MINUTES
OF MEETINGS

UNIVERSITY FACULTY
AND
FACULTY COUNCIL OF REPRESENTATIVES

September 8, 1976 - May 18, 1977
September 14, 1977 - May 17, 1978
September 13, 1978 - May 16, 1979

1976-77
Byron W. Saunders, Dean of Faculty
Paul L. Hartman, Secretary of the Faculty
J. Robert Cooke, Speaker

1977-78
Byron W. Saunders, Dean of Faculty
Paul L. Hartman, Secretary of the Faculty
Peter Stein, Speaker

1978-79
Kenneth Greisen, Dean of Faculty
Paul L. Hartman, Secretary of the Faculty
Russell D. Martin, Speaker
The Speaker, Associate Professor J. Robert Cooke, Agricultural Engineering, called the meeting to order at 4:35 p.m., with 65 members and at least 38 visitors being present. He requested that voting members sit in the first fifteen or so rows at the front of the auditorium, with non-voting members behind, for this and subsequent meetings in Ives 110. He then recognized the Dean of the Faculty, Professor Byron W. Saunders.

1. REPORT OF THE DEAN

In summer weather the Dean welcomed everyone back, indicating that he thought we were in for a busy year, with committees already being organized, members of which would shortly be announced. For the FCR Executive Committee he extended an invitation for both FCR and non-FCR members to submit topics, issues, or notions that they thought would be well to have considered by the body. It would be well if we could not only react to controversy and issues that generally arise but that we might worry and discuss issues that the Faculty organizes itself. Topics may be submitted to himself, to Professor Roger Battistella, B&PA, Chairman of the Executive Committee, or to any members of the relevant committee involved.

He called attention to the schedule of meeting dates sent out with the call to the present meeting. For the FCR, with the exception of January, these come on the 2nd Wednesday of the month; for the full Faculty meeting on the 3rd Wednesday of September, February and May. Special meetings may be called as time and occasion demands.

Acknowledgement was made of the presence of the President, Dale R. Corson, who would, however, withhold making any remarks until the full Faculty meeting one week hence, when he will address two specific issues: (1) the financial position of the University and (2) the problems and relationships existing between the New York Medical and Health Colleges and the Ithaca campus. There are problems; he is dealing with them on a rather full time basis and has thought it would be appropriate to air them with the Faculty and suggest possible means for their resolution.

The Dean reminded the body of the new Code of Academic Integrity, which was adopted by the FCR last May, to become effective at the beginning of the current fall term. The old Hearing and Appeals Boards will be phased out in dealing with some problems and actions pending or arising before the re-structuring became effective. He reminded the Faculty that it is important that each member inform his/her students what is understood by integrity, that he feels many cases arise because of misapprehension on the part of the student. In similar vein, he
felt that the Faculty should early on explain the University grading policies and their own in particular, so that grading situations do not end up in the Ombudsman's office and misuse of grading policies can be avoided. The "Incomplete" is especially misused, he pointed out.

Presently before the University are two particular matters on which the Dean dwelt at some length. One concerns the Governance Commission Report and the second, the Presidential search. To deal with non-academic issues associated with the governance of the University, the President last spring appointed a Commission, chaired by Professor Geoffrey V. Chester, Physics, which has now issued a preliminary report. The original and still current plan was for the Senate, the FCR, and the Trustees to respond to this first tentative document. The Dean is concerned only with the Faculty response. In dealing with it, he took it to the FCR Executive Committee and to the Faculty's Review and Procedures Committee for suggestions. Both felt it would not be very useful to submit the preliminary report with all its appendices at this time to the full Faculty. Members of both Committees have submitted suggestions and responses to it which the Dean will edit and attempt to summarize for the Commission. He invited any Faculty member to read the report, three copies of which are in the Dean's office, and to make any suggestions and reactions to it known for similar submission to the Commission.

Finally, the Dean turned to the Presidential search; many are interested in how the Faculty is going to participate in the process. At the time that President Corson announced to the Trustees, who accepted, his desire to step down on or before July 1, 1977, the Trustees appointed a Presidential Search Commission consisting of six of their members. There is no Faculty standing committee on selecting a president, since, fortunately, presidents are not elected every year, so there is no standard procedure as regards Faculty participation in the selection process. It was a bit of a problem finding out how Faculty was involved in the searches leading sequentially to President Malott, President Perkins and President Corson. The investigation turned up that in each case a Faculty committee was appointed by the Dean of the Faculty and they proceeded to act as an advisory committee to the appropriate Trustee committee at those times. The process seemed to work fairly effectively and the Dean saw no reason not to follow the same procedure now. To make sure that he did not usurp anyone else's prerogatives, he put the concept before the Review and Procedures Committee, the Committee responsible for governance of the University Faculty. The Committee gave their approval for him to go ahead and appoint a
Faculty Search Committee. They also suggested taking the concept to the
Executive Committee of the FCR, which the Dean did, obtaining their approval as
well. He then went ahead and appointed a committee, which being a Faculty
committee, he only now publicly announced. It consists of the following people:

Alexander Bearn, Professor of Medicine and Chairman of the Department
of Medicine at the Medical College in New York City

Gerald Fink, Professor of Genetics, Development and Physiology in the
College of Agriculture and Life Sciences

George H. Hildebrand, the Maxwell M. Upson Professor of Economics and
Industrial and Labor Relations in the College of Arts and Sciences
and of the School of Industrial and Labor Relations

Eleanor H. Jorden, the Mary Donlon Alger Professor of Linguistics in
the Department of Modern Languages and Linguistics in the College
of Arts and Sciences

Phillip L. Marcus, Associate Professor of English in the College of Arts
and Sciences and a member of the General Committee of the Graduate
School

Royse P. Murphy, Professor of Plant Breeding and Biometry in the College
of Agriculture and Life Sciences and formerly Dean of the Faculty

Edwin L. Resler, Joseph Newton Pew Jr. Professor of Engineering, Director
of the School of Mechanical and Aerospace Engineering in the College
of Engineering

Miriam M. Salpeter, Professor of Neurobiology and Behavior, Division of
Biological Sciences and Professor of Applied and Engineering Physics
in the Colleges of Arts and Sciences and of Engineering

Byron W. Saunders, Dean of Faculty, as an ex officio member

The Committee has met twice and has elected Professor Hildebrand as Chairman.
The Dean himself has met with the Chairman of the Trustee Search Committee on
three occasions; has met with their full Committee in New York; the Faculty
Committee and Trustee Committee next week will meet jointly when the Trustees
are in town for their Executive Committee meeting. They will meet with the
Senate Committee one afternoon and will meet with the Faculty Committee that
evening. So far, our Committee has been dealing only with procedural problems.
The Dean feels the Trustees are fully cognizant of the Faculty's interest and
real concern in this process; they are most cooperative and willing to have us
participate. The Dean and the Faculty Committee agree that there is no necessity
for having any Faculty members on the Trustee Committee. The Trustees are, the
Dean said, charged by law with the responsibility of selecting a President. Our
main concern is that we have a voice that can be heard effectively in this
process, and they have assured us that that will be the case. The Dean is
convinced of this and has no concerns in that regard. Obviously, an important
first step is to secure Presidential nominations from those who have appropriate nominees to submit. To that end, nomination forms will be sent to all Faculty members with the call for the University Faculty meeting next Wednesday. Submitted names will be considered by the Faculty Committee and culled by it. Culling will also be done by the Trustee Committee of names that they receive: any serious nominees that they have will be communicated to us; any serious nominees we have will be communicated to them, serious in the sense that we feel the nominees significantly fulfill the criteria the Committee has established. Dean Saunders invited all Faculty to submit nominations to participate to that extent, and he in turn in his capacity as Dean and official liaison between the Faculty and Trustees, will try his best to keep the body informed as fully as possible on those matters which can be released and need not remain confidential.

The Speaker asked for any questions to put to the Dean and received none. He reminded new members of the FCR to sign in with the Secretary upon arrival at the meeting, as that is the basis for the quorum count. Announcement was also made that the Speaker has appointed Professor Russell D. Martin, Communication Arts, again to serve as Parliamentarian and he has graciously consented to do so. There is a new Assistant to the Secretary, Mr. Dave Romero, who will be recording and transcribing these sessions. Both Professor Paul L. Hartman, Secretary, and Mr. Romero have asked that everyone identify themselves when speaking in order that remarks can be attributed to the correct individual.

2. RESOLUTIONS RE KY INCIDENT

The Speaker called on Professor S. Cushing Strout, the Ernest I. White Professor of American Studies and Humane Letters, Chairman of the Special Committee on the Ky Episode. Professor Strout indicated that the resolutions to which he was speaking and previously circulated, were drawn from the Report issued last spring by his Committee and that they represent a distillation of conclusions in that Report. The resolutions were drawn up last term to be submitted to the FCR but because of too crowded an agenda, Professor Strout thought it best to withdraw them until this September meeting in order to avoid any hasty decisions about them. He reminded the body that the resolutions are addressed to the future, not the past or the present, and addressed to measures, not men. The Report makes clear that there is a history of failures in respect to free speech for controversial speakers on the campus. Professor Strout believes that a corner was turned last spring with the Colby affair; there, a distinction portrayed itself between an uncivil heckling on the one hand, and a substantive interference of free speech on the other. He only
mentioned this because there is a much larger question here that these resolutions do not deal with, which is the question of the standard of public debate. In his judgment, it is extraordinarily low, lower perhaps in many universities than it is outside of universities. That problem, however, cannot be dealt with by these resolutions. Professor Strout does believe that these resolutions have a bearing on the question of substantive interferences with controversial speakers which amount to infringements on freedom of speech. The purposes in drawing up these resolutions were threefold. One, the Committee wishes to avoid a crisis atmosphere of an emergency investigation, such as the one we have carried out. Such an investigation always becomes a political target and enters into political controversy almost immediately and its findings are always subject to political interpretation. We believe we may in part escape that problem in the future if we vote for these particular resolutions. Secondly, we have a purpose to make respect for free speech and the right to listen to a controversial speaker an academic responsibility, not just a rule of public order, but something that we accept with internal enthusiasm, cherishing free speech. Thirdly, Professor Strout said, he hoped that we can by these resolutions, protect not only individual rights but also group standards. In the first resolution we single out professors as a group because we consider them to be leaders and models in the intellectual community. In the second resolution, a somewhat more complicated matter, the Committee hoped to remedy existing procedure which makes it presently possible for a non-peer group judgment to be made on a Faculty person in such a grave matter as freedom of speech. Professor Strout reminded the body that the University Review Board, under the judicial system is composed of three Faculty persons and six non-Faculty persons, that a majority of five on that Board could all be non-Faculty persons and could be passing judgment on a Faculty person. He cited a hypothetical case: the hearing panel, which is composed of three Faculty and two non-Faculty, could come to a certain decision because of three Faculty members agreeing and therefore carrying the majority. Their decision could be overturned by the University Review Board, by a majority composed of no Faculty at all. Professor Strout also pointed out that the legal basis of these proposed Faculty resolutions exists in the Campus Code of Conduct itself. Section Four (a) states:

"These Regulations and the penalties imposed hereunder shall not be deemed exclusive of and shall not preclude report to any applicable State, Federal, or local law or ordinance or other University regulations and procedures..."
It is the reference to "other University regulations and procedures" that is crucial to us here in the formulation of the second resolution. The Board referred to in this resolution is known variously: sometimes the Special Five-Man Faculty Board; in the Faculty Handbook, it is called the Dismissal Board; in the Campus Code of Conduct, it is referred to as an Arbitration Committee. It seems to have no fixed name, but Professor Strout prefers to refer to it as the Special Five-Man Board. This Board has a range of penalties that it can bring to bear for any judgment that it makes. It can go so far as to recommend dismissal, it can recommend suspension, it can recommend censure, it can, in fact, merely arbitrate. Thus the range of judgment for the Board is unspecified and is very large. Much of the Report follows in a congruent way with the Yale Report of a couple of years ago, except there, a proved infringement of free speech is subject outright to dismissal or suspension, with no alternatives. According to the present Committee's proposal, however, the Board can do whatever it thinks is right under the circumstances and that is a very large range indeed. The Committee is asking the body to recommend a procedure that in fact could have been followed legally previously. They were not inventing any new legislation, any new institution, or, in fact, even inventing a new procedure since that could have been carried out in accordance with existing legislation. Professor Strout believes that these resolutions will be an index of how serious we are about making Cornell a place where the scope and freedom of public controversy are not limited by our political sympathies or aversions. He urged that the body take a long view. In the fifties, our problem was bigotry from the right wing, in the last decade, it has been bigotry from the left wing. One cannot predict for the future from what quarter the next threat will come but we can be armed for it. That is the objective of the Committee's motions.

The Chair recognized Assistant Professor Constance L. Wood, Plant Breeding and Biometry, a member of the Committee and also the FCR, who moved adoption of the following resolutions:

RESOLVED, That

(1) We endorse the principle formulated in the Report of the Special Committee on the Ky Episode that, while professors have the constitutional right to participate in political demonstrations, including peaceful picketing and boycotts of controversial speakers at campus public meetings, yet as members of an institution pledged to maintain free inquiry, they also have the academic responsibility to refrain from any deliberate attempt, for whatever reason of disagreement, to interfere with, or to encourage or incite others to interfere with, the lawful exercise of free speech by any invited scheduled speaker.
(2) We also endorse the Report's principle that the grave problem of deciding if such a serious academic offense has taken place ought to be the responsibility of a tribunal of one's peers, that is, the board which is already available by existing procedure of the campus judiciary as an appeals board in all faculty cases where penalties of suspension or dismissal are appropriate. Therefore, in view of the fact that the President and the faculty member's Dean are legally permitted by existing Faculty legislation to carry out the foregoing principle by initiating such a procedure, we recommend that they use it in the future whenever they find there is reasonable ground for believing that serious charges of interference by a faculty member with free speech are warranted.

Professor Norman Malcolm, Susan Linn Sage Professor of Philosophy, said that in reading the second resolution he was confused because it wasn't clear to him which of two procedures were being referred to - whether the Board in question was the University Hearing Board followed by the University Review Board or whether the Board in question was the Five-Man Faculty Board. Professor Strout stated that it was indeed the Five-Man Faculty Board. Professor Malcolm said he was somewhat puzzled by the use of the word "appeals" as stated "...as an appeals board". He asked why the word "appeals" was not struck entirely leaving "board" there only. Professor Strout considered that that would be a friendly amendment and went on to explain that in the second resolution, referral is made to a "tribunal of one's peers"; the Hearing Board of the University judicial system is not a tribunal of one's peers nor is the Review Board a tribunal of one's peers. The special Five-Man Faculty Board is a tribunal of one's peers, and since there is no conventional term for that, Professor Strout assumed when describing it first as a "tribunal of one's peers" that everyone would know that it wasn't the Hearing Board or the Review Board in the judiciary system. The reason for calling it an "appeals board" is that under the present procedure, it is possible for a Faculty person to appeal to the special Five-Man Board if some previous panel, under the judicial system, has issued a suspension or dismissal judgment. If that should happen, then the professor has the right or not, to go to this Five-Man Board. Under the proposed change in resolution (2), that would not be possible if the President or appropriate Dean so chose. It would not be a professor's option whether there shall be a peer board or not a peer board, it would be mandatory that the peer board would take up this question. There must be reasonable ground for the President or Dean, believing that serious charges of interference with free speech by a Faculty member are warranted, for the step to be taken.
The Speaker asked if there was an agreement to drop the word "appeals" from the second resolution. Dean Saunders then interjected, that is what the board is; it is an appeals board because in the current Campus Code of Conduct, as Professor Strout pointed out, with a decision by the normal Hearing Board, and an appeal, the Faculty member would have the right to use either the normal Appeals Board or the Faculty mechanism which Professor Strout has identified, using that as an appeals board.

Professor Malcolm said he realizes that there is a procedure specified and read extensively from the Policy Notebook for Students, Faculty and Staff on "Disciplinary Procedure". Professor Malcolm then understood that Professor Strout was not recommending this three-stage procedure, but rather a single procedure of the Faculty hearing board, and if so, that should be spelled out in the second resolution. The Speaker suggested that Professors Malcolm and Strout, since they agree on the substance, frame something and bring it back before the body, while further questions were received from the floor. Professor Malcolm then stated since it is clear that the Committee is recommending the one-stage procedure and not the three-stage procedure, he questions whether that is something acceptable. If the Faculty member himself prefers to use the three-stage procedure, are you recommending in the resolution that the Faculty member should not be permitted to do that? Professor Strout said that was indeed the recommendation.

Professor Richard M. Phelan, Mechanical and Aerospace Engineering, asked whether when using the words "hearing board" or "arbitration board", reference was being made to a standing board or to the one established with two people selected by the defendant and two by the President and the fifth by those four. Professor Strout stated that it is a special board that is created for each individual case that comes before it, consisting of five people, two of those are suggested by the President, two by the person in question and the fifth by the others. In the Committee's report of last spring, reference was made to this special board and it is described in the Faculty Handbook and its functions are set out there as well as its composition. It is part of the Committee's resolution that this board would be mandatory as a recourse in this particular kind of case, and would not be optional.

Professor Peter Stein, Physics, asked a general question about the intent of the second resolution. Under ordinary circumstances, he stated, the special Five-Man Board will be called together by the Dean or the President if they believe that a Faculty member has committed an offense so heinous that he may
be dismissed for that offense, that procedure incidentally only happening once in Cornell's history. That Board was only created to hear offenses so grave that they may lead to dismissal of the Faculty member involved. Professor Stein said he believed that there are two possible things that the second resolution can mean. (1) If, in the judgment of the President or a Dean, an offense of violation of someone's free speech is so obvious that if found to be true, that Faculty member will be "kicked out", then this procedure, the Five-Man Board, shall be used as a Board of primary and final hearing. (2) If there is any serious violation of someone's free speech, then this Five-Man Board shall also be called into hearing immediately. That is to say that all violations of free speech shall immediately be elevated to such a seriousness that they could result in a professor's being fired from the campus. Is the second the intent or the first? Professor Strout said that the implication is clear that trivial, unimportant or mild examples were not intended, but only serious charges.

Associate Professor Richard N. Boyd, Philosophy, asked whether the effect of the second resolution would be to bring the Faculty member's case before a body from the decision of which there would be no appeal except to the President or the Trustees. Professor Strout said it was.

Professor Ephim Fogel, English, said he wished to add his voice to those of Professors Malcolm and Phelan and say that resolution (2) is written in an extraordinarily ambiguous way, and he wished to have it affirmed that it is the Special Five Faculty member committee that is doing it and feels that great pains should be taken to make it absolutely clear in the resolution.

Professor Strout referred back to the Committee's report issued in the spring, in which this was made perfectly clear how the Board is to be composed and how the people are to be chosen.

Professor Albert Silverman, Physics, asked if the resolution passed, and if any violation of free speech occurred, would it be the President's discretion either to refer it to the existing procedures or to bypass those existing procedures and refer it directly to this Five-Man Board. Professor Strout stated that if there is a question involving free speech, which is considered to be in serious question, then they recommend it should go to the Special Five-Man Board. But the issue would have to be a free speech issue; it would have to be judged serious.

Professor Silverman asked further whether passing this single Five-Man Board procedure would eliminate the other procedure, so that the President, for example, could choose to go through the latter. He said he now understood the
intent of the resolution, but the legislation already in existence might prevent it. Professor Strout replied that it is a recommendation, it is not compulsory, it does not forever determine what will be done in a given case. It is a strong recommendation, if we vote for it, that this Faculty thinks that is the right way to go.

A question was raised from the floor by Professor Eric Blackall, Jacob Gould Schurman Professor of German Literature, addressed to Professor Strout, whether he meant serious charges of interference with free speech or whether he meant charges of serious interference with free speech. Professor Strout responded by saying that it should not be necessary to specifically state that we should not deal with trivial problems; it it is a trivial interference, why bother. He said he had no objections to saying "serious charges of serious interference."

Professor Isaac Kramnick, Government, said that while he sympathizes with the rationale of the resolutions, he has serious doubts about a couple of particular aspects. He questioned first the critical words "interfere with" and secondly the phrase "invited scheduled speaker" in resolution (1). Professor Kramnick said the phrase "interfere with" must be very specific. We cannot assume that we are only dealing with serious violators - it has to say it. He said it was not at all clear to him what "interfere with" means. From the structure of the paragraph, in fact, it is earlier conceded that peaceful picketing and boycotting is allowed. The definite implication is then that anything else that indicates disapproval, other than rational argument, is interference. Professor Kramnick stated he is very concerned about the vagueness of the notion of interference. Is rudeness interference? Is hissing or booing or laughter? If it is to be assumed that this is not interference, it should be in the resolution. Are angry shouts of words like "rubbish" interference, or other such outbursts often heard on the floor of the House of Commons? Is interference prolonged hissing, prolonged booing, so that a speaker cannot continue? If this is the case, shouldn't the resolution say so? How long is prolonged? And who decides how long prolonged is? This resolution, it seems to him, now reads as an invitation to declare anything beyond picketing and boycotting, including rudeness and other manifestations of political passion, as interference; it must be much more specific. That there is this confusion over what is really interference is indicated by the sudden shift of language in resolution (2), when the critical adjective is added, namely "serious", which does not appear in resolution (1). This, as he sees it, implies that something beyond picketing is allowed, which is not indicated in resolution (1). Resolution (1) seems to him
to be an invitation to clamp down on any form of disapproval and dissent. It
sets no limits and invites repression of the rights of speech of those who are
in the hall, who happen not to be on the podium. There must be finer
distinctions made in a resolution as important as this. The second, and perhaps
more serious shortcoming of the resolution, is singling out the "invited
scheduled speaker". A point of order was raised as to whether this was a proposal
for an amendment or debate on the question. The Chair interpreted it as
debate in opposition; the Chair also requested that at any point when one wished
to make an amendment, one state the amendment at the outset so that the rest
of the audience can participate in the logic. This did not seem to take, for
Professor Kramnick continued. Why restrict the rights of speech at Cornell to
those who are invited and those who are scheduled? Surely, if this right is
so precious, and if we are an institution committed to free inquiry, any speaker,
whether invited or scheduled, has the right to speak and, Professor Kramnick
added, be hissed and booed. The rights of speech are not restricted to those who
register their soap box with the speaker's bureau or with the police. The
inclusion of this phrase "invited" and "scheduled" has an incredibly dangerous
potential. It will allow the University, or anyone in it to cavalierly "shut
up" the itinerant speaker, the radical, or reactionary who is passing through,
who is not represented by a lecture bureau, who just lives in Collegetown and
wants to make an unscheduled harangue in front of Willard Straight Hall. It
protects Marshall Ky or Alger Hiss but not the SDS speaker who is uninvited.
To guarantee free speech only to the invited gives the University and its
membership an open invitation to decide who can and who cannot have a right,
which the resolution says all should have. For these two reasons, he proposed
the following amendments: One, that the phrase "interfere with" be replaced
by "prevent" in both instances where it appears in resolution (1); and in
resolution (2), the phrase "of interference" be replaced by "serious charges of
a faculty member preventing free speech..." As his second amendment, Professor
Kramnick proposed changing "lawful exercise of free speech by any invited
scheduled speaker" in resolution (1) to "lawful exercise of free speech by any
speaker at Cornell." He said that in the American Heritage Dictionary, "interfere"
is defined as to "intervene or intrude in the affairs of others, to meddle, to
be a hindrance or an obstacle." He is not so sure that is what we want to prevent.
"Prevent" on the other hand, is less vague. By the same authority, it is defined
"to keep from happening", "decisive counteraction to stop something from happening."
Professor Kramnick said it seems to him a much clearer, morally and legally,
reprehensible term than mere meddling or intruding.
Professor Strout spoke in opposition to the amendment. He said he had earlier distinguished the difference between heckling and substantive interference and the Committee had also made that distinction in their report. They did not make it in the use of the word in the resolution since they had faced that problem and decided that it would be wrong to put it in any more precise way, since it is difficult to indicate what would constitute a punishable interference. The law is not capable of defining all the specific occasions under which we might find something really punishable in such an area, and that is why there is a vagueness inherent in such legal concepts, as the phrase in American law, "the clear and present danger rule". That is why the judging board has to have some latitude in order to determine whether substantively something bad really did happen.

Professor Fogel arose to say that the question of when something is interference isn't answered by simply changing the word to "prevent"; it is still as much a matter of judgment as "attempt to interfere." He was not certain that American Heritage should be taken as authority - if a speaker is allowed five of his fifty minutes, is that prevention?

Professor Ian Macneil, Law, asked Professor Kramnick if he would accept a friendly amendment so that the last line of resolution (2) reads "serious charges of a faculty member preventing or attempting to prevent free speech are warranted." Professor Kramnick, not realizing that "attempt" was not in this section, found it friendly. There were no objections from the body and the Speaker declared Professor Macneil's wording as incorporated in the first amendment.

Professor Robin Williams, Henry Scarborough Professor of Social Sciences, stated that he was not in favor of the amendment since all the phrases had to be explained on the floor in order to be understood, therefore he saw no reason to change the wording, which seems calculated rather to encourage additional rudeness and uncivility.

The first amendment (changing "interfere with" to "prevent"), on a call for a show of hands vote, was defeated 38 to 20.

Professor Kramnick then moved his second amendment - changing resolution (1) in the last sentence to read "...lawful exercise of free speech by any speaker at Cornell," which was seconded.

Professor Strout spoke against the amendment since it did not provide any protection in the classroom. Are we in the position of having to defend free speech in the classroom itself? The idea of free speech has never been appropriate to that circumstance. Professor Phelan agreed with Professor Strout, saying
that it was not legal. Professor Strout elaborated on lawful exercise of free speech, as the Committee interpreted it, to cover the situation where a speaker may be engaged in incitement to violence; there are traditional recognized restraints in such a situation. Free speech does not go so far as to guarantee one the right to incite a crowd to violent behavior. American law has always said for very good reasons that there are circumstances under which the speech itself could be unlawful because it was an incitement to do something that was not legally permissible; therefore, the resolution refers to "lawful exercise of free speech."

The Chair brought Professor Kramnick's amendment to a vote. The amendment clearly failed.

Professor Malcolm said he felt that resolution (2) finally needed to be clarified and offered the following wording in amendment. "We also endorse the Report's principle that the grave problem of deciding if such a serious academic offense has taken place ought to be the responsibility of a tribunal of one's peers, that is, [the board which is already available by existing procedure of the campus judiciary as an appeals board in all faculty cases where penalties of suspension or dismissal are appropriate.] by an ad hoc board which can be invoked in accordance with the faculty dismissal procedure. Therefore, in view of the fact that the President and the faculty member's Dean are legally permitted by existing [Faculty] Trustee legislation..." (deletions in brackets, additions underlined) The amendment was seconded. On a call for a vote the amendment carried.

Assistant Professor Richard Miller, Philosophy, calling attention to Robert's Rules of Order, wished to speak in opposition to both resolutions. The first part of the resolution, he noted, says that any interference, with any lawful exercise of free speech in any circumstance by an invited speaker on this campus, is wrong; not merely wrong, it is incompatible with the responsibilities of an academic or professor at Cornell. Any invited speaker at Cornell, who does not incite to riot or advocate overthrow of the government, would with trivial exceptions, be engaged in a lawful exercise of free speech. He asked if there could not ever be special circumstances in which an interference with such free speech would, rather, be compatible with Faculty responsibility. Professor Miller said he thought there were and cited the instance in the late '30's when a German attaché was prevented from speaking at City College in New York on the values of the Nazi movement. Were there not instances when the danger of intervention was outweighed by the danger of non-intervention? The resolution, he said, asks the body to decide that there never are. He felt that
in the Ky case, while Ky was not interfered with, he should have been; there
was danger if he had continued.

The Speaker said adjournment time was near and that the Chair needed to
determine the wishes of the body, whether they wished to bring the resolution
to a vote or adjourn and leave the issue pending. Professor Miller asked for
two minutes extension and received it. He continued his remarks, citing Justice
Holmes in various pertinent legal decisions. He also spoke very briefly against
the second resolution, expressing great preference for the three-stage judicial
process now current.

The Speaker then brought the resolution to a vote, ruling a suggestion for
an in seriatum vote out of order at that point.

Resolutions (1) and (2) as amended carried handily as follows:

RESOLVED, That

(1) We ENDORSE the principle formulated in the Report of the Special
Committee on the Ky Episode that, while professors have the
constitutional right to participate in political demonstrations, including peaceful picketing and boycotts of controversial
speakers at campus public meetings, yet as members of an
institution pledged to maintain free inquiry, they also have
the academic responsibility to refrain from any deliberate attempt, for whatever reason of disagreement, to interfere
with, or to encourage or incite others to interfere with, the
lawful exercise of free speech by any invited scheduled speaker.

(2) We also ENDORSE the Report's principle that the grave problem
of deciding if such a serious academic offense has taken place
ought to be the responsibility of a tribunal of one's peers, that is, by an AD HOC board which can be invoked in accordance
with the faculty dismissal procedure. Therefore, in view of
the fact that the President and the faculty member's Dean are
legally permitted by existing Trustee legislation to carry out
the foregoing principle by initiating such a procedure, we
RECOMMEND that they use it in the future whenever they find
there is reasonable ground for believing that serious charges
of interference by a faculty member with free speech are
warranted.

Meeting adjourned at 6:04 p.m.

Paul L. Hartman, Secretary

The Secretary apologizes for the length of these minutes. Hopefully, as he gains
experience, the copy covering future meetings may be less voluminous. However,
also because of the possible future importance of the actions taken and the apparent
ambiguity many found in the resolutions, it has seemed appropriate to go into a
fair amount of the detailed discussion. P.L.H.
The President, Dale R. Corson, called the meeting to order at 4:30 p.m.; approximately 120 members and visitors were present.

He then announced the death of the following members of the Faculty after which the Faculty rose for a moment of silence:

Vaughn C. Behn, Associate Professor, Civil and Environmental Engineering, June 8, 1976
Glenn W. Hedlund, Professor Emeritus, Agricultural Economics, June 24, 1976
Harold J. Conn, Professor Emeritus, Bacteriology, Geneva, November 10, 1975
Frank B. Howe, Professor Emeritus, Agronomy, July 21, 1976
Raymond Albrectsen, Professor Emeritus, Animal Science, August 13, 1976
Hadley C. Stephenson, Professor Emeritus, Therapeutics and Small Animal Diseases, August 27, 1976

1. REPORT FROM THE PRESIDENT

The President proceeded to report on the financial situation in the endowed colleges, primarily at Ithaca, and to devote some time to the Medical College and Medical Center in New York City. He said he wasn't going to talk about the statutory colleges at this time, except to say that with State problems, they have had a tough two years. In the endowed colleges, the financial results for the year which ended on June 30, 1976, were good, substantially better than expected, even as late as May. Cornell follows the prescriptions of the Association of Certified Public Accountants who prescribe the form in which college and university accounting is done. There are some peculiarities in college and university accounting as compared to business, in that we charge no depreciation, for example, and maintain no capital reserve funds to replace depreciated facilities, relying on gifts and grants for that purpose. The University does receive an annual use charge credit of two percent, he believes, on contract research from federal agencies, which amounts to a depreciation allowance. There are a variety of definitions for different kinds of funds; the simplest division is between unrestricted and restricted funds. Unrestricted funds are those that are available for any purpose, to pay salaries, to pay maintenance costs, or any other kind of expense that may arise. These funds are the most highly prized and we always try to get donors to make gifts in unrestricted form, not always succeeding. Restricted funds are those specified for a particular purpose - almost all research funds are in this category, as are funds specified for a particular scholarship use. Within the unrestricted category, there are both undesignated and designated funds, which together are called general purpose funds. The undesignated variety are completely unrestricted - used for any purpose whatever. Designated funds are unrestricted as to how they
are used but for a specified purpose. As an example, the Hotel School is accounted strictly on a designated basis. The income that comes into the Hotel School is designated for the use of the Hotel School. Other universities, for example Harvard, operates all of its colleges on that basis. President Corson said that a study has been made the last two years of the so-called "responsibility center" approach to accounting and budgeting, and an experiment with it at the Business School is currently taking place, so that it is possible in the future that Cornell will go more in that direction. University Health Services is another kind of designated fund where appropriations and the income are designated for use in the health service activity.

There is also a whole category of related activities, such as housing and dining and physical plant operation, within which changes in fund balance are reported in any given year. The President reported in a broad general view, the results of the past year. A $90,000 increase was shown in the undesignated fund category, and in the designated area, a $900,000 increase in fund balances. In the variety of activities, such as the physical plant, housing and dining, campus store, etc., a $2,500,000 gain in fund balances was shown, much of it being in the physical plant operation. The housing and dining activities each showed a small surplus, and a $700,000 increase was shown in restricted funds. So-called negative reserves, i.e. spending more than receiving, have been shown in the athletic accounts for the last two or three years, as well as deficits, i.e. spending more than the subsidy appropriated at the beginning of the year. Those were charged as expenses in the year in which the bills were paid but the balances were maintained as negative balances, last year writing off $350,000 worth of accumulated athletic deficits. Writing off in this form, where the expense is incurred in an earlier year and the write-off is in another year, shows up as an income item in the current year, which the President feels, is misleading. The liquidity, having enough money to meet payrolls and bills as they became due, was beginning to look dangerously small during the recession.

Why do the results look better? In the first place, everyone took seriously the financial stringency that we experienced -- the deans, the chairman, the administrative department heads, everyone strained every muscle to save money; it paid off and the President is grateful to all. The $900,000 designated fund increase came from general expense funds not spent, $500,000 of which was reappropriated into general expense accounts for this year. Another reason for the good outlook, is that over $700,000 of unrestricted bequests were put into operating income. That policy can only be a disaster in the long run. We must adopt a scheme for the current year where that money will be taken only as a
last resort, when income for the expense needs is lacking. For a number of years we have been investing capital funds on a total return basis, where a fixed specified percentage on a formula basis is paid out, including income, interest and dividends plus part of the capital. This year, $3.7 million of capital funds was used above the income that came into the endowment fund, the total payout formula being based on a five-year running average of year end fund values, amounting to over 8% a year. Maintenance funds were provided far below the need of the University, with obvious results. An intense effort at cash management - getting money to the bank promptly in order to earn an appreciable amount of interest - has made about $500,000 last year. This effort was so successful that the Wall Street Journal carried a column on it.

The President asked the question: why can't we predict better, especially in March and May at the close of the fiscal year? He does not have an answer to that question. We have had a few years in a row now, where the performance at the year's end has been better than the projection that we started on, and in some cases better than the projection made near the end of the year. There is a tendency, which he feels is ill-founded, to attribute this to unduly conservative budgeting. When people know they are in austere times, and know they have got to be careful, everyone thinks twice before spending money, and tend to come out better than when times are good and there's always another dollar where the last one came from.

Because of the good year, long term 30-year bonds were sold in August to finance Lasdon House, which is a residence at the Medical College, the approximate $10,000,000 bond issue was sold at a very favorable interest rate of 7.1%. The psychology with donors is also much more favorable after a good year. What of the future? The answer is simple: no relaxation. The problems are with us, including inflation, but we are in a state where we can proceed with a little more confidence. The President said the first thing to be done is to tackle the maintenance problem, with $10,000,000 worth in the dire emergency category. Roofing is the biggest problem. The Trustees will be approached in October, with a proposal to include appropriation of a certain amount of capital money. Secondly, we must decrease the rate of payout from our capital funds, originally 8% adopted in 1968, and since then spending $38,000,000 worth of capital. Our invested funds, total endowment funds, capital funds and others have not grown over the years, while losing ground to inflation. We're living on resources that previous generations have left to us and it is up to us to think about future generations. For the same reason, we must stop the use of $750,000 of unrestricted bequests that we've been taking over the last couple of years into operating funds.
Reserve moneys are needed; we had to borrow $1,500,000 for the remodeling of Willard Straight Hall last year; and we are borrowing $5,000,000 to upgrade the heating plant in compliance with the Environmental Protection Laws and to enable conversion to coal.

In summary, we've had the best year we've had for a number of years. Everyone in the University deserves a great deal of credit for taking the problem seriously and getting us back into a position where we can breathe easier. At the same time, we must realize that there is still a lot of work ahead and the pressure will continue.

[The Secretary hopes this reporting of the discussion is more accurate and intelligible than that appearing in the Chronicle. He admits to not understanding it all even after this transcription of the tape recording, particularly that bit on the negative reserve.]

Turning to the subject of the Medical College, the President said it's a part of the University that's not very well known here. When someone wins a Nobel Prize, as happened with Professor de Vigneaud quite a number of years ago or there is a Papp smear development made, there's a lot of attention, but for the most part, we don't hear much about it. There are three units of Cornell at the Medical Center in New York: the Cornell University Medical College, the Cornell-New York Hospital School of Nursing and the Cornell Graduate School of Medical Sciences. The Dean of the Medical College is Dr. J. Robert Buchanan, who has been Dean since 1969: the average tenure of a Dean in a medical college in this country is about three years. Dean Buchanan is leaving on December 1, 1976 to become President of the Michael Reese Hospital in Chicago: the search to find a successor has just begun. The Medical College has about 425 students, about 100 students in a graduating class. The year before last, there were 8800 applicants, which is not representative of the number of qualified people who want to go to Medical School in this country. (There are about 3 times as many applicants total in the country as there are places in medical schools.) Full-time Faculty in the Medical School totals about 350, almost as many Faculty as there are students; about 50 part-time Faculty, who are on part-time salary from the University; and about 1200 voluntary Faculty members who are practicing physicians contributing a number of hours a week, perhaps 4-6, mainly in the clinics, where advanced students are taught, but also in the so-called graduate medical education of interns and residents. Those who are members of the volunteer Faculty, are appointed in formal appointment procedures and carry the title "clinical"; i.e. Clinical Assistant Professor, Clinical Associate Professor, etc. All Faculty
except those that are tenured, are on annual one-year appointments. For a period of about three years, the whole of Cornell University was censored by the AAUP, when a full-time medical research worker on contract money, who happened to have a title of Assistant Professor, was not told with enough advance warning, that he did not have an appointment the following year. Cornell is now more careful with titles and in allowing for proper warning in case of non-reappointment. The annual budget at the Medical Center and the Medical College is about $40,000,000 a year; about $17,000,000 of that is in restricted money, primarily research funds coming from research contracts, very heavy National Institute of Health support, and from some private sources. The total endowment is about $50,000,000 out of Cornell's total of some $300,000,000 invested funds. Tuition in 1974-75 was $3,000; last year it was $4,000; this year, $4,700, putting us in the middle of the major private medical schools in the country who are turning more and more to tuition to pick up the cost. The total cost for a year to a medical student is somewhere in the $10,000 - $15,000 bracket.

The Graduate School of Medical Sciences is a branch of our Graduate School here. The Dean is Dr. Thomas Meikle, who is Associate Dean of the Medical College in New York as well as Associate Dean of our Graduate School here. About 10-15 Ph.D. degrees are granted per year. This facility is also associated with the Sloan-Kettering Research Institute, which is the cancer research institute situated across the street from our Medical College. Some of the people working there are studying in our Graduate School of Medical Sciences and get Cornell degrees.

The School of Nursing is also in New York, with about 250 students. Cornell is one of the collegiate schools of nursing that requires a baccalaureate degree for admission. New York Hospital pays almost the total cost of training; the students receive Cornell degrees.

Our teaching hospital is the New York Hospital, of about 1100 beds, a separate corporation with a separate Board of Governors, and separate administration. We operate under a joint agreement which has been in effect since 1927, with but few minor modifications. There is a very loose statement of operating principles; we all live under the same roof, the President stated, and elaborated that he, for example, doesn't know where Cornell property ends and New York Hospital property begins. The joint agreement provides for the New York Hospital-Cornell University Medical Center, which is a kind of over-arching administrative organization that coordinates the program. There is a President of the Center, Dr. Hugh Luckey, who is also Vice President of the University for Medical Affairs,
and Vice President of the Society of the New York Hospital. The Dean of the Medical College is not responsible to the Vice President there; he is directly responsible to the Provost and President in Ithaca. This has caused a great deal of confusion, and at present the joint agreement is being studied with the hope of clarification. The Medical College has one of the greatest concentrations of medical research and patient care operations in the world centered around it.

There are many problems in the medical research area, the biggest one being funding, with medical costs rising very rapidly. Federal and State policy impacts on us heavily; there is much Federal intrusion into University operations. The changes in the nature of the population that comprises the subject population for teaching medical students is changing, going from a two-class medical service in this country to a one-class, under medicare and medicaid, where everyone is eligible for some kind of care. More and more the most advanced kinds of care and treatment are coming into being, characteristic of the big research hospitals in the country, such as hypertension centers, cardio-vascular centers, organ transplant centers, intensive care units, etc. Primary care is receiving much emphasis because of the idea of adequate medical care for everyone. The development of out-patient clinics is a very big development with community medicine.

The President then turned the floor over to the Speaker, Associate Professor J. Robert Cooke. There being no questions or comments for the President, the Chair recognized the Dean of the Faculty, Professor Byron W. Saunders.

2. REPORT OF THE DEAN

The Dean thanked the President for coming and giving an overview of both the fiscal situation and the medical situation - the latter having received many queries regarding the exact relationship between the Ithaca and down State sides of the University.

Dean Saunders first addressed the Presidential search process, noting that all Faculty should have received his annual report, in which he identified the essential sequence of how a Faculty Search Committee was established. It was established after investigating the history of how previous presidential search committees of the Faculty had been instituted, and after consulting with the Faculty Review and Procedures Committee as well as the FCR Executive Committee. The principal point that he makes in connection with the group is that it is a search committee, not a selection committee, as that is the province of the Trustees. The Search Committee does have the responsibility of identifying potential candidates for the Presidency of Cornell University and that is the
function in which this Committee is going to try and play a real part. Concurrent with that, at the invitation of the Trustees, there will be a committee representing the alumni and probably, although it is not yet clear, a committee on behalf of the Senate or the various constituencies it represents. The Dean said he stated that in very questionable terms simply because the reaction of the Senate to the Trustee Executive Committee action just taken, repealing a section of the implementing legislation having to do with the Senate's participation in the selection process, is not clear. From the Faculty standpoint, the Dean said, the Committee of nine, including himself, seven being from the campus and Dr. Alexander Bearn representing the Medical College, are not a Committee appointed to represent any particular group or any particular person. The Dean has asked this particular group to serve because he felt they were all serious people who have made a long term commitment to Cornell, who had themselves a desire to see Cornell move ahead, who were willing to put in the time and energy in the effort necessary to help identify candidates and to do the evaluation that is necessary and passing that information along to the Trustees. Dean Saunders said that the notion that it should be a representative group is one which he rejected, since that was not its original intention. He hoped that he has asked people to serve who themselves, are thoughtful colleagues and who will listen to the Faculty and try to do their best in the Faculty's behalf.

The first process is the generation of names, the Faculty having received in the packet of material calling this meeting, a nomination form. The Dean indicated that speed is of the essence since the process of evaluation, gathering of facts and putting together of dossiers, is going to take some time, the Committee relying heavily on suggestions from the Faculty. The next process will be the evaluation process where the various attributes and the various mix of candidates' attributes is maximized. Lastly, there will have to be some kind of classification on a group basis of categories, which is then passed on to the Trustees for their consideration. The Trustees will be doing a similar exercise and where any names on our list and their list happen to match in the upper categories, obviously we've got much more likelihood for a "fit" than if we present people they've never heard of and vice versa. Criteria that the Committee is using will not be published. A particular set of attributes that a presidential candidate should have is rather difficult to define. Obviously, scholarship, ability to recognize scholarship, academic credentials, concern for higher education and Cornell, a concern for innovative abilities to have it move ahead - are just some of the things that most will agree are things the Committee should seek out.
Dean Saunders called attention to the open hearing being held on Wednesday, September 22, 4:30 p.m., for the purpose of hearing verbal responses, or receiving written responses, either pro or con, regarding the proposed system of governance as proposed by the Chester Commission that was appointed by the President. The Faculty does have a part in reviewing the Commission's Report through the FCR, the preliminary stage being exercised by the Executive Committee and the Review and Procedures Committee working together, plus receiving any comments from Faculty members. Final recommendations from the Chester Commission will be submitted to the entire membership of the FCR and will ultimately require a vote of that body for the official Faculty response.

The Speaker asked if there were any questions for the Dean. Professor Walter Lynn, Civil and Environmental Engineering, asked whether the Faculty Search Committee has established a formal or informal liaison with the Trustees, if the Trustee Committee has a time schedule, and what difference it makes if nominees are suggested to the Trustee Committee or to the Faculty Committee? The Dean responded by saying that a liaison has been established, the Dean himself having met personally with the Trustee Committee and with the Chairman; the entire Faculty Committee has also met with the Trustee Committee, with another meeting being scheduled for next month. The time schedule, mentioned as a hope by the Chairman of the Trustee Committee, that aims a firm recommendation should be taken to the full Board at the meeting on March 17, 1977. The procedures have no difference in regard to nominations going directly either to the Trustee Committee or to the Faculty Committee, the importance being that they are received into the "pipeline".

Professor Donald Holcomb, Physics, rose to say that the Trustees had named three from Ithaca to sit with the Trustee Search Committee: Employee Trustee, George Peter; Student Trustee, Lauryn Guttenplan; and himself. Professor Holcomb felt there would be special virtue in a nomination coming to the Trustees via the Faculty Committee rather than directly from a single Faculty member. It would have gone through a meaningful evaluation process of more value to the final group making the recommendation to the full Board.

Professor Howard Evans, Anatomy, asked if the Faculty group would have the benefit of the Trustee list of candidate names. Dean Saunders replied that if the Trustees come up with names of serious candidates, the Faculty Committee will know of them and react, in reciprocity to Faculty suggestions going to the Trustee group for the latter's reacting.

Professor Urie Bronfenbrenner, Human Development and Family Studies, urged very strongly that the Faculty liaison with the Trustee group be very close so that comment flows freely both ways.
Professor John Wilkins, Physics, asked whether it was true that the Dean had proceeded on his own, after consulting on procedure with the Executive Committee and the Review and Procedures Committee, to appoint the Faculty Committee without any further committee advice: he expressed apprehension that not seeking such advice would diminish the effectiveness of the Faculty Committee on one of the most crucial appointments the University can make.

Dean Saunders responded that Professor Wilkins had gone through the scenario with him by telephone already, and so already knows the response. Historically, the Deans in the past have done precisely the same thing, the Dean said, with the exception of not having a Review and Procedures Committee and an Executive Committee from which to get approval. In connection with the search leading to President Corson's appointment, the then Dean, Professor Robert Miller, Agronomy, sought Faculty Council advice on names for a Faculty Search Committee. Prior to that, five people were simply just appointed. In the current instance, the Dean said, he had gone to the two Committees mentioned, and that they did not suggest coming back to them with some names, only wanting to know the criteria used in seeking potential candidates for the Committee, and after his giving those, he received the go ahead.

The Chair then yielded the floor to President Corson to introduce the recipients of recent distinguished teaching awards.

3. DISTINGUISHED TEACHING AWARD RECIPIENTS

The President said he was delighted to introduce the winners of a variety of teaching awards in the University for 1975-76:

Agriculture and Life Sciences

Professor of Merit Award by Graduating Seniors - Professor Richard D. Aplin, Marketing

SUNY Chancellor's Award for Excellence in Teaching - Professor Joseph B. Bugliari, Agricultural Economics

Arts and Sciences

The Clark Awards - Assistant Professor Erwin A. Blackstone, Economics
Associate Professor G. Marc Loudon, Chemistry
Professor David B. Lyons, Philosophy
Assistant Professor Sandra F. Siegel, English

Business and Public Administration

Justice Foundation Award - chosen by students - Assistant Professor Arthur J. Kover and Associate Professor Robert J. Swieringa

Engineering

Excellence in Teaching Award by Cornell Society of Engineers and Engineering Tau Beta Pi - Professor Floyd O. Slate, Structural Engineering in the School of Civil and Environmental Engineering
Industrial and Labor Relations
Excellence in Teaching Award by students - Professor Maurice Neufeld

Veterinary Medicine
Norden Distinguished Teacher Award chosen by students - Assistant Professor Danny W. Scott, Small Animal Medicine and Surgery

Applause was received for each esteemed colleague.

Meeting adjourned: 5:50 p.m.

Paul L. Hartman, Secretary
The Speaker, Associate Professor J. Robert Cooke, called the meeting to order at 4:30 p.m., with 43 members and about 10 visitors present. While noting the lack of a quorum, the Speaker said the meeting was primarily intended as a discussion meeting anyway. He stated that the minutes of the September 8 meeting would not be approved until such time as a quorum was present, while calling attention to page 4543C, fourth paragraph, in reference to remarks made by Professor Robin Williams, Henry Scarborough Professor of Social Sciences, the word "incur" should be "encourage."

The Chair then recognized the Dean of the Faculty, Professor Byron W. Saunders, for his report.

1. REPORT OF THE DEAN

Dean Saunders stated he wished to call attention to two items: the first having to do with the Presidential search process. He had recorded, at the September 8 FCR meeting, the Search Committee membership and today he would like to note the addition of one voting member of that Committee, namely, Professor Roger Battistella, B&PA, who is the Chairman of the Executive Committee of the FCR. In order to include one who was actually an elected FCR member and the elected Chairman of the Executive Committee, it was deemed appropriate that he also be included. In addition, the Dean has asked Professor Donald Holcomb, Physics, who is a Faculty Trustee and designated member of the Trustees' Presidential Search Committee, if he would not sit with our Faculty Committee. He has been doing so and will continue for the balance of the exercise.

To keep the body posted as to what is going on, he gave a brief review. The Committee has been meeting weekly; it has received some 50 names which have been discussed and run through a very "rough filter" in order to classify them into one of three categories: one category is that which would imply a very high degree of qualification based on the Committee's initial criteria; a second category would be one which indicates real potential, but one lacking enough information and requiring "digging" to get more; and the third category would be those that the Committee feels, at this point, should be held in abeyance until finishing with the first two. The classifications represented by the first two categories are the ones which the Committee is working on; trying to get more information concerning them by personal contacts out in the field at other institutions, with colleagues, with whatever source can be used through private conversations with individuals who can help in making initial assessments. The Committee is not contacting, nor do they intend to right away,
any of the potential candidates themselves, feeling that when any overture is made to a candidate to allow his/her name to be considered, the Committee wants to make sure such a person is in fact considered a serious candidate before going to them personally and encouraging them to allow their name to be considered. The Trustees are operating under essentially the same concept so that the information gathering phase at the present time is still essentially a private one, with those of us who have contacts at other institutions using them in that kind of confidential basis.

The passage of information between the Faculty Committee and the Trustee Committee will not take place automatically at the next meeting as the Sun has reported Dean Saunders saying it would happen; in fact, he did not say that was the way it would go. It may be that we will be exchanging some names; after talking with the Chairman of the Trustee Committee last week, he thought they would be prepared to give the Faculty Committee one of their "rough filter" passes of their upper classifications, and Dean Saunders allowed as he thought the Faculty Committee might be in the same position, but neither they nor we are committed to that particular step at this point. The Dean doesn't want to give the impression that the process is already that far down the road, as the Sun article may have implied, because we are not. He added that any additional nominations from any of the Faculty would still be welcome; the 50 odd names that have been received all represent nominations by Faculty with one exception, that being a nomination from the president of another institution who communicated his information directly to the Dean.

The second item on which the Dean reported, was on the resolutions passed by the FCR on September 8, having to do with the recommendations of the Committee which was authorized by the Faculty last December to investigate the KY incident. Certain actions were implied; to implement those actions in accordance with the resolutions, it will be necessary to make minor modifications in some legislative statements at two or three spots. A meeting has been held with the President, the Provost, the University Counsel, Professor Strout, the Dean, and one or two others. Dean Saunders was asked to prepare such suggested legislative changes as he deemed necessary to implement the Faculty's intent. It is being done and that is where that issue stands.

The Speaker stated that the Executive Committee has established that at least two items would be on the agenda for discussion at today's meeting. The first would be a report from the President's Commission on Self Governance. The Commission Chairman, Professor Geoffrey Chester, Physics, will present a brief
preliminary report and then open the floor for discussion. The second item
would be a discussion of Faculty governance. If time remains, the floor will
be open for other matters that might be appropriate. The Chair then recognized
Professor Chester.

2. **PRELIMINARY REPORT OF SELF GOVERNANCE**

Professor Chester stated that he had prepared for this meeting, a very
brief summary outlining the Commission's recommendations, which was available
at the door to all members. He said he would not spend a lot of time talking
to the body but, rather, would try to provoke some discussion, as the Commission
is presently spending quite a lot of time trying to get reactions. It is the
President's intention that some set of recommendations will have to be voted
on sometime in February or March. Consequently, sooner or later, one has to
become familiar with some of these matters.

The timetable the Commission is operating under is roughly the following:
they would like to have most of the reactions back from Faculty, students,
employees and Trustees by a retarded deadline of November 9, and make their
own final recommendations by December 3. The December 3 date was chosen because
it is President Corson's wish that action be taken on these final recommendations
in the period of February and March, hopefully in time for the Trustee meeting
on March 17. The December 3 date does allow publication in the *Chronicle* and
publication in the *Sun* during the last week of classes.

The Commission has been working in the following manner: on April 2 it met
for the first time and managed to produce its preliminary recommendations by
August 7, at which time the Dean transmitted them to the Executive Committee
of the FCR and to the Review and Procedures Committee; both Committees having
since been reviewing them. Professor Chester stated in particular that he
had recently met with the Executive Committee for nearly two hours for a very
fruitful exchange of views. There are other Faculty Committees actively working
on the recommendations to some degree at this time.

Professor Chester only highlighted the main points of the Commission's
recommendations. The basic proposals are to replace the present University
Senate by two structures: one, a body which the Commission has called the
University Assembly, having only two types of authority delegated to it, and
those by the President. One, would be to look after the judicial system, which
in his view, has been under a little stress and strain recently; and secondly,
it would have authority to investigate various matters in the University, prepare
reports for the body as a whole which would then be discussed and recommendations
made. The Assembly is primarily a deliberative body; it has little authority in legislation; in fact, that is limited entirely to the judicial system. The thought there was to try to find a focus in the University where matters of broad concern could be discussed by students, Faculty, and a small number of employees. Some examples of things that might come before such a body, cited in the Commission's report, are the COSEP Program and financial aid, both of which have academic content. In years gone by, Professor Chester supposes that body might well have discussed ROTC. It is likely, he stressed, that if the body does focus its attention successfully, if the matters it discusses are of broad concern to Faculty and students, they will have some academic content. Again, it only has powers to recommend on these matters. The Commission wanted this body not to focus its attention on matters such as have occupied Senate attention, namely, matters concerning the Division of Campus Life, housing and dining, transportation, etc. The big, and key, question around the Assembly is - is the body viable, is the institution willing to support such a body to commit the time and effort necessary to make it work? The report does not have the answer to that questions and the Commission does not know the answer and does not pretend to.

The other structure proposed is in the area of campus life, which is largely concerned with the support services in many student areas. The Commission recommends the construction of an oversight committee - the Committee on Campus Affairs - and to delegate it authority over a number of standing boards and committees. These are all in the large service departments - such as Transportation, Housing and Dining - to determine the policies for those departments. The Commission took this tack, which is the Senate approach, because of strong evidence presented to them by the department heads of the Division of Campus Life. They felt that aspect of Senate operation had been a worthwhile exercise by and large, was valuable to them and wished it to continue. Some departments, for various reasons, have been excluded from that domain - the Johnson Art Museum, which has a very ambiguous relationship with the Senate, was recommended by the Commission to be placed entirely in the hands of the Johnson Art Museum Board. The Department of Physical Education and Athletics, which the Commission did not regard as a service department, was recommended to work with a policy making board, having authority from the President, as an independent policy board, somewhat constructed along the lines of the original Physical Education and Athletics Board.
Professor Chester admitted that the charge to this Commission was written in a great hurry, feeling that most things in the University are written in a great hurry. Since he "is standing here and President Corson is down there," he wanted to say that he would not allow the President to write quite such a large charge to anything Professor Chester had anything to do with in the future; it spreads all over the place. Unfortunately for the Commission, a lot of work had to be done on Trustee matters; - in those, Professor Chester sees little impact on Faculty concerns; the Commission also looked into the Presidential Search Committee.

He stated that, by pure oversight, on his summary material handed out at the meeting, the Commission recommendations on the calendar were left out. The Commission's recommendations on the calendar, which at present lies with the University Senate, are twofold: as long as the calendar remains of the present type, i.e. a two semester calendar, which starts on Labor Day, has 13 1/2 weeks of instruction, etc., and starts again at a certain time in January, has 14 weeks of instruction, etc., it should be set by the Provost. The notion there is, that once you specify that type of calendar, the small adjustments one can make from year to year are very small and there is little reason to gather together any group of Faculty, students or whatever, to spend time doing that. The person in contact with Faculty and students should be able to make the decisions within that very narrow range of possibilities. On the other hand, if there were to be a major change in the calendar, it would be looked at by an ad hoc campus-wide body and it would have to be approved by both the Faculty Council of Representatives and the Assembly before being put into operation.

One other matter concerning the Faculty is the present Senate Constitution, in which are a number of provisions giving the body the automatic right to place items on FCR agendas; and to suspend for a given period of time, actions by the FCR. The Commission did not wish to maintain either of those provisions, feeling that if one cannot persuade a body to have something on its agenda, then putting it on automatically is probably counter-productive. If a body cannot be persuaded to reconsider an action, then automatically suspending it for a period of time is probably not productive either. So the Commission makes no recommendations of that kind. The Commission recommends no changes in Faculty Trustees. On the Presidential Search Committee, the Commission recommends that it include one Faculty Trustee, one student Trustee, one employee Trustee. This is a change in the composition of the Trustee Search Committee from previous times, which has already been implemented, in fact.
The Chair opened the floor for questions to Professor Chester, after which the Speaker said, the floor would be open for argumentative debate.

Professor William T. Dean, Law, wondered if the Commission had considered, in view of the difficulty the Senate has had in getting a substantial voter turnout among students, how they would remedy that. Professor Chester said the Commission had considered that matter extensively. The question also arises in another context, since the State legislature recommendation is that student or Faculty Trustees be seated if their respective constituencies claim a voter turnout of more than 40%; the students have always had a difficulty in reaching this. He stated that he is not optimistic that those percentages can be raised very much. In a typical Senate election, he thought over the last few years, the undergraduates voted at about a level of 27%, for their own Senators. The total student body now votes at about a level of 20% for student Trustees. Quite a drop. The Commission found it very difficult to easily find information with which to compare our voter turnouts with those on other campuses. They do know that Columbia, who put themselves under very tough rules for their Senate, which is a central body, started off with a 40% rule before Senators could be seated; later they had to drop that to 30%. There is some suggestion that 30% student turnout for this sort of body is perhaps rather good turnout. Actual voter turnout in Ithaca School Board elections or political elections in Tompkins County are well below 30%.

Professor Norman Malcolm, Susan Linn Sage Professor of Philosophy, said that he understood from reading the summary, the proposed University Assembly would not be a legislative one. Professor Chester interjected, reminding him that that was true except as regards the judicial system. Professor Malcolm said he understood that but went on to ask Professor Chester if he anticipated, since the President would be the presiding officer, that this body would be dominated by the administration? Since it lacked substantial legislative power, would very many people be willing to serve on this body? Would many people take the trouble to vote for whomever is willing to serve as members of this body? Professor Chester pointed out that we already accept the President as the presiding officer of the Faculty. The Commission had incorporated into the body the three senior members of the Executive staff of the University - the President, the Provost and the Senior Vice President, because it felt that the body would deliberate on significant issues and the three senior members should be there, commenting and playing a role in the deliberations. With the composition that the Commission proposed, 30 Faculty, 30 students and 10-12 employees, Professor Chester feels very little danger that the Assembly would
be dominated by those three people. Perhaps a very strong Dean of the Faculty could dominate the body; he's also a member of it! Many students feel that this body, having limited legislative powers, would not be attractive to them; if that is so, of course, many of them will not vote for people who run. The dilemma here is that the legislative powers the present Senate exercises are those of interest to a very small number, and are concerned, in fact, generally with important student support centers of the campus. To bring those into the Assembly would be simply to reconstruct the same Senate. Evidence the Commission has heard was very strong otherwise. To have a broadly based University body dealing with those matters is just not viable. Basically, many Faculty are not interested in spending a lot of time working in detail on that kind of question. For that reason, the Commission divided the structure into two. The question Professor Malcolm raised, he said, is the viability question, i.e. are people interested in this kind of body. He cited a favorable example, Princeton University, which has a body somewhat comparable to that proposed here. The information is that, looking through the eyes of the students, it is an influential and significant body. Looking through the eyes of the Faculty, it is moderately so. Also the other information is that a tremendous amount of energy is poured in to keep that body alive and well. It, too, has the President as the presiding officer.

Professor Herbert J. Carlin, the J. Preston Levis Professor of Engineering, asked for Professor Chester to outline very briefly the motivation behind the restructuring, what were the problems in the existing structure that he is trying to remedy. Professor Chester replied that there were two in fact: one was that they saw the present body structure, and that of any future body, as one trying to perform two functions as he earlier said. We felt that it would be wise for a university such as Cornell to try to provide a forum where broad university issues should be discussed. The meaning of broad university issues is that they would be of mutual concern to Faculty and students and, to some degree, to employees. The Commission thought that was the major function to be sought. The Senate Constitution, of course, has set the Senate up as such a body. The other function the Commission sought to provide was a means whereby the policies of many academic departments are determined. At the present time, the 14 departments of the Division of Campus Life have their policies determined by the Senate Committees and then finally by the Senate. These were the two primary functions. The problem we saw with the Senate was that the two roles were intimately combined inside a single body and that there was not enough common interest in the policy-making and in the support service areas to maintain it as a viable body with high Faculty turnouts and high student turnouts.
Faculty interest in the Senate declined rather dramatically last year, but has been low for a number of years, with there being very few contested Faculty seats. The other problem that the commission saw with the Senate was its being a very highly centralized body which attempted to exercise a lot of control, a very tight control, over committees, subcommittees and so on. And so the other thrust taken by the Commission was to loosen the reins on committees to some degree, sometimes to cut them free completely, like the Board on Athletics, like the Johnson Art Museum Board, thereby strengthening their work by giving them a greater sense of responsibility.

Professor Wolfgang H. Fuchs, Mathematics, suggested that since the Assembly is a purely deliberative body, why elect anybody? Would it not be possible just to have meetings once, twice, or three times a term where matters of concern to anybody in the administration or Faculty or student body could be brought up and discussed by the people that are interested in it? He thinks that the main reason for the poor meeting turnout, is a lack of interest in most of the questions discussed and it would be much more sensible to have those people discuss them that want to discuss them, and from time to time it might be different people there. Perhaps one area in which the proposed structure does not offer any kind of administrative handle is in student affairs. How do you set rules for operation of Willard Straight Hall, for example? Could there be something in that area?

Professor Chester said he wasn't quite sure what Professor Fuchs was asking. Professor Fuchs elaborated: the question of the running of Willard Straight Hall or the admission of societies to have the privilege of using campus facilities - might come up for Assembly discussion - questions which properly belong to the student body. But if it is only a deliberative body, who would decide things like that? Professor Chester replied that the recommendation for a Campus Affairs Committee does involve university unions, does involve the Dean of Students, and there we have given a similar set of powers to those now in the University Senate and he believes that would go forward rather well in the area. Professor Chester went on to say that the Commission has made a provision whereby the Assembly can call special meetings, which would in fact be larger than hearings and where matters could be vented and discussed and information given. His other comment is that the Commission sees the Assembly as being involved in a serious study of some types of issues it may get interested in; to conduct a serious study you need committees and some structure, hence we put forth a body of structure hoping to meet Professor Fuchs' other point.

The Speaker now opened the floor for questions as well as debate. Associate Professor Arthur L. Berkey, Education, asked what the rationale was in the
Commission's recommending that student membership of the Campus Affairs Committee be appointed by the Assembly and the Faculty be appointed by the Faculty? Professor Chester replied that in several instances the Commission recommended that the Faculty, by whatever mechanism it chooses, appoint people to various bodies inside the structure, feeling that the Faculty should be involved by direct nomination in areas where they have high interest. The other reason was that the Commission saw an ever-widening gap between the campus structure we were dealing with and in the FCR and it wanted to build in low level mechanisms whereby the FCR of the Faculty could be directly involved in this structure. Professor Berkey stated that he was in favor of the Faculty electing theirs. He was, however, concerned about the recommendation that the student appointments are made by the Assembly. Professor Chester said there was a very strong reason for that, since this Committee is a very strong and powerful one, and if it ever works, to go to direct elections for it would be wrong. Arguments presented in the Commission were to the viability of direct election - would you have a reasonable turnout for the students and employees. The appointed mechanism they set forth looks a little odd, but in fact is very easy to operate.

The second concern Professor Berkey had was that under the Commission's recommendations, the new power for self-governance is delegated from the President rather than from the Board of Trustees. Suppose, he said, that we may have a successor to President Corson who's not sympathetic to self-governance, what would prevent that individual, if a crisis arose, suddenly to suspend all self-governance? He would have the power, would he not? Professor Chester said he certainly would have that power. Professor Berkey argued that in the present situation, at least he would have to go and plead his case before the Board of Trustees, the latter having the ultimate authority. By moving the delegated authority down to the President instead of the Board of Trustees, the power is left entirely to the President's discretion. He asked Professor Chester what the rationale was for doing this?

Professor Chester said the rationale was twofold: The Report argued that delegation from the Trustees was in fact delegation from the President. That's not quite true, but he believes fundamentally it's very close to it, since if the Board of Trustees wanted to do anything about any action of self-governance they would turn to the President for a recommendation. And they would not turn that recommendation down more than once or twice because if they did they would get a new President. The President is in a very strong role with respect to the Board on these matters if he were to make any termination recommendation to the Board. Thus, delegation to the Board is very close in most circumstances
to the delegation from the President. Another rationale that was not stated in the Report, but was discussed briefly was that the Board is somewhat distant from the campus and rightly so. That being the situation, if they were to do something about the self-governance and uproar ensued on the campus, they're off in some rather distant place, not having to live with their action.

Professor Berkey said the Board was in a position to disagree and overturn actions of the final authority in any case. Professor Chester said that was true, but rarely would they do it unless in complete agreement with the President. That is their view of how they work with the President.

Professor Berkey said it appears they have a disagreement, since in any case the Trustees can overturn any self-governance action and, by the Commission's recommendation, that option is now also extended to the President.

Professor Robert Miller, Agronomy, member of the Commission, added some remarks. If the delegation goes directly from the Board to a non-existent body we are in a bit of a problem. Delegating through the President at least allows for some initiative to fill that vacuum when there is a problem. The other reasoning is more subtle; it is his feeling that it is not helpful to the operations and well-being of the campus to have over-involvement of the Trustees in the minutiae of campus affairs. He believes that whenever the Trustees have delegated a power directly which they see as perhaps used in ways they don't like, they become excessively interested in some of the campus issues that shouldn't be settled in their Board Room. It should be settled here on campus. He feels the isolation of the Trustees from self-governance is to be desired.

The Chair then proceeded to the next agenda item, calling on the Dean of the Faculty.

3. FACULTY GOVERNANCE

Dean Saunders said that, with no formal resolutions from any Committee, this meeting might be an appropriate time to allow any members who have particular points to make, to make them, so that they could become a matter of record. The problem of Faculty governance has surfaced in varying degrees over the last few years. The FCR as an entity was established in 1971 by a set of recommendations which, while not called the Bylaws of the Faculty nevertheless operated essentially as such. They derive their authority from that granted to the University Faculty by action of the Board through Articles XIV and XV of the Bylaws of the University. In its briefest form it simply states that the "University Faculty shall be responsible for the academic affairs of the
University." It doesn't say anything about the organization needed to achieve that policy making and control but leaves it entirely up to the Faculty.

The question still remains as to what is academic and what is academic governance. At the time the FCR was officially approved, there was considerable debate and considerable concern expressed by some that it was not a viable mechanism, that people would not participate, would not come out to attend FCR meetings, and would not stand for election to the FCR, unless they felt that their own personal actions in the form of a vote could influence the outcome or at least help influence the outcome. He said the body would collectively have to decide if the predictions made at that time have in fact been realized. The attempt was made two years ago to open up the FCR meetings by allowing any non-FCR Faculty members to speak on an issue without necessity of a permit. The only restriction was that (s)he could not vote or make motions. Other than that any Faculty member is free to come and enter into debate, to get their point of view stated and recorded in the minutes. However, there are some people on the Faculty who still feel that that alone is not enough. The Dean had noted in his annual report that Dean Harry Levin, of the College of Arts and Sciences is concerned that there is not a reasonable level of debate or participation by the total Faculty in the affairs of the Faculty and that he would like to see us go back to the old style University Faculty meeting, which in effect was the town meeting kind of an affair. Dean Saunders said he didn't wish to take any position on that, since he could argue on both sides of the issue. He would, however, simply point out that under the old style Faculty governance structure, we still were not able to get out of the total Faculty any greater degree of attendance at meetings than we now get out of the more structured representative kind of Faculty group, which the FCR is. Secondly, in those days, many of the issues dealt with were those now assigned to the Campus Affairs and Campus Life operation. There was a great degree of participation by the Faculty in issues of student affairs and, while he can't say what percentage of time was allocated to such matters, topically there was certainly a higher percentage of time spent on topics no longer under the Faculty's jurisdiction, because they have not been defined to be exclusively or primarily of an academic nature. The Dean's purpose in raising the issue at this time was simply to see if anyone present had any comment or any particular observations that they would like to make, which would then be a matter of record and which could be funneled into the proper Faculty Committees for consideration. Within our Bylaws are organization and procedures dealing
with Faculty governance; there is a mandated Review and Procedures Committee of nine, elected at large by the Faculty as a whole and they would be the ones who ultimately would have to make recommendation on any change. The issue has been presented to them but has really not been dealt with because the College of Arts and Sciences has indicated they will make a specific proposal. We have yet to see that. Dean Saunders raises all this as he thinks it does no harm to review our purpose, our method of functioning and ways in which we execute its responsibilities. Such a review is healthy, not necessarily to be associated with the review of governance of non-academic affairs, but is something we should do on a periodic basis in any event. Therefore the Executive Committee felt, with time available at this meeting, it would be an appropriate time to simply introduce the topic and for anyone with any insight or any particular point of view, now would be an appropriate time to express it.

The Speaker asked for any questions of the Dean or any debate on the topic.

The Chair recognized Professor Paul L. Hartman, Applied and Engineering Physics. He expressed his concern that somehow there's not enough interaction between students and Faculty in governance. It seemed to him that there were two cases recently where student activities seriously got involved with academics. One, for example, was the recent hullabaloo on the Arts Quadrangle during Orientation Week, disturbing the library one afternoon with really excessive and objectionable noise. The student might think that the affair was quite O.K. but the academics can certainly say that it was not. Somehow we ought to be able to get meaningful interplay between Faculty and students in a new arrangement. While there have been some student voices he would just as soon not hear, he felt it would not hurt the FCR to have some student input and voice heard. He had suggested to the President's Governance Commission that it might be helpful to provide some interaction of this sort in the Faculty's deliberations. When the view was recently expressed by him to the FCR Executive Committee, it was looked on quite unfavorably.

Professor Williams, hesitating to talk since he is on the Executive Committee, spoke for himself therefore in remarking that having been here since 1946, he had seen Faculty governance come full circle. It had oscillated between the town meeting and some smaller more structured body. The old Faculty meeting had become a place where, with big issue, as most will recall, there was a large turnout; in the more usual situation, however, it was always the same people who appeared. Furthermore, speeches could always be counted on from the same few of those appearing. So we came to the FCR. He feels that
you will never get more than 10% of the Faculty involved in the decision making. It requires many people (many not in the FCR, in the present mode) and hard working committees. He remains an enthusiastic supporter of the FCR arrangement, at least for a few years more.

Professor Miller said he had also heard many in support of the "town meeting", and for various reasons, not all the same. One which is fairly common, however, is that the present system, in spite of its having reserved a number of seats for non-tenured Faculty, is dominated by tired elder statesmen, with newer Faculty not expected to take any interest or part in the debate. We thus throw away natural momentum the body might otherwise show. He feels considerable merit in the view and that simply opening the body to non-members has not materially changed the level of debate. But he admits that the controversial issues with which we were confronted some years ago are no longer on our backs and there may be no way to maintain the kind of momentum nostalgia recalls as existing in the "old" style format.

The Speaker asked for any further debate. Professor Fuchs asked if it would be appropriate for the body to register its concern regarding the Trustees' revocation of Senate representation on their Search Committee. The Chair consulted with the Parliamentarian, who indicated it could be done if Professor Fuchs wished to present a motion before 6 p.m. Consultation with the Secretary, however, indicated that the body was still three members short of the requisite quorum of 49. Any action was thus precluded.

The meeting adjourned early at 5:35 p.m.

Paul L. Hartman, Secretary
The Speaker, Associate Professor J. Robert Cooke, called the meeting to order at 4:30 p.m. 66 members and about 15 visitors were in attendance. Indicating that a quorum was present, the Speaker said the first item of business was the approval of the minutes of September 8 and October 13. He reminded the body of one correction that was announced earlier to the September 8 minutes, on page 4543C, paragraph 4. The word "incur" should be changed to "encourage" in remarks attributed to Professor Robin Williams, Henry Scarborough Professor of Social Sciences. There being no further corrections to either set of minutes, the Chair ruled them acceptable and declared them approved.

The Chair then recognized the Dean of the Faculty, Professor Byron W. Saunders.

1. REPORT OF THE DEAN

Dean Saunders first called attention to the referendum which will be coming up in connection with the extension of the term of the Seventh Senate. There apparently is some misunderstanding about it and the Dean assured the body that the upcoming referendum is not for the purpose of approving or disproving the Senate as an institution. The only function of the referendum which the community is being asked to vote on and which in turn will then cause a vote to be taken by this body at the December meeting, is merely for the purpose of extending the term of the Seventh Senate for a period not to exceed 60 days. The current constitution will cause the present Senate to be disbanded on the 28th of February, that being the end of its normal year. Inasmuch as the President's Commission on Self-Governance has been delayed in its operations, it was deemed appropriate to have the Seventh Senate extend itself for a short period. Any self-governance structure which might evolve could then be taken care of without going through the necessity of electing an Eighth Senate, having it in existence for perhaps but a short period before a new system becomes effective. Dean Saunders urged those present, if in conversations with colleagues or others who have a misconception as to what this referendum is all about, to do their best to set them straight. The FCR, in accordance with the current Senate constitution, must take their own vote on that issue, and it will be an item at the December 8th meeting.

The second item the Dean called attention to was a letter he received last week from Dr. Allyn Ley, Director of the Health Services, which reads as follows:

"Once again our staff is being requested by Faculty to provide written excuses for students who say they have been ill."
Let me state again that for at least forty years it has been the policy of University Health Services (UHS) not to issue excuses for medical illness. It has, all this time, been the position of UHS that an 'excuse system treats the student, not like a college student, but more like an eighth grader.' We see no reason to change this policy and we would very much appreciate the faculty's continuing recognition of the policy which can be summarized as follows:

1. UHS will not issue excuses for medical illness.

2. UHS will continue to send to each college office each day a list of students admitted to and discharged from the Infirmary or local hospital.

3. UHS will continue to provide each student discharged from the Infirmary a statement indicating that he was a patient there for the interval stated.

4. UHS will continue to verify that an individual student made a visit to Gannett Clinic at a specified time, if a faculty member requests such verification by phoning 256-3493."

Thirdly, the Dean cited a situation involving a colleague, who has been brought before the Tax Court of the State of New York for failure to file an Unincorporated Business Tax, even though any fees received in his consulting were properly listed and shown as ordinary income and taxed accordingly. But the State of New York, in its desperate search for funds, the Dean guessed, has discerned that people earn money in activities it believes should be listed under unincorporated businesses. This colleague has now had a judgment made against him. The situation is presently under appeal but the Dean brought it to the body's attention without going into the details. He felt it appropriate that the colleague not be identified, since so far as the individual is concerned, everything was completely in proper order. However, the Tax Court, discovering that in the early sixties, some matters raised in a similar case were never properly settled, held a hearing before the Supreme Court, the Appellate Division, last month. The judgment was that the present individual was in deficiency of the tax laws. The Dean indicated that those Faculty who do consulting, write books, have royalties, or earn in other ways not directly related to teaching responsibilities, might well fall under the umbrella of the tax case cited here. As soon as possible, more information will be released, but anyone having income in excess of $5,000 a year beyond that received from the University, should be cognizant of the problem and aware of the fact that they too might be "tapped."

Lastly, some members of the Faculty have asked the Dean if he could say anything more concerning the Presidential search; specifically, what criteria
are being used by the Faculty Committee. Dean Saunders said he wasn't sure that he could detail any criteria. The Committee has a two page guiding document which talks about such things as: scholarship and the necessity for a person to be a scholar or if not a scholar in her/his own right, at least to know and understand and appreciate what scholarship is all about, because that is what the University is all about. The Committee is looking for someone who has demonstrated an interest in and a capacity for the administrative process; to take on an institution with the complexity of Cornell with its statutory and endowed components and diverse public with which it must deal, and to preside over an operation which approximates $260 million a year, requires at least a nominal level of administrative experience and a willingness to face up to the issues and make some of the hard decisions which have to be made in an organization of this kind. The person clearly should have some background in research and/or teaching, so to be aware of and cognizant of the problems which the various components of the Faculty and the community are in fact performing in those areas. The Dean said he thought it also fair to say that there is necessity for some kind of a reasonably favorable outlook on the problems facing higher education. Each of us could draw a particular list of such and it perhaps would be quite different from the list that our colleagues sitting alongside might draw, but certainly we need someone who has thought about and can articulate some of the problems of higher education as he or she sees them. The problems of the demography of higher education, the economics of higher education, are all matters which are going to be very much on the forefront, in the Committee's view, and therefore any potential candidate should have at least a reasonable acquaintance with these problem areas. The Faculty Committee members want someone who is going to be a clear and articulate spokesman. With Cornell considered as a national institution with a national reputation, we should have as a Presidential candidate, one who acknowledges that fact and who is going to be articulate in enunciating the needs, the objectives and the hopes and aspirations of the Cornell community in the decade ahead, who in that capacity can make appropriate representations to the groups where such counsel and admonishment should be heard. Beyond that the Dean is not sure what more he can say so far as criteria are concerned. Suggestions of people for the job are being received and one must look at them in terms of such broad criteria as he has enumerated, trying to evaluate one person against another in the light of these broadly based criteria. The Faculty Committee has, at present, only 64 names nominated by the Faculty. The Dean said he could not believe that the number, which 1400 Faculty would like to see as potential presidents of Cornell, could be limited to 64 people. Those 64 people have been run through a very
"rough filter" in order to categorize them in terms of their general level of acceptability to the Committee. There is a top classification limited to 10 names; a second classification limited to others of real potential; and a third group which can best be described as those placed "on the back burner". It is a continuous process of iteration, of trying to acquire as much information as possible about candidates; as one is moved into the top group, the Committee tries to decide who should go back down to the second. In this way, hopefully, acceptability of the total pool will be increased. No candidates have been contacted, nor does the Committee contemplate contacting any candidate. This would only be done with the full authority and acquiescence of the Trustees, since they, after all, have to make the final decision. He indicated the Faculty Committee has established some reasonable working relationships with the Trustee Committee. He would be happy to answer any questions.

There being no questions, the Chair recognized Professor Roger Battistella, B&PA, Chairman of the Executive Committee, for a report.

2. REPORT FROM THE EXECUTIVE COMMITTEE

Professor Battistella said the purpose of his report is to bring the FCR up to date on what the Executive Committee has been deliberating of late. One matter of particular importance is the pressures on traditional forms of governance and what role, if any, the Faculty can continue to expect to play in governance and decision making in the field of higher education and, in particular, at this institution. There has been a sharp increase in a number of problems, a sharp increase in the complexity of the problems we face and also a sharp increase in the rate at which problems are succeeded and overwhelmed by other, yet more compelling problems. Because the realities of decision making have changed, and crises have reduced lead times necessary for effective and efficient decision making, traditional patterns of governance take on a new dimension and it becomes increasingly questionable whether these traditional patterns can continue to play an important part in decision making. The Faculty is increasingly being placed in a passive if not defensive role, being put in the position of reacting to proposals and initiatives started elsewhere. Response is frequently confused with reactionary policies and posture. More and more, the Faculty is informed of decisions which are already taken rather than being allowed to participate fully and effectively in a truly consultative and advisory manner. As participation and influence decline, the Faculty insistence on an effective voice in decision making may be misconstrued and perceived as an irritant and possibly an impediment to efficient decision making. The Executive Committee has been trying to anticipate issues which this Faculty may well be advised to
study, in advance of their attaining the dimensions of a crisis. In this spirit, the Committee has been trying to identify a number of issues, trying to assess and evaluate them in light of a number of criteria. First, in the eyes of our colleagues and the Faculty, how important is a problem; secondly, if it is important, to what extent can it be researched and studied effectively; third, to the extent that it's important and can be studied, what are the probabilities that we can come up with workable solutions. He indicated that the Committee has not yet gotten beyond the identification stage, and enlisted the body's help, goodwill, and support, not only in the capacity of review and comment on this first pass stage, but also hopefully in the form of suggestions and new ideas and proposals.

Professor Battistella proceeded to describe topics which the Executive Committee has identified and in so doing posed them in the form of a series of questions, perhaps worthy of consideration.

1. To what extent has the quality of Campus Life deteriorated in key support areas, such as, building and grounds maintenance and landscaping, areas which are secondary to the academic mission but ultimately impacting on the academic mission? If it has deteriorated, who and what is responsible? Furthermore, what is the Faculty do do about it?

2. How, if at all, has the increasingly uncertain economic climate for higher education interacted with the competitive pressures characteristic of organizations dedicated to achievement; how have we been affected by the cross pressures of the University mission --- advocacy of social change vs. the carrying forward of the duties of spear carriers in the preservation of the tribal customs? To what extent has all this become manifest in what we describe as indices of social disorganization? As measured by such indices as increasing job absenteeism, higher rates of mortality among key staff and Faculty, and other signs of pathology in the form of stress-related morbidity and disability, such as heart disease, stroke, diabetes, ulcers and other more provocative forms of manifestations of stress, such as increased rates of alcoholism and drug addiction, accidents, and worst of all, suicides, how do we fare?

3. Has Cornell experienced, in recent years, inflation of grades and/or a lowering of academic standards? If the answer to this question is in the affirmative, who, and what is responsible? Is it due to the fact that tuition is rising to uncompetitive levels and this is affecting the quality of the intake? Is it the result of changes and/or the liberalization of admission policies? Has the quality of output from Ph.D. programs across the country from whose ranks junior faculty are recruited, declined? Or have students been allowed too large a role in evaluating Faculty for promotion and tenure decisions, and has this impacted on classroom performance? Are teachers more concerned with being entertainers and popular, than in carrying forward the substantive aspects of education? Possibly more than one factor is involved here.
4. What about the consistency of the drop policy? Is the situation as it presently exists on campus, as chaotic and anarchistic as it appears? If so, what are we do do about it? Does this raise serious questions of equity and fair play for students? To what extent does inconsistence in the drop policy react negatively on academic performance?

5. To what degree, if at all, is the celebrated Ky incident a symptom of a deeper and more fundamental malaise in higher education and in Cornell in particular? Is the Faculty content with the way the issue was resolved for the most part? If not, ought more to be done to operationalize, to sharpen definitions and standards of free speech and due process, consistent with the institutional role of a great university in its capacity as a bastion for the defense of such values?

6. Is morale, productivity, and creativity being stifled by a disproportionate growth in bureaucratic power? Has the rate of hiring in administrative and managerial positions, been disproportionate to the rate of hiring of the Faculty and other staff positions more centrally and directly related to the institutional missions of teaching, research and community service? If so, how is this impacting on the institutional missions? Are we getting bogged down in a lot of red tape and bureaucracy? If this is a problem, what can and what should be done about it?

7. Is the Faculty truly expected to play an influential and effective role in decision making on this campus? If the answer to that question is yes, then to what extent does the reward and incentive system presently available on campus, provide people with positive influences and incentives for getting involved in Faculty governance matters? All too often, one is told by our associates, that there's really no "pay off" associated with participation in bodies such as this one and altogether too often is the fear expressed that one does not get rewarded for such participation; in fact, one may become punished. So this becomes a body only for people who are secure, who are established, who can afford to run the risk.

These are some of the early stage questions, Professor Battistella said, that the Executive Committee hopes to explore more fully. If they stand up to scrutiny, the Committee proposes that they be referred to appropriate committees established within the FCR structure.

3. REPORT FROM THE NOMINATIONS AND ELECTIONS COMMITTEE

Professor Philip J. McCarthy, ILR, Chairman of the Nominations and Elections Committee, said last spring the FCR established a standing Committee on Minority Education, shortly after which members composing the FCR seats had been elected. At this time he introduced the slate of candidates to fill the non-FCR seats, three seats being for tenured and one for non-tenured members of the Faculty:
Committee on Minority Education - 3 tenured seats - 3-year staggered terms
Sara E. Blackwell, Professor, Community Service Education
Marjorie M. Devine, Associate Professor, Nutritional Sciences
James A. Gross, Professor, Industrial and Labor Relations
Scott McMillin, Associate Professor, English
Thomas W. Scott, Professor, Agronomy
Lloyd Street, Associate Professor, Community Service Education

Committee on Minority Education - 1 non-tenured seat - 3-year staggered term
Donald C. Graham, Assistant Professor, Food Science
Ronald R. Minor, Associate Professor, Veterinary Pathology

Professor McCarthy also read nominations for a tenured FCR seat on the Research Policies Committee, a vacancy having been created by a resignation:

Committee on Research Policies - 1 tenured seat - 2-year term
Bernard C. Rosen, Professor, Sociology
Charles B. Wharton, Professor, Electrical Engineering

The Speaker asked for additional nominations from the floor. There being none, he asked for a motion to close nominations. After the vote of approval, he instructed the Committee to proceed with the election.

