduate students and 1,216 professional school students, making a total of 16,653 which exceeded school and college quotas by 184 or 1.1 percent. Enrollment varied by unit, being above quota in some, below quota in others, he said, with the largest increase, 154, in the Graduate School. He pointed out that 160 of the 16,653 were *in absentia* students, making the total on campus less than the projected total of 16,500, and that spring term enrollment was traditionally smaller than fall term enrollment (547 less in 1973, 549 less in 1974, 482 less in 1975) indicating that average enrollment for the year would be two or three hundred less than at present. The major point, he said, was that one could not predict enrollment. The fraction of students accepted who became matriculants varied from year to year as did enrollment by each unit. Moreover, nobody could predict how many enrolled students would return to the University a year hence. Therefore, he said, to come within about one percent of projections was "a great triumph" for admissions officers. He added that he thought it would be necessary to examine Graduate School enrollment projections with great care. He concluded that with a stabilized enrollment there would always be fluctuations, and that he suspected they would move both up and down over the long range.

2. REPORT FROM THE DEAN

The Speaker, Associate Professor J. Robert Cooke, called on the Dean of the Faculty, Professor Byron W. Saunders, for a report. The Dean announced that a revised Code of Academic Integrity, debated by the FCR in September, would not be ready for action at the scheduled October 15 meeting of the FCR and that therefore the meeting had been cancelled. He reported that he had received several suggestions from the community which were under review, and that a concern expressed about parts of the proposed Code by the New York Student Chapter, American Civil Liberties Union, had been referred to the University Counsel..

He reported that the 1976-77 academic calendar was "cast in concrete", that the report of a committee on the calendar appointed by the Provost would be summarized in the next day's issue of *Cornell Chronicle*, and that copies of the report were available in his office. That report had been referred to the FCR Calendar Committee, he said, and he hoped a resolution would be presented to the FCR in November. (See Appendix A for report.)

The proposed Bill of Rights had been referred to three Faculty Committees, with two reports returned and one pending, and the FCR Executive Committee would attempt, with the Senate Executive Committee and a special three-man Trustee committee, to prepare a revision which would be acceptable to Faculty, students and staff.

3. REPORT OF FACULTY COMMITTEE ON THE BUDGET

The Speaker called on Professor Peter Stein, Physics, Chairman of the Faculty Committee on the Budget, for a report. Professor Stein stated that the Committee had been created by the FCR, in part at the Administration's suggestion, in response to growing awareness of economic pressures on the University, and read the Committee's charge:

1. To undertake a continuing and comprehensive analysis of the financial condition and policies of the University;
2. To develop priorities, based on educational considerations, which should be reflected in the University budget;
3. To participate, with the cooperation of appropriate administrative officers, in the budget planning process, both short term and long term.

He said that the Committee had come into being because of a pervasive feeling among Faculty that great change would take place in the University structure as a result of budget restrictions, that Faculty had traditionally provided input to University governance, and that Faculty interest in these matters at this time was appropriate. He disagreed with the view that "part time amateurs" could not be effective in this area, saying that a Faculty group could understand the "gross forces and affects" at work in budgeting, although it could not make detailed suggestions. The 11-member Committee had met weekly since spring, he said, and had translated its first charge into three questions:

1. Is there a long-term budget crisis at the University?
2. If so, how big is the crisis?
3. Are proper steps being taken to rectify it?

Regarding the first question, Professor Stein said, the Committee had concluded that there were too many variable factors at work to enable it to

decide if expenditures would exceed receipts, or *vice versa*, during the next five years. Seeking more conclusive answers, the Committee had studied 1974-75 budget figures to determine what deficit the University had incurred, and had determined that the answer depended on one's definition of the question. Income exceeded expenses by \$20 million in fiscal 1975, he said, if one included the fact that the stock market had risen during the year, and by \$5 million if one did not. He explained the discrepancy between his figures and the University's stated deficit for that year of \$1 million by the fact that University accountants did not include gifts to the University, adding that by removing gifts from his calculations he reached a deficit figure of \$5 million for the year. The President had understated the University deficit, because the Trustees had used about \$4 million of Capital Fund reserves for operating expenses. Looking ahead five years, the Committee concluded that if one defined a balanced budget as the Administration did, and assumed that all phases of the University program would continue unchanged, then there were severe financial difficulties ahead, even without considering added future expenses due to inflation.

Regarding the size of future deficits, Professor Stein said the Committee had examined two attempts to project deficits over five years, one a "macromodel" computer analysis performed by a Trustee committee chaired by Trustee Stephen Weiss, the other an analysis by Mr. Samuel Lawrence, Vice President for Administration. The Committee was "very skeptical" of the computer model, he said, having found it extremely difficult to subject to outside analysis and knowing that programs difficult to comprehend and check often led to wrong conclusions. The Committee had found the Lawrence report more useful, since it dealt with specific budget items, but felt it was unduly pessimistic both in original concept and in light of subsequent improvements in the University's economic position. Some of these improvements were the recent stock market recovery, an expanded gifts campaign about to be announced by the University, the fact that research income to the University had risen rather than declined as projected by the Administration, and the Committee's belief, based on past performance, that Faculty salaries would not rise as fast as the inflation rate which was the basis for the Administration's projection of Faculty salaries.

While such factors would not erase deficits, Professor Stein said, the Committee felt that at least deficits would not be as large as projected by the Administration. He pointed out that adopting a conservative financial stance would erode the quality of the Faculty, thus perhaps preserving financial equilibrium but at a large academic cost. Commenting on current remedies proposed to deal with deficits, he said the Committee felt that the question of budget

cuts *per se* related to the question of how restricted gifts were being used. The primary purpose of restricted gifts had traditionally been to increase endowment, but the Committee felt that the University was no longer growing as it had in the 1890s and therefore did not need an ever-increasing endowment. Rather, it must undertake a long-term project to change the attitudes of donors and the conditions under which gifts were given so that they might give to support University operating expenses instead of endowment.

As for increasing University income, Professor Stein said the Committee felt that raising tuition would not decrease enrollment or make Cornell "a place for rich men's children". In fact, he said, he had observed the opposite taking place, in part because of changes in fundamental approach to recruitment. Until it was demonstrated that tuition increases had such adverse effects, the Committee thought that the University must consider raising tuition in order to prevent erosion of academic quality from taking place.

Regarding the Committee's second charge, to develop priorities, Professor Stein interpreted this as determining whether or not cuts in academic budgets were being wisely made. Total endowed budgets in Ithaca were "roughly" \$110 million per year, he said, including \$50 million in academic expenses and \$60 million in non-academic expenses. Since half of academic expenses represented research contracts which could not be cut, about \$25 million of academic expenses were subject to reduction. The Committee had told the President it thought that academic cuts should be delayed "absolutely as long as possible," he said, and that budget cuts necessary this year should be made in non-academic budgets. This should not be construed as self-serving, since in supporting the President's decision to maintain academic salaries at competitive levels the Committee did not recommend that Faculty salaries be raised at the same rate as inflation. The Committee did not think academic budgets should rise any faster than necessary to preserve Faculty quality, nor should tuition rise faster than was necessary to maintain the quality of the University, and if it developed that tuition raises should prevent the University from attracting the kind of student it needed, then tuition policies should be reexamined. Moreover, he said, recommending no academic cuts was not designed to protect tenured Faculty members or ensure continuance of normal promotions to tenure, since the President had already said he would do so. Rather, the recommendation was intended to assure that existing vacancies would be filled by new scholars needed to keep the University's intellectual life alive. As far as non-academic budget cuts were concerned, the Committee felt that the Administration should rely on attrition as much as possible, and should make every effort to relocate employees where possible. The Committee's

rationale for taking this position stemmed from its belief, based on Task Force reports, that there were large opportunities for reducing non-academic budgets, and that more cuts could be made than were being presently considered without undercutting the "basic life" of the University. On the other hand, he said, the Committee believed that even small cuts in academic budgets would eventually harm academic quality and that higher cuts would certainly do so. Moreover, the Committee had seen no evidence that there existed superfluous academic programs which could be cut without eroding academic quality.

Regarding the Committee's third charge, to participate in the budgetary process, Professor Stein said the Committee felt it had not developed effective ways of bringing this about, it being a new process requiring development of appropriate channels between the Administration and the Committee. He termed this unfortunate since he felt that the Faculty's input on budget matters was a matter of major importance.

4. QUESTIONS TO THE PRESIDENT AND PROFESSOR STEIN

The Reverend W. Jack Lewis, Director of Religious Affairs, suggested that if exempt non-academic employees and Faculty were to relinquish even \$500 per year in salary increments it would save the University at least \$1 million. He proposed Faculty debate and a referendum on the matter, saying that he believed more Faculty members were willing to take such a step than people were aware of. Professor Stein responded that, appealing though such a move might be, it would be dangerous to allow Faculty salaries to slip and thus create the possibility of losing high calibre Faculty to other institutions.

The President commented that high calibre non-academic staff as well as Faculty were required to assure smooth functioning of the University. He said he had been motivated in his deliberations primarily by the need to assure that the University remain in a competitive position in the future, when it was to be hoped that financial pressures would ease. He pointed out that 87 positions had been phased out by statutory budget cuts mandated by the Legislature, and that although most of these had been absorbed by attrition, 38 people at the University had lost their jobs. Professor John H. Whitlock, Veterinary Medicine, pointed out that the Cornell Fund would gladly accept donations from Faculty and staff members.

Professor Walter Galenson, Economics and ILR, asked Professor Stein if the Committee had made any functional analysis of expenditures over recent years on a college and school basis. Professor Stein replied that the Committee had attempted to do so but had found the results not helpful. Assistant Professor

Richard E. Schuler, Economics and Engineering, a Committee member, said the Committee had tried a functional analysis of expenses and was now studying revenues, i.e. tuition, government support, gifts, etc. It had found the expenditure results unrevealing, he said, because of the difficulty of "breaking down" expenses and because results were fairly uniform throughout the University.

Professor Raymond Bowers, Physics, asked the President if he or members of his administration would comment on the Committee's analysis. The President said that Vice President Lawrence could address the question of the computer model and his own analysis. He commended Professor Stein for his excellent analysis of the University's situation, both then and at the May 7 meeting. The only trouble he would have with the Committee's analysis, he said, regarded "discretionary" budget items, one of which was Faculty salaries. If keeping Faculty salaries competitive was defined as discretionary, he said, then he would agree with Professor Stein's views. But if discretionary meant losing Faculty to other institutions as a result of salary policies, then he would disagree.

The President said it was clear that tuition increases must continue, but that he did not know what the rate of increase should be. It could match the consumer price index, or the higher per capita income rate, or as was being discussed at some institutions be raised even higher. He said he had been wary of exceeding the per capita income rate, and that the Committee's analysis was probably correct, there being no evidence yet of tuition policies having changed student body composition or affected applications to the University. The Committee had advised him that it felt tuition would have to be raised at a substantial rate, he said, adding that for the immediate future it appeared that such would be the case.

The major difference, if any, he had with the Committee's conclusions was in the matter of the future role of University endowment, the President said. During the past year he had planned to use \$5 million of unrestricted endowment funds for operating expenses and had used \$6 million, with the result that about \$300 thousand per year of endowment income was lost forever to the University. He expressed concern about stabilizing the fraction of University operations supported by endowment income, saying that it had declined from about 17 percent to seven percent over the past 25 years, a trend that must be stopped. He described a predicament the University was now in because of his optimism during the stock market rise of the 1960s, when he had delayed assuming the cost of 15 permanent Faculty positions funded by a Ford Foundation grant to the biological sciences. Endowment funds earmarked for this purpose were lost when the market

declined. His moral, he said, was "be bold, but not too bold", adding that it was in this area that he thought he differed from the Committee. Other contingencies facing the University, he said, included the problem of raising financial capital, specifically \$25 million for construction costs at the Medical College and in Ithaca, with the decline of the bond market. Converting to coal at the Ithaca heating plant was now estimated to cost five or six million dollars initially, he said, a smaller amount than originally thought but still one which the University was required to raise although it was in no position to do so from its own resources. He also expressed concern over the precarious financial situation of New York City and the State, noting that it had already prevented the University from selling its bonds and had seriously affected statutory budgets, and was likely to become even more serious. According to the Governor, the State had a \$650 million gap in operating expenses, aside from New York City's troubles, he said, and one way to close it would be to cut appropriations to the University.

Professor Stein pointed out that discrepancies between his 1974-75 deficit figures and the President's arose from the fact that he had been speaking only of the endowed units in Ithaca while the President had dealt with total endowed budgets. He added that the Committee's thoughts on re-analyzing endowment policies were based on the presumption of no growth in the University's size, and that in calculating the decline in the portion of expenses supported by endowment income over the past 25 years it was "not quite fair" to ignore the fact that the University had grown into a major research facility in that period.

Associate Professor Karen W. Brazell, Asian Studies, asked the President how he expected to reduce the Faculty salary budget in endowed units while maintaining the "flow of tenure" without harming academic excellence. The President said this budget amounted to approximately \$18 million, and that his whole strategy was to use resignations and retirements to keep the flow of young people coming. There were a number of ways to accomplish this, he said, such as replacing retiring tenured Faculty with non-tenured Faculty, and it would have to be managed in each college or school according to its needs, situation and opportunities. He quoted Dean Harry Levin, Arts and Sciences, who had an algorithm: "For every tenured retirement, an untenured reappointment, and for every tenured reappointment, loss of one untenured position." He noted that retirements were currently reduced because of the high number of Faculty appointed just after World War II, and that inevitably there must be some reduction in number of Faculty positions through attrition. Each college and school had its own plan to deal with the problem, he

said. W. Donald Cooke, Vice President for Research, pointed out that over a four-year period, using contingency and other funds made available through retirement, he believed significant monies could be saved. Professor Brazell said that a Faculty task force addressing the problem had concluded that this policy would not work. The President replied that a 15 percent cut, which was presented to the task force as a goal, did not seem possible, but that he believed a ten percent Faculty cut could be achieved in the Arts College over four years. It would be harder to achieve in the Engineering College and very difficult to achieve in the Architecture College, he said. Success of the policy would vary among different academic units, he concluded.

Adjourned: 5:54 p.m.

J. Leeming, Assistant to the Secretary

A Report of the Special Commission on the Calendar

September 1975

University calendar decisions have traditionally generated considerable negative reaction among the Cornell Community. In the Spring of 1975, after the calendar for 1976-77 had been announced, the amount and intensity of adverse reaction from the faculty increased substantially. In order to ascertain the cause of the reaction, the Provost assembled a group selected from the FCR, the Senate, Deans' and the Administration. This group concluded that the primary focus of the complaints about the 1976-77 calendar was the length of the summer period and the pre-Labor Day beginning of the Fall term.

After this meeting and in order to initiate a study before the Fall term began, the Provost formed a Special Commission on the Calendar to make recommendations for transmittal to the Senate in early Fall. The Commission consisted of nine members; three appointed by the Dean of the Faculty, three by the Speaker of the Senate, and three by the Administration. The membership was as follows:

Richard Bogart, Chairman of the Senate Executive Committee
 Earl H. Brown, Professor of Agricultural Economics
 W. D. Cooke, Vice President for Research—Chairperson of the Committee
 Robert M. Cotts, Professor of Physics
 Professor W. H. Erickson, Member of the Senate Calendar Committee
 W. K. Kennedy, Dean of the College of Agriculture & Life Sciences
 Harry Levin, Dean of the College of Arts & Sciences
 James A. Liggett, Professor of Civil and Environmental Engineering
 Rita Smidt, Administrative Aide to the Senate Executive Committee

The Commission members acted as individuals. They were not representing any groups or constituencies.

The Commission was charged by the Provost:

1. To develop a list of factors to be considered in the development of the academic calendar and to give a rank priority to these factors.
2. To develop academic calendars for three years beginning 1977-78, based upon the Commission's determination of which factors should have the highest priority in the development of an academic calendar.

From July to September, the Commission met nine times.

General Comments

The Commission tried to develop, within the restraints imposed, a workable calendar that would have less opposition than others that have been proposed. The Commission believes that with the present general format, no proposed calendar considered in isolation will have the approval of a majority of the community. It is only when the undesirable aspects inherent in all calendars are compared and evaluated

that reluctant acceptance may be obtained. Even then, with such a variety of needs and interests in the community, there are bound to be serious disagreements on the priorities chosen in the construction of any particular calendar.

It has been said that calendar committees have been too inclined to base calendar decisions on "political" factors. There are two extremes in such situations. A committee can decide on the calendar format they believe is best, independent of the diverse desires of the community, or they can make a proposal that they believe has the best chance of acceptance. This Commission reluctantly inclined toward the latter course.

The Commission did not believe that it could propose a calendar format that would be radically different from the one currently in use. Given the few weeks of summer available for its deliberations, time was insufficient to make a reasoned, independent selection from the wide variety of possible calendars. Quarter and trimester systems were discussed but the input necessary before such major changes could be considered was lacking.

Currently, at Cornell, the academic calendars are set for one year at a time, with a lead time of about 18 months before the calendar is to go into effect. The committees work with few guide lines other than their own evaluation of the desires of the community. Each year the committees probably review various types of calendars. However, any significant deviation from the current format would require a substantial period of time to obtain campus-wide advice on the change. Because a calendar decision must be made for the Fall term only 18 months ahead, and because the calendar must be known at least a year in advance, there is insufficient time to get the necessary community input to make any substantial change. If calendars were fixed three years ahead, it would be possible for the committees to study the calendar for the year following the third year with sufficient time to study the flexibility of other types of calendars.

This Commission did not seriously consider any fundamental changes nor did it make any judgement that any type of calendar (e.g., the semester format now used) is or is not preferable.

The Commission recognized that in the past few years calendars have not conformed to the Bylaws of the University. One possible solution to avoid such conflicts in the future would be for the Senate to establish what it prefers in a calendar and then, if necessary, to request through the President that the Bylaws be amended. If, and when, they are changed, calendars should conform to the regulations unless a specific request for an exception has been approved.

The Commission had calendar surveys going back to 1968 available to them. While the information in these surveys was useful, they usually left important questions unanswered. Many of the survey questions were concerned with preferences such as the length of the intersession, the academic term, and study and examination periods. (There is even some confusion as to how the respondents defined the term "intersession"). If all these preferences are strictly adhered to, it is impossible to fit a conventional calendar in a 365 day year. For instance, at one point the Commission struggled with the preferability of a three-week long intersession with a 14-week summer period, a four-week intersession with a 13-week summer or a five-week intersession with a 12-week summer. No survey available could give the Commission any insight as to the community preference on this question, because the surveys did not contain enough information to allow the respondents to consider the trade-offs among preferred characteristics.

Priorities

The Commission approached the problem of the construction of the academic calendar by establishing its own priorities, generally emphasizing academic factors. (Admittedly there is considerable gray area in trying to decide whether some particular aspect falls into an academic or a non-academic category).

The priorities fell into two distinct groupings. The first category was concerned with the length of the times allocated to different segments of the calendar such as the academic term, recess, intersession and the summer period. The second grouping involved specific times when the segments should begin and end, and included such questions as when the terms would start, dates of scholarly meetings, athletic events, and religious holy days, seasonal necessities of Biology field work, etc.

In the first group of priorities, the Commission ranked the following aspects of an academic calendar:

1. The highest priority was considered to be the length of the academic term. This was the only unanimous decision of the Commission in this ranking process. Over a period of years, the length of the instructional period has declined from 30 to 27-1/2 weeks. The Commission feels that this trend toward a shorter period of instruction should be arrested and an instructional period of at least 28 weeks was preferred.

The present 13-1/2 week instructional period in the Fall term was felt to be a problem for some laboratory courses which have once-a-week sections that meet on various days of the week. Many laboratory courses cannot make use of the half-week and, therefore, have only 13 weeks of instruction.

Whether the 28 weeks of instruction should be divided into two periods of 14

weeks each, or two periods of different lengths, is discussed subsequently in this Report.

2. The second highest priority was assigned to the length of the summer period. This off-duty period is of importance because it is the time when much of the research and scholarly effort of the faculty and graduate students is accomplished. It also affects the period of summer employment for students. Similarly, the amount of money that can be earned by some faculty members, particularly those that can be paid from research grants and contracts, is affected by the length of this period. Since 1970, the summer period has been less than three months and there has been considerable negative reaction from the faculty whose duty is defined in terms of a nine month period in the University Bylaws.

The Commission decided to recommend that the summer period be defined as three months with the academic year being nine months long. There was one dissenting opinion which preferred that the summer period be 12 weeks long with an additional four weeks distributed throughout the year as "turn around" between terms.

The definition of the summer period involves the decision as to the start of the Fall responsibility - how many days before the start of classes the instructional staff should be on duty - and the end of responsibility in the Spring term - how many days of duty there should be after the last examination in the Spring term.

In the Fall term the Commission recommends that instructional duty begin five days before the beginning of classes. This would necessitate a change in the Bylaws which now defines the beginning of the term as one week before registration. The two deans on the Commission felt that beginning the formal responsibilities of the instructional staff five days before the start of class would be sufficient for the vast majority of the academic staff.

It is also recommended that instructional duty end five days after the examination period in the Spring term. This time was chosen to give graduating seniors the opportunity to obtain clarification and explanations of grades that might make them ineligible for graduation. Currently, according to the Bylaws of the University, the instructional staff is on duty until Commencement. This change would disconnect instructional duty from Commencement and allow those responsible for the ceremony to choose the optimum day for it. However,

the date chosen should allow at least three days after the examination period, so that the Registrar's Office can compile the graduation list. (Ideally, there should be enough time to notify seniors that they have not completed the requirements for graduation. To be assured that all seniors who have not fulfilled the requirements are notified would take a very long time and some compromise is necessary).

If these recommendations are accepted, a request would have to be made to change the By-laws of the University which state that the responsibility of the instructional staff ends on Commencement Day.

3. The third priority of the Commission was the length of the study/examination period. The Commission discussed the question as to whether the formal examination period should be eliminated and the length of the instructional period increased. This does not mean that the Commission considered the elimination of final examinations, but only whether they be arranged within the instructional period. The idea was eventually discarded as being too complex to implement. It should be noted that there are now approximately 40,000 student final examinations taken each term.

The Commission considered the academic implications of a study period. There were those who felt that a study period encouraged some students to postpone work with the idea that it could be made up during this time. Others disagreed and believed the period was academically useful. While the Commission was divided on the desirability of a study period, they felt that its elimination would be too much of a change without considerable discussion by the community.

Eight days are presently required by the Registrar for the scheduling of examinations. With this fact in mind, the Commission decided to recommend a period of 12 days, excluding Sundays, for the study/examination period. However, it left the allocation of time within this period to broader community discussion. The time could be used as it is now with a separate study period followed by examinations or a system of combined study/examinations, in use at a number of Ivy League institutions, could be chosen. In this system the examination period is stretched out over 11 days. Two examinations are scheduled each day, and this scheduling is available before registration. With this method the examination pace is more leisurely (allowing more study time between examinations), the chances of conflicts are decreased and the possibility of multiple

examinations on the same day is minimized. Further, the student knows whether there will be conflicts or multiple examinations in the same day at the time courses are selected.

A third approach could be to have classes in the fifteenth week in any course that did not have a formal final examination. This arrangement would only be possible if final examinations could be held in six days (or seven, including a Sunday).

It should be noted that the choice of a study/examination period of 12, 11, or 10 days has little effect on the opening date of the Fall term. If the number of days were 10 instead of 12, classes could begin at a later date in only two years of the seven year calendar cycle. In the other five cases, the effect of a 10-day study/examination period instead of a 12 day one would be to end examinations sooner before Christmas.

The recommendation of the Commission for a 12-day study/examination period combined with the previous recommendation of a 14-week instructional period made the total length of each term 16 weeks, not counting the registration period. In three of the seven cases in the calendar cycle there are less than 16 weeks from Labor Day to December 23. Therefore, these first two recommendations forced the Commission to choose between beginning the Fall instruction before Labor Day or ending after Christmas.

4. The fourth priority was the length of the recess period and intersession.

These were considered together because the two periods are interrelated and exchangeable. The lengths of these periods is subsequently discussed in the section on the Construction of the Calendar.

The second group of items, the timing of the segments of the calendar, were given the following priorities:

Completing the Fall term before Christmas was given the highest priority in this grouping. While there were members of the Commission who felt this was not important, survey information indicates that a large majority of both faculty and students prefer this format. Information from other institutions also indicates that there is a rapid national move to complete the Fall term before Christmas. For these reasons the Commission voted 7 to 1 to recommend that the Fall term be completed before Christmas. Despite this vote there was a substantial opinion within the Commission that extending the term beyond

Christmas was preferable from an academic point of view.

In a related question, the Commission voted to recommend that the last day of final examinations in the Fall term be no later than December 23. Ending the Fall term before Christmas is a very costly decision. Given the first two priorities of the Commission, this decision has the following consequences:

1. It fixes an inflexible point in the calendar around which everything else must revolve. Once this point is fixed there is no possibility of shifting the various segments of the calendar, making it impossible to consider most other factors.
2. It mandates a Fall term starting before Labor Day with all the real as well as psychological problems this entails.
3. It results in a lame-duck period between the Thanksgiving recess and the end of instruction.
4. It allows no possibility of considering the timing of scholarly meetings or Biology field work.
5. It compresses the instruction period in the Fall term.

The basic advantage of a pre-Christmas finish to the Fall term is the psychological aspect of having the term over before the Christmas recess. Another advantage is that the Spring Term ends earlier in the year. A possible calendar for a term which does not finish before Christmas is shown in Appendix I.

ONCE THE DECISION IS MADE TO RECOMMEND A SEMESTER SYSTEM OF 32 WEEKS, A THREE MONTH SUMMER AND A PRE-CHRISTMAS ENDING FOR THE FALL TERM, THE CALENDAR IS ALMOST COMPLETELY DEFINED.

This decision severely restricted consideration of the other priorities and, in fact, made such consideration almost immaterial.

We implicitly accepted other limitations on the flexibility of the calendar. Without these limitations many of the problems of constructing a calendar would be eliminated. One was that no classes or examinations be held on Sundays. Another was that the academic year be limited to 12 months. It would be possible to have an academic year of 13 months with the beginning of the academic year being one month later each year. We also accepted the fact that the three month off-duty period be in the summer months. Richard Bogart, a member of the Commission, proposed an imaginative calendar (Appendix II) which avoids many of the problems inherent in the present format, particularly the limitation of the timing of Christmas. However, it makes one major change, the off-duty period comes in the winter rather than the summer. Such radical departures have other problems and it is highly unlikely that they would find wide acceptance.

The timing of scholarly meetings often conflicts with classroom responsibilities of the faculty. While it is difficult to establish the times of meetings of all academic groups, there does seem to be a period in late August or early September when many such meetings are held. While the Commission was sympathetic to the advantages of attendance at such meetings, there was no way that consideration could be given to this important item with a Fall term ending before Christmas without reducing the academic program.

Biology field work was another academic area to which the Commission would have liked to give consideration. However, an instructional period in May is necessary to have any useful impact on this field work, and with the Fall term ending before Christmas and a three month summer period, classes must end sometime in the first week in May. The lack of flexibility thus eliminated any possible concession to this item.

The lack of flexibility also made it impossible to accommodate two other items, such as dates of religious holy days and athletic events, or convenience of transfers from other institutions. Even if these items were assigned a high priority, there is little that can be done to give them consideration without changing the basic decision already made.

In the case of religious holy days, Senate legislation provides for adequate protection for those who wish to observe them. There is still a need to call for faithful observation of this legal provision by the faculty, and this call might well take the form of an annual reminder.

In some years the placement of the Spring recess might be shifted by one week to take Easter or Passover into consideration.

The Construction of the Calendars

After the Commission decided on its priorities, the task of constructing an actual calendar was faced.

The most difficult decision for the Commission, and probably the greatest problem for all calendar committees, was the Fall term. From survey information, there appears to be an overwhelming sentiment, from both students and faculty, for completing the term before Christmas. There is also a strong reaction against starting the term before Labor Day.

If the Fall term (i.e., registration) were to begin after Labor Day, it is not possible to construct a calendar without sacrificing the academic program and burdening the student with little possibility of recess or study periods. The difficulties associated with such a calendar are illustrated in Appendix III. The Commission was therefore unwilling to recommend a calendar with the term beginning after Labor Day and ending before Christmas.

The Commission considered an unbalanced year with 13 weeks of instruction in the Fall term and 15 weeks in the Spring term as a possibility of avoiding a pre-Labor Day beginning of the Fall term. Even with such a 13-week instructional period, all desirable aspects (including a three-day Thanksgiving recess and a 12-day study/examination period) would be available in only four years of the seven year calendar cycle. The Commission felt that the two week difference in the two terms would require too difficult an accommodation, particularly in those courses which are offered either term.

The possibility of a 13-1/2 week instructional period in the Fall term and 14-1/2 weeks in the Spring term was discarded. Split weeks seemed to be unavoidable in the Fall term but the Commission was not inclined to extend this disadvantage to the Spring term.

With the option of starting registration after Labor Day discarded as a recommendation, the question was faced as to how early the term should start and what sacrifices could be made in the program to start the term as late as possible.

Retaining the 16-week term (instruction plus study/examination period) and the pre-Christmas finish, the Commission was faced with a choice among undesirable alternatives. Either, 1) classes would have to begin before Labor Day, 2) the Thanksgiving recess would have to be eliminated with Thanksgiving a normal class day, or, 3) the study period would be essentially eliminated. In the first sounding of opinion, equal numbers of Commission members preferred each of the three choices.

There was considerable discussion in trying to resolve this impasse. Retention of the study period was eventually picked as the most important of the three items. In the choice between having no Thanksgiving recess or starting classes before Labor Day, the recess was felt to be more important and the final decision was to recommend that classes begin before Labor Day.

The Commission is convinced that there are both objective and subjective aspects to an early start of the Fall term. One barrier is Labor Day: in many cases students have summer jobs that run through Labor Day and earnings can be affected. August is probably the peak month for family vacations and an erosion of time in this month limits the available options for a family vacation. Psychologically, a term that begins in September, rather than late August, seems preferable even though the difference may be only a day or two. While the lack of a three-month summer period in the current calendars has contributed to the problem, the fact that a three-month period is assured in the recommended calendars will only partially alleviate the negative feelings. Unfortunately, having made its more basic decisions, the Commission was

unable to accommodate to these problems. The Commission envisages considerable negative reaction to starting classes in August, and no one on the Commission believes that it is desirable. On the other hand, we were unable to avoid the early start without sacrifices to the academic program that were considered unacceptable.

The result of the recommendation to begin classes in August necessitates their beginning either the Wednesday or Thursday in the last week of August, with an appropriate accommodation at Thanksgiving recess.

If Thursday is selected for the start of Fall term, it would mean that classes would be held throughout the entire Wednesday before the Thanksgiving recess. After serious consideration, this choice was eliminated primarily because many students would be traveling on Wednesday and afternoon classes would be largely unattended. Starting classes on Wednesday morning before Labor Day would allow a four class-day Thanksgiving recess - Wednesday through Saturday. Conversely, the Commission believes that holding classes on only Monday and Tuesday of the Thanksgiving week would result in many students taking the entire week off. For these reasons, it was decided to recommend that classes begin on the last Wednesday in August at 1:25 p.m. with the Thanksgiving recess starting at 12:20 p.m. on Wednesday.

The calendars that result from the Commission's recommendations for the Fall term are shown in Appendix IV. These calendars are presented for a complete seven year cycle with Labor Day occurring from September 1 through September 7. (It is recommended, that before any new long range calendar pattern is considered, calendars be constructed for the complete cycle. Arrangements that are feasible in some years of the cycle become impossible in others).

The timing of a Fall term recess is a problem. Thanksgiving is a national holiday which comes after either the 12th or 13th week of instruction. This is academically and psychologically undesirable. A recess nearer the mid-point of the term would certainly be more desirable, and returning from recess for just a week of classes is an unfortunate consequence of the placement of Thanksgiving in the calendar. The Commission considered the possibility of placing the Fall recess at a more desirable point in the term, ignoring Thanksgiving, and making it a normal class day. It believed that this arrangement would receive little support from the community and decided to live with the unfortunate placement of the Thanksgiving recess.

Once the compromises had been reached and a decision made on the Fall term, there were very few options in regard to the Spring term. The limits of flexibility in the Spring term, once the Fall calendar has been decided, are illustrated in

Appendix V. These calendars were developed by working back from Christmas in each calendar year of the seven year cycle. The last day of examinations in the Fall fixes the beginning of instruction and the first day of duty for the instructional staff for that term. The three month off-duty summer period then establishes the last day of duty of the Spring term as well as the last day of the examination period. Then, using a 14-week instructional period and one week of recess, beginning of the Spring term is established.

There is only one decision left in the Spring term and that is the length of the intersession, which is defined as the period between the last day of finals in the Fall and registration for the Spring term. In Appendix V, the intersession period is about four weeks. The Spring term could be shifted in either direction by one week. This would make intersession five weeks (if later) with a reduction of the summer period to three months less one week, or three weeks (if earlier) with an additional week in the summer period.

The Commission discussed these possibilities. Some argued that if the intersession was not long enough to have an academic program, it should be as short as possible consistent with a turn-around time for administrative purposes. Others thought that the intersession should be five weeks because the extra week between terms is more valuable than the extra week in the summer. The intersession is a time when faculty and graduate students can get research done, prepare courses for the coming term and catch up with neglected paper work. On the other hand, a week less in the intersession adds a week to the summer which might result in higher student earnings in this period. The cost of university operations was also a factor. It costs the Housing Department approximately \$20,000 more per week to be open a week in mid-winter compared to a week in late Spring. This additional cost would be passed on to those students occupying university housing in the form of increased room rents. An energy conservation program in the winter of 1975 in the academic buildings resulted in a savings of \$18,000 per week. Vice President Matyas believes that this new program has potential for considerable increased savings in the future.

The possibility of intersession courses was also considered. In order to have such courses it would be necessary to have an intersession of almost five weeks, including the week between Christmas and New Year. It was noted that intersession courses were encouraged when the period first became available in 1967 but few courses had been initiated. The trial period has been a long one and it did not seem reasonable to some to reserve such a long period for courses that seem to be only possibilities.

The Commission eventually rejected the three-week intersession and did not choose to decrease the three-month summer session. The recommended intersession period is shown in Appendix V.

The length and timing of the recess period in the Spring term was considered by the Commission. The period recommended is six class days, or eight days including the two Sundays. The only consideration as to timing was whether the recess should be after the seventh week of instruction (the second full week of March) or the eighth week (the third full week of March). The latter was preferred. Academically it is nearer the mid-point of the whole term, including the study/examination period and is closer to better weather. Actual calendars for the six-year period 1977-78 through 1982-83 are shown in Appendix VI.

The Commission spent about 30 hours in discussion of calendars. It may be accused of spending an inordinate amount of time to produce only a small modification in the present system. Much of the time was spent in understanding that there are inevitable limitations imposed on calendar committees, not the least of which is the fact that there are only 365 days in most years. However, the Commission feels that its most important contribution is this Report, which focuses on the problems and trade-offs essential to devising a calendar. It is hoped that this information will give the community a better understanding of the problems involved, and be of some value to those making decisions on the calendar in the future.

The Recommendations of the Commission are as follows:

1. That there be two terms of 14 weeks of classroom instruction plus two weeks for a study/examination period.
2. That there be a three month (90 day) summer period.
3. That the Fall term end before Christmas with the last day of examinations no later than December 23rd.

If the first three recommendations are accepted, the entire calendar is fixed with the following decisions remaining as rather minor perturbations:

4. That there be a Fall term recess including Thanksgiving.
5. That there be a Spring term recess of one week following the eighth week of instruction, with some consideration given to religious holy days which may occur about the same time in some years.
6. That, if the Senate decisions on the eventual calendar conflict with the bylaws of the University, the Senate request through the President a change in the bylaws. If, at some time in the future, the Senate believes it is in the best interest of the University to deviate from the bylaws, a request for such an exception should be made to the Trustees. If the recommendations of the Commission are accepted, the bylaws should be amended to read, "The academic year is the nine-month period starting five days before instruction in the Fall term and ending five days after the last day of the examination period in the Spring term."
7. That a consensus be established on the priorities the community places on the various aspects of the calendar, and the annual calendar committees be bound either to abide by these limitations or to make changes only after obtaining the agreement of the legislative bodies originally involved in the decisions. The calendar committees should primarily concern themselves with the question of whether the present calendar format is the best one to accomplish the educational mission of the University.
8. That, if surveys seeking information on the various aspects of the calendar are made in the future, they be done with professional help and with the aim of providing information that will be of maximum value to calendar committees and the community. It is particularly important that information on choices between alternatives be considered. That, in the preparation of any long-range calendar system, a complete seven year cycle be prepared to show that the format is valid over time. What is possible

or convenient in one year of the cycle may become impossible in other years. For example, a reasonably long Fall term starting on Labor Day could have been constructed for 1975 when Labor Day falls on September 1st. This opportunity would reoccur only three times in the rest of the century.*

9. That a calendar be definitely established three years in advance and that calendar committees concern themselves with adding an additional year each year. If this plan had been in operation previously, calendar committees in 1975-76 would be considering the 1979-80 year.

10. That the calendars for the years 1977-78, 1978-79 and 1979-80 shown in Table VI be adopted.

* It should be noted for the use of future calendar committees that it is extremely difficult to find calendars for more than five years ahead. The Commission was fortunate to have a 30-year calendar (1971-2000) published by Needham and Grohmann, 30 Rockefeller Plaza West, New York, N.Y. Mr. Grohmann is a member of the Cornell Board of Trustees. The Senate should obtain a copy for future use.

APPENDIX I

A Calendar with the Fall Term Not Completed before Christmas
(1979-80) ⁽¹⁾

<u>Fall Term</u>		
Instructional Duty Begins	Thurs	Sept 13
Registration	Mon	Sept 17
Instruction		
Begins	Wed	Sept 19
Instruction		
Ends	Sat	Dec 22
Study/Exams		
Begins	Thurs	Jan 3
Ends	Wed	Jan 16
		Intersession 28 days
<u>Spring Term</u>		
Registration	Thurs	Feb 14
Instruction		
Begins	Mon	Feb 18
		Spring Recess - April 14-19
Ends	Sat	May 24
Study/Exams		
Begins	Mon	May 26
Ends	Sat	June 7
Spring Duty		
Ends	Thurs	June 12
Commencement	Fri	June 13
		Summer Period June 12 - Sept 11 90 days

(1) Chosen as a mid-point year in the seven year cycle

	Fall Term						Spring Term											
	Registr. Instruction (1)			Exams (2)			Vacation (3)			Registr. Instruction (1)			Exams (2)			Interession (3)		
	Thurs	Mon	Sat	Mon	Sat	Sat	Sun	Wed	Thurs	Mon	Sat	Mon	Sat	Sat	Sun	Wed		
1977-78	Jul 21	Jul 25	Nov 5	Nov 7	Nov 19	Nov 19	Nov 20	Feb 22	Feb 23	Feb 27	Jun 10	Jun 12	Jun 24	Jun 25	Jul 19			
1978-79	20	24	- - 4	6	- - 18	19	19	Feb 21	22	26	- - 9	11	- - 23	24	- - 18			
1979-80 (4)	19	23	- - 3	5	- - 17	18	- - 20		21	25	- - 7	9	- - 21	22	- - 23 (6)			
(5)	25	29	- - 9	11	- - 23	24	- - 26		27	Mar 3	- - 14	16	- - 28	29	- - 23			
1980-81	24	28	- - 8	10	- - 22	23	- - 25		26	2	- - 13	15	- - 27	28	- - 22			
1981-82	23	27	- - 7	9	- - 21	22	- - 24		25	1	- - 12	14	- - 26	27	- - 21			
1982-83	22	26	- - 6	8	- - 20	21	- - 23		24	Feb 28	- - 11	13	- - 25	26	- - 20			

NOTES

- (1) 15 Weeks are allowed in each term of instruction, to include 14 weeks of actual instruction and one week of recess. The Fall Term recess would presumably occur around the third week in September and the Spring Term recess around the last week in April.
- (2) 2 Weeks are allowed for Exams, Exams/Study period, or other use.
- (3) Designation of breaks is based on length: Vacation is always 13 weeks + 4 days, and Interession is usually 3 weeks + 4 days. Both breaks would necessarily include a period of Faculty duty after Exams and prior to Registration. The academic year could commence either with the Fall Term or the Spring Term, with obvious advantages and disadvantages in each case.
- (4) 1980 is a leap year, and this calendar reflects the specific modifications necessary.
- (5) This type of year does not occur in the six-year period, but is included for the sake of completeness.
- (6) This calendar, like most others considered, is a 52-week, i.e. 364-day calendar. To prevent precession of the Academic Year through the Tropical and Legal Years, an intercalary week is required somewhat more often than once every seven years. The suggestion that this week be added to Interession is not meant to exclude the possibility that it be added to Vacation. The intercalation occurs in years of type 1979-80 in order to have Fall Term exams end the Saturday before Thanksgiving.

APPENDIX III

Possible Calendars for the Fall Term Starting after Labor Day

CASE A - Most favorable - Labor Day, September 1 (1975)

In this case Registration could be after Labor Day on Thursday, September 4⁽¹⁾ and classes could begin on Monday, September 8. Some options are:

1. A 14-week Instructional Period - no Recess - a one-day Study Period - an eight-day Examination Period.
2. A 13-1/2-week Instructional Period - a three-class-day Recess - a one-day Study Period - an eight-day Examination Period.
3. A 13-week Instructional Period - no Recess - a 12-day Study/Examination Period. The last day of finals would be December 20. It is not possible, however, to easily convert December 21-23 into a Recess Period.

CASE B - Median case - Labor Day, September 4 (1978)

The term could begin after Labor Day with Registration on Thursday, September 7 and classes on Monday, September 11. Some options are:

1. It is not possible to have a 14-week period of Instruction and an eight-day Examination Period even if there were no Recess and no Study Period.
2. A 13-1/2-week Instructional Period - no Recess - a one-day Study Period - and eight-day Examination Period.
3. A 13-week period of Instruction - no Recess - a 12-day Study/Examination Period.

CASE C Worst Case - Labor Day, September 7 (1981)

To have the term begin after Labor Day, Registration would be on Thursday, September 10, with classes beginning on Monday, September 14. Some options are:

1. A 14-week Instructional Period is not possible - there would be only three days for Recess, Study and Examinations.
2. A 13-week Instructional Period - no Recess - no Study Period - a nine-day Examination Period.

(1)

Having Registration on the Thursday following Labor Day allows two days between the holiday and Registration for travel and getting settled on campus. One of these days might be eliminated.

APPENDIX IV

Fall Term Calendars for a Complete
Seven Year Calendar Cycle

			<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1985</u>
			<u>1978</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>	<u>1986</u>
Instructional Duty Begins	Thurs	Aug	25	24	23	21	20	19		22
Registration	Mon	Aug	29	28	27	25	24	23		26
Instruction Begins 1:25	Wed	Aug	31	30	29	27	26	25		28
Labor Day (not a holiday)	Mon	Sept	5	4	3	1	7	6		2
Fall Recess Begins 1:25	Wed	Nov	23	22	21	26	25	24		27
Instruction Resumes	Mon	Nov	28	Nov 27	Nov 26	Dec 1	Nov 30	Nov 29		Dec 2
Instruction Ends	Sat	Dec	10	9	8	6	5	4		7
Study/Exams Begins	Mon	Dec	12	11	10	8	7	6		9
Term Ends	Fri	Dec	23	Sat 23	Sat 22	Sat 20	Sat 19	Sat 18		Sat 21
Weeks between Fall Recess and the start of Study/ Exam Period			2	2	2	1	1	1		1

(1) This year was added to complete the cycle of having Labor Day from September 1 through 7.

APPENDIX V

Spring Term Calendars Resulting from the Fall Term Decisions

	<u>Fall Term</u> <u>Ends</u> <u>Sat. Dec.</u>	<u>Fall Inst</u> <u>Begins</u> <u>Wed. Aug.</u>	<u>Fall Inst</u> <u>Duty Begins</u> <u>Thurs. Aug.</u>	<u>Spr Inst</u> <u>Duty Ends</u> <u>Thurs. May</u>	<u>Spr Inst</u> <u>Begins</u> <u>Mon. Jan.</u>	<u>Spring</u> <u>Regist</u> <u>Thurs. Jan.</u>	<u>Interession</u> <u>Period</u> <u>Days</u> ⁽¹⁾
<u>or Day</u>							
1 (1980)	20	27	21	22 ⁽²⁾	21 ⁽³⁾	17 ⁽³⁾	25
2 (1985)	21	28	22	23	21	17	25
3 (1979)	22	29	23	24	22	18	25
4 (1978)	23	30	24	25	23	19	26 ⁽⁴⁾
5 (1977)	23 ⁽⁵⁾	31	25	26	24	20	32
6 (1982)	18	25	19	20	18	14	25
7 (1981)	19	26	20	21	19	15	25

(1) Intersession is defined as the number of days between the last day of the term in the Fall Term and Registration for the Spring Term, including Sundays.

(2) The summer period in all years is 90 days.

(3) 1980 is a leap year.

(4) The extra day of Intersession in this year results from finishing the previous Fall Term on a Friday instead of the usual Saturday.

(5) The end of the Fall Term in this year is on a Friday. In this one case in the cycle, a reduction of one day in the Study/Examination Period postpones the start of the term by one week. Ending the term on a Friday was preferred to ending on Saturday, December 24th.

APPENDIX VI
Calendars 1977-78 to 1982-83

		1977 1978	1978 1979	1979 1980	1980 1981	1981 1982	1982 1983
<u>FALL TERM</u>							
Instructional Duty Begins	Thurs	Aug 25	24	23	21	20	19
Registration	Mon	Aug 29	28	27	25	24	23
Instruction Begins 1:25	Wed	Aug 31	30	29	27	26	25
Fall Recess Begins 12:20	Wed	Nov 23	22	21	26	25	24
Instruction Resumes	Mon	Nov 28	27	26	Dec 1	Nov 30	Nov 29
Instruction Ends	Sat	Dec 10	9	8	6	5	4
Study/Exams Begins	Mon	Dec 12	11	10	8	7	6
Study/Exams Ends		Fri 23	Sat 23	22	20	19	18
Days of Intersession ⁽¹⁾		26	25	25	25	25	32

<u>SPRING TERM</u>							
Registration	Thurs	Jan 19	18	17	15	14	20
Instruction Begins	Mon	Jan 23	22	21	19	18	24
Recess Begins	Sat	Mar 18	17	15	14	13	19
Instruction Resumes	Mon	Mar 27	26	24	23	22	28
Instruction Ends	Sat	May 6	5	3	2	1	7
Study/Exams Begins	Mon	May 8	7	5	4	3	9
Study/Exams Ends	Sat	May 20	19	17	16	15	21
Spring Term Ends	Thurs	May 25	24	22	21	20	26
Commencement	Fri	May 26	25	23	22	21	27
or	Mon	May 29	28	26	25	24	30
Days of Summer Period		90	90	90	90	90	90

(1) Intersession is defined as the days between the last day of finals in the Fall Term and Registration in the Spring Term, including Sundays.

The Speaker, Associate Professor J. Robert Cooke, called the meeting to order at 4:38 p.m. Sixty-six members and 5 guests were present. Minutes of the September 10, 1975 meeting were approved with a correction by Professor Richard M. Phelan, Engineering. On page 4409C, paragraph 1 of the minutes the following sentence was changed to read: He suggested that existing school and college committees be used to enforce the academic integrity system consistently in each unit, with the student's advisor [one member] attending hearings as a special voting member, and that appeals be taken by higher level committees within academic units. (Addition underlined, deletions in brackets)

1. REMARKS BY THE DEAN

The Dean of the Faculty, Professor Byron W. Saunders, reported that the proposed revised Academic Integrity Code was under review by the University Counsel for clarification of due process requirements, following which it would be returned to committee with suggested revisions received by the Dean. The date of resubmission to the body was uncertain.

The Dean announced that reports from three committees reviewing the proposed Bill of Rights had now been received and that appropriate FCR and University Senate representatives would meet to consider modifications of the Bill.

The Dean reported that he had received a letter from the University Ombudsman, Professor Kenneth Greisen, Physics, drawing attention to problems encountered by left-handed students in adapting to classroom facilities designed for right-handed persons. He said that the letter was perhaps symptomatic of the insensitivity shown towards such people and urged the Faculty to be more cognizant of their needs. For examinations held in rooms with tablet arms on seats, the Ombudsman had suggested allowing use of clipboards as writing surfaces, reserving aisle seats on the right side of lecture rooms for left-handed persons while keeping seats across the aisle vacant, and if possible using tables as writing surfaces rather than tablet arms.

The Dean reminded the body that a final exam was required of all undergraduate courses except those where it would be inappropriate, and that in such cases use of the final exam period for some form of special exercise was expected. No undergraduate course was expected to end with the last week of classes. He pointed out that of 2,404 registered courses in the current term only 789 were scheduled for final examinations. This strongly implied a "perhaps excessive

diminution" of academic requirements for undergraduate courses, he said, and appealed to department chairmen and deans to see that the requirements were upheld.

The Dean said he had received complaints about examinations being scheduled at or near the end of the examination period. He pointed out that, while such practice may sometimes be unavoidable, Faculty members who would be unable to grade examinations within the allotted period could obtain permission from the Dean and the Registrar to advance examinations to the last day of study period week. Conditions for obtaining such relief were explicitly stated in the April 25, 1974 *Cornell Chronicle*, he said, and he strongly urged Faculty to review these conditions and adhere to examination legislation. He added that his policy had been to advance examinations for courses with approximately 200 or more enrolled, or where time allotted to grading was obviously insufficient.

The Dean expressed his concern over the loose use of the "Incomplete" grade designation, saying that students had told him they were not doing work in a course and would talk the instructor into giving them an Incomplete. He reminded the Faculty that this grade should only be used where a student had earned a substantial equity in a course, but could not complete it for reasons beyond his control and which were satisfactory to the instructor, and that instructors should clearly state the course make-up requirements to their students. He added that if not erased, the Incomplete grade remained on a student's record, revealing nothing about the student's standing in the course and thereby constituting an incorrect use of the system.

The Dean commented on that day's report in the *Cornell Daily Sun* which related higher tuition to Faculty salary increases. He called it "at best confusing, at worst untrue," saying that while tuition rates and Faculty salaries were both variable factors and thus might be said to be related, there had been no explicit mention of tuition increases in order to increase Faculty salaries during the previous day's discussion of tuition increases by the Executive Committee of the Board of Trustees. In view of the fact that most Faculty had received salary increases smaller than the increase in inflation in recent years, he said, he could not fathom what the *Sun* meant by "a relatively large Faculty salary increase," and expressed hope that journalists would stop placing responsibility for tuition increases on the Faculty but rather attempt to put the matter in proper perspective, it being a matter of concern to many Faculty members.

Professor Paul D. Ankrum, Engineering, asked the Dean what was being done about FCR action the previous year regarding the grade Not Attending. The Dean

recalled that a 1974 resolution passed by the FCR required that the NA grade no longer be converted automatically to an F but remain on a student's grade slip only and not become part of his transcript. He said he had requested this change in October 1974, but that the Office of Management Systems Analysis had been unable to implement it until August 1975. He noted in passing that he had written a strong letter of complaint on this subject since he had found it "inexcusable" that MSA should give such a low priority to Faculty legislation concerning grading, it being part of the basic academic operation of the University. He added that NA grades for the two 1974 terms were being removed from student records by hand.

2. REPORT FROM PROFESSIONAL AND ECONOMIC STATUS OF THE FACULTY

Associate Professor Howard M. Taylor III, Operations Research, Chairman of the Committee on Professional and Economic Status of the Faculty, described a possible savings advantage of the TIAA-CREF Supplemental Retirement Annuity (SRA) Program compared with mutual funds, savings accounts or ordinary life insurance. The normal retirement program required an employee to contribute 5% of his annual salary in addition to the University's 10% contribution, he said, and could only be cashed in upon death or retirement. The SRA Program, for a slightly higher fee, provided employees the option of contributing any amount or none on a tax deferral basis, and permitted cashing in of total employee contributions at any time. Professor Taylor demonstrated that an annual \$1200 contribution to SRA would produce \$662 in additional absolute income after taxes over a 10-year period, primarily because of tax deferral. He pointed out that less than 15% of the Faculty was participating in the program, and announced that his Committee was starting a campaign to educate the Faculty about the potential of the SRA Program, concluding with a workshop conducted by the Personnel Department.

Professor Taylor announced that the University was conducting an extensive reappraisal of its fringe benefits under the direction of Adjunct Professor John McConnell, I&LR, with a view to maximizing their effectiveness and equitability. On behalf of his Committee he solicited suggestions from the Faculty in this regard. Finally Professor Taylor drew the body's attention to the publication of Faculty salaries by rank and unit in the November 6 *Cornell Chronicle*. He said his Committee had worked towards such publication for several years and appreciated the Provost's support in bringing this about.

3. RESOLUTION ON DIRECTOR OF SCHOLARSHIPS AND FINANCIAL AID

The Dean of the Faculty introduced the following resolution:

RESOLVED, That the title "Director of Scholarships and Financial Aid" be dropped from the membership of the Committee on Admissions and Financial Aids and that the language of the resolution adopted on December 1, 1971 be modified to reflect this change.

The Dean said current legislation placed both the Dean of Admissions and Financial Aid and the Director of Financial Aid on the Committee as *ex officio* members, but not the Director of Admissions. He thought it more efficient to limit membership to the Dean, he said, since he represented both functions. Carried.

4. RESOLUTION ON DEVIATION FROM EXAMINATION LEGISLATION

The Dean of the Faculty introduced the following resolution:

RESOLVED, That the FCR approve the request of the College of Veterinary Medicine for deviations from the legislation concerning final examination schedules passed by the FCR on March 24, 1971, in order that a longer period of time be available for their examination process. It is understood that in approving this request the FCR expects that the entire regular examination period will be used plus whatever portion of the independent study period is necessary in order to allow for a reasonable total examination schedule for this College.