4. REPORT FROM THE BUDGET COMMITTEE (Appendix A)

The Chair called on Professor Peter Stein, Physics, Chairman of the Budget Committee. Professor Stein said the Budget Committee wanted to take this opportunity to present a report that has been the result of an investigation made by the Committee and in addition to say a few words about recent work of the Committee. He first wished to review the paper entitled, "Some Thoughts on Admission Patterns of Endowed Units from 1972-1976" which was handed out at the meeting. Approximately a month and a half ago, a series of stories appeared in the Cornell Daily Sun indicating that the College of Arts and Sciences had used its wait list heavily to fill the number of places that were available to freshman in the College; there resulted wide ranging speculation as to whether or not that fact was an indication of very serious problems ahead, with students being driven away by the increasing tuition. He said one bit of perspective he's gotten from being on the Budget Committee is that he is very aware of just how much the financial well being of the University is dependent on the tuition that students pay, namely, essentially all of it. Professor Stein had not realized that before. Indeed, the present financial difficulties that one hears about would be exacerbated to the point of our not being able to endure it, if in fact, one found out that there were not a sufficient number of students willing to pay the tuition that we charge. It is absolutely necessary for our
survival that that willingness to pay the tuition continues. With that in mind, the Budget Committee felt it worthwhile to look into it further to see if any trends have developed. Before addressing the question, Professor Stein proceeded to define a few terms. First, admission procedures go as follows: A college receives a number of admissions; a committee within that college reviews the applications and gives offers of admission to a large number of applicants. Offers of admission go to more applicants than there are places available since historical knowledge shows that only a fraction of those offered admission, actually come. In general, for instance, if a school knows that it has 1,000 places available and it has historical knowledge that over the past several years only 50% of the persons to whom it offers admission will actually come, then that college makes 2,000 offers of admission in hopes that the same ratio will hold, so they will be able to fill their freshman classes. That number, which is the ratio of people who actually come, divided by the number of offers of admission made, is called the yield. Further, a college typically does the following: In addition to the offers of admission that it makes, it places a certain number of students on the wait list. The reason for doing that is, that if in a particular year, the yield is lower than anticipated, they can quickly make additional offers of admission in order to fill up the available number of places. The Budget Committee sent out questionnaires to the six endowed units of the University - Arts and Sciences, Engineering, Law, Business and Public Administration, Architecture, Art and Planning and the Hotel School - and asked them very simple questions on certain behavior patterns over the past five years. In particular, how many applications had they received, how many offers of admission had they sent out, what was the yield and how many admittees were drawn from the wait list. The Budget Committee has concluded that the number of students admitted from the wait list is not a reliable indicator of much of anything, being a very complicated number depending on fluctuations in differences between large statistically varying numbers. It depends on various internal practices of a college and on admission practices of other competing colleges. Typically the Committee found that the numbers bounce up and down wildly from year to year. The Committee studied the college yields as a function of time to see what has happened over the past five years in the fraction of the students admitted who actually matriculate. People believe that this yield is some kind of indicator of quality of an academic unit - if the yield is high, the quality of the unit is high; if the yield is low, the quality of the unit is low. He said there
are a lot of complicating factors going into the yield; it depends on the number of people who actually decide to apply, and where, on how much diversity there is in other places, what specialities people want, etc. The Committee believes that the yield is not a terribly good indicator by itself of quality.

Professor Stein went on to discuss data plots in the Committee's paper. Overall, the Committee does not see any real trends in the data over five years - there are no trends that seem to stick out indicating a change in the yield.

Another matter the Committee thought worthwhile investigating was whether there had been a change in the number of applications over the years, i.e. what is the ratio of the number of applications that are received to the number of places that we have. If in fact that number was high and was being maintained high, one would feel some sense of security that people are still willing to pay the tuition to come. For instance, suppose a college had 1,000 places available and received 10,000 applications. A first thought would be "good, for every place that we have, there are 10 people who are willing to come." But after some thought it occurs to one that that gives a false sense of security because not every person offered admission will, in fact, come. Indeed, if the yield were 10% for that unit, that school would be on the brink of disaster despite the fact that there were 10 times as many applications as there were places open. So simply to just take the ratio of the number of applications to the number of slots that are open, is a dangerous way of over-estimating the number of people who are out there ready to come. The Committee thought that a more reasonable way to examine the problem would be to do the following: Since we know what fraction of the people offered admission will actually come, one could take the number of applications and multiply by that fraction, assuming that if one took anybody out of the application pool and offered admission to him that that same fraction yield would continue to hold. So we take the total number of applications multiplied by the yield, and think of those people as those who are actually out there waiting to come. If one subtracted from these the number of actual matriculants, and then divided the result by the actual matriculants, one would have a measure of the excess number of people who are willing to come to Cornell and pay that tuition. The Committee did that, said Professor Stein, describing the quantity as the "reserve applicant ratio". This was also plotted as a function of time. Engineering, Business and Public Administration and the Hotel School data indicated a rising trend with time, i.e. an increasing demand for admission over the past 6 years. Law was unclear. For the College of Arts and Sciences, it is apparent that the reserve applicant
ratio was in a steady decline from 1972-76. For the total endowed colleges, as a function of time, the ratio is quite constant; i.e. the decline for Arts and Sciences is being compensated for by rises in the professional schools. The Committee sees no evidence from these data that higher tuition is driving people away. Maybe the affect is there, but at this stage it does not show. The rise in Engineering, Business and Public Administration and Hotel is perhaps a reflection of greater interest in professional education. The decline for the College of Arts and Sciences is not really understood but it may in fact be ominous and something that should be studied.

Professor Stein indicated that none of these data says anything about broader questions such as the abilities of the students, the social mix, the various kinds of a student body that one wants, etc.

From the beginning of the Fall semester until Christmas time, intense activity goes on with regard to making up the budget for the next year. The Budget Committee feels that it has this Fall interacted in a meaningful way with the central administration, unlike the situation Stein reported a year ago. The major money items that flow into a university are tuition, investment income, and gifts; while the money going out is in terms of salary and wages, and other things such as utilities, books for the library, travel, etc. Tuition pays roughly 70% of the operating expenses of which salary and wages corresponds also to 70 or 80%. Investment income is not under one's control; likewise for gifts. The freedoms that one has over a budget are largely in tuition income, salary and wages, some in capital reserve, but not much else.

Professor Stein commented on inflation; it really hurts. It's a funny kind of inflation since it is not necessarily that of the nation which one has to worry about. If General Motors raises the price of automobiles, contribution is made to the national inflation but it doesn't matter much to Cornell since the institution doesn't buy many automobiles. What is important to Cornell is what happens to the inflation in things it does buy, i.e. public utilities and books for the library. One unfortunate fact is that those items have gone up very disproportionately over the general inflation. The other way inflation can hurt is that investment income does not necessarily follow inflation; it generally lags behind. Inflation can have a very bad effect on donors; when their pockets get tight, gifts do not go up and may, in fact, go down.

Another perception he made was in regard to the capital reserve; namely, how much money can Cornell take out of the bank in order to pay its bills. The Committee has come to believe that the amount of money Cornell has for its use
in paying current operating expenses, is extremely limited. Why doesn't
Cornell take this huge endowment and spend it instead of increasing tuition?
The Administration answer to that statement is that whether or not it wants to,
it can't; it is legally not allowed, so most of that money is tied up, leaving
only a very small amount that can be spent from it. The Committee accepts that
statement and has seen nothing to indicate that it is not correct.

Something else that has happened in the past few years that has really
made the situation very difficult is the whole problem of maintenance. As known,
over the past 20 years, maintenance has not been done on the schedule it should
have been done. It is estimated that the University should increase its
expenditures for maintenance by roughly $1,500,000 per annum; this beyond the
recent $10,000,000 lump allotment. There are some things that can be done to
more nearly equalize the inflow and the outflow. We can decrease outflow with
austerity programs, and other cut-backs such as in reduction of salary and
wages through non-replacement of people who leave one way or another. We can
increase tuition income by simple increase of the tuition and/or an increase
in the number of students. Another long-range way of increasing the financial
picture is to convince donors not to specify that their gift go into the
capital reserve. It's not an easy thing to do, to convince them to buy coal.

Professor Stein stated that he thought there is a tendency to overestimate
deficits in budget planning, which leads to charges of dishonesty, an
unwarranted view in his opinion.

The Speaker asked if there were any questions for Professor Stein.
Professor Albert Silverman, Physics, said he missed from the discussion,
any criterion for deciding whether the University's financial picture was
improving or getting worse. Is it possible to characterize the situation in
those terms? Professor Stein responded by saying the question did not make
sense, that people have identified problems which they didn't see in the past
and they are now trying to face them. It doesn't seem to him that there is
anything that will drive us to financial disaster in the next 10 years. He
added that he's not sure anyone can say anything more precise than that.

Professor Norman Potter, Food Science, pointed out that the model suggested
by Professor Stein fits the endowed schools much better than it fits the
statutory colleges. If one were to take and report the situation for the
statutory colleges, the model would be drawn somewhat differently, as all those
in the statutory colleges well know. Professor Stein apologized for not having
said that it was a model of the endowed part of the University. The Budget
Committee has attempted to do something similar for the statutory colleges and has concluded, after talking to statutory deans, that they were wasting their time, since so little is under our control to change it.

The Chair recognized Donald G. Dickason, Dean of Admissions and Financial Aid.

5. **COMMENTS AND PROBLEMS WITH THE ADMISSIONS PROCESS**

Dean Dickason said that Dean Saunders had asked him if he wouldn't present some comments to the body concerning where admissions and financial aid had been going recently. Both Professor Battistella's and Professor Stein's comments are very provocative and are received with concern. Admissions and financial aid was significantly reorganized a year ago, in June of 1975, both philosophically and, on the managerial side, significantly. Prior to that time, admissions and financial aid had different reporting routes and were really essentially discreet items. They are now wedded together.

During the past year it has become apparent that there are a variety of pressures, trends, and concerns, all of which impact on what is being attempted. One can read on the covers of *Time* and *Newsweek* or others in the popular press, about the current trend toward vocationalism and careerism and away from traditional values in the liberal arts. Further, there is the current trend in the number of college graduates being produced from now until 1980 exceeding society's needs. Another trend is in the number of 18 year olds which will exist in this country as the years march on to 1990. From 1975 until 1990, the number of 18 year olds in the United States will decline by something on the order of 17 percent. New York State, because of its different demographic pattern will decline about 28 percent! Bad news for many of the some 120 colleges in the State of New York. Cornell's general current geographical attraction of students shows a rough decline in the market of about 20%. If New York State is going to decline more than the national average, somebody is going to decline less than the national average. The currently popular term, "the southern rim," can be used to define at least one region where that is likely to happen. Different elements influence the marketing concept: the number of 18 year olds, the number of those who happen to graduate from high school and the college-going rate of those who graduate from high school. New York State has currently one of the highest college-going rates in the country - something on the order of 65%. Another element is one which has already been alluded to: the whole business of whether people can or will afford us. A
lot of data prove arithmetically that, so far, Cornell has not been hurt in such way. From surveys, the number of students withdrawing and going to public institutions has remained about the same or even declined; the number of persons expressing financial aid concerns as reasons for not coming has in fact declined; and the tuition rate at Cornell compared to the per capita disposable income or other comparable measures has been essentially stable over 10 years. But, Dean Dickason said he thought those may be the wrong questions. The question may be not who is withdrawing from us but who is not applying to us in the first instance, and he said that is a control group that is not easily measured.

In the admissions area, Cornell and many other institutions, have been, what he calls "random recruiters". In recent years because of budget cuts in the financial aid office, we've become less aggressive "random recruiters". For instance, in the sixties, we used to travel 40-50 man weeks per year visiting secondary schools; now we travel five or six. A set of 17 decision points has been derived as to how a student arrives at our door, and a negative decision by the student or by us at any one of those points, may remove a student from the pool. There are five important areas within those 17 on which we can impact: (1) identification of the student, (2) recruiting of the student, (3) selection of the student, (4) the information and curricula available to the student and (5) selling of the student on the proposition that we are the best choice the student has among various options; an obvious subset of that, is the relationship of the choice to the available financial aid. It's our goal to become "masters of our own destiny" rather than just reacting to what the market is going out there. Dean Saunders said that the new President needed to be a person who could articulate very well what Cornell is. We've spent six months in our offices, Dean Dickason said, trying to do a good job of that. By "master of our own destiny", he means we are in a position to take the initiative to effect three things for the future: (1) quantity of students, (2) quality of students and (3) to make it affordable for those students we want to come.

As an approach to the late 70's and early 80's, we are trying a series of pilot and experimental programs in different parts of the country to refine our "arsenal" and be prepared with techniques that work for us. For instance, there are pilot projects in the "southern rim", Florida and Texas, and in the north country - four northern counties of New York State, where the college-going rate to Cornell has been essentially one half of what it has been in other parts
of New York State. Dean Dickason said that his office is terribly conscious of the lack in drawing effectively minority students from Rochester, Buffalo and Syracuse; we are trying some particular things there. The Arts College is working on a project to see if they can impact more explicitly on the quality of the students from some of the metropolitan areas. Just today, 35 guidance counselors were on campus from area secondary schools, such as Dryden, Candor, Sharon Springs, etc., who have been essentially ignored heretofore. Those are some examples of external activities.

Internal activities include becoming more conscious of our needs; the on campus impact being one of the most powerful things we have either for good or bad. Dean Dickason assured the body that the selection of students by the various selection committees, is made without regard to their financial circumstance. At the budget level, he said, they are very conscious of the interaction of the gross numbers of students and what it costs to make possible their ability to come here. At present, at the undergraduate level, we have about $7,200,000 of Cornell hard dollars in financial aid, both endowment and appropriated money. There was an increase last year of near $1,000,000 in the amount over that of the previous year. Future questions on the financial aid area include: Should we continue to have 42% of our people with scholarships from Cornell? That is now the percentage. Should it be 35%, should it be 45%? Should we have differential financial aid for underclassmen, upperclassmen, for the endowed, for the statutory student? These are some of the items that have been shared and discussed with various school and college admission people and deans, executive staff at various meetings, and Dean Dickason said he is glad to have had this opportunity to share them with this body.

Professor Howard Evans, Anatomy, said that he has a feeling that the Faculty as a whole is not well informed on the overall admissions policies of either the various colleges or of Cornell as a whole and perhaps we should be better informed of what the applicants are being told. Dean Dickason replied that the admissions policies are the prerogatives of the seven undergraduate divisions admitting students. It's always been the case that the Faculties of the several colleges set the standards for admission in their areas. There are different testing requirements, different high school prerequisites, division by division, and Dean Dickason said he would be happy to give Professor Evans, at his pleasure, an arithmetic tabulation which would show the results of those decisions.

There being no announcements, the Speaker declared the meeting adjourned.

Adjourned:  6:00 p.m.  

Paul L. Hartman, Secretary
SOME THOUGHTS ON ADMISSION PATTERNS OF ENDOWED UNITS FROM 1972-1976

Introduction

The FCR Budget Committee has completed a modest study of admission patterns over the last five years. The sources of the data were the admission offices of six endowed units: Architecture, Art, and Planning, Arts and Sciences, Business and Public Administration, Engineering, Hotel Administration, and Law. In the units other than Law and BPA, we have confined our study to undergraduate students.

We have compiled a five year history of the number of applications, offers of admission, acceptance of offers of admission, and offers of admission made from wait lists. We have limited ourselves solely to an examination of the numbers of persons in each of these categories. We have not addressed at all the backgrounds or academic abilities of the persons in these groups.

Wait Lists: The data on the number of students admitted from wait lists are spotty, volatile, and inconclusive. Only Law and Engineering have systematic records over five years. Where the data exist, there are large fluctuations from year to year. Fluctuations of a factor of two from year to year are common, and fluctuations of a factor of ten are seen. It is easy to understand why large changes are observed. Small relative changes in the internal practices of an admission office or in the behavior of the applicants, or changes in the admission practices of competing institutions can produce large relative changes in the number of students admitted from the wait list. Furthermore, even if all of these factors do not change, expected statistical fluctuations will produce relative changes of wait list offers of large magnitude. It is difficult to disentangle the factors that lead to these fluctuations. We have not found any systematic long range trend in these numbers.

Acceptance Ratio: The yield, or acceptance ratio, is defined as the fraction of the students who receive offers of admission that actually matriculate. The yield is commonly interpreted as a measure of the perceived quality of the institution. One must be careful, however, in placing too much significance in this single parameter. For instance, suppose that the average person in the national applicant pool increases the average number of institutions to which he or she applies. In this case, the number of applications received by all institutions will rise and the yield will fall with no change in the perceived quality of any institution. As another example, suppose that the institution’s applicant pool changes, in that the most highly qualified applicants no longer apply. It is then conceivable that those applicants who are offered admission will be more likely to accept, and the yield will then rise as a result of a decline in the attractiveness of the institution.

We offer these illustrations only to underline the danger in placing too much emphasis on the behavior of the yield without a simultaneous consideration of other factors, such as the relative quality of the applicant pool and national admission trends.

The five year behavior of the yield for each endowed unit is plotted in Fig. 1 as well as the total yield for all endowed units. The errors shown are statistical. With the exception of Law & BPA, the data from all units, as well as those from the total endowed units, do not show a compelling disagreement with the hypothesis that there is no change with time.

(over)
Reserve Applicant Ratio: It is clear that the existence of Cornell depends on the continued long range willingness of 16,500 students to accept offers of admission. In an effort to examine trends in the number of persons who seek admission, we have examined the behavior of a quantity which we define as the

\[
\text{Reserve Applicant Ratio} = \frac{\text{Applicants} \times \text{yield} - \text{matriculants}}{\text{matriculants}}
\]

It is algebraically equivalent to

\[
\text{Reserve Applicant Ratio} = \frac{\text{Applicants}}{\text{Offers}} - 1 = \frac{\text{Applicants} - \text{Offers}}{\text{Offers}}
\]

The significance of a Reserve Applicant Ratio of 1.0 is that for every student that matriculates, there is one and only one additional person in the applicant pool who will come if admitted.

We feel that trends in the Reserve Applicant Ratio is a better indicator of continued willingness of applicants to matriculate than the more commonly used ratio of applicants to matriculants. The essential difference is that the latter ratio neglects the fact that not everyone to whom admission is offered will come. The Reserve Applicant Ratio has the difficulty that it assumes that the yield among those not admitted would be the same as the yield among those admitted. Making use of this assumption probably underestimates the yield of this group, but it is a better procedure than neglecting the yield entirely. On the other hand, the implicit assumption that all applicants are qualified appears in both procedures. This assumption tends to overestimate the true Reserve Applicant Ratio.

The Reserve Applicant Ratios for all endowed units are shown in Fig. 2. Again, the errors shown are statistical. Some clear trends are evident. There are significant rises in Engineering, BPA, and Hotel. There is a correspondingly significant fall in Arts and Sciences. To understand the behavior in Law, one should probably study the data for several years previous to 1972. It is interesting that the behavior of the Reserve Applicant Ratio for the total endowed units is consistent with the hypothesis that the ratio is constant with time.

These data suggest several thoughts. (1) Since all of the endowed units have comparable tuition, and since all have been rising at comparable rates, the stability of the total Reserve Applicant Ratio of all of the endowed colleges indicates that the increasing tuition has not been driving prospective students away.

(2) The rise in the Reserve Applicant Ratio in the professional schools is probably a reflection of national trends. It would be interesting to compare these data with national admission trends.

(3) The ominous decline in the Reserve Applicant Ratio in Arts and Sciences should be studied with care to try to establish its causes. Several possibilities suggest themselves. It may be a reflection of national trends in liberal arts education, or of increased competition for women students amongst Ivy League institutions, or of the demographic changes in the Northeast, or of more aggressive recruiting practices of our competition. It is impossible to determine which reason or combination of reasons is responsible without further study. We feel that such further study is warranted, and should be carried out.

Committee on the University Budget
Figure 2

TOTAL ENDORED COLLEGES

APPLICANTS X YIELD - MATRICULANTS

APPLICANTS OFFERS

RESERVE APPLICANT RATIO:

MATRICULANTS

APPLICANTS

ENG

ARCH.

HOTEL

BPA

LAW

A&S
Provost David C. Knapp called the meeting to order at 4:35 p.m. 64 members and about 24 visitors were present. The Provost first delivered a report.

1. REPORT OF THE PROVOST

Provost Knapp remarked that several weeks ago he had asked the Dean of the Faculty if it would be appropriate at this time to try to pull together and report on some of the things that have been taking place on the campus, with respect to issues flowing out of the priority study of a year ago, as well as on some of the things which he considers to be major problems facing Cornell and other universities, in the long-range future. To what it all adds, he said, is a picture of a broad and comprehensive concern throughout the University --- particularly in the faculties of the colleges and schools --- with the quality of the University, the quality of education and the quality of the student body. The major long-range issue to be looked at intensely over the next several years in this University as well as others, is the certain, substantial decline in college age population until at least 1990. The best figures he has at present suggest that in the northeastern part of the United States, from which we draw 70% of our undergraduate students, we will in that period see a decline of at least 20% in the college age population. This is a very substantial decrease, one which cannot be ignored when thinking about the long range future of higher education. Provost Knapp thought it also says that we're probably going to be entering into one of the most intensely competitive eras in higher education. We've seen a great growth in numbers of institutions over the last several years - all of which will be looking at a smaller pool of students. In turn, this leads us to have real worry over how we are going to fare in that competitive arena; what we are as a University; how are we going to make out in the period 15 years ahead of us. A good deal of how we do, he thinks, is going to depend upon three things: the reputation of Cornell as a center of scholarship and learning; our reputation in terms of the quality of our undergraduate program; and the quality of our undergraduate student body. All of these are areas of activity and consideration within the University right now; he proceeded to run through some of the things that are going on which address current --- and longer run --- priorities concerning them.

First, with respect to the status of Cornell as a center for scholarship and learning, quite clearly the most critical factor here is the maintenance of a strong faculty. This has been a principal concern in all of our planning over the last several years; a principal concern in the development of the budget
adjustment program two years ago; and it was a major reason for the so-called "stretch out" in taking a longer period of time for the reduction in faculty size, i.e. taking longer than a five-year period as opposed to the three-year period proposed earlier. The results in the last two or three years suggest that there has been a slowing of new faculty coming into the University. Nevertheless, in 75-76, 76-77, we had 140 new faculty appointments - 100 of these at the assistant professor level. A number of senior level appointments have also been made. In the past six months, we have made, or are in the process of making, eight senior level appointments at the professorial level, some of them to named chairs. The people coming to these appointments, people currently outside the University, are coming here from points as far east as Leningrad and as far west as Berkeley. There is a continuous infusion of new strength within the University, at a slower rate it's true, but nevertheless, an infusion.

Another area of activity which relates to the reputation of the University as a center of scholarship and learning, leans on a major recommendation in the priorities study: we should maintain a continuous review and evaluation of our various academic programs. Our best count is that seven centers and programs have been reviewed in the past three years; one has been eliminated and one has been basically changed in organization and program; two have been consolidated into one; "seed money" has been placed in one special program, the Council on Creative and Performing Arts, in order to develop their program. Another kind of review has been taking place in the colleges and schools at the graduate level.

We've had three external accrediting visits in the last two years; a review of 8 or 9 Ph.D programs by teams visiting the campus; a number of special reviews organized by deans of the colleges or faculties within the colleges to look at special programs; and we have also had some internal review such as that by a task force looking at the social sciences as part of the priority study. Provost Knapp felt it fair to say that the evaluations which have come from these studies have resulted in large part in the types of senior level appointments mentioned earlier - each designed to add strength to programs over which there has been concern. The evaluations have figured prominently in annual budgeting decisions as well as in the development campaign for seeking funding in the Cornell campaign for $230,000,000.

Of major import to our reputation and status as a center of scholarship and learning is, of course, the library. Considerable focus has been placed in this area in the last year; a major problem is in acquisitions. He sees no way and knows of no university which is going to be able to meet the acquisitions
problem easily; every university sees it as an area of rapidly growing cost. In budgeting for 1977-78, special attention has been given to the acquisitions item. The solution to the problem over the long run, he thinks, is coming out of greater cooperation among universities. Some explorations have been made recently in this regard with the Research Libraries Group, which is a cooperative group including Harvard, Yale, Columbia, Cornell, and the Research Library of the New York Public Library.

Another problem within the library system is that of space. We're fast running out of it and some areas have already done so. Provost Knapp said he hoped that by January we will have come to a definite conclusion on how we're going to deal with off-campus storage as one part of the solution of the library space problem.

Another major area - the quality of undergraduate education - is a complex one to analyze since there is no one single factor which says what determines the quality of undergraduate education. One obvious element affecting quality is the curriculum; various of the schools and colleges are undergoing curriculum studies or have done so. What they decide deserves the attention of not only the specific school or college, but of the University Faculty generally.

Another aspect affecting the quality of undergraduate education is the Faculty-Student relationships beyond the classroom. Reviews of the advisory system have taken place in several of the colleges; recommendations have been forthcoming with respect to possible changes in the advisory system in a number of University units. The problem of advising also merges into the Faculty-Student relationship and some of the specialized services on campus. This is a problem of cross-college cooperation requiring universitywide thinking on the subject. Several developments have been made in the area: the library instruction program, seeking to bring the library resources more closely in tune with a number of aspects of the instructional program; since October, three task groups have been looking at areas of educational resources, career development, personal development, the inter-relationship of central resources and college resources for developing a better student support system. Another area is that of minority programs, this being a major concern in the reorganization programs.

A fourth element affecting the quality of undergraduate education is something he calls "civility on the campus". He means "civility" in both its human and physical aspects. There has been some real concern in a number of offices as to how we can make a greater show of courtesy, courtesy in visitor contacts, courtesy in dealing with services to faculty and students. There's worry in a number of
central offices over red tape. One of the major points in our development of the affirmative action plan is to get affirmative action with a minimum of red tape. Coordination of information and reference services on campus, both for visitors and faculty and students, has also occupied our attention.

The maintenance program is primarily concerned with basic structural needs. Provost Knapp reported that he has also asked Vice President for Planning and Facilities, Robert M. Matyas, to look at the problem of deteriorating classrooms, to the possibility of doing some cosmetics. The remodeling of the Financial Aid Office is being undertaken in order to take one of the most sensitive counseling areas on campus and give it the kind of physical space and relationships which it needs. The Day Hall East Avenue lobby is about to be remodeled, since it is a central point of information and referral, a place where many visitors first come to the campus. If any of us have been in there recently, we know it looks like the receiving room of a warehouse.

With respect to the quality of the student body, we began a year and a half ago to look at a reorganization of the Admissions and Financial Aid Office - the two offices being consolidated under Dean Dickason when he was appointed. A number of issues relating to improving our admissions process, particularly the recruitment process, have been addressed over the past year, as well as the relationship of financial aid to admissions. Improved relationships have been developed with alumni secondary school committees, which will serve us in good stead over the long run.

There are a number of issues which still need to be resolved in recruitment and admissions, which involve a central staff, deans, college staff, and faculty. These issues are related to student identification: identifying those students most likely to come to Cornell, the ones we want to have; trying to interest them in coming and in a realistic way - telling them about what the University is, what it has to offer and how its interests match their interests. Required is a better communication process between prospective students and the University - there is a problem in our hospitality when students visit the campus: such things as a few signs at entrances, directional signs to the Admissions Offices, better visits with staff, Admissions Offices and staff available on weekends when visitors are likely to come, etc.

The cost of undergraduate education at Cornell relates to its quality. The "price" is probably the basic factor in annual budgeting over the last several years. A major effort has been made to attempt keeping the rate of increase in tuition within bounds; compared to a lot of our peer institutions, we've been
pretty successful. Provost Knapp said the total undergraduate education he paid for 30 years ago, was in totality for the four years, 40% of the cost of one year of an undergraduate education at Cornell. That's a frightening kind of figure. He would counteract that, however, by remembering what his beginning salary was when he got out of college—precisely $2,268 a year. Students graduating today expect at least a beginning salary of $9,000 – $10,000.

Within the last couple of years, several studies have been instituted in a try to track the impact of increasing costs, in a development of the best data to show the relationship between cost and educational opportunity and student interest in institutions like Cornell. The basic problem we face here is that tuition has a fundamental relationship to our costs. When they go up, there looms the problem of tuition. It is one we cannot ignore; and one we are not ignoring. This has had more intense consideration than any other subject in budget planning in the last several years. It is clear to Provost Knapp that there are no instantaneous solutions to a lot of the problems we face, there never are in the academic world. A major effort has to go into the determination of appropriate size for the University as we look at the diminishing pool of students; we must examine our financial aid policy, the proportion of the budget going into financial aid, the kind of financial aid policy we maintain and how we address the attraction of students vis-a-vis financial aid in the decade ahead.

Provost Knapp concluded his report by saying that he hoped he had given some sense of the large amount of current activity dealing with central concerns of the University and the future of the University, it being a broad-based effort, involving Faculty, colleges, and the central administration.

The Speaker, Associate Professor J. Robert Cooke, asked if there were any questions for the Provost. There being none, the Speaker indicated the agenda would consist of approving the minutes, a report from the Dean, four resolutions and at the end of the meeting, no later than 5:30 p.m., an executive session would be held at which only members of the University Faculty would be invited to remain for discussion of the extension of the term of office of the Dean.

The Speaker asked for any corrections to the minutes of the meeting of November 10; hearing none, he assumed that they were correct and stood approved.

The Chair then recognized the Dean of the Faculty, Professor Byron W. Saunders, for his report.

2. REPORT OF THE DEAN

Dean Saunders first announced the results of the recent balloting. The member elected from the FCR to the Committee on Research Policies for a two-year
term is Professor Charles B. Wharton, Electrical Engineering. For the Committee on Minority Education the following members of the University Faculty, non-FCR members, were elected to the three tenured seats: Professor Sara Blackwell, Community Service Education; Associate Professor Marjorie Devine, Nutritional Sciences; and Professor Thomas W. Scott, Agronomy. The non-tenured seat for a non-FCR member was filled by the election of Assistant Professor Donald Graham, Food Science.

The Dean announced the existence of a new committee which he appointed after consulting with Vice President W. Donald Cooke and Mr. Thomas Rogers, Office of Academic Funding. The establishment of this Committee was one which we had little choice about. At the moment, it will exist as an ad hoc committee to conform with certain requirements of the National Institutes of Health. This has to do with the problem of research on recombinant DNA; a subject that is much in the news these days, locally as a result of Dr. Watson's visit here a week ago Monday, and nationally, with the activity in Cambridge of last spring. We are required to have such a committee to pass on all recombinant DNA research before it will be funded by National Institutes of Health as a result of the guidelines which they have enunciated and which were published in the Federal Register last summer. The Committee, for the record, consists of the following people:

*Dr. Alexander Bearn, Professor of Medicine, Medical College
Professor Stuart M. Brown, Philosophy and of the Science, Technology and Society Program
Assistant Professor Roy Chaleff, Plant Breeding and Biometry, and Genetics, Development and Physiology
*Dr. Gretchen J. Darlington, Assistant Professor of Medicine, Medical College
Mr. Eugene Dymek, Director of Life Safety
Professor Leon Heppel, Biochemistry, Molecular and Cell Biology
*Associate Professor Anwar Khan, Seed and Vegetable Sciences, Geneva Experimental Station
Associate Professor Larry Palmer, Law
Associate Professor William Provine, History of Science in History
*Dr. Roland E. Schneckloth, Associate Dean; Director, Office of Research and Sponsored Programs; Associate Professor of Medicine, Medical College
Professor Adrian Srb, Genetics, Development and Physiology
Professor Harry Stinson, Chairman, Genetics, Development and Physiology
Associate Professor John C. Thompson, Physical Biology, Veterinary College

As ex officio members:

W. Donald Cooke, Vice President for Research; Director Richard D. O'Brien, Biological Sciences; and Dean Saunders (during a "shakedown" period).

*Off-campus appointees, whose names were given following the meeting.

At the moment, a few additions for this Committee are being considered to conform to additional NIH guidelines; there will be an additional biologist, two
people probably representing the community at-large, as well as an additional person representing the Health Services. It will be a large committee, but one that will deal initially with recombinant DNA research and subsequently with several other forms of biological hazard.

Commenting on the bi-annual examination process, Dean Saunders said he has lamented often and loudly - both in writing and orally - about the problems associated with, and deviation from, Faculty legislation mandates. Today he is taking the other side in reporting that he is able to acknowledge a considerable level of recent cooperation with offenders who have had the legislation pointed out to them. He thinks that if people will familiarize themselves with these legislative requirements, both having to do with examinations, on the one hand, and with the scheduling of courses on the other, there will be considerable lessening of problems. On the scheduling of courses, a recent count indicated that there are 27 courses for the spring semester which are scheduled illegally; these are in the process of being rectified.

The last point Dean Saunders wished to make is that there has gone out in the mail to every member of the FCR, the Presidential Commission Report on Self-Governance. He indicated that he wanted to get it out to members of the FCR as rapidly as possible so that they could read and study it and be prepared to discuss it meaningfully at the February 9 meeting. The Dean said he originally suggested a probable vote at that time but in retrospect, he feels that is pretty unlikely and a March vote would be more realistic. He stressed that it is an important matter and urged all members to do their homework and be prepared to discuss it in whatever format the Executive Committee decides the most appropriate for dealing with it.

3. RESOLUTION TO EXTEND THE LIFE OF THE SEVENTH SENATE

Dean Saunders moved the first resolution, as follows:

RESOLVED, That the Faculty Council of Representatives approves the Cornell University Senate Bill #SA-435, authorizing the extension of the life of the Seventh Senate for a period not to exceed sixty (60) days.

The Speaker called for and received a second, and then opened the floor for debate.

The Dean said he merely wished to point out that this is the resolution announced at the last meeting, which is necessary because the Seventh Senate, if it is to continue for a period of time pending a resolution of the alternate governance structure, would require that either we have a new election for a short term Senate or else we extend the term of the existing Senate. The latter seems the more reasonable course of events and the Dean feels it appropriate that the FCR approve it. This is necessary because it would not otherwise be in keeping with the existing constitution.
The Chair indicated that the Speaker of the Senate was in attendance in case anyone wished to direct questions to him.

Professor Albert Silverman, Physics, asked if sixty days would cover the required period until the FCR makes its recommendations. Dean Saunders replied that the sixty days extension would start at the current expiration date of March 1, which seems adequate.

On a call for a vote, the resolution clearly carried.

4. RESOLUTION RE MASTER OF ENGINEERING DEGREE

Dean Saunders said the second resolution was a request from the School of Operations Research and Industrial Engineering, where they conduct a Master of Engineering degree program in keeping with several of the other units of the College of Engineering. It reads as follows:

RESOLVED, That the Faculty Council of Representatives approves the request of the School of Operations Research and Industrial Engineering to modify the degree designation of their professional masters degree program from Master of Engineering (Industrial) to Master of Engineering (Operations Research and Industrial Engineering) and forwards this request to the President for whatever further actions and approvals are required or appropriate.

After being moved and seconded, the resolution was adopted.

5. RESOLUTION RE BACHELOR OF SCIENCE DEGREE

Dean Saunders indicated the third resolution was one which he had received from the Dean of the College of Architecture, Art and Planning, which reads:

RESOLVED, That the Faculty Council of Representatives approves the request of the Faculty of the College of Architecture, Art and Planning to change the degree designation for the undergraduate program in City and Regional Planning from the degree "Bachelor of Fine Arts" (BFA) to the Bachelor of Science (B.S.).

The Dean noted that this had come via the Faculty of the College of Architecture, Art and Planning; they approved it unanimously. It has been before the Committee on Academic Programs and Policies, and the Executive Committee. This particular resolution comes with the endorsement of each group.

There being no further debate, the Speaker called for a vote and the resolution carried.

6. RESOLUTION RE BACHELOR OF ARTS IN ARCHITECTURE AND URBAN DEVELOPMENT

The fourth resolution, Dean Saunders said, having to do with degree designation, is as follows:

RESOLVED, That the Faculty Council of Representatives approves the request of the Faculty of the College of Architecture, Art and Planning to change the degree designation for the undergraduate program in the History of Architecture and Urban Development from the degree "Bachelor of Fine Arts" (BFA) to the Bachelor of Arts (AB).
The Dean said this resolution is a little different from the previous one in that it has been to the Committee on Academic Programs and Policies and comes without their recommendation, the reason being that the Bachelor of Arts degree is a degree which at the moment is only granted by the College of Arts and Sciences. The Committee felt that it was not for them to make a recommendation, pro or con, regarding the awarding of an Arts degree outside of the College of Arts and Sciences. They are not against it, but not necessarily for it either.

Professor Howard Evans, Anatomy, said there are programs that require a degree in Fine Arts and wondered if students have been considered so far as concerns those programs which would require a degree in Fine Arts, which would now be a degree in Arts. Dean Saunders replied that the only program which is being proposed here for a change is the one cited specifically - History of Architecture and Urban Development - which currently receives the Bachelor of Fine Arts degree. The Bachelor of Fine Arts was not an appropriate degree for that program because it does not deal with fine arts. The programs appropriate to the BFA degree will continue to receive that degree. The Dean said if this resolution is approved, the students currently enrolled should be then given the option as to which degree they would like.

Professor Paul Ankrum, Electrical Engineering, asked if it has been or would be appropriate to check with the College of Arts and Sciences, since they have exclusive rights to this degree at the present. Dean Saunders said that the Dean of the College of Arts and Sciences had been officially notified and invited to come and speak to it, but received no communication from him.

Professor Norman Malcolm, the Susan Linn Sage Professor of Philosophy, said that when he read this resolution he was rather surprised by it. As he understands it, what is proposed is to merely change the name of the degree, that is, not to change the program. It seems to him misleading to have two degrees with the same title; well-known language and distribution requirements, etc. exist in the Arts College; the same requirements presumably would not be required in the Architecture program.

Professor Wolfgang H. Fuchs, Mathematics, said he understood the aim of the resolution is to give a more accurate description of what the degree involves. He said he thought the third resolution could have the same objectives expressed from the College of Engineering. The History of Architecture and Urban Development are arts but not fine arts, he said, and therefore the name should be changed.

Professor Ankrum said that the Bachelor of Science degree is given widely on this campus and elsewhere for widely different programs - Bachelor of Science degree in Human Ecology, College of Agriculture, Hotel School, College of
Engineering, etc. He further commented that the Bachelor of Science degree has not nearly as clearly delineated requirements as the Bachelor of Arts degree.

Associate Professor Peter D. McClelland, Economics, said he found it difficult, as a member of the Arts Faculty to vote on this resolution, since as Professor Malcolm pointed out, we are about to have a single degree for two different programs. He said it was not clear to him whether the differences in the two programs were substantive or not substantive and therefore moved to table this motion until such time as we get, either from the people who are moving it or from the Dean of the Arts College, or both, some recommendation as to whether these differences, in their views, are or are not substantive.

The Speaker asked if that was a motion to table or merely to postpone indefinitely, elaborating that tabling suppresses debate and means that it stays on the table until a vote is taken to remove it from the table.

Professor McClelland said that if a motion to postpone is more consistent with the spirit, then that should be the action.

It was moved and seconded to postpone and on a vote call, was so done.

The Speaker said the remaining item of business (discussion of the extension of the term of the Dean of Faculty) would be conducted in executive session. *Robert's Rules of Order* specifies that only members should be present, but the Chair, unless the body suggests otherwise, will interpret that loosely to mean any member of the University Faculty may remain in the session - not just voting members of the FCR. There was no objection so all visitors were cleared out, save any Faculty members electing to stay (the Dean having left), and the body went into the executive session on the Deanship. Following the discussion, FCR members voted approval of a motion that Dean Saunders' term of office be extended by one year to July 1, 1978. This would keep him on one year, if he chose, and would still allow him a delayed sabbatical year before his retirement in July, 1979.

There being no further business, the meeting adjourned at about 5:45 p.m.

Paul L. Hartman, Secretary
President Dale R. Corson called the meeting to order at 4:35 p.m. 62 members and 11 visitors were in attendance. After saying Professor Chester would be making remarks for him, he then turned the meeting over to the Speaker, Associate Professor J. Robert Cooke.

The Speaker asked for approval of the minutes of the December 8 meeting. There being no corrections, he declared the minutes approved.

The Chair then recognized the Dean of the Faculty, Professor Byron W. Saunders, for his report.

1. REPORT OF THE DEAN

The Dean indicated there were a few routine items he wished to report on for the record. First, he acknowledged the body's vote in the executive session at the December meeting, when it was voted to allow him to continue as Dean, if he chose to do so, for one additional year. Dean Saunders said he would make that judgment before the March meeting and would relay his decision to the President so that appropriate steps can be taken.

Secondly, the Dean called attention to the scheduled Symposium on February 12, entitled, "The Character of the American Nation". This Symposium was instigated largely by the Provost who was concerned that similar affairs have been successfully put on in New York City on behalf of alumni and others. The thought was, why can't we do the same thing for our local community as well. The planned all day session is the result. Dean Saunders indicated that for any who can spare the time, it would be well worth the effort made to attend. The tickets to the Symposium are free, merely to record presence of people, but the luncheon will cost $4.00, featuring a menu representative of the 1700's, 1800's and 1900's, probably not inclusive.

As the third item, he called attention to the University Faculty meeting, Wednesday, February 16---the regular mid-winter meeting. Prior to the official call to order of that meeting at 4:30 p.m., there will be shown at 4:15 by Mr. Wes Tree, of the Office of Public Information, a filmstrip and sound track, entitled, "To Believe Nobly", featuring the voices of Blanchard Rideout and Morris Bishop. The Dean commends the film to the Faculty and if they can get to the meeting 15 minutes early, urges them to do so.

For the benefit of those who will be traveling to London this summer, Dean Saunders said he had received an announcement and request to present it to the body, that hotel accommodations in London are available for Faculty, through Imperial College, in the Kensington section of London. He said educational purpose is not a prerequisite and the price is right, only six pounds for bed and breakfast,
which currently is not too bad. The Dean added that he has stayed there himself and that the facilities are quite satisfactory, the neighborhood stimulating.

Lastly, as mentioned in the agenda, Dean Saunders had some comments to make about the Presidential search. In retrospect, he thinks about everything has been said that should have been said, and probably more, in the press the last few days. A statistical report from the Faculty Search Committee has, in the call to Faculty for this meeting, been circulated concerning the Faculty's own nominations. The morning's Cornell Daily Sun was essentially correct when it implied that the Faculty had not yet endorsed the candidacy of Dr. Rhodes. Dean Saunders said the Faculty Committee has not yet done so because they are still continuing an investigation of some aspects of Dr. Rhodes' work at Michigan and other places. The Committee feels these are not going to upset any future recommendation that they might make, but in fairness to all, the Committee feels it is necessary to continue until all questions raised have been answered. The Dean regretted that he was unable to get more of the Faculty into the interview process with the candidate when he was here on Monday, but there were severe handicaps in the limited time available and many constraints existing, such as getting a sufficiently representative group of people from various colleges, interest groups, the Executive Committee of the FCR and the Presidential Search Committee itself. With the limitation of four people from each interview group, he feels that the day's objectives were largely achieved. Hopefully, the rest will be managed in a future trip, which the Dean hopes will not be too far in the future.

The Speaker asked if there were questions for the Dean. There being none, the Dean held the floor for the introduction of a resolution approving a University Committee on DNA Research.

2. RESOLUTION APPROVING THE UNIVERSITY COMMITTEE ON RECOMBINANT DNA RESEARCH

Dean Saunders regarded the resolution as a simple, straightforward one which he read and moved:

RESOLVED, That the FCR, in accordance with the recommendation of the Review and Procedures Committee, approves the establishment of a standing committee to be known as the University Committee on Recombinant DNA Research.

The Speaker indicated that the resolution was both moved and seconded.

At the December meeting, the Dean said, he announced the existence of a group to serve the watchdog role as an ad hoc committee. Since then, NIH guidelines received require that the University have such an official committee. He said he could not give the precise membership at the moment because NIH guidelines
will have to be followed concerning members to be included from various representative groups, but a Committee is in existence. Dr. Harry T. Stinson, Genetics, Development and Physiology, is the chairman and currently about 12 people are on it. He said the Faculty is probably familiar with some of the problems associated with research on recombinant DNA and that in order to protect our own investigators working in the area, it is necessary that we have this Committee officially established. Hence this resolution.

On a call for a vote, the resolution clearly carried.

The Chair called on Dean Saunders to introduce the debate on governance.

3. DEBATE ON SELF-GOVERNANCE

The Dean reviewed briefly, insofar as the Faculty is concerned, how we got where we are. The Commission, which was chaired by Professor Geoffrey Chester, Physics, who would summarize some of the recommendations of his Committee, submitted a preliminary report, which the Dean referred to the Executive Committee and the Review and Procedures Committee. They in turn reviewed and discussed it and formulated their responses, which were communicated to Professor Chester and his group and which became a part of the substance of their consideration for what was included in the final report. This was issued in early December and immediately dispatched to all members of the FCR. In addition, in the call to the full Faculty for the present meeting, a synopsis was also distributed.

The procedure for the Faculty at this point is that it discuss and raise any questions about those elements of the report on which any member feels the Faculty should speak. The Executive Committee would like the body's advice on specific issues they feel the Faculty might take a stand on without any reference to a pro or con stand on the report as a whole. The referendum the President is going to conduct, is advisory to him, will question the concept of the Assembly, the concept of the individual committees, and the willingness of the community to participate in either or both of those activities. The Faculty, on the other hand, will have a chance, through possible votes at the March meeting, if the body today indicates that as a useful step, to vote on specific items as recommendations to the President, so that when he formulates a final plan to present to the Trustees, he can take account of the Faculty's view regarding those specific items. For example, the Calendar issue: Do we, as a Faculty, subscribe to and accept the particular condition of the recommendation having to do with the Faculty role? Do we or do we not want to advise the Review and Procedures Committee to try to implement the notion of additional student participation in FCR committees? Do we wish to accept the Assembly in some form? Or do we think that the concept is not a particularly useful device? Do we or do
we not think that the Assembly, if it comes into being, should have its Faculty participation determined by the Nominations and Elections Committee? Or by some other device? As a result of any discussion at this meeting and at the full Faculty meeting next week, the Executive Committee of the FCR will try to formulate appropriate resolutions for the body to vote on at the March meeting.

The Chair then recognized Professor Chester, Chairman, President's Commission on Self-Governance.

Professor Chester told of the presentation he made to the FCR in October, the basis of which was the preliminary draft report presented at that time. Today, he wished to give the body some feeling for the responses received to that report and to outline in very general terms the kind of changes the Commission made as a result, and to then run through those items, as the Dean suggested, which are of special concern to the Faculty.

After the preliminary report came out in August, the Commission received responses from the FCR Executive Committee and the Review and Procedures Committee. The University Senate supplied the Commission with an extremely detailed study of the report and challenged many of the report's basic premises. About 30 individual Faculty members wrote, nearly always on specific matters and sometimes on the same specific matter. Trustees wrote, usually addressing specific matters, with the exception of a few cases, where very general issues were raised. Several members of the University Administration also gave their views on various matters. On the whole, a lot of useful information was obtained from these responses.

There is no basic change in the final report, Professor Chester said, either in philosophy, structure or principles. The Commission was criticized by the Senate and vigorously so in what might be termed the local press. However, when analyzed, that criticism did not seem sufficiently forceful to make the Commission change its basic viewpoint. He said they have made innumerable small changes in the report, not of very great concern. On the other hand, there are a small number of fairly significant changes, interesting different people according to their viewpoints and interests. While some changes certainly interest the Trustees considerably at this time, he said he would not say anything today regarding Faculty, Student or Employee Trustees - only that no change has been made so far as Faculty representation on the Board of Trustees is concerned.

Apart from the Trustees, there are three basic elements in the report. The first is the recommendation that the University form a University Assembly and that the Trustees recognize and ratify the essential ingredients. A significant change concerning the Assembly, suggested by the Executive Committee of the FCR,
was the tightening up of the mechanism by which the Assembly can change its own nature. It now cannot, in fact, without the agreement of this body, change its existence, basic jurisdiction or for that matter, the mechanism of change. The Assembly, in the Commission's view, is a broadly based body with an equal number of Students and Faculty, 27 each; about half that number of Employees, and four of the senior Executive Staff, plus the President. It is a basically deliberative body that can make recommendations to the University Administration, to Faculty, to others on the campus concerning things of broad concern within the University. It has very little legislative power, but it does have legislative authority with respect to the campus judicial system. The Commission sees the body as one that can advise and make recommendations, and it hopes it will turn out to be a place where the notion of formal debate and recommendations, though fairly important, will not overwhelm it, and a place where the mere exchange of information and views with the senior Executive Staff of the University could be very valuable to the University. The Assembly may wish, from time to time, to look at matters which have an academic content and are of broad concern but they have no authority whatsoever to legislate in such matters. In the Commission's recommendations, the Assembly is the only central voice that the Student body has in which to express its concerns.

The second element in the report is the committee structure, delegated from the President with authority to make policies and determine budget priorities in seven of the large service organizations in the Divisions of Campus Life. Nearly all of these are highly student oriented organizations, with the major exceptions being the Department of Transportation and the Campus Bookstore. The main thrust is to make it an economical and efficient group of committees. Again, as a result of complaint from the Executive Committee that the charge to these committees was not tight enough, and the feeling that the central coordinating committee, the Campus Affairs Committee, was not a tight enough structure, the Commission in both cases has made the charges tighter, more precise, and have, in fact, strengthened the coordinating committee to a significant degree.

The third element in the Commission's report is the set of recommendations for a variety of University Committees and Boards. In those matters, concerning these boards and advisory committees, a number of changes were made as a result of representations.

Professor Chester then turned to elements and changes that were made in the report as they relate to Faculty interests. The first item, and one he feels is a rather important one, is that in nearly every instance, the Commission has
recommended that the Faculty determine how it will select the members for all the committees and boards and bodies, save those internal to the Assembly. The reason for this is the desire to bring the Faculty back, in some degree of involvement, for those who wish it, to these areas.

The Commission has not changed the recommendation regarding the Calendar, which has two parts to it. As long as the Calendar remains of the present type, the Provost should set the dates. The argument there is that the options and the amount of variation in that Calendar are very small and the Commission saw no benefit whatsoever in having some committee try to involve itself, expecting that the Provost would consult wisely and choose among the number of very small options available. The second recommendation is that if there is to be a major change in the Calendar, then ad hoc Universitywide committees should be formed to study and make recommendations. Such recommendations would have to be approved by this body (the FCR) and the Assembly.

In the charge to the Steering Committee of the Assembly, the Commission has inserted a phrase which reads: "We ask that they work with the Executive Committee of the Faculty Council of Representatives to establish an effective mechanism of communication between the two bodies." Again, this was a matter pressed upon the Commission by the FCR Executive Committee, which felt it very wise that the two try to work together from the start and that a mechanism be set up for this.

Finally, a specific recommendation (to the Faculty) has been made concerning student representation on the Library Board - that the number of students be increased to three and that their method of selection be changed.

A direct recommendation was made to the Faculty asking that they consider whether they could have students on some of the standing committees which do not now have students.

Professor Chester said he thought that completed the list of things that may be of special concern to this body. He said he had little doubt that the recommendations made about committees could work. What is very much a question, is whether the Assembly can be made to work, and he urges Faculty to give the President the best possible advice about its participation in that body. The other point Professor Chester wished to make is that the referendum the President is working on is not the Commission's referendum - it is the President's.

The Chair then opened the floor for questions, comment and debate.

Professor William Tucker Dean, Law, said that having served at the end of the latter part of the Constituent Assembly, establishing the University Senate in the setting up of the committee structure for it, and through the first year
of that body's existence, he wished to commend the Commission for the work it has done. He said he'd gone over it, but not in great detail, and thought it would fly. The only worry Professor Dean has is with respect to the Student members, which will be selected at large. It seems inconceivable to him that 25 Students would be sufficiently well known to the Student body as a whole for the Student body to make an intelligent selection. He would like, therefore, some thought to be given to the selection of the Student representatives from the various colleges by the various Student college organizations. He recognizes that some of these are not very strong, but suggests that they may become stronger.

Professor Chester said that the basic proposal for the Students in the Assembly, the number of seats being 27, is that they be divided between Freshmen, other class undergraduates and graduate students, and that the undergraduates be apportioned amongst the colleges and schools so that each college and school have at least one seat. The idea of having Student groups elect these representatives is something the Commission toyed with. Since it is not known whether those college representative bodies are strong enough to bear the burden, the Commission, rather, found the idea alarming.

The Chair recognized Professor Peter Stein, Physics, who asked Professor Chester to comment on how he sees the Committee on Priorities vis a vis the existing Faculty Committee on the Budget. Professor Chester said there is nothing in the report about a Faculty committee, so the Commission is not making any recommendation, whatsoever, about the Faculty Budget Committee. The Committee on Priorities would thus be a parallel committee, containing the voice of the students in those matters.

Professor Norman Malcolm, the Susan Linn Sage Professor of Philosophy, indicated that one thing bothered him after reading the report: That is in the proposal that the Assembly will be subordinate to the President of the University. First, its authority would be delegated by the President, and second, the President would be its presiding officer. The Assembly will be the only generally representative body in the University - having Student, Faculty and non-academic Employee representatives - and he doesn't see why it shouldn't have authority delegated to it by the Board of Trustees and why it shouldn't elect its own presiding officer. Professor Chester said both matters were intensely discussed by the Commission. First, in regard to the President being the presiding officer, he reminded the body that the Organization and Procedures of the University Faculty delegates the President to be the presiding officer in the University Faculty and it has not been subverted. The reason for having the President and some of the
Executive Staff incorporated into the Assembly is so that they will be there, accessible to the body; hopefully, by being there, the adversary role would be somewhat attenuated. The President does not moderate Assembly debate; the Speaker does that. True, if a President does dominate proceedings, the Assembly will fold, but Professor Chester is optimistic over the possibility. Regarding delegation of authority to the Assembly by the President - the choice lies between delegation from the President or from the Board of Trustees. Delegation from the Trustees sounds grander and therefore the body seems better instituted, and so forth - but delegation from the Board of Trustees is in effect, delegation from the President. In almost all important matters, the Trustees will turn to the President for a recommendation and follow that recommendation. Professor Chester thought there were two other points in this regard which are very important. One is, you can get at the President, you can't get at the Board of Trustees. He said that in his experience, it is very difficult to talk to them since they are very distant, dispersed and when sensitive matters arise, you can much more readily talk to the President and influence him than you can the Board; not because they won't listen to you, but, simply, one has very little access to them. Equally important is the philosophy, while not spelled out in the report, that we do not want the Board of Trustees to get too involved in campus matters unless they are of enormous importance.

Dean Saunders said he wished to correct Professor Chester slightly, since these proceedings become a part of the permanent record. Professor Chester stated that, based on our Organization and Procedures of the University Faculty, the President has been chosen by us as our presiding officer. In fact, it is a Bylaw statement of Cornell University. Article VI says: "The President shall be the chief executive and educational officer of the University...He shall be a member and also, except as he may otherwise designate or as these Bylaws may otherwise provide, the chairman and presiding officer of every faculty and every separate academic department, division or center of the University."

Professor Malcolm said he is glad Professor Chester agrees it would be unhealthy if the Assembly were completely dominated by the President of the University. The proposed setup, he said further, would seem to him inevitably to have that result. One would hope that things would be harmonious between the Assembly and the Administration, but the occasion will likely arise in which there was a strong feeling in the University community that the President was being arbitrary or unjust in some way. Professor Malcolm said he didn't see how the Assembly constituted as proposed, could, using Professor Chester's term, "get at"
a President who delegated its authority to it and who was its presiding officer. It's just going to be an inferior body, an adjunct to the President and the Administration.

The Chair recognized Professor Paul Hartman, Applied and Engineering Physics. He wondered if Professor Malcolm remembered a Faculty meeting a long time ago when a proposed research operation out at the airport was vigorously discussed and voted on. The Faculty at that time took a strong stand against it, and the then President rather read the Faculty the riot act. One of the younger Faculty members got right up and really let the President have it in no uncertain terms. Professor Hartman doesn't see why, if we have any gumption and backbone, we can't do the same thing.

There being no further discussion or any other business, the Speaker adjourned the meeting at 5:35 p.m.

Paul L. Hartman, Secretary
Following a showing of the Cornell film and sound strip, "To Believe Nobly", the Speaker, Associate Professor J. Robert Cooke, called the meeting to order at 4:35 p.m., noting that a quorum was obviously not present, since only about 30 (!) members were in attendance. Therefore, minutes of the meeting of September 15, 1976, will have to be presented at a later date for approval by the Faculty. One announcement was made by the Speaker for the Judicial Administrator: Applications for the University Hearing Board and the University Review Board should be submitted to either 133 Day Hall, the Senate Office, or the Judicial Administrator's Office, 270 Olin Hall.

The Chair then recognized the Dean of the Faculty, Professor Byron W. Saunders, for a report.

1. REPORT OF THE DEAN

Dean Saunders said first he was asked to express the regrets of the President and the Provost at their inability to attend this meeting. The President is in New York but the Dean is pleased to see the Provost in the back row, the regrets notwithstanding.

The principal item in his report, Dean Saunders said, was that he should report to the Faculty on behalf of the Presidential Search Committee. As all no doubt know by now, if one reads the daily newspapers, either Sun or Journal, the Faculty did not endorse the candidacy of the candidate who is receiving all of the publicity, as promptly as some of the other search committees chose to do. The reason was that the Faculty group felt the necessity for completing an investigation which they had undertaken. That investigation was completed and their most recent meeting was held on Sunday. Their official statement issued following that meeting is: "The Faculty Presidential Search Committee is pleased to announce that it has unanimously endorsed the candidacy of Dr. Frank H.T. Rhodes for the presidency of Cornell University. Of the candidates coming to the attention of the Faculty Committee through Faculty nominations, Trustee nominees referred to it for evaluation, and as the result of careful and detailed investigation, the Committee has concluded that Dr. Rhodes is clearly outstanding. The Faculty Committee, therefore, urges the Trustees to proceed at once with the necessary negotiations to bring Dr. Rhodes to Cornell as its ninth president." Dean Saunders said that the information was telephoned to Chairman Kiplinger of the Trustee Committee and from that point on the Trustee Committee and the Trustees themselves took over. He thought he could report unofficially that they were at this moment meeting in New York. While having no official word as to the results of that meeting, the Dean felt all could reasonably surmise that it was for the
purpose of receiving the report of the Trustee Committee. They would formally present to the body of Trustees assembled, the name of Dr. Rhodes as their nominee; presumably that action is being completed. The Faculty, he said, would hear more about it in due course. If Dr. Rhodes, in turn, accepts the invitation likely forthcoming from the Trustees, then the Faculty Committee will have concluded its task and a detailed report will be written and issued to the entire Faculty so that we will know what went on during the period of time that the Committee was working. This report will supplement the information distributed in the Faculty call to the FCR meeting, which was merely a numerical reporting of the nominees received by the Committee and the source of these nominees as to categories of people submitting them.

Dean Saunders said that concluded his report. He was next supposed to submit, on behalf of the Review and Procedures Committee, two resolutions concerning revisions in the ex officio membership of the University Faculty, but indicated that without a quorum, no action could be taken, so the matter will have to be referred to the FCR for action at its March meeting.

There being no questions asked of the Dean, the Speaker introduced Professor Geoffrey V. Chester, Chairman, President's Commission on Self-Governance.

2. NON-ACADEMIC SELF-GOVERNANCE CONCERNS

Professor Chester said he didn't know quite how to proceed since half of the two and a half dozen present had also been present at the FCR meeting on February 9, and had already heard the modestly detailed review he presented at that time.

The Speaker asked what the pleasure of the group was - an abbreviated report and time allowed principally for discussion? Sentiment appeared to favor the proposal.

Professor Chester said he would make it brief and try to stimulate some discussion emphasizing a group of questions which lay directly in the domain of the Faculty. The Commission's preliminary report was issued in August and responses to it were received from various quarters over a period of two or three months thereafter. Response received from the Executive Committee of the FCR was very helpful and the Commission made numerous changes in the light of that response. Very little has been changed with regard to Faculty, Student and Employee Trustees and so Professor Chester said he would not dwell on that area. One of the three chief elements the Commission recommended is that there be a representative body formed on the campus, called the University Assembly, having an equal number of Students and Faculty, roughly half the number of Employees, and several Senior Executive Administrators. The Commission tried to give it
a very strong focus so that it would be encouraged to deal with a small number of Universitywide issues and would not be distracted into comparatively minor matters. The issues with which it would deal might have academic content, the "Forum" being the primary means by which Students, together with Faculty and the others, could voice their opinions about such matters. Basically, it is an advisory body, its legislative power being limited almost entirely to the judicial system. If it is to be successful, and this is a key question, it must have the support of the Faculty, Professor Chester said. The Assembly would have 27 Faculty seats in it, it being left to the Faculty as to how those seats should be apportioned. There is no doubt, he said, that without the support of the Faculty, the Assembly will fail.

The second element of the structure is a set of committees in the Campus Affairs area, with policy making authority delegated by the President, with authority to determine budget priorities again delegated by the President. Professor Chester indicated that the Commission has streamlined the committees considerably from the present Senate committee structure, and thought it would be effective simply because of that fact.

The third element is a set of miscellaneous Boards and Committees in a wide variety of areas such as the University Art Museum, Physical Education and Athletics, the University Calendar, etc.

Professor Chester outlined those aspects of the proposal which he felt were of direct concern to the Faculty. In almost all instances, the Commission has asked that the Faculty select members for committees and the University Assembly by means that they will determine. In that way, the Faculty will be re-involved in a formal way for responsibility in staffing some of these committees. At the Executive Committee's urging, a recommendation has been inserted which in effect says that a small number of aspects concerning the Assembly cannot be changed without the concurrence of the Faculty - in particular, its jurisdiction, the fact that it exists, and, indeed, the means by which it makes changes itself. Also the Executive Committee recommended that if the Assembly comes into being, some device be implemented so that it could work cooperatively both with the Faculty and the FCR. In the report, a charge to the Steering Committee of the Assembly was inserted that it work with the Executive Committee of the FCR to establish an effective method of communication. The Commission has been very loathe to recommend any new committees, skeptical about continuing many - since it is obvious that the burden is already large.

A recommendation was made in the report that the Faculty Council of Representatives, through its established procedures, consider whether there should not be Student members on some of the standing committees which do not now have any.
Regarding the University Calendar, the recommendation the Commission has made comes in two parts. They recommend that, as long as the Calendar remains of the present type, it be set year by year by the Provost. The reason for that is that the number of variables are very limited as are the number of changes that can be made and the Commission saw little point in involving another committee of whatever composition; the Provost could seek advice whenever he needed it. The second part of the recommendation is that if the type of the Calendar is to be changed significantly, then an ad hoc Universitywide group should be created to suggest the changes and its recommendations would have to be approved by both the Faculty Council of Representatives and the University Assembly.

In closing, Professor Chester raised again the very basic question concerning significant Faculty support in the Assembly in order for that body to survive. He feels it unwise to go forward with it, if there is not a reasonable guarantee for initial support. The Chair suggested that the body proceed from here rather informally, first getting points of information from Professor Chester; then the Chair will recognize the Dean for his comments and open the floor up for discussion.

A question was raised from the floor by Professor Jay Orear, Physics, regarding the Calendar. Would the Provost have the power to restart the spring semester the week after New Year's rather than waiting another month?

Professor Chester said he would view any shift in the start of the spring semester by more than a few days, as a significant change. The Commission's recommendation as far as tying down the Calendar is that by the present type they mean a Calendar in which the start of the fall semester is on Labor Day and the whole of the semester is completed before Christmas, approximately 13 1/2 weeks of instruction, with the spring semester starting late in January, and having approximately 14 weeks of instruction.

Professor Robert McGinnis, Sociology, asked whether in case support for the Assembly is lacking so it is lost, but that there was sufficient support for the committee system as proposed, what if anything beyond the forum would be lost in the process of chopping off the Assembly?

Professor Chester replied that the Assembly has two roles, both of which one can view as important community roles, one more technical than the other. The first community role is the one Professor McGinnis hypothesizes losing—the forum. The second loss if the Assembly fails would be that of the source from which many of the committees would acquire their membership. So, if there is not sufficient support for the Assembly, Professor Chester said, in his mind, it would be important to find an alternate and legitimate means of staffing some of the more important committees on the campus.
There being no further questions, the Chair turned the floor over to Dean Saunders.

The Dean said he had hoped out of a meeting such as this, that we would be able to deal with some of the questions which are of importance to the Faculty in connection with this whole issue of non-academic governance. There are some elements of the Faculty who have decried our lack of the town meeting type of Faculty meeting we used to have in the past, viewing that as an important mode of procedure. Dean Saunders said he wasn't sure, in the light of the attendance today, how important that really is to them. He said the question of non-academic governance is probably one of the most important that the community as a whole will be dealing with this year. As reported in the Sun this morning, the Senate is effectively voting itself out of existence except for the committee structure needed to keep normal committee functions going. The Dean thought there would be a serious void created if there is not some kind of reasonable structure for the handling of the non-academic affairs in the University. Many of those, prior to the FCR and prior to about 1970, he guessed, had been the province of the University Faculty. Many of the issues raised back then, according to past Faculty minutes, had to do with matters which had since been removed from Faculty province and put in the hands of the Senate - matters heavily oriented toward student activities, student affairs, student conduct, things of this kind. Without a University Faculty meeting at least three times a year, which is mandated, this one presumably being the mid-winter meeting and obviously not providing any forum at which the Faculty is speaking out, without an Assembly, or its equivalent, as proposed by the Chester Commission, the Dean said he is not sure where the town meeting forum is going to exist for the participation of people who feel that they have got to say something to somebody in some kind of a structured format. If the Assembly does not come to pass as may well happen, if it does come to pass but fails rapidly through lack of support, the Faculty should have in mind what some of the potential alternatives might be. The Dean added that he is not saying the Faculty should vote for the Assembly; they should only do so if they feel in good conscience that it is the proper thing. Dean Saunders urged all to give serious thought to the issue and to do whatever is possible in advising the President, either through the referendum or through appropriate memos to him, so that he will be as well informed as he possibly can be about the attitudes and approach of the Faculty to this issue when he takes his proposal finally to the Trustees at their March meeting. As Professor Chester has said, and as the gradual demise of the Senate over time has demonstrated, without strong Faculty and continuing Faculty support, any such governance structure is doomed to fail.
It should be recognized, he said, that governance participating students are here for a short time, effectively three and a half years at the most if they enter as Freshmen, while the Faculty have a much longer period of commitment and concern.

Over and above expressing our own views in the referendum, the FCR will be voting for the Faculty at its March meeting on whatever resolutions the Executive Committee proposes to it dealing with very specific points relating to the proposed structure; it can therefore express views on anything on which the Faculty feels it important to take a position. One potential issue might be the expansion of student participation in many FCR committees. This would have to be done through the existing procedures established for that purpose but Dean Saunders suggested that a strong favorable vote on a resolution to accomplish this would have considerable weight in indicating that it was something that the Faculty did in fact want implemented. Or, if the Faculty disagrees with the recommendation on the Calendar issue, it could say so very explicitly through an appropriate resolution presented at the March meeting. If there appears to be any sentiment directed at specific aspects, Dean Saunders said, memos should be sent to himself, to the Chairman of the Executive Committee, or to the Secretary so that the Executive Committee can formulate appropriate resolutions for the March meeting. They have not yet done so with any of the issues with which the Faculty might be directly concerned because they wanted to hear from the Faculty. The Dean said he had hoped to get out of this meeting such discussion and to find out what issues were felt to be of importance so that appropriate resolutions could be formulated. With that thought in mind, he invited comments addressed to specific issues of the report, to any elements Professor Chester has enumerated, or to anything else crucial that the Faculty as a Faculty can reasonably say.

On unanimous approval, the Chair relaxed the rules and formality of the meeting so we could interact as a committee of the whole.

Professor Orear asked whether, if the campus votes down the Assembly, has it also voted down the Campus Affairs Committee with its committees and boards? More specifically, if the University community has no interest in the Assembly and these non-academic activities, who does the work? Do we hire more administrators in Day Hall to handle campus affairs or does the FCR have to appoint more committees, taking more man hours of Faculty involvement in worrying about them, the judicial system, and so on?

Professor Chester said the referendum allows one, if one wishes to vote down the Assembly, to still vote, however, for the committee structure.
Dean Saunders indicated that in the material that will be sent out by the President with the referendum ballot, the following second paragraph will appear: "If there is insufficient support for the Chester Commission recommendations the President will recommend that the Board adopt an alternative governance system (outlined on an enclosed sheet) based on the Chester committee system without the Assembly. If the alternative system receives insufficient support the President will recommend the Chester system of boards and committees with their powers limited to advisory roles only. In each of the options the judicial system will remain intact." Then the alternative governance system (outlined on the enclosed sheet) says, if the Assembly notion of the Chester Commission is voted down: "An alternative to the governance system proposed by the Chester Commission would have the following basic elements:

1. A series of committees and boards with policy and budget-making authority in various areas on non-academic affairs;
2. Student, employee, and faculty representation on such boards and committees..."

Obviously, without any other structure behind it, committees would have to be heavily appointed.

Professor P.C.T. deBoer, Mechanical and Aerospace Engineering, raised a more general question: could not this idea of the town meeting be extended to the whole community? Professor Chester said the Commission had only briefly considered the idea of an open-to-all town meeting. It's too large. Ample provision has been made in the Assembly for anyone wishing to speak, to be able to do so, whether or not he or she is a member of it.

Professor Orear made a comment to that point. From personal observation, it seemed to him that if we were to have a town meeting type of Assembly, where non-member students and Faculty attending cannot make resolutions and lack powers to do anything, then it ends up as this meeting today - very low attendance, low interest. On the other hand, going back to the previous system of Faculty meetings, where every Faculty member knew, if he came, that not only would it be a town meeting but that he could present his own ideas, actually take part in the legislative process, make resolutions for change, and make motions and amendments to change motions. He felt that those Faculty meetings had much more interest. Professor Orear said he has taken his own personal survey among several of those he regards as leading Faculty members, who used to come to these old style Faculty meetings, asking them why they don't attend FCR meetings. Essentially, the answer is in the psychological factor that they feel they are not a part of the FCR - they don't have a chance to make resolutions or to remodel motions. He is afraid if we go to the Assembly, which is a meaningless town meeting, that Faculty, Student as well as Employee members will just lose interest.
Dean Saunders asked Professor Orear if any of his leading Faculty members have served on the FCR or have agreed to run for the FCR? Most of those surveyed, Professor Orear replied, did not want to run for the FCR. He thought they wanted a little more personal freedom to come to a meeting when they felt it important and not have to come and serve in very long, tedious, low-productive work.

Professor Paul Hartman, Physics and Applied and Engineering Physics, asked whether they couldn't have come today when they could have had a chance to make resolutions, resolutions of real importance to the Faculty. That was the whole point of this meeting. At least three times a year they can present resolutions. At any FCR meeting they can be heard. He doesn't understand the attitude.

Professor Orear said that perhaps most of us don't understand the powers that remain to the Faculty. He has the impression, which may be a misimpression, that Faculty could not have made resolutions at this meeting, even if there had been a quorum, that all of the Faculty's powers have gone into the FCR, that the only power remaining to the Faculty is a complicated way of vetoing an action that the FCR may take, and even that has to be done by petition and mail ballot.

Dean Saunders said it seems to him, while it is true that this body today could not legislate something in the same sense the FCR does, the Faculty does have explicit powers reserved to it. He read from the Organization and Procedures of the University Faculty, Article IV, Section A, items six and seven of eight, labeled "Powers of the University Faculty [as a whole]." Number six reads:

"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;"

And number seven reads:

"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 is true that they cannot legislate, but under that broad charge they can surely talk and express collective views about any academic matter they wish, he indicated.

There being no further discussion, the Speaker adjourned the meeting at 5:22 p.m.

Paul L. Hartman, Secretary
At 4:40 p.m., the Speaker, Associate Professor J. Robert Cooke, announced that the body was still seven members short of a quorum. In order that time available be not wasted, he suggested proceeding informally, but that if members could think of someone that should be phoned to get present, please do so, since a major resolution was on the agenda for consideration. Proceeding then thusly, the Chair recognized the Dean of the Faculty, Professor Byron W. Saunders, for a report.

1. REPORT OF THE DEAN

The Dean indicated he had two or three announcements. First, the Committee on Nominations and Elections will be meeting over the next few weeks, to the extent necessary for nomination of candidates for various Faculty and FCR Committees. These Committees are where the essential work of this body is done and Dean Saunders urged all, who should have received nominating forms in the mail in the general Faculty mailing, to give thought to such and return them to his office as soon as possible, so that the Committee has sufficient material to work with.

Secondly, following a vote of the Arts College's Educational Policy Committee, Dean Saunders said he has received a formal request from Dean Levin to reconsider the FCR action on Physical Education. The matter has been referred to the FCR Committee on Physical Education and they will be meeting in due course with the ad hoc Committee which Dean Levin appointed. Whether the question will actually appear on the agenda for the April or May meeting, remains to be seen; it depends on the resolution of that question between the two Committees.

Thirdly, Dean Saunders said he had a request for consideration by this body of the Report of the Committee of the College of Arts and Sciences on General Education, the so-called Lowi Committee Report, because of the implications it has for other colleges. That will be referred to the FCR Committee on Academic Programs and Policies. If anyone has any particular concerns in that regard, that they would like to have addressed by the Committee, and ultimately dealt with by this body, they should address their communications to the office and the Dean said he would see that they get in the proper committee hands.

Fourthly, the Presidential Search Committee will be issuing their report, but whether it will be ready for distribution with the general call for the April meeting, Dean Saunders said he wasn't sure. In view of the fact that it was announced in the media that the Committee would be issuing such a report, he said he didn't want anyone sitting on the edge of their chairs waiting for it.
little more than the usual time is required, but a report will be forthcoming which he hopes will be as explicit as possible regarding the whole process.

Lastly, in view of the vote taken by this body in executive session in December, and his talking since with various members of the Faculty and both the outgoing and incoming administrations, Dean Saunders said he wished to announce that the question of his continuing one further year as Dean of the Faculty, is to be presented to the Trustees at their next meeting for ratification.

The Speaker asked for any comments or questions for the Dean and received none. Since a quorum was still not present (three short), the Speaker said the body would skip over the items that require action, namely, approving the minutes of the February 9 meeting and two resolutions that were to have been introduced on ex officio membership. The body would proceed rather with the discussion of a resolution dealing with the governance question. The Chair recognized Professor P.C.T. deBoer, Mechanical and Aerospace Engineering, for informal presentation of the resolution, to be followed with paragraph by paragraph discussion.

2. RESOLUTION RE: NON-ACADEMIC GOVERNANCE

Professor deBoer said the resolution was discussed in detail at the last meeting of the Executive Committee of the FCR with the idea that it would be useful for the President to have additional information about Faculty opinion on the Chester Report. There has been an advisory campus referendum where all members of the Cornell community could vote and where Faculty were identified as such. But the votes were only on two general questions: one was support or lack of support for the governance system and the other one was on recommendations regarding community representation for the Board of Trustees. There are many more detailed recommendations in the report, more or less directly involving the Faculty, and the feeling was that it would be useful to have a Faculty opinion on those. The appropriate way of doing that seemed to be to introduce this into the FCR as a resolution.

He said it is difficult to treat the whole report. The whole report, of course, has been discussed in this body and also in a Faculty meeting (February 1977), and it was clear from those discussions that it would be difficult to make recommendations on every specific point; further, it wouldn't be necessary. In drawing up the resolution, emphasis was placed on points which more or less directly involve the Faculty. Those were the recommendations in section 3.0, involving establishment of the University Assembly; 3.1 about the authority; 3.2 about the composition; 3.3 about the office; 3.4 procedures; 3.5 committees; 3.6 categories of committees; 3.7 other specified powers; 3.8 rights of individuals and finally 3.9—a vote of two-thirds of the total membership shall be required
to amend those clauses which are not explicitly excluded in 3.9.1. Professor deBoer said all those seemed appropriate for consideration by this body and as soon as there is a quorum, he would move adoption of those on behalf of the Executive Committee of the FCR, in the absence of the Chairman of that Committee.

Another group of endorsements concerns Chapter 5 of the Report, involving University Committees and Boards and Faculty Council Committees. He said five have been selected for special endorsement. Number 5.0 is on the joint committee on governance Assembly structure and operations; 5.1 on the general care and supervision of the Art Museum; 5.2 is the current Council on Physical Education; 5.3 is on the Calendar and 5.3.1 is an amplification of 5.3; and finally, 5.8, is a recommendation on the Library Board.

Endorsement of 5.9 involves this body more than anything else: "We recommend that the Faculty Council of Representatives through its established procedures consider the addition of student members to some of its standing committees." The Committee is uncertain that it would be appropriate to add student members to the Committees on Freedom of Teaching and Learning, to that of Minority Education, and to that on Physical Education, as the Report specifically suggests. He said the Executive Committee did not want to endorse it at this point without further detailed consideration by an appropriate committee, which appears to be the Review and Procedures Committee; rather it says the body agrees to refer the recommendation to the Review and Procedures Committee.

Two recommendations, 6.2 and 6.3, which appear to mandate partial composition of future Presidential Search Committees or the Executive Committee of the Board of Trustees, were felt to be inappropriate.

Finally, one additional recommendation which was not discussed in the Executive Committee, came up in consultation with Dean Saunders; Professor deBoer indicated he wished personally to move its inclusion separately from the others. It reads: "Endorses recommendation 6.0 and its implementing paragraphs 6.0.1 through 6.0.7." 6.0 reads: "Community Trustees shall continue to sit on the Board of Trustees of Cornell University," and 6.0.1 says: "There shall continue to be four Faculty Trustees elected by the Faculty of the Ithaca and Geneva campuses in a manner to be determined by the Faculty and the Board of Trustees."

The rationale and further comments on the resolutions were included in the handout.

The Chair asked for any questions. Professor Robert E. Habel, Veterinary Anatomy, asked what was the result of the referendum. Dean Saunders said the results of the referendum would be announced tomorrow. It was advisory to the President with the very specific "Do you agree about the community Trustees" being one issue, and the other the Assembly itself. There wasn't any more degree of freedom than that in the referendum. While this point number one may perhaps be a little redundant, it does, on the other hand, deal with some specific sections.
The President requested advice from the Faculty at large through the referendum as well as from this body, and he would like to have them independent of each other. That is why the results intentionally were not to be released until after this body met and voted today.

Professor Geoffrey V. Chester, Physics, asked for a clarification on the rationale of the resolutions, specifically on 5.2 on the Council on Physical Education, which rationale says: "should give better balance than the present system and while not wholly satisfactory to some Faculty is clearly a strong step in the right direction." Dean Saunders replied the intention there was to say that this proposal of the Commission does give a broader representation to people from the community whereas the old Board of Physical Education was heavily Alumni oriented. The number of Faculty participants was small and so this moves in the direction of a far better balance of the many different constituencies that are interested in that program. Dean Saunders said he thought that was the intent of the wording: a better representation among all groups and perhaps a little less Alumni control. As to being not completely satisfactory to some Faculty, there are some who want no Alumni participation. Inasmuch as the Secretary holds that view, he expected it to be recorded in the minutes.

Professor Chester said he was not clear what the basis was for rejection of recommendations 6.2 and 6.3. As he understands it, the main thrust of the rationale given for rejection is the use of the word "shall". The word "shall" was chosen basically because any body, whether this body or the Trustees, often use that form and secondly, the form of a word should not concern us so much as the substance. The substance, he said, was in fact that it was simply a recommendation to the Board of Trustees.

Professor deBoer replied that he had no further comment and that it could well be a semantic question. He said he thought that the Committee fell over the word "shall", which Professor Chester says should not have been done.

Professor Ronald Donovan, ILR, gathered from the comments that the adoption or approval of a new section not recorded on the distributed resolution, but which does use the word "shall", was going to be suggested. It seemed to him inconsistent and he was troubled by the same point that Professor Chester made. There is nothing to be mandatory in this, it is a recommendation, the purpose of which is to try and press upon the Board of Trustees a particular way of handling and distributing positions on Board Committees. Also, in the rationale, the Committee speaks about "fervent hope". Professor Donovan said he would prefer instead of "fervent hope" the suggestion, the thrust of the recommendation from the Commission, that the Board of Trustees commit itself to a particular make-up of its Executive Committee or make-up of any possible future Presidential Search Committees.
The criticism is well taken, Professor deBoer agreed; the last recommendation was not discussed at the Executive Committee and came in somewhat at the last minute.

Before proceeding, the Chair called to the body's attention, options concerning operations without a quorum. There are three: first, one can adjourn; second, if there is important business that should not be delayed, the meeting should fix the time for an adjourned meeting and then adjourn; and third, where an important opportunity would be lost unless acted upon immediately, the members present can at their own risk, act in the emergency with the hope that their action would be ratified by a later meeting at which the quorum is present. He indicated the body may wish to mull that over and decide later what they wanted to do.

Professor Arthur Berkey, Education, said although he shared some concern about the way in which the referendum was presented as to choice, he thought there were many improvements embodied in the Chester Report. The Committee worked long and hard on a difficult charge and he thought they were to be commended. He said he particularly liked the retention of the committee structure which has been successful; also the decentralization of committees to avoid an over-all Senate having to approve every action. However, there were several substantive things in the recommendations to which he was proposing amendments. He referred the body to one of his three handouts - "Proposed Amendment to Resolution #1 Re: Non-Academic Governance," which reads:

"endorses Recommendation 3.0 concerning the establishment of a University Assembly and the subsidiary Recommendations 3.1 through 3.9 which constitute a proposed charter for the assembly subject to the recommendation that self governance at Cornell University should be delegated from the Board of Trustees rather than the President." (underlining denotes Professor Berkey's added wording)

He intended his amendment to go beyond 3.1; also to 4.01 and 4.02. Therefore, if there are no objections, he would like to add to his amendment, the following wording at the end after the underlined section:

"Furthermore we intend the delegation of authority from the Board of Trustees was also to apply to sections 4.01 and 4.02."

In essence, this recommends that the authority for self governance be changed from the President of the University, as recommended by the Chester Commission, to the Board of Trustees as is currently the case for the Senate. The reason for including the three sections is that 3.1 deals with the source of authority for the University Assembly; 4.01 deals with the source of authority for the committees and boards; and 4.02, the source of authority for the Campus Affairs Committee. These are the three main groups which compose the self governance
structure that is proposed by Professor Chester's Committee. The reasons for making this amendment follow: First, on page 9 of the Report, Professor Chester's Commission addresses this question. It says:

"The Senate's constitution states that its authority is derived directly from the Board of Trustees. Our recommendation therefore represents a change in the source of authority. We recommend the change for two reasons. First, delegation from the President seemed to us to be inherently more logical. For if a dispute were to arise...President would in effect always make the decision as to how it should be resolved. If authority had come from the Board of Trustees, they would almost invariably turn to the President for a recommendation, and they would almost invariably accept his recommendation. Thus a direct delegation from the Board is in reality a delegation from the President. Second, we felt that a direct delegation from the Board could conceivably lead to its becoming involved in campus matters that should not be its direct concern."

Professor Berkey said he thought the Chester Commission position is only logical if one is willing to assume that the Board is always going to do what the President recommends. If that's true, then the President, rather than the Board of Trustees, is the source of authority, which of course, isn't the case. Secondly, we have Faculty, Students and Employees on the Board of Trustees, so if there had to be an appeal for authority, the President would have to go before this particular body in order to overthrow or change the constitution of self governance the Commission put forth. The Board of Trustees is going to have the same communication channel as it would under either delegation. So, again, the Board of Trustees would only be involved if the President chose to bring something to them. Professor Berkey thought it might be much easier for the President to make changes on a unilateral basis rather than having to go before the Board of Trustees and publicly justify his position. He referred the body to pages 33 and 34 of the Report, indicating a significant and good change. Here the Chester Commission recommends:

"Perhaps our most radical suggestion, given the traditions of this University, is that the President should be the Presiding Officer of the Assembly, which will also include a number of high-ranking officers of the University in its membership."

These are voting members. Further down on page 34:

"A structure designed to assert the community of interest of the administration with the rest of the University may help to erode that sense of the administration as 'them', which the Senate's structure, based on a conflict rather than a consensus model of University government, did much to enhance."

Professor Berkey said he thought that was true and felt it was a good move. He thought that having the President preside over the Assembly, which is the
elected body, having the President also be the source of authority and having the President mediate all disputes between department heads and committees or department heads and the Campus Affairs Committee, as the Chester Commission suggests, puts an over-balance on this community of consensus. We've moved from perhaps one extreme to the other and if real decision making is desirable in self governance then Professor Berkey thinks his change should be made.

The last thing Professor Berkey had to say on this particular amendment is that self governance is perhaps no less important, at least to him, than are the prerogatives of Faculty. The prerogatives of the Faculty are part of the Bylaws of the Board of Trustees. What rationale would one use to say that self governance should be any less important and would we want our Faculty legislation authority delegated from the Board of Trustees, or would we prefer to have it delegated from the President. Professor Berkey feels the former.

He referred the body to the second page, entitled, "Resolution Re: Non-Academic Governance." On section 4.1.9, the Chester Commission recommends that:

"Any questions that cannot be resolved by the Campus Affairs Committee and the Vice President for Campus Affairs concerning the authority or jurisdiction of the Campus Affairs Committee, or any of the standing committees or boards shall be referred to the (President of the University) Steering Committee of the University Assembly for review and determination by majority vote." (parenthesis denote Chester Commission wording he would delete; underlining denotes Professor Berkey's added wording.)

There is always going to be the question of what's policy and what's administration. He feels it important, again, if we have self governance in its true sense with the elected Assembly, and we do have a community of interest now that the administration is represented therein, he would judge that it would be good to have the Steering Committee of the University Assembly, which includes direct representation, a voting basis to make this kind of a decision rather than have the President make it.

Professor Berkey next referred the body to his third resolution, one which involves several pages. There was on pages 74-75 of the Chester Report, "General Guidelines for Committees and Boards in Working With Departments." He thinks the ones he is recommending - one to be amended and the other to be deleted - will be a means of avoiding potential conflict in self governance. Item 3 that he proposed to amend reads:

"If committees or boards become enmeshed in the complexities of a particular issue to the extent that they cannot, or do not take time to consider other pressing matters, department heads (should be free to) may by majority vote of the Campus Affairs
Committee exercise their own initiative and discretion in resolving these matters in order to keep the Departments running smoothly in the meantime." (Chester Commission deleted wording in parenthesis; Professor Berkey's new words underlined)

How this might be interpreted by a department head could be interesting. It is a potential cause of problem and he assumes, if the self governance system works well as he hopes it will under the Chester Committee Report, the problem would be a rare exception. The department head would say to the committee, "Look, here's some pressing matters you've got to act on", and the committee says, "We think that these other things are more important." Professor Berkey hoped this wouldn't happen, but it it did on that rare occasion, rather than leaving it up to the discretion of the department head, he suggests here the department head should easily be able to go to the Campus Affairs Committee, which by a majority vote, would decide on it.

In the last resolution, he is not suggesting that item 5 be deleted - only that e) under item 5 be deleted. Under e) it says:

"Unless a matter is in an extremely sensitive area, a department head should be able to make small variations in policy in order to maintain or improve the quality of services and programs. A committee should not be greatly concerned about such changes; they will usually have more significant matters to deal with. It is true that a sequence of such changes may well constitute a significant policy change -- but we have already referred to that possibility in (d) above."

Professor Berkey suggests that either the committee makes policy or they do not. If they do, then having small changes in policy is a good way to cause problems in this kind of interpretation. Again, he assumes this wouldn't be a problem in most cases where we would have a good working relationship, but he thinks the provision would open the door to some problem areas. And so he concluded.

At this juncture, the Speaker indicated a determination should be made as to how the body should proceed. Dean Saunders said he thought in view of the importance of the issues involved, the body should proceed under the last suggestion made by the Speaker, namely, take whatever votes are needed to determine the wishes of the body and then ratify them at the next meeting. The Trustees and the President are interested in the point of view of the Faculty on these issues and he regrets no end the fact that apparently some of our colleagues just don't consider it that important.

The Chair asked for the wish of the body. Unless there was objection, the Chair assumed that the body was prepared to go ahead and take a tentative position
which would have to be ratified when a full quorum is present. There were no objections, and the Speaker called on Professor deBoer to move the main motion.

Professor deBoer moved the following on behalf of the Executive Committee:

WHEREAS, The President's Commission (Chester Commission) on Self-Governance has issued its final report, and

WHEREAS, The Faculty, by means of the Advisory Campus Referendum, has had the opportunity to express its support or lack of support for the governance system recommended by the Chester Commission, as well as for the recommendations regarding community representation on the Board of Trustees, and

WHEREAS, The Report includes specific recommendations directly involving the Faculty, which appropriately should be considered by the Faculty, therefore,

BE IT RESOLVED, That the FCR, on behalf of the Faculty:

1. endorses Recommendation 3.0 concerning the establishment of a University Assembly and the subsidiary Recommendations 3.1 through 3.9 which constitute a proposed charter for the Assembly;

2. endorses Recommendations 5.0, 5.1, 5.2, 5.3, 5.3.1, and 5.8 and agrees to use standard FCR procedures for the identification of appropriate members for the various commissions and boards;

3. agrees to refer Recommendation 5.9 to the Review and Procedures Committee for study and report on the advisability of adding student members to various Faculty committees; and

4. rejects Recommendations 6.2 and 6.3 mandating partial composition of future presidential search committees or the Executive Committee of the Board of Trustees as being inappropriate.

The Chair ruled that the body would consider this resolution, paragraph by paragraph; if someone disagreed they should simply move to consider it in its entirety. Consideration by paragraph means consideration of each paragraph separately, at which time amendments may be made, and voted on, but no vote was to be taken on the adoption of that particular paragraph. Then the entire matter would be open for debate and amendment and final vote.

The Speaker asked for any comment on the first, second and third WHEREAS and received none.

On item number 1, the Chair recognized Professor Berkey for amendment. His amendment would add after "Assembly"- remove the semi-colon and add - "subject to the recommendation that self governance at Cornell University should be
delegated from the Board of Trustees rather than the President. Furthermore, we intend the delegation of authority from the Board of Trustees was also to apply to sections 4.01 and 4.02." The amendment was seconded and the Chair recognized Professor Berkey for any additional comments he wished to make.

Professor Berkey said, as planned now, the authority comes from the President, the President presides at the Assembly, and the President mediates all disputes. He said the body has to decide whether or not this swings the pendulum too far in the case of a zealous administrator.

Professor Ian Macneil, Frank B. Ingersoll Professor of Law, said it seemed to him that in deciding how to vote on this, the dangers of getting a Board of Trustees involved too much in detailed University affairs had to be weighed against the dangers of a particularly dictatorial President. His own observation over the years was that the Presidency has gotten rather weakened and that the Board of Trustees, whether through default of leadership or for what reason, has increasingly gotten involved in University affairs. Professor Macneil said he would vote against this amendment as he saw the danger of increased Trustee involvement a more serious danger than the possibility of a wild President.

Professor Chester said he wished to comment on Professor Macneil's point; these dangers are very real. The report deliberately chose the President as the source of authority since they did not want the Trustees too involved in certain aspects of campus matters. They are a very distant body and, in fact, to deal well with some of the matters that might arise in this area requires considerable sensitivity to the campus and he doesn't think we expect the Board of Trustees to have that kind of detailed sensitivity and knowledge. They're not for that, they are for other matters. Professor Chester said he has the strong impression, that with rare exception, the Trustees will always back the President. If they have to go against him frequently, they will get a new President. The logic is that delegation from the Trustees to anything on the campus, is in reality, delegation from the President, with very, very rare exceptions. There has been a lot of wrangling between the Senate and the Board of Trustees. Professor Chester viewed that as unfortunate - the main reason being that the Board of Trustees in all its parts is just inaccessible to the people on this campus. You cannot get to them and talk freely and regularly, debate with them, etc.

Finally, Professor Chester said we should not emphasize too greatly the dangers of interference with delagation of authority. If authority is delegated, you cannot interfere with it with any frequency, otherwise those to whom you delegate it will simply go away - and one will destroy the system set up.
Professor Berkey said he agrees in substance with Professor Chester but comes to just opposite conclusions. If one agrees that the University Board of Trustees is always going to do what the President says, then one would have to assume the number of actions taken lately on a unilateral basis by the Board of Trustees, which Professor Chester judges to be inappropriate and undesirable, were in fact propounded by the President. He said he is not sure if he is willing to begin with that assumption. History shows that the Board of Trustees is going to do what they want to do whether the President agrees with them or not. One of the reasons Professor Berkey wrote this amendment, came up in the situation of the recently passed pay bus service for all students. The Provost has decided that there had been a commitment to the Africana Studies and Research Center; so, on a unilateral basis and without consulting the Senate until after the fact, 250 bus passes were issued to the Africana Studies Center students. The Senate took the position that other students taking classes in different distant locations should also have free passes. What kind of a rejoinder does one have when that sort of thing happens if we have authority delegated by the President.

There being no further debate, the Chair asked for a vote on the Berkey amendment. It clearly failed.

The Speaker asked for any discussion or amendment to item number 2, indicating again that the body would vote on the entire package later. A point of order was raised by Professor Norman Malcolm, Susan Linn Sage Professor of Philosophy, as to why a vote could not be taken on number 1 separately, number 2 separately, etc. - why the whole package? The Speaker offered him Robert's Rules of Order and said that in consideration by paragraph it is specifically suggested in Robert's that one not vote on them separately. If you wish to vote on them separately, you would have a motion to divide - separated into separate resolutions. Professor Malcolm preferred a motion to divide which he moved. The Speaker read from page 235 of Robert' Rules of Order. It seems unnecessary, the Speaker said, to go to division but if the body preferred pursuing it, we would bring it to a vote. On a vote call, the motion failed.

The Speaker asked for any discussion or amendments to item number 3. There were none.

He proceeded to item number 4. Professor Donovan moved to amend item number 4 to read: "endorses Recommendations 6.0, 6.0.1, 6.2 and 6.3 relating to Faculty membership on the Board of Trustees and to partial composition of future Presidential search committees and the Executive Committee of the Board of Trustees." The Chair interpreted this as an item to replace that being discussed and asked for a second. It failed for lack of a second.
Professor Chester said he wished to speak against the adoption of the resolution's part 4, which rejects the recommendations 6.2 and 6.3, since he did not quite understand the rationale behind it - it seemed to be rejection simply on the form of a word. Being non-voting, he could only recommend rejection since he couldn't do anything else with it. What the Commission was proposing in Chapter 6, was a set of recommendations for the Board of Trustees to consider. 6.2 and 6.3 seemed to the Commission to be important. The Presidential Search Committee is a very important committee and the last few months it has included in its membership exactly those community Trustees which the Commission recommended - one Faculty member, one Student member, and one Employee. In essence, he feels this would strengthen the legislation, since these people aren't acting for their constituencies, but rather acting as Trustees and coming from different prospectives and having different views on various matters of concern to future presidents; those different prospectives should be valuable and enlightening to the Trustee Committee. Item 6.3 speaks to the partial composition of the Executive Committee of the Board of Trustees, also a very important committee---the place where business gets done and where business is prepared which is to go before the Board. Professor Chester feels that this partial composition is wise, again, expecting Trustees to act as Trustees, coming from quite different prospectives.

The Speaker said the entire document was then open for amendment, substitution, deletion or additional proposals.

Professor deBoer said that since his fifth recommendation had not been discussed by the Executive Committee of the FCR and in view of the inconsistency that had been pointed out earlier, he wished to leave it out at the moment; would not move 6.0 at the present time.

Professor Chester commented that he was concerned with the omission of 6.0 and particularly with that of 6.0.1 which speaks directly of Faculty Trustees, that area which falls directly in the Faculty's interest. It suggests, by the use here of the word "shall", that there shall be four Faculty Trustees as, indeed, there have been for many years.

Professor Macneil proposed amending number 4 by deleting the word "rejects" and substituting the words "endorses recommendations 6.0", before the items listed, 6.2 and 6.3. The amendment was seconded and Professor Macneil proceeded to speak further to it. 6.0 states: "Community Trustees shall continue to sit on the Board of Trustees of Cornell University"; 6.2 - "At least one faculty trustee, one student trustee, and one employee trustee shall be members of any Trustee Search Committee for a new President of the University"; and 6.3 - "The Board of Trustees shall invite at least one faculty trustee, one student trustee, and one employee trustee to serve on the Executive Committee of the Board of
Trustees." It seems all of those are very salutary recommendations to the Board; 6.0 just continues something; 6.2 - the Trustees did that in the recent exercise and it's a damn good thing they did and we ought to impress on them that we think so; and 6.3 - getting people onto the Executive Committee, if we want anything to do with what happens in the Board of Trustees, we have to have representation in the Trustee Executive Committee.

Professor Berkey raised a point of information as to what the size of the Executive Committee is on the Board of Trustees? The answer is 15.

The Chair recognized Dean Saunders. The Dean said inasmuch as 6.0 is included in the amendment, he thinks it would be appropriate to include additionally all the subparagraphs that this body desires. Again, he said, he is not a voting member of the body and cannot make the motion. He proceeded to give a brief comment as to his reasons. 6.0.1 refers specifically to Faculty Trustees; 6.0 says nothing about numbers of community Trustees and it could very well end up with one apiece in each category. The Dean thinks, on the other hand, limiting this specifically to 6.0.1 only would be having the Faculty say nothing whatsoever on behalf of the students or the employees; he thinks it important that we speak for them, because they have no other way to speak for themselves. Therefore, he would include all the subparagraphs under 6.0.

The Speaker asked if Professor Macneil wished to include that and he said he wished to change his amendment to include recommendations 6.0 and all subparagraphs of that, 6.0.1 through 6.0.7. The Chair asked if the numbers could be left out and just say: "Endorses recommendation 6.0 and all subparagraphs mandating partial composition." It was agreed.

Professor deBoer said it seemed to him if the position is changed that way, the word "mandating" should be replaced since that was the original objection - we don't want to mandate what the Trustees are doing, we want to "recommend". The Speaker asked if they wished to change the word "mandating" to "relating to" and it was agreed.

The Speaker said section 4, if amended, would read as follows: "Endorses Recommendation 6.0 and all subparagraphs relating to partial composition of future presidential search committees or the Executive Committee of the Board of Trustees as being inappropriate." Professor Macneil said the amendment should finally read: "Endorses Recommendations 6.0 and all subparagraphs thereof, 6.2 and 6.3 relating to Faculty membership on the Board of Trustees and to partial composition of future presidential search committees or the Executive Committee of the Board of Trustees."

On a vote call, the amendment carried.
The Speaker asked for further debate on the entire resolution, or any part thereof.

Professor Malcolm moved to change the word "endorses" in number 1 to "rejects", and received a second. He argued, as he has before, that the University Assembly as proposed will be found to be subservient to the administration. It doesn't have any legislative power and he thinks in effect that will mean that the only legislative power in the University is in the FCR; it is concerned with academic affairs and all other problems of the University will be in the hands of the administration. It seemed to him there is something phony about the University Assembly and although it will have representatives elected from the Faculty, from the Students, from non-academic Employees, in actuality, it will be a powerless body. The Student population and the non-academic Employee population in the University should not be kidded by this proposal in supposing they will still have some legislative power. Professor Malcolm said he has been a member of the Arts College Nominating Committee and has talked to a number of people just trying to get them to be a member of this body - the FCR. The question that was always put to him was - "Does it have any power?" And Professor Malcolm, being a member of the FCR, could answer that it does. He suggested trying to imagine a nominating committee in the future - finding candidates for the proposed University Assembly - candidates asking members of the nominating committee - "Does the new University Assembly have any power?" The truthful answer will be "no." He doesn't think under those conditions you will get interest or people willing to be members of it and that the whole situation would be much clearer if the FCR keeps its legislative power over academic matters, and let it be understood that everything else is in the control of the administration.

Professor Chester said the Assembly as proposed has complete legislative authority in relation to the judicial system; it has legislative authority to approve the appointment of the Judicial Administrator and the Judicial Advisor; it has legislative authority over the broad matters in campus life; and finally, it has authority to conduct investigations.

Professor Robert McGinnis, Sociology, who said he is not a member of the FCR, but wished to speak against the proposed amendment and to remind Professor Malcolm that the Senate, with legislative authority, collapsed - collapsed with such ailments as the inability to muster a quorum. The whole concept of power is all very fundamental in the Chester Commission proposal. The entire philosophical model of self governance is shifted from one of adversary relations between the various constituencies of the community and the administration to one that is much more a consensus like model.
The Speaker asked for a vote on whether to change "endorses" to "rejects" in item number 1, and it clearly failed.

Professor Berkey said he would like to have his resolutions offered and voted on. Specifically, recommendation of modification of 4.1.9, changing the authority and jurisdiction from the President of the University to the Steering Committee of the University Assembly. Since there was no second, it was not on the floor.

Professor Berkey said that given the lack of support, he would withdraw his resolutions.

The Chair called for a vote on the resolution as amended in item number 4. It carried (see below), pending ratification at a subsequent meeting where a quorum is present. (Subsequently approved at April 13, 1977 meeting)

WHEREAS, The President's Commission (Chester Commission) on Self-Governance has issued its final report, and

WHEREAS, The Faculty, by means of the Advisory Campus Referendum, has had the opportunity to express its support or lack of support for the governance system recommended by the Chester Commission, as well as for the recommendations regarding community representation on the Board of Trustees, and

WHEREAS, The Report includes specific recommendations directly involving the Faculty, which appropriately should be considered by the Faculty, therefore,

BE IT RESOLVED, That the FCR, on behalf of the Faculty:

1. endorses Recommendation 3.0 concerning the establishment of a University Assembly and the subsidiary Recommendations 3.1 through 3.9 which constitute a proposed charter for the Assembly;

2. endorses Recommendations 5.0, 5.1, 5.2, 5.3, 5.3.1, and 5.8 and agrees to use standard FCR procedures for the identification of appropriate members for the various commissions and boards;

3. agrees to refer Recommendation 5.9 to the Review and Procedures Committee for study and report on the advisability of adding student members to various Faculty committees; and

4. endorses Recommendation 6.0 and all subparagraphs thereof, 6.2 and 6.3 relating to Faculty membership on the Board of Trustees and to partial composition of future presidential search committees or the Executive Committee of the Board of Trustees.

The meeting adjourned at 5:50 p.m.

Paul L. Hartman, Secretary
The Speaker, Associate Professor J. Robert Cooke, called the meeting to order at 4:35 p.m. He indicated that a quorum was present; by the end 60 members and 17 visitors were in attendance. He asked for corrections to the minutes of the meetings of February 9 and March 9. There being none, the minutes stood approved.

The Chair recognized the Secretary of the Faculty, Professor Paul Hartman, to move ratification of the action taken at the March 9 meeting having to do with the non-academic governance resolution.

1. RATIFICATION OF ACTIONS TAKEN AT MARCH 9 MEETING

Professor Hartman indicated the ratification was rather academic. A vote taken at the March 9 meeting was overwhelmingly in favor of the resolution but could not be recognized as a bona fide vote since we were just short of a quorum. The Executive Committee of the FCR thought it would clean things up, if at this meeting, that action could be approved to make things nice and orderly. Professor Hartman moved that the body ratify that vote. It was seconded. On a call for a vote, it clearly carried.

The Chair recognized the Dean of the Faculty, Professor Byron W. Saunders, for two resolutions pertaining to the Faculty's rules.

2. RESOLUTIONS ON EX OFFICIO MEMBERSHIP IN THE UNIVERSITY FACULTY

Dean Saunders said the following resolutions, both having to do with membership in the University Faculty, originally were to be presented at the University Faculty meeting of February 16 at which a quorum was woefully lacking. They, therefore, should have been presented at the March 9 FCR meeting, but a quorum was also lacking at that time. So, at this time, he would like to get them cleaned up, and moves as follows:

**RESOLVED, That the title, Director of Student Records and Finance be removed from the list of ex officio membership in the University Faculty and that the Board of Trustees be requested to approve their own resolution to accomplish this purpose.**

**RESOLVED, That the title, Dean of Physical Education and Athletics, be removed from the list of ex officio membership in the University Faculty and that the title, Director of Physical Education and Athletics be added to the list of ex officio members, and, further that the Board of Trustees be requested to approve their own resolution to accomplish this purpose.**

In the first, the title no longer exists; the second involves a change in title. The motion was seconded. The body voted to adopt both resolutions.

The Chair recognized the Dean for his report.
3. REPORT OF THE DEAN

The first item he wished to call to the body's attention was a clarification of the article in the day's Sun concerning the Faculty Trustees. The inference was that the Trustee situation was somewhat different and it is not, insofar as those who would be elected by the Faculty, except in procedures. The current Bylaws call for six Faculty Trustees, three of whom are elected by the local Faculty (in Ithaca and/or Geneva); one elected by the non-tenured Faculty in Ithaca; a fifth one from the Medical College in New York; and one Trustee is elected from the Faculty by the student body in Ithaca. It is this latter one which is being deleted - not any of those elected by the Faculty. Somewhat greater flexibility is being introduced in that of the four local Faculty Trustees, the Trustees have eliminated from their Bylaw statement the mandated requirement that one be a non-tenured member elected by the non-tenured Faculty members. They are leaving that totally up to the Faculty to do with as they wish. That will therefore have to be an item for the Review and Procedures Committee to address. Appropriate legislation will be adopted to get whatever distribution of the four seats we would like to have. The Trustees thought it inappropriate for them to be dictating as precise a detail as that. The Dean pointed out, however, that on the slate of candidates to be acted on presently in this meeting, there are nominees for a non-tenured Faculty Trustee to be elected by the non-tenured Faculty. That comes about because the change was made after the Committee on Nominations and Elections had selected their slate. So for this election at least, one non-tenured person will be elected by and from the non-tenured membership of the Faculty.

The second issue to which the Dean called the body's attention was the brief memorandum that he included in the mailing to the University Faculty - the one-page statement concerning Faculty governance and backed up with a single page straw vote which is being requested.* This was occasioned by several factors: with the demise of the Senate, there are some major revisions that are going to have to be made in the Faculty's Bylaws; we have a rather too rigid committee structure, rigid to the extent that we actually ran out of people to submit as nominees for committee slots under our existing rules and the well is now dry; we have missed quorums, both at the general University Faculty meetings (which are mandated three times a year) and in the FCR (two within the last two years). All this indicates that there are some problems which should be addressed. One of the points that has been made repeatedly by Faculty members to both the Review and Procedures Committee as well as to himself, has been concern over the lack of ability to participate in votes on matters which are of concern to them as Faculty members.

* Appendices B and C
Of course, the traditional argument is "Let's go back to our old town meeting type of University Faculty meetings." The Dean said he didn't know how serious a concern that is. The matter was raised with both the Executive Committee and the Review and Procedures Committee and the straw vote resulted. At this point, he urges each and every member and in turn to urge their colleagues, to return that straw vote with whatever comments are appropriate. To the extent that we get a significant turnout and response to the questions asked, we will be in a much stronger position to redesign our own Faculty organization more in keeping with the wishes of the majority, the Dean concluded.

The Speaker indicated there were two committee reports on today's agenda, and called on Professor Philip McCarthy, ILR, Chairman, Committee on Nominations and Elections.

4. REPORT FROM COMMITTEE ON NOMINATIONS AND ELECTIONS

Professor McCarthy said the Committee on Nominations and Elections had prepared with considerable difficulty, as indicated by Dean Saunders, slates of nominees for the various committees of the Faculty and of the FCR. The slates have been distributed and on behalf of the Committee, Professor McCarthy moved approval.

The Chair indicated that the floor was open for any nominations to be made in addition to those made by the Committee.

Professor Howard Evans, Anatomy, said he would like to nominate a member for a tenured seat on the Committee on the Professional and Economic Status of the Faculty - Professor Bud C. Tennant, L.A.M.O.S.

There being no other nominations, a motion was made and seconded to close nominations and instruct the Committee to conduct the election. The vote carried.

The slates of candidates as amended, are as follows:

SLATE OF CANDIDATES - UNIVERSITY FACULTY SEATS

FACULTY TRUSTEE - 1 non-tenured seat, 2-year term
Steven B. Caldwell, Assistant Professor, Sociology
Carol B. Meeks, Assistant Professor, Consumer Economics and Public Policy
Ian R. Stewart, Assistant Professor, City and Regional Planning

AT-LARGE MEMBER, FACULTY COUNCIL OF REPRESENTATIVES - 2 seats, 3-year term
Arthur L. Bloom, Professor, Geological Sciences
Raymond T. Fox, Associate Professor, Floriculture and Ornamental Horticulture
Robert E. Hughes, Professor, Chemistry

REVIEW AND PROCEDURES COMMITTEE - 3 seats, 3-year term
Leroy L. Creasy, Associate Professor, Pomology
Barclay G. Jones, Professor, City and Regional Planning
Bernd Lambert, Associate Professor, Anthropology
Thomas Sokol, Professor, Music
Elizabeth Wiegand, Professor, Consumer Economics and Public Policy
NOMINATIONS AND ELECTIONS COMMITTEE - 3 seats, 3-year term
Wolfgang H. Fuchs, Professor, Mathematics
D. Bob Gowin, Professor, Education
Robert F. Kahrs, Professor, Epidemiology
William C. Kelly, Professor, Vegetable Crops
Marion E. Minot, Associate Professor, Community Service Education

(Faculty legislation requires that the final committee consist of no more than 2 members from any one college or school and that representation from all colleges and schools be maintained if possible. Holdover members include Agr. 1, Arts 1, Engr. 2, ILR 1, Law 1.)

MEMBERSHIP OF THE UNIVERSITY FACULTY - 1 seat, 3-year term
Donald D. Eddy, Associate Professor, English and Librarian, Rare Books Department, Olin Library
Albert S. Roe, Professor, History of Art

ACADEMIC FREEDOM AND RESPONSIBILITY COMMITTEE - 1 non-tenured seat, 3-year term
Don Fredericksen, Assistant Professor, Theatre Arts
Jennifer Gerner, Assistant Professor, Consumer Economics and Public Policy

ACADEMIC PROGRAMS AND POLICIES COMMITTEE - 1 tenured seat, 3-year term
Lucinda A. Noble, Professor, Community Service Education; Assoc. Dir., Cooperative Extension and Assoc. Dean, College of Human Ecology
William F. Shipe, Professor, Food Science

ADMISSIONS AND FINANCIAL AIDS COMMITTEE - 1 non-tenured seat, 3-year term
Louis D. Albright, Assistant Professor, Agricultural Engineering
Michael C. Kelley, Assistant Professor, Electrical Engineering

BUDGET COMMITTEE - 1 tenured seat, 3-year term
Don M. Randel, Professor, Music
Alain Seznec, Professor and Chairman, Romance Studies

BUDGET COMMITTEE - 1 non-tenured seat, 3-year term
Larry E. Chase, Assistant Professor, Animal Science
William H. Greene, Assistant Professor, Economics

FREEDOM OF TEACHING AND LEARNING COMMITTEE - 1 tenured seat, 3-year term
Alvin H. Bernstein, Associate Professor, History
John E. Kinsella, Associate Professor, Food Science

MINORITY EDUCATION COMMITTEE - 1 non-tenured seat, 3-year term
John L. Ford, Assistant Professor, Community Service Education
Henry W. Richardson, Assistant Professor, Architecture and Assistant Dean for Minority Program

PHYSICAL EDUCATION COMMITTEE - 1 tenured seat, 3-year term
Robert C. Baker, Professor of Food Science, Department of Poultry Science
Stephen M. Parrish, Professor, English

PHYSICAL EDUCATION COMMITTEE - 1 non-tenured seat, 3-year term
Thomas A. DeCotiis, Assistant Professor, Manpower Studies
Virginia Utermohlen, Assistant Professor, Nutritional Sciences

PROFESSIONAL AND ECONOMIC STATUS OF THE FACULTY COMMITTEE - 2 tenured seats, 3-year term
Frederick M. Ahl, Professor and Chairman, Classics
Anthony Caputi, Professor and Chairman, English
E. Scott Maynes, Professor and Chairman, Consumer Economics and Public Policy
Robert J. Smith, Professor and Chairman, Anthropology
Bud C. Tennant, Professor, L.A.M.O.S., Veterinary
RESEARCH POLICIES COMMITTEE - 2 tenured seats, 3-year term
Antonie W. Blackler, Professor, Genetics, Development and Physiology
Philip E. Lewis, Associate Professor, Romance Studies
Dominick J. Paolillo, Professor, Genetics, Development and Physiology
Alvin F. Sellers, Professor, Physiology and Asst. Dean for Research, Veterinary

UNIVERSITY-ROTC RELATIONSHIPS COMMITTEE - 2 seats, 3-year term
Bruce P. Halpern, Professor and Chairman, Psychology
Jerry M. Rivers, Professor, Nutritional Sciences
Joseph L. Rosson, Professor and Associate Director, Electrical Engineering

COUNCIL ON PHYSICAL EDUCATION AND ATHLETICS - 1 seat, 3-year term
Peter L. Auer, Professor, Aerospace Engineering
Mary A. Morrison, Professor, Nutritional Sciences

SLATE OF CANDIDATES - FCR SEATS

ACADEMIC FREEDOM AND RESPONSIBILITY COMMITTEE - 1 tenured seat, 3-year term
Robert L. Bruce, Professor, Extension Education
Andre T. Jagendorf, Professor, Plant Physiology, Genetics, Development and Physiology

ADMISSIONS AND FINANCIAL AIDS COMMITTEE - 1 tenured seat, 3-year term
Neil W. Ashcroft, Professor, Physics/LASSP
Jack W. Hudson, Professor, Zoology, Ecology and Systematics

ADMISSIONS AND FINANCIAL AIDS COMMITTEE - 1 non-tenured seat, 3-year term
J. David Deshler, Assistant Professor, Community Service Education
Margaret Suener, Assistant Professor, Modern Languages and Linguistics

ACADEMIC PROGRAMS AND POLICIES COMMITTEE - 1 tenured seat, 3-year term
A. Thomas Kirsch, Associate Professor, Anthropology
Benjamin M. Siegel, Professor, Engineering Physics

ACADEMIC PROGRAMS AND POLICIES COMMITTEE - 1 non-tenured seat, 2-year term
William E. Cross, Assistant Professor, Black Psychology, Africana Studies
Richard H. Penner, Assistant Professor, Hotel Administration

BUDGET COMMITTEE - 1 tenured seat, 3-year term
Peter Harriott, Fred H. Rhodes Professor of Chemical Engineering
Paul L. Hartman, Professor, Physics/LASSP, Assoc. Director, Engineering Physics, Secretary of the University Faculty

BUDGET COMMITTEE - 1 non-tenured seat, 2-year term
Anita V. Grossvogel, Assistant Professor, Romance Studies
Larry D. King, Assistant Professor, Modern Languages and Linguistics

FREEDOM OF TEACHING AND LEARNING COMMITTEE - 1 tenured seat, 3-year term
Richard D. Aplin, Professor, Agricultural Economics
John J. Barcelo, Associate Professor, Law

FREEDOM OF TEACHING AND LEARNING COMMITTEE - 1 non-tenured seat, 3-year term
David L. Kohlstedt, Assistant Professor, Materials Science and Engineering
Andrew J. Sommese, Assistant Professor, Mathematics

MINORITY EDUCATION COMMITTEE - 1 tenured seat, 3-year term
Peter Gergely, Professor, Structural Engineering
William J. Wasmuth, Professor, Extension and Public Service, ILR
RESOLUTION RE: PROPOSED CHARTER FOR CORNELL RESEARCH PROGRAM FOR SOCIAL ANALYSES OF SCIENCE SYSTEMS (SASS)

Professor Ricciuti moved approval of the resolution calling for a charter for the Cornell Research Program for the Social Analyses of Science Systems (SASS) as follows: (Charter attached as Appendix A)

WHEREAS, The Cornell Research Program for Social Analyses of Science Systems (SASS) has been operating as an inter-college research program under the sponsorship of the Program on Science, Technology and Society, and

WHEREAS, The effectiveness of SASS in continuing its interdisciplinary quantitative social research on science systems would be substantially enhanced by establishing SASS as an independent Research Program formally affiliated with the Department and Graduate Field of Sociology, and

WHEREAS, A formal proposal, entitled Charter for Cornell Research Program for Social Analyses of Science Systems has been submitted to the FCR for approval, has been studied and discussed by the Committee on Academic Programs and Policies, and the Director of the Program, Professor McGinnis, has been interviewed to further expand on the proposal, now

BE IT RESOLVED, That the FCR approve the proposed Charter, dated October 1976, subject to an external review of the Program in three to five years and further that the FCR be provided with a copy of the review report as a basis for continuing approval of the Program.
Professor Ricciuti proceeded to elaborate on the contents of the document. This program has been operating for a number of years under the directorship of Professor Robert McGinnis, Sociology, and has had a loose affiliation with the University Program on Science, Technology and Society. Basically, what this proposal calls for is a more formal establishment of the program as an independent, interdisciplinary, inter-college research program which would at the same time, have a formal affiliation with the Department and Field of Sociology. The proposed Charter was submitted to Dean Saunders by Vice Provost Mark Barlow and was referred to our Committee on Academic Programs and Policies for review. In the course of that review, the Committee discussed the proposal at length with Professor McGinnis. One of the questions asked of Professor McGinnis was why an inter-college program was necessary - why couldn't an effort like this be carried out, for example, within the area of Sociology? The Committee was convinced after discussion with him and others that the nature of this program, which is really interdisciplinary and involves scientists from a number of units on campus, really did call for an inter-college type of structure. Secondly, the question of how the program relates to the Department and Field of Sociology was explored and it became pretty clear that, while this is primarily a research program, it does provide considerable increment in resources available for research training to graduate students in Sociology as well as elsewhere. The Committee also talked with the Chairman of the Sociology Department and received a letter from him indicating unanimous endorsement of the plan from the Sociology Department, as well as the Sociology Coordinating Committee. The Committee came out feeling that the substantive research and training efforts of this program were important functions, that they could be facilitated and enhanced by the proposed structural arrangement and therefore voted to bring it to the FCR for endorsement.

A question was raised from the floor as to where the funds come from. Professor Ricciuti said the research funds come in part from NSF and part from NIA. Another member asked if the Sociology Coordinating Committee is an inter-college committee. Professor Ricciuti replied that it is.

Hearing no further comment, the Chair brought the resolution to a vote, which clearly carried.

The next item of business was a status report also from the Committee on Academic Programs and Policies.

6. STATUS REPORT CONCERNING THE CENTER FOR THE STUDY OF THE AMERICAN POLITICAL ECONOMY

Professor Ricciuti indicated he would give a very brief status report on the proposal for the establishment of a Center for the Study of the American Political
Economy. He indicated that the proposal came from Harry Levin, Dean of the College of Arts and Sciences, and Professor George Hildebrand, the Maxwell M. Upson Professor of Economics and Industrial and Labor Relations. It involved also a number of people from the Departments of Economics, History, Government, and the Law School and other potentially interested groups. The proposal reached the Committee from Dean Saunders in November and, since it has been in the Committee's hands so long, it was felt that a brief status report on the proposal would be in order. He said the proposal has been and is continuing to be under review and discussion with various people involved as would be true with any other center proposal. The Committee's questions in general have been directed at efforts to get a clearer statement of the rationale and long-term impact of the proposed center, and a better understanding of how it would operate administratively vis-a-vis other departments and colleges. The Committee has suggested circulation and discussion of the proposal among a number of additional individuals and groups on the campus which is now going on. Discussion will be held with Professor Hildebrand in the very near future in the hope of being able to move toward a revised proposal which will present a clearer statement of the center's aims and operations.

Professor Norman Penney, Law, said he was concerned about the governance of this center and assumed the Committee had received a memorandum from his colleague, Professor Peter Martin, about the concerns he also has about the structure. In the original proposal which Professor Hildebrand put forward, the governing Executive Committee was to consist of the Provost, the Deans of the three interested colleges and several members of the Faculty who had received appointments or fellowships in this new center. Because of the character of the center and the kind of slant that it appears to carry, at least on the surface, it will be supported by funds from individuals who have what might appear to be, an axe to grind. It is our concern that this be like Caesar's wife, that it have sufficient safeguards in the structure regardless of our confidence in Professor Hildebrand, who insured that academic appointments would be made completely free and clear of any political or ideological viewpoint. In that vein they had suggested a variety of measures that would perhaps provide safeguards and insure the kind of academic approach one desires in the University.

Professor Ricciuti assured Professor Penney that the Committee has the memorandum and that the recommendations and related questions will be very much under consideration by the Committee.

The Chair recognized Dean Saunders for a resolution on campus governance.

7. RESOLUTION RE: FACULTY REPRESENTATION ON THE CORNELL CAMPUS COUNCIL
   
   The Dean said that, as most are aware, the Senate is due to pass out of existence come April 30 and that the new proposal which was presented to, and

* Appendix D
approved by, the Executive Committee of the Board of Trustees just yesterday, is an organization to be known as the Cornell Campus Council. He moved adoption of the following resolution:

WHEREAS, A new organization titled the Cornell Campus Council is about to be established as a replacement for the Cornell University Senate, with responsibilities for many aspects of non-academic governance, and

WHEREAS, This Cornell Campus Council by its charter requires seven members of the University Faculty (equal in number to the student members) to be chosen in a manner to be specified by the Faculty, now therefore,

BE IT RESOLVED, That the FCR authorizes its Committee on Nominations and Elections to proceed at once in the following manner:

a. To prepare a slate of nominees such that reasonable representation can be expected from several College and/or School faculties;

b. To provide for choice by the electorate, hence to nominate a reasonable number of nominees in excess of the seven that must be elected;

c. To conduct a prompt election utilizing the Hare system to select the winners from the total slate;

d. To certify, following the ballot count, no more than two winners from any single College or School faculty;

e. To monitor carefully the needs of the Campus Council insofar as Faculty representation is concerned during its first year of operation and to propose modifications to this process that might be desirable prior to the time the second election must be held.

The resolution was seconded.

Dean Saunders said the problem here has been one of timing. The body will wonder why they are being asked to approve a method and procedure which does not appear to be following our normal elective processes. Unfortunately, the finalization of what was likely to be needed in terms of numbers was not known until very recently. Both the Executive Committee of the FCR and the Review and Procedures Committee have talked about different methods of arriving at a reasonable representation for the seven Faculty seats in the Council. When you are dealing with 12 different academic units and there are only seven Faculty seats available, it is obviously precluded that there is not opportunity for representation of every unit. The variety of mechanisms that might be introduced in order to get some kind of a reasonable representation was one which, procedurally, would take a prohibitive amount of time to put in place this first year, to insure that seven
willing Faculty members could be designated and could be certified to be on board by the time the new organization is to start up. So the Executive Committee and the Review and Procedures Committee said to go ahead and institute whatever elective process seems reasonable. The Hare system, therefore, is suggested. The Dean said he also tried to guarantee reasonable representation by limiting representatives to no more than two from any one unit, and to provide for a basis of continuing review so that during the course of a year, we can consider more appropriate ways in which we might want to carry out our own elective processes for this particular organization. With all of these considerations, this resolution has been prepared. It in effect instructs the Committee on Nominations and Elections to go ahead and prepare an appropriate slate of nominees, does not ask that it come back to this organization because we don't have time for it, to go ahead and conduct an election and to certify the seven members such that no two would come from any one unit, that the Hare system be used, that reasonable representation would be available so that the electorate would have a choice and to provide for continuing monitoring and review of this and discuss it with the Review and Procedures Committee next year so that we can either reaffirm this process for the future or specify something else.

Elmer Meyer, Dean of Students, only wished to comment that the sheet handed out at the door on the Campus Council did not explain the details of the charter, simply the purposes and the committee structure, including student, Faculty and employee representation on committees. He said there are to be also seven student members on the Council, elected by the student body, with no more than two from any one unit. There are in addition, two employees that will be elected to the Council. The hope is to have it all in place before the end of the school year, with the first step being to select the Committee on Committees which then selects the committee members.

The Chair asked for any informational questions either to Dean Saunders, Dean Meyer or Vice President for Campus Affairs, William D. Gurowitz.

The question was asked of Dean Saunders if there were to be staggered terms. Dean Saunders replied that he thought that the legislation for all representatives on the Council called for two-year terms. The instructions on the original charter were that the initial people elected somehow or other arranged themselves in staggered terms.

Professor Arthur Berkey, Education, said that we had earlier been asked to react to the Chester Commission Report, and for whatever reasons, the favorable reaction was not accepted and a rather different structure was substituted. He wondered if anybody on the PCR has had the opportunity to have direct input to or
approve in any way, this new Campus Council. Do we want membership in this? He said he would like to see the proposal itself brought before this body. Dean Saunders replied that there has been no FCR approval of this Council. He stated that he had been involved and helped in many changes in the basic document. The FCR is the only organization of those asked to respond to the Chester Commission Report, which responded with all good sense. Of the total FCR membership, some 48 or 49 percent responded, and of those, the vote was heavily in favor of the Chester Commission Report. The vote on the Chester Commission Report was simply a recommendation to the President; he was seeking advice from various groups, the FCR being one of them. Based on the views he received, that of the FCR included, he came to the conclusion that there was not sufficient support for the Assembly structure concept and so he instructed Vice President Gurowitz, with the aid and assistance of Dean Meyer, Professor Chester and others who had participated, to devise a structure which would have far less commitment from people, but which would still essentially be responsible for many of the same functions, such as the judicial system and otherwise to act as an enlarged Committee on Committees, to do many of the same things the Chester proposal envisaged. The Campus Council is the outcome, a 16 voting member body with five non-voting ex officio members - a total of 21 - as opposed to the Assembly which was a some 70 member body.

Professor Berkey said that really wasn't germane to his question. His question was: in this new structure that has been created, which has considerable differences in the committee and in the overall structure, did any representatives of the FCR participate in drawing it up? Dean Saunders replied in the negative.

Professor Berkey asked if this seemed acceptable to us? If it does not, it seems this kind of vote is premature.

Dean Saunders proceeded to speak for himself. He thinks the difference is not all that great except in numbers. Because our earlier vote was an advisory vote to the President, we'll assume that he should therefore not have to get back to us because our advice was not taken, when it is his responsibility for a decision. To defer action on this resolution until the 11th of May, would mean that it would be impossible to elect a group of Faculty representatives before the Faculty disperses for the year.

Professor Penney said the Trustees Executive Committee only got this in revised form yesterday and he thinks one way to look at this is as if Dale Corson is calling you up on the telephone and saying "we've got to have seven Faculty members to serve on a committee, I'd like you to go and serve." He feels this can be viewed as an invitation to serve on a body that has essentially powers similar to the Senate in its previous incarnation, obviously curtailed to some significant extent.
The reason for the urgency, Professor Penney thought, is that the President wants to have something in place for next fall so that there will be a structure to oversee these various committees. Professor Penney is not very nervous over the proposition and is not getting uptight about it. It's just a committee in his opinion that has generalized responsibility in respect to these various campus run functions. If he were a voting member of this body, he would be in favor of it.

Professor Roger Battistella, B&PA, Chairman of the Executive Committee of the FCR, said that they did not participate in the drafting of any of the drafts, but that Professor Chester did meet with the Committee at length, to brief them on the layout of what he had in mind. During that meeting the discussion centered on the question of whether or not we should really care. Some felt quite strongly that the Faculty does have a vested interest in the quality of life and in the overall tone of the environment because that affects our attitude towards the institution, the amenities of the campus, morale, productivity. The Committee felt, as a matter of principle, that Faculty participants should be selected in accordance with procedures laid down by this body because we wanted to minimize the prospects of having to endorse the THEM vs. US syndrome.

There being no further debate, the Chair assumed the body was ready for the vote. The resolution carried handily with only one negative vote.

Professor McCarthy made a request that members of this body phone in nominations to the Dean's Office quickly, since it is going to be a difficult task for the Committee on Nominations and Elections to come up with a slate.

Dean Saunders said Professor McCarthy just took away one of his last remarks. Because an elective process has just been approved for the selection of seven members for the Campus Council, would we please submit or get others to submit, whatever names we can think of of people who are willing to serve such that we can have reasonable representation across the entire campus and such that we can have our Committee on Nominations and Elections produce a ballot which would give us a reasonable choice of all such people.

The other point Dean Saunders wished to make was that there are now 33 Faculty members needed for the various Council committees. These are committees in the selection of members for which the Faculty has never participated. They are committees which will be carry overs from the Senate, dealing with issues in the area of campus life, the issues of housing and dining, etc. Faculty members on these have heretofore been provided by the Committee on Committees of the Senate. That will no longer exist. The Campus Council charter and associated committee structure puts all of the Faculty selection process up to the Faculty. As states
the rationale for the resolution just approved, we do not intend to submit these to an elective process this first year. Previously, in the Senate structure, members were appointed who had indicated a willingness to serve and a desire to participate, and that is what the Dean proposes now. He urged anyone interested in serving, to call his office as soon as possible so that the committee structure can be put together and the election for the Campus Council be carried out.

Time now permitting, comments and questions were called for. Professor Hartman said he did not quite understand, in connection with the SASS discussion earlier, if a person in one department wants to get together with a person from another department and do something, why it has to be brought to the FCR, why in connection with a proposed inter-college use of synchrotron radiation, the FCR need even know about it. Dean Saunders had told him that it is on the books. Professor Hartman is not sure the books shouldn't be changed, in further support of a loosening of our governance rigidity.

Professor Berkey asked if the vote today on the Campus Council implies endorsement of this particular system. The Speaker said it would appear to be so in an indirect fashion, but added that the resolution does not say "we hereby endorse." The Chair's interpretation is that if you authorize selection of members, you are in effect participating in that organization and that does imply some degree of approval, although there is no constitution or document adopted. Professor Berkey wanted the record to note that endorsement had not been voted.

Professor Richard Phelan, Mechanical and Aerospace Engineering, said that acceptance does not mean endorsement.

There being no further comment, the meeting adjourned at 5:25 p.m.

Paul L. Hartman, Secretary
I. Preamble

Science and scientists today are confronted with a range of increasingly compelling problems that are intrinsically social in nature. Among many others, these include periodic imbalances between supply of and demand for scientific personnel, the acquisition of funds for scientific research and development and their allocation among fields, the difficult but important task of organizing a multidisciplinary approach to the problems of contemporary society, and the clear need for social accountability for scientific and technical activities. Many of these social problems of science can be studied with the quantitative methodologies of social science research. Cornell University therefore proposes a directed effort for continuing social analyses of science. To accomplish this end the University has created a Research Program for Social Analyses of Science Systems. This Research Program will operate in affiliation with the Department of Sociology in the College of Arts and Sciences and its Director will report to the University Provost.

II. Purposes

The central activity of the Cornell University Research Program for Social Analyses of Science Systems (SASS) shall consist of quantitative social research on science systems. It may offer training opportunities to advanced graduate students in the social sciences, but will not otherwise be involved in teaching. SASS is intended to:

A. Generate plans for and conduct studies in the following areas: The graduate education and on-job training of scientists; their organization, deployment and subsequent career patterns; impacts on science of changes
in funding policies; the social processes of creating and diffusing scientific knowledge; mechanisms for improving the management and administration of science in academia, government and industry.

B. Secure and administer funds for these research efforts.

C. Coordinate the individual research projects that SASS sponsors.

D. Organize and disseminate the results of these efforts.

E. Develop and maintain research facilities, particularly a library of data tapes and related research materials together with technical and administrative personnel that are necessary for these projects, and to make these resources available to the scientific community.

F. Support efforts both within and beyond Cornell to strengthen social studies of science.

III. Membership

The membership of SASS shall be drawn principally, but not exclusively from the faculty of the University. Participants in SASS shall occupy the following positions:

A. Director. SASS will have a Director, appointed by the University Provost, with a five year renewable term of office. The Director will be responsible for the overall design of research projects, for obtaining funds and personnel and for coordinating their activities. In addition, the Director, among other administrative responsibilities, will prepare and manage its budgets. Annual budgets, together with a report of SASS activities, will be submitted by the Director to the Provost and to the Steering Committee described below.

B. Faculty Associates. As needs and capabilities dictate, the Director will submit nominations to the Executive Committee of University faculty
members to serve as Faculty Associates of SASS. Terms of appointment shall be determined by the funding period of projects with which they are involved. Faculty Associates can also serve as liaison with other agencies both on and off campus, particularly with Cornell's Program on Science, Technology and Society (STS).

C. Research Associates. A number of Research Associates and Senior Research Associates shall be appointed by the Director and Principal Investigator(s) directly to SASS, subject to University regulations. These positions shall be funded from research grants and contracts and the length of appointments are to be dictated by the terms of the supporting funds. Research Associates shall participate in research on one or more of the SASS projects.

D. Research Assistants. Graduate students, ordinarily in the social sciences, may be appointed by the Principal Investigator(s) directly to research projects. Such appointees shall act as research assistants to Principal Investigators, ordinarily on a half-time basis, and normally be paid from research grants and contracts.

IV. Steering Committee

A. Membership. SASS shall have a Steering Committee which shall meet at least annually. The membership of the Steering Committee shall consist of:

1. The provost or his designee.
2. The Dean, College of Arts and Sciences or his designee.
3. The Chairman of the Department of Sociology.
4. The Director, SASS (ex officio)
5. A representative of the Cornell Program on Science, Technology and Society.
6. One member of the University faculty in physical science.
7. One member of the University faculty in biological science.
8. One member of the University faculty in social science.
9-11. Three members of the University faculty, undesignated.

Members 5-11 named above shall be appointed for three year renewable terms. They shall not include Faculty Associates of SASS. Appointment shall be by the Provost upon recommendation by the Director and the Dean, College of Arts and Sciences.

B. Executive Committee. The Steering Committee of SASS shall have an Executive Committee consisting of members 2-4 named above (Section IV-A).

C. Chairmen. The Provost or his designee shall serve as Chairman of the Steering Committee and the Dean or his designee shall serve as Chairman of its Executive Committee.

D. Responsibilities. The Steering Committee's responsibilities shall be to

1. Establish broad policies for SASS.
2. Annually review the University budget for SASS, prepared by the Director, and submit it to the administration.
3. Review new research proposals and monitor SASS research in progress.
4. Review and approve appointments of all SASS members.
5. Evaluate the operations and achievements of SASS on a continuing basis.
6. Assume general responsibility for the welfare and development of SASS.
7. Maintain the conditions of this charter and propose appropriate amendments. Any such amendments must be approved, however, by a majority of the membership.
The Executive Committee's responsibilities shall be to:

1. Set agendas for and call meetings of the Steering Committee.
2. Review and approve all SASS research proposals prior to their submission to external agencies.
3. Approve any alteration proposed by the Director of previously approved University allocations to SASS that are in excess of one thousand dollars.
4. Create such review groups, both internal and external to Cornell, as it deems appropriate to maintaining and strengthening the quality of the SASS Program.
5. Provide the Director advice and other assistance in his efforts to recruit new participants in SASS and to acquire external research funds.

V. Budgets

The principal budgets in SASS shall be of two kinds:

A. **Administrative Budget.** This budget shall be prepared annually by the Director and approved by the Steering Committee for submission to the Provost. The purpose of this budget is to cover costs of administration and development. These funds may be used to provide an appropriate fraction of the Director's academic year salary, the necessary administrative staff and office costs, and to support the development of research proposals and other efforts to strengthen social studies of science.

B. **Individual Research Budgets.** These budgets shall be prepared by Principal investigators as a part of their detailed research plans, approved by the Director and then submitted to the Executive Committee for
its approval, according to procedures to be devised by that Committee. These budgets will then be submitted to external agencies for funding.
To: Members of the University Faculty

From: Byron W. Saunders, Dean of Faculty

During the past several months it has become increasingly clear to me that there are some serious structural problems with our present form of academic and Faculty governance. With a new structure about to be put into place for non-academic governance, with a new President to be installed within the year, with the demise of the Cornell University Senate about to take place requiring significant modification and excising of references to the Senate in the Faculty Bylaws, it would seem to be a propitious time to consider major revisions in the Faculty organization as well. However, any benefits that might accrue from such revision would be small if the Faculty as a whole did not support such a move and were not prepared to participate in any revised structure. Without such support the time and energy required to propose necessary modifications could hardly be justified. An indication of interest and support to justify a committee spending the necessary time to consider the problems and possibilities is therefore needed.

Some of the objectives that I believe should be achieved in any revised structure would include the following:

1. A "town meeting" type of decision meeting where all Faculty are equal with one vote each.
2. Adequate safeguards built in so no small or single group could dominate any meeting without proper advance warning of issues and proposed solutions.
3. A committee structure that would be flexible yet provide for diversity and representation for certain crucial committees, e.g. Academic Programs and Policies, Academic Freedom and Responsibility, Calendar and Schedules, etc.
4. A structure that would expect the President to be present (and probably presiding) to report to the Faculty regularly, to answer questions, and to be directly involved with Faculty issues. (With a new President who did not come up from our own Faculty ranks and therefore without the benefit of long time involvement with Cornell Faculty and issues, this, it seems to me, is crucially important.)

The direction my own thinking is taking is much closer to our former Faculty open town meeting type of organization but with some structural safeguards built in which we did not have in the past. If by return of this straw ballot it appears that such a step would be favored by a significant group of the Faculty, I propose to put the wheels in motion to have revised Bylaws drafted for consideration by the Faculty and by the FCR. Would you please, therefore, return the enclosed STRAW BALLOT with your vote (and any comments you care to make) so I will know how to proceed in accordance with the Faculty wishes.
STRAW BALLOT
FACULTY GOVERNANCE

It is not necessary to sign this ballot but it would be appreciated if the blanks could be filled in (or checked as appropriate) so the general source of respondents will be known.

1. College of the Respondent: ________________________________

2. Length of Time at Cornell of Respondent: Less than five years _________
   Five to Ten years _________
   More than Ten years _________

3. Rank of the Respondent: Professor ________________
   Assoc. Professor ________________
   Asst. Professor ________________
   Dean, Director or other Administrative officer ________________

4. _________ I support your move to reconsider the form of Faculty governance.

   _________ I prefer the existing form of representative governance.

5. Comments (if any):

Please return before April 16 by campus mail to the Office of the Dean of Faculty, 315 Day Hall.
THE CAMPUS COUNCIL

Purposes

The Campus Council shall have authority, by delegation from the President, to:

1. Make rules to govern those aspects of the conduct of the members of Cornell University now covered by the Campus Code of Conduct and the Statement of Student Rights. Pursuant to the Henderson Law, changes in the Campus Code of Conduct shall be subject to approval by the Board of Trustees, when appropriate.

2. Select the members of the Hearing and Review Boards responsible for the determination of cases brought under these rules.

3. Select the student and employee members of a Committee on Committees (C.O.C.) which shall provide the student and employee members of committees of the Campus Council. The Faculty shall provide the faculty members for these committees. The C.O.C. shall provide members for University, Faculty, and Trustee committees as may be requested from time to time.

4. Establish such standing and ad hoc committees as are appropriate to the performance of its functions.

5. Conduct community hearings and discussions.

6. Examine and consider any matters concerning the interests and welfare of members of the University and make recommendations thereon to the appropriate officers or decision-making bodies of the University.

7. Supervise and coordinate a structure of committees and boards having policy-making jurisdiction, consistent with university policies, with respect to the following departments and offices in the Division of Campus Life: Office of the Dean of Students, Dining, Transportation, Religious Affairs, University Unions, University Health Services, and the Campus Store.

8. Participate in the selection of slates of nominees for the positions of Ombudsman, Judicial Administrator, and Judicial Advisor; concur in the President's nominations for University Ombudsman, Judicial Advisor and Judicial Administrator.
The last FCR meeting of the 1976-77 academic year was called to order by Speaker J. Robert Cooke about 4:40 p.m. Quora were in attendance—both of the present FCR membership as well as that of the coming year. The former being on hand, the minutes of the last meeting could be considered. Happily, they were accepted as distributed.

1. REPORT OF THE DEAN

The Speaker called on Dean Byron W. Saunders for his report. He first called attention to the final one of the three yearly full Faculty meetings called for in the Bylaws. This will be held in 120 Ives Hall next Wednesday, May 18, too soon for this word in the Chronicle to be of any avail. Nevertheless, he hoped that there would be a good turn out; there is minimal business to transact, namely, zero at this point. But recognition will be made of our retiring colleagues and of the outgoing President, Dale R. Corson. He hoped that all would remind others of the affair.

Secondly, the Dean informed the body that in view of the FCR's approving last month a resolution calling for an election of seven Faculty members to the new Campus Council, a ballot will be going out at the end of the week to implement the resolution. He urged prompt return of the ballot and indicated that the Council will be organized early in the Fall.

Thirdly, on behalf of the Nominations and Elections Committee Chairman, Professor Philip McCarthy, I&LR, he announced the results of the recent election to the various committees of the Faculty and the FCR. The results are as follows:

UNIVERSITY FACULTY ELECTIONS

FACULTY TRUSTEE - non-tenured seat - 2-year term
Carol B. Meeks, Consumer Economics and Public Policy

AT-LARGE MEMBER, FCR - 2 seats
Arthur L. Bloom, Geological Sciences
Raymond T. Fox, Floriculture and Ornamental Horticulture

REVIEW AND PROCEDURES COMMITTEE - 3 seats
Leroy L. Creasy, Pomology
Barclay G. Jones, City and Regional Planning and Co-Director, Program in Urban and Regional Studies
Elizabeth Wiegand, Consumer Economics and Public Policy

NOMINATIONS AND ELECTIONS COMMITTEE - 3 seats
Wolfgang H. Fuchs, Mathematics
Robert F. Kahrs, Epidemiology, Veterinary
William C. Kelly, Vegetable Crops

MEMBERSHIP OF THE UNIVERSITY FACULTY COMMITTEE - 1 seat
Donald D. Eddy, English and Librarian, Rare Books Department, Olin Library
ACADEMIC FREEDOM AND RESPONSIBILITY COMMITTEE - 1 non-tenured seat
Jennifer Gerner, Consumer Economics and Public Policy

ACADEMIC PROGRAMS AND POLICIES COMMITTEE - 1 tenured seat
Lucinda A. Noble, Community Service Education and Associate Director,
Cooperative Extension and Associate Dean, Human Ecology

ADMISSIONS AND FINANCIAL AIDS COMMITTEE - 1 non-tenured seat
Louis D. Albright, Agricultural Engineering

BUDGET COMMITTEE - 1 tenured seat
Alain Seznec, Chairman, Romance Studies

BUDGET COMMITTEE - 1 non-tenured seat
Larry E. Chase, Animal Science

FREEDOM OF TEACHING AND LEARNING COMMITTEE - 1 tenured seat
Alvin H. Bernstein, History

MINORITY EDUCATION COMMITTEE - 1 non-tenured seat
John L. Ford, Community Service Education

PHYSICAL EDUCATION COMMITTEE - 1 tenured seat
Robert C. Baker, Food Science, Poultry Science

PHYSICAL EDUCATION COMMITTEE - 1 non-tenured seat
Virginia Utermohlen, Nutritional Sciences

PROFESSIONAL AND ECONOMIC STATUS OF THE FACULTY COMMITTEE - 2 tenured seats
Anthony Caputi, Chairman, Department of English
E. Scott Maynes, Consumer Economics and Public Policy

RESEARCH POLICIES COMMITTEE - 2 tenured seats
Antonie W. Blackler, Genetics, Development and Physiology
Alvin F. Sellers, Physiology, and Assistant Dean for Research, Veterinary

UNIVERSITY-ROTC RELATIONSHIPS COMMITTEE - 2 seats
Bruce P. Halpern, Chairman, Department of Psychology
Joseph L. Rosson, Associate Director, Electrical Engineering

COUNCIL ON PHYSICAL EDUCATION AND ATHLETICS - 1 seat
Mary A. Morrison, Nutritional Sciences

FCR ELECTIONS

ACADEMIC FREEDOM AND RESPONSIBILITY COMMITTEE - 1 tenured seat
Robert L. Bruce, Extension Education

ADMISSIONS AND FINANCIAL AIDS COMMITTEE - 1 tenured seat
Neil W. Ashcroft, Physics/LASSP

ADMISSIONS AND FINANCIAL AIDS COMMITTEE - 1 non-tenured seat
Margarita Suner, Modern Languages and Linguistics

ACADEMIC PROGRAMS AND POLICIES COMMITTEE - 1 tenured seat
Benjamin M. Siegel, Applied and Engineering Physics
ACADEMIC PROGRAMS AND POLICIES COMMITTEE - 1 non-tenured seat - 2-year term
Richard H. Penner, Hotel Administration

BUDGET COMMITTEE - 1 tenured seat
Paul L. Hartman, Physics/LASSP, Associate Director, Engineering Physics,
Secretary of the University Faculty

BUDGET COMMITTEE - 1 non-tenured seat - 2-year term
Anita V. Grossvogel, Romance Studies

FREEDOM OF TEACHING AND LEARNING COMMITTEE - 1 tenured seat
John J. Barcelo, Law

FREEDOM OF TEACHING AND LEARNING COMMITTEE - 1 non-tenured seat
David L. Kohlstedt, Materials Science and Engineering

MINORITY EDUCATION COMMITTEE - 1 tenured seat
Peter Gergely, Structural Engineering

MINORITY EDUCATION COMMITTEE - 1 non-tenured seat
Herbert O. Mason, Agricultural Economics

PHYSICAL EDUCATION COMMITTEE - 2 tenured seats
Robert E. Habel, Anatomy - 3-year term
Madison J. Wright, Agronomy - 2-year term

PROFESSIONAL AND ECONOMIC STATUS OF THE FACULTY COMMITTEE - 1 non-tenured seat
Dennis U. Fisher, Agricultural Economics

RESEARCH POLICIES COMMITTEE - 1 tenured seat - 2-year term
William A. Wimsatt, Zoology, Genetics, Development and Physiology

RESEARCH POLICIES COMMITTEE - 1 non-tenured seat
William H. Reissig, Entomology, Geneva

All terms are for 3 years unless otherwise designated.

He hoped that all who had been elected had received his written notification of
the fact prior to his oral listing.

Fourth, the Dean said there would be a motion later in the meeting to suspend
the rules to enable next year's FCR to get going; all new members present should
stick around for three or four minutes to go through a procedural formalism.

Fifth, he announced the results of his recent straw poll on Faculty sentiment
regarding modification of the Faculty Bylaws and organization. This was of some
interest. There were 303 ballots returned; not too bad, considering that even
in the above election returns only 483 ballots were received, that many Faculty
members are neutral, and that many members have indicated they missed seeing the
straw ballot in the pile of papers also accompanying it in the mailing. Such
important items will likely be put on colored paper hereafter. At any rate, of
those responding, 81.5% indicated favoring a review---not necessarily change---of the structure. Interestingly enough, the response in favor of such was not greatly different between Arts, Engineering and Agriculture and Life Sciences. Both the Review and Procedures and the Executive Committees have authorized the Dean to put together an ad hoc committee to study the situation; many possible names have been suggested for it. He hoped that a modified document might be ready for the Fall; at the least, sections dealing with Senate relations will have to be changed.

2. RESOLUTION RE: DEGREE DESIGNATION

The Speaker then called on Professor Henry Ricciuti, Human Development and Family Studies, Chairman of the Committee on Academic Programs and Policies. He presented the following resolution which was a modification of one postponed from a recent meeting:

RESOLVED, That the Faculty Council of Representatives approves the request of the Faculty of the College of Architecture, Art and Planning to change the degree designation for the undergraduate program in the History of Architecture and Urban Development from the degree Bachelor of Fine Arts (BFA) to the Bachelor of Science (B.S.).

The College of Architecture had earlier requested a name change of the Bachelor of Fine Arts degree in the History of Architecture and Urban Development to one of Bachelor of Arts, a change to which the Arts College objected. Following consultation between Deans Levin and Seley, the Architecture College, not wishing to hassle over it, agreed to let it become a Bachelor of Science degree. This was the sense of the resolution presented. There was consternation at this change of stance, a seeming Arts degree become one in Science, willy nilly.

Professor Ricciuti, in response to questioning, said the Committee on Academic Programs and Policies had approved it only for the A.B. degree, had not been in on the shift, and he was unaware of the discussion leading to it. The Dean read a statement from Architecture which was the basis of the original request and covering the history. Professor Norman Potter, Food Science, thought the degree sounded more and more like Arts to him. A degree in Architecture, involving, as it must, mathematics, calculation, materials, etc., would appear to be science all right. But History to him sounds like Arts; weird he says. Fortunately, Professor Barclay Jones, City and Regional Planning and Co-Director, Program in Urban and Regional Studies, was present to clear up matters for most. He said that Architecture can offer only two undergraduate degrees: presently, the Bachelor of Architecture, for real architects, and the Bachelor of Fine Arts. The only college that can give the Bachelor of Arts degree is the Arts College.
The Bachelor of Science degree, however, is used in Communication Arts, Human Ecology, Design and Environmental Analysis, Engineering, and numerous other disciplines. The Bachelor of Fine Arts designation is primarily understood as one relating to practice in one of the fine arts, music, sculpturing, or whatever. So they have no alternative but to ask for the change from Fine Arts to Science in the degree. The vote, while far from one of unanimity, was in favor of the resolution.

3. RESOLUTION RE: STUDENT-Academic STAFF GRIEVANCE PROCEDURE

Next considered was a resolution from the Committee on Freedom of Teaching and Learning, presented by its Chairman, Professor Norman Scott, Agricultural Engineering:

WHEREAS, Conformance with Title IX requirements is set forth by the Department of Health, Education and Welfare, it is necessary to have in place a procedure whereby students and staff can air their grievances if they feel they are discriminated against for reasons prohibited by law.

THEREFORE, BE IT RESOLVED, That the FCR approves the document entitled "Student-Academic Staff Grievance Procedure", dated March 29, 1977, as Cornell's response to this requirement.

This was a resolution to approve a document, "Student-Academic Staff Grievance Procedure",* Cornell's response to the Government's Title IX requirement. In Committee and Subcommittee, this had gone through a number of drafts, the present one being #4, incorporating all the changes suggested to those proceeding it. A question directed at Professor Scott indicated concern that the document represented only half the requirement demanded by Title IX; that it only covers student grievances. Where are the procedures for academic grievances? It was the Chairman's understanding that the procedures to cover academic grievances were in place in the several colleges; the present resolution covered the required other half of the coin, to coin a phrase. Professor Arthur Berkey, Education, was a little worried about the Third Step in the procedure, which gives the Dean the option of impanelling an advisory board "to find fact in the case and make a recommendation." Should not the aggrieved also be given that option, he asked? Mrs. Poppensiek of the Ombudsman's Office said that this had not been considered in formulating the procedure. Assistant Professor Constance Wood, Plant Breeding and Biometry, said, also in response to Professor Berkey's concern, that the Executive Committee had likewise spotted the same point, and had decided that Item 3 in the General Provisions covered it, in that "The aggrieved may appeal recommendations or decisions at each step." Professor

*Attached as Appendix A
Berkey asked if Professor Scott would accept a friendly amendment to make it specific in Step 3. The latter was willing but objection from the floor meant a motion must be put. Professor Berkey did not favor making legislation on the floor and demurred; that just makes for trouble. The resolution then carried in the vote.

4. SUSPENSION OF RULES TO CONVENE 1977-78 FCR

The Dean then moved a suspension of the rules. As things stand, the FCR is in continuous session from September sometime to June 30. But at this juncture, after adjournment of the meeting, it is convenient for the new FCR, a quorum of which was present, to meet briefly and simply accept a slate of nominations for the new Executive Committee and make any additions to it from the floor. This makes an early election possible and gets things off to a fast start in the Fall. The procedure has been followed in the past. The suspension was approved.

5. COMMENTS RE: CAMPUS COUNCIL FACULTY PARTICIPATION

As a final item, Professor Berkey cited his lengthy letter* to the Dean and FCR members, which was distributed with the call to the meeting. His was the lone vote at the last meeting against proceeding with the election of seven Faculty members to the new Campus Council. He objected on the basis that we had not ever seen the Charter, nor was it even mailed out in the call to the present meeting as he had asked. He requested that his "statement be on record as an expression of concern regarding the erosion of the role of the Faculty at Cornell University." He has been asked by the Dean to serve with two others to monitor the operation of the Council but he has not yet decided whether to do so or not, knowing nothing about the Council. In this regard, no questions were directed at Vice President for Campus Affairs, William D. Gurowitz, who was present to field such.

Following an applause of appreciation by the body for the services rendered over a period of two years by Speaker Cooke, the meeting adjourned early, at 5:10 p.m.

Paul L. Hartman, Secretary

*Attached as Appendix B
STUDENT - ACADEMIC STAFF GRIEVANCE PROCEDURE

Purpose:

This grievance procedure provides a means whereby any student of the University who believes himself or herself, and who has reasonable evidence to support such belief, to be the victim of legally prohibited discrimination by an academic staff member in the execution of his/her designated academic responsibilities, can seek redress of his or her grievance.

Definitions:

Student - any person registered in the University and receiving academic credit.

Academic Staff Member - any person employed by the University to instruct students. Included, but not limited to, persons 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, Extension Associate, Postdoctoral Associate, Teaching Assistant, Research Assistant, Extension Assistant, Graduate Research Assistant, or similar positions as may be established.

Administration of Procedure:

This procedure will be administered by the Dean of the University Faculty.

General Provisions:

1) Any party to a grievance shall have the right to be accompanied at any conference or hearing by an advisor or counsel. Any necessary expense of the hearing shall be borne by the University with the exception that if the aggrieved wishes to retain a representative or counsel, he or she shall bear the expense of such representation. If the aggrieved is represented by another member of the University, the representative will be allowed reasonable time to perform his/her functions without loss of pay.

2) All conferences and hearings shall be private and not open to the public.

3) The aggrieved may appeal recommendations or decisions at each Step.

4) No student shall be discriminated against or otherwise adversely treated because he/she filed a grievance. In the event an individual claims discriminatory treatment for grieving, or participating in a grievance for any purpose, the claim will be heard immediately at Step Two of this procedure.
5) The deadlines described in the procedure are recommendatory and presume normal operating conditions. However, the parties in the grievance procedure should be permitted reasonable flexibility given the unusual nature of the academic schedule, calendar, and vacation periods of the University.

6) Information on the existing legislation and polices of the University relevant to the grievance may be obtained by the parties from the Dean of the Faculty.

First Step:

Within fifteen (15) days of the occurrence giving rise to his/her grievance, the aggrieved student shall submit a written complaint to the academic staff member involved, which complaint shall clearly set forth the facts and circumstances, including time, date and place, of the occurrence, nature of the grievance, and the relief requested. The student shall also deliver a copy of the complaint to the academic staff member's department or division chairperson\(^2\) and to the Dean of the Faculty. Within a reasonable time (e.g., 10 days) of the receipt of the complaint, the academic staff member shall contact the student and arrange a conference with him/her in an effort to resolve the complaint. At the time of the conference an independent witness may be present. The independent witness shall be a student or faculty member appointed by the division or department chairperson (or by the Dean of the College if the division or department chairperson is the object of the grievant's complaint).

Second Step:

If the grievance is not resolved at the first step, the matter shall be promptly referred to the department or division chairperson,\(^2\) who shall investigate the matter and ascertain the facts. The chairperson shall contact the student and arrange a conference with him/her within two weeks in an effort to resolve the complaint. The academic staff member may or may not elect to be present, but the chairperson must provide the academic staff member with an opportunity for a personal hearing.

Third Step:

If the matter is not resolved at the second step, it shall be referred to the Dean of the College. The Dean may review the matter and make a decision as to the disposition of the grievance, or he/she may choose to impanel an advisory board of three persons whose responsibility shall be to find fact in the case and make a recommendation for the solution of the problem. If an advisory board is to be established, members shall be selected as follows: one member to be designated by the student, one to be selected by the academic staff member, and the third to be selected by the first two appointed. If an agreement cannot be reached on the third, then the Dean will submit five names to the student and to the academic staff member, and they shall indicate their preferences for a neutral in numerical order,
and the one receiving the lowest total points will be designated as the third member and chairperson of the panel. Ties will be settled by coin toss.

As promptly as possible (e.g., 10 days) after its selection, the panel shall hold a conference of the parties and attempt to use its good offices to bring about a settlement between them. Failing this, it shall make a statement of its findings of fact together with recommendations and transmit them to the Dean of the College, with copies thereof to the parties and to the Dean of the Faculty. The Dean of the College shall review the recommendations of the panel and issue a decision to the parties with a copy to the Dean of the Faculty.

1 Categories as of November, 1976 include, but are not limited to: age, race, color, creed, religion, national or ethnic origin, and sex.

2 In the event the academic staff member is the division or department chairperson, a copy of the complaint will be delivered to the Dean of the College, and the Dean of the College then becomes the point of referral in Step Two, with the Dean of the Faculty then being the point of referral in Step Three. Also, if the academic staff member's responsibilities are under the direction of a higher ranking academician (e.g., teaching assistant supervised by a faculty member), the grievance should be reviewed first at that level, before proceeding to the department or division chairperson.

Passed by the Faculty Council of Representatives, May 11, 1977.
TO: Members of the Faculty Council of Representatives and the Dean of the Faculty

FROM: Arthur L. Berkey, FCR member

RE: Resolution on "Faculty Representation on the Cornell Campus Council" passed on 4/13/77 by the FCR

On April 13, 1977, I cast the one negative vote regarding the resolution on "Faculty Representation on the Cornell Campus Council." A subsequent conversation with the Dean of the University Faculty indicated that my reasons for a negative vote were not clearly articulated. I believe passing of the resolution violates the basic principles of representation and request that this communication be distributed to FCR members and be included in the records of the FCR.

The background involved in the development of the Campus Council is important to my concern. Following the advisory vote by the Cornell Community which was restricted to specified choices (rather than what one might feel was an appropriate self governance system at Cornell) it was judged by the Cornell Administration/Board of Trustees that inadequate support existed for the University Assembly. The alternative Campus Council was subsequently developed with input limited to the Cornell Administration and the Board of Trustees. Such a development procedure is clearly within the authority of the Administration and the Board of Trustees. However, without commenting on the wisdom of such a procedure, it is clear that the output of these deliberations, i.e., the Campus Council, is a mandated system for non-academic campus governance. Such a mandate is also clearly within the authority of the Board of Trustees and the title "Self Governance" has been appropriately omitted from the document.

The new Campus Council provides for membership of seven faculty to be chosen in a manner to be specified by the faculty. Again, such a provision is clearly within the prerogative of the Administration/Board of Trustees. However, it is the nature of the Faculty's response to this mandated charter that I find myself opposed in principle. I came to the meeting expecting to receive a final draft of the "Campus Council" Charter and to hear a presentation and discussion of the charter per se. What I found was a one-page summary dated 4/7/77 which was even more brief than the 4-page summary dated 4/4/77 which had been distributed with the call to the meeting. Having a final copy and a presentation would have allowed for questions to clarify what in fact was the nature of the Campus Council at a level of detail that the Trustees would insist on in order to act on such a Charter. A later conversation with Dean Saunders indicated that the 28-page draft charter presented to the Board of Trustees Executive Committee was not seen by any FCR group prior to the 4/13/77 FCR meeting. Three changes were subsequently made
to the draft charter. Thus, neither the Dean of the Faculty, the Review and Procedures Committee, nor the FCR Executive Committee saw even the draft of the "Council" charter and yet they recommended a resolution to the total FCR that the FCR assume responsibility for electing members to the "Council." By assuming this responsibility, FCR endorsement of the "Council" is implied, i.e., the "representative" legitimation necessary for the mandated Council to be accepted by the Cornell Community. Herein lies my objection. I do not believe that the FCR members should commit their constituents to elect representatives, and thereby endorse, any organization without knowing the nature of that organization — especially when it is something as important as non-academic governance. Further, it seems that there is a lack of concern by the FCR Executive Committee to provide information to the total FCR. Since copies of the 28-page draft were available to the Trustees on 4/12, why did not the Executive Committee insist that copies of these be distributed at the 4/13 FCR meeting along with a presentation and discussion on the "Campus Council?" Early adjournment indicated that adequate time was available. Further, if the Charter had been discussed by the Board of Trustees on 4/12, then why were not the three changes to the draft charter also made available?

We were urged to encourage other faculty to apply for membership on the Council and its committees. I find it difficult to agree to serve, or ask others to do so, when I cannot explain the structure that the service would be in.

One might argue that since the authority to mandate the "Campus Council" was exercised, the faculty has no options in its response. This is not so since one faculty response might be that the administration take responsibility for appointing faculty members until such time as the final charter is explained to the FCR and a rational decision can be made as to whether or not the FCR wishes to endorse the charter by committing itself to elect members thereto. Any individual faculty member is, of course, free to accept committee responsibility indicating his acceptance of the "Council." However, I do not believe that any FCR member has the right to endorse "A pig in a poke" in behalf of his/her constituents. Such an endorsement is, in my opinion, considerably different than the President asking faculty to serve on any committee.

The argument put forth at the meeting was that we should approve the resolution "to avoid a we-they situation." "Cooperation road" should have two way traffic. Exclusion of the FCR in development of the "Council" charter and then asking the FCR to endorse an incomplete charter seems to be to be another example of reduced faculty involvement not unlike the recent situation where faculty participation (admittedly advisory) in the interviewing of candidates for the Cornell President was limited to interviewing the one final candidate. I am in no way judging the outcome of the search.

Another factor was the time constraints involved. The same authority that mandated a "Council" caused the constraint and is therefore responsible for its resolution. The Senate committees (which are all that is functioning now anyway) could have been extended for 30 days.
Since we can always change it later, it doesn't matter that we go with incomplete information now was also an argument made for the resolution. The "Council" charter was developed without FCR participation, and no promises to accommodate FCR changes have been made to my knowledge. These circumstances indicate to me a negative prognosis for getting changes later. Also, the Council Charter itself limits changes without trustee approval (Section 1.10).

The Dean of the Faculty has reminded me of his authority to appoint faculty committee members which, under the FCR resolution, he will exercise for faculty membership on committees. That he chose not to exercise his authority on incomplete information is, I believe, to his credit. That he recommended that the FCR vote on incomplete information is, in my opinion, unwise. One might argue that many FCR votes are taken without detailed information and discussion, e.g., approval of committee recommendations. In such cases, detailed consideration occurs in committee and complete information is available if desired. Such is not the case with the FCR Resolution on the Campus Council where comprehensive information was not provided to, and therefore not considered by, any FCR group.

Also, I am concerned that an uninformed FCR action on the Council may well be interpreted as a lack of concern by the faculty regarding non-academic governance.

In summary, on principle, I do not believe that FCR members should commit their constituents to assume responsibility to elect representatives to any non-academic governance system without complete information as to the nature of that system. Further, I am concerned that we should be asked to do so either by the Administration or the FCR Executive Committee. An additional concern is that the FCR Executive Committee did not insist on seeing the 28-page Council Charter themselves prior to making a recommendation and also insist that the charter be made available to the total FCR membership.

I recognize that the tone of this letter is critical but I do not see how to phrase it otherwise. No inferences are intended in regard to intent of the parties involved. It should also be stated that the position taken here is mine alone for which I necessarily assume full responsibility. Irrespective of any FCR action on my position, I request this statement be on record as an expression of concern regarding the erosion of the role of the faculty at Cornell University.
The 1976-77 FCR Speaker, Associate Professor J. Robert Cooke, called the special meeting of the 1977-78 membership to order at 5:10 p.m. A slate of nominations for the new Executive Committee of the FCR was presented as follows:

EXECUTIVE COMMITTEE OF THE FCR
Two-year term beginning July 1, 1977

4 tenured seats

Richard D. Aplin, Professor, Agricultural Economics
Arthur L. Bloom, Professor, Geological Sciences
Robert G. Calkins, Associate Professor and Chairman, History of Art
Raymond T. Fox, Associate Professor, Floriculture and Ornamental Horticulture
Peter Harriott, Fred H. Rhodes Professor of Chemical Engineering
William D. Pardee, Professor, Plant Breeding and Biometry

1 non-tenured seat

William E. Cross, Assistant Professor, Africana Studies and Research Center
J. David Deshler, Assistant Professor, Community Service Education
Larry D. King, Assistant Professor, Modern Languages and Linguistics

There being no further names put forth, nominations were closed and the slate approved. An election will be set in motion.

After being reminded again of the full Faculty meeting on May 18, the meeting adjourned at 5:13 p.m.

Paul L. Hartman, Secretary
The President, Dale R. Corson, called the meeting to order at 4:30 p.m., performing this function for the last time. 153 people were in attendance, deemed a quorum. The President announced the death of the following Faculty members:

Richard F. Fricke, Professor Emeritus, Extension Service, September 21, 1976
Fred H. Rhodes, Herbert Fisk Johnson Professor of Industrial Chemistry, Emeritus, November 30, 1976
Alfred William Avens, Professor of Chemistry, Emeritus, Geneva, October 4, 1976
Doris W. Erway, Professor Emeritus, Housing and Design, December 5, 1976
Jack S. Catlin, Assistant Professor, Psychology, December 7, 1976
Alfred T. Blomquist, Professor Emeritus, Chemistry, January 15, 1977
Alpheus W. Smith, Professor Emeritus, I&LR, January 23, 1977
Albert Hoefer, Professor Emeritus, Extension Service, February 17, 1977
Anson W. Gibson, Professor Emeritus, Personnel Administration, College of Agriculture and Life Sciences, February 19, 1977

The Faculty rose for a moment of silence for their departed colleagues.

President Corson then turned the Chair over to the Speaker, Associate Professor J. Robert Cooke, after two years, also performing his function for the last time.

1. APPROVAL OF MINUTES OUTSTANDING

The Speaker indicated that the body had some housekeeping chores to take care of, namely, the approval of several sets of minutes outstanding, as follows:

February 12, 1975, May 7, 1975, October 8, 1975, December 15, 1975 (one change therein being announced at the February 18, 1976 meeting, changing a mere word---"carried" becomes "defeated"), February 18, 1976, March 3, 1976, May 12, 1976, September 15, 1976 and February 16, 1977. The Speaker said that the two footnotes, 1 and 2, at the end of the minutes for the March 3, 1976 meeting which relate to debate over the powers of the Faculty to create committees, are to be deleted. They will be replaced by the following statement: "See minutes of May 18, 1977 meeting for further comment" as indication where further discussion might appear; Dean Saunders and Professor Blumen may choose to distribute separate statements on the matter. The third footnote, following the asterisk and pertaining to Speaker's comment regarding the discharge of the committee, is to remain, since it really belongs in the body of the text. The Speaker then asked the body for any other changes that should be included. Hearing none, the several minutes stood approved as corrected.

The Chair then recognized the Dean of the Faculty, Professor Byron W. Saunders, for his report.

2. REPORT OF THE DEAN

The first announcement he made was contained in a communication he received from Vice President Constance Cook, which reads as follows:
"The New York State Senate is proud to announce the new Senate Legislative Fellows Program conducted by the Student Program Office. Beginning in September of 1977, ten talented graduate students or those who have just been awarded a graduate degree will work as professional level staff on standing committees and other staff units of the Senate. A salary of $11,000 per year will be paid to each Fellow. As a practical educational experience, the Fellows Program will be exceptional, combining intensive training, challenging work assignments, and integrating seminars. Students at any stage of graduate studies are eligible to apply. It might be noted that this program offers a unique opportunity for new Ph.D.'s who have been unable to secure academic teaching positions, to enter the non-academic world on a professional level. Fellows will be placed in positions that might well lead to satisfying careers in public service. While the program has a natural appeal to students in Public Administration and Political Science, we do not want the program to become the exclusive preserve of these disciplines. Applications, therefore, from students in disciplines not normally associated with political life, such as the sciences, engineering, and business are especially welcome. Further information can be obtained from my office."

Secondly, the Dean announced the results of the straw ballot which was conducted in the April mailing. There were 303 ballots returned which the Review and Procedures Committee and the Executive Committee of the FCR both deemed to be quite satisfactory in view of the fact that the "ballot" was one paper which was not markedly identified among a great many in that mailing, and that an 81% response favored taking a look at some other kind of governance structure which the Faculty could then debate to determine if any modifications from our existing structure might be invoked. To accomplish that purpose, the Dean reviewed the results of this ballot and some of its implications with both the Executive Committee of the FCR and with the Review and Procedures Committee. The latter Committee authorized him to go ahead and appoint an ad hoc committee which would really be serving as a subcommittee to that body and report to them. The five people which he appointed are as follows:

Professor Neil W. Ashcroft, Physics, member of the FCR
Professor Donald I. Baker, Law
Professor Bart J. Conta, Mechanical and Aerospace Engineering
Professor Elmer E. Ewing, Vegetable Crops, and member, Review and Procedures Committee
Associate Professor David B. Wilson, Biochemistry, Molecular and Cell Biology

He indicated that these people, whenever they would all be in Ithaca over the summer, would be addressing the matter.