The Dean explained that students in the College of Veterinary Medicine were required to take ten to twelve examinations in the current examination period. The College Faculty had requested this deviation, he said, wishing to provide a reasonable time and spacing for examinations without shortening the examination week, but rather to provide a longer total examination period. Professor Paul L. Hartman, Physics, asked why Veterinary students were required to take so many examinations. Professor Julius Fabricant, Veterinary Medicine, replied that Veterinary students took as many as eight prescribed courses per term plus elective courses. He added that the resolution had been initiated in part because of student requests. Carried.

The Speaker asked if anyone wished to raise matters of new business for discussion. There was no response.

Adjourned: 5:10 p.m.

J. Leeming, Assistant to the Secretary

The Speaker, Associate Professor J. Robert Cooke, called the meeting to order at 4:38 p.m. Eighty members and 4 guests were present. Minutes of the November 12, 1975 meeting were approved as distributed.

1. REMARKS BY THE DEAN

The Dean of the Faculty, Professor Byron W. Saunders, conveyed the President's regret that neither he nor the Provost could attend the meeting and hear the discussion concerning the status of minority education at the University, it being a subject of crucial importance and one in which the Faculty must play a vital role.

The Dean then commented on a December 2 guest editorial in the *Cornell Daily Sun* which he said accused him of, in effect, "burying" the issue of academic integrity. Terming the editorial "misinformed" and filled with "false accusations", the Dean pointed out that, rather than burying the issue, the Faculty was proceeding in an orderly manner; a Faculty committee had reported on academic integrity; the body would soon vote on it; and the delay in bringing it before the body was caused by the need to satisfy the Faculty that due process requirements are included and to answer other questions raised by the student branch of the American Civil Liberties Union.

The Dean then gave the rationale for devoting the present meeting to a discussion of minorities and minority education at Cornell. At the President's request the Committee on Academic Programs and Policies had formulated a response, in the form of a report distributed to the Faculty, to a Trustee *ad hoc* committee's report on the status of minorities issued in October. Since the Committee did not consider its response representative of the whole Faculty, the FCR Executive Committee had thought it desirable and necessary to obtain broader Faculty response, particularly since the Faculty had never addressed the subject.

Assistant Professor Richard W. Miller, Philosophy, asked if a motion to endorse the Committee's report would be in order. The Speaker said that such a motion would be proper after the Committee's report had been presented to the body, adding that the meeting was open to visitors and the press as observers and urging non-FCR Faculty members to take part in the discussion.

2. REPORT AND INTRODUCTION OF MINORITY EDUCATION ISSUE (Appendices A,B,C)

The Speaker called on Professor Gilbert Levine, Agricultural Engineering, Chairman of the Committee on Academic Programs and Policies, who summarized his Committee's report. He said the Committee considered its report as a starting point for further discussion since time constraints had prevented adequate

consideration of the issue and had required focusing on responses to the President's request, adding that he assumed the Faculty would want to consider the report in a broader context. The Committee had emphasized areas of disagreement with the Trustees, he said, in order to convey information to the President most efficiently, and its report might not reflect a balanced view of the Committee's feelings towards the entire Trustee report. There were also subjects, he said, on which the Committee did not have time to search out sufficient information. While agreeing entirely with the thrust of the Trustee report, i.e. to encourage as rapidly as possible an integrated and truly pluralistic community on campus, the Committee had disagreed with some of the Trustees' conclusions and recommendations, and had found serious omissions regarding procedures and the time frame for implementation.

The first point of disagreement concerned the future of COSEP, he said. Whereas the Trustees had suggested assigning all COSEP responsibilities to individual schools and colleges, the Committee felt that only teaching and academic counseling activities should be assigned and that a separate COSEP office, or its equivalent, should exist to act (1) in a liaison, funding and advocacy role with departments regarding remedial and tutorial course efforts, (2) in a liaison and advocacy role to assist in recruiting efforts, and (3) as a source of aid, comfort and counsel for minority students with special emphasis on non-academic matters. While accepting the genuineness of the Trustees' and the colleges' commitment to improving minority education, he said, the Committee felt that some focused concern for minority education was also necessary, and that a central office was appropriate for maintaining that concern. Economic stress alone dictated the need for funding of remedial efforts through a central office for the foreseeable future. Moreover, he said, the Trustees did not make a strong case for giving individual schools and colleges responsibility for non-academic counseling. The Committee felt some colleges were neither appropriate nor well equipped for such a task and would not have the funds necessary to carry it out. Therefore the Committee had concluded that there was essentially no rationale for assigning non-academic counseling to schools and colleges.

Regarding undergraduate minority education, procedures suggested by the Trustees to reduce the distance between minority students and the Faculty were unclear, he said. In preference to "course advisors" proposed by the Trustees, the Committee recommended expanding the use of minority graduate students and qualified undergraduates as teaching assistants in large introductory courses. It disagreed with the Trustees' recommendation encouraging discipline-oriented

living units to bring minority students and other students closer, since existing units relied not on disciplinary unity but on common interests such as ecology or the performing arts. While supportive of broadening the curriculum, the Committee felt that pressure on departments to undertake courses not perceived or recognized as part of their basic mission was unlikely to succeed.

In the area of graduate education, he said, the Trustee report was very inadequate and underestimated the University's potential. The Committee had recommended specific funding of more aggressive recruiting efforts, with emphasis on personal contact since conventional advertising methods had proved insufficient.

The Committee found the Trustee recommendations on Faculty recruitment unclear, he said, specifically as to whether there was a lack of full good-faith efforts in the search process or in final selection. It supported the need for full good-faith efforts, and endorsed the policy of leaving the judgment of the quality of each Faculty candidate up to departments. It also suggested that aggregate numbers presented by the Trustees to identify possible levels of minority Faculty at the University masked major differences in the number of potential candidates in various disciplines. It, therefore, recommended identifying candidate "pools" by discipline.

The Committee felt that the Trustees had given only slight treatment to an important area, he said, that of admission criteria and their implication regarding minority student numbers, relative emphasis on remedial efforts by contrast to other forms of support for improvement of minority education, and maintenance of an appropriate rate of successful graduation. Having been unable to determine if significant systematic studies comparing admissions with performance had been made at the schools and colleges, the Committee had recommended undertaking such studies.

Finally, Professor Levine noted a minority report from his Committee focusing on the time scale for integrating special minority education activities with the University's normal programs. A majority of the Committee had felt it was premature to fix on a date for such integration, he concluded.

3. DISCUSSION OF REPORT ON MINORITY EDUCATION

Associate Professor Richard N. Boyd, Philosophy, moved to endorse the Committee's report, stating that decisions were continually being made concerning minority education and that FCR endorsement would give the report more weight in the Administration's deliberations. The Speaker pointed out that the FCR

Executive Committee had prepared a draft resolution recommending that the Committee study the question further and report to the University Faculty at its February meeting, and asked if Professor Boyd's intent was to endorse, meaning to assume responsibility for every word of the report, or to receive, which carried no such implication and did not require a motion. Professor Boyd said he wished to convey FCR approval of the report and asked if there was an intermediate word that fitted his intent. The Speaker ruled that Professor Boyd wished to adopt, which was synonymous with endorse, and received a second to the motion. Professor John H. Whitlock, Veterinary Medicine, pointed out that it was not within the Trustees' province to define time schedules or to tell the President how to judge the performance of individual schools and colleges. The Trustee report had raised questions about minority education which it was up to the Faculty to resolve. Professor Boyd replied that since the Trustees' recommendations were open to different interpretations, the Committee report's main virtue lay in focussing on Faculty views of minority education, raising valid objections to the Trustees' recommendations, and emphasizing the Faculty's recognition of its own responsibilities in this area. Professor Peter Stein, Physics, moved to substitute the following resolution on behalf of the FCR Executive Committee.

RESOLVED, That the Committee on Academic Programs and Policies prepare for the consideration of the Faculty at its February meeting a position paper on minority education at Cornell that will include the role of the individual Colleges and their Faculties with particular attention to such topics as: 1) recruitment practices and admissions criteria for undergraduate and graduate students; 2) the assignment of responsibility for advising, counseling, tutorial and remedial education; 3) the interpretation and implementation of affirmative action principles in faculty and staff hiring; and 4) policy regarding residential colleges focused on minority education.

Professor Stein explained that the Executive Committee felt the issue of minority education was of great importance and that the Faculty should take a position on it, but that the form of the Committee's report was difficult to perfect. Through its resolution it sought a mechanism to enable the Faculty to express its views and adopt a position.

Professor Miller* supported Professor Boyd's motion, saying that the Faculty should approve the Committee's report particularly because of its opposition to the Trustees' view that pluralism had been achieved and therefore centralization of COSEP functions was not required. Such a statement was not true of either

*Assistant Professor Richard W. Miller, Philosophy

higher education or Cornell, he said, and a recent survey by Dr. Ezra D. Heitowit, Research Associate in the Program on Science, Technology and Society, had shown that a significant minority of the Faculty thought a proper solution to the minority education question was to "send minority students back where they came from." Endorsement was needed now, he said, because the January Trustee meeting was most likely to produce decisions regarding COSEP. The Speaker read aloud the definition of "adopt" on page 422 of Robert's Rules of Order: "...has the effect of endorsing every word of the report, including the indicated facts, and the reasoning, as its (the body's) own statement." Professor Albert Silverman, Physics, member of the Committee on Academic Programs and Policies, supported Professor Stein's motion, saying the Committee intended neither to express Faculty opinion, nor, as Professor Miller* had said, to make any statement about racism at the University. If meant for endorsement, he said, the Committee's report would have covered a broader range of subjects. The substitute motion called for a broader statement intended for Faculty adoption, he said, and urged against interpreting the imminence of the Trustee meeting as creating a crisis. The Speaker read the substitute resolution aloud for the record, and ruled that it was a valid substitute motion since to adopt both resolutions would compromise the Committee's freedom to reach an independent judgment.

Dean Edmund T. Cranch, the Joseph Silbert Dean of Engineering, pointed out that the Committee report did not address directly the Faculty's readiness to participate in teaching and counseling minority students, adding that some had claimed the Faculty was not ready to undertake this responsibility. He asked if item 2 of the resolution, "the assignment of responsibility for advising, counseling, tutorial and remedial education", focused on this question. Professor Gwen J. Bymers, Consumer Economics and Public Policy, Chairman of the FCR Executive Committee, said that the resolution's intent was to bring the minority education issue before the whole Faculty and to stimulate serious consideration of questions such as the one raised by Dean Cranch. Merely adopting the resolution would not resolve the issue, she added.

Professor Boyd asked why the Executive Committee resolution was ruled a valid alternate motion since in his opinion it would not prevent the Committee on Academic Programs and Policies from considering other aspects of the question. The Speaker said that if the Faculty adopted the report and thus took a position, a subsidiary body of the Faculty would consider it foolish to reexamine the question. Professor Whitlock asked Professor Boyd why he still wished to adopt the report in light of conflicting views about it being expressed on the floor.

*Assistant Professor Richard W. Miller, Philosophy

Professor Robin M. Williams, Jr., the Henry Scarborough Professor of Social Sciences, said that he could not endorse the Committee's report in light of opposition to it expressed on the floor, and that it should not be endorsed if the Faculty wished to communicate its sentiments on minority education to the Administration.

Professor Benjamin Nichols, Engineering, Speaker of the University Senate, asked what was meant by the phrase "policy regarding residential colleges focused on minority education" in the resolution. Professor Bymers replied that the Executive Committee's intent had been to leave this topic open for further consideration. Professor Levine said that his Committee had disagreed with the Trustees' recommendation that residential units be organized on a disciplinary basis. Professor Nichols said that the Trustees had also recommended that such colleges not contain more than 50 percent occupancy by minority students, and reminded the body that the Senate had rejected this recommendation. The Speaker brought to a vote the question of substituting the Executive Committee's draft resolution. Carried.

Associate Professor Mary B. Wood, Cooperative Extension,* moved to add the following sentence to the resolution: "The position paper shall conclude with a series of resolutions in a form suitable for Faculty acceptance or rejection." Carried. Professor Silverman moved to delete item 4, "policy regarding residential colleges focused on minority education," from the resolution, saying that its meaning was unclear, that he believed no such colleges existed at the University, and that the subject seemed to lie more in the Senate's jurisdiction than the Faculty's. The Dean stated that the Committee believed such colleges might engage in educational as well as residential activities, thus placing them within Faculty jurisdiction. Carried.

Assistant Professor Fred R. Scholer, Chemistry, on behalf of his chairman, himself, and colleagues in the undergraduate chemistry program, urged the Committee to "double its efforts" to keep COSEP as an independent office at the University so that it might act as liaison with and advocate for the Learning Skills Center, the Chemistry Department having benefited from interaction with the Center.

The Speaker brought the resolution as amended (below) to a vote. Carried.

*Should be Assistant Professor Constance L. Wood, Plant Breeding and Biometry, as corrected at February 11, 1976 FCR meeting, page 4455C of minutes.

RESOLVED, That the Committee on Academic Programs and Policies prepare for the consideration of the Faculty at its February meeting a position paper on minority education at Cornell that will include the role of the individual Colleges and their Faculties with particular attention to such topics as: 1) recruitment practices and admissions criteria for undergraduate and graduate students; 2) the assignment of responsibility for advising, counseling, tutorial and remedial education; and 3) the interpretation and implementation of affirmative action principles in faculty and staff hiring. The position paper shall conclude with a series of resolutions in a form suitable for Faculty acceptance or rejection.

Professor Robert D. Miller, Agronomy, described for the benefit of the Committee certain precedents for assignment of remedial education activities to academic units that existed in his College's orientation program.* Professor Levine acknowledged the Committee's awareness of such programs in Agriculture and Life Sciences, Arts, and other units, and stated that because experience had revealed that some units were unable to offer such programs his Committee recognized that responsibility for remedial teaching should rest with departments while responsibility for funding should remain with COSEP.

The Speaker asked Professor Levine for comments regarding implementing the resolution. Professor Levine replied that he would attempt to enlarge the Committee through *ad hoc* subcommittees and invited Faculty with special interests and skills to contribute to its deliberations. The Dean reminded the body that there existed an *ad hoc* committee on appointments and procedures, and that any suggestions concerning the over-all question of minority appointments and procedures would be welcomed by that Committee.

Professor Miller** stated that he believed the Trustees' statement that an acceptable preliminary stage in minority admissions had been achieved at the University was incorrect. Four percent of the student body were minority persons, versus a statewide figure of 17 percent, he said, and only about 100 out of 1500 Faculty were minority persons. The Trustees proposed continuing present recruitment procedures while adding written procedures for monitoring their effect, whereas the solution lay in providing more funds for admissions and recruitment. He added that he saw no indications of any movement in that direction.

Adjourned: 5:48 p.m.

J. Leeming, Assistant to the Secretary

* See minutes of February 11, 1976 meeting, page 4455C, for correction.

** Assistant Professor Richard W. Miller, Philosophy

Trustees Report on Minorities

The education of minorities at Cornell and their simultaneous integration into campus community while maintaining their separate ethnic and racial identities are the two major principles underlying the recommendations presented this weekend to the Board of Trustees in the report of the Ad Hoc Committee on the Status of Minorities. The 73-page report, accompanied by seven appendices, identifies more than 40 recommendations for improving the status of minority students, faculty and staff at Cornell, and for improving the status of minorities indirectly affected at Cornell as a major Upstate New York employer and educational institution.

The report represents the work of an ad hoc trustee committee appointed in February 1974, with William R. Robertson appointed its chairman in June 1974.

The committee's report, Robertson said, represents a consensus. Committee membership in addition to Robertson, consisted of: Frank Manheim, Urie Bronfenbrenner, Patricia J. Carry, Gordon Chang, Robert A. Cowie, James L. Gibbs Jr., Edward Gonzalez, Roberto Gonzalez, Esdemona Jacobs, and Mary Beth Norton. All members either are or were University trustees with the exception of Manheim, head of Cayuga Industries, Inc. and a chief of the Cayuga Nation, Edward Gonzalez Jr., senior extension associate, Metropolitan Office, New York State School of Industrial and Labor Relations, and Roberto Gonzalez, associate professor, Romance studies.

The term "minority," for purposes of the report, means a member of any social group in the United States that has been historically, and still is, deprived of equal opportunity for higher education by virtue of its economic or social status," although "the University must retain the authority to determine from time to time which groups it wishes to designate in the minority category, subject...to governmental regulation."

While well aware of the economic condition of the University, the committee, according to the report, made no recommendation in order to reduce expense or overhead for itself. "We realize that the fulfillment of our recommendations will probably increase the University's expenses. We feel strongly that the additional required funds should be made available through the reordering of University priorities."

Some of the recommendations designated by the committee as "matter(s) of highest priority." These recommendations are:

—transfer of tutoring, advising and academic counseling services for minority students now handled primarily by COSEP (Committee on Social Educational Projects) to the Learning Skills Center (LSC) to the colleges and that these services be greatly strengthened;

—that Cornell "immediately undertake the task of developing a long-range plan for the recruitment of minority faculty throughout the University;"

—"the appointment of a Vice Provost for Minority Affairs. This new official shall be the chief Affirmative Action Officer of the University whose concerns include both minorities and women. It is recommended that this new member of the top administrative staff report to the Provost rather than to the Senior Vice President (to be appointed) because two of his/her most important responsibilities lie in academic areas;"

—"the University develop a revised Affirmative Action Plan for submission to the United States Department of Health, Education and Welfare (HEW). This plan should contain schedules of specific goals with dates for their attainment. There should also be well defined methods for monitoring its fulfillment," and

—that Cornell greatly expand its University Union and social activities facilities for each minority group, replace the black activities coordinator with a minority activities coordinator, and explore the feasibility of an Ethnic Social Center if the demand for expanded programming cannot be accommodated in existing facilities.

In conjunction with the recommendation to establish the position of vice provost for minority affairs as chief affirmative action officer, the committee recommended creating two additional new posts: director of minority educational affairs and director of minority employment affairs. The former would assist the vice provost for minority affairs, and serve as liaison between the administration and the colleges in academic and non-academic areas of concern to minority students such as counseling, advising, tutorials, health, social activities and financial aid. The proposed director of minority employe affairs, housed in the Office of Personnel Services, would have full responsibility for the Affirmative Action program covering non-academic employes. Each of these new positions might, the committee recommended, have an advisory council with memberships appropriate to each.

The emphasis on placing primary minority student responsibilities within the colleges, and in general integrating minority students into all aspects of Cornell academic and non-academic life, is reflected throughout additional recommendations for improving the status of minority students.

These recommendations include designating college faculties as being primarily responsible "for meeting the educational needs and facilitating the educational contribution of minority students." Citing the need to provide "some human support for the younger student," the committee also recommended "enlisting qualified upperclass

and graduate students to serve as course advisers to freshmen and sophomores." These advisers should receive some training and supervision, and form close working relationships with the student's residential and his/her college adviser.

The committee recommended faculty advisers be recognized for their contribution in salary and promotion decisions and that specialized minority staff in the college, and in the University as a whole, keep faculty members informed about the experience of minority students in the college.

While acknowledging progress in the Graduate School, the committee recommended that it continue and accelerate its recruitment program for minority students, especially those seeking a doctoral degree.

Other academically-related student recommendations concerned increased cooperation between the student's college and his/her housing arrangements and the initiation by the colleges of "extracurricular activities of an intellectual nature, with a social component included, if possible, at the college and department level, which cut across the various segments of the college community..."

In addition, the committee recommended that the academic curriculum be broadened to include the minority experience and perspective. The majority of students should receive teaching in this perspective from all faculty, not just from minority faculty, both inside and outside the classroom.

In non-academic minority student areas, the committee recommended centralization of minority admissions and financial aid within the University's Admissions and Financial Aid Office; primary responsibility for recruiting and selection will remain with the colleges. Minority personnel will work with minority students in admissions and financial aid initially, although the committee recommended integration of both minority and non-minority personnel to handle all candidates within admissions.

In housing, the committee recommended integration of residential units housing more than 20 persons, so that not more than half such a unit was composed of members of one minority group. A recommendation concerning expanded union facilities has been detailed above along with other "highest priority" recommendations.

Several reorganizations of COSEP were recommended, such as the transfer of advising, tutorial and counseling functions from COSEP to the individual colleges and the centralization of the COSEP admissions and financial aid functions within the University's Admissions and Financial Aid Office.

The reasons for this change are dealt with in the section entitled "Minority Students at

Cornell." The report states "...the need for change in these programs is in large measure a function of their own success. Established at a time of turmoil in minority—non-minority relations in American society, the COSEP Program adapted well to the conditions of that period. From the perspective of the University, the primary task was to attract minority students to Cornell and to establish their presence and participation as a significant and influential segment in educational life. That first, almost preliminary step has been achieved; the University now confronts a more critical change."

Taking into account all aspects of the minority students' lives once they were at Cornell, the committee concluded that "a separate administrative structure to serve minority students, while it may have been necessary at the inception of the program to break through the then-existing barriers, does not today effectively meet the educational needs of minority students once they are on the campus. Since these needs are focused about the students' academic experiences in the several colleges, it is there that major changes must be introduced, and appropriate staff and services provided."

Concerning the Africana Studies and Research Center (ASRC), established in 1969 by the Board of Trustees, the committee recommended the immediate appointment of a group to "reevaluate ASRC as recommended by the Carter Committee report (1973);" the new report should be given to the president not later than the fall 1976. "Our recommendation of an evaluation committee," the report said, "is not to be construed as criticism, but rather as the suggested next step to help ASRC, either in its present or a revised form, to make its full contribution to the higher education of all students at Cornell."

Employe recommendations, subdivided into the four categories of faculty, exempt non-professional academic, and exempt and non-exempt non-academic employes, deal primarily with full-time employes.

Among faculty, the committee "advocates" an increased number of minority faculty and administrative personnel. Benefits cited included sensitization of the majority population to minority views and experience, minority role models for students and faculty, better advising and counseling and improvement of the status of minorities through participation in Cornell as an educational institution.

Obstacles to greater minority faculty and administrative representation include covert prejudice and circumstances, "which, even in the complete absence of any racist intent whatever, make the described objective very difficult to achieve." Cited are the zero growth anticipated during at least the next 15 years due to lowered birth rates, Cornell's

rural Upstate location, perception of Cornell as more conservative and less innovative than other institutions, particularly in the Ivy League, independence of college faculties in search procedures relating to minority hiring, use of the "Old Boy" system, post hoc affirmative action review of search procedures, and assessment of candidates on non-objective criteria. Remedial recommendations begin with the "highest priority" recommendation that Cornell develop a long-range plan for recruitment of minority faculty, noted above.

Other recommendations are: —that the Affirmative Action officer (as the committee proposes the position be defined) develop more effective search methods for minorities;

—that search files be required to show evidence that a complete search for minority and women candidates was undertaken, including explanation for non-hire for such candidates, if occurring;

—that the provost continue to review all academic openings, but with a greater emphasis on their implication for minority hiring;

—that Cornell continue its policy of providing special Affirmative Action funds to be used for funding minority and women hiring;

—that Cornell establish better contact with the Ithaca community in order to increase the supportive aspects for minority candidates;

—that exchange programs for faculty and administrative personnel be developed with minority schools and colleges and that greater use be made of visiting professorships and lecturers to establish a minority presence on campus.

Administrative recommendations begin with the establishment of the post of vice provost for minority affairs and the two related positions of director of minority educational affairs and director of minority employe affairs. The vice provost's office, according to the committee, should include concerns of women as a minority group as well as racial and ethnic minorities. "A minority member would bring special strength to this position," and the candidate "...should have a strong academic background as well as experience in minority affairs."

General awareness of the need to improve the status of minorities figures predominantly in five recommendations requiring leadership and support from the administration. They are:

—that the administration ask for specific reference to affirmative action progress in the annual reports from all University units;

—that the administration request minority and female participation on search committees as a prerequisite to that search;

—that the administration develop a firm policy calling for women and minority representation on virtually all standing committees throughout Cornell (in both this and the preceding recommendation, qualified graduate students or

outside persons could meet these requirements according to the committee);

—that the administration require a thorough inquiry and review of all appointments and promotions to insure equal opportunity requirements were met; and

—that the University continue its program of training internships for the purpose of increasing the pool of qualified minority candidates for administrative and exempt positions.

Four major problem areas reported to the committee affecting non-exempt employees lead to the recommendation that the University appoint a committee to study the operation of the Office of Personnel Services, noting the committee's observations that 1) the personnel office is understaffed, 2) that recruitment is not practiced for non-exempt positions, 3) that the reception given to applicants for employment or promotions is less than desirable and that 4) a skills retrievable roster is necessary for non-exempt employment and promotion.

The committee's second recommendation, following commendation of the Training and Development section for its efforts, asked the University to continue and increase its support of this personnel section, with particular emphasis on behalf of minorities.

Defining "Affirmative Action" not only in its legal connotation, but also as a "state of mind," the committee, as already reported in its "highest priority" recommendations, asked that the University develop a revised affirmative action plan for submission to HEW "as soon as possible after the reorganization of the Affirmative Action Office..." Their second recommendation called for the integration of affirmative action compliance procedures "with the established personnel recruitment and employment procedures and that both the Affirmative Action and Personnel documentation required be prepared and reviewed simultaneously."

The University's role as a "citizen" and significant social institution causes it to have considerable impact on minority concerns, according to the committee, and Cornell should conduct its activities in purchasing, construction, finance and other areas, such as host to conferences and athletic events with this impact in mind. In each area, the committee encouraged the University to take more positive action on behalf of minorities. Eight recommendations called for University or Board action:

—that the University study thoroughly its labor practices in the building trades to see what steps can be taken to open up this area to minorities;

—that the University review Cornell's contracting procedures to ascertain how it can deal effectively in making contracts with minority contractors;

—that the University insist in its dealing with contractors that they provide full evidence of their efforts to comply with Affirmative

ments for minority employment;

—that the board reaffirm its policy adopted in 1971 on the roles of social and environmental aspects, such as those of minorities in investment decisions, and that in evaluating the social aspects of a company, consideration be given to their employment, purchasing, and contracting policies;

—that the board's Investment Committee take into consideration minority concerns in establishing its banking policy; and

—that the Affirmative Action Office be directed to work with the construction purchasing, investment and treasurer's departments to foster the interest of minorities in ways suggested in this section of the report dealing with Cornell as a "citizen."

The committee recommended to the board itself that it increase its own minority representation, noting that Cornell's six minority trustees or former trustees, all elected within the past 10 years, were brought to the board by alumni or University Senate action rather than by the trustees as a group.

Secondly, the committee recommended that the board instruct the president to present an annual progress report to the board on the status of Cornell's minority programs. "To have continuing progress," the report stated, "trustees must support the programs actively. Without constant pressure where needed, this job will not be satisfactorily completed. The board must be ready to apply this pressure. It has not done so sufficiently to this date."

Three recommendations addressed broad policy objectives. The first called for the board to adopt, as official policy, the "Statement of the Objectives for Cornell's Minority Program," included within the report's section on "Objectives," and use it in setting policy concerning minority education at Cornell. The second called for adoption of the committee's definition of a minority person and the University's responsibility to such persons.

Finally, the committee recommended that "the following be designated as minority groups from the point of view of University policy: Native Americans, Asian-Americans, Puerto Ricans and Other Hispanic Surnamed and Black Americans." From its definition the committee drew three important policy implications: 1) Minority groups may not be only racial or ethnic, but also geographic (e.g. Appalachia) or economic (e.g. migrant workers); 2) It is not necessary that the individual minority member come from a family that has been subjected to economic or social deprivation; and 3) No preferences can be given, explicitly or implicitly, for persons holding particular attitudes toward themselves as minority group members or toward the role of minority groups in society.

In a section entitled "The Benefits of a Strong University Minority Program," the com-

mittee stated that "both minority and non-minority students, faculty and staff." The benefits for the non-minority population of full "moral" compliance, rather than "in terms of mere legal compliance" include "a sense of virtue in which all members of the University community share..." It can create a subtle, but significant link among all Cornellians, "strengthening the positive sense of community and reducing existing racial and ethnic divisiveness and alienation...When our society lives up to its highest ethical standards, non-minority Americans benefit no less than minority ones."

Pragmatic benefits to the non-minority community included better utilization of the University's labor force, among others. For non-minority students, the benefits include a more effective curriculum and a broader conceptualization of what constitutes "knowledge," as well as the opportunity of developing interpersonal relationships with persons of different ethnic and racial backgrounds, resulting in a "greater appreciation and understanding of other ethnic groups, and a lessened desire to assimilate them into a homogenized, uniform society."

Copies of the full report are available at the Office of University Relations, 120 Day Hall and at the reference desk of each of the University libraries.

Board of Trustees' Minorities Statement

Here is a statement on Minorities adopted Saturday, Oct. 11 by the Board of Trustees:

"The Board of Trustees received the report of the Ad Hoc Committee on the Status of Minorities with appreciation to the committee membership.

"The Board of Trustees also endorsed the following principal objectives set forth in the report:

"1. Cornell's commitment to minorities in all segments of the University is central to its primary responsibility as an educator and citizen.

"2. Cornell's objective must be to prepare students for life in a pluralistic society by facilitating integration in the campus community, while at the same time recognizing the need and right of ethnic and racial minorities to retain their identities.

"3. Since the college is the place where teaching and learning activities are concentrated, the academic life of minority students must be college — rather than University-based. Further, the University must take an active role in ensuring that the colleges fulfill their responsibilities for the educational activities of minorities.

"The Board directed the president to review the content and recommendations in the report in light of the University's overall priorities and report his responses to the Executive Committee and the Board of Trustees on a continuing basis, as promptly as possible."

RESPONSE OF THE ACADEMIC PROGRAMS AND POLICIES COMMITTEE TO THE
REPORT OF TRUSTEE AD HOC COMMITTEE ON THE
STATUS OF MINORITIES

General Comments

A statement of current and anticipated policy concerning minority education and employment at Cornell is long overdue, and the Trustee Ad Hoc Committee is to be commended for seeking to remedy that deficiency. Our Committee finds itself in agreement with the general thrust of the Trustee Report, but differs from some of its conclusions and recommendations.

We are convinced, furthermore, that the means and time frame for implementation of the Recommendations are as important as the Recommendations themselves. The Report does not discuss these means, which may have contributed to the apprehension present in the community. Thus we recommend that at the earliest possible time, the proposed procedures for implementation be brought to the attention of the Cornell community for further consideration.

One area of most significant disagreement between this Committee and the Report is the role and future of COSEP. This Committee sees a continuing need for COSEP (though perhaps in modified form) and important roles for it.

The Future of COSEP

The University minority program has had success in attracting students capable of completing Cornell academic work, and in assisting them during their stay at Cornell.

The recommendations of the Report, to assign to the colleges some functions previously carried out by COSEP, still leave important responsibilities which we feel can be most effectively carried out by COSEP. Specifically, we see a useful, or perhaps necessary role in the following areas:

1. In a liaison, funding and advocacy role with the departments regarding their efforts at remedial and tutorial courses.

The Committee is in agreement with the Report that the colleges are the proper locations for academic courses, however the funding, or partial funding through COSEP, of departmental efforts as done this year has considerable merit. It encourages interaction between the departments and the minority community; it helps to generate and maintain concern for minority needs; it maintains the identifiability of funds to be used in support of the minority education effort. While the procedure may be administratively cumbersome, it is a guarantee that an active program will remain.

2. In a liaison and advocacy role, to assist the colleges and departments in their student recruitment efforts.

3. As a source of aid, comfort and counsel for minority students, with special emphasis on non-academic matters.

While some of the colleges and schools have, or will be able to develop services of this type for minority students, it is not clear that all will be able to do so. Some central services in this area seem appropriate. In addition, there may be a need for pre-matriculation orientation activities which should logically be centered in COSEP. One academically related area logically within a central purview is the arrangement for individual tutoring needs, particularly for the upper classes.

Undergraduate Education

Trustee recommendation one strongly recommends the transfer of the tutoring, advising and academic counseling of minority students to the colleges. The Report is vague on two points:

1. The timetable for carrying out these changes. Clearly, changes should take place only after adequate procedures are in place. The Report does not address the question of how and by whom the judgment of adequacy will be made.

2. The Report does not make an explicit recommendation about non-academic counseling. While there are University-wide resources in this area for the student body as a whole, the Report seems to suggest that each college should develop such capabilities for minority students. As indicated in our comments on the future of COSEP, we feel that such counseling can be handled as well and more efficiently by a central office such as COSEP. Where the colleges currently have effective programs we recommend their continuance.

This Committee is in general agreement with the intent of Trustee recommendation two and three, but in reference to the latter we are unclear about procedures. Specifically, we do not see the relationship of the upperclass and graduate advisors to the TA's in the same course. We assume a major objective of recommendation three is to reduce the distance between minority students and the teachers in the larger courses. To achieve this objective we recommend that the departments be encouraged to use minority graduate and undergraduate students, as TA's in the large introductory courses.

Trustee recommendation five, encouraging the formation of disciplinary oriented living or social units, we feel is both inappropriate and unlikely to

succeed. While there are examples of successful living units based upon mutuality of interests (e.g. Risley, for the creative arts, Ecology House), past experience with more narrowly defined discipline oriented units has not been good, nor considered appropriate for the University objective to develop breadth of experience on the part of our students.

To the extent that gaps in treatment of minority interests and contributions can be demonstrated, the Committee is in agreement with Trustee recommendation six, which encourages the broadening of the various curricula to fill those gaps. It should be cautioned, however, that pressures on a department to undertake courses that are not perceived as part of its basic academic mission are unlikely to be successful.

Graduate Education

Although the Report recognizes the importance of graduate training for minorities, particularly as a long-range component of a program to increase the number of minority faculty applicants, it devotes only thirteen lines (pp. 18-19) and one Appendix to this topic. This appears to our Committee to be a seriously deficient treatment of a central area. In view of Cornell's potential for contributing to graduate minority education, we recommend an aggressive student recruitment program.

A few fields of the Cornell Graduate School, and its central administration, have already made aggressive attempts to attract minority graduate students, with some degree of success. Although hard data have not been obtained, it appears that such minority graduate students, once enrolled, have an excellent chance of successfully completing the requirements for advanced degrees. Such an aggressive strategy has a number of advantages: it is reasonably cheap, an accessible applicant pool exists (at least in a number of fields), and it is inherently autocatalytic. When holders of advanced Cornell degrees subsequently accept teaching or research positions in other institutions, they are in an excellent position to influence their promising undergraduates to consider Cornell for post-graduate study.

Since graduate admissions are in the hands of individual fields, effective recruitment and assessment of the qualifications of minority applicants must be carried out at that level. A major obstacle to the acceptance of minority graduate students has been the often uncertain quality of their undergraduate education, their likelihood of poor performance on such standardized tests as the Graduate Record Examination, and inability to evaluate Letters of Recommendation.

All three obstacles can - and have - been overcome if Field Admission Committees make themselves familiar with the undergraduate programs and faculty in their specialty at promising colleges with heavy minority enrollments. Such familiarity can be developed through visits to such colleges, either by members of the administration of the Graduate School, by individual faculty members, or by Adjunct Professors with special interests (as in Appendix B of the Report). The key is person-to-person contact with faculty members and administrators at these colleges - an extension of the traditional, but often despised, old-boy network. The Graduate School has already built up a large number of these contacts, which could be placed at the disposal of the individual fields. A limitation to this effort has been funding; this Committee believes that the person-to-person approach is sufficiently important that we recommend funding for this purpose, from University as well as from college and departmental resources.

Efforts should be made to encourage the present minority graduate students to participate in the recruitment process; they are often the most effective and persuasive advocates of the Cornell graduate education. Collaboration between related fields could also be strengthened, by exchanging information on the quality of undergraduate programs and faculty. We recommend that the Graduate School take the initiative in developing this exchange. A further area which requires strengthening is the encouragement of applicants to accept admission at Cornell, rather than at competing institutions. This may be aided (as may the admissions process itself) by interviewing promising applicants in Ithaca, at Cornell's expense. Funds for this should be made available to the individual fields.

An adverse factor in our ability to enlarge minority student participation in graduate study is the sharp cutbacks in Federal funds for graduate student support. However, the Subcommittee on Graduate Education of the Federal Interagency Committee on Education has recently recommended that, among others, the Federal government: initiate and implement several additional measures specifically designed to prepare disadvantaged racial and ethnic minority students for graduate study in all academic and professional fields, and to support the postbaccalureate training of highly qualified disadvantaged racial and ethnic minority students. We recommend that the President, individually and through appropriate organizations, strongly endorse the FICE recommendation, and seek additional funds for the support of minority graduate students.

Faculty

This Committee is in substantial agreement with the Trustee recommendations. However, we have some questions. Trustee recommendation three implies that full-faith efforts toward minority recruitment are not now being made. Without judging whether this is true or not, we agree strongly that good faith efforts are essential and that if current procedures are inadequate, new ones should be established. At the same time, however, we endorse the policy that the departments be the judge of the quality of each candidate. In this vein, we are unclear of the specific intent of the procedure recommended by the Report. Is it to insure a more aggressive search for candidates or to evaluate bias in the selection process? This Committee feels a more complete explanation of the intent, and administrative use of the information gained is necessary before it could endorse the recommended procedure.

The Report presents aggregate numbers relating Cornell minority faculty numbers to minority percentages in the population, student body, and potential "pool." However, we want to emphasize that the use of the aggregate numbers is inadequate either to establish appropriate goals or to judge the adequacy of search procedures. Therefore, we recommend that the extent of the candidate pool be established by discipline as soon as practical. Our experience suggests that there are major differences in the number of potential minority candidates in the various disciplines; those differences must be recognized in the evaluation of search adequacy, and in the setting of appropriate goals.

The Trustee Report recognizes the role the personal professional contact network plays in the identification of potential candidates. The role of these relationships in encouraging candidates to consider specific institutions should also be recognized. Trustee recommendation seven, in addition to the stated benefits, will help to expand the network to include more faculty at minority institutions. To further this objective, we again recommend a program to encourage visitation by Cornell faculty and administrative staff to minority institutions.

Even with more information about the candidate pool, more complete use of affirmative action procedures, and an expansion of the "old boy" network, in some disciplines the candidate pool will be so small that it will be extremely difficult to add significant numbers of minority faculty. As suggested earlier, and reemphasized here, we strongly recommend major emphasis on the expansion of minority graduate student support.

Admissions Criteria

The Committee feels that one of the most important areas relating to minority student education, that of admission criteria, deserves more serious attention than accorded it in the Trustee Report. These criteria have important implications for the probable success of students who matriculate at Cornell, and for the relative investment in orientation and remedial efforts rather than other investments supportive of minority education, e.g., financial aid and recruitment.

The Trustee Report states that "the most appropriate and paramount criterion for admission of all students to the University should be the capacity to complete the requirements for a degree" (their emphasis). We agree.

This Committee is uncertain about the extent of systematic studies of the relation of admission criteria to ability to complete the degree requirements in the various colleges. We therefore recommend that the colleges be urged to conduct such studies, where they do not exist.

DISSENTING OPINION

The letter and spirit of civil rights currently is aimed clearly at the ending of segregation based on such social differences as race, sex and religion.

A compelling case can be made therefore for the disbandment of COSEP in light of the thrust of civil rights, a case which is strengthened, moreover, by the recognition that the program initiated 11 years ago was intended as a temporary arrangement and not a permanent ongoing program for duplicating and overlapping extant university capabilities.

Nevertheless, there remains strong fears on the part of many persons that sufficient resolve may not yet exist within the campus community to assure meaningful integration of minority with majority students.

To better assure that the goal of full integration in academic affairs is carried out, a continuing but clearly specified phase-out role may be justified for COSEP. During the phase-out period, COSEP should be assured adequate staff and funds to facilitate the effective recruitment and education of minority students and to monitor and evaluate progress with respect to the receipt of Cornell degrees by minority students. All other functions and responsibilities in the academic and counseling areas should be transferred to the appropriate university units as the earliest time feasible.

Undue prolongation of separation can contribute to the sort of "them and us" syndrome which exaggerates and inflames tensions in a manner counterproductive to the attainment of expanding educational opportunities for minority students.



Roger Battistella

The Speaker *pro tem*, Professor William Tucker Dean, Law, called the meeting to order at 4:36 p.m. Approximately 350 Faculty and 100 visitors were present. The Speaker announced that this was a special meeting called for the purpose to be described shortly by the Dean of the Faculty, Professor Byron W. Saunders. He asked all guests except media representatives in the front row to seat themselves behind the main cross aisle. He announced that all non-voting Faculty members were entitled to participate in debate but not to make motions or to vote. Professor Isadore Blumen, ILR, asked if the press was to be allowed to use recording devices and cameras since under the rules the Faculty had never allowed a verbatim transcript of its proceedings. The Dean replied that he had given permission for recording talks prepared in advance but not for photographs, and had asked all photographers to withdraw as soon as the Speaker called the meeting to order. The Speaker noted that the rear center section was already filled with voting Faculty members, and asked non-voting members in that section to move to the side sections.

1. STATEMENT BY THE DEAN

The Dean stated that he had called the meeting under Part II, Article IV, Section B-3-g of the ORGANIZATION AND PROCEDURES OF THE UNIVERSITY FACULTY. The special business of the meeting was to invite the Faculty to speak clearly, forthrightly and without ambiguity on one issue, academic freedom, nothing more, yet nothing less. The Dean then said that on returning to the campus Wednesday, December 10, he had heard some stories about the public meeting scheduled for December 9 in Bailey Hall at which a visitor had been invited to speak by an officially registered student group which, if true and in keeping with the facts, suggested that academic freedom at Cornell was not "alive and well" and that some definite action was called for by this Faculty. Because of the stories, he had ordered a copy of radio station WVBR's tape recording of the event which had been listened to by several people including some who had been present at the meeting. Although edited for broadcast, the tape contained a very high percentage of activities, introductory comments, questions and answers, he said, clearly enough to determine the tone that was being set and the framework within which the meeting would be conducted.

Also, conversations had been held with several people who had been at the meeting, and while there were still several questions to be answered and facts to be verified, it was "abundantly clear" that actions of one or more persons had brought about the premature termination of the meeting. Free speech had not

been allowed, and academic freedom, "the most fundamental, the most basic of human rights in this academic community" had been violated. "The freedom of each one of us to be able to speak, to listen, to question, to engage in dialogue with one another or with guests to the Cornell campus" had been first abridged and then terminated, he said. Political ideologies of the participants in the meeting were not in question at this Faculty meeting or subject to debate, he said, nor were the events surrounding the visitor's activities over the last two decades. Most thoughtful people found such events and activities associated with Tuesday's speaker to be abhorrent to an extreme degree. Likewise, he said, the wisdom of issuing an invitation to the speaker in the first place was not in question. The fact was that he had been present and had been invited by an officially registered University group using proper channels and following proper procedures. He had come to speak and to answer questions. The actual speech given had been short and not what had been planned by the sponsors. His question period had been cut short because of the disruptive activity engaged in by some of those in the audience. It was this activity that resulted in his withdrawal from the hall.

"If you believe in an honest and continuing search for truth," the Dean concluded, "if you believe in the rights of others to hold opinions that differ from your own, if you believe in diversity of thought, if you believe that each of us has a right to be heard and an equal right and obligation to listen, in short - if you believe in academic freedom, then I hope you will join with me and support this concept by endorsing the statements that will formally be presented to this Faculty in a moment."

2. STATEMENT BY THE PRESIDENT

The President, Dale R. Corson, said he had asked to address the Faculty because of the importance of the fundamental issue which had surfaced from the events of December 9. Although not in Ithaca that night, he said, he had heard the events of the evening described by some of those who were at Bailey Hall, had listened to a tape recording of the proceedings and had read newspaper accounts.

He was indignant, he said, that such an event could occur at Cornell University, which from its founding had been an institution where those of all persuasions were free to express their opinions. He had been proud during his 30 years at Cornell to be a member of a University community where all, even those with views he considered unconscionable, were free to speak and to be heard.

During the period of dissent in the late 60's and early 70's, he said, there were many occasions when speakers at American universities were not permitted to speak or to be heard. Fortunately, with the passage of time, the basic principles of freedom of expression had been reaffirmed by American universities and the stature which these universities long enjoyed had been substantially reestablished. Then came December 9, 1975 at Cornell. Now, of all places, Cornell had become an institution where a speaker could be shouted down. "I can feel only outrage," he said. As he saw it, the dogma of dissent developed in the 60's held that if a person's opinions and thoughts were evil, either by one's own or a commonly held definition of evil, that person had no right to express his opinions, and others had a right to prevent him from expressing them.

It was clear from listening to the tape of the December 9 event, he said, that some at Cornell held such a distorted view of freedom of expression, one which he rejected totally. The only acceptable standard was that principle of free thought expressed by Justice Oliver Wendell Holmes, Jr. in 1929 in U.S. v. Schwimmer: "...the principle of free thought -- not free thought for those who agree with us but freedom for the thought that we hate." The difficult problem of insuring this standard had been discussed eloquently and in considerable detail in the January, 1975 Yale University report entitled Freedom of Expression at Yale. He read the following two excerpts from that report:

"If the priority assigned to free expression by the nature of a University is to be maintained, that priority rests with its members. By voluntarily taking up membership in a University and thereby asserting a claim to its rights and privileges, members also acknowledge the existence of certain obligations upon themselves and their fellows. Above all, every member of the University has an obligation to permit free expression in the University. No member has a right to prevent such expression. Every official of the University, moreover, has a special obligation to foster free expression and to insure that it is not obstructed.

The strength of these obligations, and the willingness to respect and comply with them, probably depend less on the expectation of punishment for violation than they do on the presence of a widely shared belief in the primacy of free expression. Nonetheless, we believe that the positive obligation to protect and respect free expression shared by all members of the University should be enforced by appropriate formal sanctions, because obstruction of such expression threatens the central function of the University. We further believe that such sanctions should be made explicit, so that potential violators will be aware of the consequences of their intended acts."

Primacy of free expression should be a widely shared belief at Cornell, the President said. The rules to be enforced, procedures to be followed, and sanctions available were clearly stated in the Regulations for the Maintenance of Public Order, which constituted Article I of the Campus Code of Conduct. Section One of these regulations stated:

"This Article I shall apply to all persons on any campus of Cornell University or any other property or facilities used by it for educational purposes."

The relevant portion of Section Two, the section on violations stated:

"It shall be a violation of this Article I:

(a) To disrupt or obstruct or attempt to disrupt or obstruct any instructional, research, service, or other University operations or functions, or interfere with or attempt to interfere with the lawful exercise of freedom of speech, freedom of movement, freedom of peaceable assembly, or other rights of individuals, by action including but not limited to the following: ...intentionally using or threatening physical force or violence to harass, abuse, intimidate, coerce, or injure another...intentionally urging and inciting others to violate the provisions of this subsection... intentionally obstructing or restraining his lawful participation in authorized activities and events, including, without limitation, regular and special curricular activities, extracurricular activities, and employment interviews."

Section Three of the Regulations dealt with enforcement, penalties and procedures, he said. Penalties ranged, in the case of students, from written reprimands to dismissal from the University; or to dismissal from the employ of the University and termination of any contract or tenure in the case of Faculty and other employees. The events of December 9 in Bailey Hall were under investigation by the Judicial Administrator, he said, adding that he could not predict the outcome.

In addition the Faculty had its own procedures, he said. The Regulations for the Maintenance of Public Order included the following statement:

"These Regulations and the penalties imposed hereunder shall not be deemed exclusive of and shall not preclude resort to any applicable State, Federal, or local law or ordinance or other University regulations and procedures and shall not be deemed to limit the right of the University or of any person to take such additional or other legal action as may seem appropriate or necessary to maintain public order and to protect legal rights."

Acknowledging that enforcement of these regulations was difficult, that identification of disrupters or those who restrict freedom of expression was

often impossible, and that many times such individuals had no University affiliation, the President said that in the end the only really effective restraint was a clear indication by those who constituted the overwhelming majority of the University community that behavior of the type exhibited at Tuesday's event was intolerable.

It had become commonplace at American universities to treat individuals and groups with disrespect, with contempt, to shout obscenities, and to vilify in countless other ways, he said. Surely no civilized society could allow such modes of expression to endure, and there could be no university in the truest sense when the method of discourse included such degradation. No regulation, formal penalties, or set of sanctions would reverse this uncivil behavior. Again, the only effective restraint was clear indication that the overwhelming majority of the community would not tolerate such behavior.

The President recalled that when Professor Carl Becker was being "courted" by Cornell in 1917, Professor Henry A. Sill of History wrote him saying, "There is no University in the country in which freedom of thought and of speech is more firmly entrenched in tradition and in policy." Professor Morris Bishop had said it was the very freedom of Cornell that lured Becker to join its faculty.

In Becker's 1940 address on "Freedom and Responsibility" on the 75th anniversary of the University charter, the President said, the historian stated: "Cornell has a character, a corporate personality, in this sense, an intellectual tradition by which it can be identified. The word which best symbolizes this tradition is freedom." Later in the same address, he said, "...I discovered that I could do as I pleased...But in the process of discovering this I also discovered something else. I discovered what the catch was. The catch was that, since I was free to do as I pleased, I was responsible for what it was that I was pleased to do." The President concluded: "We who constitute the Cornell community must exercise our freedom with acceptance of responsibility for our actions. There are limits beyond which we may not go."

3. STATEMENT BY THE DEAN OF STUDENTS

Mr. Elmer E. Meyer, Jr., Dean of Students and Assistant Vice President for Campus Affairs, described procedures involved in advance of the lecture on December 9 by former South Vietnamese Vice President Nguyen Cao Ky. The lecture was sponsored by the Inter-Fraternity Council (IFC), he said, and the Oliphant Fellowship of Sigma Phi Fraternity, the latter a private endowment established by alumni of Sigma Phi to bring contemporary speakers to the campus. The Council and Oliphant Fellowship had sponsored such speakers as Senators George

McGovern, William F. Buckley and former Senator Julian Bond in the recent past. The IFC, with funds allocated by the Undergraduate Finance Commission, and the Oliphant Fellowship had provided funds to pay for Mr. Ky's visit. The IFC Speaker Committee and the Oliphant Fellowship also had received the consent of the Fraternity House residents and Sigma Phi Fraternity before inviting Mr. Ky to the campus.

Bailey Hall had been tentatively reserved until the Organizations and Activities Review Committee had reviewed the reservation, he said. This was done and the lecture was formally scheduled for December 9. Using the University guidelines for controversial events, the Dean said, he had called a meeting of the leaders of the sponsoring group, the Organizations and Activities Review Committee chairman, his own department's activities staff and the representative of the Safety Division in charge of security for the event. Those present reviewed as many contingencies as possible, the Dean said, in terms of safety and security in and around Bailey Hall and elsewhere where Mr. Ky would be on campus. Additional meetings of the sponsors, the Dean's activities staff and the Safety Division were held to work out details, including extra student ushers, crowd control problems and other matters normally associated with controversial events. "We knew it was going to be tough and attempted to prepare accordingly," he concluded.

The Speaker received the consensus of the body that, pursuant to Faculty Council of Representatives procedure, the meeting would be adjourned at 6:00 p.m., unless a motion to extend was made by 5:45 p.m.

4. STATEMENT BY THE CHAIRMAN, COMMITTEE ON FREEDOM OF TEACHING AND LEARNING

The Speaker called on Professor S. Cushing Strout, Ernest I. White Professor of American Studies and Humane Letters, Chairman of the Committee on Freedom of Teaching and Learning, who, on behalf of his Committee and the Committee on Academic Freedom and Responsibility, moved the following resolution:

1. We are dismayed at the degeneration of respect for civil liberty at a Cornell forum displayed by protesters at Bailey Hall last Tuesday evening who hounded a visiting speaker from the platform with abusive and intimidating heckling. We are particularly disturbed by the reports that members of the Faculty played prominent roles in creating a climate hostile to the preservation of free speech.

The principles of free speech and the maintenance of an open forum, affirmed by the University Faculty, the University Senate, and the Statement of Student Rights, were treated with contempt when a chanting crowd demanded the speaker's withdrawal.

"We have set a precedent," one of the protesters is reported to have said, after having taken over the platform. On the contrary, such a precedent must not stand.

Therefore, we denounce this willful abandonment of the right of free speech in a community whose standards necessarily include what Mr. Justice Holmes once called "freedom for the thought that we hate" to be heard.

Professor Strout explained that this was the first of two motions to be brought to the floor which he wished to consider seriatim. He said that his Committee was charged to be concerned with all abridgements or attempted abridgements of freedom of teaching and learning at any event which in the Committee's judgment had an academic purpose. The Committee had been established, in fact, because of an earlier disruption of a visiting speaker's address. The motions offered today had emerged from a joint meeting of his Committee, the Committee on Academic Freedom and Responsibility and the Dean of the Faculty, and from discussion with some eyewitnesses to the December 9th event and from listening to a tape of the evening's activities, he said. He cautioned against allowing self-indulgent rhetoric, personal animosities and embittered memories of other occasions to color today's deliberations, saying the Faculty's effectiveness as a clear-thinking, fair-minded and decisive body was at stake. The committees had prepared the proposal, he said, in the belief that it reflected not only their own convictions but also those of a substantial body of their colleagues. He expressed the hope that those with serious reservations about the proposal would simply vote against it rather than seek to amend it from the floor at the risk of confusion and incoherence in the body's proceedings and statements. Similarly, if it closely approached some members' convictions, he said, he urged them not to balk at its imperfections. The sponsors welcomed debate, but hoped it would go to fundamentals and not to side issues.

The fact that many Faculty members, including himself, had participated in various demonstrations by civil means was not the Faculty's concern, he said. What made the events of December 9 of special concern was the termination of a forum of debate by willful disruption in which there was presumptive evidence that some of the Faculty had played a prominent role. "Without passing on the specific responsibilities of individuals," he said, "we know enough now to warrant our judgment that the events of Tuesday evening curtailed the speaker's rights and also the minority rights of those who came to hear him out." The issue did not extend to precluding further speech, he said, but to fulfilling the Faculty's obligations to insure that a speaker was not prevented from

continuing, as stated in University guidelines defining a disruption. Unfortunately, he said, as Yale University historian C. Vann Woodward had pointed out in his article on freedom of speech earlier in the year, a significant number of students and some Faculty members appeared to believe that it was permissible, and even desirable, to disrupt speakers whose opinions, particularly on war and race, were offensive to majority opinion, that there was small chance of being caught and that if caught there was a relatively good chance of not being found guilty, and that if found guilty no serious punishment was to be expected. Even those who stop short of such views, Professor Strout said, often gave aid and comfort to them by giving a higher value to peace, the moral motives of the disrupters or the insensitivities or provocative motives of those who had invited the speakers, adding that he had already heard such comments from respected colleagues. When such comments, although reflecting important values, were made superior to the obligation to maintain conditions of free controversy, he said, such events as December 9th's disruption became a recurring pattern as they had at many universities.