The Chair then called on the various Deans to make recognition of the retiring members of the Faculty.
3. RECOGNITION OF RETIREES

Agriculture and Life Sciences led the list with twelve retirees, representing some 400 years of service to the University. Arts and Sciences followed with six. Short statements were read by the several Deans citing the accomplishments of those being recognized. Unfortunately, not all could be present. From the laudatory comments made, it was clear that much talent, reknown, and devotion was represented. It was also clear from the descriptions of the many extracurricular interests of those retiring that there was much activity and accomplishment in such outside fields as cabinetmaking and woodworking, golfing, hunting, and fishing, gardening, and the vintner's art. In its applause for those leaving the ranks, the Faculty expressed its best wishes and hopes of much satisfaction and pleasure in the retirement years now before them. The list of those retiring is as follows:

Agriculture and Life Sciences - Introduced by Dean W. Keith Kennedy:

Alvin J. Braun, Jr., Professor, Plant Pathology, Geneva
J. Paul Leagans, Professor, Education
Robert W. Spalding, Professor, Animal Science
Lowell D. Uhler, Professor, Biology, Ecology and Systematics

Not present were:

James L. Brann, Jr., Professor, Entomology
Robert T. Clausen, Professor, Botany; Curator, Wiegand Herbarium
John G. Franclemont, Professor, Entomology
John I. Miller, Professor, Animal Science
Arthur H. Peterson, Professor, Business Administration; University Controller
Sedgwick E. Smith, Professor, Animal Science
Glenn H. Thacker, Associate Professor, Poultry Science
Charles E. Williamson, Associate Professor, Plant Pathology, Farmingdale

Architecture, Art and Planning - Introduced by Acting Dean Jason Seley:

Norman D. Daly, Professor, Art

Not present:

Burnham Kelly, Professor, City and Regional Planning

Arts and Sciences - Introduced by Dean Harry Levin:

Simon H. Bauer, Professor, Chemistry
William T. Miller, Professor, Chemistry
Thomas A. Ryan, Professor, Psychology

Not present were:

Max Black, Susan Linn Sage Professor of Philosophy and Humane Letters; Chairman, Professor-at-Large Program
James E. Clancy, Professor, Theatre Arts
Edward W. Fox, Professor, History
Engineering - Introduced by Dean Edmund T. Cranch:

Robert N. Allen, Associate Professor, Operations Research and Industrial Engineering; Director, Engineering Cooperative Program

Human Ecology - Introduced by Dean Jean Failing:

Gwen J. Bymers, Professor, Consumer Economics and Public Policy
Natalie D. Crowe, Associate Professor and Program Coordinator, Cooperative Extension

Law School - Introduced by Deputy Dean Judith Younger:

Robert S. Pasley, Frank B. Ingersoll Professor of Law

Veterinary Medicine - Introduced by Dean Edward C. Melby, Jr.:

Jack C. Geary, Professor, Radiology

Clinic - Introduced by Director Allyn B. Ley:

Ralph E. Alexander, Professor, Clinical Medicine

W. Jack Lewis, Director, Religious Affairs, said that on May 29, the day before Commencement, the Sage Chapel Interreligious Convocation will honor Faculty and staff members retiring while at the same time honoring the graduating seniors and others receiving advanced degrees. Charles Wolfe of Washington, D.C., will be the speaker; the Glee Club will sing. It's an annual feature and it is hoped everyone who can, will attend.

The Chair recognized the Dean of the Faculty for a special presentation.

4. RECOGNITION OF PRESIDENT CORSON

Dean Saunders said he spoke at this time not to recognize a retirement, but a resignation - a resignation from the Presidency by Dale Raymond Corson. The Dean does this because it has been a rather unique Presidency. Mr. Corson is to date only the second of the eight presidents of Cornell who has risen from the Faculty ranks - the other one being Jacob Gould Schurman, who was a Professor of Philosophy for five years before he too was elevated to the Presidency. In recognition of that fact, he and the Executive Committee of the FCR felt the recognition should be recorded in the Faculty minutes. He read a statement prepared by members of the Faculty as a result. This is addressed to Mr. Corson.

Since Cornell University's founding more than a century ago, only two of our Faculty have come to serve as the University's President. You, sometime Assistant Professor, Associate Professor, Professor, Department Chairman, Dean, and Provost, have the distinction of being one of those two. Moreover, as
no one will forget, you came to the Presidency at a time of unprecedented disquiet and have suffered the frustrations of having to carry on through a period of deepening financial, educational and social crises. We have not made or tried to make your task an easy one. Our cherished individualism, our disparate priorities and our need for searching debate, have enfiladed your office according to the deathless custom of those who, in Carl Becker's phrase, "think otherwise". But, Dale, we cannot let you leave that office without your hearing words of affection moved by your quiet grace, or words of respect for your absolute integrity, or words of gratitude for your long and selfless commitment to our institution. Your Presidency has helped us regain our perspective, resume our ancient dialogues and prepare for new challenges. Few individuals have discovered one of the elements of which the universe is made as you have done. Even fewer have served as President of Cornell University, whose condition must at times remind you of the name chosen for your discovery, astatine, meaning unstable. We congratulate you for having done both. You embody the singularity we often like to claim for ourselves. We look forward to your rejoining us.

After a standing ovation, President Corson responded.

5. RESPONSE OF PRESIDENT CORSON

"Dean Saunders, members of the Faculty, thank you for those generous words. It's been a great privilege for me to have been a member of the Cornell Faculty. I've been the beneficiary of a great deal of good fortune in my academic career, having been at Berkeley in the years before World War II, both as a graduate student and as a Post-Doctoral Fellow and Instructor, and, since 1946, at Cornell. It was my lot to be Provost and President during a difficult period in the University's history and in spite of the 'otherwise thinking' Faculty, I would like to thank you for your cooperation and support. Without it, it would not have been possible for me to have succeeded in the task that I undertook in 1963. In leaving the Presidency, I ask that you support my successor, Frank Rhodes, as you have supported me. Dr. Rhodes appears to me to be an excellent choice to be President of Cornell. He has a difficult task ahead of him. He will have to make decisions which are going to seem impossible to him to make wisely. I can tell you that he will not make them casually or lightly and I can tell you that he will need all the help and support that you can give him. For your generous words and all the kindness and friendship that I've enjoyed for so many years, thank you."

Another round of applause followed.

There being no announcements, the meeting adjourned at about 5:20 p.m.

Paul L. Hartman, Secretary
The meeting was called to order at 4:35 p.m. by Byron W. Saunders, Dean of Faculty, who indicated to the 60 members present that these meetings are usually called to order and presided over by a Speaker. Faculty Bylaws call for a Speaker to be elected by this body to serve as Speaker of the FCR, as well as Speaker of the total University Faculty when they meet. The Dean said that for the last two years, we have had the pleasure of having Associate Professor J. Robert Cooke, currently the Director of Resident Instruction in the College of Agriculture and Life Sciences, serve as Speaker. He has regretfully declined to continue, thinking that two years was a reasonable stint, plus pleading additional activity which would preclude his regular attendance at meetings. That being the case, Dean Saunders said he would be happy to entertain any nominations at this time.

Professor P.C.T. deBoer, Mechanical and Aerospace Engineering, nominated Professor Peter Stein, Physics. The nomination was seconded. Not hearing or seeing any move for further nominations, motion was made to elect Professor Stein as Speaker by acclamation. So done.

Speaker-elect Stein took the podium and called on Dean Saunders for his report.

1. REPORT OF THE DEAN

The Dean indicated that his report would be rather brief, since in the mailing to the total Faculty, a copy of his Annual Report for 1976-77 was included. In that, he outlined the essential things that he sees ahead of the Faculty and therefore does not need to reiterate them at this time.

Dean Saunders asked that members of the FCR be sure to sign in at the desk so that an accurate record of attendance and a proper quorum count is obtained. He also asked members to put future meeting dates on their calendar, as listed on the sheet included in the mailing for this meeting. Except for January, the second Wednesday of each month is the meeting date.

Also sent out with the mailing, was the Provost's announcement of cancellation of classes from 10:10 a.m. until 1:10 p.m. on Thursday, November 10. That time has been set aside as the time for the Inauguration of President Rhodes and, while no specific arrangement has been made for make-up times, Dean Saunders requested that individual Faculty members make their own arrangements to do whatever is necessary or appropriate for their particular class.

The announcement from Rabbi Goldfarb included in the mailing, which the Dean passed on, is simply a reminder of the Jewish Holidays so that the problem of those students observing their religious holidays is taken into consideration, as far as concerns Faculty accommodating them in their own planning, in accordance with University policy.
Dean Saunders said he received notice from Corpus Christi College in Cambridge that they are quite happy and prepared to entertain requests for accommodation from any visiting scholars for the year 1978-79, so that if anyone is contemplating study in England and would like to use the facilities at Corpus Christi, his office has an announcement of all of the arrangements, procedures, and the facilities that are available for such people for that year. They do request that application be filed with them by November 1, so if anyone is interested, the material can be checked out in the Dean's office.

For a matter of record, the Dean announced the results of the election for the Executive Committee of the FCR and of the Campus Council, which was conducted at the close of the academic year last year.

**EXECUTIVE COMMITTEE - 2-year term - 4 tenured seats**
Richard D. Aplin, Agricultural Economics
Arthur L. Bloom, Geological Sciences
Robert G. Calkins, History of Art
Raymond T. Fox, Floriculture and Ornamental Horticulture

**EXECUTIVE COMMITTEE - 2-year term - 1 non-tenured seat**
Larry D. King, Modern Languages and Linguistics

**CAMPUS COUNCIL - 2-year staggered terms - 7 seats**
Njoku E. Awa, Communication Arts
Frederick T. Bent, Business and Public Administration
Stephen B. Hitchner, Avian Diseases, Avian and Aquatic Animal Medicine
William F. Mai, Plant Pathology
Robert McGinnis, Sociology
Paul R. McIsaac, Electrical Engineering, Associate Dean, Engineering
David L. Ratner, Law

Since that time, David Ratner has been elected Chairman of the Campus Council.

Lastly, Dean Saunders announced the meeting of the full Faculty for Wednesday, September 21. Two specific items are on the agenda: (1) the first formal presentation and address by the President to the Faculty and (2) a preliminary report from the committee appointed as a result of the straw ballot conducted last spring, on a revised governance structure for the Faculty. Since the latter is an extremely important issue as well, he urges Faculty to attend.

The Chair called on Associate Professor Richard Lance, the Associate Dean of the College of Engineering and Chairman, Committee on Academic Programs and Policies, for a committee report and motion on a resolution.

2. **PROPOSAL TO ESTABLISH THE CENTER FOR THE STUDY OF THE AMERICAN POLITICAL ECONOMY**

Professor Lance said the Committee had met over a period of about seven months in consideration of the proposal leading to the resolution to be presented today. The proposal underwent several revisions based on negotiations of then
Chairman, Professor Henry Ricciuti, Human Development and Family Studies, with Professor George H. Hildebrand, the Maxwell M. Upson Professor of Economics and Industrial Relations and Director of the Center, and others. On behalf of the Committee on Academic Programs and Policies, Professor Lance moved the following resolution:

WHEREAS, A proposal for the establishment of a Center for the Study of the American Political Economy has been submitted to the FCR for approval, has been reviewed by the Committee on Academic Programs and Policies and has been discussed extensively with Professor George Hildebrand (the proposed Center Director), and other interested faculty, and

WHEREAS, The proposed Center is intended to provide a mechanism for strengthening and broadening the University's scholarly activities dealing with the study of the American political economy, with particular reference to the role of the private sector, and

WHEREAS, Collaborative efforts in the foregoing direction have already been initiated by faculty from the Departments of Government, Economics, History, and the School of Law, which efforts will be enhanced and extended through the proposed Center, now therefore

BE IT RESOLVED, That the FCR approve the Proposal to Establish a Center for the Study of the American Political Economy, dated May 9, 1977, subject to the normal periodic review procedures applicable to all University Centers.

The Chair recognized Professor Ricciuti to speak on behalf of the motion.

Professor Ricciuti said that there were three sets of questions that came up during the course of the Committee's deliberations. First was the question of ensuring appropriate diversity of viewpoint in a center of this sort. Because the initial financial support for the Center has come from private donors who were interested in encouraging fuller study of the private sector of the American political economy, a good bit of concern arose in the minds of many people that the Center staff and its programs be free of any potential ideological or political constraints with respect to the relative merits of the free enterprise system or of government intervention. This was an issue that was discussed at considerable length at a progress report to the Faculty last spring, by a group of Law School Faculty with Professor Hildebrand and by the Committee itself. The Committee is persuaded that the Center is indeed committed to the type of openness to diversity of point of view that one would expect to find in any Cornell enterprise of this sort and therefore feel, on the basis of their discussions, that this particular issue is well taken care of.

The second point had to do with the governance structure of the Center which, as envisaged, is essentially very similar to the governance that characterizes
most Cornell centers. For example, the Center will have no independent Faculty of its own. All Faculty appointments to the Center will be joint appointments with appropriate departments, schools or colleges of the University. Similarly, recruitment of new Faculty will be conducted jointly by the Center and by the appropriate department or college. There will be an Executive Committee for the Center, which is a common feature of all Cornell centers. Thus, major decisions will be made by an Executive Committee. This will be chaired by the Provost and consist of the Director of the Center, various deans and chairmen of departments which have common interest and affiliation with the Center, and a number of joint Faculty appointees. There will also be an Advisory Committee for the Center which will consist of some of the Faculty members of the Center, the Director, and various alumni and other interested persons both in and out of Cornell. Again, this is very common as advisory committees are constituted.

Third, was the question of the relationship of the Center to other academic units at Cornell. The initial activities of the Center have so far involved primarily the Departments of History, Economics, Government and the School of Law. The Center in its long range plan is intended, of course, to be open to collaborative involvement and participation by interested Faculty from other sectors of the University. The proposal has been circulated quite widely among various groups and to various individuals for information and reactions; support for it has been expressed by a number of groups. The Economics Coordinating Committee, chaired by Professor E. Scott Maynes of the Department of Consumer Economics and Housing, endorsed the proposal unanimously and indicated that they are particularly enthusiastic about the possibility of the involvement of a broad range of economists and other interested persons on the campus in the activities of the Center. The proposal was also endorsed by the Dean of the School of Industrial and Labor Relations, and by the Department of Rural Sociology.

In summary, after the long discussions that the Committee had, they feel that the issues that were raised in the course of deliberations have indeed been satisfactorily dealt with and that the Center represents a very important and viable academic effort which can make significant contributions to the University's scholarly activities in the field of political economy. Therefore, Professor Ricciuti said, the Committee supports the resolution before this body.

The Speaker opened the floor for debate. A question was raised by an unidentified member about the financing of the program: with funding having so far come primarily from corporate businesses, were the Center to appoint some of our...Faculty of the political persuasion which believes that the American economy is the root of many of the social evils in this country, are we to believe that the corporations would continue to support this Center?
Professor Ricciuti said that that is the sort of question which came up in the Committee discussions, and as his comments and report indicate, the initial funding does indeed come from private donors. There is every intention to seek a broader base of funding so that the funding will not be exclusively from corporate sources. Secondly, with respect to the degree to which the source of funds will impose constraints on who can or cannot be appointed, we are assured that such constraints in fact, will not exist and our confidence in that is based upon the fact that we have a Cornell facility which is going to be administered by Cornell Faculty. In the Committee's discussions with Professor Hildebrand and others involved in the Center, it seems quite clear that the donors already have been apprised of the fact that if a program of this sort is to operate at Cornell, by definition it must be open to diversity and it must be free of constraints. They readily appreciated this necessity.

Professor Hildebrand, Director of the Center, said that everything possible to achieve full protection of these traditional academic standards, has been done. One thing that cannot be assured is that private donors will promise now to give money in the future.

Professor Robert S. Shallenberger, Food Science and Technology, Geneva, said that the name bothers him. The American Political Economy as a descriptive term is really a mind-boggler to some people and he wondered if that could be discussed briefly.

Professor Hildebrand responded that political economy is the old term for the discipline of economics. It's a way of embracing two things - the state and the private sector of the American economy and the relation between the two. That's all that it is intended to convey. It also admits to the possibility of studying various types of theory connected with political theory, economic theory, their interrelations or with the policy making process in this country, the government, the private sector, back and forth and so on.

Professor Mary Morrison, Nutritional Sciences, wondered what kind of normal periodic review procedures are applicable or are there any review procedures?

Dean Saunders replied, saying that was a good question. The President has given three people, the Dean being one, a very specific charge to devise a review procedure applicable to all centers, programs, institutions, whatnot and this Center will fall within that framework. Generally, it will be a term of not less than three years nor more than five, for periodic review.

Assistant Professor Robert Harris, Africana Studies and Research Center, wondered, since the Center is to reflect a broad range of scholarly investigation and interest, whether it is necessary to have a resolution with particular reference to the role of the private sector as in the second WHEREAS?
Professor Hildebrand responded that the economy of the United States does have a big private sector component and that can't be ignored. Professor Ricciuti added that as the Committee understood the intent of the Center, in part at least, it was addressed to the fact that in many institutions like Cornell, the scholarly investigation of the private sector of the economy is frequently under-represented and one of the intentions of the Center was to attempt to introduce a more balanced consideration of both the private and public sector.

Associate Professor Nicholas L. Sturgeon, Philosophy, asked specifically, how much, if any, of the funding from private donors is in the form of an endowment and how much in the form of gifts that would have to be renewed? He worries about pressures placed on the Center by donors of outright gifts.

Harry Levin, Dean of the College of Arts and Sciences, responded to that question by saying that the funds that come forth, come through the College of Arts and Sciences. At this point, they are gifts - gifts of substantial size. If indeed, we wanted to spend the capital as we are doing now, we can; if we wanted to use the gifts for endowment purposes, we can do that also. Again, he emphasized that there is every intention of seeking a broader base of funding. Present donors are clear about the Center's controlling its own operations. Future funding is in no way reflected by the present mode.

The Speaker asked for other comments and hearing none, proceeded with a vote. The ayes clearly carried and therefore the resolution was passed.

There being no further business, the meeting adjourned at 5:05 p.m.

Paul L. Hartman, Secretary
Proposal to Establish a
Center for the Study of the American Political Economy

I. Purpose

Perhaps because it is so central a part of our cultural inheritance, the private business economy and its basic institutions have not been a well-defined area for systematic research and far-reaching inquiry in leading American universities. Rather, scholarly interest in such matters has proved to be either highly specialized and ad hoc in nature or of the pragmatic type often identified with schools of business. For this reason, the writing and teaching that have emerged have tended to be dominated by problem-oriented criticism that is usually, although not always, adverse, or by teaching and research that are highly specialized and functional in purpose.

In the most general terms, the goal of the Center for the Study of the American Political Economy is to overcome this scholarly deficit, not by propaganda and ideology, but by encouraging systematic and comprehensive research and teaching directed to the permanent problem of personal liberty -- in short, the philosophy of the free society. In this context, the Center will be deeply interested in the connections between personal liberty and political and economic liberty. Equally relevant, of course, is the role of law as it affects personal freedom in all of its forms. For the same reasons, the Center will be concerned with the central question raised two centuries ago by Adam Smith -- namely, the relationship between private initiative and the private sector on the one hand and government on the other, as regards
the choice and pursuit of basic social and economic purposes.

It is obvious, therefore, that the program of the Center will be of interest to scholars and students in a variety of disciplines -- law, economics, history, government, and philosophy among them. By offering a new kind of synthesis of scholarly endeavors, a synthesis that in some respects could perhaps better be described as a deliberate revival of the Scottish moral philosophy, the Center will have the opportunity to encourage the development of these disciplines in new directions. Beyond this, it will also become possible to examine afresh and in a broad and deep fashion the problem of human freedom and the achievements as well as the problems of both American government and American business.

The study of political economy must strive always for truth--in the authentication of its facts, in the derivation of its fundamental theorems, and in the effort to establish hypotheses that have not been disconfirmed. In other words, the professional goal of its proponents must be objectivity. But this rigorous pursuit of objectivity is not to be confused with an undeviating neutrality of its practitioners as regards the practical world, with all of its problems, possibilities, and opportunities. Social scientists, too, have their values. As regards all programs in social science, the goals of the university must include insuring an appropriate diversity in political and economic outlooks. These, in turn, are also the goals of the Center.

In this memorandum, the activities which the Center for the Study of the American Political Economy will undertake are described and an organizational scheme for maximizing the effectiveness of the Center is outlined. At this point, the blueprint serves to organize and initiate the activities of the Center, but if the organization is as successful as we anticipate,
These activities will expand and change as new opportunities and new areas for teaching and research are uncovered.

A great deal of thought must go into deciding the initial breadth of the Center's activities and the rate at which new enterprises are introduced. It is absolutely essential that the Center have a mixture of new ventures as well as coordinate current activities at Cornell. The Center should concentrate at first on a limited set of problems which can be treated in theoretical depth.

The proposed Center is the outcome of over two years of experience, beginning in Spring, 1975. The first step was a program of public lectures presented by prominent spokesmen from the business community and made possible through the generosity of Trustee Robert S. Hatfield and Presidential Councillor John M. Olin. In the following year their support made it possible to establish an upper-class and graduate course having the title "Economics of the American System of Private Enterprise." Enrollment has averaged some seventy-five students over the past two years.

At the end of the Spring semester in 1976, the Center undertook the full funding of the salary of Associate Professor Robert Masson, who was selected by the Department of Economics, and who is a specialist in industrial organization. At about the same time, the Center also funded a year's tuition and fee scholarship for Edward Harpham, as well as stipends for three graduate students, Francis Perna, John Stocker, and Mary Weaver, all of the Department of Government. During the Spring of 1977, the Center agreed to assume half the cost of salary for Dr. George Hay, who was jointly selected by the Department of Economics and the School of Law to develop the Program in Law and Economics.
In recent months, we have provided financing for two additional projects, both involving Professor Peter McClelland. One will underwrite the research costs for a study of the fiscal crisis of the State of New York. The other concerns the preparation of a book of readings in macroeconomics, to be undertaken by the Cornell University Press. The Center will provide some interim financing, with the prospect of recouping its investment through subsequent sales of the volume. We are also establishing for the use of our students a small library of current journals in applied economics, using the publications collected as source materials for the book of readings in macroeconomics.

Finally, the Center intends to bring to Cornell a series of distinguished scholars within its field of competence, to conduct seminars and to deliver public lectures. Our first visitor will be Dr. Friedrich A. Hayek, who will be here this Spring. Next year we have arranged already for a visit by Milton Friedman, and are negotiating also to bring others of diverse points of view to the campus.

II. Programs

The curriculum. The Center will focus upon the political economy of the American private enterprise system. As such, some courses will be based on a single discipline, such as economics or government. Other courses involving cooperation among different disciplines -- for example, government and economics, or law and government -- will need to be developed. As with other centers, the faculty members will have dual responsibilities,
as members of an academic department in a college and as members of the Center. The Center will provide opportunities for people to design new courses and to put together into a more coherent program the various existing courses, emphasizing the importance of their knowledge about private enterprise and making it available to students. The various research programs will often lead to the development of new courses, since the link between a scholar's research interests and his teaching is often close. These courses will be taught under the auspices of the departments and colleges. Membership in the Center will ensure that people approach this important area of teaching and scholarship from perspectives that involve more than a single discipline. In a sense, membership in the Center will provide the catalyst for faculty to consider innovative topics and innovative modes of teaching the subject matter of the Center. At the same time, the Center will provide visibility for courses which already exist but have not been drawn together to show their applicability to understanding the private enterprise system.

We anticipate that the undergraduate courses offered will be of various types and offered at various levels of sophistication. For example, general education courses on the topic of the Center should be available to all undergraduates. Educated people need to be better informed in this area. In addition, courses especially designed for students in the Departments of Economics and Government will be available. We are also considering courses in private enterprise that will be especially useful to students in various professional schools -- for example, Engineering, Architecture, and Agriculture.
The graduate program. The Center will offer fellowships and research assistantships to graduate students whose programs and research involve topics that are germane to the purposes of the Center. The graduate students will be admitted to a relevant graduate field at Cornell University and will work with one or more faculty members who are members of the Center. In addition, new graduate seminars will be established both for graduate students affiliated with the Center and for those in other parts of the University. All seminars and courses sponsored by the Center will be identified with established schools or departments, and subject to their normal administrative controls. However, their design will be carried out by faculty members affiliated with the Center. As with undergraduate courses, the graduate seminars will profit from the mixed disciplinary nature of the Center. Also, as with the other Cornell research projects, seminars will grow out of ongoing research programs.

The research program of the Center. As prospective participants, the Departments of Economics, Government, and History in the College of Arts and Sciences, the Law School, and the School of Industrial and Labor Relations were all surveyed about ongoing research and potential research and teaching interests that would be relevant to the Center for the Study of the American Political Economy. A number of topics common to many of the respondents already have emerged. This is the particular value of the Center, since various disciplinary points of view can be brought to bear on common topics, which advances scholarship more deeply and effectively. Some illustrations of possible research interests (not meant to be exhaustive) are listed below:

a. Theory of the market economy.

b. Antitrust laws and procedures and their effects.
c. Government regulation of industry, its benefits versus its costs.

d. Monetary and fiscal policies as they affect taxation and public spending and as they influence corporate taxes, interest rates, profits, capital formation, productivity and employment.

e. Foreign commercial and exchange policy, including balance of payment issues. Research on multinational corporations would be appropriately placed under this rubric.

f. The preservation of individual freedom in a society increasingly dominated by bureaucratic organizations.

g. The history of American business.

h. The application of economics to the analysis of public institutions; how can the principles of market economics be extended to the activities of government itself, in lieu of command economy practices?

i. The role of industry in the patronage of the arts and the support of higher education.

j. The private enterprise system and scientific research.

k. Private enterprise and some central issues of our time: growth, environmental protection, economic planning, development of the underdeveloped lands of the world.

Potential contributions of the Center to the University. There are several ways in which the Center can stimulate and broaden the intellectual life of the university community.

First, the topical interests with which the Center will be concerned are obviously timely. More than this, they are of the greatest importance both in their implications for public policy and in their level of intellectual content and difficulty.
Second, Cornell will have the means as well as an institutional mechanism for bringing outstanding scholars to the campus, for example, Milton Friedman of the University of Chicago or Thomas Cochran of the University of Pennsylvania. They might spend a term or an academic year, to offer courses, to undertake research, and to interact with the personnel of the Center. Alternatively, they might visit for shorter periods, for example, to participate in a lecture series to be organized by the Center for an appropriate topic.

Third, the Center is a natural vehicle for the colloquium. Through this device, resident members of the Center will present public talks, and others with relevant interests from the academic or from the private sector will be invited to speak at Cornell. The best use of their time includes conferences with staff and students, and meeting with classes and seminars, as well as public talks.

Fourth, the Center provides a logical method for conducting workshops, which have become an increasingly useful educational device for bringing people together to work on similar problems and to engage in intensive discussions of their work. Workshops may also be used to disseminate the thinking and findings of the Center to people outside the academic life who are involved in business, industry, and government.

Finally, the Center can establish a publications series to disseminate the work of its members among colleagues in similar constituencies. Several publication modes will be explored, including technical papers for other professionals, and a series that would be useful to practitioners who could make practical use of the findings and teachings of the staff of the Center.
III. Structure

Governance of the Center. Administration of the Center will be conducted by a Director and an Executive Committee, who will be responsible to the Provost. The Director will serve for a term of five years. George H. Hildebrand, the Maxwell M. Upson Professor of Economics and Industrial Relations, has agreed to be the first Director of the Center. Subsequent Directors will be nominated by the Executive Committee and approved by the President.

The Executive Committee will consist of (a) the Provost, who will act as chairman; (b) the Director of the Center; (c) the Deans of the College of Arts and Sciences, the School of Law, and the School of Industrial and Labor Relations; (d) the Chairmen of the Departments of Economics, Government, and History; and (e) tenure joint appointees of the Center up to a maximum of five. Should the number of tenure joint appointees of the Center ever exceed five, these faculty would serve on a rotating basis for a term of three years. As is quite likely, if schools or departments other than those listed under (c) and (d) above should become linked with the Center through joint appointments, the Executive Committee will be expanded to include the appropriate Deans and Department Chairmen.

The Director will be responsible for the day-to-day operation of the Center. He or she will meet each month during the academic year with the Executive Committee. The agenda for these meetings will include the Director's proposals on such matters as appointments, colloquia, the allocation of funds, and the assignment of space. All major decisions will be by majority vote, and the members of the Committee of course will be free
to propose initiatives of their own.

The Center will also have an Advisory Committee that will meet at least twice each academic year. Its membership will include (a) the Provost, who will act as chairman; (b) the Director of the Center; (c) all faculty members holding joint appointments with the Center; and (d) interested alumni and other persons who have special competence in the Center's area of interest and who in some instances may not be members of the Cornell community. Concerning the Advisory Committee members in group (d), they will be nominated by the Director in consultation with the Executive Committee, and approved by the Provost for a term of three years.

**Personnel and courses.** The basic purpose of the Center is to promote study, teaching, and scholarly interchange within its field of interest. It will pursue this objective by the closest possible collaboration with those departments or schools at Cornell who share this interest.

The Center will have no independent faculty of its own, nor will it offer its own exclusive curriculum or degree program. Rather, it will undertake joint appointments of faculty in conjunction with their host departments or schools, and the latter normally will share the costs of their salaries. These academic appointments will include faculty already at Cornell, a number of whom have indicated strong interests in the venture. The appointments also will include persons who are recruited from other institutions at the joint initiative of the Center and of the host department or school.

The term of a joint appointment will normally be such that the time commitment of the Center will match that of the department or school sharing the appointment. In all cases, the cooperating department or school will
have full responsibility for administering the processes of search, selection and appointment, reappointment, and advancement to tenure, in full accordance with the established rules of the University. When a promotion decision must be made for non-tenure appointments, while the Center will provide any assistance desired by the cooperating department or school, it will have independence of judgment regarding the continuation of all joint appointments. In case a joint appointment is terminated by the Center, or at the initiative of the appointee, budgetary responsibility will then lie with the host department.

The Center will not offer independent courses of its own, either graduate or undergraduate. Any courses given by faculty affiliated with the Center must be authorized by a specific department or school, and as such, will be subject to the normal approval and review procedures of the host department or school.

Finally, although the Center will not become a large organization because by design its intellectual resources will be drawn entirely from existing departments of schools, nonetheless it must have a small staff of its own, consisting of administrative, secretarial, and junior supporting research personnel.

Financing the Center. The Center will finance its activities from new outside funds provided for its explicit support -- expendable gifts, endowment income, foundation grants, grants from government agencies, and corporate gifts.

Access to the Center. The Center has been designed to be an inter-collegial institution, a decision that has emerged from discussions extending over nearly two years. At the opening meeting called by President Corson,
Provost Knapp, Dean Davidson, Dean Cramton and Dean Levin were all present. When the present proposal initially took form, Provost Knapp, Dean Cramton, and Dean Levin were all present, along with the Chairmen of the Departments of History, Government, and Economics. At about this same time, Professor Hildebrand presented the proposal to Dean McKersie and to the members of the Department of Labor Economics.

Following these formal discussions, the proposal was considered by the Council of Deans, where it received unanimous approval. During Fall, 1976, the matter was put before the Committee on Academic Programs and Policies. During this Committee's extended period of deliberation, copies of the proposal were distributed for review and consideration by potentially interested persons in Agriculture, Business and Public Administration, Human Ecology, the Coordinating Committee for Economics, and a special committee within the School of Law. Meanwhile, of course, in its development as a functioning institution, the work and aims of the Center have become rather well-known in an informal way, as a program based for the time being within the College of Arts and Sciences. Finally, once the pending proposal is decided upon, an appropriate descriptive brochure will be distributed to interested faculty and students.

Passed by the FCR 9/14/77
Byron W. Saunders, Dean of Faculty, called the meeting to order at 4:35 p.m. with about 200 plus members of the Faculty in attendance. He reminded any reporters present that this was an official meeting of the University Faculty and that therefore any cameras, tape recorders, video, audio or otherwise, were inappropriate. The suggestion has been made that it might be helpful for such reporters to go back to the good old technological device that was useful for so many years - it's called a pad and pencil. (The Secretary begs the participants' pardon if he has violated the spirit of the pronouncement; both new and old technologies were used in getting the minutes down. This was especially the case in the matter of the President's address, which, considered to be a particularly important statement for the Faculty, was taken as closely as we could.) The Bylaws of the University specify that the President shall be the presiding officer of each and every Faculty and each departmental Faculty. President Rhodes thought it might be a bit presumptuous for him just to walk in and take over and so he asked the Dean to at least call the meeting to order and start the processes for the academic year 1977-78. This, Dean Saunders said, he was happy to do. To introduce him, he was a little at a loss to know precisely what one should say to an incoming President. He said we could wish him luck, but didn't think that was hardly appropriate, preferring to think that any successes we might have would be the result of good honest planning and hard work and did not just happen by luck alone. We could wish him good health, but to do so would imply that we don't always wish people good health and clearly we wish no one ill health. In casting about for other possibilities, Dean Saunders thought that it would be appropriate as anything to this particular Faculty, if he were to quote a few words from Carl Becker and his 75th Anniversary Address on freedom and responsibility:

"Corporations are not necessarily soulless and of all corporations universities are the most likely to have, if not souls, at least personalities. Perhaps the reason is that universities are, after all, largely shaped by presidents and professors. And presidents and professors, especially if they are good ones, are fairly certain to be men of distinction, not to say eccentric, of eccentric minds and temperaments. A professor, as the German saying has it, is a man who thinks otherwise. Now an able and otherwise-thinking president surrounded by able and otherwise-thinking professors, each resolutely thinking otherwise in his own manner, each astounded to find that the others, excellent fellows as he knows them in the main to be, so often refuse in matters of the highest import to be informed by knowledge or guided by reason - this is indeed always an arresting spectacle and may sometimes seem to be a futile performance. Yet it is not futile unless great universities are futile. For the essential quality of a great university derives from the corporate activities of such a community of otherwise-thinking men."
It is to such a community that Dean Saunders hoped we greet our new President. The Dean presented the Professor of Geological Sciences, who also happens to be president of Cornell, Dr. Frank Harold Trevor Rhodes.

Following the applause accorded the new President, he proceeded to the business at hand.

1. **ANNOUNCEMENTS BY THE PRESIDENT**

The President announced the deaths of the following Faculty members:

- **Clarence G. Bradt**, Professor Emeritus, Animal Science, June 2, 1977
- **Paul A. Gottschalk**, Associate Professor, English, June 11, 1977
- **Louis Toth**, Professor Emeritus, Hotel Administration, July 28, 1977

The Faculty then stood for a few moments in silent tribute to their memory.

He then took pleasure in announcing as follows, various teaching awards made to Faculty members during the last year:

**AGRICULTURE AND LIFE SCIENCES**

Professor of Agricultural Economics, Wendell G. Earle, Professor of Merit Award - by State College of Agriculture and Life Sciences, Cornell given by Ho-Nun-De Kah (Agriculture Honor Society)

Professor of Animal Science, Robert H. Foote, Chancellor's Award for Outstanding Instruction - by the State University of New York*

Professor of Poultry Science, Milton L. Scott, Jacob Gould Schurman Professorship, Borden Award in Nutrition from American Institute of Nutrition

**ARTS AND SCIENCES**

Associate Professor of Classics, Frederick M. Ahl, The Clark Award

Associate Professor of Astronomy, James R. Houck, The Clark Award

Associate Professor of Economics, Peter D. McClelland, The Clark Award

**ENGINEERING**

Assistant Professor of Mechanical and Aerospace Engineering, David A. Caughey, Excellence in Teaching Award - by Tau Beta Pi

Associate Professor of Civil and Environmental Engineering, Dwight A. Sangrey, "Professor of the Year Award" - by Chi Epsilon*

**HUMAN ECOLOGY**

Associate Professor of Nutritional Sciences, Marjorie M. Devine - Associate Director for Academic Affairs and Undergraduate Coordinator for the Division of Nutritional Sciences - Chancellor's Award for Excellence in Teaching by the State University of New York*

**SCHOOL OF INDUSTRIAL AND LABOR RELATIONS**

Assistant Professor Arthur B. Smith, Jr., Undergraduate Student Government Award for Excellence in Teaching*

*Not able to be present
After the reading of the list and following the Faculty applause for these individuals, the President addressed the body as follows reasonably closely.

2. ADDRESS BY THE PRESIDENT

"I am sobered, cautioned and well-advised by the Dean's weighty introduction. As he reflected on advice that he should give to an incoming President, the only advice that seemed to me to be appropriate was that which appeared many years ago in a magazine called Punch, which some of you may have read. It was listed as Mr. Punch's advice to young men about to marry; the advice was contained in one word: don't. It may well be that that's the best advice that one can give to an incoming President. I am delighted and I am honored to join you today in this first Faculty meeting of the new year.

"The Faculty, you will not need me to tell you, are the heart of the University's riches and resources. From my earliest contact with Cornell, I've been impressed by the fact that Cornell is richly endowed with Faculty and talent. I was impressed first of all by those I met as members of the Search Committee. As I drew closer in this courtship dance to Cornell, I was impressed by those who served as other members of the Board of Trustees. I was impressed as I met the Dean of the Faculty, Byron Saunders, and realized the uniquely important role that he plays in the affairs of Cornell, bridging as he does, the two worlds of active Faculty teaching and administrative concern, with such grace and skill. I was impressed too, as with his generous help, I had the opportunity to meet 30 or so Faculty members from a variety of different disciplines, of differing levels of seniority during a series of meetings in the spring here on campus. I've been deeply impressed since as I've visited all but one of the schools and colleges here on the Ithaca campus, as well as the two schools in New York City. I have spent now something like 17 days out of the office on site in these visits to departments, schools, colleges and the library. The overwhelming impression one gets as a result of such visits is one of the strength and the versatility and the commitment of the Faculty. In spite of all our problems, that's the rock on which we build and that's an enormously reassuring beginning. These visits are not quite over, they continue for a little longer. I've gained immensely not just from seeing the Faculty in action, but beginning to know numbers of Faculty colleagues as individuals. I'd hope to be guided by Polonius' advice to Laertes in this context, 'give every man thine ear but few thy voice', but I find that in 17 visits, I've made 17 speeches and I'm a little troubled that I may already have said all that an incoming freshman should say to this assembled congregation.
"But if the Faculty are the heart of the body academic, they are not the whole body academic and impressed as I have been by the Faculty, I have to tell you I am bowled over by the quality of the students. We're fortunate here that the distinction of the Faculty which is Cornell, has attracted the quality of students that we find in every unit of the University. I'm impressed, too, at the commitment and the dedication of those who serve us in a variety of different capacities as our colleagues on the staff at Cornell. And fourth, I'm impressed by the dedication in both tangible and intangible ways that the alumni and friends of this University continue to show in good days and ill; they've been a strength to the University of which we can justly be proud.

"The impressions that one gets travelling as I've been privileged to do through the various schools and colleges, inevitably are a kind of mixture, they're a kind of potpourri, they're kaleidoscopic, they're random, they're impressionistic, they're not in any sense an integrated and final conclusion. And yet, inevitably, certain things come out very clearly, given the opportunities that these visits have provided. First of all there are differences in skills and differences in strengths. But the overwhelming impression, as I mentioned a moment ago, is of a strong Faculty, deeply committed both to their professional concerns and to their teaching responsibilities. It would be idle to pretend, of course, that distinction is universal and distinction is even across the different units. It's equally clear as one travels around that some units are narrowly and carefully focused in close agreement concerning their roles and mission and others have less clear focus and less clear agreement concerning that mission. That's not surprising and it's not uniquely Cornell. One is also impressed, I think, about the fact that increasingly in a time such as this, we face a particular need for Faculty leadership, not only in the posts of Chairmen, Deans, Directors and other places, but also through the Chairmanships and memberships of a host of Faculty committees here on campus. There has never been a time, I believe, when Faculty involvement and leadership have been of greater significance to any university than they are in this particular generation. Second, one is impressed in travelling around the campus by the strength of the resources we have. I mention only one, though one could mention many others: the library here is an institution within an institution of which any university could justly be proud. More than four million volumes, beautifully housed, though with accommodations now sadly cramped and reader space at a premium, yet maintaining a level of reader services which should properly be the pride of Cornell - far superior to that that I've seen on any other campus. One finds the same thing with other academic support services. In terms of the buildings we occupy, the facilities
that we use, there again one finds a mixture. Some buildings, superb, well-designed, well-equipped in terms of the function they serve and others, alas, ill-designed for teaching in this day and age and equally ill-designed for research. We face the problem of an aging campus, where although many of the buildings are well-equipped and highly suitable for their present purposes, we've an enormous backlog in bringing up to our own expectations of quality and suitability, many of the classrooms and lab buildings that are now in use. I should also say to be candid with you as I will be, that it seems to me we have too many buildings, that many of the buildings I've seen, including the finest, are under-used in terms of the working hours of a typical academic day, even defining that day in a rather general sense. I want also to tell you that one of the things that I find reassuring, coming from one campus to another, is the degree of decentralization on the Cornell campus. For any university that can be both a strength and a weakness. It is clearly a strength because maximum benefit and maximum knowledge are available near the site of the problem to be addressed - whatever that particular problem is. And therefore the decentralization of decision making inevitably represents potential strength. On the other hand, in any university, it also has its hazards. The biggest hazard is that it can lead to indecision and to drift. I haven't been here long enough to know how the balance works out at Cornell but clearly we must be concerned about both the strengths and the weaknesses of the degree of decentralization that we enjoy.

"This is a critical year in fact for campus governance as a whole. It's critical first because the Campus Council is just newly established. I'm delighted at the quality and the dedication of those Faculty members who've been elected to serve on that particular Council. It bodes well for the future of the Council that you have chosen to send to its company such an impressive range of distinguished colleagues. We must support that Council, especially during its first year. And it's an important year concerning governance because you yourselves will be debating the future pattern of Faculty governance. I do not presume to advise you in that particular matter, but I hope whatever the decision, it will lead to a strengthening of Faculty involvement in decision making and also to a restoration of civility and orderly debate, which so many campuses have still not recovered since the earlier days when they were lost. I want also to say a word about the campus mood, because frequently and generously before arriving on campus, I'd been warned of two very serious maladies that have afflicted the whole population. One was something called the Day Hall Syndrome. Everyone can identify that and I therefore won't diagnose the symptoms in any more detail. But the other one I was told was both more pervasive
and more subtle. It was something called the Ithaca disease. It was a tone of
negativism and contentionism that matched the Ithaca climate. I'm happy to
report to you that both of those accounts were grossly exaggerated. We do have
work to do on the campus, it would be naive to pretend that a community of this
size is always going to agree on everything. We shall not agree on many details,
but there should at least be one area of general agreement in which all of us
can share; it is apparent at every turn on the campus that there is a degree of
commitment and confidence and trust and loyalty to this institution that it is
our business to share together and to use to the full. Certainly there are
problems to be addressed, but wherever one turns, in alumni support, in Faculty's
willingness to go off and speak to alumni groups and to potential donors, and
in the willingness of 300 students to come back to campus a week early at their
own expense and to carry suitcases and give directions and provide orientation
to freshmen and freshmen parents - in all these things - one sees something of the
strength and generosity of commitment to Cornell from various members of the
community. We shall need to build on that in the years ahead.

"Let me now turn from the general to the particular and talk a little with
you about what I see as the challenges that face us in the coming year. They're
formidable and I want to sketch out to you the main headings, and nothing more,
of the questions that I believe we shall need to address together.

"First a word about the context in which we shall have to make our decisions.
That context is one which is colored by three particular components: the first
of these is the federal context, the second is the state context and the third
is the national demographic context. I want to say a word about each. First
of all as far as the federal context is concerned, there are growing strains
on what has been a happy and productive partnership between the federal government
and the major universities in the field of research. Peer review is now under
fire. Indirect costs are now severely strained. The whole question of merit
as opposed to geographic equality in distribution is difficult. Federal
regulation of science is a growing problem as is also the apparent determination
to support particular applied projects rather than basic research. None of
these problems is going to be solved quickly or easily but they will be
continuing problems as we seek to establish in Washington a clearer understanding
of the national asset, the national resource that universities such as Cornell
represent.

"Second, there is a whole range of federal regulations which now impinge
with growing severity upon our day-to-day life. Almost all of these concern
the social good and involve goals and objectives to which all of us easily
subscribe. I mention things like health and safety requirements, Title IX, provision for the handicapped, fair employment, minimum wages, social security and a host of others. But we now find ourselves increasingly caught with inflexible application of these regulations to universities, applied by those who apply them with zeal but thoughtlessness and applied by us at a cost that increasingly becomes damaging to the educational venture which is our basic business. It was calculated recently by one of our sister institutions that four percent of its total budget was being spent in federal compliance. In state universities which are entirely state supported, that cost is in the end picked up by the state. But in the kind of mixed economy that we have at Cornell, such regulations place severe strains upon our budget, and that's not the end of course. One reads and is conscious of federal intervention even in such things as selection and admission of students to medical schools - a recent requirement. One is conscious of changes in the pattern of federal aid for students, changes in the tax laws and the requirement for mandatory retirement at 65 - all of these are going to concern us during the coming year. Equally important, and perhaps of more direct concern, are the problems and the issues that we face at the state level. It's no secret that over the last four or five years, we've been unhappy with the level of support and the level of understanding that have been provided in Albany. We say that, not failing to recognize that the State of New York has had financial problems of a severity, greater than that of almost any other state. We say that also, not failing to realize, that every state now requires its public institutions to become more accountable than they were in the golden sixties. And yet Cornell's unique role as a Land Grant University, as a University with four statutory colleges and the rest endowed, is receiving increasing pressure under the growing rigidity of SUNY requirements. We shall have much work to do in Albany during the coming year in asserting our level of adequate autonomy and in working closely with those in Albany and those in SUNY in assuring an appropriate level of funding. And fourth, of course, although I won't belabor it, we face an increasing problem as do all universities, in the fact of the decline that is now evident in the college-age population pool. It's estimated that in this particular State, that decline will approach one-third within the next ten years. All universities will suffer to some extent because of that. Some will go out of business. Those that will be least affected, perhaps, are the two-year local institutions and the major research units such as Cornell. But we may not and we cannot live off the past. We shall not survive on our reputation alone in the hard times that are coming in terms of student enrollment. We shall survive and prosper to the extent that we provide
an attractive and an exciting educational environment for undergraduates as well as graduates. This then is the context in which the year ahead is to be viewed.

"Now what are the academic issues that face us in the coming year? I list them only in headline form but I want to list them. First of all a range of problems in the Medical Center in New York City - the most grievous of which is the fact that we've had to close down the baccalaureate program in Nursing because of shortage of funds. I want to talk later about budget, but if there's any doubt as to how severe our budgetary constraints are, the closure of that baccalaureate program should provide a warning. Second, there are important changes taking place because of the appointment of Dr. Theodore Cooper as Provost for Health Sciences and as Dean of the Medical College. That's an exciting and an important appointment and already the effect of his energy and insight are beginning to be felt. On the campus here in Ithaca as well as in New York City, we face a series of problems concerning faculty recruitment and faculty turnover. It will not have escaped your attention that faculty recruitment has now slowed down to a trickle. Retirements are far off for most departments, schools and colleges. And the rate of faculty turnover by resignations and appointments to other institutions has now slowed. What we've got to find here is a way of retaining the inventiveness and creativity of the faculty in a time of instability. That's going to be a challenging and difficult task, but it's one to which we must give attention in this year. We cannot have an environment where it's simply useless to have creative new ideas because there are no funds to support them. We have to nurture a situation in which it's still possible to dream and think and to plan and then to devise ways to implement those dreams and those plans that are worthy of implementation. We have to find ways of optimizing our campus effort. Perhaps the most striking illustration that Cornell provides for that optimization is what happened through the aggregation of what had earlier been divided units in Biological Sciences. Divisions continue and it's not clear to a newcomer to campus that what was done to Biological Sciences should not be done with other activities with other intellectual disciplines here on the Ithaca campus itself. The question, it seems to me, will be in large part not whether it is desirable to make some organizational changes, but have we the willpower to carry them out.

"Another serious academic problem that we face, not only over the coming year but over the next few years, is the question of the size of the student population and the mix of the student population. We have drifted over the years to an increase in the relative proportion of graduate students, perhaps quite
rightly. The future trends need to be looked at with a much more deliberate
eye to planning and thoughtful development, rather than a typical laissez-faire
attitude. Is it proper, for actual example, that department X (an actual
department that shall go unnamed) which has seven percent of its total student
population in graduate work, devotes 40 percent of its teaching energy to
graduate studies? Perhaps the answer is yes. Perhaps that's the optimum
arrangement. I simply don't know but I do believe that department X as well as
department Y and Z have to begin to look at that particular kind of question.
We also face questions that should concern us, I believe, over the coming year
in the question of the quality of programs themselves. I've spoken already of
the competition that we and all universities shall face for outstanding under-
graduate students. If we're to continue to lead as opposed to straggling along,
we have to ensure that the quality of our words, the opening pages of catalogues
of schools and colleges, match the day-to-day experience of freshman and
sophomores on the campus. We cannot take lightly the quality of our undergraduate
programs and especially the programs for the first two years of undergraduate
life. There are great variations not only in the academic quality and provision
from one department to another, but even more glaring variations in the quality
of student counseling and advising from one school or college to another. That's
no longer a fringe benefit for the student who's privileged to come to Cornell.
It's vital if we're to have a healthy and a distinguished student population.
We face, too, a growing concern and one that will continue to occupy us with
regard to the quality of non-academic services. Now, in brief, do we cut the
bureaucracy and direct non-academic services to the places where they're most
needed in the simplest and most beneficial way? Mr. Herbster has already begun
to address that problem with vigor and imagination and that program will continue
during the coming year.

"I want to spend some time sharing with you my first impressions of budgetary
issues which will concern us during the coming year. I put them at the end of
my talk, not because I think they're unimportant, but because I believe firmly
that a university budget has to be a statement of academic programs and
principles. It has to be a statement of academic priorities and commitments
and to see it in any other way than an educational statement, is in fact to
misunderstand the true nature of the budgetary process. I put it at the end,
too, because I want to put it in perspective. I've been told by many people
that there is a budgetary crisis, a financial catastrophe impending at Cornell.
I do not accept that analysis, but I do want to tell you that I think we face
a very serious situation. It is not a crisis in the sense that we're going to
fold up and collapse, but it is serious in the sense first, that it's going to require hard choices and painful implementation of those choices but, second, it's soluble if we're willing to make those choices collectively. Today's introduction, then, is only an introduction. But what are the elements of the year ahead in budgetary terms as I look at them?

"The first is simply this: In spite of determined effort and ready cooperation campus-wide, we have not yet attained the level of financial stability which we need in order to survive and prosper. That's partly because we have added on new programs in place of the budget reductions we've made. And I have no doubt that all of those were important and urgent and many of them were mandatory. But the fact is, in terms of balancing the books, that our add-ons have taken care of our drop-offs in budgetary terms. Second, we have to recognize the fact that we've simply been living beyond our means for the last ten years. Let me give you two illustrations of that particular problem. During the last ten years, for the Ithaca campus alone, from the general purposes fund, our operating deficits have exceeded nine million dollars. They were not planned deficits but they happened - nine million dollars in ten years. During that same period we have paid out to ourselves from endowment funds, no less than 25 million dollars of additional support. That if you like, is a planned deficit. And so the net impact of that is that over that period the drain on our capital was 34 million dollars. That may or may not be the right decision. It would be a very different University if that decision had not been made. My simple statement today is that we cannot afford to live beyond our means. We cannot mortgage the future at a time when we have other choices available. Of course, there are reasons that lie behind this. Our investment portfolio has suffered because of the down turn in the market that has afflicted every institution having endowments. But we have to link academic programmatic planning to budgetary planning as well. And the Faculty must be both consulted and involved in that process to an even greater degree than you have been consulted and involved up to now. It is also the case by way of background, that there are continuing substantial costs over which we have literally no control. The utilities budget for the Ithaca campus this past year was $10.3 million. If you take heating costs alone and put the question, what has been the increase in heating costs since the years 70-71, the answer is 330% increase in heating costs. And there is no end in sight. There is no way we can change the local climate, alas; there is no way that I know of that we can find vast resources of natural gas, oil or coal to bail us out at a price that will make any substantial difference. The cost of bringing the heating plant up to State requirements, for example, a separate cost, has been $5.2 million, and over that
we have no control. There are discussions at present of an increase in the telephone costs. A ten percent increase in phone charges would cost Cornell $240,000 next year if it comes about. I mention all these not to spread gloom, I don't believe the outlook is that gloomy, but simply to show that there are fixed, uncontrollable, incremental increases in the budget which, whether we like it or not, we have simply to swallow hard and absorb. My major concern with the budget this year, however, is not the inevitable accretionary charges of that kind, but the salary question. I'm well aware of the debate and indeed the contention around that particular issue during last spring. Let me sketch again the background. In the last years, salaries at Cornell have increased by about five percent every year, and the increase has been slightly more at the lower end of the scale for Assistant Professors than in the more senior ranks. Until 1973-74, that represented a satisfactory rate of progress. It kept up with inflation. In 73-74, Cornell and indeed all the universities suddenly found that their salary increases were falling behind inflation, and that was an unwelcome and an unusual change. We've made good progress in the last year in closing that inflation gap. But in the course of doing that, we have not closed the gap that now has opened up between cumulative inflationary increases and present salary levels. And as we look at the salary levels for the coming year, there are three particular concerns. In the Faculty area, first of all, we have slipped relative to those institutions we regard as our peers. We have held our own reasonably well in competition with our sister independent institutions of peer quality, but we have begun to slip in competition with public institutions, especially those in the midwestern farm belt who've had relatively prosperous agricultural conditions for the last two or three years. Second, in non-academic salaries, especially in the managerial areas and some professional areas, we have also lagged; the quality of campus life and the quality of services available to the Faculty members depends on healthy competition in those particular appointments. Third, we have a serious gap now between the employees of statutory colleges and the endowed colleges and certain support service areas. Those are the three problems that face us. Clearly salaries have to be a priority item for the coming year.

"What kind of solutions are in sight? Let me mention first of all what we cannot expect by way of a solution. I want to say to you first of all that there is no easy solution to the salary problem. Whatever solutions we adopt, are going to be painful. I want to say second that there is no single solution to the salary problem. There isn't one great change or one great decision that
we can make that will suddenly provide the funds we need. Third, I want to say to you there is no immediate solution available. Whatever solution we adopt will be a phased solution, probably over a period of two or three years. And fourth, I want to say to you there is no solution possible which comes only from the administration and not from the Faculty. If we're going to solve this problem, as we will, we will solve it together and we will. But we have to understand that that involves painful decisions in which you will both advise us and in which you will also have the privilege of sharing, as will we. I'm being blunt about that and I mean to be so because it seems to me wrong for those who make strong complaints among Faculty, and indeed that's perfectly legitimate, to assume that we can solve that particular problem and at the same time also address nine or ten other urgent priorities here on the campus. Alas, we don't have the luxury of doing that. So what programs will we pursue? We shall give salaries the high priority for the coming year. We will do that in the endowed colleges and we will carry out a vigorous campaign in Albany to repeal the shortfall that has taken place in the salaries of Faculty members in the statutory colleges. I want to say that that's been even more serious than is the case in the endowed colleges. The program that we will mount has three components. First of all, the Deans and Department Chairmen and Directors will have to recognize that we have hard choices to make together, that there will be some things that will have to be deferred, there will be some funds that will have to be reallocated if this is going to be the number one campus priority. Second, we have to understand that there must be firm budgetary management. There is simply no substitute for that. And that means departments may not have overruns and it means schools and colleges may not have overruns because it's idle to talk about improving the salary program if we have overruns in the schools and colleges of literally hundreds of thousand dollars a year. We need discipline in terms of managing our fiscal affairs - not only centrally, you musn't place the burden there and expect it to be lifted, but also at the department and the school and college level. And third, we shall have to generate additional funding from a variety of different sources. You have to help us in that because we should be looking for donors who recognize the need to retain the preeminence of Cornell. We shall be looking at ways of obtaining reimbursement of Faculty salaries on research grants and will be discussing that with you, because we're almost unique among our sister institutions in neglecting that particular source of revenue. And all that we shall have to balance against other immediate teaching and research needs. I mean by that that it's no good concentrating on salaries if we neglect fringe benefits. That it's no good providing incentives
which are financial if we're teaching in facilities which are so decrepit that they hinder the educational exchange which is our business. Given all that then we shall solve the problem and that we mean to do, but it will not be easy. The Provost will be embarking during the next few weeks on a series of detailed discussions with Deans, Directors and with various advisory committees, including FCR and Campus Council and the Committee on the Economic and Professional Status of the Faculty. So much for the immediate future.

"What of the long term future? I want simply to say this. Any great university always has financial problems. The day that Cornell does not have financial problems, it will have ceased to be a great University. A man's reach should exceed his grasp. We've simply got to have ideas which are generated by the Faculty, which are worthy of support but which will always outrun the resources that we have to meet them. Let me illustrate why I believe we have to realize that this is a continuing problem and not an immediate one unique to this particular year. My colleague, Don Cooke, was kind enough to share with me the other day, a speech given by Provost Frosty Hill, exactly 23 years ago to a meeting of this Faculty. Provost Hill outlined the problems that faced the Faculty during the coming year and I want simply to read to you the headings that he used. First of all, inflation and financial problems that go with it; shrinkage of endowment income which rapidly was being used up; Faculty salaries, which were slipping in real value; the widening gap between public and private tuition; relations with the State; more financial aid for students and continuing inadequacy of student housing. These problems are not new. Cornell has met them before and Cornell has overcome them simply because it was able to call on the cooperative strength and wisdom of its Faculty and its administration. We're going to overcome the present problems in exactly the same way. We have a Faculty who are literally preeminent in a host of different fields, whose reputation is worldwide. We have talented, motivated students and we have alumni and benefactors who see the need for Cornell to continue in its present form. I want to pledge to you that the administration in which I have the privilege of serving you, will support in every possible way, the excellence that is Cornell. There is only one reason for the existence of any administration in the University, and that is to support the advancement of learning. We are the servants of that cause. We have to nurture an environment that will be conducive to the advancement of learning in the broadest sense of the word. Teaching, research and public service - our business is to provide that. There will be details, surely, on which we differ from day-to-day. It would be surprising if there were not. There will be times when we find that particular issues are particularly contentious,
but what I hope we shall do, not just in the immediate year ahead but in the years ahead, is to decline to be so preoccupied with the trees, that we lose sight of the forest. We must have the overview together that the health of the whole is as great and as urgent and as significant as the health of the individual part in which we profess our chosen vocation. I want to pledge myself today to work towards that end of nurturing that preeminence for which Cornell is so widely known. From your side and mine we are going to require unusual patience, unusual goodwill, unusual skill and sustained effort. And it is not going to be solved in the coming year. I'm reminded of a story that President Kennedy once told of Marshall Lioti, who was walking in his garden in the early morning and he came by a tree whose roots were wrapped in burlap and so he said to the gardener, 'Claude, I would like you to plant that tree this afternoon.' And the gardener protested, 'Marshall, that's a tree that is so slow growing that it will not reach maturity for 80 years.' To which the Marshall replied, 'In that case, there is not a moment to lose. Plant it at once.' The problems on which we embark together are not ones capable of easy or immediate solution but we have work to do. Let us begin that task together. Thank you."

The Speaker, Professor Peter Stein, thanked President Rhodes for his wide-ranging and stimulating address, and indicated to the body that the President had agreed to answer questions from the Faculty on any items of concern to the Faculty.

Professor Michael E. Fisher, the Horace White Professor of Chemistry, Physics and Mathematics, said he would accept the invitation that the President had so generously made and in particular, say on behalf of himself and many of his colleagues, how grateful they are that he's faced the salary issue. He asked the President if we should look forward to a salary policy - is that something that makes sense or is that something you will want to address during the course of the year?

President Rhodes replied that discussions have just begun, which the Faculty will be involved in. We must be competitive, field by field and rank by rank, amongst peer institutions in terms of the best people. That may mean we would fight very hard to retain two people and less hard to retain one perhaps. Stanford has a very deliberate and articulated salary policy - they did it by the most rigorous surgery in terms of the overall budget. We have to begin to discuss whether in fact the Faculty are willing to pay the price with us in developing a salary policy of that kind. It could be done. Whether it's wise to put it in such concrete terms is a matter I think on which we need a great
deal of discussion. The possibility of having a salary statement in isolation from all the other priorities we face on campus, really isn't an option that's available to us. A responsible way has to be found of balancing as specific a policy as we can on salaries with the need to meet other priorities.

Associate Professor Frederick M. Ahl, Classics, said he didn't detect anything that would indicate the Department Chairmen will in fact be intimately involved with administration in settling ideas and policies for the maintenance of Faculty within their own departments.

The President apologized if the way he said it in his talk didn't make it clear. A good deal of what he said was meant to convey that that process of consultation is a major item of concern in the coming months. The Provost outlined to the Executive Committee of the Board of Trustees at its recent meeting, a new budgetary process giving a period of up to three months for campus-wide review of principles and priorities on which the budget should be established, and that is about to begin. President Rhodes again emphasized that there is no way to achieve a salary program without the Faculty's help in looking at competing priorities and making decisions together concerning which priorities to pursue.

Associate Professor David B. Wilson, Biochemistry, Molecular and Cell Biology, said that one thing had always bothered him, is that in the basic decision making, at least the way it comes down to him, the best way to operate in a university environment is to complain a lot. He finds that very distressing and wondered what the President's views were on that general question.

President Rhodes said he thinks that is often true - that the squeaky wheel does receive the grease. He emphasized that his remarks are in no way criticism or praise of the way in which that particular situation has been handled in the past. It would be irresponsible if that were to be the way, we as an academic community, operate. It will never be popular, just to take a particular case, to put a new roof on a building in competition with something else, except for people who find that their books are being flooded by leaks in that roof. Any administration is subject to pressure, President Rhodes said, adding that administration serves best, literally, by listening to all the squeaky wheels, by discussing to the fullest the issues and priorities and then not being afraid to come back and make the hard choices in light of that. He hopes that as a community we can be understanding enough of one another to realize that in the end there has to be a wider interest than the local squeaky wheel.

Associate Professor Karen W. Brazell, Asian Studies, asked the President if he had any plans to make a systematic survey of the use of space on campus.
The President said he would very much like to see that done, adding that it was decided it would be a desirable thing to do but it is an enormous job and won't be started tomorrow. One of the problems is the lack of availability of large lecture rooms, large auditoriums for certain classes - resulting in some lectures being repeated two or three times. Some of that pressure could be solved by adding an hour or two to the teaching day in terms of when lectures are given.

There being no further questions for the President the Speaker called on the Dean for his report.

3. REPORT OF THE DEAN

Dean Saunders reminded members that the class schedule for Thursday, November 10, between the hours of 10 a.m. and 1:30 p.m., has been cancelled for the Inauguration of President Rhodes. Appropriate make-up procedures are left to each individual Faculty member to handle as necessary on an ad hoc basis.

The Dean then recited briefly the history behind the governance proposal, which was the next and an important item on the agenda. He spoke of the general Faculty feeling of dissatisfaction and lack of participation in Faculty affairs and the FCR, of his straw vote conducted last Spring and the strong consensus that a change should be looked into, of his appointment of an ad hoc committee to look at it, their study and preliminary report circulated to the Faculty for discussion at this meeting. He pointed out that, whatever the outcome of the day's discussion, further study would be done and any changes would have to go through the long and appropriate amending procedure of the current Bylaws of the Faculty. Some minimal changes have to be made, simply because of the many references made in the Bylaws to the now extinct Senate. It would thus be a propitious time to include any others the Faculty thought necessary.

The Speaker was uncertain as to how the body should proceed. With time running out, there would be chance for but little discussion following a report from the study committee. He suggested the possibility of holding a special meeting. Professor Isadore Blumen, I&LR, said that he had heard nothing of any special meeting. A problem of the good old days was the harrassment felt by Faculty in a multitude of special meetings, which led in part to the setting up of the representative government form. Special meetings are to be called when an emergency has arisen and unless there is evidence that there is an emergency, no meeting should be called. He hoped that there would be unequivocal evidence that such exists before a special meeting is called. Professor John W. Wilkins, Physics, inquired whether he could not simply move the adoption of the first resolution of the two circulated. In response to Professor Blumen's question
as to what the resolution was, Wilkins said it was that called number one. After laughter, the Speaker ruled the motion out of order. A motion to adjourn was made. On the vote, the Speaker ruled the "nays" carried. Division was called and it turned out otherwise, 66 to 64, so adjournment followed at about 5:40 p.m.

Paul L. Hartman, Secretary
The Speaker, Professor Peter Stein, called the meeting to order at 4:35 p.m. 51 members and several visitors were in attendance. The Speaker indicated that the agenda was light, consisting of a report from the Dean and then discussion following his report and any new business if necessary. He then called on the Dean of the Faculty, Byron W. Saunders.

1. REPORT OF THE DEAN

The Dean indicated that when the Executive Committee realized that there was no action being reported by any committee, the meeting presented an ideal opportunity for members and non-members to come and express their concerns or their desires on the governance issue. He said he had nothing in particular of his own to report and so would confine his remarks to the governance issue.

He reviewed briefly: Concern has arisen over the past few years on the part of many of our colleagues, about the participation (or lack thereof) of Faculty in the governance of the University. After he discussed the situation with the Review and Procedures Committee, which is responsible for the review of the organizational structure of the Faculty, and subsequently with the Executive Committee, a poll was suggested which resulted in the "straw ballot" of last spring. A return of 303 ballots from a normal return expectation of around 800 people was received. Of those returns, 81%, fairly evenly distributed across all colleges said let's take a look, not that they were necessarily for a change. Based on that, the Review and Procedures Committee authorized a subcommittee to proceed to develop a proposal which was circulated to all Faculty in the call to the September 21 University Faculty meeting. This will be discussed at the special University Faculty meeting one week from today.

As an aside, Dean Saunders added that one of our colleagues pointed out that such a meeting would be illegal unless a true emergency had arisen justifying a call for a special meeting. That's not quite correct the Dean said; special meetings of the Faculty can be called by the Dean only in the case of an emergency, but can be called by the President at his request, by the Review and Procedures Committee at their request and by possible conditions. In this case the Review and Procedures Committee voted unanimously to have a special meeting for the purpose of discussing the proposal which was prepared by the subcommittee of the Review and Procedures Committee and chaired by Professor Elmer Ewing, Vegetable Crops.

At their meeting two weeks ago, the Executive Committee in anticipation of this meeting, felt very strongly that in addition to the proposal of the group chaired by Elmer Ewing, there should be at least consideration of the possibility
of modifications of the FCR structure because, while people may still not care for the FCR as it currently exists, they were not prepared to throw it out willy-nilly. Therefore one asks: what potential changes to the FCR could be proposed which would improve but still maintain the representative form of governance as opposed to the town meeting governance proposal put forth by the Review and Procedures Committee? It is the latter which will be discussed at next week's total Faculty meeting. In anticipation of that, whatever ideas or notions come out of the present meeting they will be recorded and he hoped would be put together in some kind of cohesive form so that we can then have, at least in a handout, an alternative form for those attending next week's meeting to compare side by side with the Ewing proposal. Dean Saunders said that then is the procedural side of the problem.

From an operational side, what are some possible revisions in the representative government that would be desirable? The Dean suggested a few that might be helpful: A decrease in some of the rigidity current in the FCR and its committee structure. At present we have a rather rigid committee structure that calls for all of the standing committees to be committees of nine - structured with four non-FCR members, four FCR members, one in each of those two categories being non-tenured and three of them being tenured, and one member from the Executive Committee. This means automatically, because of the breadth of the committees, that anyone who agrees to stand for the FCR almost by definition also agrees to stand for election to a committee and will end up with one or more if he is also put on the Executive Committee. Dean Saunders said he thinks the committee structure and the rigidity of requirements of membership are such that this certainly should be looked at and modified in any potential revision having to do with representative government. He suggested in this regard one possibility at the extreme of the continuum of possibilities, that perhaps we should consider the FCR membership as a Faculty representative body which would make the decisions on the things that come before it, with the committees being made up of non-FCR members. This would spread the largess around among all of the Faculty: we could perhaps even preclude FCR members from committee participation.

Secondly, the FCR Executive Committee should be given somewhat more authority to make decisions of a routine type on their own. The Executive Committee at present is essentially nothing more than a traffic cop for identifying agenda items that should come before this body and for the handling of issues and funneling them to appropriate committees. Dean Saunders said he thinks that the Executive Committee could serve additional functions, for the benefit of
the Faculty as a whole. Current legislation calls for the Committee to act only under emergency conditions and to then have a meeting of the FCR called as soon as feasible thereafter to confirm their action. He cited an immediate situation: The proposed joint program between Cornell and Baruch College of the City University of New York, having been through several drafts and approval of the ILR Faculty, will go to the General Committee of the Graduate School on Monday; after that, the legislation mandates that it has to be approved by the University Faculty in the form of the FCR. The timing of that proposal is such now that it must go to the Trustees at their meeting on November 9. It can't be delayed beyond that if the program is to be undertaken under the time scale that is planned for it. What it means is that the Trustee action has got to take place before the FCR meets in a regular session. That, the Dean said, would be an appropriate item on which the Executive Committee could act on its own. According to our legislation they can act on it but it will have to be confirmed by this body; by then, however, it is confirmation after the fact, since it will occur after the Trustees have already themselves acted. Problems of that kind are ones which should be given some consideration.

Dean Saunders said he thinks the mandating of tenure and non-tenure distribution should be looked at as well as the current size of the FCR, suggesting that perhaps reducing it to 60-75 would leave it equally viable. Those are some ideas he has had. He knows that many have strong feelings that representative government should be maintained, that we should not consider going back to the old town meeting forum. With those remarks as things to introduce the topic, Dean Saunders said he would like to hear from the rest of the body so that appropriate consideration can be given to modifications that might be acceptable to a sufficiently large body of the Faculty. It will be a total Faculty decision - not an FCR decision. This way we can have two viable alternatives when any ultimate vote is taken and know what the alternatives and structure would be in either case.

The Chair indicated that before proceeding to discussion with a quorum having been reached, a motion to approve the September 14 minutes would be entertained. The minutes were unanimously approved. The floor was then opened for the general discussion of ways to improve the FCR.

2. DISCUSSION OF FCR GOVERNMENT STRUCTURE

Professor Robin Williams, Jr., Henry Scarborough Professor of Social Science, said he was one of the members of the Interim Executive Committee who had helped design the present structure. Many of the features that now seem
cumbersome and rigid were built-in at the insistence of very vocal portions of the University Faculty. To those who felt the set up should reach to all parts of the establishment, the built-in requirement of non-tenure members was added. It was felt that certain colleges or groups within colleges had disproportionate influence, so obligatory distribution of members was built-in. Professor Williams said that with the size of this Faculty, we had found by long and bitter experience, what the old system meant was an alternation between apathy and crisis action. He feels that the basic structure does provide for representation through election, with the widest distribution of responsibility we have had since 1946. Professor Williams said he feels that reform within the basic outline of what we have is the first step; he would not like to see it precipitated back into a structure which was not capable of being generally representative and did not provide for adequate study on any complex issue.

Professor Barclay G. Jones, City and Regional Planning, spoke as a former member and chairman of the Nominations and Elections Committee, saying he would like to second Dean Saunders' statement about the rigidity of the committee structure. It is a horrendous problem trying to get committees filled with people who are not serving on a large number of other committees and who fit the criteria for the position that is open. It is extremely difficult to obtain across campus representation and to at the same time meet all the other criteria for membership as well.

Professor Roger M. Battistella, Business and Public Administration, said as immediate past chairman of the Executive Committee, it should come as no surprise that he too favors a stronger representative system. He thinks the town hall model would take all the weaknesses in the present FCR structure and exaggerate them by some unknown but large multiple. The real issue is whether we really want to participate in any meaningful way in the governance of this institution - concentrating on improving and streamlining our committee structure and representative machinery.

Professor John H. Whitlock, Parasitology, asked for permission to speak, since he is not a member of the FCR. The Speaker reminded him that all Faculty members have permission to speak. Professor Whitlock said in his mind there are two essential weaknesses that had not been addressed. The first is the use of the verb "to consider".* If you can stretch "to consider" to mean that the University Faculty should handle grievance procedures, it certainly is the biggest semantic slide he has ever seen. The real problem is: are we an advisory body

*The reference to the verb "to consider" is to Article XV of the University Bylaws, Paragraph 3, titled "Functions" (of the University Faculty) where the Bylaw reads: "It shall be the function of the University Faculty to consider..." B.W.S.
whose legislation, whose feelings for policy can be set aside by will by the administration or do we really have some sort of legislative power? According to the Bylaws we don't, and when we get into a knot over some real sticky issue, they say, "Look, the Faculty can only consider, and considering is not legislating, and therefore what you say is advisory and goodby, we're going to do it our way." Weakness number two is essentially an organizational weakness in the Office of the Dean of the University Faculty. Professor Whitlock said when he first came here, there was a President of the University, a Provost, a Secretary, a Treasurer and a Dean of the Faculty, representing the central administration. To this day, the Office of the Dean of the Faculty is defined in the Bylaws as a President's man. At the present time, he said, he counts a Chancellor, a President, two Provosts, six Vice-Presidents, two Vice-Provosts, a Vice-President in charge of Vice-Presidents, etc. while still having a part-time Dean of the Faculty. This is a terrible weakness because if the problems have increased enough for the rest of the administration to go as it has, surely we can at least afford a full time dean with maybe a bigger staff, however much he needs. Professor Whitlock said you've got to find out where the Faculty's rights and prerogatives in legislation stand before you can shuffle the blocks around.

Professor Williams said he agrees. We can certainly say something about the Office of the Dean. He thinks Dean Saunders has had a very heavy responsibility without having the persons in his office to cope with it. He's done a remarkable good job of coping with it. This is a half-time job so defined - it isn't a half-time job and Professor Williams bets that the Dean spends full time and his staff probably does too. It does need to have more resources if the Faculty is to have adequate representation at the higher level of this administration.

Professor Walter Galenson, Jacob Gould Schurman Professor of Economics and Industrial and Labor Relations, said he wished to echo Professor Williams' sentiments about the superiority of a representative form of governance as against some sort of a mass meeting. Inherently it's much more democratic. Those who recall the mass meetings prior to the setting up of the FCR, he thinks, will agree that whatever our deficiencies, we've done a much better job than the previous form of organization. Professor Galenson said he also agrees with what Professor Whitlock said. We have advisory rights but he thinks we could advise better if this organization or the Office of the Dean, or both, have some people who are expert in some of the areas of University governance on a full time basis, i.e. the area of budget, Faculty Trustees. Professor Galenson doesn't see why with the tremendous increase of the administrative staff of the University, they can't support a couple of people to represent the interests of the Faculty.
Associate Professor Raymond T. Fox, Floriculture and Ornamental Horticulture, said he would agree with all the things said with one reservation. At the present time, as Dean of the Faculty, we have someone who represents the Faculty. If we were to divorce that position from the Faculty entirely then we would have even less representation of Faculty and more of the "President's men". Professor Fox thinks that we ought to think carefully before getting rid of one situation and perhaps creating another that may be worse so far as Faculty is concerned. If we have assistants to the Dean that can help him - that is fine. But he would not like to see what has already happened in several other dean situations where instead of having assistants to the Dean, they wind up with Assistant Deans.

Professor Norman N. Potter, Food Science, said that in terms of degree of frustration he wondered if there is a measure that would compare the situation in the statutory schools with the situation in the endowed schools, as to input, being heard, and having any influence. Faculty in the endowed schools, it appears to him, have closer liaison with many of the offices of this University than do the Faculty of the statutory schools whose gods reside farther away and seem to be more obscured. He assured the body that much frustration is present in the statutory units - much more so than in the endowed units in his estimation.

Professor George Gibian, Goldwin Smith Professor of Russian Literature, said he has a feeling that people who are in the FCR are more in favor of this system of representative governance than some colleagues outside the FCR. He wished something could be done about giving more information about what is happening here to the Faculty outside. There are three reasons why people suggest change: (1) some just want change for the sake of change; (2) some people feel that they don't know what the FCR does and (3) the desire to hear big speeches on the part of some people and to give a speech on the part of some other people.

Dean Saunders, in response, said that the information about what goes on in the FCR at this meeting will appear in the Chronicle on the Faculty page one week from tomorrow. In addition, every member of the Faculty gets minutes of this meeting - not just FCR members - but all Faculty. You can send the material to them but you can't make them read. Beyond that, Dean Saunders said he isn't sure what additionally could be done. He emphasized again that any member of the University Faculty is free to come and address this body without any further permission. The only thing non-FCR members cannot do is to make official motions and vote.
Professor Battistella said he sees the Faculty as bilateral. If we are to avoid chaos and anarchy and preserve the best interests of the Faculty, we have to have some reforms to oil the machinery, introduction of full time qualified help, longer term of office of the Dean, etc., which would enable us to sit down and to participate on a more even basis with representatives from management, with an eye towards effecting compromise which will make it possible for this University to run smoothly. Those compromises will involve trade-offs, the benefits won't be all one-way. We ought to have people that represent the interests of the Faculty who are informed and skilled in representing those interests, and then who can participate vigorously in the process of negotiation and compromise in matters like the tenure system, salaries, retirement, criteria for promotion, hiring, freedom of speech, etc.

Professor William D. Pardee, Plant Breeding and Biometry, said that some of the conversation he's seen in the press, gives the impression that the idea of a town meeting is a great thing. Most people come in without knowing what the issues are and are swayed by oratory - interjecting it's a lousy way to go.

Professor Williams wished to speak to Professor Gibian's remarks. Perhaps FCR members could talk to their colleagues to see whether they can stimulate participation, or to get them to join a committee. In terms of the discussion today, it seems to Professor Williams, that there isn't strong dissent, from what's being said, but there is clearly strong dissent elsewhere on campus from some people. Perhaps the agenda we ought to begin to set for ourselves is to get a little more specific about what it is that we can do to make this structure more representative and more flexible. Then we have to talk specifically about the committee structure, rules of representation, the Dean's office, etc.

Professor Galenson said one of Dean Saunders' suggestions, which he feels is very important, is that we provide greater authority for the Executive Committee so they can act quickly when concerns vital to the Faculty come up and there isn't time to hold an FCR meeting. He illustrated by giving an example of something that is very current and effects all of our interests - an issue now before the Congress of the United States. The House of Representatives, about a month ago, suddenly and almost unanimously passed a bill providing that no one in the United States can be obliged to retire before the age of 70. The Harris polls have shown that about 85% of the American people favor this type of legislation. The bill then went to the Senate. The Senate Committee on Human Resources brought out a similar bill except that it exempted universities and corporate executives with pensions over $20,000. If this version, which is now on the
floor of the Senate, should go through and should survive in joint committee, everybody in the United States will be entitled to pick his age of retirement up to 70, except University professors and a small group of corporate executives. This is something many of us are interested in. The point is that the universities got this exemption in the Senate bill through a strong lobby. President Rhodes sent a telegram to the President of the United States and to several Cabinet members urging that universities be exempted from the bill. It seems to Professor Galenson that university administrators should not be able to commit their organizations to something which so vitally affects the interest of the Faculty members without some consultation with Faculty. It may be that President Rhodes did consult with the Faculty. Professor Galenson is unaware of it and feels the premise of his actions were wrong. He wrote to President Rhodes who in turn sent a nice letter back. Some discussion with Faculty people might throw a good deal more light on the situation and result in a different decision by the administration. If this exemption stays in and only faculty members of the whole United States are exempted from the operation of this law, we're going to have a lot of trouble here. People are going to say, "why us?" It is important for the preservation of good order and the functioning of the University that you have a body which, if need be, is capable quickly of representing the Faculty. He urges strong consideration of Dean Saunders' suggestion for a perhaps slightly larger, more powerful Executive Committee. He added that the State University of New York has a mandatory retirement age of 70. It's rather peculiar that there are many people on this campus who are paid through the SUNY budget, whose salaries are determined essentially in Albany, whose fringes are determined in Albany, but have a different condition in this respect than anybody teaching at Binghamton, Cortland State College, etc.

Professor Edgar M. Raffensperger, Entomology, said it might be interesting to look into the possibilities of the pipeline that exists to the more prominent lobbyists who should lobby on behalf of universities. Information regarding it is very hard to come by he has found.

Professor Charles B. Wharton, Electrical Engineering, said the discrepancies have been pointed out between the merits of the town hall and the representative government - expressed in this body as well as elsewhere. He suggested that the Secretary put in the minutes, which are distributed, a reminder that Faculty members in general are invited to come to this forum and speak; the FCR would be very interested in hearing them. (So done.)

With respect to the Dean's suggestion re committee structure, Professor Mary Morrison, Nutritional Sciences, said that the current restrictions about
having so many FCR members on them and so few from the rest of the Faculty, have removed the opportunity for "outside" Faculty to serve on committees. But she would not go so far as to say that no FCR members should serve on committees.

Professor Herbert J. Carlin, Electrical Engineering, inquired as to what a representative form of government could or could not do. Suppose the FCR wished to go on record in the name of the University Faculty and inform our representatives in Congress as to a stand vis-a-vis the retirement issue; do we have an instrument for doing so? Is it possible for the Faculty to do this under the present arrangement of representative government?

The Speaker replied that such a resolution would be in order and that instructions to the Executive Committee to see that it is transmitted to where this body wants it transmitted would also be in order. The Faculty, in setting up this body, has delegated the authority to this body to speak for it.

Professor P.C.T. deBoer, Mechanical and Aerospace Engineering, said that the work done in the FCR is done to a large extent in the committees and for that reason he would favor FCR members serving on committees rather than excluding them. Otherwise, this body would stand outside of where things are happening. On the other hand, Faculty should be given the opportunity of stating on which committees they would be willing to serve. Professor deBoer agrees with Dean Saunders that the rigid requirements of non-tenured members on committees as well as FCR vs. non-FCR members ought to be relaxed. It is extremely important to have non-tenured Faculty members represented; on the other hand, they may not wish to devote the time necessary.

Professor Pardee said there is a good reason for having an FCR member on a committee and probably either as chairman or assistant chairman, so that an FCR member is very familiar with what's going on in the committee.

Professor Potter asked if the conditions talked about here today are typical of all universities - are we in the main; and if not, couldn't we learn from others?

Dean Saunders said he didn't happen to know but would guess. The fact is that the Cornell Faculty, if they wished to exercise their prerogatives completely, probably have more potential for control than in almost any other faculty of which he's aware in this country. This is done through the Bylaws of the University which grants the Faculty control over academic policy. When you come right down to it, there are few things that don't have some kind of impact on academic policy.

The Dean reminded the body that whatever changes are going to be made, if and when they are made, will still have to follow the formal amending procedures of our Bylaws document which is known as the ORGANIZATION AND PROCEDURES OF THE
UNIVERSITY FACULTY (OPUF), adopted back in 1971. Nothing can happen until some formal legislative changes are proposed and voted on. The process of voting on those requires approval by the Review and Procedures Committee, a standing committee of the University Faculty - not of this body. After approval, any proposed amendments must go to the University Faculty in a meeting at which a quorum must be present; once approved by a majority at that meeting, then approval must be had in a mail referendum to the entire Faculty. He urged all who wished to come to the special University Faculty meeting next week to do so and speak on either the town meeting form of governance or representative form or whatever. Some changes will have to take place, if for no other reason than the OPUF is full of references to the Senate which no longer exists.

Professor Jones moved that the Review and Procedures Committee set up a committee to investigate ways in which the FCR representative form of governance could be improved. The motion was seconded and passed unanimously.

There being no new business the Chair adjourned the meeting at 5:40 p.m.

Paul L. Hartman, Secretary
In the presence of only near half a quorum (about 70 persons were in attendance before meeting's end), the Speaker, Professor Peter Stein, called the meeting to order at 4:40 p.m. and recognized the Dean of Faculty, Byron W. Saunders, for his report.

1. REPORT OF THE DEAN

The Dean was fairly short,* pointing out that the special meeting was called for the purpose of discussing governance, since this had not been feasible at the September 21 meeting. He gave a quick review of how we got where we are: the frequently expressed unhappiness with the system found in many quarters; the death of the Senate requiring changes in the Bylaws (OPUF) making it an appropriate time to make other changes if the Faculty so mandated, including that of a possible complete turn around in governance; the straw poll authorized by the Review and Procedures Committee and the Executive Committee of last Spring; a return of some 300 responses and general 80% favoring a study and look at possible changes back to the "town meeting"; the appointment of a subcommittee headed by Professor Elmer Ewing and its report, which the Review and Procedures Committee adopted as its own; the FCR meeting of last week for the discussion of possible changes that could be made to the FCR; the Review and Procedures Committee calling this special meeting for the purposes of discussion of the Ewing proposals as guide to the Review and Procedures Committee on how to proceed. These, together with two proposed resolutions, had been earlier circulated to the Faculty. The Dean concluded by outlining the series of steps that would be necessary to incorporate in the Bylaws whatever changes are forthcoming. Any changes should be completed by next February in time for the Nominations Committee to do its work.

2. PRESENTATION OF THE GOVERNANCE PROPOSAL

The Speaker called on Professor Elmer Ewing, Vegetable Crops, for his report. He said the committee began last summer by asking what was so wrong with the old system that it was abandoned for the representative form. They reviewed minutes of the period during which the FCR was being constructed, along with comments coming in with the straw poll. There seemed to be three complaints: (1) there was concern over meeting's attendance—there were well attended meetings and badly attended meetings, the latter frequently resulting in actions not reflective of a Faculty consensus; (2) The same questions kept surfacing again and again after presumed settlement; (3) There was too much time spent on picayune affairs. So the committee's first goal was to

*See Minutes of February 15, 1978 for correction.
ensure that decisions taken at meetings reflected Faculty sentiment, that the Faculty was protected when decisions were made with less than a quorum present to avoid wasting time in coming to a meeting only to find lack of a quorum. To this end they proposed two safeguards: all motions would be distributed in advance of meeting along with agenda; and unless a vote was carried by a 75 vote margin, it could be on the agenda of the next meeting. The figure 75 is arbitrary but they reasoned that if but 75 were in attendance and all voted one way that was pretty indicative of something; but if only 50 were present and voted unanimously, it ought to be reconsidered; if a vote went 175 to 100, that again said something. So it seemed reasonable. If a vote carries but by less than 75 it can be reconsidered but not automatically so. It would appear on the circulated agenda for the next meeting. At least 1/3 of those present at the next meeting must favor reconsideration and would distribute their reasons in advance and be given 5 minutes of oratory at the meeting to try convincing those in attendance. If 1/3 favor full debate, the issue would then be decided by simple majority. If it were not voted to reconsider, the previous action would stand.

To meet the complaint of the continual rehashing of previously "settled" matters, the committee proposed that once an issue is settled it can then not be taken up again until five meetings have elapsed. In emergencies, ways are suggested to get something reconsidered before that.

To ensure that weighty issues would be discussed at meetings, there would be a "coordinating committee" to see that good things came to the meetings; they would also handle the routine matters. Of course it could abuse its privileges but an attempt would be made to make it somewhat representative of various areas in the University. A stab was made at this, recognizing that it is impossible to do exactly so with only 11 members (14 including the Dean, Secretary and a non-tenured person). Further protection from abuse by the coordinating committee would be available, since all of its actions would be communicated to the Faculty and opportunity to override what it had done is provided.

In concluding, Professor Ewing wanted answers from the Faculty on five questions: (1) does one want a change away from representative government? (2) if so, does one favor the idea of a first and second hearing on an issue? (3) if so, is the 75 vote margin suitable? (4) does the concept of a coordinating committee seem acceptable? and (5) if so, do we elect it at large or attempt some distribution over the campus in its constituency? The committee would welcome letters, since if Review and Procedures sees fit to go ahead,

*See Minutes of February 15, 1978 for correction.
there will be a real heavy job before us and they want assurance that it would not all be for nought. He moved the adoption of Resolution #1:

RESOLVED, That this Faculty requests the Review and Procedures Committee to continue the development of its proposal by drafting the necessary amendments to the Organization and Procedures of the University Faculty in order to implement the concepts developed in their report dated September 12, 1977, and including such additional concepts proposed at this meeting of the Faculty that appear to have majority support.

This was seconded and floor discussion proceeded, the Speaker recognizing Professor Robin Williams, Jr., the Henry Scarborough Professor of Social Sciences. Professor Williams said that he had had a hand in setting up the FCR, so his support could be understood. To go back to the old miscalled "town meeting" would be utter disaster, he feels. It never worked and never will. In the old days, there were two kinds of meetings: Those with no quorum and those approaching mass meetings where hasty motions were made, frequently reconstructed on the floor, and later regretted. The FCR has preserved the committee system, members come from constituencies allowing any Faculty member access to participation in proposing legislation, any Faculty member can attend and speak his say. True, the committee structure was cumbersome but he urged that we modify the FCR rather than abolish it; that would be terrible.

Associate Professor David Wilson, Biochemistry, Molecular and Cell Biology, a former member of the FCR and now of the Ewing Committee, said that he saw as much disarray in the FCR as he saw in the old days. Given proper handling, he saw the coordinating committee as easily functioning quite well; it would bring only substantive matters to the Faculty meetings. It might just work but there is clearly no assurance that any system will work; apathy is probably with us whatever route we take. He would like people to feel free to come and say their piece and vote their way if they choose.

Professor John Whitlock, Parasitology, against the motion (the Speaker attempted to recognize speakers alternately pro and con), said he didn't understand the problem solving approach on questions of the here and now, by trying to solve problems of six years back instead of coming out with detailed discussion of what's wrong with the FCR. He's heard there was a quorum problem; but the FCR has only lost a quorum once he thought. Committees admittedly are hard to get, but they always were; their work and that of the FCR is ignored by the whole "black box" administration. He asked the "old timers" to recall what he thought was the last "town meeting" of 200-300 Faculty--parking
was the burning issue. We passed something regarding it and the Trustees just ignored it; 200-300 was not representative. To get attention, you have to speak for the whole Faculty and the only way to get this with 1500 members is by representation. The present arrangement was done through hard and long labor under Professor Pasley and it was made elaborate because of vocal concern around that the FCR would take off across country and means had to be included to hold it down and keep everybody happy. That's the problem.

Professor Albert Silverman, Physics, said that he felt that the FCR had really not worked as well as others seemed to think. In the straw poll—which he did not see--80% of the respondents apparently did not like the FCR; he's not sure why the result came out that way. But he senses that people do not feel an integral part of this body and that's a bad thing. In the older way, if a person felt strongly about some issue coming up he could appear and argue over it, a far happier situation than is now the case.

Professor Isadore Blumen, ILR, wanted to say a few words about how we got where we are. He said the impression now abroad was that there was a vote of the Faculty about a change in structure. There was no such vote - it is totally improper; the rules don't provide for such a vote by a ballot; you need to discuss, raise questions, persuade and influence by debate, so it couldn't be any kind of a vote.

Some items in history were omitted by the Dean, he said. On the record, this business surfaced, according to the Dean, because Dean Harry Levin in his wisdom made a statement in his annual report calling for a "town meeting" arrangement. Only three groups read it—the administration, the Arts College and insomniacs. Why wasn't the issue raised appropriately in a Faculty meeting? He does not know. But the Dean brought it to the FCR floor rather than let it drop. It was greeted with apathy—dull, dead apathy. So it was put on an agenda for the next meeting to discuss the idea. There was enormous, overwhelming and overpowering apathy. Big meeting—thirty people showed up—no one was interested. How to drum up interest? Let's invent a new vote called a straw vote: Should we change the system? But it wasn't properly put—it said the present system is no good—will you join me in making a change? So we have it and get the lowest vote in Faculty history. If the vote in a Senate election were as small, the Trustees would throw it out—grounds for abandoning the University Faculty. So what happens? 80% of those responding might consider a change—the Dean said 80% of the Faculty might do—the same number that voted against the original referendum setting up the FCR. So how to proceed next? You've got to hustle; better create a committee—make up a subcommittee of Review and Procedures. So a committee was created, not a proper committee.
At this point the Dean raised objection that the Professor was not speaking to the motion--that of Resolution #1. He was overruled by the Speaker and professor Blumen carried on. This was simply a hustle; the Dean can't appoint a subcommittee; only the Committee itself can do that. So after a report at the last meeting, the special meeting came up; you're going to be hustled for special meeting after special meeting; big enthusiasm. So we get 70 people out. No excitement - you know it and I know it.

So we have a committee deliberately set up to avoid the rules and they tell us they'll set up a democratic government. Who's kidding who? Not in this authoritarian way of people who don't believe in democracy do you get democratic government. You get democratic government from people who believe in the rules we set down.

What's going to happen now? What's the purpose? It's not to get Faculty participation. We have that much greater in the FCR than before except in times when we had buildings burning. He doesn't want to go back. He spoke of former Dean Miller's support of the "town meeting" and nostalgia for the old days. He has no nostalgia for the old days. The purpose is not to give everyone a chance to speak or participate. We have those opportunities. Take the example of Dave Wilson: What's the matter with the FCR? We had the Cranch Report - a lot of people were upset with the Cranch Report. We had special meetings, non-members spoke, we had a working structure and we put together a response. Professor Wilson knows this; he was on the response committee. This present movement is a hustle. If we go back to the proposed procedure there will be lots of Faculty meetings, controlled by relatively small minorities who come and want to be heard but not to speak. (Raucous laughter) He mentioned the meetings on the Ky incident. (Here the Secretary got lost in the torrent.) Let's not go back, he concluded finally.

Following this declamation, Professor Raymond Bowers, Physics, congratulated the committee dealing with the problem and he strongly supported the motion. He raised the question of Professor Williams' historical note about the alleged deficiencies cited in the old system. He did not want to argue the point but wanted the justification for his saying there was much repetition; he himself did not recall such. If the allegations were valid, it still must be recalled that it was an extraordinary period in Cornell history that not even the FCR would probably be able to handle. This is not 1969. The FCR has not had to deal with such problems. He has no memory parallel to Professor Williams' view that there was much dissatisfaction of the Faculty then. He has asked people if there was and seems to find none. He agrees that we had trauma and
turmoil aplenty but let us not be deluded into believing that the FCR could do very much better and possibly not as well.

Professor Norman Potter, Food Science, also went back in time. He came in 1966 before the bad days--was something of a virgin in Faculty doings. His impression was one of fascination and recognition that very few are good orators, everyone else listened.

Professor William T. Keeton, the Liberty Hyde Bailey Professor of Biology, spoke in favor of the proposal, asking whether we feel that being a member of a Faculty is important. He thinks it is very important that members feel a part of the organization. An important aspect is the informational function of open meetings--people see how things are done, see the established members in action and get a feeling for who is who, their views, etc. Few today have any such feeling of being part of the Faculty and he thinks that the demise of the old system has contributed to this feeling of isolation. He had experience on the Nominating Committee and found it very difficult; people he asked to serve confessed to no knowledge of what the Faculty does or of its issues; they were left out. He used to go to Faculty meetings but has himself only been to two FCR meetings, once as a committee man; he doesn't feel great freedom to sound off. If he feels this way why should not also the younger Faculty person. And in voting: People don't vote because they get no idea in a one paragraph biography about who to vote for. And they don't know them. In not having the town meeting format, one has lost out in learning of attitudes of colleges and their problems. Losing this has only enhanced the apathy. He admitted that the town meeting is inefficient but thinks that is outweighed by the learning it provides. He allowed as how the coordinating committee could be improved in its make up.

Professor Albert George, Mechanical and Aerospace Engineering, said he came in 1965 and also found Faculty meetings entertaining and fascinating. It was disturbing how things were done in the olden days. Meetings were not at all representative--there was always most adamant pro or con. Now anyone can go to the FCR and speak but one doesn't have to feel that he has to come to protect against some nonsense put over by a non-representative body.

Professor Jay Orear, Physics, made comment on the remarks of Professors Williams and Keeton. He also came a long time ago--in 1958--and he first felt himself a stranger. But he went to Faculty meetings and got the same reaction as Professor Keeton. It was in the greatness of Cornell that he came to feel that he knew personally those speaking; he could even speak to the President. He has never spoken to Keeton, Williams or Blumen, but he feels he knows them and in the old format would not hesitate to do so, where now with the FCR, that
opportunity is gone from him. There is a psychological reluctance to attending
the FCR meetings. He personally did not feel the old meetings were either
large or small (ignoring the 1969 crisis). He thought the agendas were rather
well planned—perhaps too well planned, an issue was worked to death like the
calendar. This brought a bit of laughter and when reminiscing about what he
thought was a Bowers committee on ROTC and the Speaker reminded him that he
was speaking for the motion, a gale of laughter resulted. He felt personally
about the physical education as he did about the big ROTC meetings; they were
well attended and a good decision was reached. He feels the physical education
needs a similar decision and should be considered; the Arts Faculty ventured
a year ago to ask that the physical education requirement be abandoned; Arts
professors aren't that much different from other professors but to date the FCR
has not yet debated it. Something is wrong that they have not done so after
so long a time.

Professor Bowers wished to state that he had never been any part of a
Bowers Commission on the ROTC. (Much laughter)

Professor Whitlock wished to correct one historical impression on the
greatness of the old system. In the days of the Senate formation there was a
transition committee of some sort, from the Constituent Assembly to the Senate,
the only professors on which wound up being one Professor Matlack and himself.
The Trustees were not buying on to the Senate document and so there was some
negotiating to be done. They negotiated with administration and Trustees. The
two Professors were called in to the Faculty Council and urged to be a little
dishonest, "fudge a bit", and go out there and hold your elections. So that's
what went on at the level of the old Faculty Council; the lousiest advice he
ever got. Let's not be too roseate in looking at the past.

Professor Richard O'Brien, Richard J. Schwartz Professor of Science and
Society and Director of Biological Sciences, said he came in 1959, looks around
today and can't find anyone of youth present. We may have slaughtered in the
minds of young Faculty the idea of participation. He did not want to be
critical of FCR members but there are problems with representative government.
By definition they are selected because they have time and so many an authoritative
voice is lost since possessors of such voice cannot give the time commitment
necessary. He did not see it as a great disadvantage that in one "town meeting"
one group would be there and at the next, another; just what it should be. It
is appropriate that meetings draw those who are interested or involved in an
issue. He urged people not to talk of representation - its a misnomer; his own
representative does not come around to consult with him for his views on this
or that for reasons he entirely understands. That's the advantage of being able to come to express one's own views. What we have is really not representative therefore.

Professor P.C.T. deBoer, Mechanical and Aerospace Engineering, raised a question to the committee about the requirement of motions having to be announced in advance. In times of emergency might not this be too long a time? We will have emergencies and with this move these decisions will be put off. There ought to be a procedure for handling that.

Professor Ewing acknowledged that the committee had stewed over that but felt that if great crises came up, special meetings could be called.

Professor Williams was allowed to respond to Professor Bowers. Going back to 1946, his perceptions were that things were not all that good even in times of no crisis.

Professor John W. Wilkins, Physics, had a viewpoint to make, not on whether this or that proposal was optimum but whether it is not time for any new proposal. Those working on the Senate realized they were not setting things up in perpetuity. Accordingly, the Senate did die on schedule and now we are with the FCR. To get interest, you change the ground rules--the Hawthorne effect (something about time-motion studies at Western Electric as a function of changes in operating conditions - change anything and productivity goes up). There is certainly evidence of apathy. He unfortunately served as Nominating Committee Chairman in the Arts College to find college representatives in the Senate and the FCR. He finally found it impossible to get Senators and now four years later finds it impossible to get FCR representatives. Roughly 10% of the Faculty was involved in both bodies so the turn around time is really very high even only with the FCR. He is afraid it is time to consider a change.

Professor David Novarr, English, as a member of Review and Procedures, said the Committee got into the act because changes have to be made, if for no other reason than that the Senate is gone. We don't know where we stand on the question of governance and he himself has wavered in position. He also goes back in time and finds memories both pleasant and horrible. He thought the report made very good sense, was intelligent and sensible, had not quite expected that a Committee member would be making the motion. With the "great" turn out he wonders about it; if you can't get even 70 members of the Faculty to come to this meeting and talk about change in governance, it should tell us something. He thinks the resolution under discussion is perhaps the wrong one and we should be debating Resolution #2 on the handout, i.e. changes in the FCR.
However, Professor Donald Baker, Law, draws exactly the opposite conclusion from the same evidence which one might expect of a lawyer, he said. We've lost the sense of a Faculty. The present participation consists in taking transactions from the mail box sent to us from the Dean's office and depositing them in the trash; governance is considered irrelevant. There is important psychic value in open and full meetings.

On being asked by Professor Silverman what could happen in principle to the resolution being discussed, the Speaker said it could not be voted, but will remain on the floor.

Professor Norman Penney, Law, as a mugwump, finds his position somewhere in the middle. He sees a loss of community in not having the old style meetings but sees the FCR as not all that bad in serving as a representative body on many things. It is too large and the committee structure is too cumbersome. If nothing else, we could surely do a lot of surgery on the committees. Having done that another objective could be addressed: we could go back to a town meeting on the big issues and let the FCR handle the more routine matters.

Professor George Gibian, Goldwin Smith Professor of Russian Literature, wished to make one point. While he is mostly for the motion he takes exception to some things being said. He does see some younger people in attendance and says it is not fair to blame the FCR for their lack of attendance. Today's attendance is very poor, not only of the young. Even in the Arts College Faculty meetings attendance is very poor, young people don't show and there we have open participation for all. Lack of enthusiasm is not restricted to the FCR. Something has changed. In a decade the University has changed, spirit and Faculty attitudes have changed; the country has changed, it can't all be charged to the FCR.

Professor Blumen was rebuffed in attempting to gain the floor and the Speaker apologized to him if he was being treated unfairly.

Professor Mary Purchase, Design and Environmental Analysis, was mildly against the resolution and was not sure the FCR deficiencies would be corrected by the town meeting. The deficiencies relate to the committee system. She would like to see the #1 Resolution defeated so we could work on #2. Faculty participation here even today is not good--she would hate to go back to the older way, prefers representation. The Speaker reminded her that she could move a substitute motion. Except for the lateness of the hour she would have done so.

Professor Charles Levy, English, thought that Professor Whitlock's remarks were very much to the point. We should make the Faculty voice heard by
Administration. The Administration had recently made representations to the U.S. Senate relative to a new mandatory age for retirement, seeking exemption from the provision for universities and some professional people. This lobbying was done, so far as he could discover, without any consultation with Faculty. He urged that something be done to give Faculty a recognized voice. He wonders what it is in the history of the FCR that gives one any hope that a Faculty voice will be found that will be listened to even in a continuing FCR.

Professor Blumen was recognized, there still being time available and no new speakers seeking recognition. He remarked first that when one reaches the age of a Professor Bowers, O'Brien or a Blumen, one does not rely on one's memory; one goes to the minutes. He has done so. First, there is within them continual and repeatedly expressed on the floor, dissatisfaction of the Faculty and of the Faculty Council, on which Professor Bowers sat. Second, the notion of Professor Baker that present dissatisfaction represents a new trend of people opposed to representative government, is false. Who spoke against the FCR when it was being set up? There was a man named O'Brien and others speaking against it here today. So it's the same old gang out for it.

Things got a little out of hand at this point when Professor Wilson said that he had voted for it, and others chimed up quite in confusion.

Professor Blumen then went on to his third point: We do have young people participating in the FCR. We purposely built it in that assistant and associate professors would be involved; we wanted their participation. Fourth: Do the people in the FCR represent their constituencies? He does not know how it is in the Arts College. He was, however, once involved in the FCR in a reorganization of class scheduling and there was complaint over the proposed plan. He was told by representatives of Physics and Chemistry that their people found the plan impossible and hopeless. So there was representation. Finally: To get people to run for things is terrible; it's an old problem. It is an open scandal that in the selecting of a Dean, it was almost impossible to find three people to run for it. Instead of debating how to make the Dean's office vigorous and effective, we instead discuss whether we can avoid psychiatry and feel more comfortable and homey in getting up and talking to our colleagues.

At 6 p.m., Professor Russell Martin, Parliamentarian, moved adjournment, which cut the session off sharply. All was not pleasantness in the disbanding.

Paul L. Hartman, Secretary
The Speaker, Professor Peter Stein, called the meeting to order at 4:35 p.m. While waiting for a quorum to arrive, he called on the Dean of the Faculty, Byron W. Saunders, for his report.

1. REPORT OF THE DEAN

Dean Saunders said he was asked to express the President's regrets at having to miss this FCR meeting; a meeting of the Executive Committee of the Board of Trustees has detained him.

Regarding the Inauguration the next day, the Dean said it would be a rather routine academic operation - probably with some silent demonstration on the part of students who want to make sure that their concerns over the tuition and financial aid messages are known.

The Campus Council is operating although with vacant seats on some of the committees. If any Faculty are disposed to serve on any of those committees, Dean Saunders said he would plead with them to come and see him. Presently there are two vacancies on the Council Committee on the University as an Employer; one vacancy on the Priorities Committee, which is the successor to the old Senate Planning and Review Committee (the budgetary review group); one vacancy on the University Union Board of Governors; one vacancy on the Student Health Committee; and two vacancies on the Transportation Committee.

Dean Saunders said the only other comment he would make, having received many inquiries, is about the article in the day's Sun concerning the calendar and the proposals of the Campus Council to start after Labor Day, inject a mid-fall semester break and to end a little before Christmas. However, such major changes cannot be implemented without the approval of the FCR. The Executive Committee, at their last meeting, did discuss the calendar issue in response to an inquiry from the Provost regarding particular aspects of the calendar. On behalf of the Executive Committee, the Dean said, he has since replied to the Provost saying that the aspects were too complex to deal with rapidly at this time; therefore, the Executive Committee suggested that further consideration of the calendar be held in abeyance. Whether the Provost will feel the pressure from the Campus Council or not, the calendar will ultimately come back to the FCR before any major changes are made.

The body was still two members short of a quorum but the Speaker proceeded to the next item on the agenda, calling on Paul Hartman, Secretary of the Faculty, for a motion to confirm the Executive Committee's action in approving the ILR/Baruch Master's Degree Program.
2. **ILR/BARUCH MASTER'S DEGREE PROGRAM** *

Professor Hartman called on Dean Saunders first to explain why the motion was necessary.

The Dean said the ILR/Baruch Program is one which has been in the works for upwards of two years, when it was first raised with him. At that time he determined that there was no Faculty action needed because the nature of the program was not disturbing anything, either the current degree structure or programs which had already been approved by this Faculty. That has since changed because during the late spring and over the summer, some changes had to be made and there is a different degree designation now than was true at the time, namely a Master of Science in Industrial and Labor Relations, M.S. (ILR). This is still intended to be a professional degree program but the current professional degree approved by the Graduate School and approved by this Faculty is the M. (ILR). Because of the change and the concern that the program is sufficiently different, it was felt it should be looked at by the Faculty as a whole. The program has been approved by the ILR Faculty, was referred by them to the Graduate Faculty, was dealt with by the General Committee of the Graduate Faculty and approved by them and then passed on to us. Going the full route, it would also have to go to the Trustees. The FCR Executive Committee, acting under their emergency powers, did approve the program on behalf of the FCR and now seek the necessary affirmation of the action. The Trustees approved the proposal about an hour previous to the present meeting, subject to the confirmation of the FCR; all quite out of sequence. A quorum now being present, the Speaker asked Professor Hartman to move the motion.

Professor Hartman moved that the FCR confirm the Executive Committee's action in approving the ILR/Baruch Master's Degree Program. After being seconded and with no further debate, the motion passed unanimously.

The Chair recognized Walter Galenson, Jacob Gould Schurman Professor of Economics and ILR, who had a motion to introduce.

3. **RESOLUTION RE PROPOSED BILL CONCERNING MANDATORY RETIREMENT AT AGE 70**

Professor Galenson moved the following:

RESOLVED, That the Faculty Council of Representatives, speaking for the University Faculty of Cornell University, expresses its opposition to the denial to university professors of the same retirement rights that the Congress is mandating for all other citizens of the United States. The State University of New York and many other leading universities already provide for professorial retirement at age 70, and there is no valid reason for continued age discrimination at Cornell. The Faculty requests the Dean of the Faculty to raise this question as a matter of urgency with President Rhodes and the Cornell Board of Trustees.

*Attached as Appendix A
The motion was seconded.

Professor Galenson said there is, at present in the United States, an act called the Age Discrimination in Employment Act that makes it illegal to discriminate against anyone in employment on the basis of age, up to 65. That is law. Essentially what current Congressional action is intended to do is to raise that age to 70. The House of Representatives has enacted an amendment to the existing law raising the age to 70, without any exceptions, by a vote of 359-4. The Senate Committee on Human Resources, which has Senate jurisdiction over the legislation, reported out a similar bill with, however, two exceptions - they exempted all teachers with tenure, and corporation executives with pensions over $20,000 a year - a rather limited group of people. This was amended on the floor of the Senate to eliminate all teachers except university professors. An attempt by Senator Cranston of California to remove the professor exception was defeated by a vote of 48-45. The bill, with this amendment and with the $20,000 corporate executive amendment included, passed the Senate by another huge majority. There have been several meetings of the House-Senate Conference Committee to try to resolve this difference and they are stuck mainly on this professors exception. We are the ones who are holding up the rest of the people of the United States. He read the following letter from the Secretary of Labor, setting forth the position of the Carter Administration on this issue:

"On September 23, 1977, President Carter sent a letter to Senator Williams and Senator Javits, the Chairman and ranking minority members of the Senate Human Resources Committee concerning this legislation, etc. In his letter, President Carter stated that he has long opposed the concept of arbitrary age discrimination and that he supports the principal of the proposed amendments. He also pointed out that this administration has testified in favor of legislation which would remove the mandatory retirement ceiling for federal, civil service employees."

(which, by the way, is 70). So there's no question that President Carter will sign this bill when it gets to him. The issue that is before the Congress now is simply whether professors are or are not to have the same right as all other citizens of the United States. It's as simple as that. Professor Galenson said he is told that there is fighting on the $20,000 corporate executive pension issue and that is likely to go out. At least the pension will be raised so high that it won't affect many people. It's been interesting to see how and why this whole thing developed. The professorial exception was secured through a very strong lobby by private university presidents - particularly the Ivy League presidents - and he believes also the American Council of Education.
And, as one of his friends down in the House described it, it was kind of a
class struggle. A fair number of the members of the United States Senate are
graduates of Ivy League universities and personal approaches were made to them
by the presidents of their universities, by members of the Boards of Trustees -
telling them that their alma mater was going to go under unless they voted to
eliminate professors from this group. On the House side, there are relatively
few members of the House who are graduates of Ivy League universities - they are
the proletarians - and there's no sentiment in the House to knock us out of the
bill. The first organization to attempt a counter lobby was the American Federation
of Teachers. The first reaction of the American Association of University
Professors was to appoint a committee that would report back in six months. They
got the message from some of their members that this was not enough and so they
have now come out loud and clear against this exception. A telegram sent to
the House-Senate conferees on October 28, signed by Morton S. Baretz, General
Secretary, AAUP, reads as follows:

"The National Council of the American Association of University
Professors, which represents 8,000 faculty members at over
2,000 colleges and universities, has adopted today the following
resolution and instructed me to send it to you: 'The AAUP
emphatically urges the rejection of section 7a of the Senate
version of HR5383, the section excluding tenured faculty
members from protection under the amended Age Discrimination
in Employment Act of 1967. Whether institutions of higher
education should generally remain free to determine their
own retirement policy is an important issue that the AAUP
has not yet had an opportunity to resolve. The bill
currently under consideration by the Conference Committee,
however, does not exempt institutions of higher education
from its provisions. Rather, it includes institutions of higher education forbidding them to retire any person until
age 70 except only for such members of the faculty as may
be tenured. These persons and these alone, the bill would
exclude. A distinction in the Federal Statute that would
permit the forced retirement of a competent tenured teacher
or scholar five years earlier than it would permit the
forced retirement of any other competent person is profoundly
repugnant to the principles of the American Association of
University Professors. It rests on no sensible policy at all.'"

Professor Galenson also read a communication received from Mr. Alfred D.
Sumberg, Director of AAUP Relations with Government, indicating that the AAUP
statement had had an impact and suggested talking to Senator Javits.

On the Cornell campus, Professor Galenson said he has heard of only two
formal reactions from the Administration. The first was a mailgram which was
sent by President Rhodes on September 16, was addressed to President Carter,
and the Secretaries of HEW and Labor, as follows:
"I wish to express deep concern about the proposal to raise the minimum mandatory retirement age to 70. In the case of university faculty this means there will be virtually no openings at the junior level for the next several years. Senior faculty do not retire early voluntarily and general academic retrenchment has already severely limited the openings. The vitality of this major segment of society is jeopardized and so is the hope of progress in affirmative action. At a minimum, I urge the specific exemption of university faculty."

The second reaction was an article in the Chronicle last week where President Rhodes was quoted as saying the following:

"I've taken the view as an individual that what we would really like is an exemption that would allow us time to look at the implications of this and then work out, as we tend to in universities, in consultation with the faculty and in consultation with the trustees and the deans, some kind of flexible program which would allow incentives, which would allow early retirement for people who wanted it and which would allow the creation of imaginative, phased-retirement plans instead of sudden retirement plans, and which would recognize different needs between different institutions."

Professor Galenson said we did get support from the Cornell Sun. In two editorials they supported the faculty and they said there should be no faculty exemption.

The policies of the Board of Trustees of the State University of New York (SUNY) provides that tenured professors shall be mandatorily retired at age 70. In other words, everybody in the entire State University system, Binghamton, Cortland, etc., can retire at 70. However, executives and administrators have to retire at 65. If the Senate version goes through, it will be just reversed for Cornell - administrators and executives will retire at 70 but professors retire at 65. During the past five years, statutory college salaries have been closely tied with SUNY's - we get our budget through SUNY. Our fringe benefits in the statutory colleges are the SUNY benefits; we are on the SUNY payroll. Professor Galenson said he is surprised that it has been possible up to now to retire members of the statutory college at 65, involuntarily. He is certain, now that it has become an issue, that if Cornell attempts to maintain the 65 year rule, there's going to be a lawsuit on the part of the first guy who reaches 65 who doesn't want to retire. It is the impression of Professor Galenson that most of the large state universities - including the University of California and also the University of Michigan, interestingly enough - already retire at 70. This is fairly common among the state universities.
The administration lobby has been pretty well confined to private universities. Many of them, including Harvard, have more liberal retirement rules and the faculty member has the option at age 65 of staying on full time until 67 or half-time until 70.

An interesting feature of this legislation, is that it's going to grant de facto tenure. An awful lot of people in the United States have tenure - high school and elementary school teachers; federal, state, local, civil service people -- all have tenure. Anyone working for a large corporation under a union contract having any degree of seniority, has tenure. But this bill is going to do a rather peculiar thing: practically everybody in the over-60 year category is going to have tenure. If a man is approaching 65 and his boss says to him - whether it be a university boss or a private corporation boss - "well, it's time for you to leave", he is going to run to the nearest anti-discrimination agency and allege he's being fired because of age. There have been a lot of these complaints already under the 65 year rule. The Department of Labor is responsible for policing it. The burden of proof is going to be on the employer to show that this person is incompetent, is being fired not because of age but because of incompetence. Professor Galenson said he has arbitrated a number of these cases - in a different context - and it is very difficult to show in the case of a long service employee. If a fellow has been with you for 15 or 20 years and suddenly at 62 you say he's incompetent, you have to show that he's physically or mentally incompetent; clearly, you can't fire him unless you do; he's got tenure until 70.

Professor Galenson said he hoped in the debate that the question of retiring at 65 or 70 would not be entertained. That has already been decided - it's going to be 70. The only question is whether professors alone should be denied the option of staying from 65 to 70.

The Speaker said the floor was now open for debate.

Professor Andre Jagendorf, Botany, Genetics and Development, said that from the university's point of view, not being able to retire somebody at 65 who's in a position of tenure, is asking to have one's cake and eating it too. He said the argument that people have effective tenure is not relevant. The change to 70 retirement in the University of California is quite recent and there are many faculty people there who see it as a coming disaster. On the whole, he feels the University would be in a sounder position if we don't take this position.

Professor Robin Williams, Jr., Henry Scarborough Professor of Social Sciences, said the issue of the Chronicle of Higher Education of November 7 reports the
results of a study carried out across the nation. The number who say that they wish to go on to 70 amounts to seven percent of the total population, and many of them are at 70 already. Naturally enough, most of the people said they would respond by earlier retirement if there were appropriate changes in this amendment. The interesting fact in view of the talk about keeping on dead wood is that those who want to stay on, have the highest scholarly attainment by every objective measure. There is a very strong relationship between publications, research commitment and a desire to continue. Highly productive people want to continue to be productive - they love doing it, they can't help it. In the nation as a whole, the results of recent studies published in the Newsletter of the Institute for Social Research at the University of Michigan, show that more people are now planning early retirement across the board of occupations. What we are talking about is a small group of people who wish to continue to do the thing they love to do best and which they do best. A great many people are going to voluntarily retire because of ill health, family obligation, the feeling they've done their part for God and country and students, etc. All they're talking about is an effort to enclose an arbitrary exception on the kind of group of highly committed people. Professor Williams fails to see any moral justification for it. As he looks to our respected President Rhodes, he finds particularly difficult to understand the effort to drive a wedge between the younger and older members of the University community and the assertion that affirmative action and opportunity for the young are dependent upon a forceful ejection of a small group of people between the ages of 65 and 70. Who's kidding whom?

Professor Geoffrey Chester, Physics, said he wished to take up two points. One is that the main thrust of this resolution seems to be to prevent discrimination. If that is the case, he can't understand why it is necessarily a benefit moving five years to 70, why it is any less discriminatory at 70 than at 65. He said the faculty is putting itself in a somewhat contradictory position by agreeing to a 70 retirement age; any mandatory age should be opposed. Secondly, the small number of people that Professor Williams refers to between 65 and 70 who may wish to stay on, puzzles him; why do so many people stay on to 65 now? Professor Chester said he thought it was determined essentially by the financial effects of early retirement. If no substantial financial benefits are coming forth with early retirement, he suspects the vast majority of people will stay on to between 65 and 70; that is not necessarily a small group. Regarding the tenure question, Professor Chester said he has the general perception that tenure for a faculty member in a university is a much more powerful and potent form of tenure than tenure say in a school system.
Professor Ephim Fogel, English, said he finds something very disturbing in what Professor Williams said about an attempt to drive a wedge between the generations. A Vice President at Cornell was quoted in the Wall Street Journal some years ago as saying there ought to be an alliance between administration and students against the do-nothing, unimaginative, and generally old codger faculty here. While he did not become President of this University, he is now president of a major university. Now we are hearing from presidents everywhere in the Ivy League, raising the same question: what is going to happen to the young? Professor Fogel finds it hypocritical because as employers, universities use all sorts of personnel, many of them young, at reduced rates of pay and any number of lecturers without any place on the ladder, who may teach in this or that division of the university, at whatever age, 25, 35, or younger than that, are taking up teaching duties which could be taken by young assistant professors. None of that is ever mentioned. It seems to Professor Fogel that there is an economic question here, particularly affecting people who are now in their 50's or older, and that is the very low rates of pay received when they started to work and consequently the relatively smaller amounts that went into pensions. He said when he came to Cornell you could be an instructor for eight years before you became an assistant professor. As an instructor there was no retirement contribution whatsoever from the University or from you. That began at the assistant professor level. Social Security began sometime in the 1950's. Anybody who has been looking at its reports, TIAA/CREF (especially CREF), may have noted how much the benefits have decreased. Professor Fogel said he himself plans on retiring at 65 but if x years from now, when that time comes, there has been a continuing terrible inflation and he wants to preserve some of his benefits, which he did not earn in the beginning of his career, he feels he should have the benefit of staying on.

Professor Ian Macneil, the Frank B. Ingersoll Professor of Law, said he would like to restate what Professor Galenson said; namely, the only question is whether professors alone shall be denied this right? It should be restated as: will only universities be afforded the opportunity to avoid in some measure, this thoughtless legislation? At a time when teenage unemployment in the ghetto is running at 40%, and teenage unemployment among white kids is running at 20%, and the overall level of unemployment is running around seven percent, it is indeed thoughtless for a Congress, without making any significant study whatsoever of the impact of this kind of legislation, to raise the limit on mandatory retirement. It was done for one reason only, and that is the
increasing political power of the older people in this country. He noted Professor Williams' remark about the undesirability of driving a wedge between older and younger people. Professor Macneil said he could not think of a better way of driving such a wedge than for a body such as this one, which is dominated to considerable measure by tenured professors, and which does not have a single representative upon it of the many people who will be seeking employment as faculty members at this University over the next five years, than to vote in favor of this self-interest legislation.

Professor Herbert J. Carlin, the J. Preston Levis Professor of Engineering, said it is clear that opposition to this motion is not addressed to the motion, but is addressed to the basic legislation presently before Congress concerning the change of retirement age for the entire population of the United States. The motion opposes the exclusion of a small group from the provisions of that legislation. If Congress in its wisdom and study, had decided to reduce the mandatory retirement age to 60 in order to make room for the young in employment, then it seems, Professor Carlin said, that the professorial community would agree not to be exempt from the restriction. The point of this measure is not the basic philosophy of the legislation. That's something for each of us to take up with our congressman. It is purely an exemption of a small group of university faculty who will have essentially epsilon (and epsilon approaches zero) effect on employment for the young. It is our contention, therefore, that this exemption should not be carried forth; the motion is addressed to that point and that point only. We are opposed to discrimination against college professors in this context.

Professor Sydney Shoemaker, Philosophy, said he agreed with Professor Macneil's remarks and wished to follow up with something Professor Chester said, namely, that many professors will avail themselves of an additional five years if it becomes available to them. A little reasoning reveals that there will be continuing incentive for more and more people to do so as the years go on. If people do go on to 70, then people will not be hired at a younger age. One should remember that the people who would have been hired at the younger age, would be hired at less than half the salary of the person that is continuing on to 70. What happens to the other half when somebody does retire? Part of the other half is used to raise up the salaries of other people and part is used to hire new people. If people in any number, do go on to 70, the amount of money for raising others up will be reduced, people will feel the pinch earlier, will feel the need to go on to 70 and if it isn't the case at the outset that most people are going on to 70, it will certainly be the
case that increasing numbers of people will go on to 70 as the thing develops. Of course, that means that fewer and fewer vacancies are going to be available for young people entering the academic profession.

Associate Professor Howard C. Howland, Neurobiology and Behavior, said that he views the decision of whether or not he should go on teaching beyond 65 as a matter of academic fitness rather than one of economics. We would not be here if economics came first. He said he tends to think that he's going to be best qualified to know whether he's competent to go on at that age to 70 or not; he was reluctant to give that decision to an impersonal administrator.

Professor Jagendorf pointed out that there are retired professors who are continuing to teach and to do research, at least in the College of Agriculture. Retirement is a change in salary, not necessarily a change in status.

Professor Galenson said he wished to amplify some of the points made. The fact is that a large number of people in the United States enjoy de jure tenure. It is not true that professors are alone. As regards this legislation being thoughtless, as Professor Macneil alleged, he said he would like to read from the testimony of Secretary of Labor, Ray Marshall. He has been the man who has been most concerned in the United States with doing something for the teenage young unemployed.

"The high unemployment rate of minority youth cannot be linked to continued employment for a comparatively few older workers. Youth unemployment must be dealt with by other means and the Department of Labor is initiating the efforts with such vehicles as the recently enacted Youth Employment and Demonstration Project Act of 1977. Mandatory retirement or forced involuntary retirement is not the solution to the problem of youth unemployment."

This is not thoughtless legislation. This legislation has been thought out for a long time. The original act was put on the books in 1967. A poll indicates that 86% of the people of the United States were in favor of extending the age - not something that is unpopular. With respect to the number of people that are going to stay on, one just doesn't know. A lot will depend on the rate of inflation. The higher the rate of inflation, the more people will want to stay on. Professor Galenson said he did an exercise centered on two departments with which he is associated at Cornell - Economics in the Arts College and Labor Economics in the ILR School. He said he has been here for 12 years. During that time in those two departments, 13 tenured vacancies were created for one reason or another. Only three were created by people retiring at age 65; the other ten came from resignations, deaths, early retirement. There's a fair turnover. Of the three people who retired at 65,
Professor Galenson said he is fairly certain that only one of them could have continued to 70. The second one died at the age of 67, and the third man, who was rather ill, managed to make it to 65 - he could not have continued.

Professor Raymond Bowers, Physics, wished to direct a question to Professor Galenson. With regard to the quotation of Secretary Marshall, who said manipulation of mandatory retirement is no solution to the problem of unemployment for young people - would Professor Galenson go one step further and assert that the extension of the retirement age to 70 will not impede the acquisition of faculty at the junior level in the university system? No problem?

Professor Galenson replied that he thought the problem would be minimal. The people who have been lobbying for the exemption have come up with no figures that he is able to discover. Why didn't these university presidents produce figures? He said he could give one figure. There are about 10,000 professors in the SUNY system. The number of professors between the age of 65 and 70 is 12. That does not seem much of a problem.

Professor Williams referred the body to the last paragraph in an article in the Cornell Daily Sun of October 17, a quote of J. Robert Barlow, Assistant to the President, which says: "If the exemptions are removed, the university will try to get a 'grandfather clause' that would keep the retirement age at 65 for already tenured faculty." So even if we get the national law without the exemption, according to the President's Assistant, the University will nevertheless seek to assure the tenured professors that their services are appreciated, and will turn them out to pasture at age 65. An additional point of information is that President Rhodes said he had no idea what percentage of tenured openings are the result of mandatory retirement.

Associate Professor Nicholas L. Sturgeon, Philosophy, said he agrees that it is very upsetting that the President of the University took it upon himself to speak for the University without consulting the Faculty. He wished to go on record, however, as saying that he thinks it reasonable to assume that professors, looking at what's happening in the academic field, and given the opportunity, will stay on and will have some noticeable affect on openings in the field, thereby making a disastrous situation even worse. He opposes the resolution.

Professor Roger Battistella, B&PA, said he had an open mind to this point; he is impressed, ultimately, by the fact that the only data available to us does come from those persons who argue in favor of waiving the present exemption.
Given what's at stake here, he would have thought that presidents of the nation's most prestigious institutions of higher learning and their boards of trustees, would have felt it advisory, if not necessary, to compile an analysis, to underscore and document their point of view. In the absence of such, he would now vote in favor of the resolution.

Professor Macneil said he finds it difficult to believe that out of 10,000 SUNY professors, only 12 are between the age of 65 and 70. But the question here is not what's going to happen next year or the year after - we're talking about a long term period of time. He agrees it is surprising that there hasn't been more data on it. The current legislation came up very fast - everyone was surprised by it - there were no studies made by the Congress of any significance. The response was about what one would expect. He found the SUNY datum strange but noted that SUNY was very new and underwent rapid growth. In his own Law School there are a number of Faculty in their middle forties, all within five years of each other in age. The time bomb will not go off for 15 years or so but then we'll know it.

Professor Madison J. Wright, Agronomy, said it seemed to him that the universities are in competition with certain other segments of society for the very best and most able young scholars - with government, with industry, etc. The university has a disadvantaged position in future employment, when we appeal to young people of high ability and tell them that they can work for us until age 65 but can work for anybody else until age 70, if they feel like it. At the time they choose their employer, they are young, enthusiastic, vigorous and they think they're going to work forever. It would seem that over a period of time this will be a handicap to the universities in getting their fair share of the most able individuals.

There being no further debate, the Speaker reread the motion. On a vote call, the ayes carried.

Dean Saunders requested a division because of the importance of this issue and the reporting of it to the Trustees and the President.

The Speaker reported that the motion passed by a vote of 42-14 (with one abstention). There being no new business, the meeting adjourned at 5:40 p.m.

Paul L. Hartman, Secretary
DESCRIPTION: In order to provide the opportunity for individuals employed in metropolitan New York City to pursue graduate studies in industrial relations and related areas while continuing daytime employment, Cornell through ILR and CUNY through Baruch College will jointly offer a graduate program in New York City leading to the professional degree of Master of Science-Industrial and Labor Relations. The degree will be conferred jointly by Cornell and CUNY. Subject areas of concentration for the MSILR degree will be: Collective Bargaining, Labor Law and Labor History; and Personnel and Human Resources Studies. The Program is expected to enroll a maximum of 120 part-time students. Admission criteria for students will be the same as required by Baruch College and the ILR School for graduate degree candidates.

DEGREE REQUIREMENTS: Candidates for the MSILR professional degree will be required to complete a thesis or thesis alternative (two research method seminars) and the full-time equivalent of three terms of study; i.e., 36 hours plus thesis or thesis equivalent. Successful candidates must complete all degree requirements within four years.

ADMINISTRATION: The Program will be under the direction of a Joint Committee consisting of six members including three members elected by the ILR School faculty and three members appointed by the Dean of the School of Business and Public Administration of Baruch College. The Joint Committee will have basic responsibility for the academic direction of the Program and the approval of student selection and degree candidates. Administration of the day-to-day operations of the Program will be by a Director and Associate Director responsible to the Dean of the ILR School and the Dean of the School of Business and Public Administration of Baruch College. The Director and Associate Director will be required to submit an annual report to the Joint Committee, the Dean of the School of Business and Public Administration of Baruch College, the Dean of Cornell University's Graduate School, and to the Dean and graduate faculty of the ILR School.

FACULTY: Faculty members teaching in the MSILR Program will with rare exceptions be selected from the graduate faculties of Baruch College and the ILR School and will be full-time faculty members thereof. Program faculty members will be approved by the Joint Committee.

FINANCING: Costs of the Program will be shared by the ILR School and Baruch College. Funds for the ILR School's participation in the Program have been appropriated for Fiscal Year 1977-78 and additional funds have been requested for Fiscal Year 1978-79. Baruch College tuition and fees will be charged and will be shared by the two schools involved.

EVALUATION: A preliminary evaluation with suggested appropriate modifications will be submitted by the Joint Committee to the respective Deans at the end of the third year. Suggested changes will be submitted for approval to the appropriate institutional bodies. Formal appraisal will be made at the end of six years.

10/31/77
The Speaker, Professor Peter Stein, called the meeting to order at 4:35 p.m., indicating that, while a quorum was lacking, the meeting should get underway. He called on the Dean for his report.

1. REPORT OF THE DEAN

Byron W. Saunders, Dean of Faculty, said he only had a few things to report. The resolution passed at the last FCR meeting on November 9 regarding mandatory retirement has been communicated to the President and the Chairman of the Board of Trustees, as well as the entire transcript of the minutes of that meeting. At the President's suggestion, the Dean said, he also communicated that information to various legislators, without the minutes, to Senators Javits and Moynihan, Congressman McHugh, Assemblyman Gary Lee, Assembly Majority Leader Steingut and Senator Anderson, the Senate Majority Leader. The resolution was also presented to the Executive Committee of the Trustees at their meeting on Tuesday (December 13, 1977). Dean Saunders said, since he did not participate in the debate, that it was reasonable to ask where he stands on this issue. If he had had a vote, he would have voted with the majority simply on the grounds that he thinks the issue was one which was being dealt with for reasons not necessarily right. Reasons offered against mandatory retirement were reasons which had to do with things other than retirement per se, but rather had to do with questions of the decline in scholarly output, the inability to keep infusing Faculty with new young scholars and things of this type, where the mandatory retirement issue then became a way of at least maintaining the status quo on those without upsetting the issue. If these are real issues, and the Dean said he feels to a degree they are, they should be addressed head on and dealt with for the issues that they are. He and President Rhodes have discussed this and the President has requested Vice President Cooke, who deals mostly with appointment matters on behalf of the Administration, to take a look at this issue. Ultimately this will go to the Committee on Academic Freedom and Responsibility.

Regarding grading policies, Dean Saunders implored members to remind their colleagues what an "Incomplete" means and how it should be used, since there is a rather wide degree of abuse. He also noted with dismay, for the record, that an abundance of examinations are still not being given or are given early. This is not appropriate but we as a Faculty cannot do anything about it unless we take it upon ourselves to monitor our own departments, our own courses and to be sure that we are giving the students full value for the rather large amount that they are paying. Precisely, this can be monitored through Deans and Department Chairmen and if they do not exercise that authority, then he is not sure what else we can do.
The call for the meeting announced a report from the President. Dean Saunders noted that this is something which he has expressed a desire to do for some time, wanting to make it a regular item in our Faculty meetings agenda.

Lastly, a year ago at its meeting in December, the FCR, for better or for worse, decided that it would be appropriate if the Dean stayed in the office for one more year. Dean Saunders said that that one year is half over, and come June 30, he will be leaving for a delayed sabbatic of many years. Therefore, before that date, it will be necessary to both nominate and conduct an election for the office of the Dean of Faculty. The Nominating Committee has met and requested the Dean to put together a one or two page piece outlining the problems and responsibilities as he sees them at this point in time. A mailing will probably be going out early in January, which will both give this information and at the same time, invite comments to the Nominating Committee for criteria felt to be important for the coming term of office. He urged Faculty to consider the matter, consider the office as it reflects on their own problems and concerns and consider any potential nominees that they would like to put before the Nominating Committee for consideration. The mandate is that three nominees be named and an election conducted by the entire Faculty, one hopes during March or, at the very latest, early April, in order that the transition from Dean Saunders to a new Dean be accomplished with reasonable lead time.

There being no questions for the Dean, the Chair called on President Rhodes for some remarks.

2. REMARKS OF THE PRESIDENT

The President welcomed the opportunity to meet with the Faculty, noting that any university is as strong as its system of governance and a partial key to that governance here is the health and vitality of the FCR. He regretted having to miss the November meeting on the age of mandatory retirement issue.

He had no "State of the University" address to deliver but had a number of topics to discuss which had occupied his time during the Fall. They were discussed in his talk in no order of priority, nor in order of importance to the University. The most important work is not done in Day Hall, he remarked; that goes on in Departments, Centers, Schools and Colleges. His topics dealt with things supportive of the teaching and research activities which went on outside of Day Hall.

The most significant in terms of time devoted to it is the matter of the budget development. The basis for campus and various committee discussions has been the statement of the Provost published in the November 3 issue of the Chronicle. This merely sets out questions, policy statements, and guidelines
for the development of the budget, in the hope that there might be a campus-wide discussion of the issues before details were embarked upon. The resulting discussion was not as widespread as had been sought but it was useful. Comments made are now being incorporated in the refinement of the budget. Principally, there were three: First, mandatory salary recovery will not be pursued. There was almost wholly unfavorable response to the suggestion. Without support, there is no way in which such a program could be achieved. Second, at least for the next year, any financial aid based on merit will not be undertaken, notwithstanding a recommendation of the committee studying financial aid that a modest experiment be tried. There is a very significant difference of opinion on campus concerning that and, in view of the division at every level, it is probably not the most profitable way to go. The Provost, in consultation with various groups, will be developing alternative schemes to attract outstandingly qualified students. Third, there is the matter of cost over-runs in some budgets, which have received some publicity of late. The dimensions of the problem are not clear, but the Provost and his staff are working with Deans and Chairmen to limit over-runs this year and their impact in subsequent years.

The President warned that he did not wish to convey the impression that budgeting was the Administration's only concern. It was cited first since a budget is a statement of academic priorities; their business is not to determine detailed content of the priorities but, with Faculty help, to develop effective means for supporting them, to manage and produce resources to enable Faculty to discharge the priorities. He thought we had a long way to go before the budget is under control, in spite of our belt tightening. He cited some figures: If we increase our tuition by one percent, we raise about $380,000. If we take from that a one percent increase in financial aid, we net only $280,000. On the other hand, and the nub of our problem, if we increase salaries by one percent, that costs $450,000. With 72% of our new income next year coming from tuition, it thus takes almost a two percent rise in tuition to accomplish a one percent salary increase. He wanted also to note that in the endowed colleges, our endowment is about $20,000 per student, compared to Harvard's $84,000. If we include the statutory colleges, it is of course less. At Princeton, it is in the $60-70,000 bracket. But we have the highest level of financial aid from general purpose funds of most of the Ivy League colleges; we're one or two from the top. We've got some long term thinking to do, we must realize.

Next, he addressed the attention graphically given recently to stress on campus. It seems there is considerable opinion that a Fall term mid-semester break be incorporated in the calendar. He thought the proposal of the Campus
Council was both imaginative and responsible; but he recognized that the FCR Executive Committee felt it to be a matter of considerable academic concern. The Provost now has to appoint an ad hoc committee to make recommendations. The President hoped that it would not be necessary to "re-invent the calendar wheel". He hoped we could address the narrow question, on a short term basis at least, without taking two years to address the larger questions that are involved. His own uninformed opinion, after only a few months here, is that some kind of a limited break is advisable; how we develop that will not be simple.

He noted the various administrative vacancies present at the moment. During the coming year a new Director of Biological Sciences and a new Dean of Human Ecology must be named; search committees will soon make their recommendations. In addition, a new Director of the University Libraries and a new Dean for the College of Arts and Sciences must also be found. All of these appointments are of more than local concern.

He commented on last month's debate on the mandatory retirement. While he missed the meeting, he has received the resolution passed and minutes of the debate. We clearly will abide by whatever law emerges on the issue and will work in applying it to the Cornell situation as helpfully and creatively as we can. He was aware that it was a situation where we face competing social priorities and questions of public good. He was neither dismayed nor surprised that he differed with the body on some of such questions. It represented to him encouragement and strength in the work of such a Faculty body.

He discussed briefly Cornell-SUNY relationships over details of which there has been unhappiness for some years. These are of import not only to the statutory colleges but also to the campus as a whole in the implications for endowed teaching within those units. It was decided early this year to explore the concerns with SUNY colleagues. A number of meetings have been held, which, in spite of the difficulties involved, have been cordial and constructive. Where it will all end, he did not know. His hope was that we could remain within the SUNY system, retaining its benefits and yet achieving a measure of accountability differing from the present set-up with SUNY in style and substance, in matters ranging from budget presentations, salaries, appointments and conditions of employment.

He spoke on the problems in New York City of the Medical College and School of Nursing. The Medical College faces vacancies for seven Department Chairmen. To fill each poses a major problem; the willingness at the same time to provide major funds for improvement in both staffing and facilities. With capital financial resources having been drained to danger levels in recent years, a
serious situation will still exist for the next few years. In the Nursing School, the Baccalaureate program has been dropped but an advisory committee is looking at the possibility of replacing it with a Graduate Professional degree program which would be self-supporting. If successful and it looks encouraging, that would be a major achievement.

Finally, he mentioned the Cornell Campaign. There have been some major million dollar level gifts and good support at the more modest level of annual contributions. Some additional major gifts have yet to be announced. It becomes clear that, to maintain the momentum, more direct Faculty involvement in the fund raising will be needed—not in simply beating the bushes but in getting help and advice as specific donors are approached with specific proposals, which, in the end, have to be based on academic priorities.

In concluding, he welcomed questions.

Since there were no questions, the Chair thanked President Rhodes for his remarks and called on Mr. Kenneth Seremet of the University Counsel's office for comments on the Copyright Laws and Photocopy Policies.

3. COPYRIGHT LAWS AND PHOTOCOPY POLICIES*

Mr. Seremet said the reason he is present is that a new copyright law will be taking effect on January 1, and there are several provisions in it which deal specifically with photocopying for educational purposes, particularly for classroom use. The University Libraries are currently reviewing their policies, particularly with regard to the reserve desk policies, their photocopying policies, and their inter-library loan policies. This may have some effect on what may or may not be placed on reserve in university libraries. It's important because of the penalties that can be imposed under the statute—both the University and the individual can incur liability. For copyright infringement, the copyright owner may sue the infringer in federal courts and the penalties can be severe—can include injunctive relief, liability for actual damages and profits or statutory damages in amount ranging from $100 to $50,000. The purpose of the copyright law is to balance the interests of users who take maximum advantage of modern photocopying techniques against the interests of copyright holders who suffer possible injuries through the loss of sales if unlimited copying is permitted. The actual language of the statute is very general. It grants exclusive rights to a copyright holder to do the following:

1. to reproduce the work in copies or phonorecords;
2. to prepare derivative works;
3. to distribute copies or phonorecords publicly;
4. to perform the work publicly; and
5. to display the work publicly.

*Attached as Appendices A and B
These exclusive rights are tempered only by a doctrine called "fair use" and the doctrine states that if the use is fair, it is legally permissible and the consent of the copyright owner is not required. The new law codifies the fair use doctrine in very general terms. The statutory criteria are:

1. the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
2. the nature of the copyrighted work;
3. the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
4. the effect of the use upon the potential market for, or value of, the copyrighted work.

The doctrine is primarily an equitable rule of reason. There's no generally applicable definition possible, so each person's own individual circumstances, his own case, must be decided on its own facts. There are two sets of guidelines which have been prepared which are intended to guide Faculty members, their teaching assistants and members of University staff, in determining whether or not they're complying with the statute. The guidelines state what minimum fair use standards are so that in any photocopying which a Faculty member might do, falling within the guidelines, he can be assured that he's not infringing on anyone's copyright. Anything he does beyond that may or may not be an infringement. It's up to the Faculty member to make his own decision whether or not he's infringing on someone else's copyright. The guidelines are currently available in Dean Saunders' office. Mr. Seremet stated that anyone anticipating copying needs which go beyond the doctrine of fair use, should first check his needs with the guidelines to see whether or not he's complying, and then if he believes he is not, check with the reserve desk of any of the University Libraries to see whether it has on file a permit from the copyright holder to make copies. If no permit is on file, he should then write to the copyright holder for such. The copyright owner may then, in his discretion, impose a fee upon the person to allow him to photocopy the work.

The teacher/classroom guidelines cover:

1. single copies for teachers;
2. multiple copies;
3. prohibitions which apply to both.

The section which relates to single copying for teachers permits copying of a chapter from a book, an article from a periodical or newspaper, a short story,
essay or poem or a chart, picture, etc. Multiple classroom copying cannot exceed the number of pupils in a class and must meet strict tests of brevity, spontaneity and non-cumulative effect. Brevity is defined in strict and quite arbitrary volume terms - no more than 250 words of a poem; not more than 500-1000 words of prose. Spontaneity requires that teacher initiative and time pressures make it not feasible for him to request permission. Cumulative effect as defined, limits copying to only one course in the school; no more than one excerpt from a single author; no more than three excerpts from a given collective work or periodical in any one class term. The prohibitions are:

(1) Photocopying may not be used as a substitute for anthologies, compilations or collective works.

(2) The photocopying may not be made of "consumable" materials such as workbooks.

(3) The photocopying may not be a substitute for purchases; be directed by higher authority or be repeated by the same teacher from term to term.

(4) The photocopying may not subject a charge to the student beyond the actual cost of the photocopying.

Mr. Seremet indicated he would be happy to answer questions.

Professor Howard Evans, Anatomy, said he had read somewhere that libraries would have to keep records on what they copied; this seems to him to be out of the question for sensible reasons.

Mr. Seremet said the problem essentially to be faced is when a Faculty member wants to have something photocopied for his class. Normally, the procedure will be that he go to the library and ask the library to photocopy the material for him and place it on reserve; or he may photocopy it himself and then ask the library to place those copies on reserve; or he may try and photocopy enough copies for each member of the class and distribute them. The libraries have their own guidelines, given by the statute, which they must follow. The libraries are limited to the number of copies which they can photocopy and place on reserve without getting permission from an author - and that number is one. Libraries have a massive volume of permits which have been obtained over the last several years from various authors and publishers to reproduce certain works. The Faculty member may go to the library and find out whether permission for his material is on file. If one is on file, then there is no chance of infringement of the copyright law. If permission is absent, and the copying would otherwise violate "fair use", it is incumbent upon the Faculty member or whoever wants to do the photocopying, to obtain permission. Libraries do not have to record each one.
Mr. Seremet was asked how this process is to be monitored, if it is? He said that the libraries are going to be responsible for making sure they do not photocopy beyond what their own guidelines provide. So if one requests the library to photocopy something, one may be turned down. If one photocopies something oneself, it is going to be up to one to make the determination whether it is within "fair use". Once one makes that determination and goes ahead and does it - it is one's own responsibility. If one decides permission is needed, it's up to one to get it. The libraries will be prepared to aid Faculty members in telling them how they're supposed to go about getting permission. If the person decides he wants to distribute something in his classroom, photocopying it himself, again, it's his decision as to whether or not he's complying with the statute.

Mr. Seremet was asked if there is a substantive legal difference between making a photocopy transparency to project in front of the class and, for convenience, making single copies and distributing them to the class. He replied that the libraries have on reserve a new book entitled, *The New Copyright Law*, in which specific questions like that are answered. Undoubtedly everyone will find that his situation differs in some respect from any other.

He was asked whether, in the case of an innocent infringement, is the Faculty member regarded as an individual or is he regarded as an agent of the University? Mr. Seremet replied that it is difficult to say how an infringement action would be brought. He presumes it would be in the copyright holder's interest to sue the University, simply because it would have more funds with which to meet any judgment as opposed to those available to an individual. To that extent it is the University which stands to lose; the University must depend on its Faculty members to try to comply with the statute in performing their educational functions.

He was asked if the law applies to research articles and journals where the authors don't get any remuneration? This applies to everything that is copyrighted, Mr. Seremet replied. Most works are copyrighted - the major exception are works which are prepared by the government.

Professor Norman Potter, Food Science, noted that publishers were concerned in the past over resale of books, i.e. a book is issued, it's bought, and then it's resold to the Campus Store, and resold to a student as a used book. He wondered if any changes were to take place in that practice.

Mr. Seremet said that what you're dealing with in that case is one book, which someone has purchased and is now his own property; naturally, since it's his property he has the right to resell it if he so desires, Mr. Seremet said.
Responding to another question, Mr. Seremet stated that in a case where something is not readily available and the copyright holder is unable to make copies available, then the definition of "fair use" would expand - if one can't get a copy through the copyright holder, then one's rights under fair use would expand so one could produce one's own copies for himself. He concluded that the whole problem has been with us for the last 20 or 30 years, as long as photocopying has been on campus, but pointed out that with this new copyright law going into effect, Faculty members should be more aware of it. At the same time, publishers and authors will also be more aware and will try to exercise their rights, thereby making it important that Faculty members do comply with the guidelines.

The Speaker indicated that an even quorum was now in attendance, so that approval of the minutes of October 12 and November 9 could be obtained. So done.

The Chair called on Professor Geoffrey Chester, Physics, to bring members up-to-date on the Campus Council.

4. CAMPUS COUNCIL DISCUSSION

Professor Chester briefly outlined the history of the Campus Council and how it came to be created. He was the Chairman of President Corson's Commission on Governance which produced its final report on December 2. By that time, there was great doubt that the student body would support the Commission's recommendations. It would, however, be tested in a referendum. The timing was extremely awkward: The result of the referendum would be known by March 4 at the earliest; the Faculty itself was to vote on the recommendations on March 9; the Board of Trustees on the last half of March. While on vacation in England, Professor Chester said he considered this time sequence and realized that, with the doubt over student support of the recommendations, a fall back position had to be created. He then took some initiative with the President and one Sunday created, from the Commission report, this fall back position - the Campus Council. Since the referendum did fail of student support, President Corson thereupon decided to take up the fall back position, feeling that he could not leave the campus with a vacuum, insisting that a reasonable system be put in place. The whole philosophy and the delegation of authority, the range of that delegation, and the way that delegated authority may be changed - all of that in the Charter of the Council is essentially taken without change exactly as it was in the Commission's final report. Professor Chester emphasized that he and President Corson bear considerable responsibility for the creation of the Campus Council.

Professor Arthur Berkey, Education, asked whether Professor Chester addressed the history of the Council or the nature of it?
Professor Chester replied that he addressed the history as well as, in part, the nature.

Professor Berkey commented that the Faculty had not been kept well informed on the development; when the Faculty was asked to vote on the Campus Charter, they had only a four-page summary, while there was available at the same time a draft consisting of 28 pages or so. Professor Chester interjected he did not know how the Faculty was informed - that he only knew the Dean of the Faculty had been kept informed.

Professor Berkey asked Professor Chester if the principles of his original report were rejected by students, what made him think students would support to any greater degree the fall back positions, which incorporated these same principles?

Professor Chester replied that there was nothing at all, but that the campus had to have something.

Professor Berkey said he had several questions on the content of the Charter, but Speaker Stein indicated that they should perhaps follow Professor Ratner's remarks. There being no further questions on the history of the Council, the Speaker called on Professor David Ratner, Law and Chairman of the Campus Council.

Professor Ratner said that it seemed to him that the role of the Council could best be described as something which is somewhat representative, with a flexibility to deal with highly charged issues on the campus and to be perceived as dealing with such issues in a fair and constructive manner. He is happy in a way that the Council does not have direct legislative authority over various matters that the Senate had, because he thinks that precise authority and responsibility to make decisions in whole, large areas tends to bog a group down. One of the specific responsibilities of the Council was to staff the committees that were already in existence - which has now been done. The Council has broken itself into small task forces to work on specific questions that arise, such as campus safety and security, admissions and financial aids, etc. and report back to the Council as to what could be usefully done or recommended to others to do in those areas. Two important items being worked on at present are the calendar and the University's policy on photographing demonstrators, or possible demonstrators, at public events. Since the first organizational meeting, seven meetings of the Council have been held with no problems in getting a quorum, and no problems in member participation both at meetings and in ad hoc work in between meetings. Professor Ratner thinks the Council can be useful in funneling issues of concern to the Faculty and others, in focusing on specific points that are raised.
Professor Berkey asked Professor Ratner about the status of the former Senate legislation that was not specifically changed by the Campus Council Charter. Is it still in effect?

Mr. William Gurowitz, Vice President for Campus Affairs, responded by saying that Charter 1.7.9 says: "All policies at present in effect in the departments of the Division of Campus Life shall be continued until changed."

Professor Berkey asked what decision had been reached on the Charter in terms of assuring opportunity for Freshman and Transfer Students to serve on the Council?

Professor Ratner said that it had been discussed and specifically approached in terms of committees. It is his understanding that the Committee on Committees has set aside spots on committees for Freshman representation.*

Professor Berkey asked Professor Ratner if he felt, given his experience with the Council, that the issue of Faculty retirement at age 65 or 70 would have been a legitimate issue for discussion before the Council.

Professor Ratner said he took the view that anything could be a legitimate issue - his initial reaction to that one would be that it's a matter on which the Faculty would obviously have strong views. Someone would have to explain to him what the Council could effectively do there and whether the Council could serve any useful role in such discussion.

Professor Berkey said that, while Section 1.11.2 deals with the examination or the review of the Campus Council at one year and three years, it does not specify the criteria to be used or the groups that will do this examination. What's the status of that review for the end of year one?

Professor Ratner said that they plan to start a review in the spring; several members of the Council have expressed an interest in working on that. He himself has been making notes as the year goes on, as well as planning to solicit public input for that review.

The Chair hearing no further questions or comment on the Campus Council moved to the academic calendar discussion, calling on Dean Saunders.

5. ACADEMIC CALENDAR DISCUSSION

Dean Saunders said he wished to comment on the reason for this being on the agenda. The President has already said that the Provost will be appointing an ad hoc committee to look into this issue. The Campus Council Charter says that if there are any minor adjustments to be made in the calendar, they can be made by the Provost and any major adjustments must go to an ad hoc committee and subsequently be approved by both the Campus Council and the FCR. Provost Knapp wrote a letter to Professor Ratner and the Dean, requesting evaluation of four different calendar suggestions as to importance, relevance, and degree as to

*See Minutes of February 8, 1978 for correction.
being major or minor. The Dean took that to the Executive Committee of the FCR and the Campus Council discussed it. Responses of the two groups were somewhat different. The FCR Executive Committee took the position that there were some major suggestions made and that it had better go the ad hoc committee route. The Campus Council, on the other hand, came in with a proposed calendar change - that being the one circulated to membership of the FCR for this meeting. The Campus Council, saying that the Executive Committee had not seen their proposals, suggested it be sent back to the Committee. The Executive Committee still said there were major implications with the proposed calendar change and therefore it should still go the ad hoc committee route. That's why we are at the spot on which the President remarked. The reasons that the Executive Committee took the position they did is because they felt, rightly or wrongly, that the make-up of the calendar is more than playing only with numbers of days or weeks, but rather with the structure of how those days and weeks are put together. For those participating in laboratory programs and laboratory courses, there are some very serious implications with the proposed calendar because of the chopped up weeks that would exist. It would mean that you would end up effectively with a maximum of 11 weeks of potential laboratory instruction, where this Faculty has ordained that 14 weeks should be the minimum. It is for that reason that the Executive Committee felt that the proposal should go the ad hoc committee route. At the same time, they felt it was too important an issue for an ad hoc group just unilaterally to say, "this is the way we should go." They would like to have some more Faculty response and thus is on the agenda today.

Professor Ratner was asked whether whoever wrote this proposal took into consideration the fact that whenever holidays are written into the calendar, students take the opportunity to stretch them out, leaving earlier to catch buses, etc., and arriving back late; the more little holidays that are put in the calendar, the more time is lost at both ends.

Professor Ratner said that the impact of short term holidays was discussed in the Council, everyone recognizing the difference between the official calendar and the time students are actually in attendance. With respect to the fall term, there are alternative recommendations, one of which would involve an actual shortening by one-half week in the period of instruction, the other of which would simply reallocate days while preserving the period of instruction, although raising the additional problem that was mentioned. Two desirable ways in which the matter could be resolved are: (1) if the FCR feels that as a
matter of principle, it is opposed to certain elements of change or favors elements of change, that that could be decided; if that is the case, it would foreclose the need of an ad hoc committee; (2) if the problems are more of a specific nature, such as working out problems relating to laboratory instruction, etc., perhaps it could be initially approached through a joint working group selected by the FCR Executive Committee and the Council to see whether these practical problems could be resolved and we could work out a proposal for re-submission to the two bodies. An undesirable resolution of the problem would be to get involved in a controversy over whether changes are major or minor changes, making it appear that the matter was shelved. People outside would be unhappy in such event.

Professor Berkey said it would further progress and be more practical if we follow the legislation that we already have regarding the academic calendar. The Charter of the Campus Council is very specific in saying that the calendar shall be set by the Provost as long as it remains of the present type, that is, one with the fall semester starting on Labor Day. The proposals suggested by the Council all start on other than Labor Day, so this is a variation from the present type. The Charter provides that if any change in the calendar from the present type is contemplated, then an ad hoc, broadly represented committee shall be formed to make recommendations to the Faculty and the Campus Council, both bodies needed for approval of any change.

Professor Edgar M. Raffensperger, Entomology, said that he had a concern different from others. The purpose of the break in the fall semester is presumably to give students a moment to "regroup" because of the academic pressures. He went on to relate what students do during a holiday, especially in regards to the very brief holidays that are proposed. First of all, students travel - at least one day on each end of a vacation; in the middle they may celebrate the holiday and this does not allow them much time to "regroup" insofar as their academic responsibilities are concerned. He doesn't feel there is enough time to allow students to come off any better than they are now, even ignoring the likelihood that many students leave early and return late.

Professor Chester suggested a careful survey to students to see whether they did want a fall break.

Professor Potter asked whether we are remiss in having fewer holidays than say Harvard or Yale, where the pressure is also great.

Professor Ratner said that a survey was done of colleges in New York State. Most of them have a somewhat shorter fall term than Cornell, some have a mid-term break, and most start after Labor Day.
The Chair indicated time had been reached for adjournment and so at 6:05 p.m. adjourned the meeting.

Paul L. Hartman, Secretary

Secretary's Note: Following the meeting, the Provost sent a letter to the Dean and to Chairman Ratner of the Campus Council requesting suggestions for an informal group from the FCR Executive Committee and from the Campus Council to try to resolve differences between the two groups in accordance with suggestion (2) rather than the more formal ad hoc committee route and its inevitable delays.

P.L.H.
Agreement on Guidelines for Classroom Copying in Not-For-Profit Educational Institutions

With Respect to Books and Periodicals

The purpose of the following guidelines is to state the minimun standards of educational fair use under Section 107 of H.R. 2223. The parties agree that the conditions determining the extent of permissible copying for educational purposes may change in the future; that certain types of copying permitted under these guidelines may not be permissible in the future; and conversely that in the future other types of copying not permitted under these guidelines may be permissible under revised guidelines.

Moreover, the following statement of guidelines is not intended to limit the types of copying permitted under the standards of fair use under judicial decision and which are stated in Section 107 of the Copy richt Revision Bill. There may be instances in which copying which does not fall within the guidelines stated below may nonetheless be permitted under the criteria of fair use.

GUIDELINES

I. Single Copying for Teachers

A Single copy may be made of any of the following by or for a teacher at his or her individual request for his or her scholarly research or use in teaching or preparation to teach a class:

A. A chapter from a book;
B. An article from a periodical or newspaper;
C. A short story, short essay or short poem, whether or not from a collective work;
D. A chart, graph, diagram, drawing, cartoon or picture from a book, periodical, or newspaper;

II. Multiple Copies for Classroom Use

Multiple copies (not to exceed in any event more than one copy per pupil in a course) may be made by or for the teacher giving the courses for classroom use or discussion; provided that:

A. The Copying meets the tests of brevity and spontaneity as defined below; and
B. Meets the cumulative effect test as defined below; and,
C. Each copy includes a notice of copyright.

Definitions

Brevity

(i) Poetry: (a) A complete poem if less than 250 words and if printed on not more than two pages or, (b) from a longer poem, an excerpt of not more than 250 words.

(over)
(ii) Prose: (a) Either a complete article, story or essay of less than 2,500 words, or (b) an excerpt from any prose work of not more than 1,000 words or 10% of the work, whichever is less, but in any event a minimum of 500 words.

[Each of the numerical limits stated in "i" and "ii" above may be expanded to permit the completion of an unfinished line of a poem or of an unfinished prose paragraph.]

(iii) Illustration: One chart, graph, diagram, drawing, cartoon or picture per book or per periodical issue.

(iv) "Special" works: Certain works in poetry, prose or in "poetic prose" which often combine language with illustrations and which are intended sometimes for children and at other times for a more general audience fall short of 2,500 words in their entirety. Paragraph "ii" above notwithstanding such "special works" may not be reproduced in their entirety; however, an excerpt comprising not more than two of the published pages of such special work and containing not more than 10% of the words found in the text thereof, may be reproduced.

Spontaneity

(i) The copying is at the instance and inspiration of the individual teacher, and

(ii) The inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission.

Cumulative Effect

(i) The copying of the material is for only one course in the school in which the copies are made.

(ii) Not more than one short poem, article, story, essay or two excerpts may be copied from the same author, nor more than three from the same collective work or periodical volume during one class term.

(iii) There shall not be more than nine instances of such multiple copying for one course during one class term.

[The limitations stated in "ii" and "iii" above shall not apply to current news periodicals and newspapers and current news sections of other periodicals.]

III. Prohibitions as to I and II Above

Notwithstanding any of the above, the following shall be prohibited:

(A) Copying shall not be used to create or to replace or substitute for anthologies, compilations or collective works. Such replacement or substitution may occur whether copies of various works or excerpts therefrom are accumulated or reproduced and used separately.
(B) There shall be no copying of or from works intended to be "consumable" in the course of study or of teaching. These include workbooks, exercises, standardized tests and test booklets and answer sheets and like consumable material.

(C) Copying shall not:

(a) substitute for the purchase of books, publishers' reprints or periodicals;

(b) be directed by higher authority;

(c) be repeated with respect to the same item by the same teacher from term to term.

(D) No charge shall be made to the student beyond the actual cost of the photocopying.

Agreed March 19, 1976
Ad Hoc Committee on Copyright Law Revision:

By Sheldon Elliott Steinbach.

Author-Publisher Group:
Authors League of America:

By Irwin Karp, Counsel.

Association of American Publishers, Inc:

By Alexander C. Hoffman,
Chairman, Copyright Committee.

Copyright Revision Law, enacted on October 19, 1976, will take effect on January 1, 1978.
Guidelines for Educational Uses of Music

The purpose of the following guidelines is to state the minimum and not the maximum standards of educational fair use under Section 107 of HR 2223. The parties agree that the conditions determining the extent of permissible copying for educational purposes may change in the future; that certain types of copying permitted under these guidelines may not be permissible in the future, and conversely that in the future other types of copying not permitted under these guidelines may be permissible under revised guidelines.

Moreover, the following statement of guidelines is not intended to limit the types of copying permitted under the standards of fair use under judicial decision and which are stated in Section 107 of the Copyright Revision Bill. There may be instances in which copying which does not fall within the guidelines stated below may nonetheless be permitted under the criteria of fair use.

A. Permissible Uses

1. Emergency copying to replace purchased copies which for any reason are not available for an imminent performance provided purchased replacement copies shall be substituted in due course.

2. (a) For academic purposes other than performance, multiple copies of excerpts of works may be made, provided that the excerpts do not comprise a part of the whole which would constitute a performable unit such as a section, movement or aria, but in no case more than 10% of the whole work. The number of copies shall not exceed one copy per pupil.

(b) For academic purposes other than performance, a single copy of an entire performable unit (section, movement, aria, etc.) that is, (1) confirmed by the copyright proprietor to be out of print or (2) unavailable except in a larger work, may be made by or for a teacher solely for the purpose of his or her scholarly research or in preparation to teach a class.

3. Printed copies which have been purchased may be edited or simplified provided that the fundamental character of the work is not distorted or the lyrics, if any, altered or lyrics added if none exist.

4. A single copy of recordings of performances by students may be made for evaluation or rehearsal purposes and may be retained by the educational institution or individual teacher.

5. A single copy of a sound recording (such as a tape, disc or cassette) of copyrighted music may be made from sound recordings owned by an educational institution or an individual teacher for the purpose of constructing aural exercises or examinations and may be retained by the educational institution or individual teacher. (This pertains only to the copyright of the music itself and not to any copyright which may exist in the sound recording.)

(over)
B. Prohibitions

1. Copying to create or replace or substitute for anthologies, compilations or collective works.

2. Copying of or from works intended to be "consumable" in the course of study or of teaching such as workbooks, exercises, standardized tests and answer sheets and like material.

3. Copying for the purpose of performance, except as in A (1) above.

4. Copying for the purpose of substituting for the purchase of music, except as in A (1) and A (2) above.

5. Copying without inclusion of the copyright notice which appears on the printed copy.

Copyright Revision Law, enacted on October 19, 1976, will take effect on January 1, 1978.
The Speaker, Professor Peter Stein, called the meeting to order at 4:40 p.m. Since a quorum was not present, he indicated that the meeting would proceed with merely hearing reports, which form the first part of the agenda. With no quorum, the minutes of the FCR December 14 meeting could not be approved. (A correction was submitted to the Secretary by Professor Berkey: At the end of the fourth paragraph from the top on page 4715C, he would strike the period, replace it with a comma and add the words: "but that current election procedures preclude Freshmen and Transfer Student membership on the Campus Council per se.") The Speaker called on the Dean of the Faculty, Byron W. Saunders, for his report.

1. REPORT OF THE DEAN

Dean Saunders called the attention of the representatives of the several colleges present to the availability in his office of two documents: "A Guide to Educational Programs and Non-Collegiate Organizations", issued by the State Education Department; and a national guide put out by the American Council on Education. He indicated that we are being confronted periodically with requests for course credit for work taken in a variety of sources; some requests are rational; some, open to question. There is going to be more of this before there is less and there are many programs which are offered by non-collegiate institutions in which the quality is very good. The documents list programs of that type as well as those of poor quality. Dean Saunders said he would be happy to loan them out to anyone interested.

Secondly, he announced that he had accomplished a rarity, namely, two Faculty committees have been disbanded. One was the Committee on Calendar and Schedules; the scheduling problems which they dealt with are now being handled by the Committee on Academic Records and Instruction; and secondly, the calendar aspect would have to be dealt with under existing rules by a special ad hoc committee in parallel with the Campus Council. The second committee is the Committee on Independent Courses. They, too, have gone by the wayside. The actions were done under the legislation of this body which says that if a Faculty committee has neither met nor filed a report for one full academic year, then it is automatically disbanded. Both of these committees have failed to file a report for two years and have not met for at least a year and a half.

Thirdly, he announced that at the next meeting of the FCR there may well be some proposals for changes in the other remaining committees - both of the Faculty and of the FCR. If anyone has any particular suggestions, problems, or cautions that they would like to sound on behalf of the committee organization, the Dean urged that they contact him or any member of the Executive Committee, and make their wishes known.
Lastly, Dean Saunders commented on what he labelled the "inaccurate publicity" in a Sun of last week - namely an editorial having to do with a Trustee tenure review and the reporting of the following press conference at which the President and Provost participated. Since he wasn't present at the press conference, he doesn't know the words they used precisely and therefore whether the reporting was accurate or not. The background for what was dealt with by the Trustees goes back to some concern on the part of Trustees over their participation (and they do participate) in the tenure voting process. The concern was exacerbated last fall by a particular situation that arose when a Trustee raised the question about both the process and one individual whose name appeared. The concern was such that President Rhodes immediately got the Chairman of the Board to call a recess during which he was able to talk to the Trustee involved. The meeting then reconvened, and a unanimous vote was taken. That particular defusing operation was successful, but as a result, the Academic Affairs Committee of the Trustees asked reasonably what was the role of Trustees in making tenure decisions. The Administration was asked to report to the Committee, which Vice President W. Donald Cooke did at the meeting two weeks ago in New York. Dean Saunders went on to quote what Vice President Cooke said at that meeting: "You have a right to vote on tenure recommendations. You have no right to vote NO." Because it was of concern to some here, it has been referred to our Committee on Academic Freedom and Responsibility. They, of course, have not had the benefit of the many meetings which led to this. Those who were at those meetings, namely several people in the Administration and the Dean, felt that the issue was not as serious as perhaps one would surmise from reading the printed words that were used and not having any of the background. Nevertheless, as some colleagues point out, one can only read the words that are there, one doesn't have the background and if it becomes a matter of record, then what other people might read into those same words five or ten years hence, would be important. Consequently, Dean Saunders expects the Committee on Academic Freedom and Responsibility will have before this body at the March 8 meeting, a resolution addressing this particular issue.

The Chair next called on President Frank H.T. Rhodes for his remarks. (They were transcribed approximately verbatim, but were lengthy enough that the Secretary is recording here only the substance of the remarks as they were submitted to the February 16th Chronicle as the Report of the Faculty. They obviously lose the eloquence, clarity and grace of the delivery but it is hoped the spirit is there in what follows and that it is reasonably accurate.)
2. REMARKS OF THE PRESIDENT

While noting Cornell's achievements of the past, the President wished to speak of the future. Society in general and higher education in particular seems to him becalmed. We must confront the issues, debate them reasonably and try to make decisions for the future. Each part of the University has a role; administration to show the choices available and to bring analysis to bear; Faculty to establish and justify the priorities and help in the decisions; non-academics, students and alumni in their support. He noted that, in spite of Cornell's motto, we can't be all things to all people; there lies the path to mediocrity. Choices have been made in our 113 years; what we will offer, who do we think is qualified for admission.

In a series of somber slide diagrams, he discussed the Cornell position as he sees it. His first slide listed eight large problems faced by higher education: The certain decline in college age population in the late eighties; inflation; the fixed expenses of institutions; the priorities that the public selects; government regulations; the lag in private support of universities; the alternative of public institutions; the presence of obsolete facilities.

In the Ithaca endowed colleges, 38% of our revenues come from tuition, 24% from government grants and contracts, 14% from sales and services (i.e. housing and dining), and 9% from our investments. (The sum does not add to 100%--ignore the rest.) Over a ten year period the percentage of our revenues coming from investments has held roughly steady, but gifts percentage has declined and the percentage in sponsored government programs has declined--about ten percentage points, but tuition and fees percentage has gone up an unhealthy eight points. More of the burden is thus falling on students. He compared revenue sources in some of the Ivy League schools--Cornell, Harvard, Yale, Princeton, Columbia and Chicago. We derive a much higher fraction of our revenue from tuition than the others--45% as compared to the others' percentages in the 20 to 30% range. The reason was clear from his slide: Our endowment is less and our income from government contracts is less. Endowment at Harvard amounts to $84,000 per student, while ours is but $20,000. He noted the effective decline nationwide in Faculty real salaries, as he illustrated our own. Further, he showed the marked change in our ranks: Whereas the numbers of full and associate professors here have gone up a bit in five years, the number of assistant professors has gone down by 90 in the same time, while the number of non-voting Faculty has increased by 120! He spoke of our level of student financial aid; in spite of our revenues from tuition roughly doubling in ten years, our percentage of financial aid is the same today as it was a decade ago. Another slide illustrated what all know:
Plant costs are way up. In five years our utilities have gone up 150% in spite of conservation measures, and maintenance costs are up a whopping 267%, largely because of the program initiated last year to catch up on what had been deferred. The price paid for what stability we have enjoyed, has been a loss in expendable capital; we have in four years lost from that about 19 million dollars. In five years, the market value of our holdings has declined seriously; in constant dollars, the endowment is down 21%, while other funds functioning as endowment has been diminished in constant dollars by 45%. We can't continue on this road.

The conclusions from all this are that more reliance is now being placed on tuition, that there has been decline in other revenue sources, that we have eroded our spendable capital, and, in spite of sacrifices and progress since 1975, we still face continued economic vulnerability.

Turning to the 1978-79 budget, he stated the policy assumptions that went into it. The academic program is central—the absolute foundation for the other priorities; the Faculty is basis for that program; interim actions have to be taken without regard to the long term view—time has not permitted otherwise; and we must be willing to take calculated risks toward achieving goals. The priorities resulting from these assumptions are: Faculty salaries must increase; we must try to maintain the affordability of a Cornell education, to maintain the physical plant, to support some academic program change, to increase gifts in strengthening the development programs; and we must reduce the drain on our capital resources.

As to the future, he made several points. We have to develop some operating assumptions. Some are external: What kind of a world is shaping up economically, demographically, socially, and politically? What programs and kinds of training are needed? Other assumptions are internal: What patterns of tenure, of retirement, should we establish? How large the student body? We need a set of real practical campus wide university goals; where are we going? (Not simply the usual "pursuit of academic excellence"). We need testable and obtainable goals set by each college, department and unit. We need a set of procedures to implement those goals—reviews, feedback, guidelines. Can we be preeminent in everything? Hardly. How do we choose where we will put our strengths? Do we build on strong departments or do we pick up those less strong and strengthen them? What strategies?

Our teaching is in the undergraduate, the graduate and the professional areas. We need support in each. Of late, we haven't paid too much attention to the undergraduate side: In 1955 we admitted 2000 Freshmen and a decade later it was 2700; at the same time the Faculty increased from 800 to 1500 and graduate students went from 1450 to 3500. This surely suggests that most of the expertise
went into Graduate programs. How do we harness that strength to enhance the undergraduate programs? We need teaching assistants; but should we urge attainment of the Ph.D. on those assistants in fields with no outside jobs? How to balance all this? Cornell is eminent in research. How do we continue to nurture the Faculty in it? What about salary recovery, overhead, indirect costs, maintenance of centralized equipment?

How do we maintain flexibility to initiate new programs such as we did in Biological Sciences, in Law, in S.T.S.? How do we continue to make Cornell THE open University in the best sense, open to members of all groups, encouraging affirmative action, radiating programs out beyond the campus confines?

Ten years ago, as Faculty members, we were loathe to be interrupted in our work to worry about such matters. But no administration can do it all alone. We need a new partnership now in facing the hard decisions ahead. The President faces the future with hope.

The Speaker thanked the President for his remarks and opened the floor for questions.

Professor John Wilkins, Physics, asked what a "testable goal" in the area of academic excellence means?

President Rhodes replied that if the goal that we all agree upon is excellence, how do we translate that into something that involves a choice, say, between competing excellence in two particular fields? Let's suppose that as a department chairman, three claims exist for one position available. What kind of principles at the department level, at the school or college level, at the University level, are made? That is what he meant, the President said, by translating philosophies of excellence into operating principles.

Professor Wilkins said he didn't quite see the "testable" aspect of that - what kind of superstructure is envisioned with the term "testable"?