While recognizing the right to criticize the speaker or those who brought him, in harsh and deeply felt terms, Professor Strout said, the Committees emphatically did not accept the protesters' implication that the speaker had no rights. The primary issue, he said, dealt with a willful and successful attempt to make it impossible for the speaker to continue answering questions.

Speaking to concerns that any Faculty investigation and judgment would constitute double jeopardy, Professor Strout said that the Faculty was not acting as part of the state-enforced system of judicial administration at Cornell. The charge of the Committee on Freedom of Teaching and Learning specifically distinguished the question of maintenance of public order as the responsibility of other agencies. The Faculty was acting on its obligation as teachers and scholars in a community dedicated to free inquiry, he said, and when that obligation was threatened it had its own standards and responsibilities to defend whatever the state or its agencies may decide.

While some might think the second part of the Committees' proposal too mild and dilatory, he said, any student of civil liberty cases knew that precision about the facts was necessary, and careful analysis was required, in dealing with specific statements of polemical speech in a volatile situation. The Faculty did not yet possess an entirely complete tape recording of some statements, he said, or know the full details about negotiations among protesters, students, the Dean of Students and the speaker which had led them to substitute a question-and-answer session for a prepared speech, an action in itself already qualifying

conditions of free speech, nor did it know fully what steps had been taken or not taken to warn against disruptive responses or to quiet heckling as a means of protecting the speaker's right to speak and be heard. Therefore, he said, in the interest of truth and fairness the Committees asked support of their insistence on time for further exploration of some aspects of the event before coming to conclusions more specific than those formulated in their first statement.

Professor Strout cautioned against remaining silent until all facts were known, saying that because few Faculty members at Yale had spoken out following such a disruption, the commitment to freedom of speech and the understanding of its importance at that institution had further deteriorated.

Finally, Professor Strout spoke to the question of whether this was a "tempest in a teapot," saying neither the demonstrators nor the Committees thought so. To await a grander plot on which to act would allow civil liberty on the campus "to deteriorate under our eyes and under our noses." "Let us deal now with the occasion, firmly and fairly, without any lust for retribution and without drowning in a sea of equivocations and quibble," he ended.

Professor Norman Kretzmann, Philosophy, moved to amend the two-part resolution by deleting the first section. The Speaker said the amendment was out of order since only part one was on the floor and ruled that Professor Kretzmann opposed the motion on the floor and invited him to speak in opposition to it. Professor Kretzmann said it was important that the Faculty conduct its own investigation of a matter under investigation by the Judicial Administrator and which might lead to disciplinary action against Faculty members because the Faculty, unlike the Judicial Administrator, could and should consider broad questions of the sort raised by the events at Bailey Hall and the responses to them. For the Faculty to go on record as being "dismayed," "particularly disturbed," and "denouncing" was therefore premature. The feelings of dismay and the need to find out if they were well founded constituted the motives for endorsing a Faculty investigation, he said. He said he would strongly support endorsement of the investigation called for in the second part of the resolution, which he hoped would examine the "whole course of events" at Bailey Hall and questions which seemed to be prematurely considered "settled" by part one of the resolution. He was not proposing that the Faculty say nothing until the facts were known, he said, but that it say nothing until it knew more and had thought a good deal more about these matters.

Associate Professor Rose Goldsen, Sociology, spoke against the motion, saying that the general concept of free speech and the special concept of academic freedom did not grant anyone unlimited license to a public platform at the University from which to advocate any kind of behavior and justify any kind of principle. Custom allows people to show their disapproval in a variety of ways according to whether an event was an open forum, an academic event or a spectacle, she said, the distinctions among classes of events not being clear-cut. It was the Faculty's responsibility to define the nature of the December 9th event, she said, and to decide if the principles advocated by Mr. Ky put him beyond the pale, not of free speech, but of entitlement to a public platform at Cornell. In so doing, she said, the Faculty must consider events taking place in Viet Nam during the 1960's.

It was also the Faculty's responsibility to determine if the December 9th event was a spectacle, such as a baseball game where people throw coke bottles and yell "kill the umpire," and if so whether or not the audience's behavior was within the range of acceptable custom for such a spectacle, she said. In so doing the Faculty must consider the nature of the event, who were its arrangers and the size of the speaker's fee for the evening, she said. She believed it was an error to "book" Mr. Ky into Bailey Hall, she said, and that the nature of the event placed it in the arena of civil liberties rather than that of discussion where audience behavior could be judged relative to the nature of the event.

The Speaker requested a statement from someone in favor of the resolution in order to maintain quantitative balance. Professor Gordon M. Messing, Classics, pointed out that there had been previous speakers on the campus whom some found intolerable, but that there had been no disruptions of their talks. "What works for one should work for another," he said. He also pointed out that it seemed obvious, if only from newspaper accounts of the event, that a minimal case had been made for an investigation and to justify passage of the resolution. Finally, he reminded the body that "the Fascist-minded on the left are as intolerant and as intolerable as the Fascist-minded on the right."

Professor Max Black, Susan Linn Sage Professor of Philosophy and Humane Letters, opposed the motion, saying that the Faculty was being asked to pass judgment on a particular event about which he, for one, did not know the facts. He did not share the previous speaker's respect for what he read in the newspapers, he said. The Faculty was asked to denounce "this willful abandonment of the right of free speech," a strong verdict which he could not support. Nor could he confirm the accuracy of the statement that the speaker had been "hounded"

from the platform, or of "reports" that Faculty members had participated in the event, or of the statement that the speaker had been subjected to "abusive and intimidating heckling." Finally, he said, the Faculty was presented with a statement supposedly made by an unnamed protester, one of a group it was supposed to treat with contempt, and was asked to express its condemnation of the statement, an action he could not take. He would prefer, he said, to approve a statement reaffirming the Faculty's commitment to free speech, adding that it seemed appropriate for a serious question regarding the conduct of Faculty members to be handled by the due process called for by the second part of the resolution, which he would support.

Professor L. Pearce Williams, John Stambaugh Professor of the History of Science, pointed out for the benefit of Professor Goldsen that the event in question was not a spectacle in that no admission had been charged. The key question, he said, which Professor Goldsen had raised, was whether anything was "outside the pale." Nothing is outside the pale, he said, because the pale is indefinable. As for Professor Black's professed agnosticism, he said, evidence from newspaper accounts and from the language of the motion on the floor was sufficient to indicate that there had been a disruption as defined by University rules, i.e., the speaker had been prevented from continuing. The motion alluded to "reports" that Faculty members took part in the event, he said, not to their taking part, and was therefore easy to support. It stated that there had been a disruption, he said, an unarguable point. It stated that the sponsors felt there was presumptive evidence for denial of freedom of speech. He urged support of the resolution "so that we can get some teeth into our enforcement procedures."

Professor Benjamin Nichols, Electrical Engineering, stated that it had become clear to him during Professor Williams' speech that one did not have to pay admission to be at a spectacle. Professor Joel Silbey, History, rose on a point of order to say that at the opening of the meeting the Faculty had been requested to adhere to its normal standards of behavior and that it was doing so. He suggested that his colleagues rise above normal standards, pay attention to the seriousness that many felt about the occasion and stop trying to "score points" off previous speakers.

Professor Nichols apologized for being provoked by his predecessor's remarks. He expressed hope that the motion on the floor would be tabled because it prejudged the issue. Not only was the motion's language open to differing interpretations, he said, but together with other statements it interfered with both state-created institutions for maintaining order and campus judicial procedures.

For example, the call to the present meeting, he said, stated that the December 9th speaker was not allowed to speak, a statement which, according to reports he had heard from eyewitnesses to the event, was open to question. He then read the following resolution which had been adopted by the University Senate:

WHEREAS the events in Bailey Hall of Tuesday, December 9, 1975 have resulted in the filing of certain complaints with the Judicial Administrator; and

WHEREAS there is considerable concern and controversy over the issues involved in the case, which has already engendered much public discussion; and

WHEREAS the Campus Judicial System is specifically and solely empowered to enforce the Campus Code of Conduct; and

WHEREAS the Executive Committee of the Senate is empowered to speak for the Senate during its recess;

THEREFORE BE IT RESOLVED that the Executive Committee of the University Senate, speaking for the Senate, calls on all members of the Cornell community to respect and protect the existing judicial procedures; and further be it

RESOLVED that the Executive Committee calls on members of the Cornell community to exercise restraint in commenting upon cases currently pending before the Campus Judicial System, in order that the fairness of any judicial proceedings be assured.

Professor Nichols concluded by stating he was sorry to say that he thought many statements made today, including those of the President and the Dean of the Faculty, prejudged the issue.

Professor Julius Fabricant, Veterinary Medicine, asked who was correct, the President in stating that the Faculty had its own standards to adhere to or Professor Nichols in saying the campus judicial system was the only proper means for handling the case. The Speaker called on the Dean of the Faculty who responded by stating that academic freedom was clearly a Faculty matter, that the campus judicial system was not the only or even an appropriate system to define academic freedom, that the Faculty obviously had the right and obligation to speak forthrightly on the subject and that the campus Code of Conduct, Article I, Section A, affirmed that right. Professor Nichols said he had not been speaking to the Faculty's right to talk about academic freedom, but to possible prejudice from its actions to the right of due process. Professor Fabricant asked where in the resolution there was any reference to individuals or material prejudicial to individuals. Professor Nichols replied that the motion contained statements about actions which, if proved correct, would violate the judicial system.

Professor Peter Stein, Physics, moved to delete the following sentence from the first paragraph of the resolution: "We are particularly disturbed by the reports that members of the Faculty played prominent roles in creating a climate hostile to the preservation of free speech." A process had been launched against certain Faculty members, Professor Stein said, which could mean their dismissal from the University. In view of the seriousness of this action, he said, the Faculty should be very careful about what it says about a judicial procedure in process. He agreed that the motion did not assess blame, but said many Faculty would interpret it as so doing. Without the second sentence in the first paragraph it would stand as a ringing denouncement of the events that took place; with it, there would be some impropriety about commenting on a serious case in process.

Professor Ian Macneil, Law, moved to postpone adjournment beyond 6:00 p.m. Carried.

Professor Harold Feldman, Human Ecology, moved to amend the amendment by deleting all of the resolution and substituting "That the Faculty support the principle of what Mr. Justice Holmes once called 'freedom for the thought that we hate' to be heard." Merely removing the last sentence of the first paragraph would not satisfy objections raised to the motion, he said, and the motion as offered seemed inappropriate since the second motion would call for an investigation. Defeated.

The question being called on Professor Stein's amendment, it was defeated by a vote of 165-151.

Professor Ulric Neisser, Psychology, moved to table the motion. Professor Blumen stated that a motion to table could not be used to cut off debate, but only to temporarily postpone one action in order to get to another action, adding that such a motion, if intended to cut off debate, required a two-thirds vote. Professor Neisser requested guidance from the Speaker, saying he wished to give the Faculty an opportunity to express itself if it felt, as he did, that it was inappropriate to vote on the main motion. The Speaker said he could move to refer the motion back to the originating committees and Professor Neisser said he felt the originating committees were improperly seized of the matter in the first place. A motion was made from the floor to terminate debate on the main motion. An opinion was voiced that Professor Neisser's motion to table was in order, the only question being whether or not a two-thirds vote was required. The Speaker's ruling to the contrary was appealed on grounds that the tabling motion was clearly not intended to cut off debate and that the body knew that the

next question before it would be a vote on the main motion. The Speaker asked Professor Neisser to restate his motion. Professor Neisser said he did not wish to cut off debate but to table the motion for further action at a later meeting. The Speaker stated that if the motion were tabled it would not be brought before the body at this meeting and that debate would therefore be cut off. He asked the Parliamentarian, Professor John H. Whitlock, Veterinary Medicine, for assistance. Professor Whitlock said he believed the body was bound by precedent for Faculty meetings, which unlike Faculty Council of Representative meetings were considered complete sessions in themselves, to hold that a tabling motion was an attempt to cut off debate and was improper. A question was asked from the floor if the fact that a Faculty meeting was scheduled for the beginning of the next semester affected this decision. The Speaker ruled that there was a motion before the body to cut off debate on the main motion, which required a two-thirds vote and called for a vote. Carried.* The question being called on the main motion, it carried by a vote of 248-82.

Professor Strout moved the second part of the resolution:

2. On the basis of preliminary examination of the evidence we are persuaded by the complexities of some features of this case that further investigation is needed to evaluate accurately and fairly the course of events and the responsibility of particular individuals. We have therefore asked the Dean of the Faculty to establish a Faculty committee including members of the Committee on Academic Freedom and Responsibility and the Committee on Freedom of Teaching and Learning to determine specific responsibilities for the disruption and to recommend appropriate action to the Faculty not later than the first meeting next semester.

Professor Williams asked Professor Strout if the intent of the motion was to investigate not only those who disrupted the meeting in Bailey Hall but also appropriate University offices charged with preventing such disruptions, particularly the Office of the Vice President for Campus Affairs and the Office of the Dean of Students. According to the head of the Safety Division, he said, these offices had given the Division its orders, and in those orders no attempt had been made to identify disrupters or in any way bring to bear the force of public opinion to prevent the disruption. Professor Strout referred to his earlier statement that the resolution's sponsors did not know the facts regarding the substitution of a question-and-answer session for the talk or what steps had been taken to prevent a disruption.

*Motion was actually defeated, not carried. See minutes of February 18, 1976, page 4466F, for correction.

Visiting Professor Michael Parenti, Government, spoke against the motion. Although he believed, he said, that a systematic, proper and judicious investigation of the events would show that none of the allegations against Faculty members were true since they were based on "highly jaundiced" readings of rather selective news reports, he no longer had confidence in the investigative process as it would take place because nowhere in the resolution were there any specific guidelines as to empirical indicators to be looked at. The investigating committee would lack guidelines as to what a disruption was, he said, and would really be investigating whether or not there had been "incitement," adding that he found it incredible that anybody could think that any Faculty member at the event had incited the crowd. Yet he found people at this meeting, he said, who, on the basis of newspaper reports, thought there was good reason to think incitement had taken place. "Those of us who are very eager to protect due process should also practice it," he said. The Committee was going forth with a resolution, he said, which had already treated as facts those allegations which it said should be investigated. For example, he said, the resolution already passed stated that "abusive and intimidating heckling" had occurred at the meeting and that this had infringed on freedom of speech. He read the following statement by the *ad hoc* Committee to Study Disruptions of Public Events made in a letter to the President on December 8, 1971: "It must be remembered that by long standing custom in free societies public speakers on political issues may also be heckled at the meeting itself. When such heckling becomes disruptive by developing to a point at which a speaker may no longer continue to be heard is a difficult decision." Citing the difficulty of defining a disruption, he pointed out that Mr. Ky had not been prevented access to Bailey Hall or to the platform and the public address system had not been disconnected, although it had later been disconnected and had prevented Mr. Pham Van Dong, a speaker invited by University students to give an alternate view to Mr. Ky's from speaking. Professor Whitlock rose on a point of order to say that Professor Parenti was getting into details of the event in question. The Speaker asked Professor Parenti to direct himself to the motion on the floor and not the details of the event. Professor Parenti explained that prejudgments were being made and he wished to provide a wider empirical base for judgment. In his judgment, he said, a speaker had been interrupted by the crowd, and that speaker was Assistant Professor Richard W. Miller, Philosophy. Again cautioned by the Speaker, Professor Parenti said that he was trying to illustrate the point that there could be a great deal of subjectivity in judgment as to who was disrupted,

what disruption meant, and how important it was to specify guidelines for the investigating committee. He concluded by saying he had thought one purpose of this meeting was to provide such guidelines, but that he would reserve his remaining remarks for the investigating committee when it met.

Professor Theodore J. Lowi, John L. Senior Professor of American Institutions, said he had tried to speak to the first part of the resolution and wished to speak to the second part because of the "inevitability of interpretations made in the outside world as to the ability of the Cornell Faculty to stand up against any interference in free thought and expression." He observed that the first part of the resolution was not a "bill of attainder," and that every person had a right to make up his or her mind as to what had occurred December 9, which was the reason for setting up an investigating committee. "Nothing in item one ought to be interpreted as a decision," he said, adding that the Committee's purpose was to determine guilt on an individual basis as to incitement, a word which Professor Parenti was correct in using. He expressed the urgent hope that nobody would prejudge events, saying the Faculty's job was to agree on a judicial process, and urged passage of the second part of the resolution. A questioner from the floor asked Professor Lowi if he had meant to say that the Faculty committee would be a "judicial procedure." Professor Lowi said that he did not mean to make such an implication but to call attention to the fact that part two of the resolution called for a committee of inquiry which would have the authority, obligation and opportunity to take into account every piece of evidence it could get to deal with individual responsibility.

Professor Roger A. Morse, Entomology, called the question. Carried. The resolution carried overwhelmingly.

Professor Williams inquired if, in order to prevent invasion of any Faculty member's rights, including Professor Parenti's, the body could so amend the motion that results of the investigation would not be made public or would be presented to a judicial board as evidence (shouts of "no"). The Speaker ruled Professor Williams out of order.

Adjourned: 6:20 p.m.

J. Leeming, Assistant to the Secretary

The Speaker, Associate Professor J. Robert Cooke, called the meeting to order at 4:38 p.m. 67 members and several guests were present. Minutes of the December 10, 1975 meeting were approved with the following corrections:

page 4437C, third paragraph: Assistant Professor Constance L. Wood, Plant Breeding and Biometry, [Associate Professor Mary B. Wood, Cooperative Extension,] (Addition underlined, deletion in brackets.) Page 4438C, second paragraph: Professor Robert D. Miller, Agronomy, described for the benefit of the Committee [certain precedents for assignment of remedial education activities to academic units that existed in his College's orientation program.] precedents existing in his College for the teaching of orientation and certain remedial courses by academic units outside relevant departments and either with or without credit towards graduation. (Deletion in brackets, addition underlined.) Page 4435C, last paragraph: Assistant Professor Miller, Philosophy, supported etc.;

page 4436C, first paragraph: Assistant Professor Miller, Philosophy, had etc.;

page 4438C, last paragraph: Assistant Professor Miller, Philosophy, stated etc. (Additions underlined.)

1. REMARKS BY THE DEAN

The Dean of the Faculty, Professor Byron W. Saunders, reported that media representatives had been instructed not to use recording devices at Faculty or FCR meetings since his request at the special Faculty meeting of December 15, 1975 that they record only prepared statements had been ignored. He reminded the body that the call to nominations for Faculty and FCR committees would shortly be issued and urged members to consider possible candidates. He announced that the Board of Trustees had approved guidelines for review of academic appointments, reappointments and tenure decisions* which would be distributed to the Faculty as had the remainder of the grievance procedures passed by the FCR. This action still left some "gray areas" in the Faculty's grievance procedures, he said, but provided a reasonable basis for proceeding.

He announced that the Faculty Committee to determine specific responsibilities for the December 9th disruption (see minutes of special Faculty meeting December 15, 1975) would give an oral report to the Faculty at its February 18, 1976 meeting. He announced that the report of the *ad hoc* Committee on Faculty Appointments, intended to be made at this meeting, had been delayed by the emergence of issues which may or may not lie within the Committee's jurisdiction, and that the Committee would probably issue an interim report at the March or April FCR meeting.

* see Appendix A

Finally, he announced that an agenda item would be forthcoming at this meeting dealing with the question of University governance, an issue raised by an action of the University Senate.

2. REMARKS BY THE PROVOST

The Provost, David C. Knapp, described actions taken following approval in principle by the Board of Trustees of a statement on minority education, and the current budgetary situation regarding statutory units of the University. The statement provided an organizational and policy framework requiring further substance in terms of administration and educational policy, he said. The deans would address questions of organization and responsibilities within their units, arranging meetings with minority students to discuss the statement's impact. He also anticipated appointing a search committee for a COSEP director within ten days, he said. Adjunct Assistant Professor Clarence H. Reed, acting COSEP director, and Dean Donald G. Dickason, Admissions and Financial Aid, would develop plans of organization functions for their departments.

The Provost described the state budgetary situation and its impact on the University as "grim." Attitudes in Albany towards higher education, both public and private, were no better this year than last according to the consensus at a recent meeting of the Association of Colleges and Universities of the State of New York.

The state fiscal situation affected the University primarily in three areas, he said, the first being its capacity to borrow. The financial position of New York City and of lending agencies for capital projects in Albany had made it extremely difficult for the University to float bonds through the State University construction fund for projects already underway. As a result, some projects which the Administration had intended to fund with a bond issue had been switched to fairly short term financing, and alternative sources had been used to fund renovation of the heating plant, a major project. This situation could be expected to continue over the long range, he said. Of more immediate impact on endowed college operating budgets was the Governor's recommendation of an 8.5 percent reduction in so-called Bundy monies, which could reduce the University's planned allocation of \$2.7 million in 1976-77 by \$250,000.

State support of approximately \$42 million in 1975-76 for the statutory units and the Geneva Experiment Station had suffered reductions of \$1.3 million in allocations and \$700,000 in cash, he said. The Governor's recommended budget for 1976-77 contained additional reductions of approximately \$1.2 million,

probably the maximum amount to be expected. If the Legislature took further action it would probably be to reduce available funds still further. The clear intent of the Governor's budget was to reduce the state's personnel obligations, thereby reducing its payroll and total budget. About 200 positions at the statutory units and Geneva had been lost in 1975, and further decreases could be anticipated in the 1976-77 budget which would be acted upon April 1. The budget specified the amount of funds to be yielded up in savings as a result of eliminating positions, he added. On the positive side, the Provost said, for the first time the budgets for statutory units and for the Division of General Services, which underlies the services of buildings and grounds, had been consolidated in one appropriation and one budget item. The Administration had sought such consolidation for a number of years in order to gain more flexible budgeting and to ensure that decisions on educational programs were made in Ithaca rather than Albany. Ironically, however, the decisions rested in Ithaca in hard times while in more favorable years it rested in Albany. Still, he said, this provided chances to make better decisions than might emerge from the Division of the Budget in Albany.

A second positive note, he said, was that the Governor's budget carried a \$276,000 increase in funding for accessory instruction. Thirdly, funding for county Cooperative Extension associations, transferred by the Division of the Budget the previous year from Cornell to the State University, had now been returned to the University's budget where it legally belonged. The statutory units faced a number of immediate and difficult problems, he said, the most difficult one being timing. Adherence to state budget schedules precluded incurring deficits over several years as the endowed units had attempted to do. Moreover, the Governor's budget recommendations were not a reliable planning base. Another problem arose from the fact that cuts had been made over a number of years, bringing the University close to the point of making program decisions within statutory units. Staffing implications of the present retrenchment period were clear, he said, but the solutions were not.

He cited as an example the Governor's recommendation that the University save \$2 million by reducing schedules of 12-month employees engaged in teaching support functions to nine months. Cornell had a fundamental problem in this regard because it did not have the same "spread" of such employees in the statutory units as on the endowed campus. Nor could savings in dormitory personnel be made because they were not funded by the State budget. Clearly, he said, the Administration must make \$290,000 in savings, but it remained an open question

as to how to do it. Policies and procedures for addressing program decisions and personnel retrenchment had been and would continue to be discussed.

A third area of problems concerned the transfer of funds out of the College of Veterinary Medicine into the State Department of Agriculture and Markets in support of regional avian disease and mastitis control laboratories. The Division of the Budget had not consulted the University in making that decision, he said, and had transferred more money than would normally support these functions. This could have a critical impact on the College. Regarding accessory instruction, the College of Agriculture and Life Sciences and the ILR School had been funding a fair amount of such costs from college income funds, state appropriations being inadequate, and the College of Human Ecology was nearing the same point. If the \$276,000 recommended by the Governor was not forthcoming, a fundamental problem of maintaining the free flow of students between statutory and endowed units would have to be faced. He expected a report within several days on short-term implications of the problem and long-term alternatives.

The Provost anticipated each one of the problems he had referred to becoming a matter of some urgency over coming weeks, and mentioned that the Trustee Committee on State Relations as well as a number of individuals were seeking University support in Albany. The only outcome to be hoped for, he said, was to "hold our own" in the Governor's budget, there being little opportunity for increasing funding above that amount. He added that the problem affected the entire University, it being the contract university with the State, its Faculty and staff Cornell employees, its students in the statutory units Cornell students, and its obligations those of the entire University. Moreover, the academic programs shared by statutory and endowed units were fundamentally a total University program, he concluded.

Professor Ian Macneil, Law, asked the Provost if abandonment of the physical education requirement by the Faculty would free accessory instruction funds for use elsewhere in the University. The Provost replied that he was not sure whether a reduction in credit hours taken for accessory instruction would free funds for University use or release appropriations to the State. The issue ran through every aspect of higher education, he said, including ways accessory instruction funds were spent, credit hour differentials and actions inhibiting freedom of students to take accessory instruction courses, and required long-range study.

Professor Elmer E. Ewing, Vegetable Crops, asked the Provost to comment on prospects for release of tenured Faculty. The Provost replied that the Administration

would have to consider this question if the University reached the point of eliminating programs. It had been discussed but no decisions had been made, he said. Policies and procedures had been analyzed, and they needed to be clearly spelled out so that the Administration would know what it was embarking on. The basic attempt so far had been to preserve a tenured Faculty in the face of fiscal exigency, as illustrated by the extension of the period for cutting personnel expenses in the endowed units. Different time pressures in the statutory units again raised the issue.

Professor Urie Bronfenbrenner, Human Development and Family Studies, expressed concern that the University not cause financial retrenchment unintentionally to bear hardest on those starting their careers and having young children. The Provost said that the deans were aware of this problem regarding support personnel and had a basic concern for maintaining the flow of junior Faculty, realizing what it meant to the academic strength of the University. While the concerns were present, he said, he could not predict the outcome.

3. PROGRESS REPORT ON MINORITY EDUCATION POSITION PAPER

The Speaker reminded the body that the Committee on Academic Programs and Policies had been charged at the December 10, 1975 meeting to prepare for the consideration of the Faculty in February a position paper on minority education at Cornell, and called on the Committee's chairman, Professor Gilbert Levine, Agricultural Engineering. Professor Levine gave a progress report, indicating that the intercession period and the Committee's desire to obtain the best possible information as the base for its recommendations having precluded a final report. Four *ad hoc* subcommittees had been formed to deal with areas of the charge, he said. Specific information was being sought in two areas, first, the performance of minority students being given remedial teaching within departments, and second, a comparison of the performance of students admitted through COSEP with those admitted through normal channels. No specific date had been set for the Committee's final report, he said.

4. RESOLUTION ON CAMPUS GOVERNANCE

The Speaker announced that since the call to meeting had been issued the University Senate had taken action on University governance and the FCR Executive Committee had prepared a resolution on the matter. He received unanimous consent to add this item to the agenda and called on the Dean of the Faculty who moved the following resolution:

WHEREAS, the Cornell University Senate has recently passed a bill SA 376 recommending a commission for the study of campus governance, and

WHEREAS, the Faculty have a vital interest in that sector of the University that has been delegated to the Senate, and

WHEREAS, the Faculty must approve any changes in the Senate Constitution, and

WHEREAS, presently constituted faculty bodies have adequate legislated structures for examining governance in those areas that have been delegated to the Faculty, therefore,

BE IT RESOLVED, That the Faculty Council of Representatives instructs the Dean of the Faculty and whatever faculty representatives he appoints to join in the commission for self governance with sensitivity to the need for careful delineation of the jurisdictional boundaries between educational policy and non-academic matters of campus life, and

BE IT RESOLVED, That the Faculty Council of Representatives calls attention to the existence of the Bethe Report (adopted by the University Faculty on September 24, 1969) which enumerates the academic responsibilities of the faculty, and finally,

BE IT RESOLVED, That examination and evaluation of governance in those areas that have been delegated to the Faculty shall continue to be carried out by presently existing Faculty procedures.

The Senate bill had been subject to differing interpretations, the Dean noted. It called for the Dean to appoint two members of the Faculty to a conference committee which would establish, subject to FCR approval, procedures for forming a commission on governance. In light of the ambiguities involved, the Committee on Review and Procedures and the FCR Executive Committee had felt the FCR should officially recognize its status in relation to the commission. The resolution reminded the body and the community, he said, that the Faculty was quite willing to participate in a study of governance as it related to non-academic matters of concern to it, and would consider relationships of non-academic to academic governance matters, the latter being the province of the Faculty, despite "gray areas" thus introduced. It would also serve as a reminder that the Faculty had its own procedures for self-evaluation.

Professor Benjamin Nichols, Engineering, asked if the phrase "to join in the commission" in the resolution's fifth paragraph was intended to embrace more than the appointment of two members to the conference committee, and was told by the Dean that the Executive Committee's intent was to endorse involvement in all steps of the process. From that, Professor Nichols asked, could one

assume that the Dean intended to choose members of the commission on governance? The Speaker said Professor Nichols could move to amend the resolution if he wished. Professor Albert Silverman, Physics, asked if there was any reason the conference committee could not recommend an investigation of FCR structure. The Dean replied there was not but that Faculty legislation governed any change in structure and that any evaluation of the FCR as the structure of governance for the Faculty would best be carried out by existing procedures. Professor Silverman asked if there was any asymmetry in the relationship between the FCR and the Senate regarding each body's ability to recommend structural changes in the other. The Dean replied that there was no absolute asymmetry. He pointed out that Faculty procedures provided for any change in the structure of the FCR as the representative body of the Faculty, and suggestions that such procedures be invoked were proper, but, as the resolution attempted to state, any assumption that an evaluation of the FCR authorized by this body would constitute a *pro forma* step towards reorganizing the Faculty was not true. The Speaker asked the Dean if he meant that an examination of the functions of the FCR was outside the purview of the commission on governance. The Dean replied that the Senate and the FCR had definite relationships which he believed should be examined. An analysis of the organization and structure of the FCR as the representative body of the Faculty as a whole, however, was outside the purview of the commission on governance. The Committee on Review and Procedures was concerned that this problem be faced at the beginning of the governance study process rather than as a *fait accompli* at the end, he said. Michael Fisher, Horace White Professor of Chemistry, Physics and Mathematics, (non-FCR) said that while the Senate had reached the stage of acknowledging the need for objective study of its performance by an outside group (rather than "self-study" as the President had described it) the Faculty apparently had not. He said he detected a "head in the sand" attitude in the resolution's last paragraph, and thought that the fact that a clear area existed which was the Faculty's concern had been established earlier in the resolution. He would be unhappy, he said, to see the body pass a resolution which in effect said the only evaluation of the FCR could be made by looking in a mirror.

Professor Roger M. Battistella, B&PA, asked the Dean if the resolution's intent was to foreclose all indirect, as well as direct, means for examining the role of the Faculty in academic governance. The Dean replied that a student Trustee had told him that any study of governance would fail unless academic affairs now in the hands of the Faculty were transferred to the Senate. Professor

Battistella said that this view was not an isolated one and that it required clarification. Professor John H. Whitlock, Veterinary Medicine, pointed out that as the distinction between academic and non-academic matters existed, so did the distinction between educational policy and regulations concerning housing, dining, etc., and that students tended to lose sight of the fact that educational policy was supposed to be in the hands of the Faculty. Many opportunities existed for students' views on educational policy to be heard, he said, but nobody had suggested that they control such policy since they were not at the University long enough to understand it and were impatient of delays. The mechanism that created the Senate must be preserved as one solution to the problem. The question being called, the resolution carried.

5. JOINT COMMITTEE REPORT ON BILL OF RIGHTS

Professor Peter Stein, Physics, reported on behalf of the *ad hoc* Committee on the Bill of Rights. He reviewed the history of the document, its passage by the Senate and approval by the community in spring, 1975, its submission to the FCR for approval and its subsequent referral to three Faculty committees. These committees had opposed endorsing the bill as it stood, he said, and at the Executive Committee's request had formed an *ad hoc* Committee to meet with Senate representatives to find a common ground. The *ad hoc* Committee consisted of Professor Ian Macneil, Law (Academic Freedom and Responsibility), Professor S. Cushing Strout, Ernest I White Professor of American Studies and Humane Letters (Freedom of Teaching and Learning) and Assistant Professor Constance L. Wood, Plant Breeding and Biometry (Executive Committee) and himself representing Professional and Economic Status of the Faculty. Freedom of Teaching and Learning had had relatively minor objections to the bill, he said, while his own Committee had objected to three of its sections and Academic Freedom and Responsibility had thought that there was insufficient justification for such a bill and that it should be voted down. After an unproductive meeting with Senate representatives, the *ad hoc* Committee had drafted a modified proposal for a Community Bill of Rights for presentation to the body.

A MODIFIED PROPOSAL FOR A COMMUNITY BILL OF RIGHTS

1. Protection of Freedoms

- a. The rights stated in this Article shall be protected by procedures established by appropriate bodies in the Cornell Community as follows:
 1. The proper faculty bodies shall have primary jurisdiction over academic decisions.
 2. Existing procedures throughout the Cornell Community, consistent with this Article, shall continue to be used for settling grievances and enforcing rights.

3. The faculties may establish procedures for the protection of freedoms in all academic areas and the University Senate may establish procedures for the protection of the freedoms as specified in this Article in all non-academic areas.

2. Basic Rights

- a. Neither the University nor any member of the Cornell Community shall abridge freedom of belief, freedom of speech, freedom of the press, freedom to assemble, or freedom of petition, or freedom to organize or join organizations.
- b. The University shall not use control of campus facilities as a device of censorship.
- c. Decisions affecting the rights of members of the Cornell Community shall be made without regard to race, religion, age, sex, sexual preference, marital status, national origin, citizenship, physical handicaps, ethnicity, political persuasion, or criminal record, except when clearly necessary to pursue a legitimate University purpose.

3. Organizations

- a. Organizations consisting of members of the Cornell Community shall be permitted to make reasonable use of University facilities, subject to the right of the University to make reasonable charges for such use.
- b. The University shall not finance or otherwise subsidize, in whole or in part, any organization which discriminates in its membership on the basis of race, religion, age, sex, sexual preference, marital status, national origin, citizenship, physical handicap, ethnicity, political persuasion, or criminal record, except as a bona fide qualification for membership.
- c. For the purpose of this section: (1) "finance" means money paid by the University to or on behalf of an organization, directly or indirectly; (2) "subsidize" includes, but is not limited to, supplying facilities at a charge less than the value of the facilities supplied.
- d. No organization shall be compelled to disclose a list of names of its members, but may be required as a condition to receiving the right to use University facilities or to receive University support of any kind, to prove that it is an organization consisting of members of the Cornell Community, and, in appropriate cases, the number of such members it has.

4. Privacy and Records

- a. Members of the Cornell Community shall be secure in their persons, records, and property, including assigned University space, from unreasonable search, seizure or use.
- b. The University shall keep no records, nor make inquiries about information concerning members of the Cornell Community which is not needed to pursue its functions as outlined in section 6a of this Article.

5. Due Process

- a. No member of the Cornell Community shall be deprived of status as a member of the Cornell Community without explanation, or be subjected to any form of discipline without due process.
- b. The elements of due process shall vary depending upon such factors as the seriousness of the harm to the member, the need for the exercise of professional judgment in making the decision, and the availability of alternative routes of relief. In its fullest sense due process includes, but is not necessarily limited to, the right to a full and impartial hearing; the right to confront witnesses; the right to remain silent and otherwise avoid self-incrimination; the right to be presumed innocent of misconduct until proven guilty; the right to time and opportunity to prepare a defense; the right to counsel.

6. Jurisdiction

- a. The University shall have only that authority over the members of the Cornell Community which is necessary to perform its functions under its Charter, to protect its property, and to protect the liberty, property and safety of the members of the Community and the users of its facilities.
- b. Rights enjoyed by members of the Cornell Community and omitted from this Article at the time of its adoption, shall not be deemed negated by such omission from this Article.

7. Definitions

- a. The term "the University" refers to any individual, organization, office, or administrative body acting in the name of Cornell University, or exercising the authority of Cornell University.
- b. For the purpose of this Article, members of the Cornell Community are current students, members of the faculty, and non-faculty employees, and, except respecting Section 3., former students, former members of the faculty and former non-faculty employees.

Professor Stein identified five major changes made in the original document by the *ad hoc* Committee. These were deletion of the phrase "freedom of exchange between differing points of view" (lines 23-24) and "No member of the Cornell community shall be denied the equal enjoyment of the benefits of University programs and facilities to which he or she normally would be entitled" (lines 37-39) because their meaning was unclear; the strengthening of line 45 *et seq.* of the original document by the addition of the words "or otherwise subsidize;" the deletion of lines 60-66 dealing with confidentiality of records as being unduly restrictive; and modification of the due process section of the original document so as to exclude its application to academic grades and to limit applications of due process to disciplinary cases.

Professor Stein pointed out that such concerns were not mere "quibbling" since the Bill of Rights, once it became official, would have legal standing in court and could not be reversed without consent of the Senate, the community and the Board of Trustees. He said that at this point the body could approve or reject the Senate-passed bill, could approve the Committee's draft document, or could amend the draft document in accord with its wishes. Approving the draft document would, under the FCR rule against raising an item a second time during the year in which the body had acted upon it, preclude all possibility of negotiating with the Senate on a mutually agreeable document during the current year. He, therefore, moved to go into a *quasi* committee of the whole. Carried.

During discussion as a *quasi* committee of the whole, Professor Wolfgang Fuchs, Mathematics, moved that it be the sense of the body that it persevere in efforts to have a Bill of Rights and that it approve the efforts of the *ad hoc* Committee. The motion was seconded but not brought to a vote.

Adjourned: 6:04 p.m.

J. Leeming, Assistant to the Secretary

Each college and school shall set forth in writing its internal procedures for making recommendations on the reappointment, promotion, and/or tenure of faculty and academic professional staff members.*

College and school procedures should include the following as a minimum set of requirements on the review of decisions:

1. Notification: Faculty and academic professional staff members will be informed in writing if an adverse decision is made with respect to their future status. If the faculty or academic professional staff member so desires an explanation of the principal reasons for the decision it will be provided in writing.
2. Informal Review: A faculty or academic professional staff member shall be afforded an opportunity to discuss an adverse decision and the explanation for it with his or her department chairman or Dean, as appropriate.
3. Request for Reconsideration: If, after informal discussion, a faculty or academic professional staff member so desires he or she may request formal reconsideration as follows:
 - a) When a decision has been communicated by a department or division chairman in a school or college, a request for reconsideration should be directed to the Dean of the school or college within 30 days of notification in writing of the initial decision.
 - b) When the adverse decision has been communicated by a Dean initially or after review of a departmental decision or by a Director of an independent center or unit, a request for a reconsideration should be directed to the President of the University within 30 days of the notification in writing of the initial decision.
 - c) In requesting reconsideration, a faculty or academic professional staff member should set forth in detail the reasons why reconsideration is believed appropriate and why the initial decision is deemed inappropriate or unfair.
4. Review Procedures:
 - a) The President or Dean shall review the decision to determine whether appropriate procedures have been followed and/or whether the initial decision or the concurrence with or denial of reconsideration was arbitrary or capricious.
 - b) The President or Dean shall respond to the request for reconsideration in writing within a reasonable period of time, not to exceed 60 days.
 - c) The decision of the President is final in all cases. In accordance with University Bylaws, significant weight will be accorded the initial decision of the appropriate academic body or officer. The President may seek the advice of the Committee on Academic Freedom and Responsibility in his review.
5. Confidentiality: All records, communications, reports, and correspondence shall be held in confidence throughout the initial decision and review process.

* Included within the ranks of faculty and academic professional staff members are those men and women holding appointments as Professor, Associate Professor, Assistant Professor, Instructor, Senior Lecturer, Lecturer, Senior Research Associate, Research Associate, Senior Extension Associate, Extension Associate, Postdoctoral Associate, the academic staff of the University Libraries consisting of Associate Director, Assistant Directors, Librarians, Associate Librarians, Senior Assistant Librarians, Assistant Librarians, Archivists, Associate Archivists, Senior Assistant Archivists, and Assistant Archivists. Not included are degree candidates having appointments such as Teaching Assistant, Research Assistant, or Graduate Research Assistant.

D.C. Knapp, 2/2/76

Approved by Board of Trustees 1/29/76 subject to amended section 3, a) and b) underlined material, (which the Board of Trustees has not as yet approved)

The Provost, David C. Knapp, called the meeting to order at 4:36 p.m. 85 members and 25 visitors were present. The Provost announced the death of:

Muriel Brasie, Retired Associate Professor, Textiles and Clothing,
September 1, 1975

Herbert H. Scofield, Emeritus Professor, Civil Engineering,
October 6, 1975

Frank H. Randolph, Emeritus Professor, Hotel Engineering,
October 22, 1975

D. Ray Fulkerson, Maxwell M. Upson Professor of Engineering,
January 10, 1976

William I. Myers, Emeritus Professor, Farm Finance, former Dean,
College of Agriculture, January 30, 1976

The Speaker, Associate Professor J. Robert Cooke, announced that for lack of a quorum minutes of the October 8, 1975 and December 15, 1975 meetings could not be approved at this meeting. He noted that he was aware of no modifications necessary for the October 8 minutes, but that on page 4452F of the December 15 minutes, 14th line from the top, the word "carried" in reference to a tabling motion should be changed to "defeated."

1. REMARKS BY THE DEAN

The Dean of the Faculty, Professor Byron W. Saunders, announced that, contrary to a report in the *Cornell Daily Sun*, this was a regular meeting of the Faculty held in accordance with Faculty legislation. He reminded media representatives not to use recording devices during the course of the meeting. He reminded the body of procedural modifications made the previous year permitting all Faculty members to participate in debate at Faculty Council of Representatives (FCR) meetings without prior approval from the Speaker or the FCR Executive Committee, although restricting non-FCR members from voting or making motions. The modifications were made to encourage greater attendance at FCR meetings, he said. He announced two upcoming FCR meetings, the first a special meeting on February 25 called to deal with the Community Bill of Rights, the second the regular meeting on March 10 at which one item of business would be consideration of the Code of Academic Integrity.

The Dean reported that at its regular meeting on February 11 the FCR had authorized participation in a conference committee on University governance, and that he had appointed Professor John H. Whitlock, Veterinary Medicine, a former Speaker of the FCR and this Faculty and a Faculty Trustee, and Professor Peter Stein, Physics, a member of the FCR Executive Committee, to join two members appointed by the President and two appointed by the University Senate to the committee.

Lastly, the Dean announced that a representative from the Internal Revenue Service would be available for consultation on tax problems with foreign students, Faculty and staff on March 18 in the International Student Office, 200 Barnes Hall, from 9:00 a.m. to noon and 1:00 to 4:00 p.m.

2. REPORT FROM COMMITTEE TO INVESTIGATE DECEMBER 9th DISRUPTION

The Speaker called on Professor S. Cushing Strout, Ernest I. White Professor of American Studies and Humane Letters, Chairman of the Committee authorized at the special December 15, 1975 Faculty meeting to investigate the December 9th disruption at Bailey Hall, for a report from his Committee. Professor Strout said that his Committee had completed its deliberations, but that its report was not ready in any form for distribution. The Committee had reached conclusions the previous night on the significance and value of the report, and on its opinion regarding its release to the community, he said, but added that he did not wish to have the serious question of distribution resolved without a representative group of Faculty present. He concluded by saying the report would be ready for discussion at the next FCR meeting, when a more representative body would presumably be present, and offered to answer any questions not concerned with the Committee's conclusions or with particulars of the December 9th incident.

Professor Gordon M. Messing, Classics, asked Professor Strout to comment on the question raised about the timing of the report's release in connection with the judicial investigation of the incident. Professor Strout said he believed that question should be debated with the whole question of the report's release at the next FCR meeting. He was asked what would happen if there were no quorum at future Faculty and FCR meetings. He replied that he would resign from the Committee and that he hoped the other members would also resign. He said that he expected that if properly announced in advance, the next FCR meeting would have a "full and interested" attendance. He added that he suspected that many persons did not know that the present meeting was to be held.

Professor Theodore J. Lowi, John L. Senior Professor of American Institutions, asked Professor Strout if the report included findings attributing responsibility for incitement etc. to individuals or if it was of a more general nature. Professor Strout replied that the report belonged in the second category and made no charges of violations of any regulations or laws to individuals. "We have tried to be as judicious as possible without being judicial," he said, the Committee recognizing that the judicial function lay elsewhere. The Committee had spoken clearly on the issues involved, he said, and in his opinion had

compiled the "fullest and most complete narrative" of the events of December 9. It had also set this account against the recent history of controversial speakers at the University, he said, in order to facilitate understanding of the incident. The report also contained a statement of the Committee's principles and values in reference to free speech and the idea of academic freedom and responsibility, as well as a proposal regarding future use of University procedures in cases involving charges against Faculty members of interference with the lawful expression of free speech. Professor John W. DeWire, Physics, asked Professor Strout if he had intended to report to the body if a quorum had been present and if the reason he was not doing so was because he wished to ask the Faculty for action on the report. Professor Strout replied affirmatively, saying that the Committee wished to ask the Faculty if it would instruct the Committee to release the report to it, there having been controversy about such release, so that it could debate the contents and respond to its proposal. The Committee had no doubts about the propriety of the report, he said. Professor DeWire said there was no indication of action required in the call to the present meeting. Professor Strout pointed out that the call to meeting had been issued before the Committee had concluded its deliberations. Professor DeWire asked Professor Strout what report he would have given if the Committee had not finished its deliberations. Professor Strout said he would have simply informed the body of the Committee's progress to date.

Professor L. Pearce Williams, John Stambaugh Professor of the History of Science, pointed out that on December 15, 1975, the Faculty had instructed the Committee to report at the next Faculty meeting and therefore there seemed no need to ask the Faculty's consent to make a report, regardless of whether or not there was a quorum. Professor Strout agreed on the propriety of making a report, but said that many serious questions had been raised about the Committee's task, by Faculty colleagues among others, and even if the report merely required the Faculty to reaffirm its December 15th statement, the question should be debated by a representative body of the Faculty.

The Dean pointed out that the FCR had never experienced problems obtaining a quorum, and that Faculty procedures provided that the FCR take up matters deferred from Faculty meetings because of a lack of quorum at its next regular meeting, in this case March 10. The call to the present meeting, issued February 2, termed Professor Strout's report "oral" because at that time the Committee could not predict what form the report would take on this date, he said, and also because it felt a written report could only be issued by

authorization of the Faculty, this distinction not having been made clear on December 15. Once issued in written form, if only to the Faculty, he said, the report would become public.

The Speaker informed the body that it was customary for a committee charged by one body to report back to that body, not to a subsidiary one.

Professor Benjamin Nichols, Engineering, pointed out that were the Committee to report to the FCR it would prevent non-FCR Faculty from making motions or voting on the issues raised.

Adjourned: 5:42 p.m.

J. Leeming, Assistant to the Secretary

The Speaker, Associate Professor J. Robert Cooke, called the meeting to order at 4:38 p.m. 57 members and 5 visitors were present.

1. ANNOUNCEMENTS BY THE ACTING DEAN

In the absence of Dean Saunders who was ill, the Acting Dean of the Faculty, Professor Russell D. Martin, announced that a special meeting of the University Faculty would be held March 3, 1976, in 110 Ives Hall to discuss the report of the special *ad hoc* Committee authorized to investigate the December 9, 1975 disruption in Bailey Hall. There would also be two resolutions, he said, one to recommend that *ex officio* membership in the University Faculty be accorded the new position of Senior Vice President of the University, the other to amend the ORGANIZATION AND PROCEDURES OF THE UNIVERSITY FACULTY concerning election of Faculty Trustees. Associate Professor Richard N. Boyd, Philosophy, asked why the special *ad hoc* Committee's report was not on the present agenda, the Faculty having been told at its February 18, 1976 meeting that agenda items dropped for lack of a quorum at Faculty meetings were automatically taken up at the next FCR meeting. The Acting Dean replied that it had been determined after the February 18th meeting that the report should properly come before a meeting of the entire Faculty.

2. CONTINUATION OF DISCUSSION OF BILL OF RIGHTS

The Speaker announced that the remainder of the meeting would be devoted to continuing the discussion of the Community Bill of Rights begun at the February 11, 1976 meeting. He also announced that the Secretary, Professor Russell D. Martin, had agreed to serve as Parliamentarian for the remainder of the year. He announced, also, that Miss Barbara Kauber, the Judicial Administrator, was present and available for responding to questions. He stated that at the close of the February 11th meeting the body had moved out of *quasi* committee of the whole and that pending before it was a motion to adopt the Modified Proposal for a Community Bill of Rights drafted by an *ad hoc* Faculty Committee. He then described procedures available to the body, including (1) adopt, amend or defeat the motion on the floor; (2) substitute the University Senate's version of the Bill of Rights, permitting either document to be perfected or brought to a vote; (3) postpone indefinitely which in effect would put the matter aside for the remainder of the year (until July 1 at which time the next FCR session starts); or (4) refer back to committee with indications of deficiencies. Professor Peter Stein, Physics, received confirmation from the Speaker that votes taken in *quasi* committee of the whole were not binding on

subsequent actions taken by the body in formal session. Professor Walter Galenson, ILR, asked how to obtain an expression of the body's opinion on the matter, and was told by the Speaker that this end could be accomplished by either calling the motion on the floor to a vote or moving to postpone indefinitely. Professor S. Cushing Strout, Ernest I. White Professor of American Studies and Humane Letters, Chairman of the Committee on Freedom of Teaching and Learning, and a member of the *ad hoc* Committee formed by the FCR Executive Committee to negotiate with the Senate on the Bill of Rights, addressed the body in support of the motion to adopt the Modified Proposal. One year previously the Committee on Freedom of Teaching and Learning had been willing to accept the Senate version, he said, providing that all academic matters were exempted from it. However, the two other Faculty committees reviewing the Bill had thought this a significant exception. The three committees had tried to reformulate the Bill, feeling that, despite the Senate's wish to enact an all-encompassing document that might lead to continuous litigation, there were principles and values shared by the Senate and Faculty which could be formulated so as to reflect actual conditions throughout the University. When this effort failed, he said, the *ad hoc* Committee had drafted the Modified Proposal, which was an attempted summation of common principles and values rather than a "blueprint" open to litigation. The Modified Proposal was "deliberately vague," he said, being concerned with flexibility of interpretation and with decentralization of enforcement processes. He then responded to criticisms of the Modified Proposal expressed in the *Cornell Daily Sun*. Elimination of the Senate's clause concerning free exchanges of opinion was consistent with the Faculty's attitude towards the December 9th disruption, inasmuch as the Senate's wording could be interpreted as permitting the audience at controversial gatherings the same rights to be heard as the main speaker's. The absence of a constitutional history for the idea of free exchange of opinion also influenced the *ad hoc* Committee in its decision, he added. The Senate's "right of explanation" clause, viewed by the Senate as guaranteeing students the right to demand of Faculty an explanation of grades received, had been considered reasonable by the *ad hoc* Committee, but its application throughout the University had appeared impractical, and, therefore, it had been excluded from the Modified Proposal. The due process clause in the Modified Proposal represented an improvement over the Senate version in that it provided flexibility in granting due process. (rather than reflecting the specifics of different situations.)* The *ad hoc* Committee had left the subject of invasion of privacy untouched, because the so-called Buckley amendment had already

*Corrected by deletion at April 14, 1976 meeting.

addressed it and the area was too complicated to enter. Contrary to the *Sun's* allegations, he said, the Modified Proposal did not limit students' freedom to organize, although a specific statement on the subject had been deleted because this right was established earlier in the document.

Professor Strout concluded that it would be "of value" to support the Modified Proposal, although there was no certainty of Senate acceptance of the document. He noted that the Faculty should take its own stand on the issue, adding that it would be futile to ask the *ad hoc* Committee to renegotiate the matter with the Senate feeling that no accommodation could be reached if the Senate did not accept the Modified Bill. Professor Stein moved to go into *quasi* committee of the whole. Carried.

During debate, the *quasi* committee of the whole defeated a motion to postpone indefinitely and voted to adopt the Modified Proposal. On its return to formal session, Professor Stein moved to refer the Modified Proposal back to the *ad hoc* Committee for the purpose of renegotiating with the Senate.

Professor Ian Macneil, Law, opposed the motion, saying it would create confusion and undue complexities, and urged adoption of the Modified Proposal, adding that he would resign from the *ad hoc* Committee if it again received the Modified Proposal. Professor Albert Silverman, Physics, asked what the result would be if the FCR were to adopt its proposal and the Senate reaffirmed its support of its own version. The Speaker replied that without confirmation from both bodies, the documents would be negated and no legislation would result. Professor Stein expressed confidence that both bodies could reach agreement on the matter. By unanimous consent, he was permitted to substitute "Executive Committee" for "*ad hoc* Committee" in his motion in the expectation that it would find a suitable group to renegotiate with the Senate.

Associate Professor Peter D. McClelland, Economics, supported the motion on the ground that no discussion had taken place of the "profound wording problems" associated with both documents. He expressed surprise at Professor Macneil's willingness to "gloss over" these problems for the sake of taking a stand on the issue, pointing out that a bad Bill of Rights would hurt the University. Professor Strout opposed the motion on the ground that no further work could be done on the Modified Proposal, and urged the body to determine if it desired the document as an expression of Faculty opinion and, if so, to let the Senate respond to it. The Speaker said that in his view passage of the motion on the floor would convey the Faculty's willingness to continue negotiations while its defeat would mean the Faculty was not willing to negotiate further.

Professor Elmer E. Ewing, Vegetable Crops, asked if the Modified Proposal, once adopted by the body, would go before the whole Senate or to a study committee. Professor Benjamin Nichols, Engineering, Speaker of the Senate, replied that it would probably go to the Senate Codes and Judiciary Committee which would then meet with an appropriate FCR group to seek a commonly acceptable document. Following this, adoption by the Senate and FCR, a referendum of students and employees, and approval by the Trustees would be required. Professor Ewing inquired as to whether FCR representatives had previously met with the Senate Codes and Judiciary Committee. Professor Strout said that the Committee on Freedom of Teaching and Learning had met with the Senate Committee one year before, and that the *ad hoc* Committee had met with Senate representatives before drafting the Modified Proposal.

The Speaker brought the question to a vote. Carried.

Adjourned: 6:02 p.m.

J. Leeming, Assistant to the Secretary

The Provost, David C. Knapp, called the meeting to order at 4:30 p.m. Approximately 160 members and 25 visitors were present. The Provost announced that the Chairman of the Joint Committee appointed to prepare a charge to the Commission on Self-Governance, Associate Professor J. Robert Cooke, Agricultural Engineering, anticipated forwarding the charge to the FCR and University Senate the next day.

The Speaker, Associate Professor J. Robert Cooke, reminded the assembly that this was a special Faculty meeting, and asked visitors to be seated in the rear of the room.

1. RESOLUTION GRANTING SENIOR VICE PRESIDENT *EX OFFICIO* MEMBERSHIP

The Speaker called on the Dean of the Faculty, Professor Byron W. Saunders, who moved the following resolution:

WHEREAS, a new position of Senior Vice President has been created at Cornell University, and

WHEREAS, all existing Vice Presidents are accorded ex officio status as members of the University Faculty, and

WHEREAS, the Senior Vice President will have responsibilities that interact with the academic mission of the University, and

WHEREAS, the Senior Vice President will on occasion no doubt be called upon to serve as Acting President, therefore,

BE IT RESOLVED, That this Faculty approves of the election of the Senior Vice President as an ex officio member of the University Faculty and recommends to the Board of Trustees that they pass an appropriate resolution to achieve this end.

The Dean noted that voting membership was restricted by Faculty action to those with academic titles, and that the incumbent Senior Vice President did not plan to receive such a title. Carried.

2. RESOLUTION ON ELECTION OF FACULTY TRUSTEES

The Dean moved the following resolution:

WHEREAS, Article IV, Section A, paragraph 2 of the ORGANIZATION AND PROCEDURES OF THE UNIVERSITY FACULTY is incorrect due to recent amendments in the Bylaws of Cornell University resulting in references to both incorrect procedures and to an incorrect citation of the relevant Bylaw, therefore,

BE IT RESOLVED, That Article IV, Section A, Paragraph 2 of ORGANIZATION AND PROCEDURES OF THE UNIVERSITY FACULTY be amended so as to read as follows: "Its present power to elect Faculty Trustees for seating by the Board of Trustees pursuant to Article II, Section 2a, paragraph (6), clauses (i) and (iii)."

The Dean explained that the resolution substituted the words elect for (nominate) and seating for (elect) in the paragraph in question in order to reflect current practice. Carried.

3. REPORT FROM SPECIAL AD HOC COMMITTEE (Attached, Appendix A)

The Speaker called on Professor S. Cushing Strout, Ernest I. White Professor of American Studies and Humane Letters, Chairman, Special *ad hoc* Committee authorized on December 15, 1975 to investigate the disruption in Bailey Hall the night of December 9, 1975. Professor Strout pointed out that he had not reported at the February 18 Faculty meeting because it lacked a quorum. The Judicial Administrator had been shown the report and had told him she would not take an official position on its release, he said. The Committee did not seek Faculty endorsement or approval of the report, he said, but acknowledgment of it as the result of the Committee's work and as a statement about a serious public question of continuing relevance to the community. He then read the report's first paragraph:

"Our report presents a chronology of the Ky episode at Bailey Hall on December 9, 1975, an evaluation of the free speech issues involved in it as seen in the perspective of recent Cornell history, and an assessment of the particular role of individuals -- administrators, faculty, students, and others -- in initiating, organizing, regulating, and terminating the event. We have deliberately not reached a judgment that any individual violated any law or University regulation because our function is only a judicious, not a judicial one. We have made some suggestions which we think are vital for the future protection of free speech on the campus."

Professor Strout then summarized the report as follows:

- I. Controversial Speakers in Cornell's Recent History: The Divided Response
- II. Chronicle of the appearance of Ky at Bailey Hall
 - 1. The decision to invite the speaker
 - 2. Steps taken to establish and maintain conditions of debate
 - 3. Preparations of the protestors prior to the event
 - 4. The negotiations establishing the question and answer format
 - 5. The character and course of the debate
 - 6. The nature of the demonstration that was followed by the withdrawal of the speaker
 - 7. The actions of the demonstrators in the hall after the withdrawal of the speaker and the aftermath (through the vote of the Faculty December 15)
- III. Analysis of the Event
 - 1. The decision to invite Ky: discussion of the propriety of the invitation and the way it was handled
 - 2. The steps taken to maintain conditions of debate: the organization of the event and some criticisms of procedure
 - 3. The issues of free speech in the Ky episode: the substantive impact of actions taken in Bailey Hall on the question of free speech

- IV. Frame of Reference: an articulation of the philosophy of free speech that the Committee believed in, and of its conception of academic freedom in relation to the ideas of free speech and academic responsibility
- V. A Proposal for the Future: Judicial Procedure: proposals regarding judicial procedure in cases involving free speech issues where Faculty members are involved

Professor Strout stressed the importance of the report's final section, saying it raised an issue requiring the Faculty's decision at a future time. He urged its release as the first "thoroughly accurate and complete" account of the December 9th incident and in view of subsequent discussion of the issue of free speech in relation to the event. The report was designed to contribute to open discussion of the issue in a way that the Committee hoped would enlighten the community, he said, and make it possible in the future to preserve and defend the rights of free speech on this campus.

The Committee unanimously supported the report, he said, and the fact that it was without prejudice to "any individual possible pending case" arising out of the judicial system. Although Assistant Professor Constance L. Wood, Plant Breeding and Biometry, had reservations about releasing the report, he said, she agreed entirely that there was nothing prejudicial in it. He concluded by moving that the report be released to the Faculty.

Professor Richard Polenberg, History, received assurance that a forthcoming resolution drafted by the FCR Executive Committee would propose that the Faculty "receive" the *ad hoc* Committee's report rather than "support" it as stated in the wording of the resolution distributed with the call to meeting. Associate Professor Richard N. Boyd, Philosophy, suggested that it was impossible for the report to be without prejudice since it must speak to the issue of whether or not freedom of speech had been violated at Bailey Hall on December 9th, and in so doing it would influence pending judicial action. He suggested postponing release of the report until the Judicial Administrator had closed her case. Professor Strout replied that incitement to abridge or curtail free speech was, to his knowledge, the only legal question raised in connection with the event, and that the report neither charged any individuals with incitement nor reached a decision as to whether or not such action had taken place. He pointed out further that the Committee had taken great care to face up to issues presented by the event while maintaining as much respect for due process as possible. In response to a question from Associate Professor Marshall M. Cohen, Mathematics, he stated that the report did assert that a violation of freedom of speech had occurred December 9th.

Professor L. Pearce Williams, John Stambaugh Professor of the History of Science, suggested that the report be released to the Faculty since the prejudice which had been feared would result from its release had already taken place. Associate Professor Werner J. Dannhauser, Government, moved to close debate. Carried. The main motion also carried, and copies of the report were distributed and read briefly by the body. Professor Dannhauser asked if the report had any bearing on the appearance of Mr. William E. Colby, former Director of the Central Intelligence Agency, on campus Monday, March 8, 1976. Professor Strout replied that it did, and that the imminence of Mr. Colby's appearance accounted in part for his Committee's desire to release the report at this time rather than later. He referred the body to page 13 of the report and the section titled "The steps taken to maintain conditions for debate," which concerned itself with what was, and was not, done prior to Mr. Ky's appearance on campus. He added that the Report's major recommendation for the future had to do with judicial treatment of cases rather than preserving conditions for the maintenance of free controversy at public events, the latter being considered the Administration's responsibility.

Professor Isadore Blumen, ILR, asked what precautions had been taken regarding Mr. Colby's appearance and if there were plans to identify or use legal procedures against disrupters, including those who were not members of the University community. Elmer E. Meyer, Dean of Students and Assistant Vice President for Campus Affairs, replied that meetings with the Safety Division and sponsors of the event were being held, and that past experience had shown the difficulty of identifying disrupters and the unwillingness of witnesses to communicate the names of protestors. Professor Blumen asked if photographs would be taken or if members of the Safety Division were prepared to apprehend persons engaging in improper activity. Dean Meyer replied that while such actions would be discussed, a judgment about taking them had to be made at the time of the activity, adding that in his opinion it was very difficult to do in a large audience and most often was not a judicious action.

The Speaker called on the Dean of the Faculty who moved the following resolution: (deletions in brackets, new word underlined)

WHEREAS, this Faculty authorized a committee to investigate the circumstances surrounding the disruption of a public lecture scheduled in Bailey Hall on December 9, 1975 "...to evaluate accurately and fairly the course of events," and "...to determine specific responsibilities for the disruption and to recommend appropriate action to the Faculty...", and

WHEREAS, that Committee has carried out its investigation and reported its findings to the Faculty, and

WHEREAS, the report includes recommendations for the future which requires legislative action concerning Faculty matters, and

WHEREAS, the Faculty Council of Representatives is the duly constituted representative body of the Faculty authorized to legislate on Faculty responsibilities concerned with academic and educational policy matters, therefore,

BE IT RESOLVED, That this Faculty [supports] receives the report of its ad hoc Committee and transmits it to the FCR for whatever legislative action it deems appropriate[, and further].

[BE IT RESOLVED, That the ad hoc Committee be discharged with thanks for a job well done under difficult and time consuming circumstances.]

The Dean explained that he had substituted receives for [supports] in the first BE IT RESOLVED of the resolution since the original wording implied legislative action by the Faculty and was questionable because such action rested with the FCR. Professor Strout suggested striking the resolution's final paragraph because the members had not yet read the report in its entirety. The Speaker obtained unanimous consent to do so. Associate Professor George B. Lyon, Civil and Environmental Engineering, asked if the Faculty still wished to discharge the Committee and Professor Blumen pointed out that the Faculty and not created⁽¹⁾ the Committee, nor did it have the power do do so,⁽²⁾ and therefore could not discharge it.* After some debate by the Speaker and

(1)** This statement, while made and reported correctly, is factually in error. The Committee was created by a resolution passed at a Special Meeting of the University Faculty held on December 15, 1975 as the minutes of that meeting report.

(2)** The reported assertion was not debated but again it is factually incorrect. The power to create the Committee and to have it report to the Faculty is contained in the ORGANIZATION AND PROCEDURES OF THE UNIVERSITY FACULTY, Part II, Article IV, Section A, entitled "Powers of the University Faculty" where paragraph 6 and 7 read as follows:

6. The power to require or request reports from its officers and committees, from the Faculty Council of Representatives, and from others in the University community or elsewhere, as may be authorized or appropriate;
7. The power to express its views concerning any matter within its responsibilities or reasonably related thereto, either at a meeting of the Faculty or in such other manner as may be appropriate;

* It was pointed out by the Speaker that a committee is automatically discharged once it makes a final report.

** See minutes of 5/18/77 meeting for further comment. (1) & (2) deleted.

Professor Blumen over this parliamentary question, the resolution, without the last paragraph, carried. The Dean of the Faculty noted that the *ad hoc* Committee, like numerous Faculty Committees, had devoted many hours under extreme time pressures to its task, and expressed the hope that such effort would not go unnoticed. The *ad hoc* Committee received a round of applause.

Adjourned: 5:19 p.m.

J. Leeming, Assistant to the Secretary

REPORT OF THE SPECIAL COMMITTEE ON ACADEMIC FREEDOM
ON THE KY EPISODE AT BAILEY HALL, DECEMBER 9, 1975

Introduction:

Our report presents a chronology of the Ky episode at Bailey Hall on December 9, 1975, an evaluation of the free speech issues involved in it as seen in the perspective of recent Cornell history, and an assessment of the particular role of individuals -- administrators, faculty, students, and others -- in initiating, organizing, regulating, and terminating the event. We have deliberately not reached a judgment that any individual violated any law or University regulation because our function is only a judicious, not a judicial one. We have made some suggestions which we think are vital for the future protection of free speech on the campus.

We have relied for evidence on a variety of sources: (1) an unedited tape of excellent quality from the Uris Listening Room that begins shortly before the opening remarks at the event and ends shortly after some members of the audience took the stage; (2) responses from eyewitnesses in written form to our seven questions which we circulated widely in the community and also sent to particular individuals; (3) oral interviews with particular administrators, faculty, students, and staff who were eyewitnesses to the event. Included in this category are various officials at Bailey Hall, whether administrators or students, and members of the audience.

I. Controversial Speakers in Cornell's Recent History: The Divided Response:

The problem of a controversial speaker facing a hostile audience at a public forum on campus has a recent history at Cornell that illuminates the lack of a consensus on the meaning and value of free speech. There have been two kinds of cases which overlap but are not equivalent: (1) uncivil unorganized heckling; (2) substantive curtailments of free speech. A Sun editor identified the first kind when he found it "unforgiveable" that an audience in 1965 should "scream insults" at Averell Harriman as a man with "a relatively distinguished record."¹ The Faculty identified the second in principle when it expressed its "disquiet" over the same incident because of its concern that such protest might come to put in jeopardy "the right to hear and to be heard."² Other speakers, such as Alfred Lilienthal on the Middle East problem in 1972 and Bayard Rustin on the American racial problem in 1974 experienced hisses, jeers, and insults as Harriman did, but these responses, concentrated in the question period, did not prevent them from giving their speeches:

The second category covers much more serious cases in which the demonstrators seized the microphone to control the platform: (1) the pulling of the speaker away from the microphone during his speech: President Perkins, March, 1969. (2) the seizure of the microphone before the speaker could begin, combined with a demand that he leave the room: an officer of the South African Information Service, December, 1970. (3) the enforced relinquishment of the microphone to hecklers, who themselves were later shouted down by a majority of the audience, thus enabling the speaker to regain the microphone: Mayor John Lindsay, October, 1971.

1. "The Return of the Yahoos," Sun, May 13, 1965

2. "Harriman Protest Prompts Comments," Ibid.

The responses to these substantive deprivations of free speech have been disparate. The first incident elicited no response from the President himself, but a student columnist in the Sun, a chairman of a Faculty Committee on Student Affairs, and the Dean of the Faculty vigorously asserted the right to speak without intimidation or coercion.³ The interference with the speaker also provoked a visiting black South African exile strongly to condemn it.

The second incident was condemned by a visiting African ambassador to the United Nations who refused to speak under such conditions.⁴ Five months later a University Senate committee asserted that "the right of freedom of speech was violated and no one seemed to care enough to do anything about it."⁵ There were no punishments for the disruption. In August, 1971, the President established a Special Committee to Study Disruptions of Public Events. Reporting a year after the disruption, the Committee complained that "there was never a very clear idea in the Administration concerning what function our committee would serve."⁶

Before the Special Committee had reported, the Lindsay incident took place. The Committee's conclusions urged flexibility in deciding when heckling becomes disruptive, because "an occasional shouted query or objection" is not disruptive. The Committee thought that the "central problem" of "'getting the community behind us'" in support of free speech existed in the unwillingness of witnesses to testify in the established judicial procedures. The Report was not supported by the student members of the Committee. The Lindsay incident was strongly condemned, however, by a former managing editor (1966) of the Sun in a letter to the paper expressing shock that the editor in 1971 had not commented on the episode in the light of "the absolute value of free speech."⁷

This brief retrospect illustrates the extent to which students, faculty, and administrators have been divided in the degree of their concern about deprivations of free speech for controversial speakers. The Ky episode took place against the background of this history of divided and ambiguous responses to abuses of civility and curtailments of free speech.

II. Chronicle of the Appearance of Ky at Bailey Hall

(1) The decision to invite the speaker:

Evidently it was Jay Walker, an undergraduate in I&LR, who first thought of inviting Ky and who put the plan into action. "I [Connie Murray] spoke with Jay Walker who heads both the I.F.C. and the Oliphant Speakers Committees. Jay said that he had long ago thought of Thieu and Ky sitting in refugee camps and of how interesting it would be to hear one or both of them speak here at Cornell. As Chairman of both Speakers Committees -- the I.F.C. Speakers Committee and the Oliphant Board -- he has a considerable file on many speakers and many agents who handle these speakers. He spoke to people in New York about the possibility of securing Ky or Thieu and finally asked one of his agents re: a 'good' speaker on campus. The agent said that Ky had been doing very well on campuses and probably would be a good selection."

3. Paul A. Rahe, Jr., "South Africa Symposium," Professor Henry N. Ricciuti, "FCSA Statement," and Robert D. Miller, "Calm Down," Sun, March 3, 1969.
4. "Apartheid Opponents Disrupt Discussion," Sun, December 7, 1970, p. 7.
5. "Report Reviews African Seminar Disruption Case," Sun, May 12, 1971, pp. 1,12.
6. D.F. Holcomb, Chairman, Memorandum to President Corson, December 8, 1971.
7. Jon Stein, Letter to Editor, Sun, October 14, 1971.

The approval of the plan to invite Ky went through several stages. After Jay Walker had spoken to "one of his agents" he "then presented the possibility to

- a) The I.F.C. Speakers Steering Committee who approved
- b) The Sigma Phi brothers who approved
- c) The Oliphant Board who approved
- d) The Fraternity house presidents who approved --

Everybody approved."

According to another account of the approval procedure (from the same source): "The Interfraternity Council, in conjunction with the Fraternity House presidents, made the decision to invite Ky...On December 4th, Jay Walker came before OARC (Organizations and Activities Review Committee) to have the event approved and cleared. OARC is a university-wide committee (which I [Connie Murray] chair) which approves or disapproves all major events on Campus. A series of guidelines, approved by the Campus Life Committee of the Senate, form the basis for these decisions. The guidelines deal primarily with a) the financial stability of the organization proposing the event and b) any conflict with other events on campus, at the time of the proposed event. The minutes from the December 4th meeting of OARC regarding the Ky lecture read as follows:

Nguyen Cao Ky - Jay Walker said that the Interfraternity Council and Oliphant wanted to present this speaker and said that he (Ky) had spoken on other Campuses without any problems. Safety said that they feel there will be no problems. Larry (Epstein) motioned that the event be approved. Pat (O'Brien) seconded the motion and it was unanimously approved.
(Ten members of OARC were present for this meeting.)

We informed Jay that this event would be considered 'controversial' and therefore he and the sponsoring group would be expected to follow the University Guidelines for Potentially Controversial Events. Jay agreed to do this."

A few more data, particularly regarding funding, are provided in another account of the sponsorship and approval of the event: "The Ky lecture was sponsored by the Interfraternity Council and the Oliphant Fellowship of Sigma Phi fraternity. (The Oliphant Fellowship has a private endowment set up by alumni of Sigma Phi to bring contemporary speakers to the campus. IFC and Oliphant have sponsored such speakers as Senator McGovern, William Buckley, and Julian Bond in the recent past.) The IFC, with funds allocated by the Undergraduate Finance Commission and Oliphant Fellowship of Sigma Phi fraternity, provided the funds to pay for Mr. Ky's visit. The IFC Speakers Committee and the Oliphant Fellowship also received the consent of the Fraternity House Presidents and Sigma Phi Fraternity before inviting Mr. Ky to the campus. Bailey Hall was tentatively reserved until the Organizations and Activities Review Committee reviewed the reservation. This was done and the lecture was formally scheduled for December 9."

Although there seem to have been five separate approvals, the first four were concerned primarily with overseeing the expenditure of funds; only the last, the approval of the OARC, was an official University approval, and it considered only (a) whether the sponsoring organizations were solvent, (b) whether there were any serious scheduling conflicts, and (c) whether the preparations were adequate for the event. There seem to have been no formal irregularities in this approval procedure.

Ky's visit might well have been designated a "potentially controversial event" simply in virtue of his reputation and his association with the war in Vietnam. The appearance of anti-Ky posters on the campus surely constituted a more specific kind of evidence pointing in that direction. The reaction to Ky's public appearances elsewhere was also taken into account. The evidence offered was Jay Walker's assurance to OARC that Ky "had spoken on other campuses without any problems." This assurance was well-founded. Mr. Walker testified:

When we considered extending Mr. Ky an invitation, I personally checked with the agency that was handling his tour of college campuses. Before he spoke at Cornell he had spoken at approximately 13 other campuses and had done so without major incident. The only real publicized problem he had was at a speech in Florida which was inaccurately reported in Time magazine. In my personal conversations with Mr. Ky he told me that the worst trouble he had was limited to a few hecklers. At no other university was he not permitted to speak or up against any kind of disturbance on the same scale as that at Cornell.

The impression Walker had was partially confirmed soon afterwards in a New York Times Magazine article on Ky's tour. At Yale, for example, "the questions were tough but sincerely asked." In his opening remarks at Bailey Hall on December 9th Professor Parenti said that at St. Lawrence Ky had not liked the tone of the first question he was asked and had thereupon walked off the stage. We checked this account of Ky's visit to St. Lawrence University and found that it was false. Ky had delivered his full address there and had answered questions afterwards for half an hour.

(Notes: "Minutes of a Special Meeting of the University Faculty," December 15, 1975; Elmer Meyer, "Report to Special Meeting of the University Faculty," Ibid.; James Sterba, "Captain Midnight becomes Civilian Ky," New York Times Magazine, January 11, 1976; written replies to committee: J. Walker, C. Murray, Lt. R.H. Hausner; telephone conversations with committee chairman: J. Walker; Director of Student Services, St. Lawrence University; Secretary of the University, Yale University.)

(2) Steps taken to establish and maintain conditions of debate:

Preparations for Ky's appearance began to be made on Thursday, December 4, when the Organization and Activities Review Committee approved the lecture. Although the minutes state that the Safety Division "said that they felt there will be no problems," this assurance was given routinely and was apparently unfounded. At the time, the Safety Division did not yet know that Ky was to appear on campus. After the OARC meeting, Jay Walker was informed that the lecture would fall under the "University Guidelines for Potentially Controversial Events."

Those Guidelines were issued by the Vice-President for Campus Affairs on February 6, 1972. After noting that Article IV of the Statement of Student Rights affirms the "right to listen" and defines conduct "intended to or having the effects of preventing a speaker from speaking" as a violation, the Guidelines set forth certain procedures: (1) the event will be planned and managed by a "floor manager" (the Vice-President for Campus Affairs, the Dean of Students, or their appointed representative), the Safety Division officer in charge, and the sponsoring group;

(2) during the event it will be the floor manager's responsibility "to determine the appropriate action by the moderator or Safety Division in event of a disruption;" (3) "in case of disruptive activity, the moderator as directed by the floor manager" might do any of three things: "appeal to the crowd to allow the speaker to finish," "recess the event for ten to fifteen minutes," or "close the event (in case of imminent danger)." The Guidelines also assert: "Force must be the last resource used. Safety is our first concern."

On Thursday, Friday, and Monday four meetings were held between the Dean of Students' staff, Safety Division personnel, Walker, and the fraternity members who were to serve as ushers. The discussions centered on the problem of protecting the physical safety of the speaker and members of the audience; as Dean Meyer put it, "as many contingencies as possible were reviewed in terms of safety and security." Insofar as the discussions touched on the problem of protecting freedom of speech they appear to have proceeded from two assumptions: if relatively few people attempted to disrupt the speech, admonitions from the moderator, the speaker, the ushers, or the audience itself would suffice; if very many people attempted to disrupt the speech, the moderator, in accordance with the Guidelines, would ask for quiet, call a recess, or terminate the meeting.

Several specific decisions were made at these meetings and were later carried out:

a) First, it was agreed that Jay Walker would serve as moderator and would remain on stage during the course of the evening. There is evidence that, at one point or another, both the Dean of Students and Walker himself favored asking a faculty member to act as moderator. In the end, however, Walker served as moderator, partly because it was too difficult to find a faculty member willing and able to do so on such short notice, partly because Walker (who had introduced many other speakers and was familiar with Bailey Hall) appeared to possess the necessary experience, and partly because it was assumed that a student moderator would provoke a less hostile reaction from a potentially hostile student audience than would someone over thirty.

b) Second, Dean Meyer requested that as many of his staff as possible attend the lecture. Eight did so. They viewed their assignment as one of looking out for situations that might precipitate violence, reporting such situations to Safety Division personnel, and acting in general as a pacifying influence.

c) Third, the fraternities agreed to provide ten ushers, who were identified by tags. Their function, apart from manning the two microphones and keeping the aisles clear, was to urge the audience to act with decorum.

Preparations made by the Safety Division were exclusively concerned with the protection of life and property. Lieutenant Hausner, who was in charge of the event, had received reports that an attempt might be made to assassinate Ky, that people who opposed his appearance at Cornell were saying "someone ought to shoot the bastard." As Lieutenant Hausner saw it: "My main responsibility in this matter was to protect Mr. Ky's life. My second responsibility was to protect property." In all, fourteen Safety Division personnel -- nine regular and five auxiliary officers -- were assigned to Bailey Hall. (Two police guards who were assigned to Ky on his arrival in Ithaca were also present.) Most were stationed backstage and in the basement area to ensure Ky's swift departure in the event of violence. Two plainclothes policemen dressed in jackets and ties (so as not to appear to be students) sat in the audience. Two officers were

(over)

stationed at the doors. They confiscated two or three bottles of liquor and two wooden dowels (from a sign) which they believed could be used as weapons. Lt. Hausner kept the balcony closed until the crowd on the main floor grew too large to be contained.

(Notes: Oral interviews: E. Meyer, C. Murray, S. Cochran, J. Walker, and T. Seeley, Lt. R.H. Hausner; written replies from Meyer, Murray, Walker and Hausner)

(3) Preparations of the protestors prior to the event:

Knowledge of the exact preparations of the protestors is scant. The following were reported by members of the Safety Division and other persons involved: Posters by Glad Day Press advising and inviting protestors to come to the lecture and demonstrate against Ky; leaflets distributed the day before in the Willard Straight calling for a demonstration; pickets in front of Bailey Hall. Inside Bailey Hall, many signs and posters denouncing Ky were displayed. In addition, some protestors were elaborately costumed - one as Richard Nixon and another as Hitler. Also, a black-draped mock coffin was carried in and placed on the stage before the lecture.

The only indications that plans to substitute the question and answer format in place of Ky's prepared speech were made prior to the event are (i) Professor Parenti's speech was made in part from a prepared script, and (ii) in an Ithaca Journal article on December 9, 1975, Ron Bunch, spokesman for the Committee for an Anti-War Reunion, was reported to have said "the group will also attempt to make the meeting an open forum" and that three meetings had been held prior to Tuesday night.

(4) The negotiations establishing the question and answer format:

When Bailey Hall was opened to the public, the balcony was closed until after Ky began to speak, and all members of the audience (perhaps 1500) were gathered on the main floor, which was completely filled. The gathering was an extremely boisterous and demonstrative one, called by various witnesses "a demonstration," "a zoo," "a political convention." Many members of the audience (most estimates suggest about one-third) were chanting or carrying placards. After about fifteen minutes of this activity, the moderator decided that Ky would have no chance to speak at all if some accommodation were not made with the demonstrators. Other witnesses, including faculty members, students, and administrators, concur with his assessment.

The moderator therefore spoke to a student among the demonstrators that he knew, asking if there were any way to improve conditions for the speaker. She told him that the demonstrators wanted Professor Michael Parenti to speak first. The moderator, who did not know him, asked to be introduced to him and they went backstage together to discuss the situation in private. The moderator reports that both he and Professor Parenti felt that Ky would not be permitted to speak that evening under the present circumstances. Professor Parenti proposed that the format of the evening be changed to a question and answer period. The moderator agreed to propose this to Ky and went to the room backstage where Ky was waiting.

The noise from the demonstration in the hall was clearly audible in the room backstage where a small group of people including Ky, two of his associates, the Dean of Students, Elmer Meyer, and Lt. R.H. Hausner, a member of the Safety

Division, were gathered. When the moderator came to the room, he began by saying that the audience was very hostile and that Ky, in his opinion, would not be permitted to give his prepared address. Lt. Hausner agreed with this assessment and there was a general chorus of agreement from others in the room.

The moderator then proposed the question and answer format to Ky as a substitution for the address, and Ky agreed to it, with the proviso that he be allowed to make a brief opening statement. This also elicited a general chorus of approval.

After obtaining Ky's consent, the Moderator returned to the stage.

(Notes: Written replies to the committee: D. Fredericksen, E. Meyer, Lt. Hausner, Patrolman Teeter, J. Walker; oral interviews: J. Walker, J. Myers, Lt. Hausner, M. Kramnick.)

(5) The character and course of the debate:

The first person to speak was Visiting Professor Michael Parenti:

Ladies and gentlemen, brothers and sisters, can you hear me? Brothers and sisters, my name is Michael, Michael Parenti, visiting here, visiting professor here in the department of government. Many of us feel that what Ky has to say in the next hour, many of us feel that what Ky thinks he has to say in the next hour, is less important than what he's been doing in the last twenty years. (clapping - shouting)

This is the Ky, this is the Ky who served French and American imperialism in Vietnam, this Ky is a mass murderer, an assassin, a Fascist, an open admirer of Hitler. He is a man who had tens of thousands of students, workers, farmers and professionals jailed, tortured, and killed. If there's any justice left in this world, if there were any justice in this world, he would be tried as a war criminal under the Nuremberg Laws or deported back to Vietnam and shot, rather than being treated as an honored guest. (clapping - shouting)

Now Ky, Ky never practiced freedom of speech in his own country, he suppressed it. He's as much interested in freedom of speech as was Adolph Hitler, or freedom of any kind. In all likelihood, we know that he will not entertain questions from the floor. He never allowed his own people to question him and he won't allow our people to question him. At St. Lawrence College, the first question that was asked, he didn't like the tone, and he walked off the stage. So he did, he does here as he does in Vietnam; he took the money and run, and ran. (shouting)

Now we propose that we liberate ourselves from our passivity and our spectatorism. We propose that tonight's program be made into an open forum, so that Ky be challenged and questioned about his actions, that people from the audience make their comments, and that Ky - and pose their questions, and that Ky respond to these comments and questions each in turn. We propose that this be the body of tonight's program, not just

a few questions after a speech, but that the entire program shall consist of an exchange between the people and the dictator. It shall in effect, be a kind of people's court. In this way (shouting), in this way we will have a dialogue, a dialogue instead of a self-serving monologue.

Speech is not an issue here, no more than if Hitler were on this stage. Ky's lies and fantasies have been aired over the U.S. media for the last seven years, and we all know, we all know what he has to say. What we want now is the right and the opportunity to challenge what he's been dishing out; the right not only to listen passively, but in fact, to judge. In that way, we will make the tin-horn dictator earn his \$1500.
(shouting)

There's of course, the deeper question of whether we even want him here and whether or not his presence here represents anything like a dialogue. (Someone shouts -- GO HOME!) We know what we're facing is a war criminal. We don't have the power to try him; and so, there's a question of whether or not he has any rights which we should respect. The soil of Vietnam cries out with the blood and tears of millions of men, women, and children. And, what we want tonight is to have this dictator answer for the part he's played in that atrocity. (clapping - shouting)

The IFC moderator, Jay Walker, announced that the sponsors had agreed to Professor Parenti's format with the addition of a two-minute statement by Ky. Walker said the "microphone is not a forum for speeches and tirades. If there is trouble, Mr. Ky will leave. It doesn't really matter to him if he leaves. Professor Parenti is right. He will get paid in any case, okay. If he gets booted off the stage, he will have to leave, that is all there is to it...He will answer questions for over an hour."

Ky then appeared and spoke for three minutes, frequently interrupted by shouts and chants. He said he was "ready to stay here and answer all your questions" and that he only wanted to "contribute to a better understanding of the Vietnamese problem" and did not "intend to make trouble." The audience applauded.

Two microphones, manned by students from the IFC, had been set up in the aisles for those who wished to ask questions. Seven people asked questions, most of them making brief speeches as well. All the questions except the first were, in effect, accusations, delivered in hostile and often sarcastic tones.

The first questioner asked Ky to "compare and contrast" America and Vietnam in terms of "the rights of freedom of speech, fair trial, and innocent before guilty." Ky replied that Vietnam did not have such freedom of speech or so perfect a democratic system as America, but that one should realize that the "contemporary history of South Vietnam began only ten years ago."

The second questioner asked Ky "why you and your wife tried to steal 3500 acres of land from the Montagnard tribesmen in 1971." In a series of exchanges, he elaborated his original question and insisted that Ky answer "yes" or "no." Ky said he had acquired the land in question legally and said a little about when and how he had done so.

The third questioner was Professor Parenti, who said that "freedom of speech means not only the right to listen but also the right to speak back occasionally." He quoted and commented on Ky's words as reported in various publications: In 1967 Time Magazine reported Ky as saying that he would "crush all disturbances"; he had indeed done so. Newsweek had quoted Ky in 1971: "'McGovern is a secret agent of international communism; the day he comes here, I'll kick him out personally.'"

"Why shouldn't we kick you out," Professor Parenti asked, "you're an agent of American international capitalism, aren't you?" The London Sunday Times, he said, reported: "'...I have only one hero. Hitler. I admire Hitler. We need four or five Hitlers in Vietnam.'" "We know in your actions," Professor Parenti concluded, "why you admire Hitler, but tell us in your own words."

Ky replied by describing the political situation in South Vietnam in 1963 and 1964 as being troubled by feuds between military, religious, and political groups, with four or five changes of government. When he was named prime minister, his "duty at that time was to bring back stability" and "establish the new constitution." Concerning the statement quoted about his admiration of Hitler, he said his answer was: "I never said it." Before he was prime minister, he had said in conversation with a few other young officers "that we need a young and a strong people to lead South Vietnam, to make South Vietnam strong. And it happened that I mentioned, look, Germany, after the World War, after the defeat, Germany was very weak, and someone like Hitler came to power and made Germany strong."

The fourth questioner asked whether Americans in South Vietnam had enjoyed mistresses, money, liquor, and the "opportunity to live out their fantasies of youthful male vigor in a terribly sadistic way" -- whether Ky thought it one reason for the continuation of the war.

Ky replied that there were profiteers in Vietnam "as in any other war," that some Americans had "a nice life, a wonderful time, making money and beautiful Vietnamese women -- well, it's happened, but I think just a few of them." For most Americans this was not the case. Some Vietnamese officers profited from the war too, "but not all of us."

The fifth questioner held a lighted candle. He said: "Mr. Ky, our criminal system, reformation of criminals, is based on the idea that somewhere within every criminal is a conscience. What I would like to know from you is, with the blood of thousands on your hands, how do you sleep at night?" He blew out the candle. There followed nearly two minutes of rhythmic clapping, shouting, and chanting. The moderator kept asking for quiet, but his voice appears to have been inaudible in the hall. Ky did not attempt to speak over the noise.

When quiet was restored, the sixth questioner asserted that Ky had been seen trying to smuggle heroin into this country and asked him why he had dared to do it. Ky replied that he had smuggled nothing, "no heroin, no gold, nothing," that customs officers and newsmen would have seen and reported it if he had. "It's not true, and I challenge all of you if you can prove that it is true."

The seventh questioner said he was a Vietnamese and that Ky did not speak for the Vietnamese. He asked why, since Ky had said he would rather die in Vietnam than "come to this country and eat American left-overs," he had left Vietnam. "If possible," he concluded, "do you ever feel a sense of shame at all?"

(over)

Ky replied that before the fall of Saigon he had tried to form a new government and organize resistance. But when Communist troops came into the Saigon area, he was "a private citizen, without any authority, without any troops under my command." By himself alone, he asked, how could he stay? "If only I was responsible for that collapse...sure I would stay."

Ky had now spoken for thirteen minutes: three minutes in his initial statement, and ten minutes in response to questions. His responses were usually preceded, interrupted, or followed by hostile shouting or chanting from some members of the audience, which others often attempted to silence with their own shouts for quiet.

(Notes: Uris Listening Room tape; eyewitness reports by J. Walker, D. Fredericksen, C.M. Albright, C. Murray)

(6) The nature of the demonstration that was followed by the withdrawal of the speaker:

What had happened before Professor Richard Miller rose to speak gives color and context to his remarks. Ky's appearance before a crowd of about 1500 people was in an atmosphere like that of a boisterous political convention. Placards were everywhere in evidence. The hall was hot, crowded and smoke-filled. Few spoke without interruption. Heckling and applause continuously broke out no matter who spoke. Chants of "Ky eats shit" and "Fuck you, Ky" were repeatedly heard. The moderator felt it necessary to stand near the podium in an effort to keep order. Ushers and the moderator together had to restore order several times. While the format had been changed to question and answer, few real questions were, in fact, asked. Instead, a series of short speeches were given, usually ending in blunt accusations in an interrogatory form.

It was in these circumstances that Professor Miller rose to speak. His remarks were longer than some of the others. He began:

I have a question and I am going to suggest an answer and the creep in front of the room can comment or deny as he likes, I don't much care. I can't stop him as an individual. My question is, why is he speaking to us tonight? Why is he engaging in these questions and answers?

At this point, applause interrupted his remarks. But he continued:

That's not just a rhetorical question. Like the guy said to begin with, he'll get paid anyway. Why is this guy being allowed to go around making political speeches? Usually political exiles are forbidden to make political statements.

At this point, the crowd began to chant "Go Home." Nevertheless, Miller continued:

Why is the guy who was seen by dozens of eyewitnesses throwing a kilo of heroin off an aircraft carrier long before he passed through customs -- that was just an evasion. Why is the guy who in front of dozens of people who I don't think were hallucinating, professed his love for Hitler, why was that guy let into the country? Why is he encouraged to speak? I am a

member of the Committee Against Racism and we have an answer to propose. The answer is this. That the U.S. government is trying to prepare people for some new options. For the option of fascism -- they are discussing a bill in the Senate that would put me in jail for answering, for asking rude questions of this creep, S.I. They are preparing for fascism in Boston, and they are using racism to build it just the same way as they used racism to build a war in Viet Nam. They're even proposing that a World War in the Middle East is an option. Why is this guy here? I think that he is here because the U.S. government would like us to see Viet Nam as an academic mistake that we discuss through peaceful academic questions and answers. [applause] [some words inaudible] you know, they are experts -- and they made a mistake and maybe they're not so nice but they're tragic and it is just a tragedy that this guy is suffering so much -- that's what he tells us. Well, I don't think Viet Nam was just a mistake. I don't think this guy's a tragic figure. I don't think that the solution to having him at Cornell is to have a question and answer session. In Peoples' Courts that I've read about, the object wasn't to ask questions and have answers. The object was to see if someone was a murderer and if he was a murderer, and especially a genocidal murderer, and a dope pusher -- to shoot him. [shouting and clapping begin] We can't do that tonight but I don't think we should be having an academic discussion with this creep. I think that is what the State Department wants.

At this point, the crowd exploded. The response was electric. Part of the crowd (common estimates are 150 to 250) rose to their feet. At first the crowd was shouting and clapping. It then turned to rhythmic applause and the chant of "Out! Out! Out!" which continued until Ky left the stage. In unison, numbers of the disrupters gave the Nazi salute.

The moderator indicated to the Committee his reaction:

Professor Miller's speech was followed by the second major outburst of the audience. The first outburst ended when I signaled my usher to go onto the next question, and the audience responded with quiet. After about 30 seconds of the outburst following the Miller speech, I went to the podium and tried to use the mike to quiet the crowd. This failed so I signaled again to go on to the next question, this failed also. I then, onstage, laid the options open to Mr. Ky as to what we could do. In accordance with the controversial guidelines, I told him we could recess, we could wait, or we could leave. He was visibly shaken up so I suggested the ten minutes recess, however he said he had had enough. Thus by Mr. Ky's decision, with my approval, he was ushered away. In my opinion, it would not have been possible to resume the program without considerable difficulty and further embarrassment of the speaker.

Not all of those present were aware that the moderator had attempted to quell the interruption and to ask for another question. The tape clearly indicates that he did, and that his efforts were futile. After two minutes, the moderator

consulted with the speaker to see if he wished to recess or withdraw. He chose to leave. As he left, the shouting and clapping increased.

(Notes: Uris Listening Room Tape; written replies to the Committee: C. Murray, D. Fredericksen, A. Silverman, Safety Division, J. Walker, E. Meyer, M. Barlow; oral interviews with chairman: M. and I. Kramnick, E. Meyer, M. Barlow)

(7) The actions of the demonstrators in the hall after the withdrawal of the speaker and the aftermath:

With the departure of Ky demonstrators took the stage to make speeches of their own, while most of the crowd filed out. University microphones were turned off, according to University guidelines, but some demonstrators had a battery-operated bullhorn of their own. Observers from the Dean of Students Office and the Ithaca Journal remember that a spokesman for the demonstrators on the stage announced: "We have set a precedent." Some speeches followed before a small audience. The building custodian the next day reported to the Safety Division that he had found in many places on the floor small bags of excrement. Though few objects seem to have been thrown, some members of the audience had come prepared for that action.

No one among administrative and faculty observers of the Bailey Hall incident informed the FCR meeting on the day following the episode about what had happened. The Chairman of the Freedom of Teaching and Learning Committee, in response to radio and newspaper accounts, expressed his concern to the Dean of the Faculty, who shared it. Before meeting with his committee, however, the chairman heard a WVBR tape of the event and discussed the affair with Dean Meyer and some of his assistants. The Dean of the Faculty announced a University Faculty meeting for the following Monday. The Chairman of the Freedom of Teaching and Learning Committee suggested a combined conference with the Committee on Academic Freedom and Responsibility, and it was agreed on.

At that conference critical portions of the tape were played and resolutions drawn up for the Faculty meeting. They were unanimously agreed on at the conference meeting. Just before the University Faculty meeting, however, one member decided not to support the first resolution and so informed the Chairman. At the Faculty meeting, held six days after the disruption, the majority voted for the combined Committees' two resolutions, but the debate over them continued in the community at large.

(Notes: oral interviews: E. Meyer, J. Myers, Lt. R.H. Hausner, memo from G.H. Hildebrand)

III. Analysis of the Event

The decision to invite Ky:

In the controversy that has developed since December 9th several people have suggested that the invitation to Ky was inappropriate or blameworthy. Professor Goldsen wrote regarding the organizations issuing the invitation: "I believe that their judgment in doing so was at best unwise and an indication of astonishing insensitivity to the values this University is dedicated to; at worst an affront to these values." It does seem that no one at any stage of the process leading to the invitation raised the question of the educational value of a speech by Ky,

but there are grounds for supposing that the many people at Cornell who were deeply concerned about the war in Vietnam might find it interesting to hear what Ky could find to say regarding his own part in the war and his leaving Vietnam in the end. It is likely to be those grounds on which the IFC issued their invitation. There are, however, also grounds for supposing that Ky would appear to those same people as the embodiment of a long, sordid, frustrating, and in many instances personally painful episode in our history. To them Ky's visit looked less like a university lecture than like an affront. Even if all of us were completely opposed to his opinions or to what he stands for, as members of a University community, we are, however, bound to tolerate his speaking here as a part of our commitment to protect the freedom of learning, the value on which the other values of the University rest.

(Note: Rose Goldsen, "Courtesy and Discourtesy: Judgment and Pre-judgment," Chronicle, January 22, 1976, p. 18.

The steps taken to maintain conditions of debate:

A number of precautions were taken beforehand -- by the Safety Division, the Dean of Students Office, and the fraternities -- to safeguard the speaker and control the audience. But as important as what was done was what was not done and not contemplated. No one proposed a means whereby people who attempted to disrupt the event might be identified, although the Guidelines for Potentially Controversial Events state: "The sponsors of an event as well as members of the community have a responsibility to identify individuals who disrupt an activity." In fact, unless most of those engaged in a disruption can be identified that injunction loses its moral force. For the most part, those who were present at Bailey Hall and recognized a demonstrator thought it would be arbitrary, and therefore unfair, to single out one or two people when hundreds of others who were similarly involved would not be identified.

Identification becomes even more difficult and less effective as a deterrent when the audience contains a substantial number of people who are not affiliated with Cornell, as appears to have been the case at Bailey Hall.* Such people are surely not bound by a campus judicial system and their "identification" would be meaningless. Yet the Guidelines contain no provision for restricting audiences at controversial events to Cornell students, faculty, and staff by checking ID cards. The Oliphant fund, moreover, is expressly designed to bring speakers who will generate wide public interest. The incident at Bailey Hall demonstrated that the University, which has rather ineffective means of controlling members of the campus community who disrupt an event, had even less effective means of controlling outsiders who do so.

Yet another problem concerns the display of signs, banners, and placards inside the auditorium where the speech is given. Thus, while wooden dowels were confiscated as potential weapons, the signs themselves were allowed into Bailey Hall and were prominently displayed. For example, a banner with the slogan "FUCK KY" hung from the platform. Permitting such displays reflected three assumptions: that words could not cause anyone physical injury, that members of the audience had a right to express themselves, and that an attempt to remove such signs could provoke violence. There is evidence from an eyewitness, however, that some demonstration-leaders were prepared to leave their signs outside if they had been challenged, as they had done at the earlier protest against the Princess of Iran. There surely is a point at which such displays -- if large enough, numerous enough,

*The Spokesman for the Committee for an Antiwar Reunion has no Cornell connection.

and obscene enough -- can become inimical to free expression, either by intimidating the speaker or by creating an unruly and tumultuous atmosphere. When that point is reached is a matter of judgment.

(Notes: Oral interviews: I. Kramnick, B. Kauber)

The issues of free speech in the Ky episode:

The demonstration against Ky fits into two categories: (1) the use of obscenities, insults, and jeers to heckle a speaker in an uncivil way, (2) the substantive interference with his right to give his prepared speech and to finish the question and answer format, which was announced to last "for over an hour." We consider the second category the more important one.

The demonstrators asserted control of the format from the beginning with the consent of the moderator and the speaker. But the consent was given because the clamor of the demonstrators had persuaded everyone that no speech could be given at all except on the terms favored by the demonstrators. Whatever its origins, the new format was coercive for the speaker: He had no choice if he were to speak at all.

The argument that the new format was necessary because the speaker had not answered questions elsewhere after his prepared address is not supported by the specifically cited example of St. Lawrence University, where in fact Ky had answered questions for half an hour, as he had done at other campuses.

No witnesses have denied that the crowd's final chanting demand was for the withdrawal of the speaker. The Vice Provost, who was in attendance that evening, believes that a recess would have only increased the clamor upon the speaker's return. Exercise of the right to free speech ought not to depend upon a speaker's willingness to endure prolonged, massive verbal hostility and a shouted collective demand to leave, lasting over two minutes.

(Notes: Oral interviews: Director of Student Services, St. Lawrence University, Mark Barlow, Vice Provost, Cornell University)

IV. Frame of Reference

The members of the committee represent many shades of political belief. We nevertheless share certain assumptions about freedom of speech, the nature of a university community, and academic freedom and responsibility. Since those assumptions have guided our deliberations, we should, in all candor, make them explicit. We recognize that not all will agree with the following propositions; but we believe that most of our colleagues will agree with most of them.

1) In a university community, as in society as a whole, freedom of speech cannot be absolute. Speech that is libelous, or that incites a crowd to riot, deserves no protection. Perhaps no one, in real life, has ever falsely shouted "Fire!" in a crowded theatre; but surely no one has a right to do so.

2) Within these commonly-accepted limits, freedom of speech should be the paramount value in a university community. Because it is a special kind of community, whose purpose is the discovery of truth through the practice of free inquiry, the university has an essential dependence on a commitment to the values of unintimidated speech. To curb speech on the grounds that a speaker is noxious,

that his cause is evil, or that his ideas will offend some listeners, is therefore inconsistent with a university's purpose. One may argue against inviting a speaker on the grounds that he has nothing of importance to say. But once members of the university community extend an invitation, others may not disrupt the speech on the grounds that they find it stupid, immoral, or dangerous.

3) Those who dislike what a speaker is saying also have rights. They include distributing leaflets outside the meeting room, picketing peacefully, boycotting the speech, walking out, asking pointed questions, and, within limits set by the moderator, expressing displeasure with evasive answers. Those who oppose a speaker may thus make their views known, so long as they do not thereby interfere with the speaker's ability to make his known or the right of others to listen.

4) The American conception of academic freedom includes the principle that a professor may participate in political demonstrations and speak out on controversial issues without jeopardizing his employment. In a campus setting, however, academic freedom carries with it certain responsibilities. Scholars should not only respect the professional demands of their discipline and the pedagogical requirements of the teacher-student relationship, but they should not encourage efforts to abridge the free expression of controversial viewpoints. As citizens, professors may or may not be especially solicitous about freedom of speech; as scholars, they are morally bound to defend it. Professors traduce their calling by any deliberate action demonstrating contempt for freedom of speech.

5) Civility is a fragile virtue, but one upon which a university ultimately depends. Name-calling and the shouting of obscenities, even when they are not carried so far as to abridge freedom of speech, are nevertheless deplorable in a community devoted to rational persuasion and articulate controversy.

6) As the Report on Free Expression at Yale recently pointed out, explicit formal sanctions against obstruction of free expression are necessary in a university as a declaration of its positive commitment to defend that expression. Yet as the Report also notes, "the strength of these obligations and the willingness to respect and comply with them, probably depend less on the expectation of punishment for violation than they do on the presence of a widely shared belief in the primacy of free expression."

(Notes: Report of the Committee on Freedom of Expression at Yale, (January 8, 1975), p. 7. Yale suspended twelve students in 1974 for shouting down a controversial speaker.)

V. A Proposal for the Future: Judicial Procedure

The protection of free speech can be a demanding duty. Not only belief, but intelligence, will, and law have to play their parts. We have no panacea, but we do have a recommendation for the future about University processes in reference to faculty members. Charges that a faculty member has interfered with, or incited others to interfere with, the lawful exercise of free speech, ought to be considered, we believe, as serious as charges that a faculty member has falsified his research.

In these matters the issues make appropriate a resolution of them by a jury of only one's peers. Such a board is already provided for in the "Dismissal Procedure" explained in the Faculty Handbook, and the Campus Code of Conduct specifically asserts that its own regulations and penalties are not "exclusive of and shall not

preclude resort to" other University regulations and procedures. The present Judicial Administrator's procedure provides that a faculty member, who receives any suspension or dismissal judgment, can appeal to the special faculty board explained in the Faculty Handbook. Our proposal would give original jurisdiction in this class of cases to this board of highest appeal.

It can be invoked by the concurrence of the faculty member's Dean and the President if they believe there is reasonable ground for believing that such charges are warranted. Full due process rights are secured before the special board, including notification, choice of counsel, cross-examination of witnesses, and access to a full report of the proceedings. The faculty board is made up of two chosen by the faculty member, two by the President, and the fifth by the other four. This procedure would also have the advantage of eliminating the need for emergency ad hoc faculty committees which by their very nature lack the essential power to require that faculty members give testimony with all the safeguards of due process.

A majority of the Faculty has already made clear by its vote that it wants free speech for controversial speakers on campus according to the traditional ideal whose intellectual ancestry includes Jefferson, Mill, Holmes, and Brandeis. We recognize, however, that an articulate minority is either equivocal about or opposed to granting free speech to some controversial speakers. Defenders of free speech must defend the advocacy rights of their critics too, and the controversy is part of the life of dialogue that a university must support. But academic freedom cannot include the right in practice to incite curtailment of the free speech of any campus speakers. On this issue the Faculty can indicate the seriousness of its commitment to principle by making violations of it grounds for suspension or dismissal according to the already established and defined procedures which we have described. In this way academic freedom can be combined with academic responsibility for maintaining the right of free speech for those with whom we passionately and deeply disagree.

(Notes: Faculty Handbook, pp. 46-47; "Campus Code of Conduct," Policy Notebook for Students, Faculty and Staff, sec. 4a)

S. Cushing Strout, Chairman
G. Robert Blakey
Marvin Carlson
Norman Kretzmann
Dorothy Mermin
Richard Polenberg
Constance Wood

The Speaker, Associate Professor J. Robert Cooke, called the meeting to order at 4:37 p.m. 63 members and 6 visitors were present.

1. REPORT FROM THE DEAN

The Dean of the Faculty, Professor Byron W. Saunders, asked members to sign in since attendance figures at previous meetings had been questioned and because he wished to distribute copies of appropriate reports to members absent at this meeting. He reminded the body that income tax assistance for foreign students and Faculty would be available at the International Student Office in Barnes Hall on March 18.

In response to inquiries he had received, the Dean said the Special *Ad Hoc* Committee's report on the December 9th disruption would be presented to the FCR Executive Committee for implementation, and that he did not know what action would ensue.

2. RESOLUTION FROM COMMITTEE ON THE BUDGET

The Speaker called on Professor Peter Stein, Physics, Chairman of the Committee on the Budget, who moved the following resolution:

WHEREAS, The University Faculty has charged its Committee on the Budget amongst other things to "participate, with the cooperation of appropriate administrative officers, in the budget planning process, both short term and long term", and

WHEREAS, Meaningful participation requires the mutual sharing of views on important budgetary issues between the Administration and the Committee,

BE IT RESOLVED, That the FCR formally requests the University Administration to consult with the Committee on the Budget on all matters with major budgetary implications while those matters are in the policy formation period.

Professor Stein explained that the Committee's efforts to carry out its charge through independent investigation and meetings with budget officials had not enabled it to react promptly with advice and Faculty opinion on budget matters. In order to do so, he said, the Committee must be informed of such issues before decisions were made so its reactions could serve a useful purpose. Carried.

3. REPORT FROM ACADEMIC PROGRAMS AND POLICIES ON MINORITY EDUCATION

The Speaker called on Professor Gilbert Levine, Agricultural Engineering, Chairman, Academic Programs and Policies, for a review of his Committee's report* on minority education at the University. Professor Levine said the report

*Attached, Appendix A

considered undergraduate recruitment and admissions, preparatory studies, advising and counseling, graduate recruitment and admissions, and aspects of minority Faculty and staff hiring. He expressed thanks to persons who had assisted the Committee and to Faculty members of four subcommittees who had prepared sections of the report. He urged the Faculty to read the report since it contained some information not extracted in the accompanying resolutions. He noted that subcommittee members had not been able to review the final report, and that there was no significant disagreement on the report among Committee members. Some inconsistency in defining minority students existed in the report, he said, because of the large amounts of data used, but this had no significant effect on the Committee's conclusions.