President Rhodes said that in some cases one can test and in others one cannot. Some areas, such as the improvement of the undergraduate program really can be tested; a decision is made and we look at its effect, say, three years later. Eminence in research is much more difficult to test; he is not thinking of counting journal articles, citations, etc.

Professor George Gibian, the Goldwin Smith Professor of Russian Literature, asked the President what he meant by the phrase "all of us together" in his remarks - did he mean just that the door to his office is open to us or were institutional changes in the planning whereby representatives of the Faculty will be consulted much more than previously on various decisions?
President Rhodes replied that so far as possible, his door is open and he is visited regularly by people whose advice he values. He cannot always adopt it; frequently it involves resources he hasn't got. The President said he does reply to every letter, returns phone calls and listens to people who talk. It would seem, he said, that some better ways should be devised to get the Faculty and other members of the campus community to address together the long term questions - not merely on a yearly basis. The President hopes that ways can be found for building that kind of continuing consultation.

Assistant Professor Robert Harris, Africana Studies and Research Center, wondered if a realistic comparison had been made between Cornell and other institutions. He believes that most of those institutions have a higher proportion of graduate students than Cornell, resulting in more research money. Secondly, is it usual that Cornell charges the same amount of money for undergraduate tuition as for graduate tuition?

President Rhodes called on Vice President Cooke for help in answering the first question. He responded by saying that when looking at what one would call our graduate school compared with Harvard, Princeton and Yale, we turn out to be relatively larger than most. But they have more graduate students. The difference comes in that we have very small professional schools - the Law School is very small - the Business School is very small; we have no School of Education. The bulk of the graduate research is in the Ph.D. program - so we're both smaller and larger.

The Vice President for Financial and Planning Services, Samuel A. Lawrence, made response to the second question. He said it was his impression that other institutions like ourselves are assessing a graduate school charge which is identical to that of the undergraduate but the really weight of the matter is in the greater fellowship support which is available to these other institutions.

Professor Albert Silverman, Physics, said in connection with the statistics for Cornell and other universities, he finds one thing puzzling. That is in the fact that 45% of our income comes from tuition as compared to 25% at some of the other schools and yet the actual tuition is about the same. That indicates that the students aren't suffering - it's somebody else, since we're not spending money on other things.

President Rhodes replied that he thinks other universities do spend more on most things than we do - involving everything from student support services to funds for faculty travel, funds for non-salary purposes, etc. We are really running an operation with very little fat.
Professor Norman Potter, Food Science, said the problems the President had outlined seem quite formidable and yet as the external and internal influences are described, it occurs to him, as a member of a statutory school, that the picture is not the same as for the endowed colleges. The statutory school has quite different external limitations in the State authority and so the answer is not the same for both.

President Rhodes agreed that the problems are somewhat different. He has reported previously that ongoing conversations were taking place with SUNY involving both the Board and the Executive Officers. These presently seem very constructive, as well as cordial. The President said his reading of the longer view of State support is that it's going to become slightly better over the next few years.

Hearing no further questions, the Chair called on Dean Saunders as Chairman of the Review and Procedures Committee to introduce the discussion of the changes proposed for OPUF.

3. DISCUSSION OF CHANGES PROPOSED FOR OPUF

Dean Saunders said the question of changes to the Organization and Procedures of the University Faculty (OPUF), are not the responsibility of the FCR but rather of the University Faculty as a whole. The FCR Executive Committee, in looking at these, felt that the more discussion and participation that can be had in formulating the proper language to make the adjustments necessary in this document, that the better it would be. The Dean agrees. Two weeks ago the Review and Procedures Committee did present this document to the Executive Committee with the suggested changes detailed. The proposed changes are essentially in four categories. First is the excising of all references to the Cornell University Senate; it no longer exists. Secondly, there are many housekeeping items - references are made to when this or that institution is organized or when the FCR is organized - phrased in 1971 in manner no longer relevant. Thirdly, a more substantive change is to make the ex officio members of this body, namely, the President, the four Faculty Trustees elected by the Faculty, the Dean and the Secretary - full voting members in conformance with Robert's Rules of Order. Besides being reasonable, this could have the effect of reducing the number of elected FCR members. And lastly, the quorum requirements for Faculty meetings are made somewhat more manageable. Currently the quorum requirement for the University Faculty meeting is 10% of the official membership of the Faculty. The present membership of the Faculty is 1491 (as of February 1977 - updating of those figures for this year is in the process but until new figures are obtained,
the 1491 figure is used) and therefore any meeting of the University Faculty must have 149 members present in order to do business. Rarely do we get that number, the Dean said; hence the need to adjust that figure to a more realistic one, five percent being the proposed figure.

Dean Saunders indicated to the body that this document would be mailed to the entire University Faculty within a few days, with the Bethe Report appended, which is referred to on page 2 of the document. That report is a statement of Principles of Faculty Responsibilities, which was formulated by a committee, chaired by Professor Hans Bethe back in 1970 and which is still the official statement of our responsibilities, recorded in the Faculty records.

Professor Wilkins raised a point about section VIII-E with respect to one seat in four being reserved for a non-tenured member of the Faculty. He said he would like to see that changed to one in five or one in six. In addition, if a non-tenured Faculty member received tenure during his incumbency, Professor Wilkins would like to recommend that he stay in office until the end of that term - not replacing him midway with another non-tenured person, as is currently the case.

Dean Saunders responded that that particular requirement was not changed because, based on a meeting he had with non-tenured members of the Faculty last year, they were not objecting to the tenure status on the FCR to which this particular reference is given. Rather, there was objection to the mandated non-tenured membership on the multiplicity of committees which we have set up. That is ingrained in FCR legislation and will be part of the suggested changes which will be presented to the FCR next month about a restructuring of committee requirements.

At this time, the Speaker indicated that he had to catch a plane for New York and that he had asked Professor Roger Battistella, B&PA, to chair the rest of the meeting. On taking the Chair, the latter recognized Professor P.C.T. deBoer, Mechanical and Aerospace Engineering and Chairman of the FCR Executive Committee.

Professor deBoer said that even though not much time remained for discussion, he wished to move a resolution urging that the full Faculty adopt the changes. He moved: "It is the sense of the Faculty Council of Representatives that the proposed major amendments to the document Organization and Procedures of the University Faculty to be presented for consideration by the Faculty on February 15, 1978 should be approved." The motion was seconded.
Professor Robin Williams, Henry Scarborough Professor of Social Sciences, said he was very much opposed to the resolution since there was no time for discussion of the four major areas of change; they were not inconsequential and a real mistake could easily be made.

Since time had run out and no quorum was present anyway, the temporary Speaker adjourned the meeting at 5:57 p.m.

Paul L. Hartman, Secretary
The Speaker, Professor Peter Stein, called the meeting to order at 4:40 p.m., noting that a casual count indicated only roughly half a quorum in attendance. Unless 149 people are present, no business can be transacted, he added, and proposed waiting until 4:45 p.m.; if there is still no quorum, adjourn. Under the circumstances, minutes of the last meeting could not be approved. (Two corrections have been suggested: At the beginning, Dean Saunders had better be described as brief rather than short. At the top of page 4684F, Professor Ewing wished to clarify wording to make clear intent of his proposal: In line 5 from top, page 4684F, change "unless a vote was carried by a 75..." to "unless a vote was decided (yes or no) by a 75...". In line 10 from top, page 4684F, change "If a vote carries..." to "If a vote was decided...". Put a period at end of "reconsideration", 13th line from top, page 4684F, and change rest of line from "and would distribute...and be given five minutes..." to "They could distribute... and would be given five minutes...".)

Professor Kenneth Greisen, Physics and Astronomy, asked if there was any possibility of conducting business by referendum. The Speaker said his understanding of the Faculty rules adopted five or six years ago, makes it impossible to conduct any business in any way other than to pass it at a Faculty meeting for which there must be a quorum.

Professor Jay Orear, Physics, wondered if the FCR could not have a special referendum on a redefinition of the quorum. The Speaker thought not. He sees no legal way short of revolution and overthrow of the government.

Professor Herbert J. Carlin, the J. Preston Levis Professor of Engineering, asked if a small margin of business could still be conducted regarding amending OPUF. The Chair said the body could sit and discuss the document but could not vote, amend or adopt any part of it.

Professor P.C.T. deBoer, Mechanical and Aerospace Engineering, said it seemed obvious that there would not be a quorum and the next question would be whether the body would leave the business at hand or try to call a new meeting. His personal feeling was that he would very much like to call a new meeting - suggesting each person present bring one or two colleagues - thereby being able to have a meeting where the proposed changes can be considered and business conducted in a normal way.

Professor Michael E. Fisher, the Horace White Professor of Chemistry, Physics, and Mathematics, suggested that the teller had probably lost count by now, so let us work on our business and act as if a quorum is present. If anything illegal
is done, it can still be challenged under the rules. To take any other course, it seemed to him, is completely self-defeating and ultimately irresponsible. He further went on, that a number of people who did care had shown up at this meeting to try to get the Faculty meetings out of the bind of having an unrealistically high quorum.

The Speaker said it is his responsibility to rule whether a quorum is present or not and he feels very reluctant to ignore the attendance when it is clear that there is no quorum present.

Professor Raphael M. Littauer, Physics, asked if the Speaker could inform him if it was made clear in the call to the meeting that this meeting was a crucial threshold we had to overcome. He suggested in future calls, that it be emphasized when meetings are "special".

Professor John Whitlock, Parasitology, said this is the second meeting of the University Faculty that this has been brought up. It was clearly stated in the call to both meetings what a Faculty quorum was, and twice we have been unable to obtain a quorum. The pitch was made that the changes that are proposed are an overwhelming desire of the Faculty - there's no evidence of this and so we had better go back to square one and forget it, he said.

Professor Fisher suggested that the next time a Faculty member has to show up and claim his paycheck, it be at a University Faculty meeting, with checks being handed out after business has been transacted!

Separate counts of persons in attendance at this time indicated 91, 97 and 101, and the Speaker said that with people starting to leave, the flow was negative rather than positive.

Someone asked if the report from the Dean could not at least be heard, since a quorum was not needed for that. The Speaker called on Dean Saunders.

1. REPORT OF THE DEAN

Byron W. Saunders, Dean of Faculty, said he wasn't sure what to report on but he had two items he might mention that were of concern to everyone - not only to the FCR. One has to do with the recommendations which were approved at the last Board of Trustees meeting relative to a statement about tenure and tenure procedures. There will be a resolution or a series of resolutions presented at the FCR meeting on March 8 apropos of that question. Secondly, the question of physical education has been of concern to everyone and he fully expects a proposal from the Committee on Physical Education addressing that issue to be presented at the April meeting.

As far as the particular question at hand into which we obviously are not going to have a chance to delve, the Review and Procedures Committee wanted to
recommend the particular changes which were outlined in the document OPUF, circulated in the call to the meeting. It was quite apparent from the October meeting that the voting at that time was a voting by feet - by people not coming. It appeared quite obvious that the interest at that time in any radical departure from our representative form of governance was not to the liking or interest of a sufficient body of people to come and even discuss the issue. There was much in that October debate suggesting a clean up of the representative form of governance - making those things better defined and more appropriate - and that was the intent of the Review and Procedures Committee in presenting to the Faculty the present revisions in the document OPUF. There were, the Dean said, essentially five categories of items: (1) dealing with all of the references to the Senate; (2) a lot of housekeeping items containing obsolete points and wording; (3) some questions having to do with the ex officio status of members - which has caused a few problems this year in connection with some of the special committees; (4) the quorum requirements and the opportunity for Faculty to challenge any FCR actions if they choose to do so - currently the requirements are that a quorum of 373 people is needed in order to challenge any action of the FCR, seemingly a little excessive; and (5) clarifying and cleaning up some of the existing committee authorization conditions.

Dean Saunders said the end result of the procedures whereby we operate would not change one iota because the referendum process for challenging any actions of the FCR would still be in step just the way it was, only it would be easier to get the process started. That concluded his report, the Dean said.

Professor E. Scott Maynes, Consumer Economics and Housing, suggested to the Dean, that, with an eye to the next meeting for consideration of this matter, he take the step of contacting department chairmen and have them talk around and see to it that at least 15% of their Faculty members attend.

Professor Norman Potter, Food Science, commented that in his department today there were many phone calls to bring people to this meeting. He also believed it was true of other departments. It was thus no accident that not too many people were present - they're informed and still don't come.

Assistant Professor Susan J. Muller, ILR, questioned the "Effect of Quorum Changes" sheet sent out with the Faculty mailing, wherein it states that a quorum to change a motion made by the FCR is 115% of the authorized membership of the FCR. Further, it divides this into a quorum of 63 members, with a majority of that being 32. Professor Muller questioned whether a quorum is 115% or half of that.
Dean Saunders replied that a quorum, according to PCR rules, is one-half the membership of the body. A quorum then at an officially called meeting would be one-half in order to determine any action on a resolution.

Professor Muller asked what the necessary quorum is of the University Faculty to overturn a motion or an amendment passed by the PCR, and answered her own question by referring to the sheet indicating that the majority should be 63. There was a mistake in the sheet.

Professor Whitlock said there were a number of members present, as well as not present, that think there are things seriously wrong with this proposal from the Review and Procedures Committee. One effective way to deal with it is to stay away and that's probably what's happened to some people, he said.

Dean Saunders asked how then is the Review and Procedures Committee going to determine what these objections are and how can they be overcome in such a way that some of the things can be cleaned up; a meeting is required to do it.

Professor Isadore Blumen, ILR, said there is a very simple way - the way in which we originally proceeded to get this particular document. What happened was that a committee went ahead and created it after instructions from the Faculty. There have been no instructions from this Faculty to create such a document. It's very clear that special meetings were called over the opposition of Faculty. There was an opportunity for the Faculty, for instance, to have a special meeting last fall; the Faculty when asked if they wanted a special meeting, did not take the opportunity - but it was called without the consent of the Faculty. The first step now would be to get enough Faculty members who want to get something like this going; at a meeting of the University Faculty, they ask the Review and Procedures Committee to proceed. Nobody wants the Review and Procedures Committee to do this, as far as we now know. Secondly, after the Review and Procedures Committee does this - they can do what the Pasley Committee did - which was to hold extensive hearings on the proposal they brought forth. This got people interested in what was available, suggestions were made, changes were made - you did not have the kind of motion which would be offensive even to the people who teach writing in the College of Arts and Sciences. You would have an opportunity, under those circumstances, to modify this particular document and then people would have possibly felt that maybe there were things in there that should be changed. At that point the Review and Procedures Committee would have feedback. What the Review and Procedures Committee actually did was quite different. Two weeks ago, according to this document, the document before you was submitted to the Review and Procedures Committee, either for the first or last time - it is not clear - which then apparently hastily went through the
document because they had enough time to go over it and then shift it over to the Executive Committee. The Executive Committee hastily went over this document and then said, okay. But the document wasn't released to the University Faculty, so nobody had a chance to read this very complex thing - nobody had really much chance to discuss it - and what happened under those circumstances was that you had a complex document two days before the meeting and everybody said "here is the Review and Procedures Committee again trying another illegal action."

Professor Blumen reminded the body that there has been a whole sequence of illegal actions by the Review and Procedures Committee - a fake referendum, a fake subcommittee appointed, which they had no authority to do because it wasn't a subcommittee. They've done one illegal act after the other. Professor Blumen said he tried to get people to come to this meeting, and they said the only way to deal with a proposal like that is not to show up; that's what the Faculty thinks of this. They have voted with their feet. If another special meeting is called, you're just going to get the Faculty angry. They are upset about the way it was worked; they are upset by what is going on; they're upset by the tampering with the minutes which is taking place. You just have got to get back to get some trust in the Faculty before you get a document like this through.

Professor Paul Hartman, Secretary of the Faculty, asked Professor Blumen if he misunderstood - had he said something about tampering with the minutes? Professor Blumen replied he did use that word. The Secretary asked for an explanation of that since he bore some responsibility for them. Professor Blumen, addressing his remarks to the Speaker, said the appropriate time to discuss the question of minutes is at the beginning of a meeting, at which time there is a call for the approval of the minutes. Professor Blumen said he has repeatedly asked for the opportunity to have a call for the approval of minutes. For reasons which are not clear - the call for approval of minutes which is provided for in Robert's Rules of Order - has not been done. The Speaker interjected Professor Blumen's comments saying that he had a question from the Secretary who had asked him to amplify his reference - did he decline to do so or not? Professor Blumen asked the Speaker if he would like him to discuss the minutes at this point. The Speaker replied there has been sought a point of information.

Professor Blumen said a number of things have happened. One was that at the last meeting a report was presented, a different proposal from the one in front of the body today. In discussion on that report, Professor Blumen said, he was speaking against the proposition, to the effect that the people who had originally spoken out against representative government were still the same ones speaking against it today. At that point, a number of people in the audience,
quite in disorder, identified themselves as now being also persons against representative government, and the Speaker joined in the demonstration. Now for a Speaker to join in a demonstration of any kind and to associate himself with a particular point of view, is an extraordinary performance. Under ordinary circumstances, when a Speaker does that, he disqualifies himself from the discussion. Yet, although the smallest kinds of details were noted in the minutes - it was not noted therein that the Speaker had joined on one side of the discussion. Professor Blumen believed that to be an omission. Second, the Speaker made an unusual ruling at the beginning of the meeting when he said, that it was possible for motions to be made at the meeting, absent of quorum. Our rules say explicitly nothing may be done at such a meeting except for a motion to adjourn and general discussion. Professor Blumen noted, in addition, for those who wonder why that ruling wasn't challenged, that one cannot challenge a ruling when one cannot vote; there's no way of voting on whether a ruling is correct or not because we couldn't have votes. Then the Speaker, he continued, said that the motion which had been made would remain on the floor and so be on the agenda at the next meeting; that is, the motion was made, we had it on the floor, that was then the topic for the next meeting, which is true with unfinished business in general. Under the circumstances that was an extraordinary ruling. Again, Professor Blumen said he didn't challenge it but felt rather strongly about the fact that a meeting without a quorum would now be in a position to determine the business of a subsequent meeting with a quorum, which he thought was certainly extraordinary. At this point, Professor Fisher interrupted to ask if his point was that these facts were not in the minutes but the Speaker informed him that Professor Blumen had the floor.

Professor Blumen said the question he was asked to which he had preferred not to respond, but which he was asked to by the Speaker, was to the question of omissions; he had replied consistent to this - to omissions which were serious in character. Professor Blumen said he did not want to take this much time to discuss it; he was doing so at the request of the Speaker; if he was out of order he would be glad to sit down because he did not want to talk about it.

Professor Fisher said his only point was that he heard Professor Blumen's criticism of the Speaker but he didn't hear what he said about the minutes; he had challenged the taker of the minutes in saying the minutes had been tampered with.

Professor Blumen said his point was on the important question of procedure, which was the relevant question here, that we were discussing at that particular
time nothing but procedure. We were trying to determine the procedures which were appropriate for the University Faculty. Professor Blumen said he didn't want to get up and talk about it - he was asked to do so. If enough had been said, he would sit down, but he would go on if that is what the Speaker wanted.

The Chair said it found itself in a peculiar position of not wishing to terminate the discussion, although the question that was asked by the Secretary was for an explanation of the words "tampering with the minutes"; if he would speak relevant to that, he wished Professor Blumen would continue.

Professor Blumen said one of the fundamental principles in Robert's Rules of Order is that the Recording Secretary does not introduce his own personal views into the minutes; the Recording Secretary, at a number of points in the last minutes, did so introduce his views; he also commented on the appropriateness or inappropriateness of what was said by various speakers and the style which they had less than used. Professor Blumen said that all of these things are quite experienced in the minutes and he considered the additions of extraneous content and the omissions both a serious matter, just as Professor Macneil did in his letter to the Cornell Sun. (Chronicle, actually. Secretary) Professor Blumen considers that to be improper activity in the case of keeping minutes, and considers that to be tampering with them.

Professor Hartman said he wished to respond. He thinks one should be clear that there is a difference between the minutes and his report submitted to the Chronicle. He does not think it inappropriate to introduce some views in that report - he tries not to do that in the minutes. Professor Hartman thinks the latter are perfectly okay if they are as mundane and dry as possible. But he feels that to have something reasonably interesting in the report, it is not too inappropriate to reflect his view of the proceedings in his own way, if he sticks to the truth. And he hopes he does - if not, he certainly wishes to be called on it.

Professor Raymond Bowers, Physics, said he wished to make a comment only because this meeting was technically on the record and minutes were being taken. He wished to express his opinion, as a member of this Faculty, that the accusation of tampering with the minutes in contrast to making errors of commission or omission, is a grave charge. It seems to him, at least if he listened carefully to what Professor Blumen said, that it is totally unjustified and in fact in this case, is even reckless, and he deplored it.

Professor Blumen said if Professor Bowers did not like the word "tampering", he would say "deliberate omissions and commissions".
Professor Littauer said the minutes are usually put before the body for approval and since that has not been done today, it is a little out of order to be discussing such details; he didn't remember hearing a call for consideration of the minutes. Until such a call is made and people have an opportunity to correct omissions or extraneous matter, he believes the discussion is not relevant. He added that he doesn't think it is fair to ask the Secretary to be responsible for every detail until the chance has been given to the people concerned to refresh his memory or correct him.

Associate Professor George Lyon, Civil and Environmental Engineering, moved adjournment, which was promptly seconded. The meeting adjourned at 5:15 p.m.

Paul L. Hartman, Secretary
While noting that six were still lacking for a quorum, the Speaker, Professor Peter Stein, brought the meeting to order at 4:40 p.m. He called on the Dean of the Faculty, Byron W. Saunders, for his report.

1. REPORT OF THE DEAN

Dean Saunders first reported on the governance issue; question has been raised as to where we stand on that as a result of two non-meetings. He said he has proposed two or three courses of action to the Executive Committee of the FCR. The one which they thought would be the most likely to get us moving toward bringing our own Bylaws up to date, would be to put the item on the agenda of this body for the April meeting hoping for approval of whatever changes this body can approve. That might ease the way for getting it through a total University Faculty meeting. The current procedures for amending our Bylaws call for initiation either by petition of a certain number of Faculty members, by approval of the Review and Procedures Committee which we already have, or by majority vote of this body. The feeling was that if this body were to consider favorably the proposed changes, we would perhaps ease the concern felt by some of the Faculty and get some of the issues out which some people feel are part of a conspiracy to change the whole organizational structure of the University Faculty, sneaking it in through the back door. He said that nothing could be further from the truth, that all of the references to illegal committees, to fake referenda, to things of this kind, are simply not true. Those making accusations of illegal committees, don't understand our own legislation; all the committees have been legal and are authorized by our own legislation, Dean Saunders said. Given that we can agree at the April meeting on certain amendments to the document and forward them from a body larger than just the Review and Procedures Committee, we might ease the process through the University Faculty and allow us to bring our obsolete document up to date.

Secondly, the Dean reminded the body that the elective process would have to be undertaken shortly. Members (three) will have to be elected to the Campus Council as well as to many of the standing committees which the Faculty has in place. Depending on the action of this body later in the meeting, it will be determined how many candidates we have to have for various positions, because two of the resolutions on the agenda have to do with modification of the committee structure. The Committee on Admissions and Financial Aids is part of this picture. In an attempt to have committees that have active and regular business and ask people only to serve on committees which have a function to perform,
the Dean said he has written to all of the members of the Admissions and Financial Aids Committee of the last three years, asking them for their own reaction to that particular Committee. For some time, it seems to have been a Committee in search of a mission. The admissions to the University are the functions of the individual degree granting units and the financial aid picture is one which is administered by the central Office of Financial Aid, governed largely by Federal and State regulations for funds represented by those entities, plus the financial aid administered by the several colleges for funds that are restricted to them. Some of the issues on admissions and financial aid which have been dealt with by the Committee, dealing primarily with the minority problem, are now the function of the Minority Education Committee. It would seem to some in the Executive Committee that perhaps this Committee is a logical candidate for demise. If and when any University Faculty perspectives on admissions and financial aid become necessary, perhaps an ad hoc committee set up specifically for that purpose would be appropriate.

Finally, Dean Saunders said that the Committee on Physical Education will have a report to make on the mandated requirement for physical education. This will probably be on the agenda for the April meeting.

The Chair thanked Dean Saunders and asked if there were any questions.

Associate Professor Arthur Berkey, Education, asked what the status was of the joint calendar study committee.

Dean Saunders said the joint study committee on the calendar has drafted a request to all department chairmen, to section heads in Biological Sciences and others that could be identified for report on the potential problems that would arise if and when a one or two day break were to be invoked near a weekend sometime in October. Apparently the problem associated with a fall term break hinges much on laboratory instruction - at least that is the position that the Dean takes personally. At the moment the Faculty representatives are standing firm on the position that unless we can have 13 full weeks of laboratory instruction, they are not prepared to acquiesce to modification of the calendar.

Hearing no further questions, the Chair called on Professor P.C.T. deBoer, Mechanical and Aerospace Engineering and Chairman of the FCR Executive Committee, for a report on the Trustee action on tenure decisions.

2. REPORT ON TRUSTEE ACTION ON TENURE DECISIONS

Professor deBoer first reminded the body of the previous history of the matter of the Trustee action on tenure decisions. Dean Saunders reported at the last meeting that during the Board of Trustees meeting in October, one of the
Trustees had raised questions about both the voting process on tenure by the Trustees as well as about a person whose name appeared on the list to be approved. All of that is recorded in our minutes and it's also recorded that there was concern expressed by Faculty. Therefore it was referred to our Committee on Academic Freedom and Responsibility.

First he noted the recommendations made by the administration to the Board of Trustees which were approved by the Board on January 28, 1978:

1. The University Provost is requested to prepare, in consultation with the Committee on Academic Affairs, a roster of policy concerns in considering tenure recommendations about which the Board should be informed at each meeting.

2. The University Provost is requested to review, with the Committee, the policy implications of tenure recommendations prior to each meeting of the full board.

3. If a member of the Board of Trustees has any question concerning the recommendation of an individual for tenure, the following procedure is suggested:

   When the agenda is received, if any member of the Board has any concern over the professional or personal qualifications of any candidates for tenure appointment, the Secretary of the Corporation should be notified as quickly as possible. The Secretary will in turn notify the Provost. The Provost will discuss the matter in an executive session of the Executive Committee. The trustee raising the concern may be present at that meeting. The Chairman of the Executive Committee will report to the Board with respect to the discussions of the Executive Committee."

In the rationale accompanying these recommendations, it was stated that policy concerns for Trustees in considering tenure recommendations include the following:

(1) the impact of the number of tenure appointments on the future financial stability of the University;

(2) the effect of the percentage of tenured professors on the continuing strength of academic programs;

(3) the relationship of appointments and promotions to affirmative action goals; and

(4) the degree, if any, to which faculty inbreeding might be present.

After this matter was referred to our Committee on Academic Freedom and Responsibility, this Committee had given it careful consideration and it drafted a detailed statement containing the results of its deliberations. The statement was submitted to President Rhodes who then requested the special meeting with the Committee on Academic Freedom and the FCR Executive Committee. This meeting
was held last Thursday (March 2) and was also attended by Faculty Trustees Carol Meeks, Norman Penney and Adrian Srb, as well as Provost David Knapp, Vice President Donald Cooke and Professor Joseph Bugliari. First of all, President Rhodes requested further details and clarification about Faculty concerns regarding this matter. Among the concerns expressed by those present was the opinion (and Professor deBoer quoted partly from the statement prepared by the Committee on Academic Freedom) that the Board of Trustees should rely implicitly and as a matter of course on the extensive and thorough processes culminating in recommendations by the central University administration that tenure be granted to a given person. This indeed, was what the Board did prior to January 28, 1978. Such a policy does not preclude any trustee from seeking further information about a candidate for tenure or from communicating to the administration any information the trustee may have which he believes to have been overlooked, so that the administration can determine whether the information adduced calls for the extraordinary step of withdrawing its favorable recommendation. The traditional policy precludes a trustee from substituting his personal response for the successive and deliberate judgments of the department, the ad hoc committee, the administration of the school or college, and the central University administration. On the other hand, the new policy encourages the multiplication of expressions of concern about particular candidates and confers on such expressions an air of legitimacy and prudence they seldom deserve. Ultimately, any explanation for special "policy concerns" relating to tenure must be balanced against the always present dangers of trustee intervention in the area of academic freedom. Still other concerns were voiced at the meeting but the foregoing* were some of the principal ones. An additional principal concern was that the Faculty had not been consulted before the matter was brought before the Trustees.

President Rhodes responded by saying that he understood these concerns, and that he believed them to be valid. While he took full responsibility for making the recommendations to the Trustees, he stated frankly that, in retrospect, he wished that he would have followed a different course. All who spoke subsequently at the meeting agreed that the objective of any further proceedings should be to return to the starting point: "back to square one". Various ways of getting back to square one were explored. President Rhodes announced that he will bring the matter up at the March meeting of the Board of Trustees. He will invite the Trustees to defer any formal implementation of the tenure resolutions until there has been an opportunity to discuss with the Faculty some of the questions that gave rise to the recommendations. The final decision deferring implementation

*As corrected in minutes of April 12, 1978 meeting.
must, of course, be made by the Board of Trustees. In the meantime, Vice President Cooke has been asked whether he could begin to have preliminary discussions with members of the appropriate Faculty committees. The aim of these discussions would be to develop a procedure which would recognize the concerns of the Faculty while, at the same time, allowing the Trustees to exercise responsibly the obligations that they have for the University.

Professor deBoer concluded expressing the intention of the Dean of the Faculty and of the Executive Committee to keep the FCR informed about any future developments in this matter.

The Speaker thanked Professor deBoer and then recognized Associate Professor Terrence Fine, Electrical Engineering, and Chairman of the Academic Freedom and Responsibility Committee.

Professor Fine wished to correct Professor deBoer on one point in order to avoid any possible misunderstanding. The Committee on Academic Freedom and Responsibility did not submit the statement to President Rhodes; it was submitted to the Executive Committee of the FCR. The President was informed of the nature of that statement and then wished to have the discussion. The original objective was to have motions available for this meeting. It was only in light of the subsequent discussion that these were postponed.

Professor Herbert J. Carlin, J. Preston Levis Professor of Engineering, asked what action the Board took vis-a-vis the specific case that came up and what is presumed to be the action of the Board at the next round of tenure candidates approval?

Professor deBoer said the first question was answered in the minutes of the last meeting: The meeting of the Board was temporarily interrupted and there was informal discussion with the particular trustee, which was followed by unanimous vote. He did not know the answer to the second question and would not offer any speculation.*

Dean Saunders said in answer to the second question, that the proposals at the next meeting for promotion to tenure and to a higher tenure rank would be identical to what they've always been in the past.

The Chair, on hearing no further questions, indicated that a quorum was present; he would accept motions for approval of the minutes of the December 14 meeting as corrected in the February 8 minutes and also for the minutes of the February 8 meeting. So done.

The Speaker again called on Professor deBoer for a motion to approve the proposed changes in FCR legislation relative to standing committees and the Executive Committee.

*As corrected in the April 12, 1978 minutes.
3. PROPOSED CHANGES IN FCR LEGISLATION RELATIVE TO STANDING COMMITTEES AND THE EXECUTIVE COMMITTEE

Professor deBoer said the document mailed to the body entitled "Proposed Amendments to Present Legislation" is internal FCR legislation and therefore a matter this body can deal with itself if it so chooses. Some of these changes are pure housekeeping changes and others are more substantial. In order to get the housekeeping items out of the way first, which, he said, are obvious, he moved his Resolution B:

RESOLVED, That paragraph 4 of the legislation governing the Executive Committee of the FCR be amended by deleting the material contained within the brackets.

4. It shall bring these proposals [as well as legislative matters arising from University Senate actions (see Article XII of Organization and Procedures of the University Faculty)] to the FCR for action.

The item refers to paragraph 3 of the Executive Committee legislation which says: "It shall consult with committees of the University Faculty, members and committees of the FCR, and on occasion others, in the preparation of specific proposals for policies and actions by the FCR." Since reference to the Senate is obsolete, Professor deBoer moved adoption.

Since the motion is from a committee, the Speaker said, it did not need a second, so he opened the floor for discussion. There being no discussion, a vote was taken and the resolution carried unanimously as follows:

4. It shall bring these proposals to the FCR for action.

Secondly, Professor deBoer moved the second part of his Resolution A, amending paragraph 8 of the Rules and Procedures Governing Standing Committees of the Faculty Council of Representatives:

8. The terms of elected members shall be three years (two years in the case of the Executive Committee). [In the initial elections two tenured nominees shall be elected for one-year terms; two tenured and one non-tenured nominees shall be elected for two-year terms, and two tenured and one non-tenured nominees shall be elected for three-year terms.] The terms of office shall begin on July 1 and end on June 30.

(deletions in brackets)

That paragraph refers to the procedures which had to be followed when this body was first called into life. The deleted provision is obviously now obsolete.

Again, there being no discussion, the amendment carried without dissent and now reads:

8. The terms of elected members shall be three years (two years in the case of the Executive Committee). The terms of office shall begin on July 1 and end on June 30.
Professor deBoer said that the final resolution was more substantive, in amending paragraph 1 in the Rules and Procedures. It refers to changing the assigned numbers and quota on standing committees of the FCR as follows:

1. Each committee shall consist of [nine] seven Faculty members, [four] two elected by and from the FCR, [one of whom shall be non-tenured,] [four] five who are not FCR members elected by and from the University Faculty, and one of whom shall be non-tenured [.,] [and one appointed by and from the Executive Committee of the FCR for a one-year term.]

(deletions in brackets and additions underlined)

The rationale here was that the Nominating Committee would see its task greatly simplified; it has had a very hard time filling all committees. Seven member committees would also make it easier to schedule meetings, to obtain a quorum and to carry on the business. The other point is that at the moment there is a requirement that the FCR shall provide one non-tenured member to every committee - that's a hardship. It is already difficult enough for non-tenured members of the Faculty to serve in the FCR without spending their time on committee work. On the other hand, it is important to have non-tenured Faculty members represented in our work. So the idea here is that they can still serve on the FCR and, while they are welcome on the committees, the requirement that they also serve on a committee would be abolished. At the moment, there is also a requirement, although not enforced at present, that members of the Executive Committee carry an additional committee assignment. In many cases, that does not seem necessary; the original idea was that there should be liaison between committees and the Executive Committee. Without members of the Executive Committee serving on these committees, however, the liaison does not seem to suffer.

The Chair opened the floor for discussion of this motion.

Associate Professor Daniel L. Solomon, Plant Breeding and Biometry, wondered if it was sufficiently clear that "and one of whom shall be non-tenured" refers to the five who are not FCR members rather than the seven total.

Professor deBoer thought the "of whom" refers to the five in "and one of whom".

Professor Solomon said it might be interpreted that it refers back to the two as well as the five.

Professor deBoer said it was his personal opinion that it would be fine if the "one" came from the FCR as long as there was one non-tenured member on the committee.

Professor Solomon asked if that's what was intended - that there should be at least one non-tenured member on the committee of seven?
Professor deBoer replied it was. Professor Solomon submitted that it was not sufficiently clear and offered the substitute wording "and one of the seven of whom shall be non-tenured." Professor Solomon wanted to get some feeling before offering it as a motion.

Professor Edgar Raffensperger, Entomology, said the real problem with this wording is that the "and" is misplaced. He thinks the "and" should follow the first FCR - that is - "Each committee shall consist of seven Faculty members, two elected by and from the FCR," then the "and" - "and five who are not FCR members elected by and from the University Faculty" - eliminate that "and" - "one of whom shall be non-tenured."

Professor George Gibian, Goldwin Smith Professor of Russian Literature, said he thought it would still be unclear even if this change were made. If we mean one of the seven committee members, he suggested putting a period after "...from the University Faculty." And then amending the wording to say: "One of the seven committee members shall be non-tenured."

The Chair asked Professor Gibian to make that a motion and he did. It would, the Speaker said, read: "Each committee shall consist of seven Faculty members, two elected by and from the FCR and five who are not FCR members elected by and from the University Faculty. One of the committee members shall be non-tenured."

Professor Barclay Jones, City and Regional Planning, offered a friendly amendment - "At least one of the committee members shall be non-tenured."

Professor Raffensperger said he sees a mechanical difficulty. If one of the members is to be non-tenured and some are selected from one constituency and some from another, how shall the ballot be constructed so that adequate numbers are taken from each constituency and a non-tenured member be present.

Dean Saunders said that problem would be easily handled by the Committee on Nominations when they prepare the slate, knowing what the continuing committee structure or composition will be and, therefore, the particular categories that are required for nominees in an upcoming election.

Associate Professor John Booker, Mechanical and Aerospace Engineering, said he didn't believe we were speaking to Professor Raffensperger's problem - the difficulty seems to be that there are two groups electing members and we're saying that at least one has to come out of that process, but it is not clear how that is going to happen. Apparently each one of these election pools is going to have to make sure that it produces one non-tenured member.

Professor Mary Purchase, Design and Environmental Analysis, thought it a good point. As the slate is set up - there has to be two non-tenured people placed against each other. If you select that pair from the non-FCR group - fine and
dandy. If you select that pair from within the FCR - fine and dandy. But you have to have that pair. Professor Purchase said she doesn't think our election procedures allow us to have FCR against non-FCR because we do have these two separate slates and feels it would be better to return to the original meaning - that one of the five be a non-FCR member. That is, if the FCR member happens to be non-tenured, fine and dandy, but the requirements should come from the non-FCR group.

Professor deBoer said there has been no great rush by non-tenured members of the FCR to serve on these committees. In practice, the non-tenured members will be put forward by the Committee on Nominations, since it has the obligation to come up with two non-tenured candidates to run for these committee seats. He said the only thing we were doing with the words "at least" was leaving open the possibility of having additional non-tenured candidates from the FCR or not from the FCR, and therefore he supports the amendment.

Associate Professor Nicholas L. Sturgeon, Philosophy, said it seems there is not even a problem in principle unless these elections have to go on simultaneously. There's no reason the FCR couldn't elect two people and then if one of them is non-tenured, the requirement has been met. And if not, then there would have to be one non-tenured person elected from the other constituency.

Professor Fine said he would vote for this motion and should problems arise he was sure that someone could come back with remedies for problems that may arise in carrying out the motion.

The Speaker asked the Secretary, Professor Paul Hartman, to read the amended version now on the floor. After a reading of the re-worded proposal for paragraph 1, the Speaker asked for a vote on the re-wording of the original motion. This clearly carried with but few nays. On a vote call on whether or not to accept this now amended motion, it carried without dissent as follows:

1. Each committee shall consist of seven Faculty members, two elected by and from the FCR and five who are not FCR members elected by and from the University Faculty. At least one of the committee members shall be non-tenured.

There being no further business the meeting adjourned at 5:30 p.m.

Paul L. Hartman, Secretary
The Speaker, Professor Peter Stein, called the meeting to order at 4:30 p.m. while noting three members more were needed to constitute a quorum in order to conduct business. He called on the Dean of the Faculty, Byron W. Saunders, for his report.

1. REPORT OF THE DEAN

Because of the length of the agenda, Dean Saunders said he would try and be brief. First, he announced ballots for the Deanship election would be in the mail the following day. The nominees are: Professor William Tucker Dean, Law; Professor Kenneth Greisen, Physics and Astronomy and Chairman of Astronomy; and Professor Russell D. Martin, Communication Arts in the College of Agriculture and Life Sciences. He urged everyone to watch for those ballots and encourage colleagues to do so and to return them as soon as possible - the polls closing at 4 p.m. on April 24.

Secondly, he read a request from Dr. Allyn B. Ley, Clinical Director, University Health Services, that was of possible interest to those extensively travelling in certain areas. Tuberculosis in many regions is not uncommon; his letter urged travelers to take skin tests before and after the trip.

Finally, the Dean concluded his report with the following remarks on the campus disturbances of the day before and the peripheral events associated with them.

"Many of you were unaware of the temporary but nonetheless forced detainment of certain University Trustees and Administrators yesterday at the Johnson Art Museum, following the regular monthly meeting of the Executive Committee of the Board. If, however, you read the Sun or heard various news reports, you must know that an event occurred. Before saying anything further, however, let me condemn in the strongest way possible the blatantly racist words and insults sprayed on walls at Uris Hall and the Campus Store last Monday by one of more persons with warped and demented values. If I had any way of identifying the perpetrators I would like to see them prosecuted to the maximum extent possible. The cross burning last night is also in this category and is equally repugnant to me as I hope such events are to all Faculty. Other unfortunate remarks made in recent days which have been misunderstood or where actions have not been accepted at face value have exacerbated the situation. The confrontation yesterday was the result of many interacting complex issues and they can never and will never be settled by confrontation tactics, by attempting to hold hostage various individuals, or by expecting immediate responses to complex questions."
"On the other hand, our minority students and colleagues have expressed some real concerns and doubts about us, our motivations and our intent. Their fears and their traumas have got to be dealt with. In a University community such issues can only be resolved through rational discourse and a sincere attempt to understand each other. After all, a University community is but a collection of human beings, each with his or her own hopes, aspirations and values. The function of the University is to articulate these and try to learn and understand from each other. My office and services are open to all to assist this endeavor in any way possible and to promote rational dialogue and understanding. We also have a Committee on Minority Education to assist in this process. It is my sincere hope that these and similar proper channels will be used to come to some common understanding so each individual among us can achieve the goals we have set for ourselves. With the mistrust and misunderstanding that abounds in the world today - perhaps Cornell - as a microcosm of the world can lead the way. To do less than the best we can is not befitting a great University."

After the applause which was accorded the statement, the Speaker indicated that a quorum was now on hand and recognized a motion for the approval of the minutes of the March 8 meeting. Professor P.C.T. deBoer, Mechanical and Aerospace Engineering and Chairman of the Executive Committee, said he had two small corrections. On page 4739C, the third line from the bottom of the first paragraph, the word "following" should be "foregoing". On page 4740C, the fourth paragraph from the bottom, the last line reading "Any answer to the second question would be very speculative", Professor deBoer would like to change to, "He did not know the answer to the second question and would not offer any speculation." The Speaker sought and obtained unanimous approval of the minutes as corrected.

The Chair then called on President Frank H.T. Rhodes for remarks.

2. REMARKS OF THE PRESIDENT

"Mr. Speaker, Ladies and Gentlemen, in view of the crowded agenda and the pressing nature of other items, I want to speak to you about only one topic tonight. I want to speak to you if I may about the matter that was raised by Dean Saunders in his presentation. I believe that the campus community and especially the FCR, has a right to a clear understanding of the events that transpired yesterday. Mr. Secretary, the statement I now want to make is based on a report that I hope will be published in tomorrow's Chronicle and it may be that with the agreement of the Faculty it would save you some labor if that were incorporated in the minutes.
"The Secretary of the Board of Trustees received a request from four minority students to present a statement of their concerns to the Board. That was to be a 25 minute statement and the Executive Committee invited them to present it. In doing that, they pointed out that they already had an existing agenda that was a full one and that the meeting would allow no time for discussion at the end of that presentation. Their presentation took place and the Executive Committee, once the students had left, prepared a limited but affirmative response to the points that the students had made. That response was read by me when the Trustees emerged from the Johnson Museum at the conclusion of their meeting. There were then some questions which were answered and then the Trustees and others of us attempted to leave the Museum. At that point we were confronted by those who rallied in front of the Museum and were in fact unable to leave. The discussion continued for awhile and after that I pointed out to the crowd that they were engaging in behavior which was a breach of discipline and urged them to disperse. There was further prolonged discussion and I then issued a second warning that they were in violation of the Campus Code and if they did not disperse, I should instruct Campus Security Officers to photograph them in order to allow us to press charges against them. There was further discussion and ultimately the group dispersed and the Trustees left the building. The whole incident occupied something like an hour - I don't know the exact time involved. So much for the events so far as it's possible to describe them briefly. You have a far more graphic presentation of the events in today's Sun which I hope you'll study.

"There are some aspects of yesterday's happenings that are of deeper concern than the event itself. I want to comment on two of them. The first is one which the Dean has already touched on. This week has been a week of tension and frustration and provocation for some of our minority colleagues on the campus -- provocation and frustration because of the graffiti found on the walls of campus buildings, which all of us simply have to deplore and which all of us must collaborate together in stamping out as a mentality that it represents amongst a community of this kind. I'd add to that the sense of dismay that we feel at the burning cross that was put up last night. Second, there have been statements and debates this last week concerning things as different as the future of the Africana Center, the nature of a pluralistic society or lack of it, the Bakke case, which is now on appeal before the Supreme Court, and the whole question of investments in South Africa -- complex and wide-ranging issues of concern to all thoughtful people. And all those tensions and frustrations, I understand. And we have to say in the light of all that's happened, that the commitment of Cornell to minority education is a strong and continuing and unchanging one -- both for minority admissions, for minority support, both academic
and financial, and for minority programs. But yesterday's behavior by a small group of students which included majority as well as minority students, is a setback to the understanding and the cooperation on which future progress has to depend and on a foundation of which it has to be established. No society, and least of all a University society, can afford to tolerate the imposition of violence and the will of a small group such as that that happened yesterday. No society, in fact, can be governed by force because to submit to that behavior is in fact to create a society, to introduce a society, in which the rights of all individuals - minority and majority - are threatened by the rule of lawlessness. And so I have to say that I regard the blocking of that building yesterday as a major problem, a major blot on the history of the University.

"There is no possible institutional response of course to that kind of behavior which will not anger some members of the community. Some will argue that we were too slow in responding. Others will argue that we were too rapid in responding and some perhaps might even argue that we did the right thing. And I don't argue or justify the particular response that was made. But one thing is clear, the kind of action which involves building occupation, building blockage or similar acts, simply cannot be tolerated in a University such as Cornell. And those who may contemplate such acts in the future, deserve to have the privilege of knowing how we shall respond. We must restore order, ease of access and continuation of University business as swiftly and as effectively as possible. Deep convictions, no matter how strongly they're held, and no matter how profound the topics that they involve, are no excuse for individuals to abrogate the right of others. And that happened yesterday. That doesn't mean, of course, that Trustees or administration are unwilling to sit down and discuss items of concern to any group. In fact the Trustees' statement that was read before they were detained in the building already agreed to such a consultation with minority groups. I shall honor that commitment and I hope that the meeting that was offered will take place within the next week.

"So the issues that were raised yesterday are complex issues. They are issues to which there are no simple solutions and they are certainly not issues to which there can be instantaneous solutions in the face of confrontation and pressure. The fact that they are complex with no easy answers means only that they mirror the problems that confront us in the wider society. My hope is that as members of the Cornell community we can show restraint and imagination and sensitivity and cooperation and realism in confronting them. A great University should accept no lesser standard for itself than that. Thank you."

Following the applause for his remarks, the Speaker thanked the President and asked if any member of the Faculty wished to address a question or comment.
Assistant Professor Robert Harris, Africana Studies, said he applauded very loud and clear Professor Saunders' statement, which he thought was a very good one. "We need that type of encouragement at this time to try to have some type of rational discussion over those issues which are seemingly dividing this campus," he said. And he continued, "I was silent after the remarks by President Rhodes because those remarks were not that reassuring to me. I'd like to know where president Rhodes was, where was the administration, where was his office after the remarks had been made by retiring Board of Trustees Chairman Purcell. Those remarks were extremely distressing to a great number of us who view this University as a place where various cultures can be studied, where we can take the best from different societies for the betterment of mankind, for the future of world civilization. But it appears that the administration is very silent, giving us the opinion or at least the idea that there was some implicit consent in the statement of the retiring Chairman of the Board of Trustees, whom many people look at as speaking for this University, that indeed this is a white man's world and that we have to conform to it. There have been several incidents that have occurred recently on this campus. I had one of my student advisees, who was literally run over by a white male driving his car two weeks ago. This poor young woman was extremely upset - I'm sure that it's affecting her academic work at this University this semester. There have been other incidents of this kind. If we have an effective administration at this University, it needs to come forward very forthrightly and try to reassure those individuals who feel threatened, not after the fact with threats of what will occur if there are disruptions at the University, but rather having some foresight, taking counsel, for example, from one of my colleagues who tried to mediate that situation yesterday and was shoved aside by the President of this University. Thank you."

President Rhodes said he was happy to reply to Professor Harris and he welcomed his comments, though not agreeing with them. The President said he had had a long and constructive conversation with Professor Turner this day and they talked together about increasing cooperation and understanding. He had played a constructive and a useful role in events of the day before; the President said he had thanked him, both yesterday and today, for his role in that. The President said that Professor Harris' second point was an important one and that he was well aware that the comments made by the Chairman of the Board had angered and saddened many people, but he had said repeatedly during his own time at Cornell, that his own view of our society was a different one. It's a society made up of people representing many heritages, of which the Afro-American heritage is one in which we can all take great pride. One of the functions of the University is not only to sustain but to understand and to relate those cultural heritages...
that we represent. The President said he had stated publicly and had been quoted in a press conference within the last week, that the continuation of the Africana Center was assured and that other funds would be found to support it if in fact the Chairman of the Board decided to withdraw those that have been available to it. President Rhodes said that what he had stated in his remarks was by no means a threat - it was in fact an indication of to what every member of the campus community is entitled, concerning the media, concerning the way in which an open society free of coercion is to be maintained, in which the benefits of all groups - minority and majority - can be moved forward peacefully and constructively together. That, the President said, is his fondest hope and in that the preservation of the heritage of which Professor Harris speaks is a part of major importance.

Hearing no further comments or questions for the President, the Speaker called on Professor Barry Adams, English and Chairman of the Committee on Nominations and Elections.

3. REPORT FROM THE COMMITTEE ON NOMINATIONS AND ELECTIONS

Professor Adams indicated that the Committee had distributed at the door, a report in the form of a list of candidates for vacancies on various standing committees. On behalf of the Committee, Professor Adams moved adoption of the slate as follows:

AT-LARGE MEMBER, FACULTY COUNCIL OF REPRESENTATIVES - 4 seats - 3-year term
Geoffrey V. Chester, Professor, Physics/LASSP
Creighton E. Gilbert, Jacob Gould Schurman Professor, History of Art
Michael C. Latham, Professor and Director, Program on International Nutrition
William F. Lucas, Professor, Operations Research and Applied Mathematics
Jason Seley, Professor, Art
Donald H. Wallace, Professor, Vegetable Crops

REVIEW AND PROCEDURES COMMITTEE - 3 seats - 3-year term
Ciriaco M. Arroyo, Emerson Hinchliff Professor of Hispanic Studies
Neil W. Ashcroft, Professor, Physics/LASSP
Joseph Bugliari, Professor, Agricultural Economics and Business Law, Dir. Legal Services
William H. Kaven, Associate Professor, Hotel Administration
Gilbert Levine, Professor, Agricultural Engineering, Dir., Center for Environmental Research

NOMINATIONS AND ELECTIONS COMMITTEE - 3 seats - 3-year term
- 1 seat - 2-year term
Toby Berger, Professor, Electrical Engineering
Herbert J. Carlin, J. Preston Levis Professor of Engineering, Electrical Engineering
Alison P. Casarett, Associate Professor, Radiation Biology, Veterinary, Associate Dean, Graduate School
Mary F. Katzenstein, Assistant Professor, Government
Lucinda A. Noble, Professor, Community Service Education, Associate Dean, Human Ecology, Associate Director, Cooperative Extension

MEMBERSHIP OF THE UNIVERSITY FACULTY - 1 seat - 3-year term
Gertrude D. Armbuster, Associate Professor, Nutritional Sciences
Norman R. Scott, Professor and Chairman, Agricultural Engineering
ACADEMIC FREEDOM AND RESPONSIBILITY COMMITTEE - 1 seat - 3-year term
George Gibian, Goldwin Smith Professor, Russian Literature
William E. Hogan, J. duPratt White Professor of Law

ACADEMIC PROGRAMS AND POLICIES COMMITTEE - 2 seats - 3-year term
- 1 seat - 2-year term
John E. Dennis, Jr., Associate Professor, Computer Science
Carl A. Ginet, Professor, Philosophy
Walter R. Lynn, Professor, Civil and Environmental Engineering
Edward P. Morris, Professor, French
Donald L. Turcotte, Professor, Geological Sciences

BUDGET COMMITTEE - 1 seat - 3-year term
Michael J. Colacurcio, Professor, English
Ronald G. Ehrenberg, Professor and Chairman, Labor Economics
Timothy D. Mount, Associate Professor, Agricultural Economics

*FREEDOM OF TEACHING AND LEARNING COMMITTEE - 1 seat - 3-year term
Clive Holmes, Associate Professor, English History
M. Vivian White, Associate Professor, Design and Environmental Analysis

MINORITY EDUCATION COMMITTEE - 2 seats - 3-year term
Ralph J. Gutierrez, Assistant Professor, Natural Resources
Shiriki K. Kumanyika, Assistant Professor, Nutritional Sciences
J. Congress Mbata, Associate Professor, Africana Studies and Research Center
Ulric Neisser, Professor, Psychology

PHYSICAL EDUCATION COMMITTEE - 2 seats - 3-year term
Donald D. Eddy, Associate Professor, English and Librarian, Rare Books
Donald T. Farley, Professor Electrical Engineering
George R. Livesay, Professor, Mathematics

PROFESSIONAL AND ECONOMIC STATUS OF THE FACULTY COMMITTEE - 2 seats - 3-year term
Martin J. Harms, Assistant Professor, Architecture
Lynne H. Irwin, Assistant Professor, Agricultural Engineering
Robert R. Morgan, Assistant Professor, English
John A. Nation, Professor, Electrical Engineering, Asst. Director, Lab. Plasma Studies

RESEARCH POLICIES COMMITTEE - 1 seat - 3-year term
John W. DeWire, Professor, Physics, Associate Director, Nuclear Studies
David Pimentel, Professor, Entomology and Agricultural Sciences

RESEARCH POLICIES COMMITTEE - 1 non-tenured seat - 3-year term
James P. Lassoie, Assistant Professor, Natural Resources
Murad S. Taqu, Assistant Professor, Operations Research

UNIVERSITY-ROTC RELATIONSHIPS COMMITTEE - 2 seats - 3-year term
James J. John, Professor, Paleography and Medieval History
Arden F. Sherf, Professor, Plant Pathology
Christine F. Shoemaker, Assistant Professor, Environmental Engineering
Bert O. States, Professor, Theatre Arts and English

COUNCIL ON PHYSICAL EDUCATION AND ATHLETICS - 1 seat - 3-year term
Ronald E. Anderson, Associate Professor, Plant Breeding and Biometry
William F. Mai, Professor, Plant Pathology

*This slate was inadvertently omitted from those presented at the FCR meeting. The Executive Committee has voted to include it in the balloting with all the others.
CAMPUS COUNCIL - 3 seats - 2-year term commencing May 1, 1978
Richard D. Black, Associate Professor, Agricultural Engineering
Carol J. Greenhouse, Assistant Professor, Anthropology
A. Gerd Korman, Associate Professor, ILR
James R. McConkey, Professor, English

The Speaker asked for any additional nominations for any committee or council post. There being none, the nominations were declared closed and the slate was accepted.

The Chair called on Professor Paul Ankrum, Electrical Engineering and Chairman of the Committee on Physical Education, for a report and a resolution.

4. REPORT AND RESOLUTION FROM THE PHYSICAL EDUCATION COMMITTEE

Professor Ankrum indicated that the Committee came into being four years ago at a time of controversy over the physical education requirement. At that time, this body voted down three resolutions that would have either eliminated the requirement or would have reduced it. The fourth resolution established the FCR Committee which was directed, among other things, to investigate the program and make recommendations regarding it. After rather extensive investigation of the program and its staff, the Committee presented a report to this body in May 1976, entitled, "The Quality of Physical Education at Cornell". In essence, the Committee found the program to be of excellent quality and recommended continuation of the four semester graduation requirement, which this body adopted. Two months later a new Director of Physical Education and Athletics arrived, Richard Schultz, who must have been besieged with questions regarding the program; a number of articles about the program resulted. These stories indicated that he had some suggestions to make about the program, and he did. In addition, the Arts and Sciences Faculty early that fall, expressed its unhappiness with the physical education requirement and set up an ad hoc committee to seek its abolition through working with the FCR Committee. The Arts and Sciences Committee had no quarrel with the program itself but felt it should be voluntary. Director Schultz expressed concern about the possible effects of an abrupt change and suggested a program consisting of two required semesters followed by a voluntary program having academic credit. Also, other institutions (17) were surveyed by the Arts College Committee, regarding their physical education requirement. It was learned that a wide majority do not require physical education but do have voluntary programs - most of which offer courses for academic credit. After several meetings with Director Schultz and the Arts College Committee, the Committee on Physical Education came to the following conclusions and recommendations regarding the physical education program:

*Attached as Appendix A
1. Physical education should continue to be a requirement for graduation, but the requirement should be reduced to two terms. This requirement would be met by two one-credit courses given on a satisfactory/unsatisfactory grade basis. Although the four-term program seems generally well received, there are students who prefer to spend their time in other ways. The Committee believes that a one-year required program is needed to encourage physical fitness and recreation and to introduce students to the University's facilities and programs, that many students will continue physical activity on a voluntary basis, and that a second year is of questionable value for uninterested students.

2. The required program should continue to allow choice from a wide variety of skills-type physical-education courses, many with a high potential for life-long exercise and enjoyment, but a physical-conditioning course should also be offered and recommended for students who are deemed deficient in physical fitness.

3. An elective program of courses for credit should be available for students wishing additional work in physical education. This program would consist of one-credit skills-type courses similar to those of the required program, except that there might be greater emphasis on fundamentals of the particular activity, and of two-credit courses most of which could lead to certification in areas such as life saving, scuba diving, and the officiating of athletic events.

4. Decisions regarding the use of elective physical-education courses to meet graduation requirements would be prerogatives of the degree-granting divisions of the University.

5. The Committee on Physical Education recommends that the proposed changes in the physical-education program be enabled by FCR passage of the following resolution:

RESOLVED, That effective with the class entering in 1978, the Physical-Education legislation enacted in June 1945 and amended October 1949, January 1950, and December 1962 be amended to substitute the words "two terms" for "four terms" where they appear in paragraphs 1 and 2 of said legislation, and that the Physical Education and Athletics Department's proposed program of elective courses given for academic credit with the required two-term program as a prerequisite be endorsed.

The Speaker indicated that, since the resolution came from a Committee, it did not need a second and so he opened the floor for debate.

Dean Saunders said that Professor Isaac Kramnick of the Government Department, and Chairman of the Arts and Sciences subcommittee dealing with this issue, sent him the following letter requesting that it be read at this meeting:

"Dear Dean Saunders:

I'm sorry that I am unable to be here for the meeting today. Unfortunately, I have to be at the airport at 5:17 to pick up Barbara Castle, one of the main participants in our conference on 'The British Crisis'. However, I
do hope you could tell the FCR that I and the Arts College EPC Committee, wholeheartedly approve the FCR Athletic Committee's recommendation. Our discussions with Mr. Schultz and the Committee were most constructive and congenial. For our part, then, we strongly support the recommendation for changing the athletic requirement from two years to one year.

Sincerely,
Isaac Kramnick
Professor of Government"

Associate Professor Arthur Berkey, Education, questioned recommendation number two - namely, who is going to determine which students are "deemed deficient" in physical fitness? And secondly, he asked if the only thing being voted on was recommendation number five containing the resolution or was the body adopting one through five?

The Speaker replied that the body was only voting on the words following "RESOLVED", and that the part preceding was merely acceptance of the report.

Professor Ankrum responded to Professor Berkey's first question. He said that it is planned to give every Freshman, in addition to the swimming test, a physical fitness test that a typical 18 year old in reasonably good health, could pass. Those that are found unable to pass it, will be told of the physical-conditioning course available and will be urged, but not required, to take the course.

Professor Jay Orear, Physics, said he thought that any course given at Cornell could be awarded academic credit by an individual college or division - and if that is true, then why is it necessary to specify in this resolution that these courses be given academic credit?

Professor Ankrum replied that at present there is in existence a program of non-credit, voluntary courses, and the Committee wanted to distinguish between courses that a student would register for and receive transcript credit for.

There being no further discussion, which surprised the Speaker after all the years of hassle, the resolution passed without dissent!

The Chair next called on Professor P.C.T. deBoer for a resolution on physical education courses.

5. RESOLUTION FROM FCR EXECUTIVE COMMITTEE RE: PHYSICAL EDUCATION COURSES

Professor deBoer moved the following resolution:

WHEREAS, the Department of Physical Education and Athletics is not an academic department, and neither its programs nor its personnel are subjected to normal academic review processes, therefore,

BE IT RESOLVED, That the Department of Physical Education and Athletics is instructed to submit the following materials to the FCR Committee on Physical Education, prior to offering any courses for credit beyond the requirement mandated by the faculty:
1. A complete syllabus of each proposed course.
2. Copies of any texts or reading lists that are required.
3. A curriculum vita of the instructor responsible for the course.
4. The procedures to be used in evaluating student performance in the course and grading policy.

BE IT FURTHER RESOLVED, That the FCR Committee on Physical Education will analyze, review and comment on these materials, after which it will forward a copy of the materials together with its conclusions to the various Schools and Colleges that may wish to consider granting credit towards graduation for such courses.

Basically, Professor deBoer explained, this resolution would put the Department of Physical Education in the same relationship to the Committee on Physical Education as the Committee on University-ROTC Relationships is to the ROTC program, namely that courses be evaluated by the Faculty.

Professor Orear again questioned the last sentence that the degree granting division or college would make use of this additional information provided by this Committee; the implication was that the college or school could go ahead on its own and offer degree credit for such a course, independent of the Committee or of the Faculty. He asked Dean Saunders if he would comment.

Dean Saunders replied that it's always been that way. The several schools and colleges have jurisdiction over the courses which they would in turn allow to be permitted to count towards whatever their graduation requirements are.

Professor William D. Pardee, Plant Breeding and Biometry, asked if there was any committee within the Physical Education Department that could serve as a pertinent committee?

The Speaker replied he gathered there was not, since the sense of the resolution was to place such responsibility with the Physical Education Committee.

Dean Saunders added that this introduced a somewhat different concept. To his knowledge, this was the only operation at the University which would be totally outside the academic hierarchy; the University-ROTC Relationships and the ROTC people report through the Provost's office, which is part of the academic hierarchy, in contrast to the Department of Physical Education and Athletics, which is under Mr. Schultz and reports through the Senior Vice President directly to the President.

Professor Ankrum said there seems to be a general misconception that the present physical education courses do not carry academic credit. The fact is that all students who graduate from Cornell have a transcript that shows four credits, on an S/U basis, for physical education.
On a vote call, the resolution carried unanimously.

The Chair again recognized Professor deBoer for a resolution concerning the Committee on Admissions and Financial Aids.

6. RESOLUTION CONCERNING COMMITTEE ON ADMISSIONS AND FINANCIAL AIDS

Professor deBoer moved the following:

BE IT RESOLVED, That the standing Committee on Admissions and Financial Aids be eliminated.

This Committee has not had any business for a number of years. If it were necessary to provide Faculty perspective on admissions and financial aid, the feeling is that it could well be done by an ad hoc committee.

There being no debate, the resolution carried.

The Speaker again called on Professor deboer, this time for a resolution to declare certain FCR seats vacated.

7. RESOLUTION TO DECLARE CERTAIN SEATS VACATED

Professor deBoer read the third resolution from the Executive Committee:

WHEREAS, Article VIII-H-3 of the Organization and Procedures of the University Faculty provides for the FCR as a body to declare any FCR seat vacant when the elected holder of that seat has not attended regular meetings for at least 120 continuous days, therefore,

BE IT RESOLVED, That the following individuals, who have exceeded the 120 days limit and who have previously been notified of that fact, are no longer members of this body:

Professor Robert L. Bruce, Agriculture
Associate Professor R. Laurence Moore, Arts and Sciences
Professor Harrison Trice, ILR
Professor Isaac Kramnick, At Large

These people have not attended, as of March 8, for 174 and 184 days in the various cases.

Professor deBoer said there are practical reasons for doing this. First, we have had difficulty getting a quorum. If people never come, and do not intend to serve, it's an unnecessary burden to have to carry them.

Associate Professor Howard Howland, Neurobiology and Behavior, moved striking the name of Professor Moore, since his term ends anyway on June 30, 1978.

Professor deBoer said that this point was argued in the Executive Committee and it was decided there that it seemed somewhat arbitrary and capricious to start and not include someone on a list simply because they did not have much more time to serve.

On a vote call on Professor Howland's amendment, it was defeated.
Professor Henry Ricciuti, Human Development and Family Studies, said he didn't understand why the body had to vote on specific names.

Professor deBoer said it was not automatic; according to the rules the FCR still had to vote it.

Professor Norman Potter, Food Science, noted that it had been said that these people had been contacted, and if a person has been contacted and they don't want to serve, they can say so. If they are contacted and do not wish to finish out their term in office, why aren't the seats relinquished?

Dean Saunders said there are several categories. All people were contacted and some resigned. Responses from others included "otherwise occupied - vote me out." That is what was being done.

There being no further discussion, the original motion carried without dissent.

The Speaker called on Dean Saunders for a change in the agenda.

Dean Saunders said the agenda called for discussion on recommendations that could be made to the University Faculty concerning proposed amendments to our organization and procedures. On behalf of the Executive Committee and the Campus Council, he moved for unanimous consent to advance a topic which was not on the agenda, namely the Calendar Proposal circulated at the door; once the body gets started on the other one, meeting time will have expired.

The Speaker, seeing no opposition to modification of the agenda, the calendar item was considered next.

8. CALENDAR PROPOSAL

Professor deBoer said the newest development with respect to the calendar was that the Campus Council was suggesting to the Faculty that there be a change in the calendar effective in the Fall of 1978. He moved the following:

WHEREAS, The Campus Council has adopted a resolution entitled "Proposed Resolution on Calendar" the entire text of which is as follows:

"In view of the pressures created or aggravated by the absence of any break in the 11-1/2 weeks of classes between Labor Day and Thanksgiving; and

In view of the difficulty in making any permanent adjustment in the calendar to provide such a break, without sacrificing other equally important objectives;

The Campus Council suggests to the Faculty that, on a trial basis in the 1978 fall term:

1. No classes or other academic exercises be held on Friday, October 13, or Saturday, October 14;
2. Classes or other academic exercises scheduled for those
dates be either rescheduled for other dates or cancelled,
at the option of the instructors involved.

The Council further suggests that appropriate activities of
a recreational nature be organized through the Division of
Campus Life and its departments for persons remaining on the
campus during the period of October 13-15."

and

WHEREAS, The Campus Council interprets the passage of this
resolution as mandating a University-wide holiday on
October 13 and 14 if approved, and

WHEREAS, There will be both lecture courses and laboratories which
meet on Fridays (or Saturdays) only and are of sufficient size
that rescheduling is impossible, thereby eliminating another
week from the fall term for such classes, therefore

BE IT RESOLVED, That the Faculty Council of Representatives finds
the proposal of the Campus Council as quoted above to be a
major change that is unacceptable.

Professor deBoer said that the current legislation was that minor changes in
the calendar may be approved by the Provost. The opinion of the Executive
Committee was that this proposal was a major change and so "major change" was
inserted in the resolution. Once it's a major change, then the FCR should decide
on it.

Before discussion on this item, the Chair made a statement as to what he
felt was the proper thing to do for a Faculty member who opted to support the
Campus Council position for having a mandated holiday on October 13-14 - it was
to vote against this resolution, but then another resolution would have to be
offered at this meeting and adopted by the FCR in order to authorize such a
holiday next term. He then opened the floor for debate on Professor deBoer's
motion.

Elmer Meyer, Dean of Students, said his office has seen a marked increase
in pressure and stress problems among students during the first semester. Dean
Meyer said from his point of view, it would be one of the most limited kinds of
things that could be done to at least symbolically indicate to the student body
that the University, its Faculty, and administration, does recognize that there
is some concern in this area. Campus tension is a common problem and threat at
other campuses, not just at Cornell. He added that the University of Rochester
and Colgate have tried a similar break and have found it rather successful, at
least from some student and faculty members' point of view. This was a recommendation
for a trial basis made by the Campus Council for next year; it was minimal in
hopes that most Faculty could accept it and see what would happen.
A question was raised as to whether the Executive Committee had considered how many courses only meet on Friday and Saturday - how large a population would be affected?

Dean Saunders said he had only just received the schedule of courses for fall 1978, and at first glance, he would have to estimate something in excess of 1,000 students. Dean Saunders added that he thought there probably were some very serious stress problems among students, mainly Freshmen living in the West Campus Dorms and part of it was in the design of those dorms. However, the number of students involved was a small number in relation to the total students at Cornell, which in the fall term, is something like 16,350. The feeling of the Executive Committee was that they could only present to the body the interpretation and the language of the Campus Council, because that is what they passed. It would be an entirely different approach if it were expressed on a voluntary basis, so if upper-class courses wanted to be held, they could be held.

Professor Berkey said he was sympathetic to the need to relieve tension but not sympathetic to reducing the teaching time that we have. He suggested that if we want to have a break, we extend the calendar back into January as we did before. We can't have 14 weeks of instruction and have all kinds of breaks and still end up the semester before Christmas. He asked if a broadly represented committee had ever met, as dictated by the Campus Council legislation whenever the calendar changes from that current - "of the present type"?

Dean Saunders said the Provost, last fall, requested by letter to both himself and Professor David Ratner, Chairman, Campus Council, that we consider this issue and make a determination as to whether it was a minor issue or a major issue. The initial decision of the Executive Committee was that it was a major consideration and was reported to the Provost in that vein. The Provost then asked that a small committee from the Faculty meet with a Campus Council group to search for a meeting of minds on it. The Dean asked Professor Edgar Raffensperger, Entomology, Associate Professor John Wiesenfeld, Chemistry and Associate Dean Malcolm Burton, Engineering, to represent the Faculty and hold discussions. After two meetings the Campus Council proposed the October 13-14 possibility. And so it came to the Executive Committee and now to the FCR for its opinion.

Professor deBoer also pointed out that certain changes would be effective in the fall and that is one of the reasons to get a consensus now. He added that we have had this present calendar for a number of years now and it is not clear to him why all of a sudden this year we run into all these problems. There are other factors involved than just the calendar itself, Professor deBoer thought.
Associate Professor Frederick Bent, Business and Public Administration, pointed out that the Campus Council voted unanimously on this particular recommendation - and the Campus Council consists of Faculty, Students and Employees. The decision was not casually taken. He also pointed out that much of the debate centered on much more dramatic types of calendar change. After extensive debate, it seemed to the Campus Council that what was proposed was indeed minor and that it was possible, since one would know ahead of time, for professors whose classes do meet on either a Friday or a Saturday, to be able to reschedule those courses either prior to the vacation being proposed or after.

Assistant Professor Richard Hallberg, Botany, Genetics and Development, submitted that it's more complicated than just eliminating Friday and Saturday. There are many biological science courses, and he was sure it's true in other experimental sciences, which have lab sections which only meet on Friday, for which it's impossible, considering facilities, to reschedule sections.

Professor Herbert J. Carlin, J. Preston Levis Professor of Engineering, added that besides classes and labs, there are a great many events on the University that are scheduled far in advance - some of them being major events, major lectures, major concerts, plays, etc. - often impossible to reschedule.

Another member said one of the major problems that Freshmen have is getting away from loco parentis and becoming acclimated to the campus, surroundings, homework, freedom, etc. and she felt that we should address study habits and things outside of academic work.

Dean Meyer added that most of the letters received have been from upper-classmen who feel the same sort of thing.

Professor Ricciuti said he was very sympathetic to the Campus Council resolution but also very reluctant to reduce the academic term. He was delighted to hear work was still being done on a new calendar, his feeling being that the present fall calendar is atrocious. He would therefore vote against the motion of the Executive Committee since he was in favor of the Campus Council motives.

Professor Edgar Raffensperger, Entomology, said the loss of a Friday in the program is further compounded by the loss of Thursday and Friday during Thanksgiving week, thereby doubling the make up work in that particular weekday. He suggested perhaps a solution would be to have all of Thanksgiving week off. He said that in his view there was a general malaise on campus that contributes to the stress being cited here - loss of the old Fall Weekend that served as an emotional release, identical courses being given twice a year causing professors to jam an extra week's work in during the fall term, and transfer students making upper divisions of courses more populated.
Professor Norman Scott, Agricultural Engineering, said he couldn't see a lessening of pressure resulting from taking off two days and making up the work in a still shorter-than-now time period afterwards.

On a vote call, the resolution carried but not without dissent.

The Speaker called on Dean Saunders for the remaining agenda item.

9. PROPOSED OPUF CHANGES

Dean Saunders said the Review and Procedures Committee and the Executive Committee have been trying for some time to get some modifications to our Organization and Procedures of the University Faculty (OPUF) which document constitutes our Bylaws. A quorum these days at a University Faculty meeting seems not possible, calling as it does for a 10% requirement, which under our current membership count is 150. The situation is compounded further because people are "voting with their feet" and staying away, seemingly because they are afraid of what the changes really represent. The feeling of the Executive Committee was that if, prior to our next full University Faculty meeting, which will be on May 17, this body could endorse at least a portion of the proposed changes, if not all, we might allay some of that fear and at least begin to make some progress.

To that end, a series of resolutions have been prepared for this meeting. An error was noted: On the first resolution giving page numbers, the second page 11, should be changed to page 15. Beyond that, he said, the five resolutions treat five differing categories of changes. The first batch of resolutions should be almost automatic - elimination of all reference to the Cornell University Senate, which no longer exists. The second batch deal with housekeeping items - all change or modify language and provisions which had to be used in setting up the organization at its inception, when the original document was passed in January, 1971. Resolution #3 deals with a limited set of four references to ex officio members. The principal change there would be for the next Dean of the Faculty to be entitled to voting membership on the several committees. Robert's Rules of Order do in fact provide for voting privileges automatically for ex officio members, with the one stipulation that they do not count when one is trying to assess whether a quorum in present. Resolution #4 deals with two or three changes in the quorum requirements in the hope that in modification certain advantages would accrue for the future. The changes would occur essentially in two areas:

(1) The quorum requirement for the University Faculty at present is 10% for ordinary business, i.e., 150 members. The proposal here is that half that number, or 75 members, suffice for a quorum. The 150 is based on our Faculty count of 1505 which is our official count this year. (2) The other serious quorum change arises from the current rule that if members of the University Faculty would like
to challenge some action of this body, 25% of the Faculty or 375 people, are
required. That makes it hopeless even to get it on the floor. Finally,
Resolution #5 deals with a clarification of the committee responsibilities of
the Review and Procedures Committee and of the Executive Committee in appointing
standing and ad hoc committees. That process has been challenged within the
last year, incorrectly, the Dean said; according to Robert's Rules, a standing
committee of any body can appoint a subcommittee and in some instances calls
for members of the committee to be members of the subcommittee. Our own rules
explicitly allow for a subcommittee to be made up of any members of the University
Faculty. It apparently needs to be said specifically and clearly. Dean Saunders
said those are the nature of the changes, and suggesting debating them in May.

The Chair recognized a motion to adjourn at 6:03 p.m.

Paul L. Hartman, Secretary
Recommended Physical-Education Program Changes
A Report Prepared by the FCR Committee on Physical Education
April 1978

INTRODUCTION

The Committee on Physical Education was established by the Faculty Council of Representatives on May 8, 1974 to:

1- Evaluate on a continuing basis the quality and function of physical education at Cornell;

2- Formulate such recommendations for improvements or changes in the nature, staffing, or status of the program as from time to time appear desirable;

3- Report its findings and whatever recommendations it may wish to make at least every two years to the FCR, beginning with a report no later than December 1974.

In its report of May 1976 entitled "The Quality of Physical Education at Cornell", the Committee reported its evaluation of the physical-education program. Among its findings and recommendations were, "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" and "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". In accepting the Committee report of May 1976, the FCR endorsed continuation of the graduation requirement of four terms of physical education — a requirement that is now met by four one-credit courses given on a satisfactory/unsatisfactory grade basis. Nevertheless, the Committee soon began reconsidering the graduation requirement.

REQUIREMENT RECONSIDERATION

Two events that were largely responsible for reconsideration of the physical-education requirement were the arrival of Director of Physical Education and Athletics, Richard Schultz, who provided additional suggestions, and passage of the Arts and Sciences College Faculty motion of December 15, 1976 that "The Faculty of the College of Arts and Sciences instructs its Educational Policy Committee to seek abolition of the physical-education requirement in consultation with the appropriate committee of the University Faculty". The Arts and Sciences College motion resulted in the establishment of a College Committee on Physical Education that was invited, along with Director Schultz, to meet with the FCR Committee on March 22, 1977.

At the March 22, 1977 Committee meeting, the Arts and Sciences College position regarding the physical-education requirement was presented, emphasizing that the position is not a criticism of the Cornell program but a belief that it should be replaced by a voluntary program. Also presented were the results of a
survey of 17 private and state universities which indicated that the vast majority no longer have a physical-education requirement and that a dramatic increase in the use of physical-education facilities occurred in some institutions that established voluntary programs. Director Schultz responded with an expression of concern about the possible effects of an abrupt change to a voluntary program and indicated his preference for a one-year required program followed by a voluntary program of courses given for credit and having the required program as a prerequisite. He expressed the opinion that such a program might ultimately lead to an all-voluntary program. Further deliberations resulted in agreement that it might be helpful to have additional information about voluntary programs of other institutions, since it was unclear whether academic credit is a feature of such programs and whether they were established through gradual or abrupt elimination of required programs. The Arts and Sciences College Committee agreed to take the lead in obtaining such information. Consideration of Director Schultz' proposal at a subsequent meeting of the FCR Committee resulted in his being asked to submit a specific written proposal for a new physical-education program—a proposal that might include syllabi of typical elective courses offered for credit.

A second meeting of the Physical-Education Committees of the Arts and Sciences College and the FCR, with Director Schultz in attendance, was held on February 7, 1978 to consider both the results of a survey of other institutions and Director Schultz' proposal for a new physical-education program. Of the 27 institutions surveyed, 20 do not require physical education for graduation, 4 have a two-year requirement, and 3 have a one-year requirement. Twenty-four of the institutions have voluntary programs of which 16 offer academic credit. Director Schultz' proposal recommended a required one-year program emphasizing physical fitness by offering a physical-conditioning course in addition to skills-type courses such as those of the present program, and included syllabi of two second-year two-credit courses having, in addition to physical activity, outside reading, written assignments, prelims, and a final examination. The Arts and Sciences College Committee indicated that it endorses Director Schultz' proposal, in that it might lead to a completely voluntary program.

CONCLUSIONS AND RECOMMENDATIONS

Committee consideration of proposals for changes in the physical-education program led to the following conclusions and recommendations:

1. Physical education should continue to be a requirement for graduation, but the requirement should be reduced to two terms. This requirement would be met by two one-credit courses given on a satisfactory/unsatisfactory grade basis. Although the four-term program seems generally well received, there are students who prefer to spend their time in other ways. The Committee believes that a one-year required program is needed to encourage physical fitness and recreation and to introduce students to the University's facilities and programs, that many students will continue physical activity on a voluntary basis, and that a second year is of questionable value for uninterested students.

2. The required program should continue to allow choice from a wide variety of skills-type physical-education courses, many with a high potential for life-long exercise and enjoyment, but a physical-conditioning course should also be offered and recommended for students who are deemed deficient in physical fitness.
3. An elective program of courses for credit should be available for students wishing additional work in physical education. This program would consist of one-credit skills-type courses similar to those of the required program, except that there might be greater emphasis on fundamentals of the particular activity, and of two-credit courses most of which could lead to certification in areas such as life saving, scuba diving, and the officiating of athletic events.

4. Decisions regarding the use of elective physical-education courses to meet graduation requirements would be prerogatives of the degree-granting divisions of the University.

5. The Committee on Physical Education recommends that the proposed changes in the physical-education program be enabled by FCR passage of the following resolution:

RESOLVED, That effective with the class entering in 1978, the Physical-Education legislation enacted in June 1945 and amended October 1949, January 1950, and December 1962 be amended to substitute the words "two terms" for "four terms" where they appear in paragraphs 1 and 2 of said legislation, and that the Physical Education and Athletics Department's proposed program of elective courses given for academic credit with the required two-term program as a prerequisite be endorsed.

COMMITTEE ON PHYSICAL EDUCATION

Paul D. Ankrum, Chairman
Robert C. Baker
Robert E. Habel
Winefrid Olaksen
Harry T. Stinson
Virginia Utermohlen
Madison J. Wright
Byron W. Saunders, Dean of Faculty, ex officio
Paul L. Hartman, Secretary of Faculty, ex officio
The Speaker, Professor Peter Stein, called the meeting to order at 4:35 p.m., noting that a quorum was lacking. By custom, he said, the meeting would start with the business of the day and when a quorum arrives, the body can begin taking action.

Before starting the meeting, the Speaker read a letter sent to the Secretary, Professor Paul Hartman, from President Frank H.T. Rhodes, as follows:

"I am afraid that I have to be in New York City on Wednesday, May 10, and I shall not, therefore, be able to attend the meeting of the FCR to be held at 4:30 p.m. on that day. I hope, however, that I may be allowed the opportunity to express my deep sense of indebtedness to Byron Saunders, at the completion of his distinguished period of service as Dean of the Faculty. In my first year as President, I have found him a tower of strength and supportiveness, and I and many others are deeply in his debt for the devotion and leadership which he has provided.

"If the agenda permits it, I should be most grateful if it were possible to read my own letter of congratulations and gratitude to him into the record of the meeting.

"With all good wishes,

Sincerely yours,

Frank H.T. Rhodes"

After the applause accorded Dean Saunders, he was called upon by the Speaker for his report.

1. REPORT OF THE DEAN

With all these testimonials that he is receiving, the Dean said he was not sure how he's supposed to behave - least of all when the students write about him, he begins to have a few doubts. At the Sun banquet the other night, he said he took the occasion to discuss the rather laudatory Sun column about him with the gentleman author. The latter reminded him that one of the things of which the Dean accused him constantly for the past four years was the fact that he was great for misquoting anybody and everything and asked if the Dean was accusing him of misquoting now. At that time, Dean Saunders said, he was backed into a corner. He thanked the body for their thoughts and good wishes.

First, it being the time of year when grading becomes important, he reminded the Faculty of the necessity for adhering as rigorously as possible to the grading practices and procedures specified by this body. Circulated to the University Faculty with the call to meeting was a new sheet*(although really nothing new), it being an abstract of the booklet "Grades and Grading" which is now out of print. The Academic Records and Instruction Committee has abstracted and put all of the

* See Appendix A
essential information that was formerly in that booklet into the one-page document. Dean Saunders called attention to two specific grading problems: (1) the use of the "Incomplete", which is still being used inappropriately and inadequately in his view. There are many students who will say, "Oh well, I'm going to take an 'Incomplete' in that course." They don't have that option. The "Incomplete" can only be granted if the Faculty member believes it is appropriate. According to our own legislation, it is appropriate only when the student has substantial equity in a course. Various departments will define what substantial equity means in different terms, but whatever it means in one's own particular department or college, it's something which the Faculty member has to agree to. The mere fact that a student has decided to goof off in a course and complete the work over the summer or at some later time, does not automatically make an "Incomplete" an eligible grade for him. Dean Saunders urged Faculty to do what they can to monitor that insofar as it's possible within their own area of interest. (2) The NA grade is labeled as a mid-term grade and is intended to be such. Unfortunately, the Dean said, there are many students who petition for a drop from a course after the normal period of time for dropping in their particular college has passed. Frequently, those petitions have been rejected by the college and so the course is not dropped and students are charged with completing the full program for which they originally registered. When the NA grade is used at the end of the term in that fashion, the Faculty member turning in an NA grade, it simply means that that notation is recorded and remains in perpetuity on the transcript of the student and, in effect, any grade average computed from that point on disregards that course. So it's an effective way whereby a student, if he received such a "grade", can completely bypass the intent of the committees which are charged with approving or not approving drops after the drop period has passed. The Dean urged monitoring also of this.

Secondly, Dean Saunders addressed the much publicized problem of compliance reviews. The Office of Civil Rights of H.E.W. was called on the carpet and, to mend their ways, have been charged with completing a rather large number of compliance reviews to monitor the affirmative action programs of several institutions that are required to meet certain goals that they have set for themselves. In order to police this performance, the Office of Civil Rights of the several various regions have been acting with rather severe procedures. Cornell is the only major institution to date in this region which has not yet been subjected to a compliance review. The University of California at Berkeley was called on the carpet last month and they had some considerable problems because of the requirements that the Office of Civil Rights made demanding the
access to all records, including confidential records and letters of recommendation concerning prospective staff. The Faculty objected. They only resolved the problem by Chancellor Bowker hopping on a plane, getting to Washington, talking to Califano and trying to settle things at that level. Even there, it's kind of an interim agreement as he understands it, the Dean said. If Cornell is going to be subjected to such reviews, the Executive Committee is going to have to take some kind of a Faculty position if it's something that he or Professor Greisen or someone else feels inappropriate. A special Faculty meeting is possible if something comes up that is really severe. Dean Saunders indicated he has talked to the President and Vice President W. Donald Cooke on several occasions about it. Depending on what we are subjected to, several people are beginning to take the position that it's about time somebody stood up and tried to blow the whistle on some of the bureaucratic procedures that are being inflicted on institutions of higher education.