Minority undergraduate recruitment, which was conducted by each school or college with the cooperation and active assistance of the COSEP (Committee on Special Educational Projects) Office, seemed reasonably successful, he stated. The percentage of entering minority students had remained constant at about eight percent, although minority applications had declined approximately 20 percent during the past two years, indicating that a higher percentage of applications was being accepted. Other institutions had not experienced similar declines. Although varying widely among University units, the over-all 55 percent acceptance rate was comparable with other institutions. The report contained suggestions for improving recruitment, he said.

Admissions criteria varied among academic units, he said, and as shown by SAT (Scholastic Aptitude Tests) score comparisons were more "difficult" for minority than non-minority students. Tables III and IV of the report showed University-wide median SAT verbal scores of COSEP students to be 125 points less than those of non-COSEP students, and median SAT math scores to be 130 points less. In the College of Arts and Sciences, which contained almost half the minority students at Cornell, these differences were 147 and 138 points respectively. However, median scores for COSEP students entering Cornell were above the national median, he said. Also, available evidence indicated that the preponderance of both COSEP and non-COSEP students ranked in the upper 10 percent of the available "pool."

The report dispelled two misconceptions believed widely held about Cornell COSEP students, he said: first, that there was a bias towards admitting minority students who were less well prepared academically or had lower SAT scores than non-minority students; second, that non-minority students scoring below a "cut-off point" in SAT scores could not gain admission to the University. It was

clear that other factors must influence the admissions process, he said, and that different "weighting" of SAT scores occurred in the case of minority students.

Data on minority students' academic performance was very difficult to obtain, Professor Levine said, but after excluding students with SAT scores below 400 from calculations, it became clear that the graduation rate was essentially independent of SAT scores, a fact indicating the need for additional data. Of some concern to the Committee was the fact that the 65 percent graduation rate achieved by COSEP students was 15 to 20 percent lower than the rate for non-minority students.

Minority students taking mathematics, physics and chemistry courses showed a marked improvement in grade profiles following institution of evening review sessions by the Chemistry Department in 1971 and the Learning Skills Center in 1973, Professor Levine said. Benefits from preparatory studies were greater than indicated by registrations, he noted, the Committee's interviews having revealed that many "walk-in" students had been effectively helped by such courses. While agreeing with the Trustee report on minorities that departments should be the basic units of such support, he said, the Committee was convinced that this responsibility should be shared by a central administrative unit.

Professor Levine noted a need for increased advising and counseling services and for greater coordination among departmental, college and central administrative offices in order to assure both adequate levels of counseling and sufficient points of access for minority student participation. At present many such offices were unaware of services offered, he said.

Summing up the Committee's over-all conclusions about undergraduate education, Professor Levine said there was a need for a central administrative unit with significant responsibilities for recruiting, admissions and support services, and sufficient control of resources to be effective in working with independent academic units. While agreeing with the Trustees that many responsibilities could be partially turned over to academic units, he said, the Committee did not think it appropriate to transfer complete responsibilities to them.

Turning to graduate education, Professor Levine pointed out that the University's philosophy of decentralized authority made it "extremely difficult" to determine minority recruitment and admissions policies and practices. He noted wide variances among fields in acceptance rates, saying the Committee had found indications that the University could be more effective in identifying and attracting minority applicants. The Committee wished to see a much wider sharing

of experience among graduate recruiting offices as well as an increase in recruitment activities, experimentation with non-traditional admissions criteria and monitoring of student needs and performance. The Committee's specific suggestions often ran parallel to those it had made about undergraduate education, he said, i.e., a more aggressive recruiting posture, "weighting" certain attributes of candidates differently than at present, and institution of support activities. It also suggested greater development of such activities within graduate fields. While costly, he said, these steps were necessary if Cornell, as a major graduate educational institution, was to maintain its commitment to increase the supply of minority academics and professionals.

It appeared that the lack of minority representatives in some graduate fields caused the lack of minority Faculty members, he said. While departments, with whom the hiring responsibility rested, complied with basic affirmative action procedures, the composition of the University Faculty had not changed. Reasons for such failure differed from field to field, he said, and therefore the Committee had suggested granting greater responsibility for improving search procedures to departments and providing them with more assistance in developing hiring strategies. It also had recommended strengthening affirmative aspects of present policies and reducing emphasis on conformance to federal standards. He noted, in conclusion, that five resolutions relating directly to the report's content and one suggesting the need for continued monitoring of minority education had been distributed with the report. The Speaker stated that action on the resolutions would be the main agenda item at the April 14 meeting of the FCR.

4. REPORT FROM AD HOC COMMITTEE ON ACADEMIC INTEGRITY

The Speaker called on Associate Professor Ross J. MacIntyre, Genetics, Development and Physiology, Chairman of the *Ad Hoc* Committee on Academic Integrity, for a report (See *Cornell Chronicle*, March 18, 1976, for complete text). Professor MacIntyre said that the proposed Code of Academic Integrity before the body was a revision of one discussed the previous fall and incorporated suggestions received from about 15 Faculty members following that discussion. The Committee's goal of decentralizing procedures for dealing with violations of academic integrity and "delegalizing" the present system had not been modified. The present version retained the establishment of a primary hearing between a Faculty member and an alleged violator of the Code and established academic integrity hearing boards at the college level. The Committee was gratified, he said, that respondents close to the present system had supported its views. One important change suggested by respondents gave a Faculty member the option of going directly to

a college hearing board rather than initiating a primary hearing (section II.A. of the Code). Another required a Faculty member finding a student guilty in a primary hearing to report this fact to the student's dean who could bring a student guilty of multiple offenses before the college hearing board for consideration of more serious sanctions. Regarding due process Professor MacIntyre said that the Committee had felt preoccupation with this question was in part responsible for the Faculty's belief that the present system was too cumbersome. Committee members had been unable to determine procedures necessary to insure due process at the primary hearing level, he said, and had felt that emphasis on due process was not really warranted in cases of cheating. In the Committee's view, he said, a Faculty member had little to gain from being arbitrary at the primary hearing while a student obviously had much to gain from cheating.

The Speaker called on Professor Gwen J. Bymers, Consumer Economics and Public Policy. Chairman of the FCR Executive Committee, who, on behalf of her Committee, moved the following resolution:

RESOLVED, That

1. the FCR adopt the report of the *ad hoc* Committee on Academic Integrity including the new Code as revised and amended; and that
2. the Dean of the Faculty is instructed to communicate this action to the Deans and Directors of the several schools, colleges and independent Departments and Programs; and that
3. the new Code become applicable with the 1976-77 academic year commencing September 6, 1976.

Professor Bymers spoke briefly to the resolution, saying that academic integrity should be the responsibility of the Faculty and that the *Ad Hoc* Committee's efforts deserved serious consideration.

The Speaker called on Associate Professor John J. Barceló III, Law, who moved the following amendment:

RESOLVED, That the proposed Code of Academic Integrity be amended by the addition of the following clause which would appear as part II, C, 7.

"Existing school honor codes, as in the Veterinary School and the Law School, are not governed by the foregoing Legislation, but a school receiving such an exemption shall be required to file a current copy of its Academic Honor Code with the Office of the Dean of Faculty at the beginning of each academic year."

Professor Barceló noted that the current Code of Academic Integrity contained a similar provision, and cited specialized definitions, procedures and practices at the Law School requiring its exemption from the Code. Professor Howard E. Evans, Veterinary Anatomy, moved to substitute College of Veterinary Medicine for (Veterinary School) and college or school for (school) in the interests of accuracy. The amendment (below) as amended carried.

Existing school honor codes, as in the College of Veterinary Medicine and the Law School, are not governed by the foregoing Legislation but a college or school receiving such an exemption shall be required to file a current copy of its Academic Honor Code with the Office of the Dean of Faculty at the beginning of each academic year.

Professor David B. Lyons, Philosophy, commented on the difficulty of responding to the proposed Code and procedures on short notice, and reviewed a number of questions he said he had raised during previous FCR discussion of the matter, saying the Committee did not seem to have answered them in drafting the new Code. No rationale as to how the problem of widespread cheating would be dealt with had been offered, he said, nor had the Committee shown that the new system would be any less capricious or arbitrary than the present one. Rather, the elimination of University hearing boards created greater likelihood of diversity of treatment of cases, and whereas the Committee had noted the "strain" caused by hearing board members acting as judge and jury, a Faculty member would now act in a primary hearing as accuser, weigher of evidence and assessor of initial penalties. The Committee's first report claimed that sanctions were often not commensurate with offenses, he said, but without University hearing boards providing consistency of treatment it would become more difficult to fit sanctions to offenses. Lastly he criticized the concept that, because they were best able to judge if cheating had occurred, Faculty members should be directly able to dispose of cases of cheating. If the Faculty had nothing to gain from obtaining convictions of cheating, as Professor MacIntyre had said, they still could be carried away by their strong interest in reducing cheating. Due process was essential to protect students from overzealous Faculty, he said, and an appeals mechanism giving students the option of bringing a case before a University board was needed. He urged consideration of an alternative proposal prepared by the Academic Integrity Hearing Board and distributed outside the present meeting.

Professor Bymers agreed with Professor Lyons that widespread cheating existed, saying it would be reduced only when the University community came to look on it as anti-social behavior. The *Ad Hoc* Committee's proposed Code attacked

the problem at its "lowest stage," she said, providing students the opportunity to explain their case informally in the company of friendly counsel of their own choosing at the primary hearing, and it provided an appeals mechanism to students. Under the present system Faculty members were intimidated by having to produce evidence of cheating before a hearing board. The proposed Code would put responsibility in the hands of the Faculty where it properly belonged, she said.

Associate Professor J. Congress Mbata, Africana Studies, supported Professor Lyons' view, citing the lack of time to consider the Faculty's proper role regarding academic integrity, the propriety of bodies named in the resolution dealing with academic integrity questions, and whether the Faculty desired a situation in which it could not preside over the final outcome of cases. Professor MacIntyre said that Professor Lyons' remarks simply raised a difference in philosophy. Part of the Committee's motivation in drafting the proposed Code, he said, was the fact that Faculty ignored the established system and settled academic questions on an *ad hoc* basis. The proposed Code was intended to alter a *de facto* situation to encourage Faculty participation and provide protection for students.

Professor Robin M. Williams, Jr., Henry Scarborough Professor of Social Sciences, urged a vote on the proposed Code on grounds that it provided proper safeguards for Faculty and students and that the body had not asked the *Ad Hoc* Committee to resolve philosophical questions. Professor Ian Macneil, Law, pointed out that the body had before it a resolution distributed at the door to the meeting room and the one on the floor. He moved to postpone the resolution on the floor citing lack of time to study both documents and the failure of the Dean of the Faculty to circulate both documents prior to the meeting.

Professor Lyons requested assurance that both documents would be distributed to members. The Dean said that the *Ad Hoc* Committee had received and considered Professor Lyons' recommendations following earlier FCR discussion of the academic integrity Code. The Speaker asked the Dean to speak to the motion to postpone. Professor Lyons raised a point of personal privilege and was ruled out of order. The Dean said he had no concern about postponement since discussion of the matter on the floor had been deferred from the September 10, 1975 meeting by request so that the body could consider the proposed Code. He added that the document distributed at the door was not a Faculty document. Professor Stein asked if a motion to postpone adjournment would be in order. The Speaker stated

that FCR rules did not permit it. Professor James C. White, Hotel Administration, supported the motion to postpone the resolution on the ground that his School needed time to compare its own procedures for dealing with academic integrity problems with the proposed Code. Mr. Elmer E. Meyer, Dean of Students and Assistant Vice President for Campus Affairs, pointed out that college advising offices had not had an opportunity to review the proposed Code. The Speaker brought the motion to postpone to a vote. Carried. The question of distributing the Hearing Board's alternative proposal was raised from the floor. The Dean said he would distribute it if ordered to do so by the FCR Executive Committee. The Speaker attempted to hold a straw vote on the matter and failed.

Adjourned: 6:02 p.m.

J. Leeming, Assistant to the Secretary

MINORITY EDUCATION AT CORNELL

A Report to the Faculty Council of Representatives
from the
Committee on Academic Programs and Policies

March 1976

MINORITY EDUCATION AT CORNELL

Introduction

Membership of the Committee on Academic Programs and Policies

1. Recruitment and Admissions of Minority Undergraduate Students
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 - b. Admission Procedures
 - c. Academic Profiles: COSEP and non-COSEP Students
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Summary

Appendix I - Admissions Procedures

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Appendix III - Some Data About Minority Education at Other Schools

Membership of the
Committee on Academic Programs and Policies

- Roger M. Battistella - Professor, Medical Care Organization, Business and Public Administration; Coordinator, Sloan Program of Hospital and Health Services Administration
- James L. Gaylor - Professor, Nutritional Sciences; Chairman, Biochemistry, Molecular and Cell Biology
- Richard H. Lance - Associate Professor, Theoretical and Applied Mechanics; Associate Dean, Engineering
- Gilbert Levine - Professor, Agricultural Engineering; Chairman, CAPP; Director, Water Resources and Marine Sciences Center
- Keith Moffat - Assistant Professor, Biochemistry, Molecular and Cell Biology
- Henry N. Ricciuti - Professor, Human Development and Family Studies
- Sandra F. Siegel - Assistant Professor, English
- Albert Silverman - Professor, Physics
- Robert J. Young - Professor, Animal Nutrition; Head, Poultry Science
- Russell D. Martin, ex officio*
- Byron W. Saunders, ex officio*

*Did not participate in the preparation of this report.

MINORITY EDUCATION AT CORNELL

A Report to the Faculty by the Committee on Academic Programs and Policies

Introduction

In response to the charge from the Faculty Council of Representatives, received by the Committee on Academic Programs and Policies (CAPP) at the December 10, 1975 Faculty Council of Representatives meeting, we are pleased to present this report on minority education at Cornell.

As requested, this report includes specific consideration of: recruitment practices and admissions criteria for undergraduate and graduate students; the assignment of responsibility for advising, counseling, tutorial and preparatory studies; the interpretation and implementation of affirmative action principles in faculty and staff hiring.

The CAPP has attempted to arrive at its conclusions by the objective consideration of appropriate data, and with the University policies in mind. In some areas appropriate data were not available; in these cases we have attempted to identify data needs, but we have based our current conclusions on discussions with faculty and administrators across the University.

As a consequence of our attempt to utilize as much of the available data as possible, we have not been able to use a consistent definition of "minority". We do not believe, however, that this has any significant effect on the conclusions drawn or on the recommendations offered.

The CAPP has been assisted in its work by many in the University community, and we are deeply appreciative of this assistance. Special acknowledgment must be accorded the non-CAPP members of four subcommittees utilized in preparing the report. They willingly shared in the task of the CAPP, and provided the range of perspective and expertise essential for a study of this type. Time constraints prevented review of the total report by the non-CAPP members of the subcommittees; therefore, we have listed their names with the portion of the report that they have prepared, and do not necessarily imply their agreement with the total report. The report itself basically consists of the individual subcommittee reports; in the interest of speed, we have not attempted to blend the styles of those individual presentations.

The preparation of this report has been time-consuming, but rewarding--and in some aspects surprising. We think the data are revealing, and not necessarily in accord with some general observations expressed about minority education at Cornell. We have included in the report recommendations as we thought appropriate, and will present the main policy issues in the form of resolutions.

1. RECRUITMENT AND ADMISSIONS OF MINORITY STUDENTS

Despite much discussion of the COSEP program, very little detailed information about it has been available. One of the main objectives of this report is to provide such information. We will discuss the following aspects of the COSEP program: recruitment and admissions procedures; statistics of applications and admissions; academic background and qualifications of the COSEP students; how Cornell COSEP students rank in the national pool of minority students; something about their geographical distribution (Appendix II); and, finally, how COSEP students have fared academically at Cornell.

We will also include similar information about non-COSEP students, both because we consider the information interesting and valuable and because it offers a useful comparison for judging the effectiveness of some aspects of the COSEP program.

The information we will present does not include minority students who have chosen not to identify themselves with COSEP. No information is available for this group. Their number is not known, but it is thought to be rather less than 10% of the total population of minority students at Cornell.

There are approximately 1000 COSEP students with the following ethnic distribution: Blacks - 600; Spanish surname - 250; American Indian - 10; Asiatics - 150. This group includes approximately 200 students admitted to the statutory colleges under the state supported Education Opportunity Program (EOP) and to the endowed divisions under the Higher Education Opportunity Program (HEOP). Students admitted through EOP and HEOP must be residents of New York State and have SAT scores below about 550, differing somewhat from college to college.

a. Recruiting Procedure

Recruiting at Cornell is done by both the admissions office and by the individual colleges. Staff from the various offices visit secondary schools, college fairs, and a few junior colleges each year. As might be expected, Cornell's recruitment program also relies heavily on various contacts at the local level, such as the alumni-sponsored "Secondary School Committees".

Recruitment of minority students follows the same pattern except that a large part of it is done by COSEP staff. For reasons that should be obvious, local support groups are generally absent in minority communities; consequently, the COSEP committees have sought the cooperation of alternate resources, such as the NAACP or ASPIRA. In the last few years, several colleges, including Engineering, Arts, ILR, have become directly involved in the recruitment of minority students using minority personnel attached to the college and in cooperation with the COSEP office.

There is no sharp division between those who recruit minority students and those who recruit others. To some extent, all recruiters recruit for all students. However, visits to schools with large minority populations have been done mostly by minority personnel.

Some idea of the scope of the effort is given by the following figures⁽¹⁾. Last year, minority recruiters visited some 70 schools: 12 in New York City; 10 in upstate New York; most of the balance in Atlantic states with a few in the South and Midwest. Contact was made with 675 students--including a significant number of non-minority students.

(1) We are indebted to the COSEP office for this and some other information contained in the report.

The only way we have of judging the effectiveness of this recruitment is from the number and quality of the applicants, questions we will discuss in some detail later in this report. On this basis, the recruiting seems reasonably successful. However, one would guess that the usual techniques would be less effective among minority students because much of the support on which this kind of recruiting relies, for example, alumni contacts, are missing. This is one of the reasons why the COSEP staff believes that personal contact with credible people is essential to persuade many minority students that real opportunities exist at Cornell.

In view of the lack of good backup organization, we believe it important to consider alternative ways of recruiting minority students. For example, lists of students with various characteristics--race, SAT scores, class rank, etc., are available at modest cost from Educational Testing Service. One can imagine several different ways in which such lists could be useful in recruitment. Another suggestion has been to advertise in a publication widely circulated among minorities--for example, Ebony magazine--possibly in concert with other Ivy League schools. Still another suggestion involves the use of junior and senior minority students in or near their hometowns, as already done by ILR. We are not wedded to these particular suggestions, but we do feel some consideration should be given to development of new recruitment techniques.

b. Admissions Procedures

A detailed description of admissions procedures for the various colleges is attached as Appendix I. We present here only a brief summary.

Each college is responsible for developing suitable and appropriate admissions procedures and policies. Each college also has responsibility for deciding which students to admit.

COSEP students are identified and discussed as a separate group. Usually, COSEP folders are first read by a minority person who evaluates the candidate and makes a recommendation. In the past, this has been done by COSEP staff, more recently also by minority personnel in the colleges. This recommendation is then available to the appropriate college admissions committee where the final decision rests.

It is our impression that the initial evaluation is very influential, in the final decision. The recommendations are generally, but not always, followed.

In Table I, some statistical information about COSEP applications and admissions is provided.⁽²⁾ The column headed "Committee Decisions" are those applicants who have survived an initial screening and have been submitted for decision to the admission committees of the various colleges.

Table I⁽³⁾

<u>Year</u>	<u>Applications</u>	<u>Committee Decisions</u>	<u>Approved</u>	<u>Entering</u>	<u>% of Class</u>
1972	1147	945	393	220	8.4
1973	1081	811	376	206	7.7
1974	876	680	361	195	7.3
1975	876	741	397	226	8.3

⁽²⁾ This information is obtained from a document issued by the admissions office called COSEP Admission Statistics. Almost all of the information about admissions which we present, was obtained from this publication and one titled Final Fall Statistics.

⁽³⁾ Similar information about several other universities is attached in Appendix III.

One sees a substantial reduction in applicants in this period. We do not know the reason for this decline. One explanation offered is that many schools have increased their recruiting of minority students and the competition is greater.

In the face of declining applications, it has been necessary to offer admission to an increasingly greater percentage of the applicants in order to prevent a decline in the number of students entering. This does not seem to have resulted in any significant lowering of the academic qualifications of most of the entering students, as judged by class rank or SAT scores (see Table III), probably because of increased probability of admission being offered to students with higher SAT scores.

c. Academic Profiles: COSEP and Non-COSEP Students

Table II shows the distribution in class rank for COSEP and non-COSEP students. For the COSEP students the data for the years 1973-75 have been added to improve the statistical accuracy. The non-COSEP students are for the year 1974.

Table II
HIGH SCHOOL CLASS RANK

Tenths	Non-COSEP (1974)		COSEP (1973-75)	
	Number Entering	% of Class*	Number Entering	% of Class
Top	1584	69	285	56
2	416	18	81	15
3	155	7	59	11
4	57	3	31	6
5	33	2	19	4
6	16	1	19	4
7-10	36	2	18	4
None	381		115	

The row labeled "None" are students for whom the information doesn't exist. The "% of Class" is calculated assuming the "none" category has the same distribution as the others.

Table II shows that the distributions in class rank of COSEP and non-COSEP students are quite similar. A larger fraction of the COSEP students (11%) come from the lower half of the class rank than do non-COSEP students (4%), possibly because of EOP/HEOP Admissions. However, in both cases the preponderance of the class (greater than 70%) ranks in the upper 20%.

* Total exceeds 100 due to rounding

SAT Scores

Table III shows the median SAT scores for both COSEP and non-COSEP students for the period 1972-75, as well as the national averages.

Table III
MEDIAN SAT SCORES: ALL DIVISIONS

Year	Verbal			Math		
	COSEP	non-COSEP	National	COSEP	non-COSEP	National
1972	490	615	453	538	668	484
1973	499	617	445	553	671	481
1974	485	616	444	559	683	480
1975	480	608	434	531	677	472

The COSEP population is removed from the total student population in computing the median scores for non-COSEP students.

The table shows that the median verbal scores differ by 125 points for the COSEP and non-COSEP students and the median math scores by 130 points. This difference is somewhat affected by the HEOP and EOP students for whom we have no separate data. However, we don't believe this effect alters the picture substantially.

Almost half of the minority students admitted to Cornell are admitted to the College of Arts and Sciences. Table IV shows the same figures for that College.

The average differences between COSEP and non-COSEP students in the College of Arts and Sciences for the period shown is 147 points in Verbal and 138 points in Math.

There appears to have been a proportionately larger decline in the Verbal SAT scores in the last two years among the COSEP students admitted to the College of Arts and Sciences. This decline is paralleled in the National figures.

The distribution of Verbal SAT scores among entering COSEP students is shown in Figure 1(a) and for non-COSEP students in Figure 1(b).

Table IV
MEDIAN SAT SCORES: COLLEGE OF ARTS AND SCIENCES

Year	Verbal			Math		
	COSEP	non-COSEP	National	COSEP	non-COSEP	National
1972	520	656	453	540	679	484
1973	526	654	445	553	680	481
1974	485	654	444	559	692	480
1975	490	643	434	537	680	472

Detailed national information on SAT scores distribution for various ethnic groups has not been released by Educational Testing Services (ETS). However, we have obtained from ETS the data shown in Table V. This table shows the percent of students with SAT scores greater than the Cornell median.

Table V

PERCENT OF STUDENTS WITH SAT TEST SCORES
GREATER THAN CORNELL MEDIAN SCORES

	Minority	non-Minority
Verbal	9%	7%
Math	7%	6%

The figures under minority are a comparison between black students nationally and Cornell COSEP students. We do not have the information for the various ethnic groups.

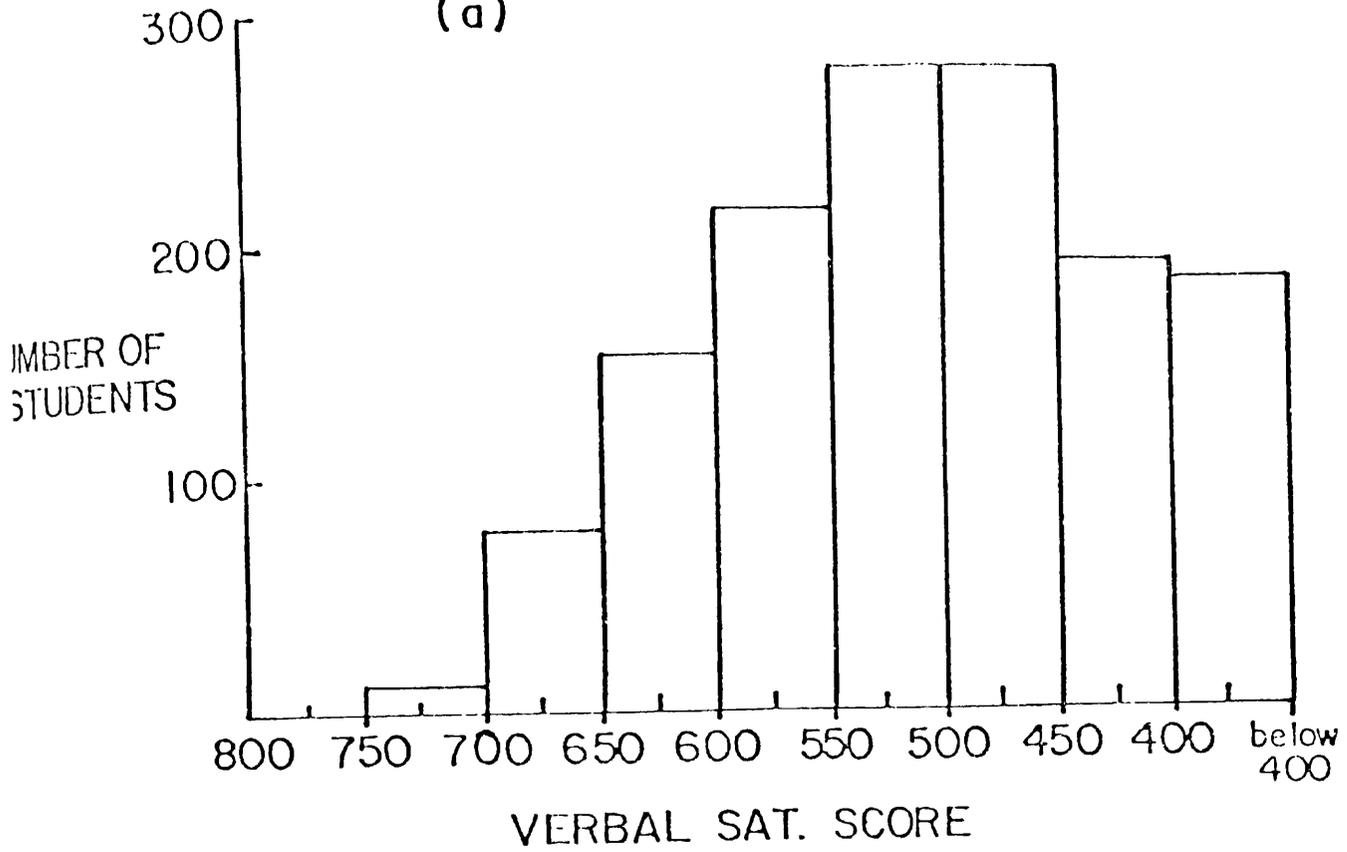
Both the figures of Table V and the class rank distributions (Table II) indicate that the non-COSEP students occupy a somewhat higher rank in the national pool than do the COSEP students. However, the differences are rather small. In both cases, the evidence is that the average student coming to Cornell is among the upper 10% of the available pool of students, with respect to SAT scores and rank in class.

Fig. 1

VERBAL SAT SCORE DISTRIBUTION (1972-1975)

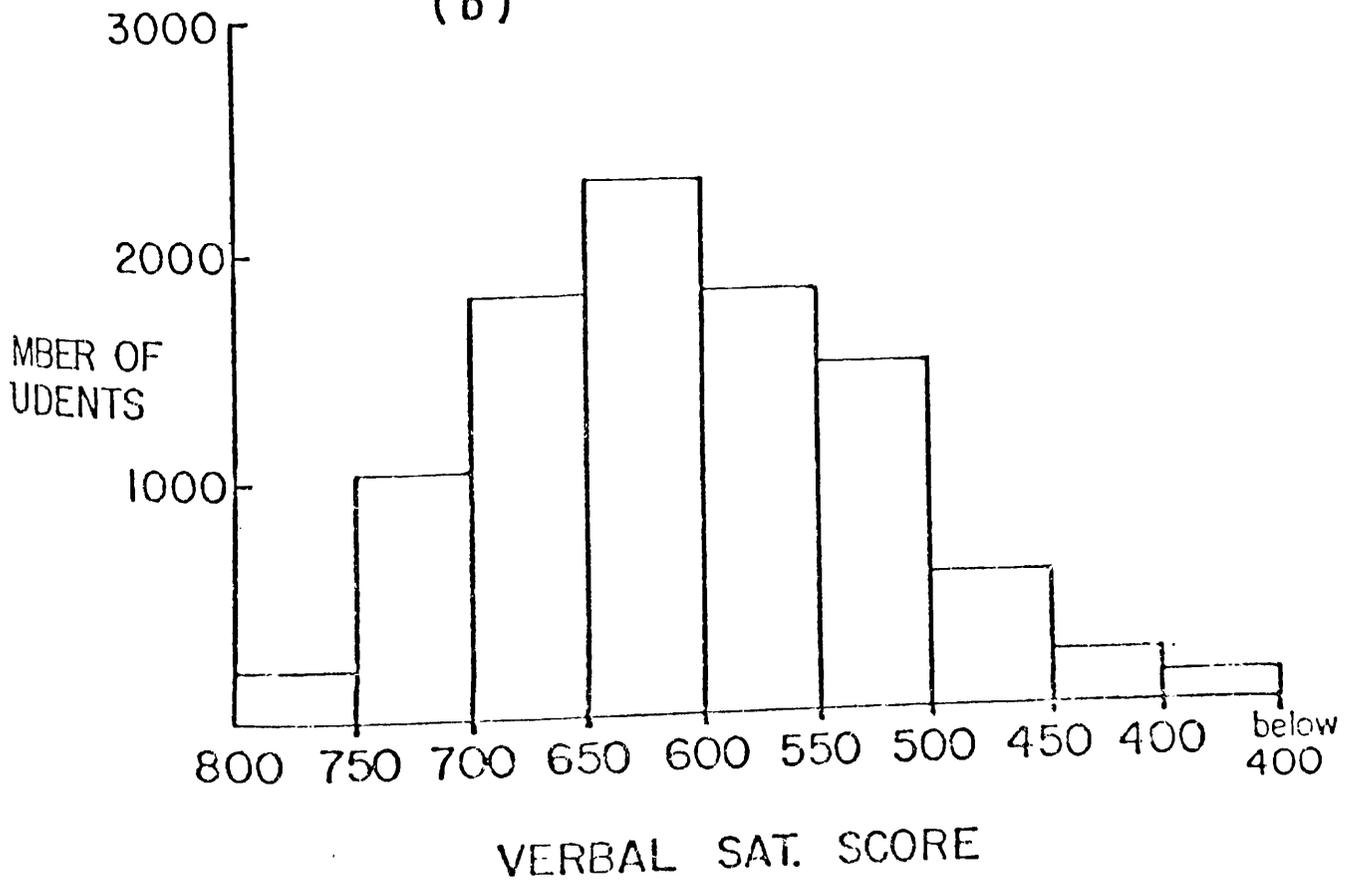
COSEP

(a)



NON-COSEP

(b)



The SAT score distributions shown in Fig. 1 do not provide information about the probability that an applicant with a given SAT score will be offered admission since it does not contain information about the SAT score distribution of those applying. This probability is shown in Fig. 2 for both COSEP and non-COSEP students.

In general, COSEP applicants have a better chance of being offered admission, particularly with SAT scores below 550.

There are several interesting features of the curves in Fig. 2. A persistent belief among some part of the Cornell community is that it is easier for a COSEP applicant with low SAT scores to gain admission to Cornell than one with higher SAT scores. Fig. 2 shows this belief to be false; the higher the SAT score the higher the probability of being offered admission. The almost constant probability in the 575 to 475 range may be due to the EOP and HEOP students who, as mentioned above, must have scores below about 550.

Another rather widespread belief is that there is a cut-off for non-COSEP students below which no one is offered admission. Fig. 2 also shows this to be false. Fifteen percent of non-COSEP applicants with Verbal SAT scores below 400 have been offered admission during the 1972-1975 period. The number of such applicants is a very small fraction of the total number so that the number entering Cornell is rather small. About 40% of the students entering Cornell in this period with Verbal SAT scores below 400 are non-COSEP students. This 40% is almost entirely outside the College of Arts and Sciences.

d. Academic Performance of COSEP Students: Graduation Rates

College of Arts and Sciences:

The fact that different admission criteria, particularly SAT scores, are used for COSEP and non-COSEP students raises the question of the academic performance of the students admitted under these criteria. In particular, can they survive at Cornell? This can only be answered by studying attrition rates as a function of various pieces of information available on admission. Until recently, only the most fragmentary information on attrition rates has been available and the information was not correlated with admission data. Recently, more comprehensive information has become available, particularly for the College of Arts and Sciences. Dean Levin has initiated and Dr. Susan Long of the Psychology Department is carrying out a rather detailed study of attrition rates in the College. This study investigates the probability that students who matriculate in the College will obtain a College of Arts and Sciences degree. The study includes both COSEP and non-COSEP students. This probability is investigated for various parameters--class rank, SAT scores, parent education, type of work parent does, extracurricular activities in high school and various others. The results for Verbal and Math SAT scores are shown in Table VI, covering the period 1970-1975. The results for a more or less random sample of 1000 non-COSEP College of Arts and Sciences students are shown in Table VII.

Fig. 2

PERCENT OF STUDENTS OFFERED ADMISSION
FOR VARIOUS RANGES OF VERBAL
SAT. SCORES

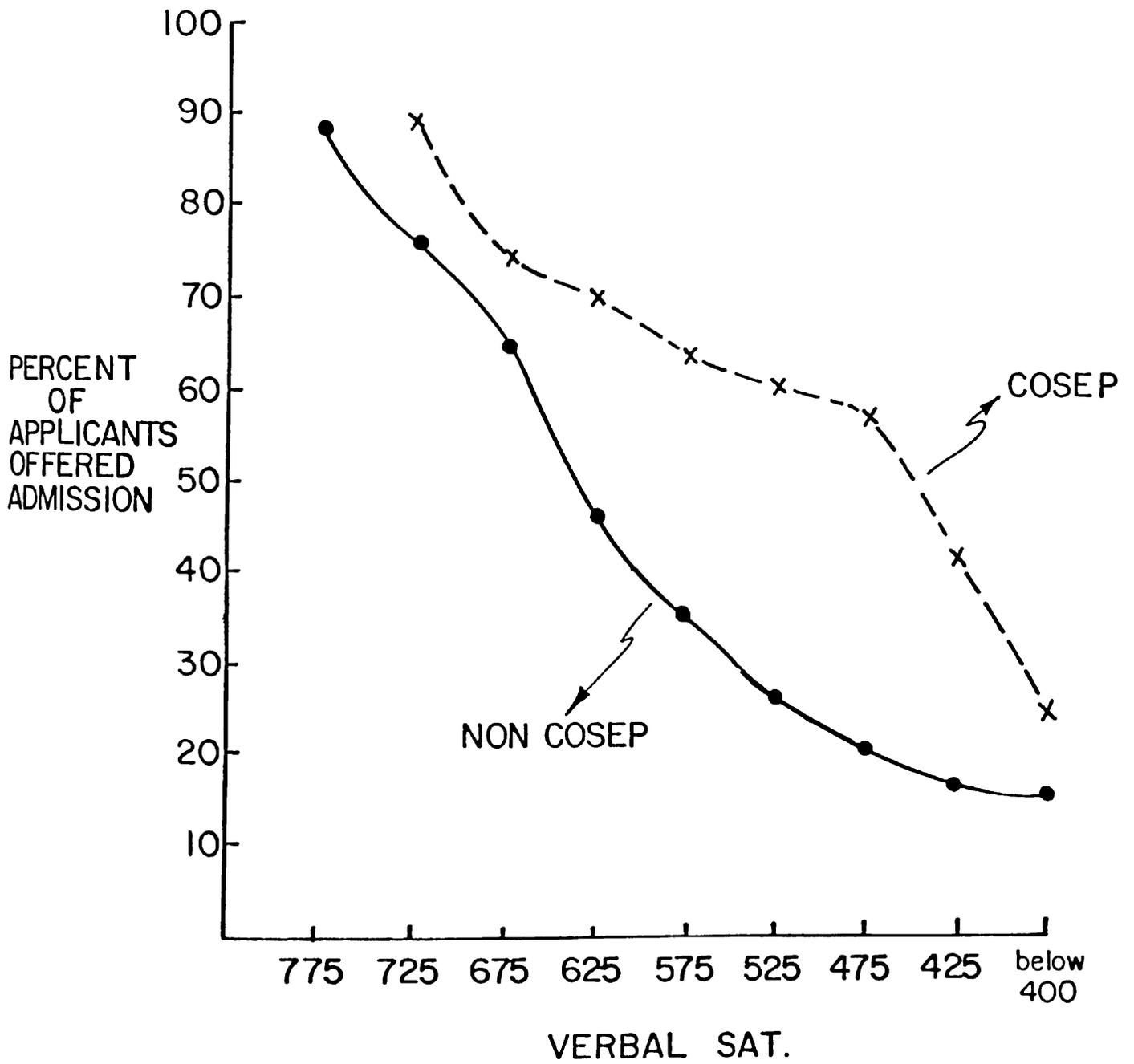


Table VI

Graduation Rates: COSEP; College of Arts and Sciences (1970-74)

VERBAL SAT SCORES

	Graduated	Left School	Transferred	Percent Graduating*
Below 400	8	15	8	35 ± 10
400 - 499	22	12	4	65 ± 8
450 - 499	36	16	4	69 ± 6
500 - 549	34	17	6	66 ± 7
550 - 599	31	14	6	69 ± 7
600 - 649	27	15	3	64 ± 7
650 - 699	9	6	0	60 ± 13
Above 700	7	4	0	64 ± 15
Total	174	99	31	

QUANTITATIVE SAT SCORES

	Graduated	Left School	Transferred	Percent Graduating
Below 400	5	10	7	33 ± 12
400 - 449	24	14	1	63 ± 8
450 - 499	26	15	5	64 ± 8
500 - 549	38	21	6	64 ± 7
550 - 599	37	21	8	63 ± 7
600 - 649	29	17	2	63 ± 8
650 - 699	5	3	1	63 ± 18
700 - 800	10	5	1	67 ± 12
Total	174	99	31	

* Calculated Excluding Transfers From The Sample

Table VII*

Graduation Rates: non-COSEP; College of Arts and Sciences (1970-74)

VERBAL SAT SCORES

	Graduated	Left School	Transferred	Percent Graduating**
Below 500	5	2	3	71 ± 19
500 - 549	14	6	1	70 ± 11
550 - 599	58	15	3	79 ± 5
600 - 649	167	27	5	86 ± 3
650 - 699	220	41	13	84 ± 3
700 - 749	236	36	7	90 ± 2
750 - 799	112	15	0	88 ± 4
800	11	1	0	91 ±
Total	823	143	32	82%

QUANTITATIVE SAT SCORES

	Graduated	Left School	Transferred	Percent Graduating
Below 500	4	0	0	100
500 - 549	14	3	2	82 ± 10
550 - 599	37	10	4	79 ± 7
600 - 649	115	21	5	84 ± 3
650 - 699	182	34	10	84 ± 3
700 - 749	272	45	8	86 ± 2
750 - 799	162	25	3	86 ± 3
800	37	3	0	92 ± 3
Total	823	141	32	82%

*Data for a sample of 1000 students

**Calculated excluding transfers from the sample

The percentage of those finishing, shown in column 4 of Tables VI and VII, are calculated excluding transfers to other Cornell units whose number is shown in column 3. No information is available as to whether the transfers have finished or not. The errors shown are the expected fluctuations due to the size of the sample.

Among the COSEP students who finished, 91% finished within 8 semesters, 9% in 9 semesters, and 1% in ten semesters. No follow-up was done on those who did not finish.

Table VI shows that for COSEP students the probability of graduating is astonishingly independent of SAT scores for students with scores greater than 400.

For SAT scores below 400, one sees a significant increase in the attrition rate. We tried to sharpen up the data by looking at the performance of students for whom both SAT scores were below 400. There were only 12 students in this group, three of whom finished, nine of whom did not finish. These results are suggestive even though the numbers are very small.

Aside from the group of students with SAT scores below 400, the data show no correlation between SAT and probability of graduating. This is also approximately true for class rank and all the other parameters investigated in the study. There is, perhaps, a weak correlation with parent income.

Detailed results of this study can be obtained from the College of Arts and Sciences office. We believe the study to be very informative. We hope it will be done in other colleges and that it will be continued.

As mentioned, we are surprised by the data and have no explanation. An optimistic suggestion is that the other factors taken into account in admission decisions actually play an important role.

The results for the non-COSEP students (Table VII) do show some variation in graduation rate with SAT scores, but not a very striking one. However, the graduation rate for COSEP students is approximately 20% less and the transfer rate somewhat higher (10% vs 3%) than that for the non-COSEP students.

We are interested in whether the Cornell data are unique. We consulted with the Educational Testing Service (ETS) on the subject. Data from ETS show that SAT scores are useful for predicting grade point averages, at least in the early years. They had no information of their usefulness in predicting probability of graduation.

This, of course, points up a limitation to our information. It would be informative to have grade point averages as a function of various parameters. The attrition data do not inform us either of the quality of the work or the quality of the experience of the students. Such information will be necessary in order to understand some of the ways in which the program can be improved.

How can the attrition rate be decreased? As far as we can see, this requires information about the students who have left. Why did they leave? How many left for academic reasons; personal reasons; to transfer to other schools? We have no such information. We would like to suggest that all students who leave Cornell be asked to agree to an "exit interview" in order to establish some data on this question.

Finally, we call attention to the fact that students with SAT scores below 400 do substantially worse than the others. We think it would be unwise to suggest that no student with either SAT score below 400 be admitted. Other information may make a persuasive case for admitting such students. However, we do believe that the data here suggests that students with these SAT scores, COSEP or non-COSEP, should be examined very closely. Further, in those cases where admission is offered, the student should be advised of the facts about the probability of graduation.

College of Agriculture and Life Sciences:

Information from the College of Agriculture and Life Sciences has been obtained from Mr. L. Feddema, director of admissions in the college; Linda A. Jones, COSEP/EOP counselor; and Pamela H. Curry, HEOP/EOP director.

The graduation data are shown in Table VIII for the classes entering in 1970, '71, and '72.

Table VIII

Graduation Rate: COSEP - College of Agriculture and Life Sciences, 1970-72

	1970		1971		1972	
	No. Enter.	No. Success	No. Enter.	No. Success	No. Enter.	No. Success
Men	18	16	24	15	13	4
Women	9	7	16	9	15	12

Transfers '70, '71, '72

<u>No. Entering</u>	<u>No. Successful</u>
10	10

Overall Statistics for '70, '71, '72

<u>No. Entering</u>	<u>No. Successful</u>	<u>% Successful</u>
103	73	72 ± 5%

SAT Scores (Medians)

	<u>Verbal</u>		<u>Math</u>	
	Success	Failure	Success	Failure
Men	465	431	505	565
Women	475	477	485	420

Successful indicates either that student has graduated or is still in school.

The increase in failures among the males in the class entering in 1972 is conspicuous. It may be a fluctuation, but it warrants close future attention. Thus far the pattern does not repeat for the class entering in 1973.

Detailed information for various SAT ranges is not available. However, median SAT scores for the successes and failures are shown in Table VIII. No consistent pattern emerges. In first approximation the conclusion is similar to that in the College of Arts and Sciences study; there is no obvious connection between SAT scores and success.

College of Engineering:

Table IX

GRADUATION RATE: COSEP - COLLEGE OF ENGINEERING, 1965-71

Number entering	131
Graduated in Engineering	54
Other Cornell Degree	11
Left Cornell	48
Information not available	18
Graduating in Engineering*	41%
Graduating with Other Degree	9%

*This is calculated assuming that all the 18 unaccounted for students left Cornell. If they are removed from the sample, the percent who received a Cornell degree increases from 50% to 57%.

By comparison, the graduation rate for non-COSEP Engineering students is approximately 70%.

These bare statistics do not reveal the fact that in 1974 Cornell graduated more black engineers than any other predominantly white institution in the country.

College of Human Ecology:

Table X

GRADUATION RATE: COSEP - COLLEGE OF HUMAN ECOLOGY, 1967-70

Date Entered	Number of Students	Number Graduated	Percent Graduated
9/67	8	6	75
9/68	7	7	100
9/69	9	5	55
9/70	27*	19	70
Total	51	37	72

*Two students who entered in 9/70 and transferred in good standing have been removed from the sample.

This sample is too small to look at correlations with SAT scores.

These are the only colleges for which we have attrition data. They include about 90% of the COSEP students.

Summary

Recruitment: We believe Cornell has an effective minority student recruitment program. Nevertheless, because of the importance of attracting an adequate number of well-qualified applicants, we believe an increase in recruitment, perhaps along the lines suggested earlier in this report, is warranted. We support a modest increase in staff and in other expenditures, for example, travel, in order to carry on a more extensive and varied recruitment program.

Admissions: The information we have does not suggest to us any definite way to improve admission procedures or policies. The present systems in which responsibility for admission rests, finally, with the faculties of the colleges, is a good one and should be continued.

Our only suggestion with respect to admission criteria concerns the students with SAT scores below 400. We believe these students should be admitted with great caution and be informed of the attrition data for this group of students,

Attrition: There is no way to set attrition goals; the less the better, Nevertheless, we do not find the attrition rates alarming nor do we regard them as indicating a need for drastic revision of the program.

Given more information about why students leave Cornell, attrition rates can probably be reduced. We recommend that some effort be made to obtain this information. As an initial step, we suggest each student be interviewed before leaving.

We have attempted to answer the question of the relation between admission criteria and the need for preparatory courses. The attrition rates do not help us very much in this question. The attrition studies predate the Learning Skills Center and show that, even with very little preparatory work, the ability to survive at Cornell is about the same for all the students admitted, independently of their background. What the attrition figures do not reveal is the price the student pays for survival and how the quality of his education, performance, and experience at Cornell is affected. The potential role of preparatory work is discussed in the second subcommittee report.

Finally, we urge all the colleges to undertake the studies of the kind recently started in the College of Arts and Sciences. Without the information provided by such studies, we are dependent on rumor, myth, and conflicting intuitions for our direction.

Concluding Remarks

The general picture presented here is rather optimistic. We believe the program is working quite well. Cornell has made a substantial commitment to minority education in the last ten years. The number of students has grown from perhaps 29 to about 1000. About 30% of financial aid funds under Cornell control go to minority students. The staff and the budget of the COSEP office have doubled in the last four years. In the main, students admitted under the program have been able to cope with the rigorous academic demands of Cornell. These facts indicate a vigorous, healthy program and, we believe, justify an optimistic view.

Yet the events of the past semester or two have led to anything but optimism about the program. Many minority students do not believe in Cornell's good faith commitment to minority education. Suggested changes to the program are seen as a subterfuge for destroying it and are met with suspicion, hostility, and threats. In addition, many white members of the Cornell community, including some faculty, believe that in the COSEP program Cornell has abandoned its academic standards and is admitting large numbers of minority students who simply can't do the work at Cornell.

These beliefs, and the hostilities they engender, are, in our opinion, a most serious threat to the program. They create an atmosphere in which useful discussion is virtually impossible, an atmosphere destructive to the education of all, black and white, at Cornell. We believe an impartial reading of the facts will prove that very few of these beliefs are based on factual evidence. Our main emphasis has been to gather and report as many of the facts as we were able to obtain.

William Cross, Africana Studies & Research

Barbara Koslowski, Human Ecology

Robert D. Miller, Agronomy

*Sandra Siegel, English

*Albert Silverman, Physics

*Members of the Committee on Academic Programs and Policies

2. PREPARATORY STUDIES AND ACADEMIC ADVISING FOR MINORITY STUDENTS

Preparatory Studies

The University's commitment to minority education has resulted in an increase in admission of students who cannot proceed directly into the introductory courses in mathematics, the sciences and writing. This has created a demand for preparatory courses, tutorial assistance, help sessions, pre-freshman summer courses, and similar types of educational programs. The COSEP Office in its early years arranged for such courses, often recruiting minority graduate students and upper-classmen to teach. Since 1973, the Learning Skills Center has coordinated this program. The success of the program is illustrated by the changes in the distribution of grades of minority students shown in Figures 3 and 4. This change in grade distribution is clear evidence of the effectiveness of the Learning Skills Center in assisting these students to do better in the subject areas. The objective of our resolution is to sustain and strengthen this component of minority education.

Cornell has a history of experience with preparatory studies. The College of Agriculture and Life Sciences has twenty-four years experience with students admitted to the College both from small rural schools and others lacking adequate preparation in mathematics to proceed directly into calculus taught by the Mathematics Department. A required mathematics exam was initiated for all entering students to identify those needing help. In 1952 a preparatory course in mathematics (Orientation 5), taught by a faculty member in the Department of Education, was developed to meet the needs of inadequately prepared students. In the Fall of 1975, about 100 students took this course of whom about 20 were COSEP students.

Another supportive program, the Writing Workshop, was created by the English Department in the College of Arts and Sciences to provide assistance for all students.

It is difficult to forecast how much preparatory work should be done. However, it is possible to suggest guidelines. At present the courses are given in support of some specific introductory courses such as Chemistry 103, Chemistry 207, Physics 112 and Mathematics 192, so that the work is geared to the material in these courses. This appears to be an appropriate criteria for consideration of additional preparatory courses and will prevent the extension of preparatory courses to a more elementary level.

The number of students who benefit from the Learning Skills Center are significantly greater than those that register in the courses. This is due to the large number of students who receive assistance on a walk-in basis either to attend the weekly evening course session or the small group problem solving session in the instructor's office. The data in Figures 3 and 4 show, therefore, that the program is more effective from an academic standpoint than from the traditional accounting basis which records only students registered.

In terms of numbers of students which benefit the data show that about one-third of the class of COSEP students enroll in science courses leading to degrees in engineering, biology, pre-med, and other science majors.

COSEP 

All Students 

Physics 112

Math 192

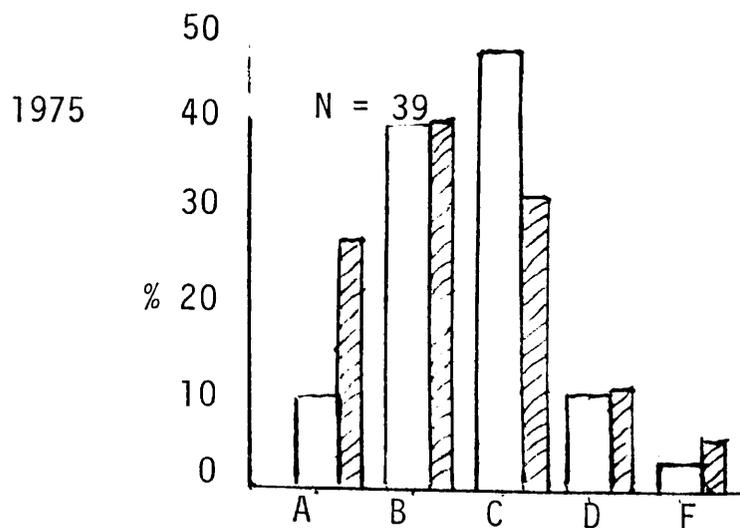
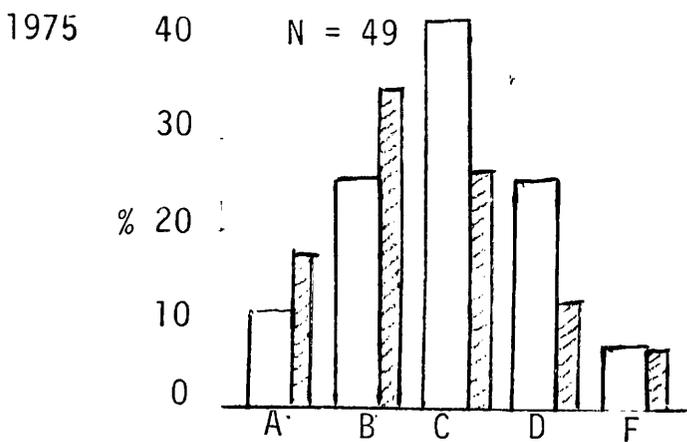
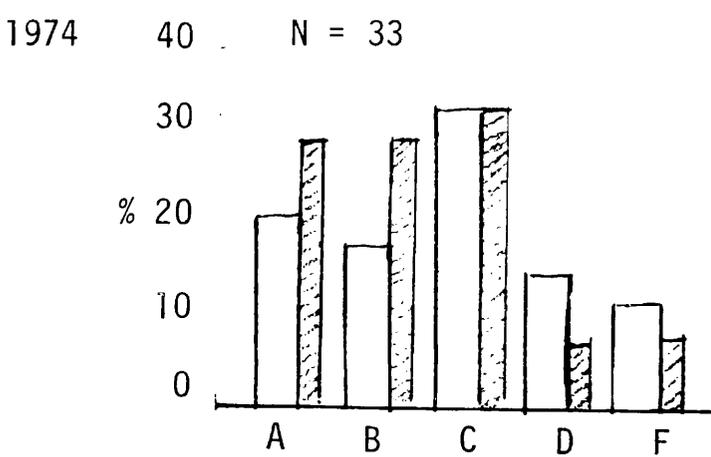
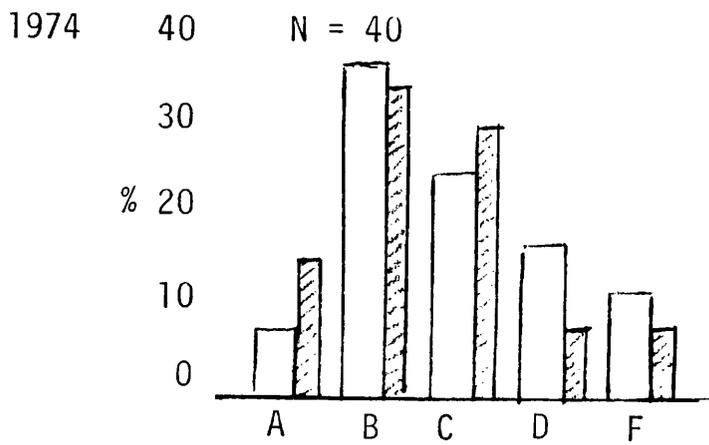
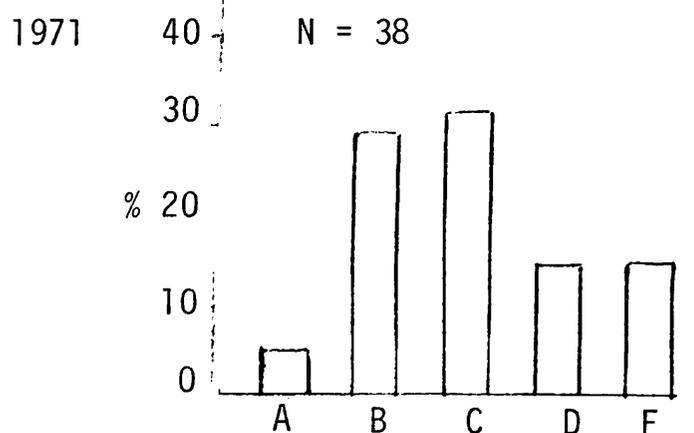
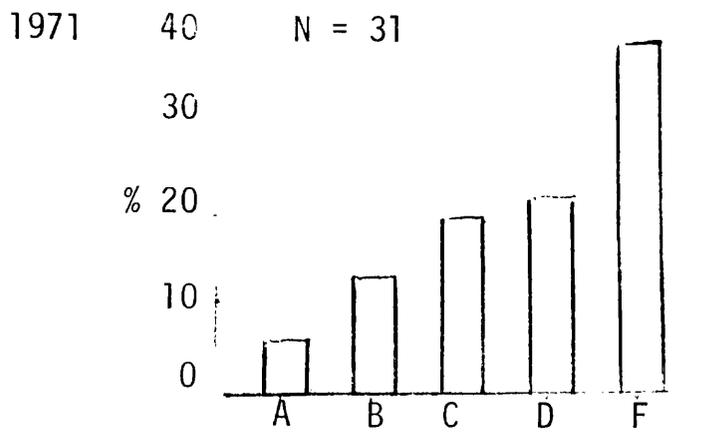


Fig. 3. Grade Distributions in Physics 112 and Mathematics 192: COSEP and All Students (Data furnished by the Learning Skills Center and the Registrar's Office)

COSEP

All Students

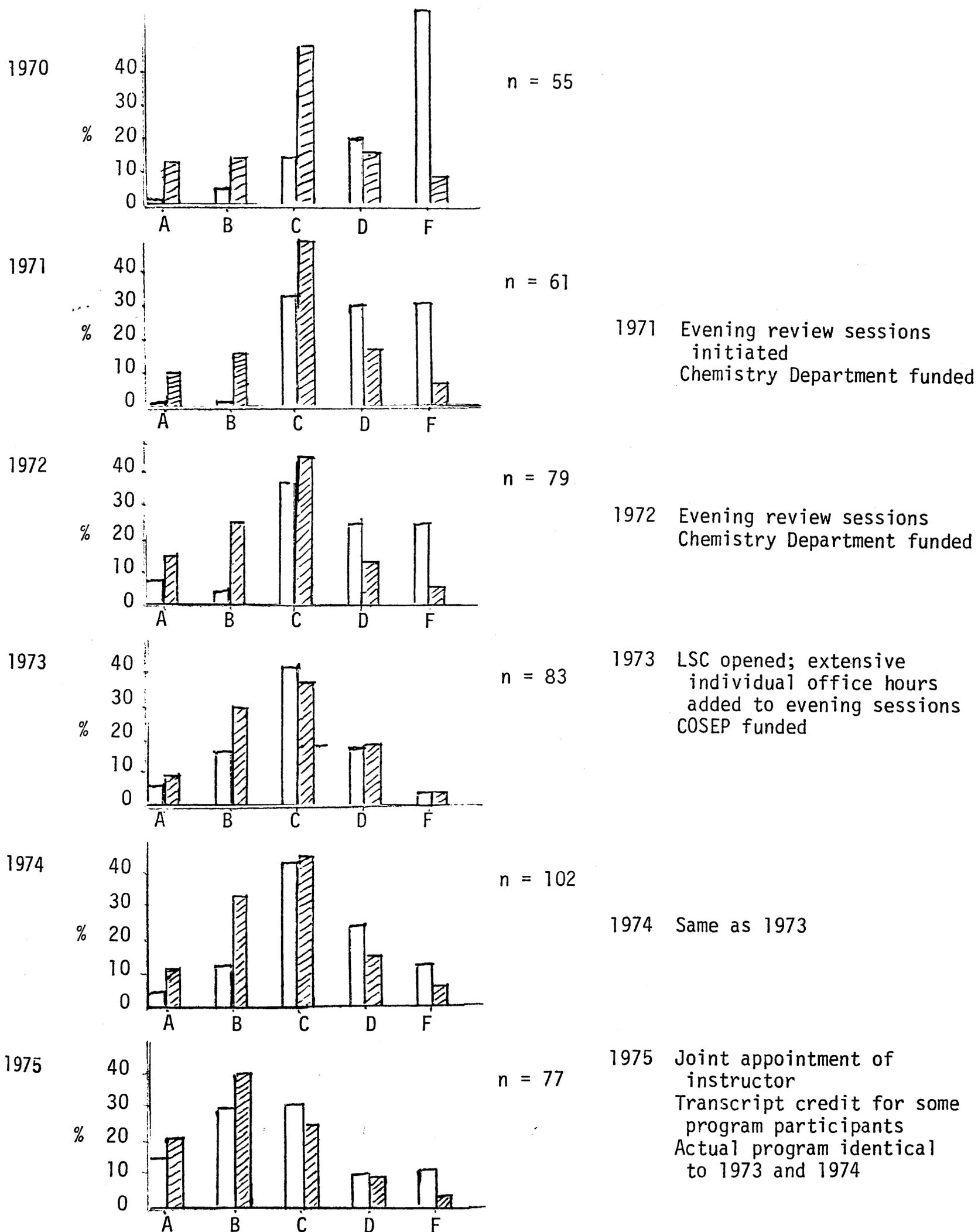


Fig. 4. Grade Distributions in Chemistry 207: COSEP and All Students (Data furnished by Chemistry Department)

It is clearly recognized that the educational programs at Cornell are the responsibilities of the Colleges and their Departments. The faculty is concerned about the existence of educational units, which are separate from College supervision. The University administration has recommended that the activities of the Learning Skills Center be transferred to respective colleges and departments. However, it must be recognized that this educational program is for a small group of students. In addition, although it is viewed by most faculty as important for the preparation of the student, it is not seen as the responsibility of University faculty charged with the teaching of courses at a University level.

In recognition of the desirability of transferring the programs to the respective departments and the specific needs of the students requiring preparatory studies, and in recognition that this need has to have continuous supervision of a person or persons responsible solely for preparatory studies, we recommend that the following general guidelines for the organization of preparatory studies be established.

a. That the instructors and their teaching programs be located in the respective departments.

That the departments be responsible for the office space and classroom space for the instructors to hold the necessary courses or meeting sessions with students. If possible, this space should be in the building which houses the department.

That the department provide the communications necessary between the COSEP instructor and the professor in charge of the course.

b. That support funds for such instructors and instruction programs be provided by a central office such as the COSEP Office.

That both the COSEP Director and the department chairman of the department responsible for the subject area in which preparatory work is needed, be responsible for hiring the instructors for such courses.

That the review of the effectiveness of the program and the quality of instruction is the joint responsibility of the COSEP Director and the dean or appropriate department chairman.

c. Credit for preparatory courses is left to the decision of the department and each individual college's Educational Policy Committee. However, departments are encouraged to identify preparatory courses (usually denoted as double "O") which are available for transcript credit whenever possible. It should be recognized that registration in such courses is not necessary and any student is free to attend such courses or to consult with the instructor in problem solving sessions or in seeking individual help. However, preference would be given to COSEP students and the subject level which they need.

d. It is recommended that a central COSEP Office be maintained on a continuous basis for continuous supervision of the needs of students for courses until such time that entering students have been able to obtain the necessary preparation at the high school level and the preparatory work is no longer needed.

e. Qualifications of the COSEP instructors for preparatory study - persons selected as instructors should have in addition to their knowledge of the subject matter itself be it math, science or English writing, a background in the principles of education and a concern for students to stimulate, encourage and gain their confidence to assist them to develop the necessary skills to advance in courses at the University level. Administratively these instructors should be on a three-year appointment with options for renewal. Suitable reward systems should be created to retain the most effective teachers.

Advising and Counseling of COSEP Students

The faculty of each college of the University has the responsibility of advising its students. This function of the faculty within each college is usually coordinated through an administrative unit associated with the Resident Instruction program of each college. The objective in the program of academic advising of students is to provide the best academic opportunity for all students. However, there are subsets of students with special problems that need special attention, among which are the minority students who are scattered through numerous colleges, yet may have similar types of problems. These students must be provided with a well-coordinated academic support service. This includes preparatory studies and academic counseling and advising.

Numerous faculty play an active role in the advising of minority students. However, in order for the faculty to be totally effective, there must be a clear line of communication to a designated individual in the college responsible for minority affairs in that college. This staff member in turn must be in communication with the COSEP Director of the University.

The responsibility for the coordination of all aspects of student advising and counseling should be that of the COSEP Director. Thus, the minority student seeking authoritative academic advice can enter the system at numerous levels and be directed to the designated faculty adviser. In addition to the proper communications from the COSEP Director's Office to the individual faculty member, the student can also be directed to offices responsible for counseling on nonacademic affairs.

The Committee is in basic agreement with statement 2 on Counseling/Advising of the Provost's statement on minority education (Chronicle, February 5, 1976). However, the lack of a recommendation on where the responsibility rests in terms of overall coordination of the various units creates too much of a gray area in terms of supervisory responsibility for the whole area of minority study.

We recommend that the Director of the COSEP program (or similar position) be responsible for the coordination of the staff and faculty of all colleges concerned with minority education to provide an efficient system for communications between advisers, the COSEP Office, and students.

David Connor, Arts and Sciences

*Richard H. Lance, Engineering

Douglas J. Lathwell, Agronomy

James Merod, English

Fred R. Scholer, Chemistry

James E. Turner, Africana Studies and
Research Center

*Robert J. Young, Poultry Science

Visitor: Philip Y. Paden, Learning Skills Center-Chemis-

*Members of the Committee on Academic Programs and Policies

3. GRADUATE EDUCATION FOR MINORITY STUDENTS

The relatively small numbers of minority graduate students at Cornell suggest that Cornell's potential contribution toward increasing the supply of well-qualified academics and professionals is not being fully realized. In part, this is due to the three main characteristics of graduate education at Cornell: its decentralization, its remarkable flexibility and its variability in character from field to field. At its best, this flexibility allows greater attention to the needs and desires of minority students; at its worst, it leaves them (together with non-minority students) floundering in a sea of conflicting requirements, undefined criteria for success, and uncertain financial status.

Nevertheless, we feel that significant improvements in minority graduate education can be made within the limitations imposed by these features. It is unlikely that a single set of recommendations can be developed which will be equally applicable to all fields and professional schools. However, some general guidelines have emerged which influence our subsequent recommendations.

The Graduate School asserts that Cornell's efforts in minority graduate education have been better funded and more successful in attracting qualified applicants than other universities of comparable academic standards. Total support of minority graduate education at Cornell is currently around \$600,000 per annum, for minority fellowships, tuition and fees, recruitment, salaries and administrative expenses. In 1975-76, minority graduate students constituted 4.6% of the entering class (Table XI; see also Table XV) and 4.2% of the total graduate enrollment (Table XII). It should be noted that these minority students are by and large clustered in only 15 of the 82 fields, and that almost half of them are following professional master's degree programs. About 85 students are currently enrolled in Ph.D. programs; however, the fraction of Ph.D. degrees awarded to minority students is still very low (Table XIII; see also Table XIV). In 1974-5, 31 fields attracted no minority applicants; 40 fields enrolled no minority students. Some of the fields with no minority applicants usually attract students from undergraduate majors in which there is a sizable minority enrollment. While Cornell's overall performance may compare favorably with other universities, the record of individual fields and professional schools can only be described as spotty at best. Therefore, we recommend:

- a. That the Graduate School seek to expand further its base of financial support, including continued efforts to attract foundation support; that it lay greater emphasis on attracting applicants to Ph.D. programs; and that it encourage fields which have not enrolled minority students in significant numbers to expand their recruiting efforts (see below).

Our specific recommendations fall into three areas: recruitment and admissions practices, support and enhancement of the quality of graduate study for enrolled students, and the need for continuing evaluation.

Recruitment and Admissions Practices

In recent years, active recruitment of minority graduate and professional students has been carried out mainly by the Graduate School, though the professional schools and a few individual fields have also participated. Somewhat surprisingly, applicants from colleges which had been visited by recruiters from the Graduate School were less likely to be accepted than applicants from colleges not visited. The Graduate School has recently revised its recruiting strategy to focus more on individual departments and faculty members at these colleges, rather than on placement offices and the central administration. This shift seems likely to produce both more numerous and better qualified applicants than previously. We feel strongly that active, broad-based recruitment is essential if a substantial body of minority graduate and professional students, meeting the standards of the fields and professional schools, is to be enrolled.

Two aspects of the admissions process need to be closely linked to recruitment: the nature of the factors considered by admissions committee (such as undergraduate GPA, GPA in major area only, letters of recommendation, Graduate Record Exam or other standardised test scores, relevant work experience, and so forth), and the extent to which fields or professional schools attach different emphases to these factors. The traditional emphasis demands that successful applicants be superior in all the factors considered. The limitation of this approach is that it tends to preserve the status quo. If a field or professional school wishes to maintain this traditional emphasis, then it will only be able to attract minority applicants if it devotes a considerable effort, in both time and funds, to recruiting in the most superior undergraduate colleges. Such well-qualified minority applicants are highly sought after by many universities. If on the other hand admissions decisions will be at least partly based on non-traditional emphases, then other recruiting strategies may also be effective. We have found examples of successful application of non-traditional emphases (for example, attaching less emphasis to Graduate Record Exam scores than normal), and of very unsuccessful application (for example, attaching less emphasis to undergraduate GPA than normal). In the former example, the students with low Graduate Record Exam scores proved able to handle the required course work well, and to carry out high-quality research subsequently; in the latter example, no allowance for the students' low undergraduate GPAs was made in planning their initial course work, or in assessing their progress over the first few semesters. High student failure rates resulted, which led to disillusionment on the part of both faculty and students with the whole process of minority graduate education. These examples are not meant to imply that Graduate Record Exam scores can be safely ignored by all fields when considering minority applicants, or that undergraduate GPAs should conversely be given great weight. Rather, they illustrate that non-traditional emphases in admissions and recruitment may be effective, but that careful coupling of admissions standards and the nature of the graduate training for each student is required.

Since the admissions decisions will be made by the individual fields and professional schools, it is most desirable that recruitment be carried out, not merely by the Graduate School itself, but also by the individual fields. In some successful examples, this recruitment has taken the form of visits by faculty members to undergraduate colleges with substantial enrollments in the disciplines from which their field draws its students. The faculty member can then form an opinion of the abilities of the prospective students, and also of the quality of the program and teaching staff at that college.

This places the field in a better position to assess the applicants' transcripts, letters of recommendation, and background. Therefore, we recommend:

b. That funds be made available to the individual fields and professional schools to support their recruiting activities; that the Graduate School encourage and coordinate the interchange of information between the fields and professional schools, on applicants and on the merits of the departments in the undergraduate colleges visited; and that each field and professional school develop criteria for evaluating the admission of students, and for assessing the progress of students after enrollment.

A related problem has arisen in assessing the qualifications of minority applicants, whether recruited or not: can the applicant's transcript and other material be adequately evaluated by the Admissions Committee, and does it truly represent the applicant's ability and potential for successful graduate study? This problem may be overcome by interviewing promising applicants in Ithaca. Not merely does this permit the Admissions Committee to form a sounder judgment of the applicant's ability, but it often assists the applicant in making the decision to enroll here, rather than at some other school. It is often argued that Cornell's rural environment hinders attempts to attract urban-oriented minority students; the experience of some fields suggests that this is not an insurmountable barrier, as it is often based on a lack of information about the Cornell/Ithaca area. The interview process may also be greatly aided if the applicants meet with minority students currently enrolled; they are often in a better position to answer the applicants' queries than are the faculty themselves. Therefore, we recommend:

c. That the administration make funds available to the individual fields and professional schools for the purpose of interviewing promising minority applicants in Ithaca.

Support and Enhancement of the Quality of Graduate Study

Once students have enrolled, it is very important that special efforts be made to optimize the circumstances under which they pursue their program of graduate studies. This is a principle which obviously applies to all students, but difficulties in applying it are greater for many minority students. Many students find their first year a particularly difficult one, especially if (as in many fields) little structure and guidance is provided for them in planning their studies, and little in the way of formal mechanisms for involving them actively in the ongoing academic, research and teaching activities of the field. This is often true of first year students holding minority or other fellowships, which relieve them of formal teaching responsibilities. Paradoxically, the award of a fellowship may hinder the student's academic development, rather than enhance it. In such circumstances, it may be desirable to assign minority fellowship holders to explicit duties as Teaching Assistants or Research Assistants, duties from which they would normally be excused. Whether or not fellowship holders are assigned such duties in their first or second year, we recommend:

d. That fields be required to assume responsibility for third- and fourth-year support of minority students who formerly held minority fellowships, provided that their academic progress is satisfactory.

Another problem to be avoided is that of ambiguity and inconsistency of the standards by which satisfactory progress in the student's graduate program is assessed. We recommend:

e. That students be provided with continuing, clear and systematic feedback as to their academic progress. They should be encouraged from the outset to participate actively with their advisers in evaluating their own progress towards advanced degrees and their long-term career goals.

There should be a continuing assessment by all fields and professional schools of the appropriateness and sensitivity of the counselling and academic programs offered to minority students, in the light of their special interests, needs and talents. To aid this assessment, the views of the students should be actively solicited.

Finally, we recommend:

f. That fields make more serious efforts to assist students approaching completion of their graduate studies in planning ahead for their careers. These efforts should clearly include active assistance in locating and securing professional positions.

The Need For Continuing Evaluation

As in the other aspects of minority education and hiring at Cornell, we have been hindered by the difficulty in obtaining data concerning past practices, particularly at the individual field level. If an effective graduate program is to be maintained, it is essential that data at this, the real decision-making level, be accumulated. The role of the Graduate School in the past has been limited more to moral persuasion than to active influence on the admissions practices of the fields. Therefore, we recommend:

g. That the Graduate School collect data, by field and by professional school, on recruitment and admissions practices. Such data should contain (but need not be limited to) the number of minority applicants; the number interviewed; the number accepted; and the number enrolled (together with the corresponding data for non-minority applicants). The Graduate School should also examine closely the success rate of minority students, in the light of the admissions criteria used.

*Keith Moffat, Biochemistry, Molecular and
Cell Biology

*Henry N. Ricciuti, Human Development and
Family Studies

Daniel N. Tapper, Physical Biology, Veterinary

* Members of the Committee on Academic Programs and Policies

TABLE XI

ENTERING MINORITY GRADUATE STUDENTS AS PERCENT
OF TOTAL ENTERING GRADUATE ENROLLMENT

<u>Year</u>	<u>Minority</u>	<u>Total</u>	<u>Entering Minority/ Entering Total</u>
1972-3	41	1,214	3.0%
1973-4	48	1,364	3.5%
1974-5	52	1,320	3.9%
1975-6	66	1,420	4.6%

TABLE XII

TOTAL MINORITY GRADUATE STUDENTS AS PERCENT OF
TOTAL GRADUATE STUDENT POPULATION (BASED ON FALL REG.)

<u>Year</u>	<u>Minority</u>	<u>Total</u>	<u>Entering Minority/ Entering Total</u>
1972-3	110 est.	3,440	3.2%
1973-4	120 est.	3,532	3.4%
1974-5	166	3,447	4.8%
1975-6	155	3,608	4.2%

TABLE XIII

PhD's AWARDED TO MINORITY STUDENTS AS PERCENT OF
ALL PhD's AWARDED BY AREA

M -- Minority T -- Total

	<u>Humanities</u>			<u>Social Sciences</u>			<u>Bio Sciences</u>			<u>Phys Sciences</u>			<u>Total PhD's</u>		
	M	T	%	M	T	%	M	T	%	M	T	%	M	T	%
72-3	1	70	1.4	2	139	1.4	0	112	0.0	2	181	1.1	5	502	1.0
73-4	2	75	2.6	0	142	0.0	1	121	0.8	1	155	0.6	4	493	0.8
74-5	0	60	0.0	2	127	1.5	2	137	1.5	3	136	2.2	7	460	1.5

TABLE XIV

MASTERS DEGREES AWARDED TO MINORITY STUDENTS
AS PERCENT OF ALL MASTERS

<u>Year</u>	<u>M.A. & M.S.</u>			<u>Professional Masters</u>			<u>Total Masters</u>		
	M	T	%	M	T	%	ALL		
	M	T	%	M	T	%	M	T	%
1974-5	7	225	3.1	16	372	4.3	23	597	3.8

TABLE XV

MINORITY APPLICATION AND MATRICULATION DATA,
GRADUATE SCHOOL

<u>Year</u>	<u>Number of Applicants</u>	<u>Admissions</u>		<u>New Matriculants</u>		<u>Total Minority Enrollment</u>
		<u>Number</u>	<u>% of Applicants</u>	<u>Number</u>	<u>% of Applicants</u>	
1970-1	183	76	41.5	44	24.0	60
1971-2	385	111	28.8	60	15.6	95
1972-3	402	89	22.1	41	10.2	110
1973-4	262	76	29.0	48	18.3	120
1974-5	286	92	32.2	52	18.2	166
1975-6	263	89	33.8	66	25.1	155

4. HIRING OF MINORITY FACULTY AND STAFF

It is the wish of this Committee to turn around a seemingly unsuccessful minority hiring process that is based on quotas, pools, compliance, and review by a central authority. It is our belief that this faculty will be able to develop durable, successful affirmative action that is not dictated by coercive power and threats. The following recommendations are not to be viewed as substitutes for compliance with rules and Civil Rights laws, which, to date, have been principally in the hands of University administrators, but the suggested changes may result in an improved report of Cornell's minority hiring practices. These recommendations for minority faculty hiring are consistent with our earlier recommendations, in that greater responsibilities should be placed at the college and departmental levels.

Recommendations

a. Planning and review of minority faculty recruitment should occur within the hiring unit, e.g., a department. Searches and employment recommendations are to be carried out in consultation with the appropriate dean and the Central Administration Officer for Minority Affairs (see point b). When a faculty search does not produce qualified minority persons, it is the responsibility of the hiring unit to analyze the reasons and develop a plan for attacking the fundamental difficulties uncovered in the analysis.

The faculty of the hiring unit must judge the wisdom of each appointment. The close cooperation of the faculty and the dean is essential. The processes of analysis and planning are important. For example, if a department concludes that inadequate numbers of highly qualified candidates are being trained in their discipline, then they have the responsibility to do what they can to increase the supply. The dean should provide encouragement, incentive, and support to this end.

In the recommendation of this process, we recognize that the employment of minority faculty and other professionals is only the tip of the iceberg; the training of minority undergraduate students, graduate students, and postdoctorates is an essential part of remedying the existing lack of minority faculty in most fields. A decision by the hiring unit may determine both the most successful course of action in that discipline and the most effective utilization of available resources in that unit. As in the example above, within any department, more minority people might be trained at only one of the pyramidal levels.

b. The functions of a Central Administration Officer for Minority Affairs (also recommended in the Trustee report) shall include, in concert with the hiring unit: assistance in developing a responsible search plan; analysis of completed searches; and development of plans to improve fundamental, underlying difficulties in their search for qualified minority candidates. In addition, the Central Officer shall undertake a systematic acquisition and analysis of data, such as may be available through governmental agencies, foundations, university consortia, professional organizations, etc., to aid the hiring unit and colleges. Whereas 'pools' and 'quotas' can be divisive when formed in an atmosphere of crisis and in reaction to threats of compliance, we affirm that accurate, quantitative data on supply are essential for thoughtful analyses and responsible searches.

The role of a Central Officer with respect to faculty hiring should be that of an enabler rather than a compliance officer. Successful counseling with either departmental chairpeople or search committees might lead to improved searches, analysis of underlying problems, and even pre-employment conversations with units to which a minority faculty member is being added for the first time.

"Affirmative action programs have not produced a significant increase in the overall proportion of women and minority faculty, nor could they have been expected to do so given the current state of the academic job market and the available supply of potential women and minority faculty."¹ However, hard, quantitative data on supply can be collected. Such data are needed for the hiring unit to examine their own search and analysis. Comparative performance data with respect to comparable institutions may be helpful. The Central Officer could become a central figure in data collection and analysis. In some cases, data may be collected by the hiring unit.

c. As recommended in both the Trustees ad hoc committee report on the Status of Minorities and the November 26, 1975, report from CAPP to President Corson, we recommend again the development of programs that will increase direct professional contact between Cornell and faculty and staff at predominantly minority institutions. The adjunct professorship program developed within the College of Agriculture and Life Sciences to promote visits and exchanges between Cornell and faculty of minority institutions is an example that may be applicable on a campus-wide basis.

There is no substitute for one-to-one association between professionals. Such relationships, which are built up over a period of time, can become a source of minority graduate students, an information exchange on qualified faculty candidates (one form of the 'old-boy' network), and a base for eventual two-way faculty exchanges.

d. We recommend an examination of both real and imagined Cornell policies which may interfere with the training and recruitment of potential minority faculty and staff. These 'policies' may involve, but not be limited to, issues concerning nepotism, hiring of Cornell 'products', and admission of Cornell undergraduates to our graduate fields.

It would be healthy to uncover and examine any vestiges of rules no longer in effect

*Roger M. Battistella, Medical Care Organization

*James L. Gaylor, Nutritional Sciences

Reeve Parker, English

James W. Spencer, Agricultural Engineering and
Assoc. Dean, Agriculture & Life Sciences

*Members of the Committee on Academic Programs and Policies

¹AAUP Bulletin (Winter, 1975), page 300.

SUMMARY

1. Recruitment of minority undergraduates is done by all colleges, more actively in recent years, and in cooperation with the COSEP Office which has played a very important role. The recruitment process seems reasonably successful; however:

a. the level of minority applications during the last two years is down approximately 20% from the previous two years:

b. limited data from other schools (Harvard, M.I.T., Columbia) do not reflect this magnitude of decrease;

c. approximately 55% of the minority students accepted by Cornell actually enter. This figure is comparable to the other schools, though Harvard's percentage is 70%. The entrance rate of non-minority students is widely variable by colleges of Cornell.

Therefore, there appears to be scope for an increase in recruiting effectiveness (specific suggestions for this are offered in the body of this report) and an increase in the proportion of students who accept Cornell's offer.

2. Admissions criteria are variable by college and are different for minority students vis-a-vis non-minority students. These differences are reflected primarily in different SAT profiles. However:

a. the data suggest that for both minority and non-minority undergraduates, the average student entering Cornell is in the upper 10% of the available pool of students;

b. while students with SAT scores below 400 experience major academic difficulties, above that score there appears to be no correlation between the SAT score and the ability of a student to complete the requirements for a Cornell degree.

3. The graduation success rate among minority students, exclusive of those with SAT scores below 400, is approximately 65% in the College of Arts and Sciences, approximately 70% for Agriculture and Life Sciences, and Human Ecology; for the period 1970-74, Engineering is approximately 50%. However:

a. this rate, successful as it appears, is significantly lower than the rate for non-minority students. These data cover the period prior to the special supportive services offered through the Learning Skills Center; whether these services will be reflected in improved graduation rates remains to be seen, though there are indications there will be this effect.

b. the graduation rate is only a crude measure of the success in providing an appropriate, quality education. There is a major need for more information about academic performance.

4. Preparatory courses are not new at Cornell, nor confined to offerings for minority students. Orientation Mathematics has been taught in the College of Agriculture and Life Sciences for 24 years.
5. Grade distribution data in Chemistry, Physics, and Mathematics show that striking improvements in minority student performance have resulted since the introduction of the activities of the Learning Skills Center.
6. The number of students who have benefited from the activities of the Learning Skills Center apparently is much greater than indicated by the number of students formally registered in its courses. This appears to be due to the large number of students who receive assistance on a walk-in basis.
7. There is a recognition among faculty and administration of the need for and desirability of continuing preparatory activities; guidelines are proposed, in this report, for the continuance of these activities.
8. These guidelines recommend that responsibilities be shared between the relevant academic unit and a central administrative office (such as COSEP).
9. There seems to be substantial agreement that an effective set of supportive activities requires continued input from such a central office. Complete delegation of responsibilities and authorities in this area to the academic units would be unwise.
10. Academic advising is the basic responsibility of the individual colleges and schools. For effective advising of minority students, there must be a designated individual within each college or school who has the responsibility to maintain awareness of needs and who can serve as a communication link between the individual faculty advisors and the central minority education office.
11. The graduate education philosophy at Cornell, with its emphasis on decentralized responsibility and authority makes it extremely difficult to learn what policies and practices are followed in the area of minority graduate recruitment and admission criteria; however:
 - a. from an aggregate view, Cornell's success in recruitment and acceptance seems reasonable;
 - b. there is wide variability among the fields and professional schools, with some fields very actively engaged in recruiting and others doing very little;
 - c. there are indications that Cornell can be more effective than it now is, in identifying and attracting minority applicants.
12. There is experience, in various fields and professional schools, with deviation from traditional admissions criteria. Some cases have been successful, others have not. This experience should be more widely shared among the fields.
13. The fields are the logical units for increased activity in the areas of recruitment, experimentation with non-traditional admission criteria and monitoring of student needs and performance.

14. There is general recognition that the basic responsibility for the hiring process rests with the departmental hiring unit.

15. While these hiring units conform to the basic affirmative action requirements, the composition of our faculty suggests that these procedures are inadequate to increase minority representation.

16. Increased responsibility for improving search procedures should be assigned to the departmental hiring units, but increased assistance in meeting this responsibility should be provided to the departments.

17. Recommendations are offered to improve the "affirmative" rather than the coercive approach to search and selection.

Appendix I

Admissions Procedures

Universities Admissions Office

The Central Admissions Office serves as an administrative rather than as a policy-making unit of the University; each college is responsible for developing suitable and appropriate admissions procedures and policies. Procedures and policies vary from college to college.

College of Arts and Sciences

The admissions staff organize completed folders according to three geographical areas; each folder is reviewed by a committee comprised of faculty members and/or members of the Dean's staff. The Early Evaluation procedure is followed, later in the year, by another review of applications; both "reviews" are procedurally similar. Folders are first read by the chairman of the admissions committees (a member of the Admissions staff), then by a second member of the staff, and lastly, by a third reader who is a member of the faculty or Dean's staff. At this time all applicants are assigned a preliminary rating. A "likely" applicant is someone who is almost certain to be admitted; an "unlikely" one who is almost certain to be refused; and a "possible" is one who needs further discussion. Whenever there is any disagreement among the three readers (two members of the admissions staff and a third faculty member), the folder automatically becomes "possible" and the folder is sent to the Selection Committee. Before the folders reach the Selection Committee then, "likelies" have been processed and accepted; "unlikelies" have been processed and refused; all others are possibles and these go on to the Selection Committees comprised of members of the Admissions staff, faculty members, and members of the Dean's staff. Applications that are not processed in the "Early Evaluation" review go directly to one of the Selection Committees. Selection Committees are comprised of a chairman from the administrative staff and faculty members and/or members of the Dean's staff.

In the process of evaluating all applicants, COSEP students' folders are reviewed by a member of the Admissions staff who serves, at the present time, as a minority student admissions staff member in addition to serving as a reviewer of non-minority applications.

As a matter of course, the Committee concerned with upper New York State and the Metropolitan Area is responsible for identifying eligible HEOP/EOP applicants.

College of Agriculture and Life Sciences

All applications are processed by a committee of the administrative staff of the college. Their evaluations (likely, unlikely, and possible) are reviewed with a faculty committee responsible for formal action. Prior to this stage, COSEP applications have been reviewed by COSEP staff, who identify possible EOP students. Folders are then reviewed by Ms. Linda Jones, a minority member of the administrative committee of the college, who makes independent evaluations. These evaluations are considered by the staff committee in its work with the faculty committee. Apparently, this process has worked to the general satisfaction of all concerned.

School of Industrial and Labor Relations

The administrative staff of the college examine all applications, process and rate them. They invite the COSEP office to compare notes. Generally they concur; when they disagree, the ILR staff generally follow their own evaluations. From time to time, the Staff Admissions Committee meets with a faculty committee to review policy and guidelines to be followed by the committee.

College of Engineering

The college has a selection committee comprised of three members of the administrative staff of the College's Admissions Office. The Director of Engineering Admissions, the Assistant Director, and a third member who has a joint appointment as Assistant Director of Admissions of the Engineering School and Director of the Minority Program. The Director of the Minority Program is not a member of the COSEP staff, but coordinates his activities with theirs, when appropriate. This committee is responsible for the selection of all freshmen and transfer students. They process all applications. As a committee they tend to identify all minority applications and to look at them separately. Responsibility for choosing minority applications has fallen to the Director of Admissions and the third member, the Assistant Director of Admissions, who is also the Director of Minority Admissions. The second member of the committee has not been involved in evaluating minority applications.

The committee of three is responsible to the Committee on Academic Standards, a standing committee of the Engineering faculty. For the past year and a half, the committee of three has had "invited appointments" status on this committee. The Committee on Academic Standards has had virtually nothing to do with admissions; it does concern itself with academic reviews of grades, records, and taking academic actions. Ninety percent of its activities concern grade points.

COSEP Admissions and HEOP/EOP

For the past six years, Cornell has participated in the HEOP/EOP New York State Program; the general guidelines for the admission of students under this program specify that the student must "not be qualified to be admitted to the colleges under normal admission standards." Each college had specified their own guidelines with respect to how far below generally acceptable SAT Verbal and Math scores the student must rank in order to be considered eligible for the program, and accordingly, for admission into the college.

The responsibility for selecting eligible students rests with the colleges. The selection procedure, however, has been administered largely through a loosely established and informal liaison between the Director of the HEOP/EOP program, who is responsible for recommending, with the assistance of Central Admissions, likely applicants to the colleges. Most of the EOP/HEOP students are also COSEP students, that is, minority students, although not all are and, in principle, not all should be. Similarly, although a COSEP admissions director serves in the capacity of recommending admissions of students to the program, the final decision has rested with each college which has developed various procedures for the admission of minority applicants.

Appendix II

Geographical Distribution - COSEP Students

	1972	1973	1974	1975
New York	124	118	108	124
Other Middle Atlantic States	32	27	26	35
New England	8	8	15	16
Middle West	19	16	15	13
Southeast	18	16	10	16
Far West	4	6	9	6
Other	15	15	12	16
Total	220	206	195	226

Geographical Distribution - Non-COSEP (1975)

	Arts	Agriculture	Engineering
New York	392	488	231
Other Middle Atlantic States	238	29	161
New England	110	18	114
Middle West	65	6	45
Southeast	45	8	32
Far West	20	5	23
Other	52	17	53
Total	922	571	659

Appendix III

Some Data About Minority Education at Other Schools

Harvard-Radcliffe

<u>Year</u>	<u>Applications</u>	<u>Admitted</u>	<u>Registered</u>	<u>% of Class</u>
1972	860	211	158	9.7
1973	843	213	160	9.8
1974	947	224	158	9.7
1975	841	231	160	9.8

Massachusetts Institute of Technology

1972	283	79	53	5.2
1974	276	113	68	6.7
1975	258	76	46	4.5

Columbia College

1972	547	258	132	17
1973	527	272	145	19
1974	671	282	165	21
1975	737	274	143	20

Massachusetts Institute of Technology**

	<u>Median Verbal Scores</u>		<u>Median Math Scores</u>	
	<u>Minorities</u>	<u>Others</u>	<u>Minorities</u>	<u>Others</u>
1972	580	665	665	760
1974	590	660	660	750
1975	590	665	665	750

Columbia College**

	<u>Median Verbal Scores</u>		<u>Median Math Scores</u>	
	<u>Minorities</u>	<u>Others</u>	<u>Minorities</u>	<u>Others</u>
1972	530	665	560	675
1973	520	670	560	670
1974	520	665	570	670
1975	525	660	560	665

**Estimated from incomplete data, uncertainty about 10 points.

Inquiries were made to a number of other schools, including the other Ivy League schools, Chicago and Stanford. We have received no replies yet.

The Speaker, Associate Professor J. Robert Cooke, call the meeting to order at 4:39 p.m. 67 members and 18 visitors were present. Minutes of the meetings of February 11 and March 10 were approved as distributed. Minutes of the special meeting of February 25 were approved with the following change suggested by Professor S. Cushing Strout, Ernest I. White Professor of American Studies and Humane Letters: Page 4471C, 3rd line from the bottom, delete "rather than reflecting the specifics of different situations."

1. ANNOUNCEMENTS BY THE DEAN

The Dean of the Faculty, Professor Byron W. Saunders, reported for the record that the Commission authorized by the body at the February 11 meeting to participate in forming a committee on self-governance had failed to agree on a charge, and that in consequence the President had formed a self-governance commission to report to him. The Dean urged members to make their concerns on campus governance felt to the Presidential Commission which is being chaired by Professor Geoffrey V. Chester, Physics, who expected to seek Faculty reactions to the Commission's report through the FCR in late August or early September.

The Dean announced that, as a result of concern by himself, Review and Procedures and the FCR Executive Committee for mandated non-tenured participation in self-governance through the FCR and Faculty committees, he had called a meeting of all non-tenured members of the Faculty, the FCR and its committee structure for April 21 in 117 Ives Hall at 4:30 p.m. He urged as full attendance at this meeting as possible. He concluded by cautioning members that if the business of the present meeting was not concluded by 5:59 p.m. he would move adjournment of the meeting until 4:30 p.m., April 28.

Associate Professor Howard C. Howland, Biological Sciences, asked the Dean to expand on the subject of mandated non-tenured participation in self-governance. The Dean replied that Faculty legislation required that for every constituency represented in Faculty governance by four members or more, at least one shall be non-tenured out of every four, and that FCR legislation required that there be two non-tenured Faculty members on every standing committee, one from the FCR and one from the Faculty at large.

2. REPORT ON BEHALF OF NOMINATIONS AND ELECTIONS

The Dean presented, on behalf of the Committee on Nominations and Elections, the following slates of nominations:

for SECRETARY OF THE UNIVERSITY FACULTY

PAUL L. HARTMAN, Professor of Physics in the College of Arts and Sciences
and Associate Director, Applied and Engineering Physics, Engineering

NANCY C. SALTFOORD, Associate Professor of Design and Environmental Analysis,
College of Human Ecology

HAROLD B. TUKEY, JR., Professor of Floriculture and Ornamental Horticulture,
College of Agriculture and Life Sciences

REPORT FROM THE COMMITTEE ON NOMINATIONS AND ELECTIONS

SLATE OF NOMINATIONS

FACULTY TRUSTEE - 1 tenured seat, 5-year term

Donald L. Holcomb, Professor, Physics

Walter R. Lynn, Professor, Environmental Engineering, Director, Civil and
Environmental Engineering

*Mary Beth Norton, Associate Professor, History

Robin M. Williams, Jr., Henry Scarborough Professor of Social Sciences

AT-LARGE MEMBER, FCR - 4 seats, 3-year term

P.C.T. deBoer, Professor, Mechanical and Aerospace Engineering

Leland L. Gallup, Assistant Professor, Design and Environmental Analysis

Isaac Kramnick, Professor, Government

Mary A. Morrison, Professor, Nutritional Sciences

Benjamin Nichols, Professor, Electrical Engineering

Mary E. Purchase, Professor, Design and Environmental Analysis

Edgar M. Raffensperger, Associate Professor, Entomology

Norman R. Scott, Associate Professor, Agricultural Engineering

REVIEW AND PROCEDURES COMMITTEE - 3 seats, 3-year term

Robert L. Aronson, Professor, Industrial and Labor Relations

John L. Doris, Professor and Associate Chairman, Human Development and
Family Studies

Maryann D. Griffin, Assistant Professor, Consumer Economics and Public Policy

Donald R.M. Paterson, Associate Professor, Music and University Organist

Richard M. Phelan, Professor, Mechanical and Aerospace Engineering

Judith T. Younger, Professor and Deputy Dean, Law

NOMINATIONS AND ELECTIONS COMMITTEE - 3 seats, 3-year term

William Tucker Dean, Professor, Law

Edward C. Devereux, Jr., Professor, Human Development and Family Studies

Thomas R. Dyckman, Professor, Business and Public Administration

William H. Erickson, Professor, Electrical Engineering

Charles C. Russell, Professor, Communication Arts

Clara Straight, Professor, Design and Environmental Analysis

MEMBERSHIP OF THE UNIVERSITY FACULTY COMMITTEE - 1 seat, 3-year term

Stanley W. Davis, Professor, Hotel Administration

Herbert L. Everett, Professor, Plant Breeding and Director, Resident Instruction

Julian C. Smith, Professor and Director, Chemical Engineering

*Deleted from slate

ACADEMIC FREEDOM AND RESPONSIBILITY COMMITTEE - 1 tenured seat, 3-year term

Durward F. Bateman, Professor and Chairman, Plant Pathology
 Marjorie M. Devine, Associate Professor, Nutritional Sciences
 Walter F. LaFeber, Marie Underhill Noll Professor of American History

ACADEMIC PROGRAMS AND POLICIES COMMITTEE - 1 tenured seat, 3-year term

John W. DeWire, Professor and Associate Director, Physics/LNS
 George Gibian, Goldwin Smith Professor of Russian Literature

ADMISSIONS AND FINANCIAL AIDS COMMITTEE - 1 tenured seat, 3-year term

James E. Turner, Associate Professor and Director, Africana Studies and
 Research Center
 Lawrence K. Williams, Professor, Industrial and Labor Relations

BUDGET COMMITTEE - 2 tenured seats, 3-year term

E. Elizabeth Hester, Professor, Nutritional Sciences
 George W. McConkie, Associate Professor, Educational Psychology, Education
 Sidney Saltzman, Professor and Chairman, City and Regional Planning

PHYSICAL EDUCATION COMMITTEE - 1 tenured seat, 3-year term

Robert W. Langhans, Professor, Floriculture and Ornamental Horticulture
 Harry T. Stinson, Jr., Professor and Chairman, Genetics, Development and
 Physiology

ACADEMIC INTEGRITY HEARING BOARD - 2 seats, 3-year term

Peter Harriott, Fred H. Rhodes Professor of Chemical Engineering
 B. Jeanne Mueller-Lazar, Associate Professor, Community Service Education
 Anita Racine, Assistant Professor, Design and Environmental Analysis
 Daniel R. Schwarz, Associate Professor, English

ACADEMIC INTEGRITY APPEALS BOARD - 2 seats, 3-year term

Helen T.M. Bayer, Professor, Human Development and Family Studies
 Stuart M. Blumin, Assistant Professor, History
 Charles C. McClintock, Assistant Professor, Community Service Education
 Roger P. Natzke, Associate Professor, Animal Science

UNIVERSITY-ROTC RELATIONSHIPS COMMITTEE - 2 seats, 3-year term

Thomas H. Holloway, Assistant Professor, History
 Kenneth McEntee, Professor, L.A.M.O.S. and Pathology, Veterinary
 Francis W. Saul, Associate Professor, Architecture
 C. Peter Timmer, H.E. Babcock Associate Professor of Food Economics

COUNCIL ON PHYSICAL EDUCATION AND ATHLETICS - 1 seat, 3-year term

Alvin H. Bernstein, Assistant Professor, History
 Martin F. Semmelhack, Associate Professor, Chemistry

REPORT FROM THE COMMITTEE ON NOMINATIONS AND ELECTIONS
 SLATE OF NOMINATIONS FOR FCR SEATS ON COMMITTEES

ACADEMIC FREEDOM AND RESPONSIBILITY COMMITTEE - 2 tenured seats, 3-year term

Terrence L. Fine, Associate Professor, Electrical Engineering
 Ephim Fogel, Professor, English
 James C. White, Professor, Hotel Administration

ACADEMIC FREEDOM AND RESPONSIBILITY COMMITTEE - 1 non-tenured seat, 3-year term

J. David Deshler, Assistant Professor, Community Service Education
Richard L. Quaas, Assistant Professor, Animal Science

ACADEMIC PROGRAMS AND POLICIES COMMITTEE - 1 tenured seat, 3-year term

Arthur L. Berkey, Associate Professor, Agriculture and Occupational Education
Charles B. Wharton, Professor, Electrical Engineering

ACADEMIC PROGRAMS AND POLICIES COMMITTEE - 1 non-tenured seat, 3-year term

David R. Buchanan, Associate Professor, Design and Environmental Analysis
John R. Wiesenfeld, Assistant Professor, Chemistry

ADMISSIONS AND FINANCIAL AIDS COMMITTEE - 1 tenured seat, 3-year term

Herbert J. Carlin, J. Preston Levis Professor of Engineering
Walter M. Pintner, Associate Professor, History

BUDGET COMMITTEE - 1 tenured seat, 2-year term

Neil Ashcroft, Professor, Physics/LASSP
George J. Conneman, Jr., Professor, Agricultural Economics

BUDGET COMMITTEE - 1 non-tenured seat, 3-year term

Nelly Furman, Assistant Professor, Romance Studies
Mary F. Katzenstein, Assistant Professor, Women's Studies/Government

FREEDOM OF TEACHING AND LEARNING COMMITTEE - 2 tenured seats, 3-year term

John Bentinck-Smith, Professor, Clinical Pathology, Veterinary
William B. Provine, Associate Professor, History
Arnold Singer, Associate Professor, Art

PHYSICAL EDUCATION COMMITTEE - 1 tenured seat, 3-year term

Paul D. Ankrum, Professor, Electrical Engineering
Franklin E. Huffman, Associate Professor, Modern Languages and Linguistics

PHYSICAL EDUCATION COMMITTEE - 1 non-tenured seat, 3-year term

Richard L. Hallberg, Assistant Professor, Genetics, Development and Physiology
Winefride Olaksen, Assistant Professor, Health Services
William B. Travers, Assistant Professor, Geological Sciences

PROFESSIONAL AND ECONOMIC STATUS COMMITTEE - 2 tenured seats, 3-year term

Frederick T. Bent, Associate Professor, Business and Public Administration
A. Thomas Kirsch, Associate Professor, Anthropology
Robert L. Wehe, Associate Professor, Mechanical and Aerospace Engineering
Charles F. Wilcox, Jr., Professor, Chemistry

RESEARCH POLICIES COMMITTEE - 2 tenured seats, 3-year term

Malden C. Nesheim, Professor and Director, Nutritional Sciences
Neil L. Norcross, Professor, L.A.M.O.S. and Secretary, Veterinary College
Robert S. Shallenberger, Professor, Food Science and Technology, Geneva
Benjamin Widom, Professor, Chemistry

The Dean explained that it had come to his attention since the original slate was distributed to the Faculty that Associate Professor Mary Beth Norton, History, was ineligible to serve as Faculty Trustee, the required two-year period since her previous term as a Faculty Trustee not having elapsed, and that therefore her name had been removed from the slate. He moved acceptance of the slate and that the Committee be instructed to proceed with an election. There being no further nominations from the floor, the motion carried.

3. RESOLUTION ON UNIVERSITY SENATE CONSTITUTIONAL REVISION

On behalf of the FCR Executive Committee, Professor Gwen J. Bymers, Human Ecology, moved the following resolution:

RESOLVED, That the FCR approves Senate Bill SA-374 as an amendment to the Cornell University Senate Constitution.

Professor Bymers explained that the Bill had been adopted by the Senate on January 29, 1976, and subsequently approved by a vote of 2,713 to 532 in a referendum of students and employees during the Senate general election. It now required action by the FCR and the Trustees before it could become an amendment to the Senate Constitution. The Bill amended Article III (Representation on the Board of Trustees) Section 4 of the Constitution to read as follows:

4. From those Trustees elected under Section 1 of this Article, at least one Faculty-elected Trustee, one Student Trustee, and one Trustee elected (by the Senate) under Section 1-c, 1-e or 1-f shall be invited to serve on the Executive Committee of the Board of Trustees.

She added that sections 1-c, 1-e and 1-f read as follows:

(The following shall be included on the Board of Trustees:)

- c. One Faculty member to be elected by the Students for a two-year term;
- e. Up to three persons from outside the University, to be elected by the Senate for four-year terms;
- f. One employee elected by the employees for a two-year term.

Carried.

4. RESOLUTION ON GRADUATE LAW STUDENTS GRADING MODIFICATION

On behalf of the Executive Committee and for the Law School, Professor Bymers moved the following resolution:

RESOLVED, That the FCR approve the request of the Faculty of the Law School to introduce a modification of their S/U grading system for graduate law students in order that a three-tiered scale of Honors, Satisfactory, and Unsatisfactory can be utilized.

Professor John J. Barcello III, Law, referred the body to the rationale * distributed with the printed copy of the resolution, adding that the five to eight graduate law students annually in residence were not easily graded by the A to F grade scale used for regular law students, since they usually came from foreign countries, and that they were closely supervised by a special committee of Graduate School Faculty. Carried.

5. CONTINUATION OF DISCUSSION OF ACADEMIC INTEGRITY

The Dean presented a brief history of proceedings up to the present meeting. The *Ad Hoc* Committee on Academic Integrity had been appointed more than a year ago by authorization of the FCR Executive Committee, he said, and had presented a report and a proposed revised Code of Academic Integrity to the FCR last September. Following debate, the Dean had requested written suggestions from Faculty members for consideration in revising the proposed Code. He had received approximately 15 suggestions, including some from groups such as the Educational Policy Committee of the College of Arts and Sciences and from the Academic Integrity Hearing Board, and had referred them to the *Ad Hoc* Committee for consideration and incorporation in their proposed Code provided they were not in conflict with its basic premise. The resulting document had been distributed in the call to the March meeting and was currently before the body, he said. A proposed amendment drafted by the Academic Integrity Hearing Board had also been presented to the Dean and on instructions from the FCR Executive Committee had been forwarded to the *Ad Hoc* Committee and considered by it. The amendment had not been "suppressed" as stated in *The Cornell Daily Sun* and *Cornell Chronicle*, he said, but had been given its hearing.

The essential difference between the two documents, the Dean asserted, concerned centralization versus decentralization of control of academic integrity. The *Ad Hoc* Committee's proposal would return control of the academic integrity system to the schools and colleges, where it had rested prior to April 13, 1963, and was thus not a new concept. The central issue, he said, was whether to continue with the current system or return to a decentralized system where peer review would be by persons more clearly associated with the subject matter involved. He added that he believed the *Ad Hoc* Committee's proposal was in keeping with the concept of decentralization expounded by task force studies conducted a year earlier.

The Dean said he expected an amendment to substitute the Academic Integrity Hearing Board's amended version of the existing Code to be made later in the meeting, and that this was a viable action.

*Appendix A, attached

The Speaker noted that a resolution to adopt the *Ad Hoc* Committee's report and proposed revised Code as amended at the previous meeting was left pending at that meeting. He said he was aware of two substantial amendments pending and requested written copies of any further amendments. He informed the body that he would request a substitute motion in order to place the Academic Integrity Hearing Board's amendment on the floor together with the *Ad Hoc* Committee's proposal, and suggested simultaneous discussion of both documents, following which he would recognize amendments to the *Ad Hoc* Committee's proposal and the Hearing Board's proposal in that order, seek a vote on which proposal would be left before the body, and accept further amendments of the remaining document if offered. Professor Peter Stein, Physics, asked if an amendment to the *Ad Hoc* Committee's Code, to be proposed by Professor Ian R. Macneil, Law, would be in order after the vote on which proposal to leave with the body. The Speaker said Professor Macneil could move his amendment either before or after the decision. He called on Professor Paul L. Hartman, Physics, who moved to adopt the proposed Code of the Academic Integrity Hearing Board. Professor Hartman said he had agreed, as a member of the Hearing Board, to place the Board's proposal on the floor, but did not see any significant difference between the two proposals. Both documents described Faculty and student responsibilities in detail, he said, the Board's proposal counseling students in addition to report Code violations. The Committee's proposal made no provision for an appeals board while the Board's did, but it seemed that the Hearing Board itself constituted an appeals board. The Committee proposed having a hearing board in each college while the Board proposed to have one hearing board, but under the present system two colleges, ILR and Law, had their own hearing boards and other units could form independent boards if they wished. While having independent hearing boards might create different standards throughout the University, as some had said, current standards differed among the various schools and colleges. Neither proposal made specific recommendations for detecting "repeat offenders," Professor Hartman said, and the Committee's proposal of a decentralized system might permit such offenders to become "lost" in the system. In this respect he said he favored the Board's proposal. While direct settlement of a case was possible under both proposals, he said he thought the Committee's proposal gave the Professor a slight advantage in being able to decide at his own discretion whether or not a case would go to a hearing board or to a private hearing. The Board required agreement by the professor and student on this point. A serious omission by the Committee was the lack of a provision making fabrication of data in support of laboratory or field work a violation of the Code.

Professor Bymers read a letter she had received from representatives of Academic Advising offices in four colleges opposing restructure of the academic integrity Code on the following grounds: 1) there is an advantage in providing consistency across all schools and colleges, particularly in regard to establishing jurisdiction; 2) in any academic integrity settlement the student should have the right of appeal; 3) academic advising offices were not willing to keep records of academic integrity actions. The letter had been signed by Mr. Donald C. Burgett, Registrar, Agriculture and Life Sciences; Mr. Robert E. Gardner, Director of Advising and Counseling, Engineering; Ms. Barbara Morse, Academic Services, Human Ecology; and Mrs. Margaret C. Unsworth, Assistant Dean, Arts and Sciences. Professor Bymers said she had responded to the letter by saying she was not convinced that consistency was either gained or served by having one hearing board, that she believed students had the right of appeal under the Committee's proposal, and that she assumed that college registrars or other appointed officers could keep necessary records if Faculty actions required such records.