Next the Dean called attention to the status of the mid-semester break. At the last FCR meeting, a resolution was passed which rejected the idea of a mandatory mid-semester break. Following that, Dean Saunders said he reported it to the Provost and to the Campus Council through their Chairman, Professor Ratner. Subsequently, the Campus Council passed the following resolution addressed to the Provost: "The Campus Council requests the Provost to call on members of the Faculty to cancel or reschedule to the extent feasible, all classes or other academic exercises scheduled for Friday, October 13 and Saturday, October 14." The method of implementation was left to the Provost's discretion. Dean Saunders said he was approached by the Provost and he in turn consulted the Executive Committee to see if they cared to do anything with the resolution. The answer was "no". They feel that if any kind of a voluntary cessation of academic activities is to take place, it can take place on a voluntary basis but the Faculty probably would be ill-advised to endorse any further diminution of the academic time that's available, particularly on Fridays and Saturdays, because it would mean the loss of another full week's work for those classes which only meet on Fridays or Saturdays. Dean Saunders said he has reported to the Provost that in general he saw no possibility for any further action and that he was on his own from this point on. The Provost asked if the Dean was going to report that to the FCR, and he indicated he would do so.

Finally, he mentioned the disturbances of the last few weeks; there was little more to be said on that other than the fact that Professor Orear wrote a letter to the Editor of the Sun, which they in turn made a news article. It reminded the community that the Faculty back in 1968 passed some resolutions
concerning divestiture of investments in South Africa. Orear's letter to the
Editor addressed this issue and he thought it was about time after ten years
that maybe the Trustees could respond. In doing some digging himself on the
subject, Dean Saunders found that the Faculty action was passed after a series
of amendments and long debate. The final resolution as passed will be distributed
to all Faculty in the call for the May 17 University Faculty meeting. The
Trustees, on June 1 of 1968, following receipt of that resolution, passed at
their own meeting their response to it; so the statement that they have not
responded is not quite true. The Executive Committee of the Board of Trustees,
on the day previous to the present meeting, did authorize a committee for a
further study of this whole issue, to examine the entire question from the
moral, ethical and financial view, the complete look insofar as it is possible
to define completeness on this question, and to bring in a recommendation of
the Trustees.

Dean Saunders also reported that at the meeting of the Executive Committee
of the Board of Trustees, they did take the action that was necessary to confirm
the election of Professor Kenneth Greisen as Dean of the University Faculty for
the coming term. Dean Saunders welcomed Professor Greisen and asked him to
stand.

Following the applause which greeted the new Dean-to-be, the Chair next
called on Associate Professor Donald Graham, Food Science, Chairman of the
Committee on Minority Education, for a report.

2. REPORT OF COMMITTEE ON MINORITY EDUCATION

The Minority Education Committee was established in the spring of 1976 by
this body. Its purpose was to provide continuing review of minority education
programs, the evaluation of program effectiveness and to make recommendations to
the Faculty and to the Administration for improvements. This is the first report
from the Committee, Professor Graham said. In its first years of existence, very
little was done, unfortunately. Shortly after their second meeting, two members
were lost because of sabbatic leaves, and the Committee was unable to elect a
chairman after that. So virtually nothing was done. This past year, business
has been underway since October. For the past several months, the Committee
has been looking at some of the minority policies that the FCR passed in May, 1976,
and Professor Graham wished to report on some preliminary findings that the
Committee has made, particularly with respect to the policies on preparatory
studies and on admissions. Preparatory Studies provides 27 courses that are
handled by nine instructors. These instructors, as mandated by the policy, are
employed by both the Learning Skills Center and the respective departments. In
addition to the nine instructors there are 15 tutors who, through the Learning Skills Center, provide tutorial services for minority students or COSEP students. These Learning Skills Center instructors and departmental instructors meet with groups of students in the "00" courses one evening a week, and they hold office hours approximately 15 hours per week, in which they have one-on-one sessions with students. These efforts provide review of the material that is covered in lectures of the main course and allow examination practice for the students, using old exams as learning devices. In the fall of last year approximately 205 students participated in the "00" courses; this spring that number is down to 140, probably because students feel more secure, since they have been at Cornell now for four months and feel they can handle things on their own.

Professor Graham had some slides with statistics. Illustrated, for example, was the fact that at one period, out of a COSEP enrollment of 55 students in Biology 109, 13 were LSC "users"; out of 83 in Chemistry 103, 42 were "users"; out of 68 in Chemistry 207, 45 were "users"; out of 58 in all Math courses, 36 were "users"; and of 44 in Physics, 18 were "users". Student achievement appears enhanced through use of the LSC. In Chemistry 207 among 45 "users", 27 had grades better than C, 14 got D's, one failed, and three dropped. Among 23 "non-users", only four did C work or better, 15 got D's, two failed and two dropped. In the Mathematics courses it was 29 with C or better, five with D's, and two failures, compared to 11 with C or better, nine D's, and two failures for the "non-users". The COSEP students apparently set priorities on which of the "00" courses they will attend, seeming to prefer Chemistry, Mathematics, Physics and Biology, in that order at the moment. The percentage of COSEP students who have earned overall term averages of 2.00 or better has ranged from 76% to 79% in the last three semesters. Nevertheless, the retention rate is not as good as would be liked: of 233 COSEP Freshmen starting in 1974, 145 were still here as COSEP Seniors in 1977-8: a 62% retention.

We hear a lot about declining applicant pools and enrollments; while this may be true for majority students, "there is no shortage of minorities", to paraphrase Richard Pryor. This past recruiting season has resulted in the largest number of COSEP applications ever received by the University. In 1976 there were 1092 applications, 481 acceptances, and 267 enrolled. In 1977, the corresponding numbers were 1020, 481 and 277. This year the numbers are 1513, 506 and the number to enroll is not yet in. So there has been a significant increase and the belief is that the quality has increased. However, no data have been gathered to substantiate the latter.
One problem that the minority education program faces is that many students are still being made to feel that they don't belong at Cornell. Part of the recent disturbance, Professor Graham thinks, was born of that fact. Some Faculty, some TA's, and some students, apparently have shown their displeasure that preparatory studies and tutorials are provided for minority students, and have refused to lend their support to these efforts. This we have heard from the Learning Skills staff and instructors and from students. We have no idea what the magnitude of this problem is but whatever the magnitude, it is one that we cannot afford. These attitudes Professor Graham interpreted as racism rather than academic snobbery, and he urged all colleagues and students to show greater sensitivity and empathy to the special needs and problems of minority students so that ultimately they will all be on the regular stream. A second problem is in the identification and retention of qualified LSC instructors. This may be mainly economic since the salary level is such that it attracts transients, i.e., spouses of students. These individuals have for the most part done an excellent job in instructing the students in the "00" courses. Ideally, the instructors should be Ph.D. holders, but this would mean an additional outlay of funds to cover the increased salary demands. The most important concern is that many students who undoubtedly could benefit from participating in the Learning Skills Center preparatory courses do not use the services. The Learning Skills Center staff have tried hard to reach these students but to no avail; some of the user students have tried to reach non-users, also to no avail. Perhaps a task force of students and Faculty could be established to investigate ways of reaching these students.

In conclusion, the Committee feels that the Learning Skills Center staff and instructors under the direction of Dr. Collins and associated departments are doing a good job in providing the developmental and preparatory courses needed to meet the needs of students. The Committee also believes that the resolutions of the Faculty relating to preparatory studies are being carried out reasonably well. As for the recruiting and admissions effort, the minority program staff, through the coordination of Mr. Carl Brown, seems to be doing a fine job in searching out worthy candidates who are qualified for admission to Cornell. Some problem solving will yet be necessary if the minority policies developed by the Faculty are to come to full fruition. The Committee is confident that the Faculty and other members of the Cornell community will work to bring this about. Finally, the Committee will continue to review minority education programs and policies, the next target being a study of minority graduate education and Faculty and staff hiring.
Assistant Professor Robert Harris, Africana Studies and Research Center, asked how the retention rate of 62% compared with the overall retention rate of the University?

Professor Graham said he did not have the figure for the retention rate of majority students. The best estimate is somewhere around 70-80%. Dr. Collins indicated it was closer to 70%. There was comment that Cornell is not doing well if they are not increasing the numbers of applications that they are accepting for admission, even though there are more applications of a higher calibre.

Professor Graham agreed, saying that this was an area that the Committee had to take a look at. The first policy statement that the Faculty made, dealt with the matter of admissions, making some broad statements about the kinds of criteria that should be applied. The Committee has to look at whether the Faculty of various units are following the spirit of that policy.

Professor Norman Potter, Food Science, said perhaps the sizable fraction of the students not using the Learning Skills Center are those who feel they don't need it, and we should not be too upset.

Professor Graham said that may be true, but the Committee feels that there are a number of students who would benefit by participating in the services.

Professor Edgar Raffensperger, Entomology, asked when the "00" courses begin in the term and whether students can enter them later; students don't panic until after the first prelim disasters.

Professor Graham replied they begin immediately in the term and students have the option of entering anytime; however, the experience has been that those students who attend on a regular basis do much better than those who come only a few times prior to an examination. Dr. Collins added that after each prelim, if a student has not done well, he is encouraged to come to the appropriate "00" course, first by letter and then a follow-up telephone call.

The Chair reported that the body still did not have a quorum. The difficulty was that it was necessary at this meeting to approve a slate of nominees for next year's Executive Committee, and if this were not done, there would be no new Executive Committee for the 78-79 year over the summer. He said the only way out was to have a special FCR meeting which will only take a few minutes before next week's Faculty meeting. He urged all to return at that time; otherwise, a considerable burden may be placed on the incoming Dean, in his having to operate without the advice and consent of the Executive Committee.
3. REPORT OF COMMITTEE ON NOMINATIONS AND ELECTIONS

To minimize the items to be covered at next week's meeting, Dean Saunders, on behalf of Professor Barry Adams, Chairman of the Nominations and Elections Committee, who could not be present, reported the results of the recent Faculty election:

AT-LARGE MEMBERS, FCR - 4 seats, 3 year term
Geoffrey V. Chester, Physics/LASSP
Michael C. Latham, Program on International Nutrition
Jason Seley, Art
Donald H. Wallace, Vegetable Crops

REVIEW AND PROCEDURES COMMITTEE - 3 seats, 3 year term
Neil W. Ashcroft, Physics/LASSP
Joseph Bugliari, Agr. Economics and Business Law, Dir., Legal Services
Gilbert Levine, Agricultural Engineering, Dir., Center for Environ. Research

NOMINATIONS AND ELECTIONS COMMITTEE - 3 seats, 3 year term; 1 seat, 2 year term
Toby Berger, Electrical Engineering
Alison P. Casarett, Radiation Biology and Assoc. Dean, Graduate School
Mary F. Katzenstein, Government - 2 year term

MEMBERSHIP OF THE UNIVERSITY FACULTY - 1 seat, 3 year term
Norman R. Scott, Chairman, Agricultural Engineering

ACADEMIC FREEDOM AND RESPONSIBILITY COMMITTEE - 1 seat, 3 year term
William E. Hogan, Law

ACADEMIC PROGRAMS AND POLICIES COMMITTEE - 2 seats, 3 year term; 1 seat, 2 year term
Carl A. Ginet, Philosophy, 2 year term
Walter R. Lynn, Civil and Environmental Engineering
Donald L. Turcotte, Geological Sciences

BUDGET COMMITTEE - 1 seat, 3 year term
Timothy D. Mount, Agricultural Economics

FREEDOM OF TEACHING AND LEARNING COMMITTEE - 1 seat, 3 year term
Clive Holmes, English History

MINORITY EDUCATION COMMITTEE - 2 seats, 3 year term
Ralph J. Gutiérrez, Natural Resources
Ulric Neisser, Psychology

PHYSICAL EDUCATION COMMITTEE - 2 seats, 3 year term
Donald T. Farley, Electrical Engineering
George R. Livesay, Mathematics

PROFESSIONAL AND ECONOMIC STATUS OF THE FACULTY COMMITTEE - 2 seats, 3 year term
Lynne H. Irwin, Agricultural Engineering
John A. Nation, Electrical Engineering

RESEARCH POLICIES COMMITTEE - 1 seat, 3 year term
David Pimentel, Entomology
RESEARCH POLICIES COMMITTEE - 1 non-tenured seat, 3 year term
James P. Lassoie, Natural Resources

UNIVERSITY-ROTC RELATIONSHIPS COMMITTEE - 2 seats, 3 year term
Arden F. Sherf, Plant Pathology
Christine A. Shoemaker, Environmental Engineering

COUNCIL ON PHYSICAL EDUCATION AND ATHLETICS - 1 seat, 3 year term
Ronald E. Anderson, Plant Breeding and Biometry

CAMPUS COUNCIL - 3 seats, 2 year term beginning May 1, 1978
Richard D. Black, Agricultural Engineering
Carol J. Greehouse, Anthropology
James R. McConkey, English

The Chair called on Professor P.C.T. deBoer, Mechanical and Aerospace Engineering and Chairman of the Executive Committee for a report on the meeting dates for next year.

4. MEETING DATES FOR 1978-79

The meeting dates for the FCR were listed on the sheet mailed to the entire Faculty for this meeting, and since they are specified by internal legislation, there was no need to have a motion or to approve them. The only unfortunate date was October 11 which turns out to be Yom Kippur. The Executive Committee discussed that date and didn't feel they had any power to change it. In principle, a two thirds vote of the FCR could change that date.

The full Faculty meeting dates are set by the Dean, according to the Organization and Procedures of the University Faculty; again, there was no need to vote on them.

The meeting dates for 1978-79 are as follows:

<table>
<thead>
<tr>
<th>FCR MEETING DATES</th>
<th>FACULTY MEETING DATES</th>
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<tbody>
<tr>
<td>September 13, 1978</td>
<td>September 20, 1978</td>
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<tr>
<td>October 11, 1978</td>
<td>February 21, 1979</td>
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<tr>
<td>November 8, 1978</td>
<td>May 16, 1979</td>
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<td>December 13, 1978</td>
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<td>February 14, 1979</td>
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<td>March 14, 1979</td>
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<td>April 11, 1979</td>
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<tr>
<td>May 9, 1979</td>
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All meeting days are Wednesdays, at 4:30 p.m.

The Speaker asked for any other items of business or comments.

A concern was expressed about proportional representation on the various committees, in terms of large and small colleges.

Dean Saunders commented that most of our Faculty committees are committees of seven and that it is rather difficult to get proportional representation. Proportional representation does exist in this body, the proportions being
reviewed by law every three years. The intent and desire of the Committee on Nominations and Elections in seeking nominations is to get people who will agree to run for particular committees in which they might have an interest. They are open to the entire University Faculty; everyone receives a mailing in which nominees are solicited. From a list of suggestions received, the Committee then goes down the various committees, looking at the holdover memberships and tries to select nominees which will augment and give a reasonable distribution. The only committee which is regulated is the Committee on Nominations and Elections; on it no more than two from any one college can serve at any one time. The Hare system of election also militates against insurance of representation.

Professor Robin Williams, Henry Scarborough Professor of Social Science, said it was a problem without obvious solution. As an old Nominating Committee member, he said Nominating Committees love to get suggestions for the slates they have to prepare.

The Chair entertained a motion to adjourn until next week which was so moved. Adjourned: 5:30 p.m.

Paul L. Hartman, Secretary
CORNELL UNIVERSITY GRADING SYSTEM
(adopted by University Faculty, May 19 and 27, 1965)

GRADES

<table>
<thead>
<tr>
<th>S/U</th>
<th>LETTER</th>
<th>GRADE POINT VALUE</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>S</td>
<td>A+</td>
<td>4.3</td>
<td>Excellent to Very Good; comprehensive knowledge and understanding of subject matter; marked perception and/or originality.</td>
</tr>
<tr>
<td></td>
<td>A</td>
<td>4.0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>A-</td>
<td>3.7</td>
<td></td>
</tr>
<tr>
<td>S</td>
<td>B+</td>
<td>3.3</td>
<td>Good; moderately broad knowledge and understanding of subject matter; noticeable perception and/or originality.</td>
</tr>
<tr>
<td></td>
<td>B</td>
<td>3.0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>B-</td>
<td>2.7</td>
<td></td>
</tr>
<tr>
<td>S</td>
<td>C+</td>
<td>2.3</td>
<td>Satisfactory: reasonable knowledge and understanding of subject matter; some perception and/or originality.</td>
</tr>
<tr>
<td></td>
<td>C</td>
<td>2.0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>C-</td>
<td>1.7</td>
<td></td>
</tr>
<tr>
<td>U</td>
<td>D+</td>
<td>1.3</td>
<td>Marginal: minimum of knowledge and understanding of subject matter; limited perception and/or originality.</td>
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<tr>
<td></td>
<td>D</td>
<td>1.0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>D-</td>
<td>0.7</td>
<td></td>
</tr>
<tr>
<td>U</td>
<td>F</td>
<td>0.0</td>
<td>Failing: unacceptably low level of knowledge and understanding of subject matter; severely limited perception and/or originality.</td>
</tr>
</tbody>
</table>

SYMBOLS USED IN LIEU OF GRADES

<table>
<thead>
<tr>
<th>INC</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>INC</td>
<td>Incomplete: 1) Student has substantial equity in course, and 2) unable to complete course requirements because of circumstances beyond his control. 3) INC is not a student option.</td>
</tr>
<tr>
<td>V</td>
<td>Summer School and Extramural students only. Visitor (Auditor) - when registered officially and attendance satisfactory. Graduate students only may officially audit courses, but the course will not appear on the transcript.</td>
</tr>
<tr>
<td>R</td>
<td>Registered in year course approved by the college as not requiring a grade at the end of the first (current) term.</td>
</tr>
<tr>
<td>NMG</td>
<td>No Mid-Term Grade (Mid-Term only): Student enrolled and attending, but not practical to give grade.</td>
</tr>
<tr>
<td>NA</td>
<td>Not attending (Mid-Term only): Student is officially enrolled but has not attended, or has not attended beyond the initial three weeks of the semester.</td>
</tr>
</tbody>
</table>

PRIVACY OF RECORDS

According to federal law, grades are restricted information and may be released only to the student, or at the student's written request, and only for a particular purpose. Thus grades earned on exams or in courses may not be posted by name. Posting by student I.D. number is permissible. Graded papers and exams, if returned, must be returned to individual students and should not be accessible to anyone but the author. For example, setting batches of papers and exams in a box or on a table is inappropriate and illegal.

(see over for definitions)
GRADING GUIDELINES

"INCOMPLETE"

The symbol of "Incomplete" is only appropriate when two (2) basic conditions are met:

1. The student has a substantial equity at a passing level in the course with respect to work completed; and

2. The student has been prevented by circumstances beyond the student's control, such as illness or family emergency, from completing all of the course requirements on time.

AN "INCOMPLETE" MAY NOT BE GIVEN MERELY BECAUSE A STUDENT FAILS TO COMPLETE ALL COURSE REQUIREMENTS ON TIME. The "Inc" privilege is open to abuse; by deferring completion of some major course requirement, a student can gain advantage over his or her classmates by obtaining additional time to do a superior job. THIS IS NOT AN "OPTION" WHICH MAY BE ELECTED AT THE STUDENT'S OWN DISCRETION.

While it is the student's responsibility to initiate a request for an "Incomplete," reasons for requesting an "Incomplete" must be acceptable to the instructor, who establishes specific make-up requirements. An "Incomplete" allows a specified amount of time determined by the student's college of registry, for completing course work. The instructor has the option of setting a shorter time limit than that allowed by the student's college. Several colleges require that a statement signed by the instructor be on file indicating the reason for the "Incomplete" and the restriction, if any.

The consequence of failure to complete all course work within the time permitted will depend upon the policy of the student's college of registry. Some colleges convert "Incompletes" to a grade of "F"; others let the grade of "Incomplete" stand on the student's transcript. IN EITHER CASE, THE OPTION TO MAKE-UP THE WORK IS LOST.

It is the responsibility of the student to see that all "Incompletes" are made-up within the deadline and that the grade change has been properly recorded with the student's college registrar.

Faculty under no circumstances should give an "Incomplete" due to pressure to meet the deadline for reporting grades. The symbol "Incomplete" becomes a permanent part of the student's transcript, even when a grade is later submitted.

LATE GRADES

Late grades should be avoided. They often result in unwarranted academic actions or even in students not being able to graduate on time. Furthermore, late grades must be posted by hand at considerable expense and do not appear on grade slips and may prevent students from receiving recognition for academic achievement.

CHANGES IN GRADE

Each semester's work is an entity and grades are to be assigned for work completed during the normal period of the semester. Subsequent changes in grade may be made only in the event that the instructor made an error in the assignment of the original grade. As a matter of equity, grades must not be changed after the end of a semester because a student may have subsequently done additional work.
President Frank H.T. Rhodes called the meeting to order at 4:35 p.m. He announced the death of the following members of the Faculty:

- **Ernest Van Alstine**, Professor Emeritus, Agronomy, September 12, 1977
- **C. Beaumont Raymond**, Professor Emeritus, Vegetable Crops, October 23, 1977
- **Marvin Waldman**, Associate Professor of Clinical Psychology, November 9, 1977
- **George P. Adams, Jr.**, Emeritus Professor of Economics, November 14, 1977
- **Robert York**, Professor of Chemical Engineering, January 7, 1978
- **Helen D. Bull**, Emeritus Professor of Home Economics, January 14, 1978
- **Bertel S. Pedersen**, Assistant Professor, Comparative Literature, February 28, 1978
- **Edward C. Showacre (Dr.)**, Professor Emeritus, Health Services, February 28, 1978
- **David P. Moore**, Professor of Soil Science, Dir., U.S. Plant and Soil Nutrition Lab., March 29, 1978
- **Alfred M.S. Pridham**, Emeritus Professor of Ornamental Horticulture, April 20, 1978
- **Philip A. Minges**, Professor of Vegetable Crops, April 27, 1978
- **Michel George Malti**, Emeritus Professor of Electrical Engineering, May 8, 1978
- **Donald W. Baker**, Emeritus Professor of Parasitology, May 14, 1978

He invited the body to stand for a moment of silence for these colleagues before making his remarks to the Faculty.

1. **REMARKS BY THE PRESIDENT**

"I want to take this opportunity to comment briefly on a very small number of items that seem to me that have marked the past year. In no sense can I give you, in the ten minutes I've been allocated, a review of the year but there are certain items by way of headlines, that seem to be worth recording. The first is that it's been a year which has been marked by continuing success in awards gathered by members of the Faculty. Whether one looks at Pulitzer Prizes, leadership roles in professional organizations, the number of Guggenheim Fellowships, particular awards given by societies or at the national level, or individual elections in particular fields of endeavor, this has been a year of success as far as Faculty are concerned. On those successes, we congratulate the colleagues who so richly earned them. That represents not the results of any one year, but the steady, persistent and continuous scholarly commitment and leadership of people in every field of the University. Second, it's been a gratifying year in the recognition of the continuing quality of several of our programs, most noticeably in the professional schools where new rankings have
put both the Law School and the Medical College in the top ten in the nation and an award has recognized B&PA as the most improved school of its kind in the nation. It's been a year of continuing curriculum development and change and though much of that change takes place at the sub-departmental and even the sub-course level, there has been some developments which have been important and significant ones in the longer life of the University. The debate and the resolutions in the College of Arts and Sciences on the new curriculum, the new joint Master's program between Cornell and Baruch College, the development of new cooperative programs between the several schools and colleges, are all important additional improvements, as is the establishment through the action of the Faculty, of the Center for the Study of the American Political Economy. It's also been a year which has marked the final phases of the wind-down of the School of Nursing and that's a change on the negative side that all of us must regret. This coming year will be the final year of the Baccalaureate program in Nursing and a review committee under the chairmanship of Associate Dean Alison Casarett, has been looking at the possibility of a modest graduate program for the future. Those changes and the smaller but no less important changes of bodies within them represent also the continuing dedication to teaching on the part of the Faculty, and for that too, I want to express my gratitude.

"In terms of student life and student attitudes, it's been an important year on the campus. Any newcomer to the campus must be impressed and delighted by the quality, the diversity, the range of commitments and skills that the student body represents. And yet it's also been a year of tensions. It's been a year of racial tensions that we have to recognize and with which we have to deal together with a new sense of understanding and tolerance. It's been a year of ideational tensions, with the question of South Africa investments surfacing at this and almost every other major campus. And it's also been a year of tension of a different kind, especially in the Freshman year, with the pleas for a mid-semester break in the first semester. To that end let me respectfully urge your continuing study and cooperation and help in what I believe is a legitimate request, even though the legislation remains something that eludes you. It's been a year when enrollment prospects give mixed signals. It's been a year in which we're told the enrollment prospects for the whole Northeast now look rather worse in the mid 1980's than we'd supposed. That's a formidable prospect for you. But it's also been a year of contradictory signals within our own campus where we've had the statutory colleges facing an overall loss of applicants for admission at both the Freshman and Transfer level and the endowed colleges facing
a relative rise in applications at the two levels. We're not yet sure of all
the implications of that but we are sure that the impact's a very differential
one and is far more serious for some schools and colleges than for us. This
means close attention to future recruiting patterns in both statutory and
endowed units and it means also the basic question of the quality of our undergraduate
program in comparison with those of peer and other institutions. It's been
a year of very encouraging research support in which a total of $76 million has
been garnered by members of the Faculty for a range of projects literally spanning
the intellectual and professional interests of the campus. I'd be omitting,
perhaps, the most critical underlying feature of the year if I didn't also say
that it's been a year which marks not just continuing financial problems but the
recognition that those problems have now reached crisis proportions in some
parts of the campus and perhaps in more parts of the campus than we yet know.
We face a deficit in the coming year of around $2.1 million for the endowed colleges
of Ithaca as well as an even more substantial amount for the Medical College.
Next year's budget will have a major deficit built into it; in allowing that
deficit we're recognizing the unique problem which has developed in the
College of Arts and Sciences. The net effect of all this is that over a period
of ten years, not including the coming year, we have eroded our endowment to the
extent of $4.5 million a year - on the average a total of $45 million. I recently
sent to all members of the Faculty a financial message - it's a truism that
people in administrative positions talk chiefly about financial matters, and
I'm sorry that that should be the case, but in fact the budget underlies every
area of educational activity. If the problems are as critical as I believe them
to be then we must together confront them and develop solutions that will deal
with them in long terms. Within that major long term problem that we face there
are two notes - one of concern and the other of uncertainty at the moment. The
one of concern is the rate at which the Cornell Campaign is going - that
Campaign for $230 million on which all our hopes are hidden. The question of
uncertainty is the extent of State support for the statutory colleges, not just
over the next year but over succeeding years. Coming on as a result of these
financial problems, we shall have increased emphasis on longer range financial
planning and equilibrium and with that hard choices and questions of closer
cooperation and coordination in some units than we have at present. It's been
a year of evolution as far as SUNY relationships go, with understanding of our
careers on the part of SUNY trustees and executive officials and hope for change.
And it's been a year of stifling State and Federal regulations - the details of
which I won't pursue but not the least threatening aspect of which is the recent
attempt in the State legislature to recapture all non-State funds flowing to
the statutory colleges - roughly 50% of their total budgets - and to reallocate those from Albany. It's been a year marked by the first year of existence and conspicuous success by the Campus Council under the chairmanship of Professor David Ratner, to whom I want to pay a personal tribute. And it's been a year finally, of leadership changes. We say farewell this year to a number of people who've served the University faithfully and with distinction in leading administrative and other positions. If I pick the Faculty retirements first and mention them even though they'll be identified individually later, that is not to minimize the contribution of others in executive positions. But it is to emphasize that the heart and soul of the University lies in the quality of the Faculty and I want to add my personal tribute to those that will be offered later in the meeting to individual Faculty members who are retiring. We lose a number of administrative colleagues this year too - three of them to new positions of greater responsibility - David Knapp leaving the position of Provost for the Presidency of the University of Massachusetts; Ed Cranch leaving the Deanship of Engineering for the Presidency of WPI; and Dick O'Brien leaving the Directorship of the Division of Biological Sciences for the position of Provost of the University of Rochester. We congratulate our three colleagues on these important new appointments and we wish them and the institutions to which they will go, continuing success in the future. We say farewell only in a limited sense, in the sense of their retirement from administrative positions, but not I hope from the community, to Jean Failing who retires as Dean of Human Ecology, to Harry Levin who resigns as Dean of the College of Arts and Sciences, and to Byron Saunders who retires from the position of Dean of the Faculty. To each of these I want to express not just the collective thanks of the Faculty but my own sense of deep personal appreciation for the devoted service that each has rendered in the positions. It's been a year of new appointments that have been important and some that will continue to be important as we search in the weeks and the months ahead.

"And finally, I want to say in my first year here as your servant in an administrative position, how conscious I've been and how deeply I value the friendship and support of members of the Faculty. It's no easy task to come from one institution to another where one literally knows almost no one, and there to begin unscrambling the complexities as complicated and diverse as they are at Cornell. I've been immensely grateful for the understanding and the support that you've given me during the year and the year has been one of privilege and indebtedness to you as far as I'm concerned. It gives me pleasure now to turn the Chair over to the Speaker."
The Speaker, Professor Peter Stein, asked if any member of the Faculty wished to put a question to the President following his report. There being none, the Chair called on the Dean of the Faculty, Byron W. Saunders, for his report.

2. REPORT OF THE DEAN

Dean Saunders said he only had a few items on which to report - the first one being an apology for the mix-up in rooms. Unfortunately, he had received a phone call just shortly before the meeting that the room that was reserved for these meetings for over a year, was being occupied for a final exam.

Secondly, the Dean called attention to the enclosure sent out with the call for this meeting recalling the action taken by this Faculty in May of 1968, regarding investment policies.* This was circulated at the request of Professor Jay Orear, so that the Faculty who were here in 1968 could recall that action and for those who arrived since then, would know where the Faculty stood because that action still stands. Dean Saunders said at that time the Board of Trustees did respond to it and for the present action which is of concern to both the Faculty, students and community in general, the Board of Trustees are going to proceed with another study and another evaluation in an attempt to try to come to some conclusion regarding the complex interaction of issues, of economic, social, political - that all impinge on the problems related to investments in South Africa. That committee is in the process of being established and includes some community representatives. Dean Saunders feels any further action by this Faculty should await the results of that committee's judgment and report.

Finally, the Campus Council requested the Provost to appoint a committee or to declare, if he would, as a minor change in the calendar, the days of Friday, October 13 and Saturday, October 14, to be holidays or at least recess days so that a Fall mid-semester break could occur. Dean Saunders said the request was forwarded to him and he in turn referred it to the Executive Committee of the FCR who chose not to endorse the notion of a mandatory break and sent it back to the Provost. The Campus Council then requested a voluntary break through the Provost. At the FCR meeting of May 10, it was voted not to take any further action, feeling that for those classes that meet only on Fridays or Saturdays, at the end of the week and there are many, that to require a break would force a further dimunition of the program of such courses. At the same time, it is recognized that many of our colleagues are in favor of a break and so for those who see no problem in their particular course or courses, the suggestion is being made, which all Faculty will receive in the mail early in the fall, for a request for voluntary compliance insofar as they can, for a break on Friday, the 13th and Saturday the 14th of October, in order to relieve what pressures

* Attached as Appendix A
might exist. The particular reference there is given to give double meaning to freshmen because that is where it appears that pressure arises the greatest.

Dean Saunders said he had several other items that are of concern and will be of concern in the future which he would include in his annual report to be distributed in the fall. As a final footnote, Dean Saunders said it has been a privilege to serve in the capacity as Dean of the Faculty; he hoped he hadn't offended more than 49% of the Faculty, feeling that if he had 51% on his side, he had done about as well as could be expected.

The Speaker said the agenda called for approval of the minutes of the meetings of September 21, October 19 and February 15, but since a quorum was lacking, he moved on to the next item, which would be recognizing the retirees.

3. RECOGNITION OF RETIREES

The Deans or their representatives of the various schools and colleges were called on to make appropriate remarks recognizing the retirees of their particular unit and asked those present to stand when their names were called. The list of retirees includes:

Harlan P. Banks, Liberty Hyde Bailey Professor of Botany
Clifford O. Berg, Professor of Entomology
Robert W. Bratton, Associate Professor of Animal Science
LaMont C. Cole, Professor of Ecology
Hollos R. Davis, Professor of Agricultural Engineering
Edward C. Devereux, Jr., Professor of Human Development and Family Studies
John M. Echols, Professor of Linguistics and Asian Studies
Jean Failing, Professor and Dean, College of Human Ecology
Robert H. Ferguson, Professor of Labor Economics
W. Ray Forrester, Robert S. Stevens Professor of Law
Perry W. Gilbert, Professor of Neurobiology and Behavior
Marvin D. Glock, Professor of Educational Psychology
Robert E. Habel, Professor of Veterinary Anatomy
Neal F. Jensen, Liberty Hyde Bailey Professor of Plant Breeding
George A. Kiersch, Professor of Geological Sciences
Norman Malcolm, Susan Linn Sage Professor of Philosophy
Richard P. March, Professor of Food Science
Robert B. Musgrave, Professor of Agronomy
Benzion Netanyahu, Professor of Near Eastern Studies
H. Brooks Naylor, Professor of Microbiology
Robert L. Patton, Professor of Entomology
Alexius Rachun, Professor of Clinical Medicine
Kathleen Rhodes, Professor of Community Service Education
E. Stanley Shepardson, Professor of Agricultural Engineering
Dennis G. Shepherd, John Edson Sweet Professor of Engineering
Fred Slavick, Professor of Labor Economics
Frederick H. Stutz, Professor of History of Education
Kathryn E. Visnyei, Associate Professor of Nutritional Sciences
George H. Wellington, Professor of Animal Science
Lemuel D. Wright, Professor of Nutritional Sciences
The Chair next called on Professor P.C.T. deBoer, Mechanical and Aerospace Engineering and Chairman of the Executive Committee.

4. TRIBUTE TO DEAN BYRON W. SAUNDERS

Professor deBoer began - "Today is the last faculty meeting at which Byron Saunders will participate as Dean of the Faculty. You may remember that his term as Dean was extended last year by one year; he has served in the position for a total of four years. I would like to pay a brief tribute to Byron for the many services he rendered during this time, and hope that this tribute may be incorporated in the minutes of the meeting.

"One does not accept nomination for Dean of the Faculty either lightly or gleefully. The position is presumed to be half time, and the Dean is presumed to continue working half time in his academic department. In actuality, the Deanship requires much more than what ordinarily would be considered half time work. Byron has devoted many long hours and a great deal of effort to his multiple tasks as Dean. From the outset, he made it a point to study and know by heart all the many rules, codes of legislation and customs affecting the faculty. He initiated many new developments, and exercised effective leadership in resolving the many issues that came before him as elected representative of the faculty, and as a focal point of interaction between the faculty and the administration. He displayed a great ability and drive to get things done. In spite of the many difficult issues he had to face, Byron managed to keep enjoying his work. All who worked with him recognized his personal integrity. These included a columnist of the Daily Sun who recently wrote a full article in praise of Dean Byron Saunders from the students' point of view.

"In spite of the pressures of time exerted by fulfilling the Deanship, Byron steadfastly defended the concept that the Dean should continue to perform half-time academic work. He also continued his professional activities, which included travels to other Universities in connection with accreditation of professional engineering programs. As Dean, he was meticulous in reporting current issues to the faculty; vigilant in defending proper academic procedures; diligent in his role as ex officio member of all Faculty standing committees; and accommodating in taking on extra tasks. It has been a pleasure to work with him. The difficult issues he had to confront included university governance, the so-called Ky incident, tenure questions, changes in the academic calendar, and the institution of new academic programs. With respect to any of these issues, Byron always was ready to say where he stood, and forthright and patient in explaining his reasoning."
"We are sorry to be losing the services of our colleague, as a Dean as well as a member of the faculty. Byron, on behalf of the Faculty, I want to express appreciation for your many achievements, and for the hard work and the many long hours that were needed to bring these achievements about. We thank you, and we wish you the best in your well earned year of leave, and in your subsequent retirement."

A round of applause followed the honoring of Dean Saunders.

The Speaker asked if there were any other announcements to be made at this time.

W. Jack Lewis, Director, Religious Affairs, said that on the Sunday before Commencement at the inter-religious convocation in Sage Chapel, all graduates and retirees, both Faculty and Staff, are honored. Reverend Lewis at this time extended an invitation to any others who wished to attend that event.

Hearing no further comments, the meeting adjourned at 5:40 p.m.

Paul L. Hartman, Secretary
THE UNIVERSITY FACULTY

Professor Jay Orear, Physics, would like to remind the University Faculty of a resolution passed by the University Faculty on May 8, 1968. This resolution was the result of a study by a committee, chaired by Professor Frederick Marcham, and resulted in considerable debate and a special meeting. This debate can be read in its entirety in the minutes of spring meetings of 1968. The final complete text of the Faculty resolution, as moved by Professor Alfred E. Kahn and amended by Professor Tom E. Davis, is as follows:

"It is the sense of this Faculty, in keeping with the liberal and humane traditions of the University, that Cornell's investment policies should reflect a serious concern with the possible moral implications of those policies.

In particular, we regard the repressive and discriminatory racial policies of the government of South Africa as flagrantly in violation of the ideals of the University itself.

We therefore believe it would be both fitting and desirable for the Board of Trustees, in exercising its financial responsibilities, to try, insofar as possible, to avoid making investments that significantly support, or might reasonably be construed as supporting, any such policies."

May 8, 1978
The Speaker, Professor Peter Stein, called the meeting to order at 4:35 p.m. with about 65 members and 100 visitors in attendance. He called on the new Dean of the Faculty, Kenneth Greisen, for his report.

1. REPORT OF THE DEAN

Dean Greisen, as a freshman Dean, welcomed particularly the freshmen members of the Faculty Council of Representatives, as well as all the others in attendance who are not members of the FCR. He hoped members would take the FCR seriously, as more than half the membership is needed to be present in order to conduct business. The Dean requested that FCR members sit in the front rows and that visitors sit towards the rear. FCR members are also required to sign in as they enter the room, since this is used as the basis of the quorum for meetings. Another matter of custom is that tape recording is not permitted by members of the press or anyone else except for the Secretary and the official record made for the office. Dean Greisen asked that when members speak, they please identify themselves by name.

Cameras are not permitted during debate or voting procedures.

The Dean pointed out that with the call to the Faculty for this meeting there was included an announcement by Provost W. Keith Kennedy regarding the mid-term break coming this fall. This announcement honors the compromise agreement reached last spring between the Provost at the time, David Knapp, and the Dean at the time, Byron Saunders, following a disagreement in recommendations between the Campus Council and the FCR. It will not please everybody, but this is the way it will be this fall: On October 13 and 14, Friday and Saturday, it is urged, if Faculty members find it possible to do so in their courses, that they suspend the work for those two days. Dean Greisen added, after the fine article in the Sun, that it doesn't help the students very much to just call off the lecture and give them the same amount of assigned work as if classes were held. The break is urged particularly for those classes that are primarily for Freshmen. On the other hand, the break is not mandated. The decision in each course is up to the professor in charge of that course.

Dean Greisen said that following two brief items of FCR business, we would be fortunate for the day's meeting to have President Rhodes present to speak concerning (in part, at least) the severe measures of budgetary constraint which must be adopted. This presentation, together with another one which will occur a week later at the University Faculty meeting, are aimed at early communication with the Faculty, to encourage feedback and input into the detailed planning rather than just criticism of the results. Faculty consultations will also occur through various committees and have indeed already occurred with the Committee on the
Budget. At the meeting next week, more time will be available for questions, comments from the Faculty, remarks and responses by the Administration - with an augmented cast including Provost Kennedy and Presidential Assistant James Spencer.

The Chair thanked Dean Greisen and reminded those Faculty present that whether or not they are members of the FCR, they may participate in debate.

2. ELECTION OF A NEW SPEAKER FOR 1978-79

The Speaker called on Professor Robert Calkins, History of Art and Chairman of the Executive Committee of the FCR, who nominated Professor Russell D. Martin, Communication Arts, for Speaker of the FCR. There were no further nominations from the floor and Professor Martin was elected by acclamation. It was the understanding of the Chair that Professor Martin was, through illness, unable to be present. In his absence the previous Speaker continued to carry on for the day. He again called on the Dean of the Faculty.

3. APPROVAL OF SLATE OF CANDIDATES FOR FCR COMMITTEE POSITIONS

Dean Greisen said that candidate slate approval is ordinarily done in the spring but because of the lack of a quorum it was not. After adoption of the slate of candidates an election will be conducted as promptly as possible. Unfortunately, there was a small error on the slate distributed with the call for this meeting in that it was announced four seats were available on the Executive Committee - the total number was correct but the error was that one of the four seats must go to a non-tenured professor. Two nominees have consented to run for the non-tenured position and that slate was distributed at the door.

The candidates for the FCR committee positions are:

**Budget Committee** - 1 seat, 2 year term
- Associate Professor Alfred C. Aman, Jr., Law
- Professor Robert L. VonBerg, Chemical Engineering

**Executive Committee** - 3 seats, 2 year term
- Associate Professor Jeffrey Frey, Electrical Engineering
- Professor Michael C. Latham, Director, Program on International Nutrition
- Professor Mary A. Morrison, Nutritional Sciences
- Associate Professor Fredric W. Scott, Director, Feline Research Laboratory, Veterinary Medicine
- Professor Charles F. Wilcox, Chemistry
- Associate Professor Roger G. Young, Entomology

**Executive Committee** - 1 non-tenured seat, 2 year term
- Assistant Professor William E. Cross, Black Psychology, Africana Studies and Research Center
- Assistant Professor William L. Dills, Jr., Nutritional Sciences

**Freedom of Teaching and Learning Committee** - 1 seat, 3 year term
- Associate Professor Robert T. Masson, Economics
- Professor Edgar M. Raffensperger, Entomology

**Minority Education Committee** - 1 seat, 2 year term
- Associate Professor Robert H. Crawford, Communication Arts
- Associate Professor Fred Somkin, History
The Speaker asked for further nominations to these posts from the floor. There being none, the slate of candidates was approved unanimously.

The Chair next called on President Frank H.T. Rhodes for his presentation.

4. PRESENTATION BY PRESIDENT RHODES (more or less verbatim)

"Mr. Speaker, Mr. Dean, Ladies and Gentlemen, I'm delighted to have the opportunity to meet with you at your first meeting and to discuss with you some matters including some that are financial, but not with an emphasis that is entirely financial. The start of any new academic year is an important milestone in the life of a university and this present year is no exception. It has both exciting and memorable and unhappy elements in it. On the unhappy side, let me remind you that this is the final year of existence of the Nursing School - at least in its present form. And at the end of this present year, we shall be closing out the Baccalaureate Program in New York City, which has had a distinguished role there for more than a century. On the happier side on the Ithaca campus, certain events have taken place which will reach fruition this year, which are of great importance to the life of Cornell. The completion and occupation of the Boyce Thompson Institute is one such event. The renovation and improvement of the Synchrotron represents a major, national facility. The first year's full existence of the sub-micron facility, again as a national facility, enhances the research capability of the University. I want also to remind you again of the remarkably successful year we've just concluded in the life of the Cornell Campaign. That Campaign stood at year's end on June 30, at over $111 million and last year we raised an amount for the Ithaca campus which was an increase of 32% over the year before. That involves real sacrifice on the part of many friends of Cornell, including some of you who are here today. And our time increasingly over the final two years of the Campaign now beginning, will be concerned with reaching our goal - a formidable goal with over a hundred million still to go - but one of vital importance to the health of the University.

"In those gifts that I refer to, let me mention just two that will have a major impact on the life of the University during the coming year. One is a matching grant from the Mellon Foundation for the Center for the Humanities. That grant is designed to provide funding for postdoctoral and other fellowships and will provide new membership and new energy for the Center as well as for the rest of the campus. Another grant of over $500,000 has been given by the Exxon Foundation, the largest in the history of the Foundation for this purpose, for the support of our undergraduate teaching in the College of Arts and Sciences. This too, should have a measurable impact for good upon the life of the campus during the present year.

"We are happy that H.E.W. has found us in compliance with Title VI as a result of a survey that took several years and that was completed during the summer. We're
happy, too, that a number of new deans are now in office at the beginning of the academic year. Three of them - Dean Call, Dean Ziegler and Dean Seznec - are already in office and well-known to members of the community, though Dean Ziegler is a newcomer. There are two new Associate Deans who've recently been appointed - Joan Egner in the College of Agriculture and Life Sciences and Geoffrey Chester in Arts and Sciences. We welcome them. In our own office, there are two important new appointments that were announced yesterday at the meeting of the Executive Committee of the Board of Trustees. Don M. Randel is joining the office in the position of Vice-Provost in a three-quarter time appointment and Alison Casarett is joining in the same capacity, Vice-Provost, in a one-quarter time appointment - having, therefore, the strength of two individuals in one full time equivalent position, I should add, for those of you who note such things. We have other appointments pending in the Library, in Personnel and in the Deanship of Engineering, where we hope within the next few weeks to make announcements of a very distinguished appointment in each case. There will, however, be vacancies in other Deanships during the coming year including the Deanship of I&LR where Dean McKersie has served with such distinction and in the Deanship of the Graduate School, where Dean Lambert's term of office comes to a close. We are still also engaged in the search for the Director of Biological Sciences.

"We welcome to the campus this year, a large number of new Faculty - no fewer than 97 new Faculty members and 46 Visiting Faculty members, who between them bring new gifts and new commitments as they begin their first year on campus. The only discouraging element I have to report in that is that, although the number of women in that number represents 17.5% of the total, the number of minority members is only a little better than two percent. That's a disappointment after the figure that we achieved of over seven percent a year ago and it is an area in which we must do better.

"All that produces impact for good on the life of the University. And no less important is the quality of the entering class. For the first time in a period of six years, the SAT scores of entering Freshmen arriving at Cornell this year have improved. We don't yet know what the nationwide trend is for entering college Freshmen but in virtually all areas, there's improvement. Especially impressive is the situation in COSEP where we had a major increase in the number of applications, over 40%; a major increase in the number of offers, over 20%; and a major increase in the number of new admissions, over 10%. And with all that, a major improvement averaging 15 points in verbal and 15 points in math in their SAT achievement scores. That's also true, though in a lesser degree, for the improvement in SAT scores of other entering students. I have to say, however, that there's a discouraging differential between the improvement that exists in the endowed colleges
and the lack of improvement and even decline that exists in the statutory colleges. One other important factor in the Freshmen class and Transfer class is that there has begun to be a perceptible movement away from the State of New York and the Northeastern region. I say that not because we don't continue to welcome and cherish the presence of members of this State and region but because, with the impending decline in the college-age population, that decline is going to be felt particularly severely in the Northeast. It's calculated that although nationwide, the decline may be only 19%; in certain parts of the Northeast, including this State, it may be well over 30%; therefore we must spread our net more widely in terms of recruiting in other regions of the country. In the endowed colleges this year, for example, enrollment from the State of New York was down by seven percent and that was picked up from other regions. So all these are matters of great satisfaction as we look at the year ahead.

"There are other important areas of concern as we look at the year ahead. Let me mention two. I've said already that the results of our affirmative action efforts are discouraging in terms of appointments to this year's Faculty. We intend to put new force behind what has been the Affirmative Action Office during the present year and three important changes are now underway. First of all, that office will be reorganized to take in not just affirmative action in the classical appointment sense but also in Title IX and handicapped concerns. Those will now be folded together in the responsibility of a single office. Second, Vice Provost Alison Casarett will assume the title and the responsibilities of Equal Opportunity Officer. And third, Mr. Ray Rivera, who has served us long and well in the capacity of Director of Affirmative Action, because of continuing ill-health, will take an early retirement at a convenient opportunity sometime later this year, and we have now advertised nationally for a replacement for the position of Executive Equal Opportunity Officer. That will be an appointment of major significance in the life of the whole campus.

"The other item that will be of major importance to Cornell during the coming year is the continuing dialogue concerning our relationship with SUNY; many of us will be actively involved in attempting to clarify and improve the situation that now exists. But no institution can merely exist from year to year and as we lurch from one Freshmen intake to another, there will be some years that are good and some that are bad. This one happens to be good. On the other hand, the longer term prospect is just as important to Cornell as the short-term prospect. I'm reminded of Cohen and Marsh who said three years ago that the American University is a proto-typic organized anarchy. It lacks any conceivable goals. Those that exist are either vague or in dispute. Its technology is familiar but not understood
and its major participants wander in and out of the organization so that decision making is a random activity. I want, therefore, either to prove the point of Cohen and Marsh or else to reject it by talking to you briefly about what seem to me inescapable external elements of our environment that we shall continue to face, not just next year but in the coming four or five years. And if I simply list them without describing them in any detail, I hope you'll understand that I'm anxious to cover the ground quickly.

"Inflation continues to be with us and even the most encouraging estimates see little hope that that can fall much below eight percent in the short term future. Second, we can expect to receive the problems that come with unusually severe price increases in many of the things of which we're high consumers in the University. I refer to such things as books and journals, scientific equipment, professional costs, building materials and so on. Third, it seems unlikely, given the pressures on the Federal government and indeed on the State government, not least in the form of Proposition 13, that we can look for major new increases in the level of research support or of support in such other fields as student financial aid. Fourth, we shall see, I believe, continuing well-intentioned but difficult intrusion from both the State and Federal governments as we go about our academic business. We can look for an encouraging increase in gifts to the University but increasingly those are characterized by two things that make them less useful than they might otherwise be. The first is they're characterized by pledges in which the gift itself is deferred until some convenient date, sometimes an improvement in the stock market and sometimes death, whichever comes first. Second, they're increasingly designated for specific purposes; important as those designations undoubtedly are to the recipients, they're often not the areas of highest priority for the University as a whole. So, although we look for great things from the Cornell Campaign, we shouldn't overlook the fact that deferred giving and designated giving increasingly seem to represent the pattern on which we're now involved. Third, we face continuing problems from the decline in the college-age pool; simply stated as clearly and forcefully as I can put it, unless we can provide an education which is not just marginally better but outstandingly superior to that provided by the public institutions or other less expensive independent institutions, we shall be in trouble by the early 1980's. We must have a curriculum which is specific. We must have educational goals within the college which are coherent and make sense. We must have Faculty who are preeminently distinguished scholars but also distinguished teachers and actively concerned individuals in the life of students. Unless we can offer that, troubles lie ahead. It's encouraging that that commitment already exists. We shall need to draw heavily
on it in the one or two years ahead. And we shall face increasing problems just because of the particular nature of Cornell. It is a fact that during the recent increase in student enrollment nationwide, independent universities have increased in size much more slowly than the public universities, and I believe conversely they will decrease in size much more rapidly than the public universities as the national pool of college-age students begins to decline. Hard years lie ahead and students are going to become more selective consumers of educational benefits. We have to have our house in order in terms of what we offer. And with all that, of course, there will be changes in the labor market. We're told that growth industries of stellar attraction such as law and veterinary medicine will in fact be over-supplied with practitioners five years from now. Whether or not that's true, and one hopes it's not, there are in fact hard times ahead for all universities as we seek to balance the traditional responsibility for liberal learning with the professional obligations we have for training in the scholarly fields and in professional areas. So we cannot change the external constraint but we can in fact have reasonable goals that recognize that constraint and adapt realistically to it.

"I want to talk now about what those goals are. For that we have the first slide. Let me emphasize that although I'm going to give a picture which is largely concerned about budget, I don't want to overlook two fundamental concerns. The first is that we occupy a position of strength. We have an enviable position as a university, we do not face bankruptcy, we do not face the prospect of closing our doors next year, but we do face problems of long-term, steady erosion of quality unless we're willing to face courageously and directly the problems that now confront us. Second, although I'm going to talk about a financial plan which is austere, I want to emphasize that that simply continues the efforts that have been made in earlier years. This is not a new discovery. This is not a sudden event. The Weiss Committee or the Cranch Report, the Macneil Task Forces - all these are foundations on which we can build and the efforts and sacrifices of earlier years give us the strength that we now have for having some competence as we face the future. We are in fact a University characterized by distinguished Faculty of uncommon distinction, by student quality which, remarkably in a period of decline for other institutions, gets better, as I hope I've just demonstrated to you, and by a library system that's the best in the nation. It's a remarkable thing that a university the size of Cornell is second nationally in the number of NSF contracts that it receives; that, in spite of its size, only half or a third of that of some of our competitors, we rank tenth in overall research support; we rank number four in annual alumni giving. Those are solid areas of achievement
that in fact speak well for the future. But we cannot escape the fact that there are five danger signals, not on the horizon but on our doorstep as we contemplate the years ahead. And I want to talk about each of these, bringing them to your attention and talking a little about their significance.

"The first of these simply stated is that endowment is shrinking relative to expense. Ten years ago our endowment was roughly two and a half times our annual expenditure. Today it has fallen to a point where it is only marginally greater than our annual expenditure. We cannot continue to erode the base of that level. Second, as we shall show in a subsequent slide, we are increasingly dependent upon tuition. Third, our support costs, especially the costs of maintaining and heating our plant, continue to run ahead of the general inflationary rate for costs as a whole. Our free spendable capital, the capital out of which we can finance deficits, is now in the danger zone. The Weiss Committee in 1975 recommended that that spendable capital should never drop below the ten million level. We are now very close to that ten million level and we may breach it during the course of this year. That means there simply cannot be deficits because there's no longer going to be spendable capital by which we can fund them. And finally as we discovered to the dismay of so many of us during the past year, some units in their best efforts to maintain a broad range of educational programs, are simply trying to spread dollars too far so that Faculty members are unhappy with the facilities that are provided for them to teach and carry out their professional duties, with a lack of funding for travel, a lack of assistance even in typing papers or letters, a lack of adequate research and teaching equipment.

Where are we going then in this? Do we simply drift as Cohen and Marsh suggest or are there agreeable goals that the University as a whole can accept and embrace in terms of its mission? I've sketched ten of them here (below) and even as I put

GOALS
- Maintain standing as major university with distinctive grad and undergrad (UG) programs
- Provide high quality UG programs
- Pursue land grant mission
- Insure equal opportunity
- Maintain Faculty excellence
- Maintain student quality and variety
- Foster superior learning environment
- Support academic initiative
- Encourage sense of community
- Achieve financial stability

them out on the board, I'm conscious that they're almost platitudes. And I say that openly because I don't believe a University such as Cornell, as diverse and large as it is, can have challenging goals, meaningful to individuals which
translate into operational terms. What it can do and what I've attempted to do in these ten goals is to provide a framework in a context in which schools and colleges, departments and centers, programs and particular projects can set their own goals realistically, knowing the general landscape at which they're to be carried out. These seem to me to be ones that characterize in outline form the main areas in which Cornell must continue to strive and develop its strength.

"Now what are the requirements? If those are the goals, what are the requirements for achieving, for bringing them about? There are now three things that we must do and it's about these that I want to talk today. We must first of all, balance the annual budget. We are $2.2 million or $2.3 million out of balance this year and our first job is to balance the budget. Second, we have to begin to rebuild invested funds which have not only suffered because, owing to inflation, they're worth less than they were a few years ago, but they are now also lower in absolute dollars than they were five years ago. We have to begin to rebuild those funds because without them there is no annual income to support our operations. And thirdly, we have to make reallocations within our overall budget in order to provide funds in three areas: First of all, competitive salaries; second, a responsible and realistic level of support for academic programs; and third, funds which can respond to new opportunities in the disciplines and professions as they develop. We must not be the kind of institution where it's simply bad form and inconvenient for a Faculty member to have a new idea. I said a moment ago that endowment resources, and these concern only endowed colleges at Ithaca, have declined seriously during the past ten years. This is a simple slide (below) showing expenses as an index of 100 ten years ago, in 67-68

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<td>1967-8-----------------------------100</td>
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<tr>
<td>1972-3-----------------------------142</td>
</tr>
<tr>
<td>1977-8-----------------------------197</td>
</tr>
<tr>
<td>Endowment (Market value index)</td>
</tr>
<tr>
<td>1967-8-----------------------------100</td>
</tr>
<tr>
<td>1972-3-----------------------------122</td>
</tr>
<tr>
<td>1977-8-----------------------------116</td>
</tr>
</tbody>
</table>

in comparison with the market value of our endowment ten years ago and today. If you take enterprise units out and have only the endowed colleges as we have them here on the Ithaca campus, then in fact, our expenses have grown by almost 100% in a period of ten years. That's not altogether surprising. The Consumer Price Index for that period is 184 using the same base 67-68 as an index. The higher educational index is in the region of 190 or so - it's higher than that. Our numbers of students have increased since then and our cost effectiveness per
student has also increased. We're doing better. But notice that in spite of that commendable progress, what's happened is that our endowment market value has increased only by 16% in the same period, and that simply means that everything we do is now inhibited by a smaller capital endowment to provide interest for the activities that we undertake. Now why is revenue a problem? First revenue and then expenditure. If we look at revenue over a period of 12 years as we have it on this slide (below), you'll notice certain trends that are inescapable. Let me emphasize that in almost every case the absolute amount of revenue has increased. For example, the amount of gifts has increased during this period. But because our overall budget has also increased, gifts as a percentage of total budget are down from nine percent at the beginning of the period to five percent at the end of the period. That's a discouraging and a very serious decline. Similarly, investments are down from twelve to ten percent over that period. Bundy aid which came into existence in this year has increased encouragingly and is now a very important part of our overall budget. But you'll notice sponsored programs, that is research, have declined relatively as a fraction of the overall budget — declined from 38 to 32%. And the slack has been picked up, which will be no news to students, by an increase, a relative increase, in the percentage coming from tuition and fees. So increasingly we are relying on tuition and fees as being the chief component of our budget and the traditional areas of support have declined during the past twelve years. These slides are all for the endowed Ithaca colleges. What about expenditures? (see below) What are we spending our

**EXPERIENCE 1967-79**

<table>
<thead>
<tr>
<th>Source of Revenue 1967-79</th>
<th>66-67</th>
<th>71-72</th>
<th>76-77</th>
<th>77-78</th>
<th>78-79 (est.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gifts</td>
<td>9%</td>
<td>8%</td>
<td>6%</td>
<td>6%</td>
<td>5%</td>
</tr>
<tr>
<td>Investments</td>
<td>12%</td>
<td>12%</td>
<td>11%</td>
<td>11%</td>
<td>10%</td>
</tr>
<tr>
<td>Bundy aid and other</td>
<td>4%</td>
<td>5%</td>
<td>9%</td>
<td>8%</td>
<td>8%</td>
</tr>
<tr>
<td>Sponsored programs</td>
<td>38%</td>
<td>36%</td>
<td>29%</td>
<td>33%</td>
<td>32%</td>
</tr>
<tr>
<td>Tuition and Fees</td>
<td>37%</td>
<td>39%</td>
<td>45%</td>
<td>42%</td>
<td>45%</td>
</tr>
</tbody>
</table>

resources on over the same period? This also covers a period of twelve years. The small item at the bottom, labeled 'Other' is chiefly repayment on debt and that
got up to about 2% or so in the middle of the period and has remained relatively constant. But notice if you will, the other changes that are recorded on this slide. Student aid has gone up from ten percent to 12%. Enterprise and athletics down from 17 to 16%. Plant support and student services - a terrifying increase from 13% to 18% during that period, reflecting not better student services on the whole, but continuing increases in the cost of plant maintenance and support. And we've taken the slack out of the very things which lie at the heart of the University. This is not just true at Cornell; if you talk to your colleagues at other institutions, their story is just the same. The thing that is suffering is the primary business of the University - teaching, research and public service, which have slipped during that period from 60% to 52% of the total budget. That's a serious outlook for the University and it's even more serious because we're now in a much weakened position as far as our capital goes. This is what our capital looked like only five years ago - this is what it looks like today (below), and

<table>
<thead>
<tr>
<th>EROSION OF CAPITAL</th>
<th>(millions of $)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1972-3</td>
</tr>
<tr>
<td>- True endowment</td>
<td>126.5</td>
</tr>
<tr>
<td>- Funds functioning</td>
<td></td>
</tr>
<tr>
<td>as endowment</td>
<td>59.3</td>
</tr>
<tr>
<td>- Security pledges</td>
<td>4.8</td>
</tr>
<tr>
<td>- Special situations</td>
<td>8.3</td>
</tr>
<tr>
<td>- Spendable balance</td>
<td></td>
</tr>
<tr>
<td>(undesignated)</td>
<td>20.9</td>
</tr>
<tr>
<td>Total</td>
<td>219.8</td>
</tr>
</tbody>
</table>

remember the effects of inflation in that period. This is what our spendable capital looked like ten years ago - this is what it looks like today. It's down almost 50% from a period of five years ago. Now this is in spite of the fact that we've had major gifts during this period - $26 million over that period in gifts and now at $10 million not yet realized from the sale of CALSPAN, but against that we have spent $21 million and we've lost $27 million by fluctuations in the stock market - downward fluctuations in the stock market. And the net result is a net loss of $12 million during that period and that's the figure that the slide shows. So we approach the need to correct our present situation from a much weakened capital base. This is the endowment that supports us in terms of providing the vital margin. The next slide presents a list of other concerns which I outlined briefly at the beginning of the talk that I gave - competition for students, an unstable economy, an uncertain outlook for government support, rapid increases above inflation in some costs, income lagging behind costs, and an aging facility. Wherever you look on the campus you'll find that our teaching and research conditions are aging to an alarming extent - Goldwin Smith A is a wonderful, bright exception to that and
we hope to interest more donors in that kind of support. What must we do in order to maintain the strength of the University? The first requirement is to hold back the level of spending during the present academic year. Unless we do that, the next year will be correspondingly harder. The results of the first two months so far are very encouraging in terms of the efforts that you and your colleagues are making to restrain spending during the present year. We hope to hold that back considerably as you did a year ago and that is also most commendable. Second, we intend to have a balanced budget next year - that's going to be difficult, but we will do it; we will go into next year with a balanced budget. If we don't do it, it will simply be more painful in each succeeding year. And third, we have to reduce commitments in order to provide competitive salaries - salaries that will attract and retain the best Faculty we can find, and adequate support. It's no good having distinguished Faculty in an impossible teaching environment. It's no good having the best scholars in the nation if we're unable to send them to a meeting occasionally to read a professional paper. We must have support levels that are adequate. We've got to adjust our pricing and operating policies. It would be wrong to assume that the only solution open to us is to cut the budget. We must look aggressively at new ways of increasing revenue as well as decreasing expenditure. The third component of our plan of action is that we must bring the budget into long term equilibrium - not just balanced but in long term equilibrium by 81-82. Now there's a difference between a balanced budget and long term equilibrium. Long term equilibrium implies that we're putting enough away to sustain the strength of Cornell's operations beyond the particular year of a balanced budget. What do I mean by that? I mean by that that the real gap we face between a budget in equilibrium - not balanced - but in equilibrium - is about $7.5 million. That's a large amount of money. What comprises it? It consists, first, of an item of $2.2 million because our budget is out of balance for the present year by that amount. We have to correct that and we will by next year. The second item, $1.3 million, appears because we are treating ourselves too generously; we are paying out from the capital fund this year that amount more than we shall earn in interest. That's simply a form of conscious and progressive suicide if we continue. We cannot continue to do that. We must stop that drain on the capital fund. Third, we must rebuild invested funds. Put $1.5 million there. As I showed a moment ago, we are not keeping up with inflation in our endowment capital. You say why is that so? Let me explain. Sixty-eight percent of our endowment is in stocks and if the market continues its recovery, as one hopes it will, that does give us some hedge against inflation. But 32% of our endowment is in bonds and they provide a fixed income with no
appreciation in capital. That's a prudent method of division for the long term needs of the University as a whole, but just to keep up with an annual eight percent rate of inflation for those bonds requires that we should add to our capital at the rate of $6 million a year. We're not doing that at the moment; rather, we're depleting it by $1.3 million a year, as well as stealing from it the $2.2 million that we needed to balance this year's budget. So we must begin to re-invest some funds to restore the value of the investment for the long term health of the University. Hence, the $1.5 million. Finally, we shall have to reallocate internally, some operating funds and we've put there a figure of $2.5 million. We could easily have made that $5 million or $10 million and still have convinced you, I believe, but those amounts would have been impractical. Of what does that $2.5 million consist? There are three components. The first is that we want to provide support for competitive salaries, responsible support for academic programs and new opportunities - academic and other. That accounts for a million dollars. Second, we must preserve and improve our physical plant. There are on the campus 91 buildings of an academic nature - having an academic purpose. And we're spending at the moment an amount which is wholly inadequate to maintain those buildings in good order. Occasionally we can reduce the amount of rain coming through the roof or the number of short circuits that you get in certain lamps. But we must go beyond the mere preservation and maintenance of buildings. We must begin to renovate the buildings that we have - quaint, charming, but antiquated now for meaningful teaching and research use. A million dollars is a modest sum in view of the needs there. And third, we have to build up an equipment fund which can take care of the $40 million of equipment that we have on the campus. We literally have nothing in the budget at the moment to replace that equipment. And increasingly research contracts require us to match certain items of equipment. Increasingly lab equipment for teaching is obsolete. Increasingly, data handling equipment we shall need to improve library services represents an undertaking that we can't afford. Five hundred thousand dollars a year for equipment across the campus is a minimal amount in terms of the needs that we face. Well, I propose to you that we should make these adjustments over a period of three years and that is spelled out on the slide that's in front of you now (see next page). We will bring the budget into balance next year and we will begin to reduce the excess payout over interest levels from the capital fund. But we can do very little in other
PROPOSED STAGING (millions of $)

<table>
<thead>
<tr>
<th></th>
<th>78-9</th>
<th>79-80</th>
<th>80-1</th>
<th>81-2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regaining budget balance</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Budget accounts</td>
<td>2.2</td>
<td>2.2</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Excess pay-out</td>
<td>1.3</td>
<td>.2</td>
<td>1.1</td>
<td>-</td>
</tr>
<tr>
<td>Rebuilding invested funds</td>
<td>1.5</td>
<td>-</td>
<td>.3</td>
<td>1.2</td>
</tr>
<tr>
<td>Reallocations</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Provide competitive</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>salaries etc.</td>
<td>1.0</td>
<td>.2</td>
<td>.5</td>
<td>.3</td>
</tr>
<tr>
<td>Preserve plant</td>
<td>1.0</td>
<td>-</td>
<td>.5</td>
<td>.3</td>
</tr>
<tr>
<td>Restore equipment</td>
<td>.5</td>
<td>-</td>
<td>-</td>
<td>.5</td>
</tr>
<tr>
<td><strong>Total (inflated)</strong></td>
<td>7.5</td>
<td>2.6</td>
<td>2.4</td>
<td>2.5</td>
</tr>
</tbody>
</table>

areas except for the modest 200,000 into competing with other institutions in salaries. By 1980-81 and 81-82 we shall continue the process, so we're taking out of the budget or we're reducing the gap in the budget I should say, by about $2 and a half million each year. But let me just add that that must include the effects of inflation and so the bottom figure gives those amounts in inflated dollars, assuming an inflation rate of eight percent. Now when I say that we're going to reduce the budget, that's not entirely true because the undertaking on which we're embarked is going to involve balancing additional revenue against decreased expenditure, and there are various ways of going about that. We shall be talking to you in some detail about what they are during the next few weeks and Mr. Kennedy in particular will be talking about some next week. But let me just outline the main categories that are represented there. First of all we shall have to look increasingly at marginal programs wherever they are and whatever they are, setting our own definition of what it means to be marginal. Second, we shall have to take a continuing look at tuition and financial aid on which the burden, as I've pointed out, already falls heavily. We are at present the lowest institution in the Ivy League in terms of total tuition and total living cost levels. We shall have to look in terms of what we can do to maintain that. Third, we ought to look very carefully at balancing the enrollment between the fall and the spring semesters. Traditionally at Cornell, we're down by four to five hundred students in total enrollment in the spring semester. There is no reason why a careful admissions program could not improve that number to bring it much closer to the number enrolled during the fall. That's going to mean that we shall want to concentrate on certain categories of students, deferred admission for Freshmen, increasing numbers of transfer students but that could also be done. Fourth, that will almost certainly mean that although we shall be able to do that, there may be a slight increase in enrollment during the fall term. We may not stay exactly
at 16,400; we may go up by one or two hundred. That's not a universally popular suggestion, as I found out from talking to the Trustees about it on several occasions. But it is one that could make an enormous impact upon the budget. That number of students could produce anything from $500,000 to a million dollars. And we face a choice of doing that or cutting programs further than we shall otherwise have to do. We ought to emphasize the desirability of having students transfer to a University such as Cornell and look aggressively in the schools and colleges at ways of encouraging them to come and enroll in their final two years. We have spare capacity in many junior and senior courses. We shall not increase the pressure on the dorms. The transfers shall not need as much financial aid as four year students. And Bundy money, at least at present, is awarded on the number of graduates and not on the number of students enrolled for a particular period. For those and other educational reasons, quite apart from the fact that our strengths lie at the advanced undergraduate level, we should encourage transfer students in greater numbers. We must look for imaginative ways of increasing the use of the campus during the summer. We're filled up in recent summers with a number of registered students and a much larger number of casual visitors using the residential facilities in a gracious setting. It would make much better sense in terms of our institutional mission to have registered students on campus for summer courses that we can give. Vice Provost Don Randel is now beginning to look at that. We shall have to explore with those units that now are self-supporting the possibility of some kind of franchise arrangement that would recognize their indebtedness to those units on the campus, such as Arts and Sciences, which can never be self-supporting. Classics is unlikely to become a growth industry paying its own way and making a profit, at least in the short term future. And it's a vital part of that liberal education on which law and business and engineering and every professional school bases the strength of its curriculum. We shall have to continue to provide incentives for every member of the Cornell community - Faculty, Staff, Students - and with all that we shall have to look at ways of integrating and combining and streamlining everything that we do.

"I've been very direct with you today in talking about the dimensions of the problem as I see them. I've told you the situation exactly as it is without attempting to disguise it or make it appear more favorable than it might otherwise be. At the end of this period of budget balancing we shall be a leaner institution. I cannot give you a guarantee today that we shall have the same number of people employed by Cornell at the end of this period as we have now but, of course, we shall use attrition and, of course, we shall use retirement, and, of course, we
shall use internal reallocations in bringing those changes about. On the other hand, the long term health of the institution depends fundamentally on our readiness to make courageous and direct and meaningful choices during the next three years. I solicit most earnestly your support in making those. Thank you."

The Speaker opened the floor for questions, indicating that a more complete discussion could take place at the Faculty meeting on September 20, when Provost Kennedy would be present.

Professor Toby Berger, Electrical Engineering, asked President Rhodes if he would comment on the status of the Medical College.

President Rhodes responded by saying that the Medical College has some very serious problems. On the other hand, they are problems that are soluble, and we intend to solve them, he added. Essentially, a cash flow problem will be faced during the next three years. The Medical College has been liquidating its spendable capital at a rate which will mean that at present trends, it would run out late during the course of the next academic year. There is other designated capital, but that cannot be spent. President Rhodes said new financial arrangements with the New York Hospital, as well as new teaching alliances with other institutions are being explored. A medical service plan is being set by means of which Faculty members provide services for a fee to patients on a new basis. Salary recovery is being encouraged through an increase in research funding. By these and other methods, the President is confident the problem will be solved.

Professor John Wilkins, Physics, questioned management of investment funds - whether there is concern in that area.

President Rhodes replied that we haven't done badly; better than the index. He believes, however, we can do better by clarifying our investment objectives, by being more courageous in terms of diversity, getting out of the stock and bond market and getting into some other areas and designing our investment strategy to meet our known expenditure needs over a period of three or four years. At present, a small group of Trustees is looking at all these things.

Hearing no further questions, the Chair proceeded to the next item of business and called upon Dean Greisen.

5. AMENDMENTS TO THE CHARTER OF THE CAMPUS COUNCIL (Appendix A, attached)

The Campus Council, after operating for a year, has found need for some revisions in their Charter. Certain revisions have to have Presidential approval after consultation with the Faculty; the amendments were recommended to the FCR by the Executive Committee, and were distributed with the call for this meeting. Dean Greisen moved the following resolution:
WHEREAS, five amendments to the Charter of the Campus Council that were approved by the Council on May 9, 1978, require Presidential approval after consultation with the Faculty, and

WHEREAS, these amendments have been reviewed by the Executive Committee and the FCR itself and found satisfactory, therefore,

BE IT RESOLVED, That these amendments be recommended to the President of Cornell University for his approval.

Amendment number one would permit the Council to remove a member or the chairman of the Committee on Committees when that person is not adequately performing his/her functions providing 12 of its members were so in favor. The second amendment was to increase the number of employee representatives on the Council from two to three and thus increasing the total number of voting members from sixteen to seventeen - the reason being that the present arrangement places undue burden on the two employees. The third amendment was to permit the Committee on Committees with the consent of the Council to adopt other methods - other than the Hare System - in conducting Council elections. Student and employee vacancies on the Council would be permitted to be filled by persons chosen by the student and employee Trustees respectively rather than waiting for the regular spring elections, according to the fourth amendment. And finally, the fifth amendment provides that a voting member of the Council may not serve concurrently as a Trustee or a member of a standing committee or board.

The resolution was seconded and so adopted.

There being no further business, the meeting adjourned at 5:40 p.m.

Paul L. Hartman, Secretary
AMENDMENTS TO THE CHARTER OF THE CAMPUS COUNCIL WHICH REQUIRE PRESIDENTIAL APPROVAL FOLLOWING CONSULTATION WITH THE FACULTY

(Additions underlined, deletions in brackets)

1.1.3: Select the student and employee members of a Committee on Committees (C.O.C.) which shall provide the student and employee members of committees of the Campus Council. The Faculty shall provide the faculty members for these committees. The C.O.C. shall provide members for University, Faculty, and Trustee committees as may be requested from time to time. Upon an affirmative vote of at least twelve voting members of the Campus Council, the Council may remove a member of the C.O.C. or remove the chairperson of that committee from that position. Immediately upon the removal of a committee member from the Committee on Committees, the Campus Council shall select a replacement for the balance of the term of office.

1.2: The Campus Council shall consist of [sixteen] seventeen voting members: seven students, seven faculty, and [two] three employees. The following shall be ex officio members of the Council without vote: two members of the executive staff appointed by the President, one faculty trustee, one student trustee, and one employee trustee.

1.2.1: Representatives of employees and students shall be elected in the spring of each year for two-year, staggered terms. Those individuals who do not expect to be members of the Cornell community for more than one year (e.g. juniors) may be elected at the discretion of their constituencies. Elections shall be the responsibility of the Committee on Committees of the Campus Council. [The method of election shall be the Hare system.] The method of election shall be determined each year by the Committee on Committees subject to the consent of the Council. Elections for employees shall be held at large. At-large elections for the student representatives shall be held as follows: graduate and professional students shall vote to elect two representatives, with the provision that not more than one representative from any one unit shall be seated on the Campus Council (the Graduate School, the School of Business and Public Administration, the Law School, and the College of Veterinary Medicine); undergraduate students, including freshmen, shall vote to elect five representatives, with the provision that not more than two representatives from any one unit (the College of Architecture, Art and Planning; the College of Agriculture and Life Sciences; the College of Arts and Sciences; the Hotel School; the College of Human Ecology; the College of Engineering; and the School of Industrial and Labor Relations) shall be seated on the Campus Council. Faculty members of the Campus Council shall be selected by the Faculty in a manner which the Faculty shall determine. Definition of the faculty constituency shall also be the responsibility of the Faculty, which shall notify the Committee on Committees of the Campus Council of any changes in definition. Term of office for all Campus Council members except those serving ex officio shall begin on June 1. All terms shall be two years.

1.2.2: A vacancy in the Campus Council occurs when (a) [the term for a seat expires,] a seat is unoccupied at the beginning of a term of office, (b) an incumbent resigns, or (c) the incumbent of a seat no longer qualifies as a member of the constituency which elected him or her.

Changes in membership within a constituency (e.g., from undergraduate student to graduate student) shall not disqualify an incumbent from completing his term. [Student and employee vacancies may be filled only by a constituency-wide election at the time of the spring elections.] On the occurrence of a vacancy in a student or employee seat on the Council, the Committee on Committees shall advertise the vacancy and solicit applicants (including, but not restricted to unsuccessful candidates in the most recent election) to fill it. A student (employee) applicant
will be selected from among the set of applicants by the student (employee) trustees in a manner that they deem appropriate. The selection will be made as rapidly as possible with any appropriate assistance from the Committee on Committees and reported promptly to the Chairman of the Campus Council. A person selected in this manner to fill a vacancy shall hold office only until the next succeeding June 1st, at which time such person shall be replaced for the remainder (if any) of the term of the original incumbent by a person selected in a constituency-wide election at the time of the spring elections. A student or employee vacancy existing at the time of the spring elections shall also be filled by a constituency-wide election. The Faculty shall determine the manner in which vacant faculty seats shall be filled.

1.2.5: A voting member of the Campus Council may not serve concurrently as a University Trustee, or as a member of any of the Council's standing committees and boards, except where specified in this Charter.

Explanation:

Article 1.1.3 was amended to permit the Council, by the vote of 12 of its members, to remove a member or the chairperson of the Committee on Committees, when that person is not adequately performing his or her functions.

Article 1.2 was amended to increase the number of employee representatives on the Council from 2 to 3, with the total number of voting members being increased from 16 to 17. It was felt that the present arrangement imposes undue burdens on the two employee representatives to participate fully in the work of the Council and its ad hoc working groups formed to examine specific issues.

Article 1.2.1 was amended to permit the Committee on Committees, with the consent of the Council, to use methods other than the Hare system in conducting Council elections. It was felt that other methods might offer greater efficiency or draw a larger turnout, and that more flexibility should be provided in this area.

Article 1.2.2 was amended to permit student and employee vacancies on the Council to be filled for the remainder of the school year by persons chosen by the student or employee Trustees. The present system, under which a vacancy can only be filled at the regular spring elections, could (and did) result in a seat remaining vacant for a substantial part of the school year.

A new Article 1.2.5 was added, providing that a voting member of the Council may not serve concurrently as a Trustee or a member of a standing committee or board. It was felt that, with the limited number of opportunities for members of the community to participate in campus governance, it was undesirable to have a single person occupying two or more of such positions at the same time.

September 13, 1978
The Speaker, Professor Russell D. Martin, called the meeting to order at 4:35 p.m. About 180 Faculty members were in attendance, as well as several guests. The Chair first called on President Frank H.T. Rhodes.

The President announced the death of the following Faculty members and invited the body to rise in remembrance of them.

William T. Tapley, Professor Emeritus, Vegetable Crops, Geneva, December 13, 1977
Otto E. Schultz, Professor of Plant Pathology, May 30, 1978
LaMont C. Cole, Professor Emeritus, Ecology, June 3, 1978
Hsien-Chung Wang, Professor of Mathematics, June 25, 1978
Stephen W. Jacobs, Professor of Architecture, August 8, 1978
Lloyd R. Simons, Professor Emeritus, Extension Service, August 20, 1978

President Rhodes next announced the Distinguished Teacher Awards given by Cornell in 1977-78, and invited those recipients who were present to stand and remain standing so the body could recognize them.

<table>
<thead>
<tr>
<th>College</th>
<th>Recipient</th>
<th>Award</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture and Life Sciences</td>
<td>Professor of Vegetable Crops William C. Kelly</td>
<td>Professor of Merit Award - by the State College of Agriculture and Life Sciences, Cornell, given by Ho-Nun-De Kah (Agricultural Honor Society)</td>
</tr>
<tr>
<td>Arts and Sciences</td>
<td>Professor of Government Isaac Kramnick</td>
<td>The Clark Award</td>
</tr>
<tr>
<td>Arts and Sciences</td>
<td>Professor of English Walter J. Slatoff*</td>
<td>The Clark Award</td>
</tr>
<tr>
<td>Engineering</td>
<td>Assistant Professor of Chemical Engineering Michael L. Shuler</td>
<td>Excellence in Teaching Award - by Cornell Society of Engineers and Engineering Tau Beta Pi</td>
</tr>
<tr>
<td>Human Ecology</td>
<td>Lecturer and Director of the Nursery School Gretchen &quot;Sue&quot; McCord</td>
<td>Chancellor's Award for Outstanding Instruction - by the State University of New York</td>
</tr>
<tr>
<td>Industrial and Labor Relations</td>
<td>Assistant Professor in School of I&amp;LR Roger R. Keeran</td>
<td>Undergraduate Student Government Award for Excellence in Teaching</td>
</tr>
<tr>
<td>Veterinary Medicine</td>
<td>Professor, Veterinary Clinical Sciences Charles E. Short, D.V.M., M.S.</td>
<td>Norden Distinguished Teacher Award</td>
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</tbody>
</table>

*Did not attend this meeting - on leave and currently out of the country
The Speaker thanked the President and congratulated members present on making history -- a quorum was on hand. He announced that his Parliamentarian for the year for University Faculty and FCR meetings would be Professor William Tucker Dean, Law. He then called on Kenneth Greisen, Dean of the Faculty.

1. AMENDMENTS TO OPUF (ORGANIZATION AND PROCEDURES OF THE UNIVERSITY FACULTY) (Appendices A and B attached)

On behalf of the Review and Procedures Committee of the Faculty, the Dean said he would like to propose a number of resolutions having to do with modifications to OPUF. These amendments were drawn up last year, but the Committee was not able to present them to the Faculty because of lack of quorum. Many of these amendments are housekeeping items, eliminating reference to the Senate, etc., while some are of a different nature, having to do with reduction of a quorum for conduct of business by the Faculty, for initiating considerations of postponement or overthrowing an FCR determination. In the resolutions, the amendments are grouped according to the type of change.

The Dean read the first resolution:

WHEREAS, many references are made in the Organization and Procedures of the University Faculty (OPUF) to the Cornell University Senate, and this body is no longer in existence, while a new body known as the Cornell Campus Council has come into being, therefore,

BE IT RESOLVED, That references to the University Senate be excised from OPUF and, where appropriate, be replaced by references to the Campus Council, as indicated at the following locations in the amendments document:

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<tr>
<th>Page</th>
<th>Section</th>
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<tr>
<td>1</td>
<td>I-E</td>
<td>Page 15, Section IX-D-2e</td>
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<td>2</td>
<td>II, line 2</td>
<td>Page 16, Section IX-D-5</td>
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<tr>
<td>4</td>
<td>IV-B-3f</td>
<td>Page 17, Part Four</td>
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<td>9</td>
<td>VII-A-2b</td>
<td>Pages 19-22, Section XII</td>
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<tr>
<td>11</td>
<td>VIII-B</td>
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The Chair opened the floor for discussion, indicating that since this motion had come from the Review and Procedures Committee, of which the Dean is a member, it did not require a second.

Professor Isadore Blumen, I&LR, questioned the underlining and bracketing around one reference to a Bylaw date - pointing out that it was not in the listing of amendments. Was it the intention to consider these simply as editorial matter?

Dean Greisen replied that it was not the intention to omit a listing of that particular item or others of that sort. Resolution #2 has numerous items no more consequential than that one - a correction of a citation or the omission of some reference. If others noted similar errors, he hoped attention would be called to them.
There being no further discussion, Resolution #1 was voted on and carried unanimously.

Dean Greisen read Resolution #2:

WHEREAS, certain language was used to provide an orderly transition to the representative form of governance, but is no longer appropriate inasmuch as the FCR and its committees are now functioning, and

WHEREAS, numerous small corrections of language are necessary for clarification of the original document, correction of citations, codification of evolved practices, and bringing titles and other references into consistency with present University structure, therefore,

BE IT RESOLVED, That appropriate amendments of language in OPUF be adopted by the University Faculty to achieve these purposes, as indicated at the following locations in the amendments document:

Page 1, Section I-C  Page 8, Section VI-F
Page 1, Section I-H  Page 8, Section VII-A-1
Page 2, Section II  Page 10, Section VII-D
Page 3, Section IV  Page 11, Section VIII-A
Page 3, Section IV-A-1 & 2  Page 11, Section VIII-C
Page 3, Section IV-A-5 & 6  Page 12, Section VIII-C-1
Page 3, Section IV-A-8  Page 12, Section VIII-D-2
Page 3, Section IV-B-1  Page 12, Section VIII-D-3
Page 3, Section IV-B-2  Page 13, Section VIII-G-1 & 2
Page 7, Section V-F  Page 15, Section IX-D-2c
Page 7, Section V-F-1  Page 16, Section IX-D-6
Page 7, Section V-H  Page 17, Section X-B-4
Page 7, Section VI  Page 18, Section XI-F-1
Page 8, Section VI-B  Page 22, Section XIII, first line

He indicated that all the individual changes were listed no matter how small - at least that was the intent - and the one Professor Blumen referred to above, in Article I-C, should also be included. He hoped to give assurance that nothing was being slipped over on the Faculty.

The Chair opened the floor for discussion and hearing none, proceeded with the vote. Resolution #2 carried unanimously.

Before reading Resolution #3, Dean Greisen acknowledged a weakness in his presenting all these changes, as he was not Dean at the time they were drawn up; he would have to rely on members of the Committee if questions were raised, answers to which required knowledge of the substance of discussion going back to that time.

He next read Resolution #3:

WHEREAS, several references in OPUF exclude ex officio members of the FCR and of its committees from the privilege of voting, and
WHEREAS, the normal procedures enunciated in Robert's Rules of Order allow ex officio members to vote but not to count when establishing the presence or lack of a quorum at a particular meeting, therefore,

BE IT RESOLVED, That amendments to OUPF be adopted to reflect this principle as shown at the following places in the amendments document:

Page 6, Section V-D-8
Page 10, Section VII-B-4
Page 11, Section VIII-C-1
Page 15, Section IX-D-4
Page 18, Section XI-C-3

He noted that this Resolution would give votes to six ex officio members of the FCR: the Dean of the Faculty, the Secretary of the Faculty, and the four Faculty Trustees. This would change the number of voting members of the FCR from the present number of 104 to 110.