The Speaker opened the floor to further comments or amendments designed to make either document more desirable to the body. Dean Harry Levin, Arts and Sciences, said that the issue before the body had been debated for at least two months by assistant deans and the educational policy committee of his college. He read a letter* from the Arts College Educational Policy Committee (EPC) addressed to the Dean of the Faculty and to all FCR members of the College, recommending that the Hearing Board's proposal be adopted by the Faculty because it answered the EPC's reservations about the Committee's proposal. These objections were that under the present system teachers were instructed not to confront students privately with charges of cheating but to refer them to independent boards; procedures for considering accusations were so complicated, and the consequences of conviction so small, that little was accomplished; a teacher who suspected a student of cheating should have the opportunity to interview the student and try to reach a settlement, and the interview should not have to conform to particular legalized procedures. The letter also stated that Faculty should try to educate students to recognize what constituted cheating, but should not be forced by procedures to enact immediate retribution; a professor should never serve both as judge and prosecutor; if results of a private interview were unsatisfactory, either the student or professor ought to be able to initiate an official appeal to a University hearing board and there should be only one hearing board for the entire University. The EPC further stated that cheating should not be defined or handled differently in various colleges, especially since students

*Letter attached, Appendix B

continued to take courses out of their own colleges, and that the Dean's staff in Arts and Sciences did not consider it appropriate for advisors who had counseling relationships with students and must give recommendations to be responsible for keeping records of academic integrity cases.

Dean Levin further commented that the EPC strongly felt that there should be a centralized academic integrity procedure and that there should be a non-legalistic approach permitting private discussion by the Faculty member and a student. If the student preferred not to have such discussion, he said, the Board's proposal accommodated this preference while the Committee's did not. In addition, he said, the EPC did not feel that giving a student an F grade as a form of punishment for cheating, as suggested by the Committee, was sensible, and neither document addressed itself to the "academic integrity of the Faculty vis a vis the student." The Faculty was aware of examples of student work not being recognized and being used by Faculty members, he said, and expressed the hope that this matter would be considered at a later date by the body.

Professor Stein supported the Committee's proposal, saying that the central problem with the present system was that it went "down the wrong path." The present need to produce excessive evidence and a high level of proof in support of accusations led Faculty to either "play policeman" and gather evidence or to avoid the system entirely. He described two examples he had heard of students being acquitted of charges of cheating, one by citing lack of proof that he had brought a "crib sheet" into an examination, the other by accusing a professor who had gathered evidence against him of selective prosecution. Professor Stein said that the present Code had created a "three-tiered" system of enforcement which encouraged students to bypass preliminary hearings and to engage in plea bargaining before the hearing board. He said he had a "gut feeling" that decentralized boards would create a better system than the present one.

Associate Professor Raymond T. Fox, Floriculture and Ornamental Horticulture, member of the Academic Integrity Hearing Board, responded to Professor Stein's remarks that he had heard the opposite view expressed in hearings and that it did not matter which system was adopted since colleges and schools could set up their own hearing boards under the present system if they wished. The central problem, he said, was that neither proposal addressed itself to the cause of cheating or the fact that by overlooking cheating in class, the Faculty was in itself a major cause of cheating.

Professor Strout expressed surprise that the Arts College EPC reached the conclusion it did since the thrust of its letter emphasized the need for a non-

legalistic system while the Board's proposal would seem to lead to precisely the consequences opposed by the EPC. He asked if Dean Levin could explain his reasoning. He also commented that a proponent of the Board's proposal had referred to students having "counsel" in the early stages of an investigation, and asked if that term was meant to be taken literally, i.e., that students would have lawyers to confront cheating accusations.

Associate Professor J. Congress Mbata, Africana Studies, pointed out that the Academic Integrity Hearing Board had been granted strong punishment powers (e.g. expulsion) and was therefore compelled to see justice done. Legalism was inevitable, he said, if only because today's students were conscious of their rights and determined to get them. The Board's proposal met current needs, he said, while the Committee's did not, and also allowed colleges to set up their own machinery. The Board's proposal also allowed students greater latitude for appeal than the Committee's proposal did. He supported Professor Fox's views, saying that the Hearing Board had at one time requested more stringent Faculty adherence to the Academic Integrity Code because of the number of cases coming before it with insufficient facts on which to take action. The Board often had a "gut" feeling that students had cheated, he said, but lacked the facts to support this feeling.

Associate Professor Ross J. MacIntyre, Genetics, Development and Physiology, Chairman of the *Ad Hoc* Committee on Academic Integrity, said that on considering the Board's proposal his Committee felt that it would not change the present system but merely add another layer of administration upon it, since students would bypass preliminary hearings and go straight to the University-wide hearing board. The Committee's rationale for supporting college-level appeals boards, he said, was that the Faculty was best qualified to handle academic integrity cases.

Professor Hartman moved to add to the *Ad Hoc* Committee's proposed Code the following:

I.A.2.d. "fabricates data in support of laboratory or field work."

Carried.

The Speaker brought the motion to substitute to a vote. Defeated.

The Speaker called on Professor Macneil, who moved the first five of ten amendments he proposed to the Committee's Code, and spoke to them. After his presentation, it was decided to vote separately on each amendment.

(1) II.B.1. Add the words "in writing" after the word "charge."

Carried.

- (2) II.B.1. Add the following two sentences after first sentence:

The notice shall advise the student of his/her right to refuse a primary hearing before the faculty member, and instead to have the matter heard initially before the college Academic Integrity Hearing Board. The notice shall state that the student will be deemed to have waived this right if he/she fails to give notice in writing of its election at or before the commencement of the primary hearing.

Professor Macneil said this amendment defined what a Faculty member's written notice to a student should contain. Carried. (Division called. Carried 31 to 23.)

- (3) After II.B.1., add the following new paragraph 2. (and renumber present 2. and 3. to 3. and 4. respectively.)

2. Failure to give the written notice of rights required by paragraph 1. or holding a primary hearing in the face of due exercise of the right to initial hearing before the college Academic Integrity Hearing Board shall void any action taken by the faculty member; such failure shall not, however, prevent a subsequent proceeding before the college Academic Integrity Hearing Board.

The effect of this amendment, Professor Macneil said, was to void any action taken by a Faculty member without giving proper notice to the student. It would not, however, prevent the Faculty member from taking the proceeding to a college Hearing Board. Carried.

- (4) II.B.3b. (renumbered 4.b. pursuant to amendment (3)). Rewrite the first sentence as follows:

b. After hearing the student, the faculty member may refer the matter to the college Academic Integrity Hearing Board.*

Professor Macneil pointed out that this was an abridgement of the amendment as originally written and distributed. The original text permitted a Faculty member to find the charge supported on the basis of the evidence before him/her while having the right to appeal the outcome to a college Hearing Board. If, during the course of a preliminary hearing, what seemed at first a minor infraction emerged as part of a much larger infraction, the Faculty member should have the right to refer the matter to a college Hearing Board. Carried.

- (5) II.C.2. Rewrite as follows:

2. Original jurisdiction. The college Academic Integrity Hearing Board shall have original jurisdiction over breaches of this Code (1) where the faculty member wishes to omit the primary hearing or after the primary hearing elects not to dismiss the charge or to find the student guilty but instead to refer the matter to the college Academic Integrity Hearing Board, (2) where the student exercises his/her right to an initial hearing before the college Academic Integrity Hearing Board, and (3) where the complainant is someone other than a faculty member before whom a primary hearing is appropriate.

*See minutes of May 24, 1976 FCR meeting, page 4525C for correction.

Professor Elmer E. Ewing, Vegetable Crops, asked what would happen if a student failed to appear at an initial hearing. Professor Macneil said presumably the matter would be referred to a college Hearing Board. Professor MacIntyre pointed out that this amendment gave students the right of appeal before a primary hearing had taken place. Professor Stein said that this amendment, in effect, proposed an appeals mechanism for students to the College Board, thus giving students two options for bypassing a preliminary hearing, and that he opposed it. Professor David B. Lyons, Philosophy, disagreed, saying the amendment called for a student to either accept or reject a primary hearing, and that he could not simply appeal from it or opt out of it. Professor Stein asked Professor Macneil if a student could appeal the outcome of a primary hearing to a college Hearing Board and was told he could. Carried.

Professor Macneil moved his sixth amendment:

(6) II.C.3.b. Delete

He said the matter deleted had already been taken care of in his fourth amendment. Carried.

Professor Macneil moved his seventh amendment:

(7) II.C.3.c. Delete (Subparagraph d. to be relettered b.)

This had been provided for in his fifth amendment, Professor Macneil said. Professor Ewing said he was not sure the amendment's meaning would be clear without close inspection of the Code. Defeated.

The Dean of the Faculty rose to introduce Mr. William Herbster, Senior Vice President of the University. Mr. Herbster stated that it was a pleasure to be at the meeting "without deletion, amendment or other alteration." The Dean moved to adjourn until 4:30 p.m. April 28 in 110 Ives Hall. Carried.

Adjourned: 6:01 p.m.

J. Leeming, Assistant to the Secretary

Law School Resolution

The following resolution will be introduced by the Executive Committee acting at the request of the Cornell Law School Faculty.

RESOLVED, That the FCR approve the request of the Faculty of the Law School to introduce a modification of their S/U grading system for graduate law students in order that a three-tiered scale of Honors, Satisfactory, and Unsatisfactory can be utilized.

Rationale

Annually the Law School has in residence from 5 to 8 graduate law students. They usually come from foreign countries. Having already earned a basic degree in law from their home university, they are typically candidates for either a Masters in Law (LL.M.) or a Doctorate (J.S.D.). Some are non-candidates seeking admittance to candidacy.

Heretofore, these students have been graded on the standard letter grade scale from A to F used for regular law students (J.D. candidates). At its regularly scheduled meeting on Wednesday, March 3, 1976, the Law School Faculty adopted a proposal to grade all graduate law students in all Law School courses on a different scale: Honors, Satisfactory, Unsatisfactory. The proposal is to go into effect with the first semester of the 1976-77 academic year.

This change would bring the Law School in line with the frequently expressed opinion that graduate students, who are fewer in number and whose work is reviewed carefully by a special committee of Graduate School faculty, should be graded on an S/U basis. To the standard S/U grading option the Law School proposal adds an additional Honors category.

Graduate Law students are technically enrolled in the Graduate School and their respective degrees, LL.M. or J.S.D., are formally awarded by the Graduate School. Dean Lambert has been consulted about the proposed grading change. He sees no difficulties with it and approved the change.

April 7, 1976

CORNELL UNIVERSITY
College of Arts and Sciences
Ithaca, New York

Office of the Dean

April 12, 1976

Dean Byron W. Saunders
University Faculty
Day Hall

Dear Dean Saunders:

Last fall the Educational Policy Committee of the College of Arts and Sciences (an elected committee of faculty and students) discussed the report of the ad hoc committee of the Faculty Council of Representatives on academic integrity and forwarded to you a summary of its opinions about the proposal. Since the same essential proposal is now being considered by the Faculty Council of Representatives, I would like to reiterate the College's position.

The Educational Policy Committee unanimously agrees with the ad hoc committee that the present system ought to be reformed. At present teachers are instructed not to confront students privately with charges of cheating, but to refer them to an independent board. The procedure for considering accusations is so complicated and the consequences of conviction so small that little is accomplished.

In the opinion of the Educational Policy Committee, a teacher who suspects a student of cheating should have the opportunity to interview that student and try to reach a settlement. This interview should not have to conform to particular legalized procedures. Sometimes, as in the case of "dry lab," the professor should try to educate a student to recognize that a practice, in this case using someone else's data, is, in fact, cheating; the professor should not be forced by a cumbersome procedure into immediate retribution. The professor should never serve both as judge and prosecutor.

If the results of the interview between student and professor are unsatisfactory, either the student or the teacher ought to be able to initiate an official appeal to a University hearing board. The College is convinced that there should be only one hearing board for the entire University: cheating should not be defined differently or handled differently in the various colleges, especially since students routinely take courses out of their home colleges. Moreover, the Dean's staff in the College of Arts and Sciences does not consider it appropriate for advisers who have counseling relationships with students and who write letters of recommendation to be responsible for keeping records about cases involving academic integrity.

Having reservations about the ad hoc committee's report and having received no response from the committee about those reservations, the Educational Policy Committee yesterday considered the Hearing Board's

(over)

proposal. That proposal answered the Committee's objections; therefore, the Committee would like to recommend that the Hearing Board's proposal be adopted as a substitute for present practice and for the procedures recommended by the ad hoc committee.

Sincerely yours,



Harry Levin, Dean

HL:mbd

cc: Members of the ad hoc committee

Ross MacIntyre, Chairman

Daphne Roe

Joel Silbey

Arts College members of the FCR

Note: The Educational Policy Committee would like to express two other concerns about academic integrity. First, the Committee questions the propriety of using a grade of F in a course as punishment. Usually an F is for honest, but unsatisfactory, work.

Also, the Educational Policy Committee noticed that in the reports, all breaches of academic integrity are assumed to be perpetrated only by students. There is no procedure to protect students whose ideas or work are incorporated into professors' publications without permission or proper documentation. The College recommends that the Faculty Council of Representatives arrange to study this matter and devise a grievance procedure for such cases.

The Speaker, Associate Professor J. Robert Cooke, called the meeting to order at 4:38 p.m., reminding the body that this was an adjourned meeting from April 14. 60 members and 34 visitors were present.

1. STATEMENT BY THE PRESIDENT ON MINORITY AFFAIRS

The President, Dale R. Corson, discussed some events preceding the previous week's disruptions and described University policy on financial aid to minority students. He revealed some facts about the dismissal of Mr. Herbert Parker, former Assistant Director of Financial Aid, saying that public controversy seemed to dictate this course despite University policy opposing public discussion of personnel matters and the fact that a suit brought by Mr. Parker was pending before the State Human Rights Commission. Mr. Parker's dismissal came after his repeated refusals to accept supervision from the Director of Financial Aid, he said, and after the issuing of a letter of reprimand and a warning that continued insubordination could result in dismissal. The minority community was aware of these developments, he said, and the University Counsel and the Personnel Department had been consulted to be sure that necessary due process was followed. Dean Donald G. Dickason, Admissions and Financial Aid, had sought to help Mr. Parker define his occupational role, and had changed his responsibilities in part because of Mr. Parker's belief that he had not been given adequate authority. The dismissal was occasioned, he said, by Mr. Parker's statement that he would no longer take supervision from his immediate supervisor. The President added that Mr. Parker had not been solely responsible for administering minority student financial aid and had not been the sole minority employee in the Financial Aid Office over the past several years.

Following the dismissal the Dean (of Admissions and Financial Aid) had asked COSEP (the Committee on Special Educational Projects) if it could assign a staff member temporarily to Financial Aid to assist in administering minority programs, and the Provost had requested the names of minority persons to serve on a Financial Aid awards review panel. Both requests were refused, whereupon the President had asked the University Ombudsman's office to undertake discussions with minority representatives aimed at facilitating the administration of financial aid in the immediate future. The Provost had indicated that two arrangements would be satisfactory to the Administration, the President said, (1) temporary reassignment of a minority staff member to Financial Aid pending the hiring of Mr. Parker's replacement, and (2) rehiring of Mr. Parker as a consultant to the temporary employee until the current year's awards were

completed. Although the Ombudsman had indicated that these arrangements would probably be acceptable to minority representatives, he said, no response had been made to them until the disruptions began on April 19.

The President said that a year previously the Financial Aid Office had undertaken, with Mr. Parker participating, to codify its policies with the result that some policies and practices concerning minorities had been revised. In addition, he said, University allocations for minority financial aid had continued to increase, and COSEP and low-income minority students continued to receive more favorable loan and self-help packages than other students. Moreover, on learning that reassignment of a minority staff member to Financial Aid would be acceptable to the black community, an Acting Assistant Director had been appointed and installed on the job. It was unfortunate, he said, that the appointment could not have been made when initially proposed by the Provost.

The University had not diminished its commitment to minority education, the President said, and funds for minority programs had been increased. Nor, he said, was the University seeking, as had been charged, to reduce the number of black students and staff, but had sought to increase both. Dean Dickason's staffing plans, when implemented, would increase the number of his minority professional staff from two to four persons, he said, reasserting the Administration's commitment to maintaining and strengthening minority programs by staffing them with professionally qualified persons interested in the academic development of minority students.

Autonomy of minority education programs was a more deep-seated issue underlying the present ones, he said, some elements of the minority community believing that minority interests could only prosper if authority to make and administer minority policy rested solely with minority persons. The University position, enunciated in January by the Provost and approved in principle by the Board of Trustees, was that both academic and non-academic minority educational functions should be integrated with all University educational functions. He quoted the following passage from the Provost's January policy statement: "... the education of minority students is not now and can never be the sole responsibility of any single organization or group within Cornell, simply because the end to be achieved -- equality of opportunity for minority students -- is the responsibility of many parts of the University. Minority education must be an integral aspect of academic life at Cornell." For example, he pointed out, the logic of including minority admissions in the newly reorganized admissions process had proved compelling because a strengthened University-wide recruitment

and admissions effort could benefit both colleges seeking minority students and the minority community seeking more minority students at Cornell.

Close coordination between financial aid activities for minority students and those for other students was necessary, the President said, because so many federal and state policies applied to all students according to need, not just to minority status. Thus there continued to be a direct reporting relationship between the Assistant Director of Financial Aid working with minority students and the Director of Financial Aid responsible for all programs.

A new post had been created effective July 1, the President said, that of Associate Dean of Admissions and Financial Aid who would participate in formulating policy affecting identification, recruitment, admission and financial support of minority students. In addition the COSEP Director would meet with the Dean, Associate Dean, Director of Admissions and Director of Financial Aid in policy considerations. Achievement of the new direction in University minority policy would take time, the President said, and would depend in part on increasing efforts to employ more minority faculty and staff in the University. He said he also recognized the need to maintain a central COSEP office concerned with minority educational affairs and representing minority interests in coordinating programs throughout the University. He pointed out that the program for implementing University policy on minority education contained compromises between greater separation and greater integration, and that specific aspects of the program were still open for discussion and refinement, but said that the time had arrived "to test actively, constructively, and cooperatively, the basic framework of policy."

Although some minority persons believed the Faculty was not ready to accept responsibility for minority programs in the schools and colleges, he said, he believed there was evidence of growing support and interest among the Faculty as reflected by the resolutions on this meeting's agenda, by the creation of learning skills activities in several departments and by Faculty efforts to increase graduate education opportunities for minorities. He was encouraged, he said, by the response of the colleges in planning for the staffing of assistant deanships. The President summarized his remarks by stating his belief that the University could and should embark on a new stage of minority education, undeterred by recent events from proceeding with a stable program affording minority students not only admission to Cornell but a quality academic experience. The Administration would continue to dedicate its efforts to this objective, he said, and was prepared to continue discussions to those ends.

Professor Albert Silverman, Physics, asked the President to describe the present status of negotiations on the demonstrators "demands." The President replied that he believed the Ombudsman was the proper person to consider the demands and had sought to bring him into discussion but was greatly disappointed when this avenue was rejected. The demand that Mr. Parker be reinstated had been rejected, he said. The demand that all matters surrounding Mr. Parker's termination be investigated insofar as due process was concerned he said he found reasonable, and had hoped the Ombudsman would be able to comply with it. The demand that Miss Michele M. Toppin, Assistant Director of Admissions in the Arts College, and a minority employee, replace Mrs. Barbara J. Clapp as Acting Assistant Director of Financial Aid was what the Provost had offered to do on April 5 and had been effected the week of April 19. The demand that the Associate Dean of Minority Admissions and Financial Aid be jointly appointed by the Director of COSEP and the Dean of Admissions and Financial Aid raised the question of the Dean's responsibility for his organization. The President said there was ample room for cooperation between COSEP and the Dean, and that the selection committee included minority representatives, but said that he maintained the Dean should have final say in the appointment. As for the demand that mechanisms be created for input from the minority community on all Financial Aid policies and practices and that policies be changed to meet the rising cost of higher education for minority students, the President said that it seemed "inputs" would have to come from professionals in the field and that mechanisms for providing inputs from everybody concerned would be unworkable. The final demand for unconditional amnesty for all participants in the demonstrations had been denied, he said.

2. CONTINUATION OF DISCUSSION OF ACADEMIC INTEGRITY

The Speaker reminded the body that a resolution moved at the March 10 meeting was before it, that it called for the body to receive (not adopt as originally stated) the *Ad Hoc* Committee on Academic Integrity Report and proposed Code of Academic Integrity, and that the body had approved the first six of 10 amendments proposed by Professor Ian Macneil, Law, and had defeated the seventh. Professor Paul L. Hartman, Physics, moved to reconsider the motion to substitute the Academic Integrity Hearing Board's proposed revised Code of Academic Integrity on grounds that with Professor Macneil's amendments, which many members did not fully understand, the Committee's Code had become more legalistic and complicated than the present Code. The Dean of the Faculty, Professor Byron W. Saunders, opposed reconsideration as serving no useful purpose, adding that the body would

still have to vote on the Committee's amended Code. Following brief discussion, Professor Hartman withdrew his motion and the body voted to reconsider its vote on Professor Macneil's amendments 1-7, dealing with 1-5 as a group.*

Professor Macneil gave the rationale for his amendments, saying they were intended to bring th proposed Code up to a minimum level of "decent" procedure. Amendments 1-3 required written notice to a student of charges in order to ensure that notice had been given and to protect Faculty members' rights of due process. The fourth amendment enabled a Faculty member to refer a case to his college academic integrity hearing board after the preliminary hearing, thus avoiding the situation where he must find the charge supported, act on this finding and then wait for the case to be appealed if his finding was disputed.

The fifth amendment was substantive, he said, allowing a student to go directly to a college academic integrity hearing board before a primary hearing was held, thus protecting students from any possible prejudicial treatment by Faculty members. Professor Macneil observed that this protection was commonly provided in every disciplinary system he had encountered, including the Uniform Code of Military Justice. He then clarified the wording of the fifth amendment, in response to a question from Associate Professor Raymond T. Fox, Floriculture and Ornamental Horticulture, as applying to the case of a non-Faculty complainant rather than a primary hearing held by a non-Faculty person. Professor Eric A. Blackall, Jacob Gould Schurman Professor of German Literature, requested further clarification of the fifth amendment's wording whereupon a number of grammatical changes were suggested and debated with the result that the final phrase of the amendment was changed to read: (3) where the complainant is not [someone other] a faculty member before whom the [a] primary hearing is appropriate. (additions underlined, deletions in brackets)

Professor Gwen J. Bymers, Human Ecology, opposed the amendment process in principle, saying that it made the proposed Code too cumbersome, created confusion, and typified a familiar pattern of behavior, i.e., amending beyond recognition proposals requested from the body's own committees. Professor David B. Lyons, Philosophy, expressed sympathy with Professor Bymers' view, but defended Professor Macneil's amendments as providing the protective measures required of a system that prescribed punishment for wrongdoing. Professor Peter Stein, Physics, agreed with Professor Bymers, saying he had concluded that the Committee's proposed Code was superior to the Hearing Board's, and that the detailed procedures embodied in the amendments did not conform to the kind of relationship he and his colleagues enjoyed with students or to the relatively mild punishment

*See May 24, 1976 minutes, page 4525C, for correction.

available to the Faculty to administer. He favored a relatively simple procedure containing an appeals mechanism, he said, since wilful cheaters would naturally try to avoid submitting their cases to a hearing board. Professor Joel Silbey, History, member of the *Ad Hoc* Committee, pointed out that the military code of justice was not comparable to an academic integrity code for a university and expressed regret that his colleagues, such as Professor Lyons, had felt it necessary to cite prejudice on the part of the Faculty and the need for protection from it. He then gave reasons why the *Ad Hoc* Committee had drafted its proposed Code. After lengthy inquiry, the Committee had found that most faculty members were not using the existing Code for two major reasons: 1) it was too cumbersome and legalistic and placed the Faculty in the position of illegally circumventing it, and 2) the feeling that dealing with cheating was as much a professor's right as any other duty, and that therefore any academic integrity code should begin in the professor's office. The Committee had decided to believe that most Faculty members would not be prejudiced, he said, but because some might be, the Committee had added two levels of protection against such prejudice; first, that there would be a third party independent witness present at any hearing held by a professor, and second, the right of appeal. Adding to the proposed Code, whether or not in the name of due process, would only re-create the existing situation, he said, ending his remarks by appealing to the body to consider if the proposed Code did not already meet the needs of due process.

Associate Professor June M. Fessenden-Raden, Vice Provost for Undergraduate Education, ascertained that the Committee's draft Code proposed that appeals be made to the hearing board of a Faculty member's college, not a student's.

Professor John H. Whitlock, Veterinary Medicine, pointed out that his College and the Law School taught undergraduates as well as graduate students, and that provisions of the Code would not apply to these units since they had their own honor codes. The Speaker brought adoption of the first five Macneil amendments to a vote and they were defeated as were amendments 6 and 7.

Professor Elmer E. Ewing, Vegetable Crops, moved the following amendment:

After II.C.5.b., add the following section c. (and renumber present c. through f. to d. through g., respectively):

- c. If there was no primary hearing by the faculty member, recommend that a failing grade be recorded for the course, or for some portion of it.

Carried.

Associate Professor Louis J. Billera, Engineering, noted an apparent discrepancy between section II.C.3.c. of the Code providing for repeat offenders to be summoned before their college hearing board and appeal provisions of the

Code which designated a Faculty member's college hearing board for appeal. Professor Whitlock reiterated his point that all professional schools and colleges taught as many undergraduates as they could, and that his college and the Law School, having their own honor codes, did not have the mechanism to cope with provisions of the Code. Professor Richard M. Phelan, Engineering, added his own view that it would be impossible, for example, for his college to expel an Arts College student for cheating. The Dean moved to table the motion on the floor since other important resolutions were on the agenda. Carried.

3. RESOLUTIONS ON MINORITY EDUCATION

Professor Gilbert Levine, Agricultural Engineering, Chairman, Committee on Academic Programs and Policies, stated that the Committee's report on minority education at the University had been presented earlier to the body, printed in the *Cornell Chronicle*, and the Committee's six resolutions distributed to the body. He moved the first resolution:

Admissions Policy

WHEREAS, in order to increase the undergraduate minority student population at Cornell, the various colleges have de-emphasized the importance given to SAT scores and have emphasized other evidences of ability and motivation; and

WHEREAS, a broad representation of minority students admitted under these criteria, satisfying the usual rigorous academic demands Cornell makes of its students, has successfully completed degree requirements;

THEREFORE, BE IT RESOLVED, that the faculty approves, generally, of these admission criteria for minority students and urges their continuation as long as necessary to assure an adequate representation of various minorities among the undergraduate student body.

Professor Silverman spoke to the motion, saying that the Committee had determined that recruiting and admissions procedures for minority students were generally very effective. Minority applicants' academic standings in relation to the available minority pool were similar to those of non-minority applicants, and admissions procedures had not admitted students unable to meet the University's academic requirements. The Committee had observed a 20 percent decline in the number of minority applicants over the last two years, however, and had recommended that some special techniques be tried as a result. It had noted that Arts College minority students with SAT scores below 400 experienced a substantially higher attrition rate than other minority students, and had therefore suggested that such students only be admitted with great caution and only for special reasons, and that they be advised of the attrition rates. He stated a need for more

information on why such students left the University, noting that the report suggested that exit interviews with such students be instituted. The resolution, he said, concerned one major point which the Committee felt required the Faculty's attention, the fact that admissions practices for minority students differed from those for non-minority students, particularly in regard to emphasis placed on SAT scores. Without this difference, he said, the number of minority students admitted to the University would decrease by a factor of approximately two. He was asked from the floor if it was correct that Arts College data showed essentially no correlation between SAT scores and the likelihood of graduating for COSEP students with SAT scores above 400, and he confirmed this fact. Asked why the resolution was necessary since it recommended no change in admissions practices, Professor Silverman said the Committee had felt that it concerned an important policy question which should be legitimized by Faculty endorsement. Professor Julius Fabricant, Veterinary Medicine, asked why such admissions practices should not be extended to non-minority students with low SAT scores since they also might make good college candidates. Professor Silverman replied that perhaps they should since a control study had shown a moderate correlation between minority and non-minority students in this regard. Professor Whitlock referred the body to an article in the April 16 issue of *Science* which presented some "upsetting" arguments against assumptions about SAT scores under which some Faculty had been operating for some time. The Speaker brought the first resolution to a vote. Carried.

The Dean moved to adjourn in view of the lateness of the hour and immediately reconvene to consider the remaining resolutions. Professor Whitlock said this would violate the body's standing rules and that the Dean could call another meeting at a time of his choosing. The Dean adjourned the meeting and immediately called another meeting. The Speaker called on Professor Levine to move his Committee's second resolution, but lacking a quorum the body voted to hold an adjourned meeting May 5.

Adjourned: 6:02 p.m.

J. Leeming, Assistant to the Secretary

The Speaker, Associate Professor J. Robert Cooke, called the meeting to order at 4:36 p.m. 68 members and 18 visitors were present.

1. ANNOUNCEMENT BY THE DEAN

The Dean of the Faculty, Byron W. Saunders, announced that a panel discussion on campus minority issues would be held that evening by representatives of the Administration and the Coalition of Concerned Black Administrators, Faculty and Students, and urged Faculty attendance. Professor Gilbert Levine, Agricultural Engineering, stated that he would be serving on the panel as a representative of the Faculty, not the Administration.

2. CONTINUATION OF RESOLUTIONS ON MINORITY EDUCATION

The Speaker announced that the meeting would adjourn no later than 6:00 p.m. in accordance with a standing rule adopted May 12, 1971, and reminded the body that each member could speak substantively only twice during any given debate, waiting until all others wishing to speak had been heard before making a second statement. He then reminded the body that the second of six resolutions proposed by Academic Programs and Policies had been pending at the end of the previous meeting, and called on Professor Robert J. Young, Poultry Science, who moved the second resolution:

Preparatory Studies

WHEREAS, the University's commitment to minority education has resulted in an increase in admission of students who often cannot enter directly into the introductory courses in mathematics, the sciences or writing; and

WHEREAS, preparatory courses formerly taught by the Learning Skills Center (LSC) and now transferred to the Departments have contributed to a significant improvement in the grade distribution of COSEP students in the math and science subjects; and

WHEREAS, it is clearly recognized that the academic programs are the responsibility of the Colleges; and

WHEREAS, the University administration has recommended that the academic activities of the LSC be transferred to the respective Colleges and Departments; and

WHEREAS, preparatory studies serve the needs of a small group of students scattered in various Colleges and there is a need for overall supervision and coordination of preparatory studies;

THEREFORE, BE IT RESOLVED, that the following guidelines for the organization and administration of preparatory studies be established:

- 1. That the instructors and their teaching programs be located in the respective Departments.*

2. *That support funds for such instructors and instruction programs be provided by a central office such as the COSEP office.*
3. *That responsibility for hiring the instructors for preparatory courses, for reviewing the quality of instruction and for evaluating the effectiveness of the program be shared by the Dean or appropriate Department Chairman and the COSEP Director (or equivalent).*
4. *That prior to initiation of preparatory courses they be submitted to the appropriate educational policy committee for review, and comment and assignment of credit upon departmental recommendation.*
5. *That such courses be open to any student with preparatory needs. However, preference would be given to COSEP students and the subject level appropriate to their need.*
6. *That a central office be responsible for continuous supervision of the needs of students for courses until such time that entering students have been able to obtain the necessary preparation at the high school level and the preparatory work is no longer needed.*
7. *That persons selected as instructors for preparatory courses should have, in addition to their knowledge of the appropriate subject matter and teaching skills, a concern for the special problems of students requiring such courses. Conditions of appointment and reward system should be such as to retain the most effective teachers.*

Professor Young referred to a long history of preparatory studies at the University and described the significant improvement observed by the Committee in minority students' grades in three courses following institution of the Learning Skills Center coordinated by COSEP. The Committee judged that many more students benefitted from preparatory courses on a "walk-in" basis than were registered for them, he said. The Committee agreed with the Administration that educational responsibility for such courses clearly rested with departments, and also felt that such departments needed funds in order to maintain such programs. It also recognized that minority students were dispersed throughout the University and lacked means to "look after themselves," this fact being, in his opinion, the basis for student concerns about the decentralization of COSEP. Therefore, the resolution recommended a formal tie between COSEP and departments providing preparatory studies with joint identification of needed subject matter for courses and qualifications of instructors. He concluded by saying that the resolution was intended to provide an effective preparatory studies program similar to that offered by the Learning Skills Center but clearly designated as a responsibility of departments. The resolution carried without debate.

The Speaker augmented his earlier statement with the information that the FCR had never failed to achieve a quorum, a fact attributable to the 6:00 p.m.

adjournment rule, and that the rule also provided for additional meetings being called to conduct unfinished business. He then called on Professor Young who moved the third resolution:

Advising and Counseling of COSEP Students

WHEREAS, the faculty of each College has the responsibility of advising its students to provide the best academic opportunity for all students; and

WHEREAS, the minority students are a [subset] body of students with special problems that need special attention; and

WHEREAS, these students are scattered through numerous Colleges and need to be provided with a well-coordinated support service; and

WHEREAS, numerous faculty in the Colleges play an active role in the advising of minority students; and

WHEREAS, the Administration statement (Chronicle, February 5, 1976) places the responsibility for advising in each College but does not describe the overall supervisory responsibility;

THEREFORE, BE IT RESOLVED, that there be a Central Administration responsibility for coordination of minority advising and counseling services in each College or School to insure adequate levels of such services and to provide for effective communication among the participants in the advising and counseling processes.

(deletion in brackets, addition underlined)

Professor Julius Fabricant, Veterinary Medicine, asked if his college, with its relatively small student body, would have to establish an office to implement the resolution. Professor Young said this was not the resolution's intent; that it merely called for a "mechanism" to coordinate advising and counseling services among academic units so that minority students could be directed to proper sources of information. It spoke to the academic ~~advising~~ responsibility of each college or school, he said, with coordination provided through COSEP, the central source of non-academic counseling. At the suggestion of Professor Eric A. Blackall, Jacob Gould Schurman Professor of German Literature, the word "body" was substituted for "subset" in the resolution's second paragraph. The resolution, as modified, carried.

Assistant Professor Keith Moffat, Biological Sciences, moved the fourth of the Committee's resolutions:

Minority Graduate Education

WHEREAS, there is a major need to increase the supply of minority professionals and academics; and

WHEREAS, Cornell University is one of the outstanding graduate educational institutions in the United States; and

WHEREAS, Cornell University has a commitment to contribute to the improvement of minority education at both the undergraduate and the graduate level; and

WHEREAS, the Graduate Faculty has jurisdiction over all graduate work and degrees; and

WHEREAS, the Graduate Fields and the Professional Schools are the basic units for implementing graduate policy;

THEREFORE, BE IT RESOLVED, that the Graduate Faculty and its Administration, the Graduate Fields and the Professional Schools be encouraged to pursue more aggressively the recruitment and education of minority students through:

- a. increased fund-raising efforts for support of recruitment and education of minority students;*
- b. increased emphasis on the recruitment of minority students into Ph.D. programs, particularly those where minority students are under-represented;*
- c. increased emphasis on recruitment by the individual Fields and Professional Schools, in collaboration with the Graduate School, with funds made available to the Fields for this purpose;*
- d. careful experimentation with varied emphases in admissions criteria and program timing, subject to the understanding that the quality of graduate or professional education be in accord with the standards of the Graduate Faculty; and*
- e. the collection and reporting of data on recruiting procedures, admissions criteria, and graduation success, for each Field and Professional School, and the collection of similar data from other appropriate institutions wherever possible.*

Three motivating factors influenced the Committee's study of minority graduate education, Professor Moffat said. These were, first, that as a major educational institution the University could and should do more to advance minority graduate education; second, that responsibility for admissions and training currently rested with graduate fields and professional schools under the general supervision of the Graduate School; and third, and perhaps most importantly, that active recruitment of minority students was essential in order to attract sufficient numbers of well-qualified applicants. Graduate fields were enormously varied in contrast with undergraduate fields, he said, and minority students were clustered in a small number, perhaps 15 out of a total of 82 fields. Those fields with minority enrollments had actively recruited for a number of years. The Committee's recommendations, therefore, were based on the successful experience of such fields and schools, experience which it felt should be extended to areas in which minorities were under-represented.

Concerning recruitment of well-qualified applicants, he said, since each field defined its qualifications, the Committee recommended that recruiting

responsibilities be shifted from the Graduate School to the fields and that funds be made available to the fields to support their recruiting under the general coordination of the Graduate School. Such activities might take the form of Faculty visits to undergraduate institutions with large minority enrolments, he said, in contrast with "generalized" visits by an officer of the Graduate School who, although qualified in his own field, e.g., sociology, would not be as effective in recruiting for other fields as representatives of those fields.

Concerning the making of soundly based admissions decisions, he said, the Committee felt that each field and school would be aided in this process by having to become familiar with academic standards of undergraduate institutions through its recruiting efforts and by provision of funds to permit the most promising applicants to be interviewed in Ithaca. As for assuring sound academic training for minorities, he said, the Committee had found that in some fields both minority and non-minority students were seriously deficient in training, and therefore had suggested that each field examine its admissions criteria to see if they were well justified and also consider placing less emphasis on such criteria as test scores than they had in the past. He concluded by saying that inadequate data had hampered the Committee's study, this being the reason for its sixth resolution, and that since the FCR could not control graduate education policy the present resolution had been worded in the form of a recommendation, adding that the Dean of the Graduate School had assured him that its wording was entirely acceptable to him. Carried without debate.

Professor James L. Gaylor, Nutritional Sciences, moved the fifth resolution:

Minority Faculty and Staff Hiring

WHEREAS, Cornell has a commitment to increase minority representation in its faculty and staff; and

WHEREAS, the present procedures [emphasizing] over-emphasizing compliance with rules and Civil Rights laws appear to be unsuccessful in increasing minority representation; and

WHEREAS, basic recruitment and hiring responsibilities are at the college and departmental levels; and

WHEREAS, we believe that there is a sincere wish, on the part of the faculty, to increase the representation of qualified minority members;

THEREFORE, BE IT RESOLVED, that the recognized departmental authority to judge the wisdom of each appointment should be complemented by increased responsibility for devising and carrying out improved recruitment and employment practices. Each hiring unit should analyze its current recruitment and

employment program and develop suitable strategies to remedy deficiencies so uncovered. The appropriate Dean and the Central Administration should assist the hiring unit in its analysis and in the implementation of its strategies.

(deletion in brackets, addition underlined)

Professor Gaylor reviewed the Committee's recommendations on which its resolution was based, saying that the Committee had concluded that the principle reason for the lack of success of affirmative action programs to date had been a lack of "ownership," i.e., the feeling that affirmative action was a function of offices other than the hiring units. The Committee therefore wished to identify ownership and related specific duties, he said. It had recommended that responsibility for planning and review of minority faculty and staff hiring, including analysis of failures and development of strategy for attacking fundamental difficulties uncovered, be placed within hiring units. The Committee also recommended adding duties to the Central Administration beyond those of affirmative action compliance and encouraging a Central Administration officer to undertake systematic acquisition and analysis of data, particularly relating to the supply of potential hirees, in order to assist hiring units to make thoughtful, thorough analysis of recruitment strategies. The Committee also recommended developing programs to increase direct professional contact between Cornell Faculty and the faculty and staff at predominantly minority institutions, saying there was no substitute for such one-to-one contact. Finally, he said, the Committee had recommended examining any vestiges of inapplicable policies, often existing only by implication, such as nepotism, the hiring of Cornell "products," admission of Cornell undergraduates to graduate programs, etc. The resolution followed these recommendations, he concluded. Professor Norman N. Potter, Food Science, asked what course of action was recommended to a department which, with a sincere wish to attract minorities and after attempting to judge fairly all candidates' qualifications for a position, found a minority candidate "tenth down" in a group of 50 candidates. Professor Gaylor replied that if the reason for the minority candidate's inadequacies was found, on analysis, to lie in the quality of his or her graduate training, the strategy should be to train additional minority students at the graduate level within the department involved. Quality differences among fields varied greatly, he said, thus judgments should be made at the departmental level where requirements of the particular discipline and resources for training more minority candidates were best known. Professor Albert Silverman, Physics, member of the Committee, said he presumed the resolution

did not suggest that departments not choose the best available candidates, nor did he think it would lead to excess hiring of minority candidates. The sense of the resolution, he said, was to remove affirmative action obligations from a central office to individual departments so that they would raise questions themselves and understand why recruitment policies were failing.

Professor John H. Whitlock, Veterinary Medicine, pointed out the advantage of inviting minority candidates to Ithaca for seminars, interviews, etc. and the obligation of departments to do so in the interest of honest implementation of affirmative action, in order to make the "tenth down" person fully competitive with top candidates and to supplement often unreliable documentation of a candidate's qualifications. At the suggestion of Professor Paul D. Ankrum, Engineering, the phrase "over-emphasizing" was substituted for "emphasizing" in the resolution's second paragraph in order to avoid creating the impression that the body advocated violating Civil Rights laws. The comment was made from the floor that selection of candidates should be made on the basis of excellence in teaching and research, and that the fourth and fifth resolutions "smacked somewhat of tokenism." Professor Roger M. Battistella, B&PA, a Committee member, replied that the Committee believed that goodwill presently existed at the University and that tapping this goodwill was a far more effective way of increasing the probability of bringing qualified minority persons to the campus than to assume the opposite. Professor Moffat emphasized that tokenism was absolutely not on the Committee members' minds in considering graduate minority education, it being harmful to the University, graduate fields and students. Professor Young pointed out that resolutions 4 and 5 addressed the problem of how to create a "pool" of minority faculty, students and staff where one did not exist, and that the fifth resolution charged departments to increase minority training in their fields in order to develop a pool from which they could draw future faculty. The resolution, as amended, carried.

Professor Levine, Chairman of Academic Programs and Policies, moved the Committee's sixth resolution:

Minority Education Committee

WHEREAS, many aspects of minority education at Cornell are of vital concern to the faculty; and

WHEREAS, there is a demonstrated need for ongoing faculty input into decisions affecting minority education; and

WHEREAS, this concern is shared by minority students and the Administration;

THEREFORE, BE IT RESOLVED, that a standing committee of the faculty be established, for the purposes of providing continuing review of the minority education programs,

evaluation of program effectiveness and making recommendations for improvement to the faculty, and to the Administration.

This committee will consist of four faculty members, two minority students and one University administrator. Faculty members will be elected for three-year terms, with election in the first year for one-, two-, and three-year periods to provide for rotation of members. Two students will be elected for one-year terms by the minority student body. The administrative representative will be appointed by the Provost.

A chairman for the succeeding year will be elected during the latter part of the Spring Semester, from among the continuing faculty members.

The committee will make an annual report on the status of minority education at Cornell to the FCR, and to the Administration, through the Dean of the Faculty.

The resolution attempted to provide Faculty oversight of educational activities associated with minority programs, Professor Levine said. Students and administrators were included in the standing committee's membership to assure that appropriate information was collected and included in the committee's annual report, his Committee having encountered a significant problem in collecting information on which to base its judgments. The Speaker called on Professor Silverman who moved to substitute the following amended sixth resolution:

Minority Education Committee

WHEREAS, many aspects of minority education at Cornell are of vital concern to the faculty; and

WHEREAS, there is a demonstrated need for ongoing faculty input into decisions affecting minority education;

THEREFORE, BE IT RESOLVED, that a standing committee of the faculty be established, for the purposes of providing continuing review of the minority education programs, evaluation of program effectiveness and making recommendations for improvement to the faculty, and to the Administration.

[This committee will consist of four faculty members. Members will be elected for three-year terms, with election in the first year for one-, two-, and three-year periods to provide for rotation of members.

A chairman for the succeeding year will be elected during the latter part of the Spring Semester.

The committee will make an annual report on the status of minority education at Cornell to the FCR, and to the Administration, through the Dean of the Faculty.]

The committee shall be organized according to the procedures of the FCR as a standing committee.

(deletions in brackets, additions underlined)

or moved to substitute an amended resolution to the Committee's sixth resolution, striking the third paragraph, substituting the following in place of the fifth paragraph:

This committee will consist of four faculty members. Members will be elected for three-year terms, with election in the first year for one-, two-, and three-year periods to provide for rotation of members.

and striking the final phrase, "from among the continuing faculty members," from the sixth paragraph.

Students serving on the committee would introduce non-academic concerns such as financial aid and non-academic counseling which were beyond the committee's scope, Professor Silverman said. While eliminating them would preclude obtaining some community views, the committee would still be able to solicit such views, and students could communicate their concerns through other channels such as COSEP and its advisory committee. Nor should the assistance available to the committee from minority Faculty members be overlooked, he concluded. Professor Young strongly urged defeat of the substitute motion on the ground that minority education programs were directed at students who much have an opportunity to talk to Faculty members about educational aspects of the programs. He referred the body to a successful model for a Faculty-student committee, the Committee on University-ROTC Relationships comprising six students, six Faculty and one or two administrators which he had chaired for two years. The students were an important component of that Committee, he said, and the resolution of differences among themselves and with Faculty members at the committee level aided the Committee and strengthened the program. In response to a question from the floor, Professor Silverman said that he assumed the chairman of the minority education committee would be elected by committee members from their membership. Professor Peter Stein, Physics, supported the substitute motion, saying that nearly all Faculty committees became involved with students on occasion, and made a friendly suggestion that the last three paragraphs of the substitute motion be struck and replaced by the following sentence: "The committee shall be organized according to the procedures for a standing committee of the FCR." Professor Fabricant supported the substitute motion, saying he had served on several Faculty committees with student representation which had encountered bias in elected student representatives who did not represent the wishes of the student body. In response to a question from the floor, Professor Young said that the Committee envisaged student representatives on the standing committee being elected by the minority student body, not the entire student

body. The motion to substitute carried, and the substitute resolution as amended by Professor Stein also carried. Professor Levine expressed his pleasure at the body's positive action on the Committee's resolutions.

The Dean announced that, there being no members of the *Ad hoc* Committee on Academic Integrity present, he thought it would be appropriate to continue debate on the resolution on academic integrity as the first order of business at the regular FCR meeting on May 12 immediately following the regular Faculty meeting called for 3:30 p.m. Other FCR business at that meeting would include reports from the FCR Committee on Physical Education and the *Ad hoc* Committee on Appointments, Reappointments and Tenure, he said, and urged members to attend.

There being no objection, the meeting was adjourned.

Adjourned: 5:39 p.m.

J. Leeming, Assistant to the Secretary

The President, Dale R. Corson, called the meeting to order at 3:38 p.m. 84 members and nine visitors were present. The President announced the death of:

Richard Wellington, Professor Emeritus, Pomology, Geneva, June 15, 1975
Hubert E. Baxter, Professor Emeritus, Architecture, February 19, 1976
Elton J. Dyce, Professor Emeritus, Apiculture, February 23, 1976
Flora Thurston Allen, Professor Emeritus, Home Economics, March 5, 1976
Homer C. Thompson, Professor Emeritus, Vegetable Crops, April 12, 1976
George L. Slate, Professor Emeritus, Pomology, Geneva, April 16, 1976
Julia B. Adler, Retired Associate Professor, Housing and Design, April 17, 1976
Van B. Hart, Professor Emeritus, Agricultural Economics, April 30, 1976
Thomas W. Mackesey, Professor Emeritus, Regional Planning and former Vice President for Planning, May 2, 1976

1. APPROVAL OF MINUTES

The Speaker, Associate Professor J. Robert Cooke, sought approval of the minutes of the October 8, 1975, December 15, 1975 and February 18, 1976 meetings, and recognized Professor Isadore Blumen, ILR, for a correction to the March 3, 1976 minutes. Professor Blumen said that material on the second last page of the March 3 minutes was inappropriate and not properly part of the minutes. Noting the lack of a quorum and the inability to place a resolution before the body, he offered to discuss the matter with the body's consent. The Speaker suggested that the members, while their memories were fresh, tentatively approve the minutes with any changes suggested and ratify their decision at the next meeting. He yielded the floor to Professor Blumen, saying that the body had before it a motion to delete material "below the line" on page 4478F of the minutes.

Professor Blumen noted again that without a quorum no resolution could be placed on the floor. Expressing regret at having to do so, he spoke at some length to the effect that the footnotes on page 4478F of the minutes, inserted by the Dean, constituted improper use of the minutes as a device for replying to a Faculty member's opinion expressed at a meeting, and did not accurately reflect the status of the Special *Ad Hoc* Committee authorized by the Faculty on December 15, 1975. He expressed strong indignation at the anonymous character of the footnotes and the lack of opportunity afforded him to respond to the Dean or this body before the footnotes were inserted. Regarding the footnotes' substance, Professor Blumen reminded members that the FCR had been created as a representative body of the Faculty following the student activism of the 1960's in order to overcome procedural difficulties caused by the Faculty body's size and the atmosphere of the times. He had chaired the committee which created the FCR committee structure, Professor Blumen pointed out, and which had limited these committees' powers and

repeatedly assured the FCR that its committees could take no further actions than specified for them, "particularly investigations," without FCR approval. Following the December 9th disruption at Bailey Hall, he said, the Dean had chosen "for reasons that were not clear," to call a special Faculty meeting rather than bring the matter before the FCR, and because of the lateness of the hour, the confused nature of debate and the body's size, adequate discussion was prevented of a resolution regarding the *Ad Hoc* Committee's authority to conduct an investigation. It is a rule of parliamentary procedure, he said, that a body could authorize its committees and agents to do only what the governing body itself had the power to do.

Asked by the Speaker to confine his remarks to the appropriateness of including the footnotes in the minutes, Professor Blumen argued that the Faculty could not act on the matter without hearing discussion of both sides and that lacking a quorum no motion had been, or could be put before the body. The Speaker insisted that the only question was the relevancy of keeping the footnotes in the minutes, a question which hinged on whether the footnoted material had been stated at the March 3 meeting or been added later. He added that he had earlier placed a motion to this effect before the body on the ground that the minutes should be acted upon while members' memories were fresh rather than the following academic year, acting under the rule permitting anyone to act in an "extreme emergency situation" subject to later ratification.

Professor Blumen replied that according to the minutes the reported assertions had not been debated and hence automatically fell of their own weight. A quorum call and request to vote on the matter being made from the floor, the Speaker established that we did not have a quorum and failed to get consensus on whether to tentatively approve the minutes or delay approval until the next year. Professor Blumen described the Speaker's procedure in making a motion as "most extraordinary".

The Secretary suggested taking a straw vote to obtain the sense of the body. Professor Blumen, recognized to speak to the motion, said that an attempt was being made, by indirection and without proper debate, to write into the record the body's commitment to an improper procedure, and urged members to reject the notion of a straw vote and allow the footnote material to fall of its own weight. The motion to hold a straw vote was defeated. The Speaker said the body would drop the matter and return to it at the next Faculty meeting in which a quorum was obtained.

2. REPORT FROM THE DEAN

The Dean of the Faculty, Professor Byron W. Saunders, preceded his report with the information that 152 members constituted a quorum. He reported to the body that the recently established Presidential Commission on Governance would welcome any suggestions from individual Faculty members, and urged that they be made as promptly as possible since the Commission planned to submit its draft report by August 7. He announced that he would report on behalf of the Committee on Nominations and Elections later in the meeting. Finally, he brought to the body's attention the question of achieving adherence by the Faculty to its legislation. He cited as an example of the problem the fact that Faculty legislation required that a final examination or equivalent exercise be given for all undergraduate courses. Out of 1387 courses listed for the current semester only 559 examinations or exercises were scheduled. The Faculty had no way of enforcing its legislation except through its powers of persuasion with colleagues, department chairmen and deans, he pointed out. He expressed willingness to receive any suggestions from the members as to ways for making the Faculty legislation more effective.

3. RECOGNITION OF RETIRING FACULTY

The Dean expressed his thanks to all retiring members of Faculty committees. He paid tribute to all retiring Faculty members, acknowledging regret at losing them from the body and pleasure that they would no longer "have to pay attention to the alarm clock when it goes off," adding that the collective years of experience being lost totaled 803. He then yielded the floor to the deans or their representatives from various schools and colleges who introduced retiring members of their faculties, citing the longevity of their careers at the University and their professional and personal accomplishments.

Dean W. Keith Kennedy, Agriculture and Life Sciences, introduced the following members of his College who stood and received the body's applause:

Matthew Drosdoff, Professor of Soil Science, first professor of tropical soils at the University, developer of educational programs in tropical soils in the United States and abroad.

Charles R. Henderson, Professor of Animal Science, "no other individual in the world has had such a major impact on the genetic improvement of the dairy cow."

A. Leslie Neal, Professor of Biochemistry, Molecular and Cell Biology, known for his research on a serious potato pest, the golden nematode, and on hydrazide derivatives of sugar acids.

Charles E. Palm, Liberty Hyde Bailey Professor of Agricultural Sciences, former Dean of the College, "has an international reputation as an entomologist, educator and administrator."

William W. Reeder, Professor of Rural Sociology, 28 years of teaching and research centered around the theme of "directive factors in the decisions and actions of persons and organizations."

Philip Taietz, Professor of Rural Sociology with principal interests in community structure and social gerontology, currently principal investigator of a State University project on supportive services for the elderly.

John Wilcox, Professor of Education, first director of Cornell's Institute for Occupational Education, viewed as one of the nation's most successful, retiring to serve as head of the Education Department, Kelvin Grove College of Advanced Education, Australia.

Paul J. Zwerman, Professor of Soil Conservation, "introduced a successful low-cost but effective drainage program for the poorly drained clay soils of northern New York State," a national leader in training graduate students in soil and water management.

He also paid tribute to the following Faculty members who were unable to be present:

Nyle C. Brady, Professor of Soil Science
 Robert M. Gilmer, Professor of Plant Pathology, New York State Agricultural Experiment Station, Geneva, New York
 Edward A. Lutz, Professor of Public Administration
 Ellis A. Pierce, Professor of Animal Science
 Robert J. Scannell, Associate Professor of Landscape Architecture
 Harold B. Sweet, Associate Professor of Cooperative Extension
 Frederick K.T. Tom, Professor of Agricultural Education
 Fred E. Winch, Jr., Professor of Natural Resources

Professor Meyer H. Abrams, Class of 1916 Professor of English, introduced the following retiring members of the Arts and Sciences College on behalf of Dean Harry Levin:

Robert A. Hall, Jr., Professor of Modern Languages and Linguistics
 Baxter L. Hathaway, Old Dominion Professor of Humanities
 Gordon F. Streib, Professor of Sociology

Dean Edmund T. Cranch, Engineering, introduced the following members of his faculty:

Donald J. Belcher, Professor of Civil Engineering (who was unable to be present), "known as the father of photo-interpretation," played a major role in siting the Arecibo Observatory in Puerto Rico and selected the site for the capital of Brazil.

Robert E. Osborn, Professor of Electrical Engineering, a leading proponent of power engineering, "most important, he has been close to students and has a deep reputation for personal integrity."

Dean Robert A. Beck, Hotel Administration, introduced the following member of his School:

Helen J. Recknagel, Professor of Hotel Administration, since 1960 Editor of Hotel and Restaurant Quarterly, "the outstanding publication in the hospitality field."

Associate Dean Bertha A. Lewis, Human Ecology, on behalf of Dean Jean Failing, introduced:

Richard H. Barnes, James Jamison Professor of Nutrition, former Dean of the Graduate School of Nutrition, "he has maintained an internationally known research program, most recently in nutrition, brain development and behavior."

She also spoke briefly of the following members who were unable to be present:

Marjorie B. Washbon, Professor of Nutritional Science, "recently assumed responsibility for the federally funded expanded food and nutrition education program in the State."

Mary B. Wood, Associate Professor, Cooperative Extension, "her responsibilities have centered around consumer programs with special emphasis on foods," former special assistant dean in the area of international programs.

Dean Edward C. Melby, Jr., Veterinary Medicine, introduced the following member of his College:

Louis L. Nangeroni, Associate Professor of Veterinary Physical Biology, "his demonstrations of physiology on a one-to-one basis with students have brought the understanding of life and animals to many undergraduates."

President Corson introduced the following member of the Administration:

Dean Robert J. Kane, Physical Education and Athletics, "since 1938 he has built one of the most comprehensive physical education and intercollegiate athletic programs in the country."

The Dean of the Faculty noted the following additional Faculty members who were not able to attend the meeting:

Thomas H. Canfield, Professor of Architecture
 John M. Rathmell, Professor of Marketing, B&PA
 Maurice F. Neufeld, Professor of Industrial and Labor Relations
 Phoebe T. Goggin, Associate Professor of Clinical Medicine

Mr. W. Jack Lewis, Director of Religious Affairs, announced that the May 23rd Sage Chapel convocation would honor all retiring Faculty and staff of the University as well as graduating seniors and Masters and Ph.D. degree recipients.

4. REPORT FROM COMMITTEE ON NOMINATIONS AND ELECTIONS

The Dean reported on behalf of the Committee on Nominations and Elections the results of Faculty elections:

SECRETARY OF THE UNIVERSITY FACULTY - Paul L. Hartman, Physics and Applied and Engineering Physics

FACULTY TRUSTEE - 1 tenured seat: Donald F. Holcomb, Physics

AT-LARGE MEMBER, FCR - 4 seats:

P.C.T. deBoer, Mechanical and Aerospace Engineering
 Norman R. Scott, Agricultural Engineering
 Isaac Kramnick, Government
 Mary Purchase, Design and Environmental Analysis

REVIEW AND PROCEDURES - 3 seats:

Judith T. Younger, Law
 Robert L. Aronson, Industrial and Labor Relations
 Richard M. Phelan, Mechanical and Aerospace Engineering

NOMINATIONS AND ELECTIONS - 3 seats:

William Tucker Dean, Law
 William H. Erickson, Electrical Engineering
 Charles C. Russell, Communication Arts

MEMBERSHIP OF THE UNIVERSITY FACULTY - 1 seat:

Herbert L. Everett, Plant Breeding and Resident Instruction

ACADEMIC FREEDOM AND RESPONSIBILITY - 1 tenured seat:

Walter F. LaFeber, History

ACADEMIC PROGRAMS AND POLICIES - 1 tenured seat:

John W. DeWire, Physics/LNS

ADMISSIONS AND FINANCIAL AIDS - 1 tenured seat:

Lawrence K. Williams, Industrial and Labor Relations

BUDGET - 2 tenured seats:

Sidney Saltzman, City and Regional Planning
 E. Elizabeth Hester, Nutritional Sciences

PHYSICAL EDUCATION - 1 tenured seat:

Harry T. Stinson, Jr., Genetics, Development and Physiology

ACADEMIC INTEGRITY HEARING BOARD - 2 seats:

Peter Harriott, Chemical Engineering
 Daniel R. Schwarz, English

ACADEMIC INTEGRITY APPEALS BOARD - 2 seats:

Roger P. Natzke, Animal Science
 Helen T.M. Bayer, Human Development and Family Studies

UNIVERSITY-ROTC RELATIONSHIPS - 2 seats

Kenneth McEntee, L.A.M.O.S. and Pathology, Veterinary
 Francis W. Saul, Architecture

PHYSICAL EDUCATION AND ATHLETICS, COUNCIL ON - 1 seat:

Martin F. Semmelhack, Chemistry

A referendum regarding two sections of the ORGANIZATION AND PROCEDURES OF THE UNIVERSITY FACULTY, previously approved by all relevant bodies, passed by a vote of 578 to 18, he concluded.

5. RECOGNITION OF RETIRING SECRETARY OF THE FACULTY

The Dean expressed his personal thanks to Professor Russell D. Martin, Communication Arts, retiring Secretary of the Faculty, for professionalism in the performance of his duties and for his sense of humor. The Secretary received applause from the body, following which he expressed his pleasure at having worked under the Dean and thanked his Assistant, Joe Leeming, and the Dean's staff, Mrs. Judith A. Bower, Administrative Secretary, and Mrs. Jean C. Morehouse, Administrative Aide, for their excellent support during his term of office.

The Speaker reminded the body of the open FCR meeting immediately following the Faculty meeting and invited members to attend.

Adjourned: 4:40 p.m.

J. Leeming, Assistant to the Secretary

The Speaker, Associate Professor J. Robert cooke, called the meeting to order at 4:45 p.m. 45 members and 2 visitors were present.

1. REPORT BY THE DEAN

The Dean reported that a proposal received from the Community Research and Training Institute had been reported on negatively by two FCR committees and, this sentiment having been communicated to the President, no further discussion was required.

On behalf of the Committee on Nominations and Elections, the Dean reported the following results of FCR elections:

ACADEMIC FREEDOM AND RESPONSIBILITY - 2 tenured seats

Ephim Fogel, English

Terrence L. Fine, Electrical Engineering

ACADEMIC FREEDOM AND RESPONSIBILITY - 1 non-tenured seat:

Richard L. Quaas, Animal Science

ACADEMIC PROGRAMS AND POLICIES - 1 tenured seat:

Arthur L. Berkey, Education

ACADEMIC PROGRAMS AND POLICIES - 1 non-tenured seat:

John R. Wiesenfeld, Chemistry

ADMISSIONS AND FINANCIAL AIDS - 1 tenured seat:

Herbert J. Carlin, Electrical Engineering

BUDGET - 1 tenured seat:

George J. Conneman, Jr., Agricultural Economics

BUDGET - 1 non-tenured seat:

Nelly Furman, Romance Studies

FREEDOM OF TEACHING AND LEARNING - 2 tenured seats:

John Bentinck-Smith, Clinical Pathology, Veterinary

William B. Provine, History

PHYSICAL EDUCATION - 1 tenured seat:

Paul D. Ankrum, Electrical Engineering

PHYSICAL EDUCATION - 1 non-tenured seat:

Winefride Olaksen, Health Services

PROFESSIONAL AND ECONOMIC STATUS - 2 tenured seats:

Frederick T. Bent, Business and Public Administration

Robert L. Wehe, Mechanical and Aerospace Engineering

RESEARCH POLICIES - 2 tenured seats:

Malden C. Nesheim, Nutritional Sciences

Benjamin Widom, Chemistry

The Speaker announced that the body lacked a quorum and therefore could not proceed with business, and asked if the body wished to debate the academic integrity resolution without taking action. Professor Wolfgang Fuchs, Mathematics, moved to adjourn. The Speaker said the body could either adjourn or move to hold an adjourned meeting. Professor Fuchs' motion carried.

Adjourned: 4:50 p.m.

J. Leeming, Assistant to the Secretary

The Speaker, Associate Professor J. Robert Cooke, called the meeting to order at 4:09 p.m. 69 members and six visitors were present. Minutes of the meeting of April 14 were approved with the following change made by Professor Ian Macneil, Law: (page 4498C, identified as proposed amendment (4)) II.B.3.b. (renumbered 4.b. pursuant to amendment (3)) should read: "After hearing the student, the faculty member may dismiss the charge, refer the matter to the college Academic Integrity Hearing Board, or find the charge supported on the basis of the evidence before him/her."

Minutes of the special meeting of April 28 were approved with the following addition made by Professor S. Cushing Strout, Ernest I. White Professor of American Studies and Humane Letters: Professor Strout said he thought confusion had arisen in the last meeting over the Macneil amendments because no reasons had been given for them, and he urged that today's debate focus on the reasons for any proposal made. (Add to end of first paragraph, page 4504C) Minutes of the special meeting of May 5 were approved as distributed.

1. REPORT FROM THE DEAN

The Dean of the Faculty, Byron W. Saunders, apologized to the body for calling a special meeting so late in the term. He reported that the FCR Executive Committee had rejected on the body's behalf and following review by the Committees on Academic Programs and Policies and on Research Policies, a proposal from the Community Research and Training Institute. Both committees had agreed to re-examine the proposal if certain deficiencies were remedied and a revised proposal was then submitted, he added.

The Dean announced that a motion would be placed before the body to suspend the rules in order to permit a brief meeting of the 1976-77 FCR immediately following this meeting, at which nominees for the 1976-77 Executive Committee would be presented. In the past the FCR had not been able to elect Executive Committee members until after the beginning of the fall term.

The Dean noted that Professor Paul L. Hartman, Physics, the Secretary-Elect, was substituting for the Secretary who was ill. He expressed his thanks to members who would be retiring from the FCR after this meeting for their participation in the FCR and its committees.

2. CONTINUATION OF DISCUSSION OF ACADEMIC INTEGRITY (Code, Appendix A)

The Dean moved to remove from the table the resolution on academic integrity first introduced at the March 10, 1976 meeting and tabled at the April 28, 1976 meeting. Carried. The Speaker read the resolution to receive and implement the

Ad Hoc Committee on Academic Integrity Report and Code of Academic Integrity, noting two amendments to the Code, one made at the April 14th meeting by Professor Hartman dealing with fabrication of data in support of laboratory or field work, the other made at the April 28th meeting by Professor Elmer E. Ewing, Vegetable Crops, dealing with recording a failing grade for a course, or some portion of it, if no primary hearing was held by a Faculty member.

Professor Richard M. Phelan, Engineering, moved to substitute "student's" for "faculty member's" in sections II-B-3-d and II-C-3-d of the Code on the ground that an appeal made to a Faculty member's college hearing board could result in the untenable situation of a recommendation for expulsion being made to the dean of a student's college by an outside committee. He reminded the body that Professor John H. Whitlock, Veterinary Medicine, had pointed out at the April 28 meeting that his college and others having their own honor codes could not accommodate the Code's provisions, adding that any judgment beyond what could be accomplished easily through the cooperation of the Faculty member involved ought to lie with the student's college. The Dean opposed the motion on the ground that the Code's intent was to put responsibility for implementing the academic integrity system in the college where a course was given. Since the Faculty member could only give as a maximum penalty a grade, it appeared that an appeal from such a penalty should be made to the college giving a course and in which the integrity of a course rested, and that a more severe penalty would be reported to the student's college in any event. Regarding colleges and schools with honor codes, an amendment to the Code, providing for that situation had been proposed in an "Academic Integrity Fact Sheet" distributed to the membership with the call to this meeting, he said. Professor Joel Silbey, History, member of the *Ad Hoc* Committee, explained further that the Code's intent was to bring challenges to charges of violations within the purview of the Faculty member in as clear and simple a way as possible and to overcome objections to the present system. Appealing to a student's college in all conceivable cases would result in the same restraints on Faculty members that had been experienced with the existing Code, he said. He also opposed changing the Code to convenience the few colleges with honor codes. Professor John Bentinck-Smith, Veterinary Medicine, noted that his college's honor code defined its jurisdiction to include students not registered in the College who were taking courses offered by the College together with veterinary students. Professor Whitlock said his concern lay not with such professional courses but with large courses such as physiology and parasitology made up entirely of undergraduates from other colleges. He also noted the unfairness of subjecting students to the "vicissitudes" of varying honor codes. The amendment failed.

The Dean moved the following amendment to the Code contained in the Academic Integrity Fact Sheet:

II-C-8 A student who is alleged to have violated this code in a course subject to a school honor code but where the student involved is not subject to the honor code because of registration from another college, then all actions beyond the primary hearing revert to the Hearing Board of the student's college.

Carried.

Professor Ewing attempted to perfect the phrase "The student shall be given at least 48 hours notice of the interview" (II-B-1) to provide students 48 hours notice from the time of receipt of a notice. Professor Peter Stein, Physics, moved to amend the phrase to read:

"The student shall be given at least one week's notice of the interview measured from the time of dispatch."

Professor Albert Silverman, Physics, suggested specifying that a claim of not having received notice would not be an allowable defense. Professor Robin M. Williams, Jr., Henry Scarborough Professor of Social Sciences, suggested that the problem be solved through normal administrative procedures. Professor Stein's motion carried, as did the main motion as amended.

Professor Stein, on behalf of himself and Professor David B. Lyons, Philosophy, moved the following resolution:

WHEREAS, the FCR has significantly changed the procedures for dealing with breaches of academic integrity, and,

WHEREAS, it is of utmost importance that these procedures be fair and effective,

BE IT RESOLVED, That during the 1979-80 academic year, the Dean of the Faculty appoint or instruct a faculty committee to evaluate the fairness and effectiveness of this system.

He noted that difficulties had been encountered with the former academic integrity system, that no performance evaluation method existed, and that many reservations about the practicability of the new system had been expressed in debate. Carried.

3. MOTION TO SUSPEND THE RULES

Professor Gwen J. Bymers, Human Ecology, Chairman of the FCR Executive Committee, moved that the rules be suspended in order that the 1976-77 FCR might be convened as a body to approve or amend a report of the Committee on Nominations and Elections for its Executive Committee, Committee on Minority Education and Speaker while the 1975-76 FCR remained in session. Carried.

4. RESOLUTION ON NA GRADE

Associate Dean Malcolm S. Burton, Engineering, Chairman of the Committee on Academic Records and Instruction, moved the following resolution on behalf of his Committee:

WHEREAS, the FCR on October 9, 1974 approved a resolution eliminating the conversion of NA grades to F and

WHEREAS, the resolution also permitted the NA grade to appear only on the grade slip but deleted all references to it from the transcript and

WHEREAS, this deletion from the transcript has caused some serious procedural and jurisdictional problems between faculty grading prerogatives and college registration prerogatives, therefore

BE IT RESOLVED, That the automatic deletion of NA graded courses from the transcript be stopped and that any student receiving such a grade be required to go through the usual course registration deletion procedures if it is to be removed from his/her transcript.

Dean Burton explained that the current procedure regarding the NA (Not Attending) grade created confusion in the case of a student petitioning unsuccessfully to drop a course late in a term and raised a jurisdictional dispute between the student's college and the professor giving a course. In response to an inquiry from Professor Stein, he said that very few NA grades were given as the result of computer errors. The Dean of the Faculty concurred with Dean Burton's view, adding that the resolution on the floor represented merely an interim solution to the problem. Carried.

5. REPORT FROM COMMITTEE ON PHYSICAL EDUCATION (Appendices B, C, attached)

Professor William F. Mai, Plant Pathology, Chairman of the Committee on Physical Education, presented a report, noting that Committee members had interviewed the Dean of Physical Education and Athletics and the Director of Women's Physical Education, and had visited physical education classes on a random basis. He said that the program's strengths included the wide variety of courses offered, the number of courses with potential for life-long exercise, students' freedom to choose from among courses and to take part in courses of their choice, and the small class sizes. The program's weaknesses included too little instruction in some physical education courses, the fact that instructors were hired primarily as coaches and were not rewarded for good teaching, and the fact that, with few exceptions, students could not evaluate courses, he said. The Committee had concluded that four semesters of physical education should be required, he said, because of the program's excellence and the small number of complaints received by the Committee. He then moved the following resolution, noting that while the Committee had recommended no change in the present status of physical education the FCR Executive Committee had felt that a Faculty vote on the matter would be advantageous:

WHEREAS, the Cornell University Senate by its bill SA-396 required that the physical education requirement be placed on the agenda of an FCR meeting, and

WHEREAS, the FCR Committee on Physical Education has recently completed a report describing the physical education operation pointing out both its desirable features as well as its deficiencies, and

WHEREAS, one of the eight recommendations of the Committee after making their detailed study was a unanimous recommendation "that four semesters of physical education should continue to be a requirement for graduation,"

THEREFORE, BE IT RESOLVED, That this faculty approves the recommendation of their committee and charges it to continue monitoring the requirement with special attention directed to changes that may occur in the program resulting from the new administration that will be in charge after July 1, 1976 and for any other changes that may have an effect on the quality and validity of the requirement.

Professor Macneil opposed the motion on grounds that the report had made no case for maintaining the Physical Education requirement as a mandatory requirement for graduation, and that the "main force" for maintaining the requirement was to assure the continuance of a substantial amount of accessory instruction fees to the Physical Education and Athletics Department. He noted that the Academic Programs and Policies Committee was studying problems associated with accessory instruction fees and asserted that the body could not make an intelligent decision about the physical education requirement without that Committee's report. He moved to refer the report to Academic Programs and Policies. Professor Stein argued that by the Senate's action in putting the matter on the Faculty agenda the body was required to take some action and that approving the Committee's report would not preclude raising the matter later. He also surmised that the Committees on Physical Education and on Academic Programs and Policies would be jointly studying the question raised by Professor Macneil in coming months. Professor Macneil's motion failed. The main motion carried.

6. REPORT FROM AD HOC COMMITTEE ON APPOINTMENTS AND PROCEDURES *

Professor Peter W. Martin, Law, member of the Ad Hoc Committee on Appointments and Procedures, presented a report, noting that the Committee had been created in response by the FCR to recommendations made by an Ad Hoc committee of the Deans' Council to the President and the Board of Trustees effecting changes in appointment procedures. The changes would have permitted actions currently prohibited by University Bylaws, e.g., initial non-tenured appointment as assistant professor for four years, and would create greater uniformity in

*Appendix D, attached

appointments procedures and policies. The advice had generated controversy, he said, particularly in regard to making the normal time for tenure evaluation the seventh year of probationary appointment. Noting that his Committee had rejected this recommendation and made two others, he moved the following resolution on behalf of the Committee:

WHEREAS, an Ad Hoc Committee on Appointment Procedures has been considering problems related to appointments and reappointments and have reported their discussions to the FCR by means of a report dated May 5, 1976, therefore

BE IT RESOLVED, That the FCR endorse the recommendations of this committee and urge their adoption by the relevant body specifically as follows:

- 1. That the Review and Procedures Committee authorize a standing Faculty Committee on Personnel Policies for Academic Personnel to monitor the functioning of the University's appointments process and to make recommendation for faculty legislation as appropriate.*
- 2. That the Board of Trustees be urged to modify Article XXI of the Bylaws in such a manner that four year initial appointments of Assistant Professors be permitted, that two-year appointment of Instructors be permitted, and that Board approval for non-tenured appointments of Professors or Associate Professors be required only [where] when such original or successor appointments exceed a total of five years.*

Professor Whitlock noted the absence from the Committee's report of a statement in support of Faculty participation in initial appointments and appointments to tenure, and cautioned his colleagues against overlooking long-standing Faculty legislation to this effect. At one member's suggestion it was agreed to correct a typographical error in the resolution's last sentence, namely, to substitute "when" for "which" in the second last line. Carried.

Adjourned: 5:07 p.m.

J. Leeming, Assistant to the Secretary

Cornell University Code of Academic Integrity

Principle

Absolute integrity is expected of every Cornell student in all academic undertakings; he/she must in no way misrepresent his/her work, fraudulently or unfairly advance his/her academic status, or be a party to another student's failure to maintain academic integrity.

The maintenance of an atmosphere of academic honor and the fulfillment of the provisions of this Code are the responsibilities of the students and faculty of Cornell University. Therefore, all students and faculty members shall refrain from any action that would violate the basic principles of this Code.

I. Definition of Academic Integrity

A. General Responsibilities

1. A student assumes responsibility for the content and integrity of the academic work he/she submits, such as papers, examinations, or reports.
2. A student shall be guilty of violating the Code and subject to proceedings under it if he/she:
 - a. knowingly represents the work of others as his/her own;
 - b. uses or obtains unauthorized assistance in any academic work;
 - c. gives fraudulent assistance to another student;
 - d. fabricates data in support of laboratory or field work.

B. Specific Guidelines

The following are the specific rules and regulations in regard to the general responsibilities listed under I.A.2. above.

1. Examinations. During in-class examinations no student may use, give or receive any assistance or information not given in the examination or by the proctor. No student may take an examination for another student. Between the time a take-home examination is distributed and the time it is submitted for grading by the student, the student may not consult with any persons other than the course professor and teaching assistants regarding the examination. The student is responsible for understanding the conditions under which the examination will be taken.
2. Course Assignments. Students are permitted to consult with others and receive advice and assistance. The copying of another student's work, computation, diagrams, analyses, laboratory reports, or commentaries is prohibited. It is plagiarism and a violation of this Code for anyone to represent another's published work as his own. If materials are taken from published sources the student must clearly and completely cite the source of such materials. Work submitted by a student and used by a faculty member in the determination of a grade in a course may not be submitted by that student in a different course, unless approved in advance by the faculty member in the different course.

3. The crucial underpinning of all specific guidelines regarding academic integrity remains that the student's submitted work, examinations, laboratory reports and term projects, must be his/her own work and no one else's.

C. Variations

A faculty member may, at his/her discretion, make additions to or revisions of these guidelines in a particular course. It is his/her responsibility to make clear to his/her students and teaching assistants specific regulations concerning academic integrity that apply to work in his/her course.

II. Organization and Procedures

- A. The faculty member may notify the appropriate college Academic Integrity Hearing Board that a hearing should be conducted before that Board, OR he/she may summon the student to a primary hearing.

B. Primary Hearing

1. Notification. A student who is believed to have violated the Academic Integrity Code shall be presented with the charge by the faculty member who has or believes he/she has identified the infringement. Subsequently, he/she will be called to an interview in the office of the professor concerned. This interview shall be set at an appropriate time within two weeks after the alleged infraction has come to the attention of the faculty member. The student shall be given at least one week's notice of the interview measured from the time of dispatch.
2. Composition. At the interview the following will be present: the faculty member concerned, the student in question and a third party independent witness. The independent witness shall be a student or a faculty member appointed by the department. In addition, the student may bring to the hearing, among other proof of his/her innocence, other witnesses.
3. Procedure.
 - a. At the interview, the faculty member shall present evidence in support of the charge against the student. The student shall be given an opportunity to respond and, if he/she wishes, to present evidence refuting the charge.
 - b. After hearing the student, the faculty member may either dismiss the charge or find it supported on the basis of the evidence before him/her. If the student is found guilty, the faculty member may record a failing grade in the course or in some portion of it. He/she shall report the finding of guilt to the student's college.
 - c. The function of the independent witness is to observe the proceedings impartially, and be prepared to testify as to the procedures followed in the event of an appeal from the judgment of the faculty member.
 - d. A student wishing to appeal the decision may bring the case before the Academic Integrity Hearing Board of the faculty member's college.

C. College Academic Integrity Hearing Boards

1. Composition. Each college in the University shall establish an Academic Integrity Hearing Board. It shall consist of the following:
 - a. A chairperson shall be a member of the faculty appointed by the Dean of the college and shall hold office for one year.
 - b. Three faculty members, elected for three year terms by the faculty of the college.
 - c. Three students elected by procedures approved by the director of resident instruction or similar official of the college. They may also be appointed by the director of resident instruction. The students shall serve for one year and may be reelected.
2. Original Jurisdiction: The college Academic Integrity Hearing Board shall have original jurisdiction over breaches of this Code only if the faculty member wishes to omit the primary hearing.
3. Appeals.
 - a. The student may appeal from the decision of the primary hearing if:
 - i. He/she believes he/she was not given due process.
 - ii. He/she believes the penalty was too strict considering the offense.
 - iii. He/she contests the judgment of the faculty member.
 - b. The faculty member may bring the case to the Hearing Board if he/she believes a failing grade is too lenient considering the offense.
 - c. The Dean of the student's college may summon the student to appear before the college Hearing Board in the event of more than one violation of the Code by the student.
 - d. In case of appeal the student or faculty member shall notify the chairperson of the Hearing Board of the faculty member's college.
4. Procedures.
 - a. Each Board shall conform to procedures established by the Faculty Council of Representatives.
 - b. The chairperson shall convene the Academic Integrity Hearing Board within two weeks of an appeal and provide the faculty member, the student and the independent witness with at least seven days notification of the time and place of the meeting. If a grade for the student in the course must be submitted, the faculty member shall record a grade of incomplete, pending a decision by the Hearing Board.

- c. Those present at the hearing shall be:
- i. The student, who has the right to be accompanied by an advisor and/or by witnesses,
 - ii. The faculty member, who has the right to bring witnesses,
 - iii. The third party, independent witness,
 - iv. Any other person called by the chairperson.

Should the student or the faculty member fail to appear before the Hearing Board, the Board shall have full authority to proceed in his/her absence.

- d. The Board members will question all available parties to the dispute and examine all the evidence presented. It may solicit outside advice at the discretion of the chairperson.
- e. The student shall have the right to present his/her case and to challenge the charges or the evidence.
- f. A majority of the members of the Board shall decide the issue. The chairperson shall vote only in the case of a tie vote.
- g. Each Board shall have an executive secretary whose responsibility it is to keep clear and complete records of the proceedings. The records, however, will remain confidential and may be examined only by parties to the dispute, present members of the Board or persons obtaining approval from the Dean of the college.
- h. The chairperson shall notify each party to the dispute, in the form of a written summary report, of the Board's decision and if appropriate, the penalty imposed. If the judgment of the faculty member is upheld by the Board, or if the Board feels a penalty stronger than a failing grade is warranted, the Dean of the faculty member's college and the Dean of the student's college shall also receive the report.

5. Actions. The Board may act in one or more of the following ways:

- a. Find the student innocent of the charge.
- b. Allow the faculty member's decision to give the student a failing grade in the course or some portion of it to stand.
- c. If there was no primary hearing by the faculty member, recommend that a failing grade be recorded for the course, or for some portion of it.
- d. Recommend to the Dean of the student's college that the student be expelled from the University.
- e. Recommend to the Dean of the student's college that the student be suspended from the University for a period of time.

- f. Recommend that the words "declared guilty of violation of the Code of Academic Integrity" be recorded on the student's transcript. The Hearing Board may set a date after which the student may petition the Board to have these words deleted from the transcript.
 - g. Require a definite period of counseling with a member of the University staff or an outside counseling agent. The college Board should make every effort to see that the student has fulfilled this requirement.
6. Annual Reports. Each college Academic Integrity Hearing Board shall submit a summary report of its proceedings to the Dean of the Faculty at the end of the academic year.
 7. Existing school honor codes, as in the College of Veterinary Medicine and the Law School, are not governed by the foregoing Legislation but a college or school receiving such an exemption shall be required to file a current copy of its Academic Honor Code with the Office of the Dean of Faculty at the beginning of each academic year.
 8. A student who is alleged to have violated this code in a course subject to a school honor code but where the student involved is not subject to the honor code because of registration from another college, then all actions beyond the primary hearing revert to the Hearing Board of the student's college.

Passed by the Faculty Council of Representatives, May 24, 1976.



- 7- A statement outlining the intersession activities of the instructional staff;
- 8- A statement summarizing efforts over the past year to obtain course evaluation by students.

This detailed information was considered at the April 25 committee meeting. As sources of additional information each committee member was sent a copy of each of the following reports on Physical Education.

"Faculty Report on Physical Education", by W.G. Earle, M.W. Sampson, and T.A. Sokol - April 8, 1971

"Financial Impact of Dropping Physical Education Requirement", by Anthony C. Treadwell, Business Manager, Division of Campus Life - August 27, 1973

"Final Report of Policy Study Group II on Physical Education and Athletics", by Robert Harrison, William Jones, Samuel C. Pierce, Wilson Pond, Wade Schwette, Julia Visor, and D. Hyel White - February, 1974

Liaison was established with R.E. Anderson, Chairperson of the Subcommittee on Physical Education of the Cornell University Senate and Scott B. Elledge, Chairperson of the Task Force on Athletics and Physical Education.

A progress report on the activities of the Committee on Physical Education was made at the December 11, 1974 meeting of FCR. The progress report included factual information and the kinds of questions the Committee was considering.

In this report quality of physical education is discussed with respect to: 1) Variety of offerings, 2) Numbers in classes, 3) Staff training and interest in teaching physical education, 4) Staff turnover, 5) Evaluation of teaching, 6) Promotions and pay increases, 7) Worthiness of physical education program for a graduation requirement, 8) Future priorities, and 9) Conclusions.

Variety of Offerings

The number and variety of physical education courses available to Cornell students is incredible. Although all courses are potentially coeducational of the 65 courses, 42 are in fact coeducational. Although some of the units represent different levels of proficiency of the same activity, the variety of activities is outstanding.

With the exception that each student unable to swim 75 yards must enroll in swimming, each student may choose from a wide variety of activities. Usually each individual can be scheduled in the activity of his or her choice. Because squash is a very popular sport for both women and men, the 6 courts do not satisfy the demand. Seven new courts will be ready for use in the fall of 1976. In addition, some women students cannot be accommodated in tennis and some swimming courses.

Among the courses offered many are activities with a life-time potential for exercise and enjoyment. Members of the Committee on Physical Education approve the greater emphasis placed on such courses in recent years and think that this trend should continue.

The purpose of "Components of physical fitness" a course offered for the first time in the fall of 1974 is to acquaint students with the various factors which determine optimum health and to improve fitness through exercise. Lectures were given on body composition, exercise, physiology, as well as nutrition and preventive medicine. Each student learned about his or her initial physical fitness and at the end of the course participated in supervised exercises to determine the effects of the program. Students taking the course may participate in the COOP 2000 eating arrangement which offers a nutritionally balanced diet and gives students practical experience in food selection.

A number of students took this course in the fall of 1974. In the spring of 1975, however, so few students signed up for the course that it was necessary to cancel it. Apparently, a major problem was that most of the students interested in the course could not attend classes at times suitable to the instructors of the various topics. Because of the relatively high cost of this course it was not offered the fall term of 1975.

Members of this committee concluded that "Components of physical fitness" is a very worthwhile program and, if possible, should be continued. The consensus of this committee was that during the fall of 1975 the instructors were highly qualified to teach this kind of course. Faculty for this course are from units of the university other than physical education, thus there may be rapid turnover of the instructors. Because there is no one in the physical education department to supervise the medical and nutritional aspects of this program, in the future there is a possibility that there will be substandard instruction.

Other new courses are being added to the already very large number of offerings. Some relatively new courses are ballroom dancing, scuba diving, mountaineering (adventure training), and skeet and trap shooting. This committee feels that new offerings should continue to be added, particularly offerings with a life long potential for exercise and enjoyment.

A corrective rehabilitation program is offered for students who have permanent or temporary disabilities or those who have been injured. It is conducted in conjunction with the medical staff at Gannett Clinic.

Members of the Committee on Physical Education consider this an excellent program. All students, not just those participating in intercollegiate athletics, should have an equal opportunity to participate in it.

A course in physical education for social services was offered in 1973-74. It was not offered in 1974-75 because of a shortage of teaching personnel and lack of opportunity for field work in Ithaca.

During the past few years there has been a strong trend towards coeducational classes and at present there are 42 such courses. In bowling, golf, jogging, ballroom dancing, skiing, and equitation all classes are coeducational. On the other hand, coeducational courses in areas such as volleyball and weight lifting are unpopular.

This committee realizes that coeducational courses can save money and in some instances benefit students taking the courses.

Numbers in Classes

Most of the sections are relatively small having less than 25-30 students. An exception is Red Cross first aid with 30-40 students. This is a very popular course taught by a Red Cross trained and approved instructor. According to Mr. Patte a class of 35-40 is maximum but could be handled by an experienced and well-trained instructor.

This committee concluded that current class size does not limit effective teaching.

Staff Training and Interest in Teaching Physical Education

According to a 1974-75 list presented to this committee, 8 of 13 of the instructors in women's physical education have master's degrees and 5 have bachelor's degrees. Eight of 30 of the instructors of men's physical education have master's degrees, 16 have bachelor's, 1 has a degree from the Military Masters Fencing College of France and 5 have no college degree. Because of personnel changes football coaches were not included in this list.

Women instructors teach physical education approximately 70% of the time and coach 30% while men teach approximately 30% and coach 70%. Women have between 12 and 18 contact hours per week plus coaching. With few exceptions, when a head coach of a man's sport is not actively coaching he teaches 12 hours per week; most assistant coaches teach 12-15 hours per week during the entire academic year. The assistant football coaches teach 10-15 hours per week from March 1 to end of the spring semester.

Teachers of men's physical education are hired primarily to coach; only 1 person is assigned more than 50% physical education teaching. Ability and training to teach physical education is considered after coaching ability in hiring and renewing appointments. Job success is based on the coaching record. This is more or less the situation in most universities and is generally accepted. Coaching record is important because it influences gate receipts and thus support for the entire athletic program. Although it is difficult or impossible to evaluate, coaching success probably influences alumni gifts.

According to Mr. Patte very few of the physical education instructors have had formal education in physical education teaching and there is no on-the-job training. An effort is made to assign instructors to teach activities in which they have participated or have a particular interest. In summary, men instructors are hired primarily for coaching, are likely to lack formal training in physical education instruction, usually have no opportunity for on-the-job training, and very rarely are assigned to teach an activity in which they have had little or no experience. Although there is excellent teaching in the men's physical education program any one or a combination of these factors would decrease effective teaching. Although classes were not visited or student surveys conducted it was concluded that there are opportunities for changes in this area which would result in more effective teaching.

It was concluded that if candidates for a coaching position, particularly an assistant coach, are equal in other respects consideration should be given to training and interest in physical education. Also some on-the-job training for

those without physical education training might be helpful in improving the level of teaching. Perhaps this training could be carried out by means of a cooperative effort with the School of Physical Education at Ithaca College. This committee believes that some specific training in teaching an activity would be helpful, particularly when an instructor is teaching an unfamiliar activity.

Most women instructors have an assignment with more than 50% physical education teaching. Thus in hiring a new staff member emphasis is placed on teaching ability. As a result there does not appear to be a problem concerning the interest and effectiveness of instructors. According to Mrs. Arnett ability to relate to Cornell women is given a high priority in hiring staff.

Staff Turnover

In general, there is a more rapid turnover of coaches and thus physical education instructors than members of teaching staffs of academic departments at Cornell. For example, with the change in head football coaches last year there was also a change of 4 assistants and thus a change of 4 instructors. Such a high turnover does not usually occur in a single year in academic departments. There is no on-the-job training and although a new assistant has the ability to teach football he may not be able to teach other physical education activities. This committee believes that an opportunity to participate in some training in specific physical education skills would be helpful.

Evaluation of Teaching

Women students have not been surveyed concerning their opinion of the total women's physical education program since 1967. Evaluation of individual courses has been carried out by individual instructors. According to Mrs. Arnett, although there is not a planned program for evaluation of course content or teaching skills in the women's physical education program conferences are held with instructors concerning effectiveness in teaching and coaching. Ability to relate to the Cornell coed is given high priority. To quote Mrs. Arnett "the Division has been blessed in recent years with a number of outstanding instructors."

Likewise, men students have not been surveyed concerning the total men's physical education program. Students have been asked to evaluate some courses. There have been more voluntary comments from students in courses for which a fee is charged than from "free" courses. In general, comments have concerned quality of instruction rather than the fees.

Because squash classes are scheduled until 9:00 p.m. it has been necessary to hire students as teachers during evening hours. Persons taking squash have complained about the "relaxed attitude" of the student instructors.

This committee concluded that students should have an opportunity to evaluate courses in women's, men's and coeducational classes on a regular basis.

Promotions and Pay Increases

According to Mrs. Arnett the only "promotion" is being rehired and there is no advancement in rank and precious little in salary. Likewise instructors in the men's physical education program do not receive promotions for good teaching. Instructors in men's physical education are paid a separate coaching fee but this division in pay is not made for the women instructors.

This committee recognizes the potential problems in morale and teaching performance in a teaching program in which instructors are not rewarded for good teaching. It is concluded that men's and women's physical education instructors are doing an excellent job in the absence of motivation for good teaching.

Worthiness of Physical Education for a Graduation Requirement

It is realized that there is only time to teach fundamentals of the various physical education or recreational activities. To be worthy of a graduation requirement there should be some instruction of skills not just practice. Increase in skills should also be measured. If increase in skills is measured, some students are likely to fail. Perhaps if a few students were failed for lack of accomplishment rather than just for absence from class there might be increased interest and participation. In addition, the instructors would obtain information about the effectiveness of their teaching. Of course, the physical capability of each student must be considered. This committee realizes that units such as jogging and recreational golf have considerable life-long potential for exercise and therefore feel that it is particularly important that good instruction be given in such units.

This committee concluded that four semesters of physical education should continue to be a requirement for graduation. It recommends, however, that more emphasis be placed on instruction and evaluation of skills in contrast to practice of skills.

Future Priorities

In absorbing the inevitable financial cuts the physical education program should not receive greater reductions than the intramural or the intercollegiate program. The women's physical education program cannot be reduced more than the men's program. Units with high life-time potential for exercise and enjoyment should not be sacrificed.

With respect to physical facilities this committee was pleased that seven additional squash courts are being constructed. It is realized that because of the financial crisis it will be difficult to find general funds for building new facilities or maintaining existing ones. If support that can only be used for physical education becomes available, the maintenance of existing facilities should receive top priority. It appears to us that unless the level of maintenance is increased some of the facilities will require expensive repair or in some instances will become unusable. Among new facilities additional tennis courts are urgently needed.

Conclusions

- 1- Cornell men and women undergraduates may choose from a wide variety of physical education courses, many with a high potential for life-long exercise and enjoyment.
- 2- The trends towards a higher number of coeducational courses should be continued.
- 3- "Components of physical fitness" is a worthwhile offering and should be continued when there are adequate funds and when qualified teachers are available to teach it.

- 4- Most of the classes are relatively small and thus class size does not limit effective teaching.
- 5- If candidates for a coaching position in men's sports, particularly an assistant coach, are equal in other respects consideration should be given to training and interest in teaching physical education.
- 6- There should be on-the-job training for instructors without physical education training.
- 7- Students should have an opportunity to evaluate physical education courses on a regularly scheduled basis.
- 8- The maintenance of high quality teaching is difficult because of the absence of promotional or monetary rewards for good teaching.
- 9- Four semesters of physical education should continue to be a requirement for graduation.
- 10- In absorbing financial cuts funds for the physical education program should not receive greater reductions than the intramural or intercollegiate athletic programs, the women's physical education program should not be reduced disproportionately more than the men's, and physical education units with high life-time potential for exercise and enjoyment should not be sacrificed.
- 11- In using available funds high priority should be given to maintenance of existing facilities.

The Committee on Physical Education Recommends:

- 1- In physical education classes the per cent of time devoted to teaching the fundamentals of the particular activity should be increased.
- 2- If candidates for a coaching position in men's sports, particularly an assistant coach, are equal in other respects consideration should be given to training, interest and ability in teaching physical education.
- 3- There should be on-the-job training for instructors without physical education training.
- 4- Students should have an opportunity to evaluate physical education courses on a regularly scheduled basis.
- 5- "Components of physical fitness" is a worthwhile offering and should be continued when there are adequate funds and when qualified teachers are available to teach it.
- 6- In absorbing financial cuts funds for the physical education program should not be reduced more than those for the intramural or intercollegiate athletic programs, the women's physical education program should not be reduced disproportionately more than the men's, and physical education units with high life-time potential should not be sacrificed.

- 7- In using available funds high priority should be given to maintenance of existing facilities.
- 8- Given that physical fitness and recreation are important contributions to each student's education, and that the quality of the physical education program is and will remain high at Cornell, this committee recommends that four semesters of physical education should continue to be a requirement for graduation.

Committee on Physical Education

William F. Mai, Chairman

J. Robert Duncan

J. Paul Leagans

Bertha Lewis

Verne N. Rockcastle

Christine Shoemaker

Joel Silbey

Constance Wood

Byron W. Saunders, Dean of Faculty,
ex officio

Russell D. Martin, Secretary of Faculty,
ex officio

Statement from the FCR Budget Committee
re: Physical Education

The FCR Budget Committee has attempted to clarify what is at best a very confused situation. More specifically, the Committee has tried to obtain as accurately as possible the financial implications of any possible change or deviation from the existing pattern of physical education. As a result of the investigation, the following conclusions are drawn:

1. Historically, the statutory units of Cornell submitted a line-item budget to the State, one line of which included accessory instruction for Physical Education. While no credit was awarded a student for PE, the State was billed specifically for PE on the basis of the number of statutory students involved at a rate determined as if one credit hour per student was to be granted. Any PE expense beyond the budgeted amount was paid by the statutory units from their income funds. In 1975-76, the total amount of accessory instruction for Physical Education in the statutory units was \$295,613 out of a total net accessory instruction charge to the statutory units of \$2,660,475.
2. For 1976-77 a lump sum budget has been provided by the State (approximately \$41,000,000). Within the lump sum PE has been provided for implicitly but not explicitly.
3. Billing as practiced in the past will be followed in essentially the same form and an accounting of all monies expended from State funds will still have to be made after the fact for the purpose of accountability.
4. If the PE requirement were dropped by the FCR and then the "accountability report" did not show an expenditure for PE but rather for some other item(s), this condition could raise an ethical and political problem, the consequences of which might range from loss of these funds in future years to one of no significant effect. It is not at all clear at this time which effect would prevail but the best guess of those involved is that it would tend much more to the former than to the latter.
5. If the PE requirement were to be modified in any way it would have no effect whatsoever on the total expense or the total income to Cornell in 1976-77. The budget for that year is fixed and staff have been given commitments. However, if the statutory units did not cover the expected amount of PE expense, then the endowed college budget deficits would be increased by the loss of statutory income unless equivalent economies could be made in endowed college programs to offset this loss. This latter possibility is highly unlikely. The statutory units could use the income intended for PE for any purpose they might choose. Of course, the alternative expenditures would ultimately have to be accounted for and rationalized with State budgetary officials. There is no assurance or requirement that the alternative expenditures be used for other types of accessory instruction costs. It may be but it wouldn't have to be.
6. There is no evidence at this time that the lump sum budget allocation by the State will prevail for future years. It is on a trial basis and after one or two years it may well revert to a line item type of budget where individual line items must be negotiated and approved by the State. If this were to occur, then PE would be identified by itself and approved or disapproved in its own right and not as an interchangeable item with other lines.

Report of the Ad Hoc Committee on
Appointment Procedures

Roughly a year ago (April 9, 1975), the FCR tabled action on a document on appointment procedures prepared by an ad hoc committee of the Deans' Council. A subsequent resolution authorized creation of a Faculty ad hoc committee. That committee, appointed in late May, was charged by Dean Saunders with the task of examining "all facets of the appointment process and the various legislative statements and administrative memoranda which are now providing guidelines." We have been examining ever since.

The charge to the committee left the terms of our report back to the FCR indefinite. But it was quite clear that the body wanted not only recommendations on the specific terms of the Deans' Council document but also proposals for FCR legislation in areas where it seemed needed. We were instructed to "review the problem in its entirety."

I. The Deans' Council Document.

The document prepared by the Ad Hoc Committee on Appointment Procedures of the Deans' Council was prepared with the explicit recognition that it was purely advisory since "decision on appointment policies and procedures is a prerogative of the President and/or the Board of Trustees." Its recommendations fell into five categories:

(1) Procedural.

The document recommended that each school and college "establish written policies and procedures for making initial appointment, subsequent appointment, promotion and tenure decisions" and listed a number of topics which such policies and procedures should cover. (Recommendations 2 and 10.)

(2) Time to Tenure and Associated Questions.

A central recommendation of the report was that "tenure review should normally be conducted during the seventh year of service." It proposed that the standard initial appointment for an assistant professor be four years, with an equivalent reappointment term. It also proposed a number of specific rules governing the measuring of time toward tenure (summer appointments and time spent at the instructor level not to be counted, treatment of prior experience). (Recommendations 1, 3, 4, 5, 7.)

(3) Term of Appointments to Instructor.

A Bylaw amendment permitting appointment of instructors for a two year term was proposed on the ground that this option would assist in attracting more qualified people in some cases.

(4) Term of Initial Appointments Without Tenure to the Rank of Associate or Full Professor.

The report also recommended a Bylaw amendment permitting terms of up to five years for those individuals with substantial prior experience initially appointed without tenure to the ranks of associate or full professor, rather than the present three years with the possibility of reappointment. (Recommendation 9.)

(5) Promotion of Assistant Professor to Associate Professor Without Tenure.

The report recommended retention of the present policy which allows such promotion in exceptional circumstances.

Speaking more generally, the document advocated changes of two quite different kinds. First, it recommended amendment of current policies (in most cases reflected in the University's Bylaws) to permit (but not require) appointments on terms currently proscribed. It also, however, contained several proposals designed to bring greater uniformity to appointment policies throughout the university.

II. Subsequent Developments.

Reaction to the Deans' Council document has focused primarily on its recommendation for a seven year probationary period and to a somewhat lesser extent on its press for greater uniformity. Evidence of strong opposition to making the seventh year the normal point for a tenure review has come to the committee from many parts of the university. Yet there are evidently many, including supporters of the six year norm, who favor building in the flexibility to allow evaluation during the seventh year in appropriate cases.

A recommendation, which in the Deans' Council report was tied to the seven year probationary term, that an initial appointment term for assistant professors of four years be authorized has received more favorable response. For example, the Engineering Policy Committee of the College of Engineering, although urging retention of the six year probationary term, expressed unanimous support for an initial four year term.

Repeatedly, college and faculty reacting to the initial document stressed the need for flexibility in appointments policy--flexibility sufficient to respond to different individual situations and also to allow different departments and disciplines reasonable leeway. Several provisions of the Deans' Council report were characterized by those making this point as "too rigid."

Recently (January 29, 1976), the Board of Trustees adopted "guidelines on College Procedures for Review of Academic Reappointments and Promotions." Similar guidelines had, in September, been issued by Provost Knapp. They require that "each college and school...set forth in writing its internal procedures for making recommendations on the reappointment, promotion, and/or tenure of faculty and academic professional staff members" and specify minimum provisions on notice, reconsideration, and confidentiality to be contained in such procedures. Thus, some of the procedural portion of the Deans' Council report has already been implemented--although not precisely in the terms proposed.

III. This Committee's Recommendations.

Our review of the appointment process leads us to make several recommendations. Most of them cannot be implemented directly by FCR legislation. On the other hand, FCR endorsement would surely encourage their adoption by the administration and Board of Trustees.

(1) The Need for Better Information About Policies and Procedures University and College or School.

The University's policies and procedures on appointment, reappointment, and tenure are a composite of Bylaws enacted by the Trustees, administrative memoranda scattered through the years, guidelines adopted by the FCR in 1959, and numerous

practices that have not been laid down in any formal document. And until recently there was no requirement that the internal policies and procedures of Cornell's schools and colleges be codified.

Far too many people with important roles in the appointments process (department chairman for example) or subject to it have operated with less than full information, or worse with misinformation, about policies and procedures having crucial importance to them. Uncertainty and confusion about the appointment process is prevalent.

There is enough anxiety about reappointment and tenure among non-tenured faculty without the added portion stemming from this uncertainty about the process. In some colleges, detailed codifications of appointment policies and procedures have existed for some time and our impression is that the result has been a reduction of uncertainty and a higher level of adherence to all the details of university policy. We applaud the recent Bylaw which requires all colleges and schools to set their procedures and policies down in writing. Vice President Cooke is at work on a manual of academic appointments which should pull together all university-wide policy in an accessible form. We strongly support that project and urge its speedy completion.

There would probably also be utility in setting up some institutional device for facilitating the exchange of information among department chairmen and others directly responsible for the proper functioning of the appointment process. That process cannot be prescribed in full detail by Bylaw, memorandum or manual, but examples of how others deal with common problems can and should be shared. To explore the possibilities for such an exchange and to monitor the functioning of the University's appointment process, we recommend to the Review and Procedures Committee that a standing Faculty Committee on Personnel Policies for Academic Personnel be established. The committee should be comprised of five or at the most seven department chairmen, former chairmen, or persons with equivalent experience in the problems of appointments, promotions, and tenure.

(2) The Need for Retaining Flexibility in the Appointments Process.

The reaction to the Deans' Council recommendation that the tenure evaluation take place in the seventh year together with detailed rules about how years should be counted demonstrates the difficulty of imposing a very specific standard for appointments on the entire university. No single period of years, carefully defined, is considered optimal by the professional schools, humanities, physical sciences, social sciences, engineering.

This committee extensively discussed the use of "ad hoc committees" in tenure cases and considered the feasibility of more detailed rules about their use, selection, etc. We concluded that here as well undue rigidity should be avoided. Details quite appropriate in a large college of many departments would unreasonably encumber a school with a total faculty of thirty.

We, thus, not only oppose the recommendation of the seventh year tenure evaluation norm contained in the Deans' Council report but also the inflexible tone of the report, which carries the suggestion that on a matter like time-to-tenure there ought to be a high degree of uniformity throughout the university.

In our judgment, there is a great need for uniformity on such fundamental qualities as the fairness of the procedure to the individual and the substantiality of the evidence to support a reappointment, promotion or tenure. Such specific norms as are set ought to continue to provide ample leeway for differences between colleges, disciplines and individuals.

(3) The Four Year Initial Appointment.

While we do not support stretching out the normal probation period to seven years, we do find merit in the suggestion that initial appointments of four years be permitted. We, therefore, urge FCR adoption of a resolution recommending a Bylaw amendment which would permit such appointments.

At least in some fields there seems to be a strong belief that the three year initial appointment forces a premature decision on reappointment. The evaluation must come at the end of two years--when in many cases there is not much more of a record of scholarly and teaching performance than there was at the time of initial appointment. If the decision on reappointment were put a year later, we suspect that the reappointment decision (affirmative or negative) might represent a substantially more solid evaluation. At least we think it a likely enough bet that we think college and schools should be given the opportunity to try such appointments.

Since we favor holding to the six year probationary period, we envision a second term of two years, following the initial four year term, in the case of a favorable decision on reappointment. Schools should also be free to use the present three and three if they wish.

While we feel less strongly about the matter, we see no reason to oppose the two other recommendations concerning term in the Deans' Council report--namely, that appointment of instructors for a two year term and of non-tenured associate and full professors (in cases of substantial prior experience) for a five year term be authorized through Bylaw amendment.

Ad Hoc Committee on Appointments
and Procedures

Byron W. Saunders, Dean of Faculty,
Chairman
W. Donald Cooke, Vice President for Research
Jennie Farley
Herbert H. Johnson
Norman Kretzmann
Peter W. Martin
Robert L. Plaisted

Adopted by the FCR, May 24, 1976

The Speaker, Associate Professor J. Robert Cooke, called the special meeting of the 1976-77 Faculty Council of Representatives to order at 5:08 p.m. 52 members were present. The Dean of the Faculty, Byron W. Saunders, offered on behalf of the Committee on Nominations and Elections, whose chairman was absent, the following slate of nominees for membership on the Executive Committee of the FCR:

EXECUTIVE COMMITTEE - Tenured Positions - 3

NEIL W. ASHCROFT, Professor of Physics/LASSP
P.C.T. deBOER, Professor of Mechanical and Aerospace Engineering
HOWARD E. EVANS, Professor and Chairman, Anatomy and joint appointment in
Division of Biological Sciences
WALTER M. PINTNER, Associate Professor of History
MARY E. PURCHASE, Professor of Design and Environmental Analysis
ROBIN M. WILLIAMS, JR., Henry Scarborough Professor of Social Science

EXECUTIVE COMMITTEE - Non-Tenured Position - 1

ANITA GROSSVOGEL, Assistant Professor of Romance Studies
RICHARD L. HALLBERG, Assistant Professor of Genetics, Development and Physiology

There being no further nominations from the floor, it was moved and carried that nominations be closed.

The Dean offered the following slate of nominees for membership on the Committee on Minority Education, explaining that it would expedite matters to approve the slate at this meeting although non-FCR Faculty members of the Committee would still have to be elected:

COMMITTEE ON MINORITY EDUCATION - Tenured Positions - 3

LOY V. CROWDER, Professor of Plant Breeding and Biometry
RONALD B. FURRY, Professor of Agricultural Engineering
WALTER GALENSON, Professor of Industrial and Labor Relations and Economics
ISAAC KRAMNICK, Professor of Government
J. CONGRESS MBATA, Associate Professor and Coordinator of the African Section,
African and Afro-American Studies, Africana Studies and Research Center
ALBERT SILVERMAN, Professor of Physics/LNS

COMMITTEE ON MINORITY EDUCATION - Non-Tenured Position - 1

J. DAVID DESHLER, Assistant Professor of Community Service Education
KEITH MOFFAT, Assistant Professor of Biochemistry, Molecular and Cell Biology

There being no further nominations from the floor, it was moved and carried that nominations be closed.

The Dean moved the election of the current Speaker as Speaker of the FCR and the Faculty for the coming year. There being no further nominations, it was moved and seconded that nominations be closed and that the Secretary cast a unanimous ballot. Carried.

Adjourned: 5:14 p.m.

J. Leeming, Assistant to the Secretary

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