The Chair opened the floor for discussion on Resolution #3.

Professor John Whitlock, Parasitology, asked if the intention was to overstep the barrier that has always existed with regard to the member from the Medical School on the Board of Trustees. With only four Faculty Trustees, one would be from the Medical School. It was pointed out that there are five such Trustees.

Professor Norman Penney, Law, indicated that there are four from this campus, Professors Holcomb, Srb, Meek and himself; the Medical School Trustee would seldom be at an FCR meeting. The four would presumably be from the Ithaca campus.

With no further discussion, voting on Resolution #3 indicated unanimous approval.

Dean Greisen said that although the resolution had carried with no dissent, it was the clear intent that the Trustees referred to were the Ithaca based Trustees.

The fourth resolution, the Dean said, brings directly forward the situation that led to the difficulty in conducting business last year, namely, that relating to quorums. The formulating of the original legislation setting up the FCR, was done in a period during which there was extensive involvement of the campus, including the Faculty in widely attended deliberations; the quorum subsequently set for the conduct of Faculty business, namely 10%, was very easily reached back then. Attendance in those days greatly exceeded that number. By now, campus climate has changed. The types of business that we deal with today don't seem to be exciting enough to draw large numbers to the meetings. As a result, it has not been possible to conduct even the comparatively calm business that is necessary to carry on.

Dean Greisen read Resolution #4:
WHEREAS, the quorum requirements for certain meetings of the University Faculty and of the FCR are such that many efforts of these bodies to meet are ineffectual, therefore,

BE IT RESOLVED, That the University Faculty make certain reductions in quorum requirements as indicated at the following places in the amendments document:

<table>
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<tr>
<th>Page 4, Section IV-B-3d</th>
<th>Page 18, Section XI-C-2</th>
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<td>Page 4, Section IV-B-5a</td>
<td>Page 22, Section XIII-A-3</td>
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<tr>
<td>Page 4, Section IV-B-5b</td>
<td>Page 22, Section XIII-B</td>
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This amendment would change the quorum required for the conduct of ordinary Faculty business; the present required quorum of the Faculty of 10% would be lowered to 5% so that an attendance of about 75 instead of 150 members would be needed to allow business to be conducted. Beyond the requirements for an ordinary meeting are requirements for a meeting to conduct extraordinary business, say, for considering the reversal or postponement of an action of the FCR. For this there must first be initiation of a call for such a meeting, along with the attainment of a quorum at that meeting. The amendment proposes a change in the number of members required for each part of that action. Consideration of nullification or postponement of an action of the FCR can be initiated by the President, by the Trustees, by the Review and Procedures Committee, or by petition of sufficient number of Faculty members. The proposed change in the last instance here is from a number equal to the membership in the FCR, as at present, down to a number equal to a majority in the FCR membership, i.e., its quorum size, 53. In addition, unlike the current mode, the petitioners may not also be members of the FCR, who may have participated in the disputed action in the first place. A quorum then for the conduct of the extraordinary business would be changed from 25% of the faculty membership (about 375) down to 115% of the authorized membership of the FCR (or about 126); more manageable. Regardless of the outcome of the Faculty meeting that considers postponement or nullification, a referendum of the Faculty can also be initiated. There is no change proposed in the numbers there: a number equal to the membership in the FCR for initiation, and a number voting in the referendum equal to 25% of the Faculty membership.

The Chair opened discussion of Resolution #4.

Professor Blumen questioned the proposed amendment to IV-B-5a, particularly the last three lines, which would read, "Once a quorum has been established no further quorum calls will be accepted and the existence of the quorum shall be assumed for the remainder of the meeting." Does that mean, Professor Blumen asked, that, having achieved a quorum at a meeting, the attendance could dwindle
to, say 37, and then that number could vote for the Faculty, or worse, that as little as 9 members out of 17 still remaining at a meeting could establish Faculty policy, or if one iron-bottomed member remained that he could do it alone? Dean Greisen deferred the question to the former Parliamentarian and present Speaker, Professor Martin.

Regarding the maintenance and establishment of a quorum, the Speaker read from Robert's Rules of Order, which says: "1. It is the obligation of the Speaker to see that there is a quorum present before official business is done. 2. If at any time, he or she feels that a quorum has been lost, it is likewise the obligation of the Speaker to declare that fact. Likewise, at any time during the meeting, anyone has the right to demand a quorum call."

Professor Blumen moved that that part of the resolution be deleted, and it was seconded. The Dean inquired as to whether he was deleting the last three lines or the whole first part, Section IV-B-5a (4a, if the proposed changes of Resolution #2 are ratified, Secretary's note). Professor Blumen said he had no choice at the moment, the proposition did not reflect what the Dean had written in his call to the meeting, it could be discussed later, it was not understood, and he did not wish to discuss it. The Speaker then himself sought clarification; he understood Professor Blumen to be striking the last three lines of the offending section. On the contrary, Professor Blumen replied, he had moved the deletion of the entire Section. His seconder then spoke out that he had only seconded the deletion of the last three lines. Professor Blumen then asked for a second to his intended motion for the deletion from the proposed change, of any reference to Section IV-B-5a, and he got it. (The Secretary, and others, found the proceedings throughout pretty confused. He believes he has reconstructed it correctly from the transcript and his own taped record.)

Professor Blumen then spoke to his motion, stating that the quorum matter had been misinterpreted and the misinterpretation had been allowed to stand through the tenure of at least one Dean and the beginning of that of another. "The obvious intent was to give the Faculty the impression that what we were going to do was to simply go back and cut the quorum in half. But the resolution was written so that if you had an iron bottomed crew, you would have what is called teamster's rules of order. That is, if you could have people sit around sufficiently long, you can attain the purposes of a small minority. You would get, as we're doing now, the Faculty coming to hear the President and the Provost, but now you wouldn't have to put the President and the Provost as the main attraction at the tail end - you could put him at the beginning, have a quorum, everybody goes - you've got your resolution. That's the point we have here.
The real purpose was not to do what is proposed -- what Professor Greisen thought was being proposed, obviously -- but rather, in fact, was to get us in a position where small minorities could control the Faculty. How do we know this? Well, we know it because the whole tenor of the next collection of motions we will see is directed at eliminating the Faculty Council of Representatives. You may believe that at one glorious time the University Faculty could get a lot of people out and attending. Unfortunately, Professor Greisen's statement with respect to that, is also incorrect. I was a member of the FCR and the Executive Committee, Chairman of the Executive Committee at the start of our operations, when we changed this new set up and we could not get members of the University Faculty to come out because they were delighted to have a representative group do their work for them. Second, it is not true, that it is an historic moment today in our having a quorum. We had a quorum at this same time last year. The Faculty were then asked whether they wanted to discuss this kind of stuff and they voted on the matter. They voted to adjourn. And we did that with a quorum. And we had a quorum the time before that - at the Spring meeting. The fact is when the Faculty has business to do, it comes together to do business. Now, sometimes you have to trap them the way we did today. Sometimes you've got to grab them with a real star, songs, dances, witty remarks, and you get them in. They may stay here - they may not. But that's not what the purposes are of the text. What is being proposed here now is to go to a smaller group. The next thing that is being proposed, and that's going to come next time - is that this smaller group can then be in a position if it gets together, to really redo the Bylaws again. You say, well the University Faculty won't stand for that. But the University Faculty doesn't know what's going on. If the Dean himself doesn't know what's going on, how do you expect the University Faculty to know what's going on? What's going to happen is we're going to get another one of these silly businesses which is going to get us back -- and I promise you that's what the next resolution does -- back from the glorious days when we could hold meetings over in Bailey Hall or if you really want to do something in the dark of night, hold a meeting here sometime when nobody showed up. I urge, unless you want to get rid of the FCR, and you may want to do this, that you not vote for the resolution as it now stands. I warn you that if you do not support my amendment, you'll have the fastest resolution by a two-thirds vote you ever saw and that you will really be off and running as far as quorums are concerned under those circumstances."

Professor Penney spoke against the motion. If it were defeated, he would move an amendment to the resolution that would delete only the last three lines of IV-B-5a, those lines cited earlier.
Professor Whitlock said the choice was either an active representative government that can function in case of real problems, or a non-representative government to which the Board of Trustees will not pay the slightest bit of attention. He said, in reference to the age of retirement concern last year and the resolution passed regarding it, that even the FCR was paid little enough attention. If you can't get up enough steam in this Faculty to get 150 members to turn out, the business isn't worth bothering above, he concluded.

There was still a question about which part of the resolution was being worked with - changing the percentage for a quorum from 10% to 5%, or the last three lines regarding further quorum calls? It was not clear what was going on.

The Chair understood that Professor Blumen's amendment referred to eliminating from the resolution the entire proposed change in IV-B-5a, which change included the 10% to 5% quorum reduction plus the underlined last three lines. Professor Blumen indicated that was correct.

Professor Geoffrey Chester, Physics, moved to amend Professor Blumen's amendment so that in fact all that would be challenged by what he was moving would be the last three underlined lines; he would leave the rest of the proposed change unchallenged. It was seconded. Professor Chester said it seemed to him the first three lines that are not underlined are a wise move, i.e. to reduce the quorum requirement, in view of the fact that this body has to conduct some routine business. The last three lines, on the other hand, could have disastrous consequences merely through certain people having a great deal more patience than others, waiting them out, and conducting business with almost no one present at all, as Professor Blumen had outlined.

Professor Blumen said that if his own motion should fail, he would support the amendment to it suggested by Professor Chester.

A vote to end debate on Professor Chester's amendment to the amendment and on Professor Blumen's amendment, carried with a few nays.

The vote on Professor Chester's amendment to the amendment to IV-B-5a which would leave in the portion dealing with the quorum reduction from ten to five percent as in the original proposal, carried with a few nays.

After much confusion on which part of the resolution or amendment to the amendment that the body was voting on, and the Secretary's inability to state what it was, Professor Blumen was asked to explain his understanding of where things stood, to find out whether that was the body's understanding.

Professor Blumen said that he and Professor Chester were now both looking for the same thing, namely: "Except as provided in paragraph b hereof, a quorum for regular or special meetings of the Faculty shall be five percent of the voting members of the Faculty." - and end it there.
Professor Joseph Bugliari, B&PA, Agricultural Economics and Director of Legal Services, called the question on Resolution #4, which would close further debate in its entirety on this resolution and bring it to a vote. So done.

Resolution #4 carried as well, not unanimously, but overwhelmingly.

Dean Greisen presented Resolution #5 which would authorize establishment of ad hoc committees to study certain issues as they arise: *

WHEREAS, there appear to be certain ambiguities in the authorization of committees, and it is desirable to clarify these issues,

BE IT RESOLVED, That the University Faculty adopt amendments to achieve this purpose as shown at the following locations in the amendments document:

Page 3, Section IV-A-5
Page 9, Section VII-A-4
Page 17, Section X-B-3

What would be inserted in section IV-A-5 would be a new paragraph 5 stating, "The power to establish both standing and ad hoc committees as needed and to provide a procedure for staffing such committees." This whole section deals with powers of the University Faculty and it is claiming as one of those powers that of establishing standing and ad hoc committees as needed and to provide a procedure for staffing such committees. In section VII-A-4, dealing with committees, the proposed insertion would include ad hoc as well as standing committees which can be either created by the Faculty or the Review and Procedures Committee, but giving the Review and Procedures Committee the responsibility for designating procedures for establishing membership to any such committees it creates. Section X-B-3 includes ad hoc committees with standing and subcommittees to be established by the Council of Representatives and it extends to the Executive Committee the authority also to establish these committees.

The Speaker opened the floor for discussion on Resolution #5 and recognized Professor Blumen.

The proposed wording in Resolution #5, Professor Blumen said, would set up a parallel structure in the process of getting rid of the FCR. The Review and Procedures Committee now can only create subcommittees which consist only of members of the parent committee; by adopting this resolution, we would allow the Review and Procedures Committee to become a runaway committee.

Professor Raphael Littauer, Physics, moved taking the three sections under Resolution #5 in seriatim. This was duly seconded and so voted.

Professor Albert R. George, Mechanical and Aerospace Engineering, moved that the resolution be postponed to a further meeting; time was passing and important matters had yet to be heard by the body.

* See Appendix A,a
Professor Penney questioned what quorum would exist for that meeting. The speaker replied that that would be determined by the referendum on the other four resolutions, which balloting would take place prior to the next meeting of the Faculty on the third Wednesday in February.

Division was called on the vote over whether to postpone or not. The motion passed.

The Chair next recognized Provost W. Keith Kennedy. His remarks were printed verbatim in the Chronicle and are reproduced here from that source.

2. REMARKS FROM THE PROVOST

"A week ago President Rhodes reviewed with the Faculty Council of Representatives the dimensions of the financial problem of Cornell University. It is the goal of the University administration to bring Cornell into financial equilibrium by the end of fiscal year 1981-82. This will require an overall adjustment of 7.5 million 1978-79 dollars in increased income and decreased expenditures.

"A sheet has been distributed (attached as Appendix C) showing how this adjustment is being programmed over the next three fiscal years. By following this plan the budget of the University three years from now will differ from the current budget projected to 1981-82 by $9.45 million. It is expected that approximately 1/3 of the adjustment will be accomplished with increased income (above the inflation rate) through changes in enrollment, tuition, and financial aid policies. The remaining 2/3 of the adjustment will have to be accomplished through the reduction of expenditures. President Rhodes has suggested that I provide a briefing on the proposed procedures for deciding how the reductions will be allocated to the different units of the University.

"During the summer of 1978 we reviewed with the deans and the Budget Committee of FCR the dimensions of the financial problems facing the University and the rationale for selecting $7.5 million as the adjustment figure. Concurrently we asked two ad hoc committees - one chaired by Dean Melby to study current policies and practices governing the application for and the administration of research grants and contracts, and the second chaired by Dean Schultz to review policies and practices related to the generation of gifts from individuals, corporations, and foundations. The recommendations of these committees are due shortly after October 1.

"Recently a draft of guidelines and criteria for reaching financial equilibrium in three years has been sent to the deans, to the Dean of the Faculty for the FCR Budget Committee, and to the Priorities Committee of the Campus
Council. These proposed guidelines and criteria have been discussed with the Deans' Council and the Priorities Committee and will be reviewed with the FCR Budget Committee.

"A. The six general guidelines are:

1. Solutions will be sought within the institution; we cannot make unrealistic assumptions about increasing outside income, i.e. above the current high inflation rate.

2. Issues, guidelines and criteria will be widely discussed but specific decisions in allocation of resources cannot be made by consensus or vote. Decisions on program reductions within the colleges will lean primarily on judgments of the college.

3. Adjustments in tuition, financial aid and enrollment policies should yield up to 1/3 the funds necessary to close the financial equilibrium gap.

4. Reductions in programs and services will be selective - not across-the-board. Support services will be evaluated in relation to their role undergirding and facilitating academic programs.

5. Consideration will be given to a negotiated subvention from units which now retain most of the income which they generate and which have general support levels in relation to other colleges, including peer units at other institutions. Any such 'reverse subvention' must be structured to minimize loss of unit initiative.

6. Elimination of positions will take maximum advantage of retirements and resignations; it is not anticipated that any tenure agreements will be violated.

"B. The Allocation of reductions will proceed in a sequence:

1. Overall reduction necessary will be determined after completing a realistic assessment of the increased net income which can be derived from a modification in current enrollment, tuition, and financial aid policies.

2. The allocation of reduction between administrative and support units and the academic units will be made by the senior vice president and the provost in consultation with their associates.

3. The allocation of the designated reduction among the support units will be made by the senior vice president.

4. The allocation of reduction among the academic units will be made by the provost.

5. The allocation of reduction within the academic units will be made by the deans, and for the academic support units by the respective directors.
"C. Requested feedback:

"We have asked the deans to provide to the University administration by October 1, their views on areas among the central administration, the support units and other academic units where reductions would have minimum adverse impact on their academic programs or on fulfilling the central mission of the University. We are especially anxious to have their views on services they could do without, whether they currently are performed centrally or within their units, and how certain functions might be performed at less cost. We are inviting the FCR Budget Committee and the Priorities Committee of the Campus Council to make similar suggestions. We are confident that the dean of your school or college would appreciate any suggestions you might offer but they should be made within the next week.

"Comments and recommendations of the deans, together with studies of support units by Vice President Herbster, and studies of level of support of academic units in relation to similar colleges at peer institutions will help us in determining the first stage of the allocation of reduction. We expect to be discussing preliminary target figures with deans and directors by October 15, but if we are not satisfied with the data available by that date, we will defer discussions until we have the best available information.

"D. Criteria for making allocations among academic units:

"You are probably interested in our thinking on allocation of reductions among academic units. After seeking maximum feasible reductions in administration and support services, the allocation of the remainder among academic units will reflect the following criteria or indicators:

"1. Trends in student interest indicated by applications for undergraduate and graduate study.

"2. Employment potential for graduates.

"3. Trends in 'quality' of students matriculating.

"4. Trend in number of majors and student credit hours taught.

"5. Importance of programs and courses to students in other colleges.

"6. Number of majors and student credit hours per faculty member compared with other colleges at Cornell and similar colleges at peer institutions.

"7. Present level of general support for faculty members, per major and per student credit hours in relation to other units at Cornell and similar colleges at peer institutions.

"8. Faculty workload and productivity in research and/or public service.

"9. Other than General Purpose Funds available to the college, presently and potentially.
In the final analysis, the decisions will be judgmental rather than relying upon some devised formula.

E. Summary:

The University must retain the quality of its faculty, staff, students and related resources. Competitive salaries, realistic staff support, excellent libraries and an array of cultural and recreational programs are essential if we are to meet our long range objective of continuing as a quality undergraduate, graduate, and research university. The resources of the University are substantial but not sufficient to continue all programs and current methods of operation. We are committed to make every possible effort to reduce administrative and other institutional expenses but projected savings in these areas will not bring the University into a sound financial position. Selective reductions in academic programs are painful but they must be made if we are to retain quality in the remaining areas. At this time your comments and questions are invited. In the end your support of this major undertaking will be essential."

Professor Antonie W. Blackler, Botany, Genetics and Development, asked the Provost if he could tell the Faculty what was meant by a peer institution; i.e., is that the equivalent of an Ivy League institution or something different?

The Provost responded that the Deans have been consulted as to their estimate of peer institutions, by school and by college. An attempt is being made to select peer units that are comparable to their counterparts here at Cornell, or to each school and college at Cornell, as possible.

Time for adjournment appeared nigh but Professor Whitlock pointed out that the Faculty has no 6 p.m. meeting termination deadline as the FCR does, and that any members who wished to remain and ask more questions could do so until the meeting was adjourned.

Professor Richard M. Talman, Physics, did not notice quality of research included in the Provost's nine criteria for making allocation of funds among academic units; was it explicitly omitted?

Provost Kennedy said that as far as he's concerned, when looking at Faculty workload and productivity in research and/or public service, he was not attempting to view productivity as being how many measurements a researcher made, but quality was implied.

Professor Talman said he was confused and that it wasn't the reference to productivity that troubled him. He preferred to see a criterion that would just be a simple one - quality of research. Noted, the Provost remarked.

Professor John Wilkins, Physics, said he heard the President's presentation last week at the FCR meeting and after hearing the one today, he would like to
ask how and what kind of decisions are going to be made. In the past few years, a series of 15% cuts, 10% cuts, etc., have been made and, as he perceived them, they were rather evenly distributed among the units. The other feature of those cuts, was that they were locally decided - each one being asked to cut some of their own flesh. Many may find it difficult if asked once again to do another round of cuts; we'll be going through to the bone, he said.

The Provost said a target figure will be given in terms of dollars to a college or school, or a separate unit - not an academic department. The Dean in turn, and it is already occurring in the Arts College because of the immediate need for next year, will work with Faculty committees and department chairmen. The Administration will review the deans' reductions, in that they have to be real permanent reductions of ongoing commitments. This exercise involves program cuts of low priority areas in order to maintain the rest of the areas at a strength that we can compete effectively and have a quality institution.

Professor Wilkins further asked how we maintain bringing new people in with this need to scrape, on average, 5% off of our marrow?

Provost Kennedy replied that tradeoffs have to be made in this area. Again, retirements and resignations will be used to the fullest extent possible. Tenure will not be violated, he said. Reductions still have to be made in most schools and colleges in Faculty, lecturers, and teaching assistants. There are not enough support staff, secretaries and others, on general purpose funds to make the reduction. With the age distribution and other aspects of the Faculty, it may seem like an impossible task. It will be tough, but he noted that we have 98 new Faculty appointments in the University this year - both in endowed and statutory units. In some cases, a reduction will have to be made on a temporary basis in areas where it is not expected, to be taken over in a year or so by a lower priority area.

Professor Albert Silverman, Physics, said he didn't understand why the $5.3 million deficit was indicated on the handout as well as the $2.2 million.

The Provost replied that this year's budget was planned in deficit by $2.2 million. In addition, it was necessary to take out of the reserves another $1.3 million to meet the overrun - bringing the University reserves down to 13 1/2 million at the end of this year. That's taking it out of the bank and that figure is not included in the $2.2 million. We have been reducing our reserves by invading them to the point where endowment income is going down and paying less and less of the bill. The $1.5 million rebuild per year is a very modest rebuild compared to what we've been spending. The reallocation means
that within the present program we're carrying out, we're not providing enough money to many of our departments to meet the competition from peer institutions insofar as Faculty salaries are concerned; we do not have resources available for competitive salaries, or in maintaining the library, or in a number of areas where we are not keeping up. Preserving the plant covers maintenance on buildings, laboratories and upgrading of classrooms. During the late fifties, sixties and early seventies, an enormous amount of equipment was purchased - much of it research but also considerable on training grants for teaching and graduate study. It is increasingly difficult to obtain such funds. A $.5 million per year for obtaining equipment was a very low figure.

Professor Norman Potter, Food Science, said it appeared to him that most of the cuts would come from the endowed schools, or was there a way to visualize this over the whole institution?

The Provost responded, saying that the general purpose funds being discussed were the designated funds within the endowed units. The statutory colleges will make some input on the $2.5 million enhancement through change in enrollment, tuition and financial aid policies. By State law, Cornell University, as a corporation, cannot make money in the administration and operations of the statutory colleges. Conversely, it should not have to lose any money. There are some areas where full cost recovery per student may not be taking place.

Assistant Professor Thomas H. Holloway, History, asked Provost Kennedy to comment on the period in the career structure of Faculty when tenure is decided and how that particular watershed in the personnel structure will be used or should be used.

The Provost replied that that still rested with the schools and colleges. It was certainly within the authority, perhaps the responsibility, of the University and of the Faculty and of the college, to look at whether or not a position currently filled by non-tenured Faculty falls in a lower priority area such that it might decide not to review for tenure. On the other side, there is the deep concern for keeping young people moving into the stream - and so tradeoffs will have to be made.

Professor Penney asked if it weren't true that even though the college may recommend tenure, the Dean then has power himself to decide whether to make the recommendation to the Provost, the Provost to the President, and then the President himself can turn back a tenure recommendation, thereby having control at three levels of roadblock.

Provost Kennedy said that was correct but that he didn't see the University Administration exerting such authority in specific cases. If a program submitted
by the Dean was not realistic in terms of the type of reduction that's being made, Administration might certainly refer it back as a budgetary process rather than dealing with it as an individual case.

Professor Neil W. Ashcroft, Physics, asked if there would be any kind of appeal mechanism if the Faculty genuinely felt that a new program was essential and the dean had taken a dim view of it.

The Provost replied that a formal system had not been set up but that any time there was a group of Faculty who felt that actions had been arbitrary or capricious, time must be taken to listen to them. He added that he had great confidence in the Deans and the people working with them in making very responsible, well thought out decisions; the Administration would be reviewing them and raising questions and challenging them if they felt they were not meeting that responsibility.

A motion was made to adjourn which was seconded and voted.

Meeting adjourned 6:25 p.m.

Paul L. Hartman, Secretary

NOTE: The results of the referendum are as follows:
Resolution #1, 554 ballots cast - 547 yeas and 7 nays.
Resolution #2, 553 ballots cast - 547 yeas and 6 nays.
Resolution #3, 551 ballots cast - 504 yeas and 47 nays.
Resolution #4, 558 ballots cast - 289 yeas and 269 nays.
THE UNIVERSITY FACULTY

Office of the Dean

To: Members of the University Faculty

From: Kenneth Greisen, Dean of Faculty

Re: Referendum

Four resolutions dealing with amendments to the Organization and Procedures of the University Faculty (OPUF) were recommended to the Faculty by its Review and Procedures Committee and approved by the University Faculty at its meeting on September 20, 1978. To become effective these resolutions must also be approved in a mail ballot by a majority of the Faculty who vote. Therefore, will you please check appropriate boxes on the accompanying ballot to indicate your approval or disapproval of each of the four resolutions?

The deadline for receipt of these ballots at 315 Day Hall is 3:00 p.m., Monday, October 30.

RESOLUTION # 1

WHEREAS, many references are made in the Organization and Procedures of the University Faculty (OPUF) to the Cornell University Senate, and this body is no longer in existence, while a new body known as the Cornell Campus Council has come into being, therefore,

BE IT RESOLVED, that references to the University Senate be excised from OUF and, where appropriate, be replaced by references to the Campus Council, as indicated at the following locations in the amendments document:

Page 1, Section I-E: The contents of this section, which presently define the Cornell University Senate, are to be entirely deleted and replaced by:

E. Cornell University Campus Council. The Campus Council is the body established by vote of the Board of Trustees on March 19, 1977 and whose original Charter is inserted as an appendix to the Board of Trustees Executive Committee Minutes of April 12, 1977. The current Charter document is available in the Office of the Campus Council.

Page 2, Section II: Delete the phrase, "as modified by the Charter of the Cornell University Senate," which presently intervenes between "Under the Bylaws of Cornell University" and "the functions of the University Faculty are..."

(n.b., the Senate document is no longer operative. Its role in the clarification of functions will be taken by the Bethe Committee report: see Resolution #2 and Appendix A of OUF.)
Page 4, Section IV-B, 3f: Delete this entire paragraph, which now reads:

   f. Upon call of the Dean, to act upon a requirement of the University Senate for reconsideration of any vote taken by the University Faculty, or upon a suspension by the Senate of new legislation of the University Faculty, in accordance with the procedures set forth in Article XII;

Page 9, Section VII A, 2b on functions of the Review and Procedures Committee (square brackets enclose material to be deleted, underlining indicates material to be added):

(b) ...shall (in consultation with the Council of Representatives and the [University Senate] Campus Council where appropriate) continuously review the organization, procedures, and committee structure of the University Faculty and the Council of Representatives and make appropriate recommendations thereon to the Faculty or the Council of Representatives,...

Page 11, Section VIII-B on eligibility for membership in the FCR: Delete the sentence, [Membership in the University Senate shall not disqualify a faculty member from membership in the Council of Representatives.]

Page 15, Section IX-D, 2e: Section IX-D,2 lists occasions for the calling of special meetings of the FCR. From this list, delete 2e which refers to special meetings necessitated by action of the University Senate. The actual phrase to be dropped is "Whenever required by the procedures set forth in Article XII." Article XII is also to be eliminated (see below).

Page 16, Section IX-D, 5: This section ordains that Robert's Rules of Order shall govern procedures of the FCR to the extent these rules are not inconsistent with the provisions of OPUF [or with the bylaws or other procedures adopted by the Senate pursuant to Section B above]. Delete the material enclosed in square brackets.

Page 17, PART FOUR - Title: (Square brackets enclose deletions; underlining denotes additions):


Pages 19-22, Section XII: This section is entitled, "Relationships between the University Senate and the University Faculty and Faculty Council of Representatives." The entire section relates to the Senate and its actions, hence has only historical significance and is recommended for deletion from OPUF.

RESOLUTION # 2

WHEREAS, certain language was used to provide an orderly transition to the representative form of governance, but is no longer appropriate inasmuch as the FCR and its committees are now functioning, and

WHEREAS, numerous small corrections of language are necessary for clarification of the original document, correction of citations, codification of evolved practices, and bringing titles and other references into consistency with present University structure, therefore,
BE IT RESOLVED, that appropriate amendments of language in OPUP be adopted by the University Faculty to achieve these purposes, as indicated at the following locations in the amendments document:

Page 1, Section I-C (correction of citation): (Bylaws of Cornell University, Article XV, Section 1, as of [March 20, 1976] May 29, 1977.)

Page 1, Section I-H: Section I contains definitions. Item I-H, to be added, will define the Speaker as follows:

H. Speaker. The term "Speaker" shall mean the presiding officer of the University Faculty and of the Council of Representatives.

Page 2, Section II (correction of citation): Under the Bylaws of Cornell University ([Article XIII, Sec.3] Article XV, Sec. 3 as amended to May 29, 1977),...

Page 2, Section II (authorize inclusion of Bethe Committee Report as an appendix):

The Bethe Committee Report (appended hereto), adopted by the Faculty on September 12, 1969, clarifies the academic responsibilities of the University Faculty as a whole...

Page 2, Section II (clarify antecedent of preposition):

It is not the function of [this] the present document to change in any way the functions or responsibilities of the University Faculty...

Page 3, Section IV (Reword title of Section):

POWERS AND MEETINGS OF THE UNIVERSITY FACULTY [; MEETINGS]

Page 3, Section IV-A, 1 & 2 (corrections of citations): present

A.1: Its power to determine its own membership, subject to [Article XIII, Sec. 1] Article XV, Sec. 1 as amended to May 29, 1977 of the Bylaws...

A.2: Its present power to elect Faculty Trustees...pursuant to Article II, Sec[tion], 2a, (6) (i) and [(iii)] (iii) of the Bylaws of Cornell University as amended to May 29, 1977;

Page 3, Section IV-A, 5 & 6: Delete the word "Faculty" in references to the Faculty Council of Representatives (for consistency with the rest of the OPUP document, wherein the body is referred to simply as the Council of Representatives).

Page 3, Section IV-A, 8: Because all reference to the University Senate is being deleted, the reference to Article[XIII]will now read Article XII.

Page 3, Section IV-B, 1: This is now obsolete and should be deleted since it is about interim meetings of the University Faculty prior to the first meeting of the FCR.

Page 3, section IV-B, 2 (Square brackets enclose deletions; underlinings mark additions):

[After the organization and first meeting of the Council of Representatives] The University Faculty shall hold three regular meetings in each academic year[. The], at dates and times [of these regular meetings shall] to be set by the Dean.

(over)
Page 7, Section V-F (insert a new paragraph V-F, 1 as follows):

1. The Dean must be selected from among the tenured voting members of the Faculty and shall maintain his status as such.

and renumber the present paragraphs 1, 2, 3 of the section as 2, 3 and 4.

Page 7, Section V-F, 1 (now V-F, 2): This section concerns selection of a new Dean, and it is proposed to strengthen the existing suggestion of consultation with the President, by the changes in wording indicated below:

"...the Nominations Committee shall solicit nominations and canvass Faculty opinion, and shall prepare a slate of three or more candidates. The Nominations Committee [may wish to] should consult [with] the President in this regard."

Page 7, Section V-H: This section is obsolete and should be deleted, since it related only to continuation of service of the Dean who was in office prior to the adoption of OPUF and creation of the FCR.

Page 7, Section VI (Reword title of Section):

THE PRESIDENT AND OTHER OFFICERS OF THE UNIVERSITY FACULTY.

Page 8, Section VI-B (Additions underlined, deletions in square brackets):

B. The Secretary. The Secretary of the University Faculty and Council of Representatives shall be selected by the Faculty [in accordance with present procedures, and shall continue with his present functions and duties.] with the particular functions and duties to be those specified by legislation of the Faculty and Council of Representatives. [He shall also be Secretary of the Review and Procedures Committee of the University Faculty.]

Page 8, Section VI-F: This paragraph, on continuation of terms of incumbent officers of the Faculty, is obsolete since the interim period is past and new officers have been installed. Therefore, delete this paragraph.

Page 8, Section VII-A, 1 (additions underlined, deletions in brackets):

There shall be a standing Committee on Membership, with [the] functions and duties [of the existing committee of that name.] as specified by the Council of Representatives.

Page 10, Section VII-D: This Section, on "Existing Committees," is now obsolete and should be deleted. It prescribed an orderly transition from the previous governance structure to the new one under the FCR; but the time of transition has now passed.

Page 11, Section VIII-A (clarification):

There is hereby established a...Council of Representatives...consisting of not less than 75 nor more than 150 voting members.

Page 11, Section VIII-C (bring title up to date):

C. [Initial and Subsequent] Membership.

Page 11, Section VIII-C, 1 (remove obsolete reference to transition period):

The Council of Representatives shall consist [initially] of the following...

Page 12, Section VIII-D, 2 (correct College title):

... the College of Agriculture and Life Sciences...
Page 12, Section VIII-D, 3 (remove references to transitional conditions):

3. [Initially,] [e]Each constituency, no matter how small, shall be entitled to at least one seat on the Council of Representatives. If [thereafter], however, any such constituency shall fall below five voting members, it may be combined by the Committee on Nominations and Elections with one or more other constituencies.

Page 13, Section VIII-G, 1 & 2 (remove references to initial conditions):


2. [In the case of the initial Council of Representatives the first general election shall be held as soon as reasonably possible after final approval of this document and members shall take their seats immediately upon announcement of the results of such election. In this election t]Terms of membership shall be staggered, in the manner determined by the Committee on Nominations and Elections, so that approximately one-third of the total membership of the Council of Representatives (exclusive of the ex officio members) shall be elected [for one year, one-third for two years, and one-third for three years, or as near to such periods of time as is feasible, in the judgment of the Committee on Elections.] each year.

Page 15, Section IX-D, 2c (word change to simplify determination):

Part e permits Special Meetings of the FCR to be called by the Dean.

2c. On the request in writing by members of the University Faculty equal in number to, or more than, the [then] authorized membership of the Council of Representatives;

The change eliminated uncertainties due to temporarily unfilled seats.
Note that ex officio members are included in both the authorized and the actual membership of the FCR.

Page 16, Section IX-D, 6 (clarification of status of faculty members attending meetings of the FCR):

...[any] all members of the University Faculty who [is] are not [a] members of said Council shall be entitled and encouraged to attend any meeting of the Council [as a visitor] and to participate in debate, but not to make motions or vote.

Page 17, Section X-B,4 (clarification of eligibility to serve on committees of the FCR):

4. Except in the case of the Executive Committee, any member of the University Faculty, whether or not a voting member, and whether or not a member of the Council of Representatives, shall be eligible to serve on [a] any committee or subcommittee [of said Council.] provided for in paragraph 3 above.

(Paragraph 3 reads as follows):

3. Such other standing and ad hoc committees and subcommittees, elective or appointed, as may be established by the Council of Representatives.

(over)
Page 18, Section XI-F, 1 (on referendums by University Faculty to nullify actions of the FCR - clarification of required number of petitioners):

1. Any such referendum shall require a petition in writing from the President, the Trustees, or voting members of the Faculty equal to [,] or greater in number than [,] the [then] authorized membership of the Council of Representatives...

Page 22, Section XIII (on AMENDMENTS to OPUF. Correction of first line to recognize that OPUF has already been approved):

[After t]This document [has been approved and become effective, it] may be amended in accordance with the following procedures:

RESOLUTION # 3

WHEREAS, several references in OPUF exclude ex officio members of the FCR and of its committees from the privilege of voting, and

WHEREAS, the normal procedures enunciated in Robert's Rules of Order allow ex officio members to vote but not to count when establishing the presence or lack of a quorum at a particular meeting, therefore,

BE IT RESOLVED, that amendments to OPUF be adopted to reflect this principle as shown at the following places in the amendments document:

Page 6, Section V-D, 8 (Delete "non-voting" to make the Dean a voting member of committees):

8. He shall be an ex officio, [non-voting] member of each committee of the University Faculty and each committee of the Council of Representatives.

(The ex officio is underlined because it is Latin, not because it is added.)

Page 10, Section VII-B, 4 (This is a new paragraph, added to clarify status of ex officio members of Faculty committees in determining quorums):

4. Ex officio members of committees shall not be counted in determining the number that constitutes a quorum nor are they to be counted when establishing the existence of that quorum.

Page 11, Section VIII-C, 1 (Rephrase so as to give voting privileges to the six ex officio members who have not had them and to clarify the status of the President and Provost. By this change it is hoped to encourage the ex officio members to participate more actively in Faculty business):

C, 1. The Council of Representatives shall consist [initially] of the following[;] as voting members:

[a. As voting members:

(i) The President of the University.
(ii) Ten members of the University Faculty Faculty elected at large by the University Faculty; and
(iii) From 90 to 95 (as determined by the Committee on Elections) members of the University Faculty elected by and within constituencies as specified in Section F below; and
[b. As non-voting, ex officio members (unless elected as voting members under (a) above):
(i) The Faculty Trustees;
(ii) The Dean; and
(iii) The Secretary.]

a. The President of the University (or the Provost when attending as the Chief Educational Officer), ex officio

b. The Dean, ex officio
c. The Secretary, ex officio
d. The Ithaca based Faculty Trustees, ex officio
e. Ten members of the University Faculty elected at large by the University Faculty; and
f. Constituency members as described in Sections D, E, or F below such that the total membership falls within the limits specified in Section A of this Article above.

Page 15, Section IX-D, 4 (Clarify status of ex officio members in determining the quorum of the FCR and its achievement):

... the quorum for the transaction of business of the Council of Representatives shall be one-half of its [voting] non-ex officio members.

Page 18, Section IX-C, 3: If the above parts of Resolution #3 are adopted, the word "voting" in this section is redundant. Section IX-C, 3 authorizes initiation of proposals to suspend or nullify an action of the Council of Representatives:


RESOLUTION # 4

WHEREAS, the quorum requirements for certain meetings of the University Faculty and of the FCR are such that many efforts of these bodies to meet are ineffectual, therefore,

BE IT RESOLVED, that the University Faculty make certain reductions in quorum requirements as indicated at the following places in the amendments document:

Page 4, Section IV-B, 3d (Special Meetings of the University Faculty):

3d. Upon the written petition to the Dean of voting members of the Faculty, equal in number to [or greater than the then membership of the Council of Representatives;] the required quorum for such a meeting;

(See Section IV-B, 5a regarding the quorum for meetings of the Faculty).
Page 4, Section IV-B, 5a (Quorum for ordinary business of the University Faculty):

a. Ordinary Business. Except as provided in paragraph b hereof, a quorum for regular or special meetings of the Faculty shall be [10] five per cent of the voting members of the Faculty.

(The only change here is to change 10 per cent, which is about 150 members, to five per cent, which is about 75).

Page 4, Section IV-B, 5b (Quorum for extraordinary business of the Faculty, which means to consider postponing or nullifying an action of the FCR):

... a quorum shall be [25 per cent of the voting members of the Faculty.] at least a number of voting members of the University Faculty equal to 115% of the authorized membership of the Council of Representatives.

(25% of the Faculty is about 375. 115% of the membership of the FCR is about 126).

Page 18, Section IX-C, 2. This section authorizes initiation of proposals to suspend or nullify an action of the FCR:

2. By written petition of members of the University Faculty who are not members of the Council of Representatives equal in number to, or greater than, the [then] quorum of the authorized membership of the Council of Representatives;

(This proposal changes the required number from a slightly ambiguous one near 110, which may include members of the FCR involved in the original action, to a precise number, now $\frac{52}{3}$, not permitted to include Council members.)

Page 22, Section XIII-A, 3, on initiation of amendments. The intent is to specify the minimum number of petitioners for initiation of amendments consistently with Section XI-C, 2, which had to do with initiation of proposals to suspend or nullify an FCR action. Section A-3 would authorize initiation of amendments.

3. By written petition of members of the University Faculty who are not members of the FCR equal in number to, or greater than, the quorum of the [then] authorized membership of the Council of Representatives.

(This change reduces the required numbers of petitioners from about 110, including members of the FCR, to about $\frac{52}{3}$, not including members of the FCR.)

Page 22, Section XIII-B To conform with Article IV-B, 5a, the quorum requirement should be corrected as follows:

The [10] five per cent quorum requirement shall apply.

* The quorum number was incorrectly figured

NOTE: Paragraphs and sections of OPUF have been renumbered or relettered so as to restore numerical and alphabetical continuity in cases where this has been upset by deletions or additions of paragraphs or sections as prescribed by any resolutions adopted in this referendum.
WHEREAS, there appear to be certain ambiguities in the authorization of committees, and it is desirable to clarify these issues,

BE IT RESOLVED, That the University Faculty adopt amendments to achieve this purpose as shown at the following locations in the amendments document:

(additions underlined, deletions in brackets)

Page 3, Section IV-A-5 (Section IV-A enumerates powers of the University Faculty. Insert new paragraph 5 to state clearly the authority of the Faculty in the establishment of committees. Renumber subsequent paragraphs accordingly.)

**IV-A-5.** The power to establish both standing and *ad hoc* committees as needed and to provide a procedure for staffing such committees.

Page 9, Section VII-A-4 (Extend the authority to create *ad hoc* committees under that title to the Review and Procedures Committee.)

**VII-A-4.** There shall be such other standing [and *ad hoc*] committees of the University Faculty as may be created by the Faculty[.] and *ad hoc* committees as may be created by the Faculty or the Review and Procedures Committee. The Review and Procedures Committee must designate the procedures for establishing the membership of any *ad hoc* committee it creates.

Page 10, Section VII-C-2 (To reflect proposed change in VII-A-4 - extending authority to create *ad hoc* committees to the Review and Procedures Committee.)

**VII-C-2.** Except as otherwise provided in the legislation or resolution creating the same, or except as reappointed by the University Faculty or the Review and Procedures Committee, each *ad hoc* committee shall automatically expire at the end of the academic year.

Page 17, Section X-B-3 (Extend explicit authority for creation of *ad hoc* committees to the Executive Committee.)

**X-B-3.** Such other standing and *ad hoc* committees and subcommittees, elective or appointed, as may be established by the Council of Representatives[.] or its Executive Committee.
Appendix B

THE UNIVERSITY FACULTY

Office of the Dean

October 16, 1978

To: Members of the University Faculty

From: Kenneth Greisen, Dean of Faculty

Re: Attached argument for negative vote on Resolution #4

It is somewhat unusual to accompany a ballot with an argument representing only one side of the question and indeed urging defeat of the proposed resolution. This action should not be taken to imply that the Dean or the Review and Procedures Committee wish to have resolution #4 defeated. However, after the Faculty meeting of September 20 at which the four resolutions included in the present referendum were passed, Professor Blumen protested that there had not been adequate opportunity before the vote on the fourth resolution, to present the reasons for opposing it. Without judging the validity of this claim but in the interest of extending the opportunity for him to be heard, we invited Professor Blumen to submit an argument for his side to be included in the mailing of the referendum ballot. Attached is his note, with only typographical editing.

KG:jb
Why the Faculty Should Vote "No" on Resolution #4

One of the reasons for the establishment of our present representative form of faculty government was the realization that the size of the University Faculty made it impossible to effectively debate and amend proposals at general meetings of the faculty. The meeting of September 20, 1978 was no exception to the rule that large meetings are inherently undemocratic. Given the press of other business, it was possible to amend resolution 4 so as to remove only its grossest defect. There was no time for debate of the resolution or for its further improvement.

The proponents of resolution 4 have had ample opportunity to circularize their views to the faculty both in advance of and at the last meeting by virtue of a parliamentary accident that makes the Dean of the Faculty their representative. I am grateful, therefore, for a belated opportunity to present very briefly an opposing point of view in this memorandum particularly, since a complete and accurate report of the September meeting will not be available for some months.

Resolution #4 purports to deal with quorums in both the University Faculty and FCR. In fact, it deals only with the University Faculty. The principal change from present practice is to reduce the quorum requirement to about 75 voting members. The assertion is made by its proponents that faculty business cannot be accomplished without such a change. That assertion is demonstrably false.

Whenever there have been matters of real importance it has been possible to obtain the presently required 10% of the faculty. The Ky incident, concern for the state of University finances, a desire to hear the opinions of a new president, a desire to honor a departing president, and even the proposal for a relatively minor change in our rules to admit outside visitors -- all have produced quorums within the term of office of the last dean alone. Substantial attendance, but not always quorums, appear at ceremonial events such as the spring meeting to honor our retirees.

However, the faculty has not attended meetings at which there is little of substance on the agenda. The faculty has also shown a massive lack of interest in the recent efforts to eliminate effective representative government by the proponents of resolution 4. It is the faculty's lack of involvement in this last effort to which supporters of resolution 4 refer when they complain of lack of a quorum for the conduct of business. They mean the conduct of their business.

Before explaining why resolution 4 and the yet to be considered resolution 5 are stages in the elimination of faculty representative government, it may be desirable to recall some of the reasons why this faculty in particular, and almost all groups in general, do not use "town meetings". At mass meetings it is almost impossible to perfect resolutions by the standard method of amendment. There is relatively little time for participants to debate issues. In practice, such meetings are dominated, as in the Perkins days, by those with control of the administrative machinery of the assembly and with access to communication with those voting. The meetings really accept or reject prepared positions on which minds are made up before the meeting begins and without much rational interchange at the meeting. To the extent that there is debate, it tends to include a large emotional component which some find heart warming. Indeed, it is nostalgia for this emotional element which is for some the basis for urging a return to the method of governance of the 60's.

(over)
There are, of course, those who have the admitted goal of introducing "larger issues" into the meetings of the faculty. For those who would have us debate war, peace, lettuce boycotts, South Africa, nuclear policy, environmental issues, Farah pants, or what have you, the possibility of Super Cornell University Senate meetings is particularly attractive. However, those who prefer careful drafting of resolutions, the restriction of the scope of our business to academic matters, enough regular attendance by decision makers so that they have more than a superficial acquaintance with issues, rationality as the dominant element in debate, and the relative freedom from the manipulation by small minorities that characterizes "participatory democracy", will prefer representative government.

The history of resolution #4 supports the view that it is intended to eliminate representative government. The drafting committee submitted at least two precursor sets of resolutions within a year, which failed to attract support, to explicitly start the process of getting rid of the FCR. Further, the version of resolution 4 before my amendment at the last meeting actually was designed to allow meetings with no effective quorum. And resolution #5, which was part of the proposed package to bypass the FCR, is a subtly phrased device to essentially strip the FCR of its present committee structure.

The principal consequence of resolution #4 is now somewhat more concealed than the earlier attempts to eliminate representative government. It would allow relatively small unrepresentative groups to speak for the faculty, although my amendment adopted at the last meeting insures that the quorum is not the vanishing one originally contemplated by the proponents of the resolution. However, the proposed resolution 4 will allow well organized groups, which were in the past too small to modify our faculty rules, to begin the process of eliminating representative government and carry out effective steps toward that end without chance of meaningful opposition -- short of the kind of near revolt that existed in the last Perkins days. The proposed resolution 4 will enable a Review and Procedures Committee committed to eliminating the FCR to do so in suitable well disguised stages (The next stage is resolution #5.). Unless you vote "No" on resolution #4 now, you will have begun the abandonment of a meaningful faculty voice in governance at Cornell.

Isadore Blumen
Professor of Industrial and Labor Relations
October 9, 1978
## Proposed Staging
(millions of dollars)

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Allocation of reductions among academic units

After seeking maximum feasible reductions in administration and support services, the allocation of the remainder among academic units will reflect the following criteria or indicators:

1. Trends in student interest indicated by applications for undergraduate and graduate study.

2. Employment potential for graduates.

3. Trends in "quality" of students matriculating.

4. Trend in number of majors and student credit hours taught.

5. Importance of programs and courses to students in other colleges.

6. Number of majors and student credit hours per faculty member compared with other colleges at Cornell and similar colleges at peer institutions.

7. Present level of general fund support per faculty members, per major and per student credit hour in relation to other units at Cornell and similar colleges at peer institutions.

8. Faculty workload and productivity in research and/or public service.

9. Other-than-general-purpose funds available to the college, presently and potentially.
The Speaker, Professor Russell D. Martin, called the meeting to order at 4:35 p.m. He called on the Dean of the Faculty, Kenneth Greisen, "a living example that even the best of bicycle riders do have their problems" (referring to the Dean's broken ankle).

1. REPORT OF THE DEAN

Dean Greisen noted that the body was a few short of a quorum and hoped that more would come in while he was making announcements for which a quorum was not needed. At the last meeting of the FCR, a slate of candidates was approved from which would be elected some members for a few committees. The results of that election are as follows:

**EXECUTIVE COMMITTEE** - 3 tenured seats, 2-year term
- Mary A. Morrison, Nutritional Sciences
- Charles F. Wilcox, Chemistry
- Roger C. Young, Entomology

**EXECUTIVE COMMITTEE** - 1 non-tenured seat, 2-year term
- William L. Dills, Nutritional Sciences

**BUDGET COMMITTEE** - 1 tenured seat, 2-year term
- Alfred C. Aman, Jr., Law

**FREEDOM OF TEACHING AND LEARNING COMMITTEE** - 1 tenured seat, 3-year term
- Edgar M. Raffensperger, Entomology

**MINORITY EDUCATION COMMITTEE** - 1 tenured seat, 2-year term
- Fred Somkin, History

At the meeting of the University Faculty on September 20, there were a number of resolutions passed as amendments to the *Organization and Procedures of the University Faculty*. The affirmative votes at that meeting had to be followed by a referendum of the Faculty, and that has been carried out. There were four such resolutions that were voted on. The first concerned excising references to the University Senate in OPUF and replacing them with references to the Campus Council. There were 554 ballots cast - 547 yeas and 7 nays.

The second amendment was on language appropriate to clarify the original document. There were 553 ballots cast - 547 yeas and 6 nays.

The third amendment was to give voting privilege to ex officio members of the FCR - six such people. There were 551 ballots cast - 504 yeas and 47 nays.

The fourth amendment was the one having the most extensive discussion in the time available at the Faculty meeting and also had an argument urging a
negative vote to it circulated with the ballot. That amendment concerned reductions in the quorum requirements - to reduce the quorum from ten percent of the Faculty to five percent for conduct of University Faculty business. There were 558 ballots cast - 289 yeas and 269 nays.

There were no questions for the Dean, and, a quorum still not present, the Chair indicated one item of business required such, and so would be handled later in the meeting if a quorum were attained. He introduced President Frank H.T. Rhodes for his report.

2. REPORT FROM THE PRESIDENT REGARDING MANDATORY RETIREMENT

"Mr. Chairman, Mr. Dean, Ladies and Gentlemen. I'm glad to be here. I've had two public speaking engagements today and I'm not entirely sure which of the two is more desirable - speaking to the Faculty on the topic of mandatory retirement or speaking as I did at 8:30 this morning in New York City to local leaders of residential groups around the Medical College to tell them we were going to be selling some real estate. Neither of those are outstandingly popular items, but I am happy to have the chance of meeting with you today. I'm happy because I believe the topic that we have to talk about is an important one and I believe it's one that is best addressed in partnership and not in competition. I say that because I think it's possible, with good will and some prudence, to work out a solution that commends itself both to the Faculty and to the Administration. I want to spend a little time talking about the history of our discussions on mandatory retirement, then to talk about the nature of the present legislation, then to talk about the impact of that for Cornell and fourth, and finally, to talk about the options that we face in the light of existing legislation.

"This is not the first time, of course, that mandatory retirement has been discussed by this particular body. Almost exactly a year ago, on November 9, 1977, the FCR passed a resolution by a vote of 42 to 14, with one abstention, and I want if I may, just to remind you of the substance of that particular resolution.

RESOLVED, That the FCR, speaking for the University Faculty of Cornell University, expresses its opposition to the denial to University Professors of the same retirement rights that the Congress is mandating for all other citizens of the United States...

and the motion continued with a comparison between SUNY's arrangement and ours and requested the Dean of the Faculty to raise this matter with me and with the Cornell Board of Trustees. As a result of that, Dean Byron Saunders did in fact
communicate with me, both in course of a discussion and by letter, the latter received from him on the 29th of November. We agreed together on the substance of my reply to him - both in kind and in form - and I pointed out to him that it was appropriate for him to communicate with the Board of Trustees, which he did, and also to forward his colleagues' views to our Senators and local Assemblymen. To the best of my knowledge, Dean Saunders also did that. My letter of reply to the Dean continued by saying that it seemed to me important to wait until legislation came into existence before taking any further action in the matter. And you remember that your own resolution was framed while discussion was still pending in the Congress. Action was not taken, in fact, until April of this year. Since that time we've had active discussions - both in house and with various representatives of the Faculty. I should say that Dean Greisen has been actively involved and has been most helpful in those various discussions. I should also add, and I'll come back to this in a moment, that we have been limited to some extent in the amount of public discussion on which we can embark because of litigation which is now in hand and which I'll describe more fully in a moment. I say that only to assure you that we have not been unaware of the Faculty's concern in this matter and have not neglected discussion and review of the options that are available to us.

"Now what did the action taken by the Congress involve? It required that effective January 1 of next year, 1979, mandatory retirement age be raised to age 70 for any employee except for two important groups - tenured faculty members at colleges and universities and senior executive officers of corporations. The first of those two groups of individuals - tenured faculty members - will however be included in the 70-year mandatory age retirement with effect from July 1, 1982. So the present situation is that legally, and I stress the word legally, we have no requirement to change the mandatory retirement age at Cornell. We are exempt from the provision of the act until the summer of 1982. The purpose of the delay in implementation was to recognize the particular situation that colleges and universities faced and to give them time to implement discussions which would lead to thoughtful and effective retirement procedures. We could argue at length about whether those conditions that we face are quantitatively or qualitatively different from those obtaining in other areas. I don't think that would be a very profitable discussion but there clearly are problems. What I see today is another advantage to extend the discussion with interested groups of all areas of the University and all age cohorts.

"Now I want to comment on two other aspects of the legislation insofar as their effect on Cornell is concerned. First of all, the University, as I've just
indicated, faces a court injunction which has been given as a result of a law suit filed against us by Professor Marvin Glock of the College of Agriculture and Life Sciences. Professor Glock was retired at age 65 on June 30 of this year from his professorship in that College and he appealed that decision basing his argument on the fact that, because the College of Agriculture and Life Sciences is a part of SUNY and SUNY has a retirement age of age 70, rather than Cornell's 65, tenured faculty members in Agriculture and Life Sciences should be subject to the 70 retirement age of SUNY and not to the earlier 65 retirement age of Cornell. An interim injunction has been provided in that case by Judge Munson. The Judge has found in favor of Professor Glock, who is now happily back with us -- not in an emeritus capacity but in a professorial capacity. We're delighted to have Professor Glock back, but we are not delighted with Judge Munson's interpretation of the relationship between our statutory colleges and SUNY. We believe that his comments, in fact, give an inaccurate description of the relationship that exists between us, inaccurate in terms of the legislative provisions, inaccurate in terms of history, tradition and present practices. We have therefore found ourselves compelled to serve notice that we shall appeal that decision because of its implications for the relationship of Cornell's statutory colleges to the State University of New York.

"Now the situation is complicated by a second fact, and that is that some members of the Congress have already stated that they intend to seek legislation during the coming term which will eliminate all mandatory retirement, so that 70 will simply be a way-stage along a path that leads to no mandatory retirement. That provision already exists in some places. In California and in Connecticut, there are limited statutes which give unlimited extension of employment opportunities. Governor Carey has said, or is said, to have voiced his support for similar legislation in the State of New York. So whatever we decide to do is complicated by those two factors -- both of which we have to recognize in our discussions. Now let me emphasize again that although we face no legal requirement to make any change in retirement provision until 1982, we have in fact been actively reviewing the situation. To illustrate the latest example of that, Provost Keith Kennedy met with representatives of four Faculty committees on October 23 and discussed at length the situation that Cornell faces. Those committees included the Executive Committee, chaired by Professor Robert Calkins; the Budget Committee, chaired by Professor Sid Saltzman; the Academic Freedom and Responsibility Committee, chaired by Professor Terrence Fine; and the Committee on the Professional and Economic Status of the Faculty, chaired by Professor Robert Wehe. That was a constructive, although an inconclusive discussion, and
I want to read to you, with his permission, the Dean's description of the general course of that discussion. I want to read it because I think it illustrates concerns that all of us share in a situation where there are claims between two competing groups. The Dean describes the meeting as follows: 'At the meeting of October 23 the spontaneous reactions of the assembled Faculty probably gave as good an impression of Faculty sentiment as can be obtained at this time. The responses covered a wide spectrum and brought out many concerns - the concern over consequences of reduction in the hiring of new blood; the concern over erosion of retirement security by inflation; the concern over the bad public relations Cornell will generate by continuing to oppose extension of the retirement age; and concern over the need to bear further costs at the same time that we are trying to make a big reduction in spending. Everyone clearly favored all kinds of incentives to encourage voluntary retirement of Faculty members, including the inducement of part-time employment beyond age 65. There is also a widespread but not loudly spoken concern that abandonment of mandatory retirement might lead to the demise of tenure.' I should say that the Committee on the Professional and Economic Status of the Faculty is expecting to begin a series of meetings shortly which will review in detail the subject of mandatory retirement. We shall welcome whatever views that Committee has to offer. We hope they can be made available to us by February 15 or before and we shall be delighted to provide them with whatever advice and background material they need in terms of benefits, in terms of numbers of Faculty members involved, in terms of legal aspects and by the presence of Provost Kennedy and his colleagues at as many meetings as they may choose to invite them. I want in the meeting today then simply to offer no solution, to have no new recommendations but to assure you that negotiations and discussions continue and that for our part, we shall welcome all the advice and comment that you're able to provide.

"Let me now describe the situation as it exists at Cornell. In the statutory colleges, the impact of moving to a 70 retirement age will be to increase the difficulty of bringing in new faculty members and to reduce the possibility of reallocating positions and resources between different units from low priority to higher priority areas. But assuming for the time being that there's no change in the level of State funding, an assumption that we hope is correct, the cost of those additional years of service will be picked up and recognized in the State level of funding. In the endowed units, the situation is somewhat different. You were given as you walked in this evening a numerical table which sketches out as accurately as we're able to do it, the situation in
the endowed units (attached as Appendix A). If you look at that table, you'll notice that taking the endowed units together, there will be up to a maximum of 45 tenured faculty who will reach the present retirement age of 65 before June 30, 1982. Now eight of those positions, in Arts and Sciences and Engineering, have been prefilled. If there is no change in retirement age, we would therefore anticipate between now and 1982, 45 senior faculty positions to be vacated by retirement, and 37 of these to be refilled by new appointments at the junior level; hence at lower salary. On the other hand, if all the senior faculty continue at Cornell until age 70 before retiring, neither the 45 retirements nor the 37 refillings would occur prior to 1982. The net difference in cost reaches a maximum of 958,000 in 1982-83, in present dollar value. Depending on your estimate of the amount of inflation between now and then, the actual dollar value will of course be substantially higher. That's if all of them chose to remain in their tenured positions. On the other hand, experience at other universities which have retirement ages of 70, suggests to us that it is not to be expected that all will remain to 70; if we assume for the sake of argument that about 30% will retire at age 65, another 30% would continue and retire at age 70, and the remaining 40% would retire at some age between 65 and 70, then a very approximate figure is that in 1982-83 the annual cost - bottom line of the table - will be $474,000. Now that cost, let me emphasize, is the differential cost between retaining those tenured faculty positions and replacing them in the same departments by non-tenured faculty individuals. Keeping the same number of positions, the cost of retaining senior faculty will be at least half a million dollars higher in present value dollars, 1978-79 dollars, than the cost of appointing younger individuals. Just to give some indication of the significance of that figure, one percent increase in salaries at the moment, costs us approximately $510,000. So that gives some indication of the impact upon general salary levels of which we're talking.

"Now the new legislation clearly has both benefits and costs as far as Cornell is concerned. The benefits are real and I don't want in anything that I later say, to under-emphasize what those benefits are. They're benefits of two kinds. First, to the Faculty members involved who reach 65 before 1982, they provide two kinds of benefits. One is a hedge, if they choose to employ it, against the nagging erosion of inflation that worries everybody facing retirement today. We're very conscious of that. And second, the opportunity for continuing a rewarding, full time professional relationship with Cornell if that's the thing that they choose. On the University side, the benefits are equally real, for
we shall have the possibility to avail ourselves of those senior colleagues' professional skills and experience, which come as a result of long service. The wisdom and perspective that goes with that, are not easily obtained by junior faculty. So the benefits are both clear and real. If tonight I talk more about costs that benefits, it's not because I underestimate the benefits. Their significance is substantial.

"Now what are the financial costs to the University of making any change before 1982? Let me say first, that the costs are especially formidable at a time when we're seeking to reduce University expenditures by something between $4 and 5 million in 1978-79 value. If we were doing this in a period when we didn't face a massive budget equilibrium program, it would be much less serious. The difficulty is aggravated by the current financial situation that we face. Inevitably, our plans have included the expectation that much of that reduction would be achieved by allowing positions to lapse as they became vacant through retirement, or by replacing them in areas of higher priority, or by replacing them with junior, and thus less expensive, faculty members. Our flexibility, therefore, will be greatly reduced and that adds a serious financial problem to others that we already face. Now if in fact, we have to look for savings elsewhere, it's going to mean that we shall have fewer new vacancies and probably fewer new opportunities to promote existing non-tenured faculty members to tenure. I say that reluctantly, but it may well be that one of the prices we have to pay, is simply the recognition that we shall have to limit the number of tenured faculty positions available to existing non-tenured faculty. In either case, whichever of those two situations emerges, that's going to have a very damaging effect on our Affirmative Action Program. It so happens because of the timing of our Affirmative Action efforts, that most of our women and minority colleagues are in the more junior ranks - many of them in the non-tenured ranks and our ability to retain and promote them may well be limited, as will also certainly be our ability to recruit additional female and minority members to new positions. The situation's also complicated, of course, by the pre-filling you can see in Arts and Sciences and Engineering on the chart that I handed out.

"A second general cost to the University is going to be increased rigidity. Nothing could be worse during a time of financial stringency than to be frozen into the pattern of 1970 or '75 or '78. We must have running room to take new initiatives as they become appropriate and available. But the rigidity of the present departmental structure and therefore to some extent, the curriculum, will be accentuated, if in fact we have a lower faculty turnover. And there will
obviously be competition between the cost of retaining senior faculty and other pressing needs on the campus, including salary levels, including fringe benefit compensation, including support services, including student financial aid. It would be very nice to think that each of those came out of a separate pocket. The truth is that everything competes with everything else in terms of the cost of support.

"One other question it seems to me should be looked at clearly, though not in any sense threateningly, and that's the question that Dean Greisen described as being raised by a number of his colleagues in connection with the nature of tenure itself which may be involved - not, I think, if retirement goes to age 70 - but if all mandatory retirement is in fact to be prohibited. There are some other universities which are now looking at the whole question of tenure and are talking about limited term tenure appointments as a response to the uncertainty of prolonged employment beyond what they had assumed and everybody else had assumed to be a retirement pattern at 65 or somewhat later.

"Well, whatever the particular decision then, clearly, there are implications that spread across the campus. And equally clearly, I believe we shall have to develop in all universities, not just Cornell, a far more rigorous and comprehensive pattern of faculty evaluation. It seems to me we cannot have the benefits without the obligations and that's certainly going to be one of the obligations.

"Well, what of the options for Cornell? Let me suggest to you that there are five options, each one having both benefits and costs. The first option is to wait until 1982 and do nothing now. Then in 1982, as required, we implement the existing legislation. That complies in full with both the letter and the spirit of the legal requirements that we face as a University. It provides time to develop an orderly system and to plan for retirement, replacement and review and it gives us the maximum flexibility in dealing with the budget problems that we now face. In addition to those benefits, it also has very obvious disadvantages, the most striking of which are the difficulties that it imposes for those who happen to reach age 65 before summer of 1982 and who may wish to extend their faculty appointments beyond their 65th birthdays.

The second option that we face is the polar extreme, and that is to announce now that we will extend the mandatory retirement age to 70, whether the law requires it or not. The costs of that are substantial - both in financial terms and in its impact upon new recruitment, upon the rigidity of the curricula, upon Affirmative Action, upon the new blood which new recruitment brings, and upon the long term difficulties of achieving institutional financial equilibrium. It may, as I've pointed out, also have an impact in some places on the present
nature of tenure. Its obvious benefit is to those who reach age 65 before July 1, 1982. And those benefits are real. There is a third option, which would follow very well in the Cornell tradition of decentralized responsibility, and that is that we would take no position as a University, but we would leave the matter to be decided by the Deans of particular colleges and the Directors of particular units. That has several benefits. It retains the long tradition that we've had of decentralized responsibility. It has the benefit of allowing maximum discretion in individual schools and colleges and departments and of allowing accommodation to whatever differences in intellectual vigor and contribution there may be between the different disciplines. I'm told, for example, that lawyers mature with age - that physical scientists are less likely to - and that may well be true, and mean that we need different patterns in different schools and colleges. It provides a partial solution but not a perfect solution to the more pressing financial problems that we face, and it has disadvantages. Those disadvantages seem to me to be substantial. The chief is that it provides unequal treatment and opportunities for individuals because of their departmental and college affiliations and that may lead, I think, to litigation as a result of those unequal difficulties which is likely to be both costly and divisive both for the University as an institution and for individuals who make up the community. Option four is also a possibility: we might grant to individual faculty members the privilege of requesting an extension of their faculty appointments on a year-by-year basis to age 70, rather than to 68 as is now the pattern. Now, that 68 retirement option is one that rests at the discretion of the Dean, but it's followed frequently in some colleges and it's virtually never followed in others. So we do have at present some unequal treatment in opportunities available to faculty members. Each college would then have the option of negotiating with individual faculty members concerning the extension, the terms of extension and the duties to be assigned beyond age 65. That has most of the benefits of option three, as well as most of the disadvantages, I should add. But it would allow much greater flexibility including things like part-time employments which senior faculty might welcome, phased retirement, special retirement packages which lead to a phased retirement with a greater contribution from the University for fringe benefits up to a specified period and the possibility of allowing individuals to work in areas that they regard as ones of their chief strength and interest. So there are many attractive features to option four. Option five is related but somewhat different. It seems to me that it would at least be theoretically possible during the period before 1982, and all these options refer to that period of course, to continue
benefit of giving equal opportunity across the campus rather than on a college or departmental basis to those who reach age 65 before 1982. It also allows flexibility for the University to arrange what could be very attractive conditions of appointment both for the individual and for the University. Well, whatever option is finally selected before June 30, 1982, what we've got to do as a University is to develop a longer range program which would permit multiple retirement discussions before the individual faces retirement in two weeks time or whatever the occasion is. I believe that many faculty members would welcome the opportunity of comprehensive, indepth reviews of their future with Chairmen and Deans well before they reach mandatory retirement age - whatever that age is. It would seem to me to be wise, for example, to have such a conference at age 60, to have such a conference at age 65, and then to talk very openly about the faculty area of greatest interest, about whether or not the balance between research and teaching which had been agreed on at age 26 or 32 was appropriate at age 60 or 65, whether added or fewer administrative duties might be involved and whether some kind of phased retirement might be part of that general package. And so various forms of appointment could be possible. But the point I want to emphasize is that it seems to me we have an obligation as a University to provide you with the maximum counsel and help and assistance we can as you think about your options facing retirement - whatever that retirement age is. And that includes the financial options, the benefit options as well as the purely academic ones. I said at the beginning that I believe it's very important to discuss these options together now and therefore I'm delighted to learn that the Committee on the Professional and Economic Status of the Faculty is willing to do that. It affords, today, in our own discussion, an opportunity to open the subject up and give that Committee and our office the benefit of your advice. What we ought to have by the early spring is a series of options ranked in order of preference with a clear analysis of the costs and benefits of each. We shall be working on that in the office. We shall be consulting regularly with your Committee on the Professional and Economic Status of the Faculty and we hope then by spring, as a result of those negotiations, to have something that we can bring back to the Faculty, something that we can discuss with the Deans' Council and something that can ultimately be shared and approved by the Board of Trustees.

"Mr. Chairman, I should welcome the opportunity to listen to your comments and to share in the discussion. Thank you."
The Chair opened the floor to questions, requesting persons please to identify themselves when speaking.

Professor Walter Galenson, Jacob Gould Schurman Professor of Economics and I&LR, said he was well pleased by the President's talk and welcomed the spirit in which it was made, but regrets it wasn't done somewhat earlier, feeling that the litigation would have been unnecessary if the University had addressed itself to the problem before Professor Glock was obliged to file suit. Professor Galenson said he was very much involved with this matter last year and he had a few questions for the President. He referred to the President's original telegram to President Carter and Secretaries of H.E.W. - in which the President said he "wished to express deep concern about proposing to raise the minimum mandatory retirement age to 70. In the case of University Faculty this means that there will be virtually no openings at the junior level for the next several years. Senior faculty do not retire early voluntarily, and general academic retrenchment has already severely limited the openings. The vitality of this major segment of society is jeopardized, and so is the hope of progress in Affirmative Action. At a minimum, I urge the specific exemption of university faculty." He referred to this telegram in order to show that Congress didn't arrive at the conclusion to exempt tenured professors very innocently. There was a very strong lobby by the American Council of Education, of which Cornell was a part. He noted, with regrets, that the junior Senator from New York had helped to persuade the Senate in this exemption. Professor Galenson remarked on the President's referring today to the necessity of bringing in women, young people and so on; and he read briefly from Judge Munson's decision in the case of Glock vs. Rhodes: "Setting a lower mandatory retirement age to permit advancement opportunities for younger people in academia is inherently discriminatory and does not provide a rational basis for such a policy, nor would it be constitutionally permissible to systematically discriminate against older people for the benefit of minorities and women." Professor Galenson said he would advise any professor in the Arts College who is obliged to retire at 65, to retire under protest and to file suit in the Federal Court, to protect his right to back pay if the Supreme Court should eventually agree with Judge Munson. He wondered, as his first question, if the President agreed with Judge Munson or whether he still felt that it was justifiable to discriminate against older professors as a group in favor of younger professors, women, and minorities? In November of 1977, Professor Galenson went on, President Rhodes was quoted in the Chronicle as saying that we ought to have discussion, etc.
That is what was being done today at this meeting, but again, he feels it should have come earlier. If Judge Munson's decision prevails, statutory professors will be permitted to go on to 70 - the University will have no choice. Then, the problem of a two-standard system will be faced - one for the statutory professors and the other for the endowed professors. If Congress or the State decides to eliminate all mandatory retirement, Cornell will have to comply, and tenure may have to be looked at, but in any event, that is not an issue now. Professor Galenson also asked the President on what basis he had arrived at the $958,000 figure for 1982-83; he himself calculates a somewhat lower one. Fringe benefits should be higher for younger people than for older people because for persons over 65, the University would not have to contribute to a pension fund; people over 65 go on Medicaid - thereby lowering the cost of medical insurance to the University; very few people over 65 have children who would be eligible for the Cornell Children's Tuition Program. In the Glock case, Cornell produced an expert witness - a member of this Faculty - and according to the brief filed by the lawyers, he's quoted as saying that "a positive correlation exists between scientific productivity and age, with research output reaching a peak somewhere around age 50 and thereafter declining. Although there is variation around the mean in individual cases, the evidence as to the average has been demonstrated by definitive studies of recognized sociologists." How many over 50, Professor Galenson asked, feel they are on the down grade now - going way down. In the course of the trial, an attempt was made to give evidence of Faculty opinion on this issue by citing a private letter written by a member of this Faculty to Professor Glock. This was submitted in evidence as faculty opinion. Professor Galenson said he feels that the whole litigation with regard to Glock should be dropped in the spirit of the President's talk today; sit down with Professor Glock and work out some sort of reasonable approach.

President Rhodes thanked Professor Galenson for his comments. As he understood it, there were five points made. "The first is that you asked me to comment on Judge Munson's opinion, that in fact to discriminate against older faculty members in order to introduce women and minorities, is itself discriminatory. I decline to do that. The case is at present sub judice and it would be quite inappropriate. I have said that we find ourselves in disagreement substantially with the learned Judge's opinions and it would not be proper for me to comment. I don't mean to be evasive but I simply do have to point out the difficulty. Second, you point out quite rightly that there could, as a result of this lawsuit, be two retirement systems on campus. We're well aware of that. We're well aware
of the kinds of difficulties that that could create if it came about. I implied that that's a matter of concern when I spoke about unequal treatment between members of different schools and colleges, under the options. Third, you expressed concern that the speech I made today wasn't made earlier. I'm sorry about that. It's always true that most good things could have been done before they're done; in fact, that's almost a rule of life. But two things have made that difficult, which I hope the members of the PCR will recognize. The first is, that in spite of your own judgment that everyone knew what Congress was going to do, the Congress did not act until April, and that was at the end of the University year; it is not true that everyone knew what the Congress was going to do. The matter, as far as I can read it, was one that was very undecided until the vote was taken. The second thing is the Glock lawsuit. We have had a very delicate legal decision on our hands and we've simply been inhibited by that from speaking very openly about it. So it's not an unwillingness to speak in public, but it's both the absence of precise legislation on the one hand, and the inhibitions that come from the Glock lawsuit on the other. You question my statistics and I make no judgment as to whether a fully tested professor at 65 is of more or less value than a young Ph.D. They're of different value in my view and one may need the different gifts at different times in the history of the University. But I will in a moment ask my colleague, Provost Kennedy, who with others put these figures together, if he might want to comment on the way they were derived. Finally, you give me the benefit of suggesting that we should get some better lawyers; I appreciate that advice, it's probably right. I doubt if any of us have as good lawyers as we'd like to have. I don't think it's proper for reasons that I talked about earlier, to comment on the details of the University's presentation - they might have been good or bad - but clearly if we do appeal, they're going to form part of the body of the consideration in which the Judge is involved in the light of that appeal. I am also on the wrong side of 50, so I have some personal views of the evidence of expert witnesses but it probably wouldn't be proper to reveal those."

Provost Kennedy commented on the figures. "The figures are calculated on several items. They are actual figures for units where a limited number of people are involved; also there are eight prefill at present salary; so they are included at the level of $40,000 for salary and fringe benefits. The remainder of the positions are included with a $20,000 difference between salary and fringe benefits of the assistant professor and salary and fringe benefits of a full professor. In several cases the difference is greater than that -
sometimes it is less. All figures are in 1978-79 dollars. The estimated cost shown on the bottom line of the table, assumes 30% retiring at 65 and 30% staying on to age 70. These are more conservative figures than the experience at the four SUNY university centers, where 25% reaching age 65 retire and 37% stay until age 70. We've used the more cautious figures of 30 and 30, which lowers the value of the bottom line."

President Rhodes added that again, those figures are estimates and reasonable people can differ as to how accurate they are.

Associate Professor David A. Usher, Chemistry, asked to what extent the figures might be offset in a downward direction by the fact that most of the older professors do a much more successful job of bringing money into the University in the form of grants and indirect costs?

President Rhodes replied that he didn't have data to support that statement, and said that he was unaware that there is any precise correlation between professors in the 65-70 year rank cohort and high research productivity bringing in contracts. Professor Usher said he was thinking more of the 60-65 year rank and he would like to see some figures on that. President Rhodes doubted that they exist, but he would try to develop those as part of the Administration's study.

W. Donald Cooke, Vice President for Research, said it would be quite a problem to develop that kind of information. The grants and contracts would have to be gone through with a principal investigator and then there are co-investigators and so forth - not that it couldn't be done - but it would be a very sizeable undertaking.

President Rhodes wished to revise his reply by saying, "We'll look at the feasibility of doing that."

Professor W. Wesley Gunkel, Agricultural Engineering, said there is one problem that hasn't been addressed, and that is the other side of the coin - namely, having problems in filling the lower ranks. For example, in Agricultural Engineering, there are not nearly enough young people to fill open positions.

President Rhodes said he agreed that that is a problem in a number of departments.

Professor Herbert J. Carlin, J. Preston Levis Professor of Engineering, said as he understood it, there are approximately 40 retirees who would go on from 65 to 70 if no attrition were involved and you use a figure of 30%, which if calculating correctly, would give a total number of 12.

President Rhodes replied that there are 45 tenured faculty retiring, eight of whose positions have been prefilled, so that would leave 37 positions. In the
table, one assumption gave the differential between keeping those senior people and replacing them with assistant professors, if all 45 continued to age 70 retirement. The second assumption was that 30% would retire at age 65 and 30% would continue to age 70.

Provost Kennedy said that of all of those who reach age 65, it is estimated that 30% would retire at 65, 30% would continue to 70. That is a higher retirement rate than at the State University.

There was still confusion.

Dean Greisen said there had been some failure in communication. It was assumed that 30% would retire at age 65 - that 70% would not. So the number going on would be 70% of 45. But only 30% would be assumed to go all the way to age 70. SUNY figures indicate the average time of continuation of those who attain the age of 65 is three more years.

Associate Professor Peter J. Bruns, Botany, Genetics and Development, asked what percent of new people coming on in the last two years were hired to replace retiring faculty and what percent among new appointments were made not at the junior level?

President Rhodes replied that he could not give those figures but assumed they were available. He asked Vice President Cooke for any kind of breakdown.

Vice President Cooke said that if you average over the past six years, 100 incoming faculty have been hired and so it might be said that one-third of the positions arise from retiring faculty, two-thirds from turnover and resignation.

Professor Isadore Blumen, I&LR, said the President's talk was a very useful one with a good many insights; he particularly wanted to welcome the talk as the basis for serious discussion, contrasting it with the last Faculty meeting. The problem was not as large as anticipated. In looking at the list of retirees over the past two years, Professor Blumen said he had noticed that some have retired as early as at 55. In Affirmative Action, the problem is not basically one of availability of positions - it is one of not being able to get the kind of people we want, with very few exceptions. Further, the recent changes in the Social Security and tax laws have been such as to change from a purely financial point of view, the desirability of retiring. Most people who choose to stay on, Professor Blumen continued, do so only partly for financial reasons, and that means only a very select, highly motivated group is deriving small, if any, financial benefit to themselves by staying on. There are possible alternatives - such as part-time employment so those who wish to stay on could have greater
income as well as could still have the association of their colleagues, counseling students, etc., if the University would promptly engage in such planning with each individual.

President Rhodes said he wouldn't reply since he found himself in substantial agreement with many of Professor Blumen's helpful comments.

Professor Arthur J. McNair, Civil and Environmental Engineering, asked if the President could expand a little further on the differences between option four and option five.

The President replied that, "Option four is an extension of what we now have and, although the individual faculty member can make the request, the agreement to that request is at the discretion of the Dean on the advice of the Chairman. What I thought of under option five, is a situation where everyone would have not merely the option to request but the right to continue after age 65; but with agreement that everybody's particular contribution in terms of appointment would be re-negotiated at that time as opposed to just continuing exactly the terms of appointment that they held at age 65. It's a small difference but I think it's a significant one."

Professor Galenson said he wished to read one paragraph from a letter of the Office of the Chancellor of Massachusetts Institute of Technology addressed to his faculty, and thought it might be considered in determining the options the President had presented. He read: "We respect the basic purpose of the law to afford individuals freedom of choice on decisions whether to continue employment from 65 to 70, yet we know the vitality of the University demands the renewing energy and intellectual stimulus that those freshmen (Faculty) bring to advanced study. We also know that with limited faculty and staff growth, advancing the retirement age diminishes the opportunities for such new appointments. At the same time, we reject the notion that tenured members of the faculty should be treated differently from Institute staff members and other employees in the opportunity to choose whether to continue at M.I.T. between 65 and 70. Hence, it will be our policy that tenured faculty members who are now scheduled to retire during the years 1979-81 will be free to choose whether they wish to continue to age 70." The Chancellor then set up there a number of faculty committees to consider the implications of this decision for retirement funds, for life insurance, for other fringe benefits.

President Rhodes said the only difference is that we are looking at the options before we make the decisions. He had found the whole discussion a helpful and constructive one and was grateful for the tougher questions and points made. He hoped a solution that has mutual benefits could be arranged.
There being a quorum, the Chair called on Dean Greisen for the one item of business.

3. AUTHORIZATION OF AN AD HOC COMMITTEE ON THE CALENDAR

Dean Greisen asked for a suspension of the rules in order to bring this one item of business to the meeting; it was not listed on the announced agenda. He wanted to request approval for the establishment, jointly with the Campus Council, of an ad hoc Committee to study the calendar and report its recommendations to the FCR and to the Campus Council.

The Speaker asked for a second to the motion for a suspension of the rules; he received one. The vote carried unanimously.

At the present time, Dean Greisen said, there is contained an Article in the Campus Council Charter which reads as follows: "If any change in the calendar from the present type is contemplated, then an ad hoc broadly representative committee shall be formed to make recommendations to the faculty and the Campus Council. Both bodies shall approve any change in the calendar from its present form." The Executive Committee had requested that the Dean initiate some study on the calendar and in so doing he found that the Campus Council was of like mind. The Organization and Procedures of the University Faculty (OPUF) do not at present give explicit authorization for committees of the Faculty or FCR to set up ad hoc committees to undertake studies. Therefore the Dean was requesting authorization from the FCR to proceed in setting up such a joint study committee for the calendar.*

The motion was seconded and without discussion was carried unanimously.

The meeting adjourned at 6 p.m.

Paul L. Hartman, Secretary

*At the meeting of the Faculty Council of Representatives, February 14, 1979, the above wording was inserted.
Number of individuals between the ages of 65 and 70, and the cost if all were replaced as Assistant Professors* (1978-79 dollars)

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Assuming that 70% will continue beyond age 65 but only 30% will continue until the age 70 the costs per year would be approximately as follows:

Cost ($1000)  | 262 | 350 | 435 | 474 | 459 | 285 | 164 | 58 |

*Exception: Five faculty positions in Arts and Sciences and three in Engineering have already been prefilled, hence cost is $40,000 per position (salary plus fringes).

Presented to the FCR, November 8, 1978, by President F.H.T. Rhodes.
The Speaker, Professor Russell D. Martin, called the meeting to order at 4:30 p.m. 63 members and many visitors were in attendance. He reminded members that the agenda was a lengthy one and, with an adjournment time of 6 p.m., it would be helpful to make all remarks pertinent.

The first item of business was the approval of the minutes of the meetings of September 13 and November 8, with one correction. Professor Isadore Blumen, I&LR, has found that there was an omission in the minutes of November 8, page 4830C, third paragraph from the bottom which he would like included. The following correction was proposed: after the line reading "The Executive Committee had requested that the Dean initiate some study on the calendar and in so doing he found that the Campus Council was of like mind." (additions underlined, deletions in brackets) "The Organization and Procedures of the University Faculty (OPUF) do not at present give explicit authorization for committees of the Faculty or FCR to set up ad hoc committees to undertake studies. Therefore the Dean [He] was [thus] requesting authorization from the FCR to proceed in setting up such a joint study committee for the calendar." The minutes as amended were approved.

The Chair called on Provost W. Keith Kennedy for comments on mandatory retirement.

1. COMMENTS BY PROVOST KENNEDY ON MANDATORY RETIREMENT

In considering a modification of the University's retirement policies, we must recognize that 1) federal legislation requiring mandatory retirement for tenured faculty be postponed to age 70 becomes effective July 1, 1982; 2) the University is engaged in a significant effort to regain financial equilibrium and moving to mandatory retirement at age 70 decreases the alternatives available to the University for reducing the budget with minimum adverse effect on academic programs; 3) the Court has instructed the University to continue the employment of a faculty member in a statutory college beyond age 65 and it is highly likely that other members of the statutory colleges could obtain a favorable Court ruling if they wished to continue beyond age 65; and, 4) the rationale used to grant a temporary injunction against the University has brought into question the authority and responsibilities of the Trustees of Cornell University in the administration of the statutory colleges. To move immediately to a retirement age of 70 could pose a problem if the University has to resort to a Court trial to clarify the relationships of Cornell University and the State University of New York in the administration of the statutory colleges.
WORDS TAKEN FROM THE TAPE
ON PROVOST KENNEDY'S COMMENTS ON MANDATORY RETIREMENT
February 14, 1979 FCR Meeting

"Mr. Speaker, members of FCR. It's a privilege to be with you. Rather than an address, I prefer to call it comments. The Administration is aware that the Faculty committees have recommended that we move immediately to a mandatory retirement age of 70. In considering this request, we feel we have to recognize four specific actions that pertain to the University. One of these is that Federal legislation does postpone the requirement to move to the mandatory retirement age of 70 for tenured Faculty, but not for other members of society, postpones that until July 1, 1982. The University currently is engaged in a very difficult position or problem of trying to bring the endowed portion of the University into financial equilibrium. A third point - we can't ignore that the court has instructed the University to continue the employment of a Faculty member in the statutory college beyond age 65 and it is highly likely that other Faculty members from the statutory colleges who choose to go the route of the court might obtain a favorable ruling. And the fourth point is - the rationale used by the Judge in making his ruling, is the one that is causing us the trouble rather than his decision to extend the appointment, because it brings into question the authority of the Trustees of Cornell University and the University Administration in regard to personnel policies and a number of other administrative details. So we would like to defer any consideration for moving to age 70 because to move at this time would immediately make that case moot and we still have to reserve the option of either an appeal or a trial. We know that that is going to take time and is unacceptable to the Faculty. It's unacceptable to us to wait that long. So I am presenting today what we propose. And that is that the normal expected retirement age will continue to be age 65, but effective immediately the Cornell Administration is prepared to work with Faculty who wish to continue full time or part-time beyond age 65. The University also is prepared to ask the Trustees, and we have every reason to believe that they will approve, to set aside the current requirement of annual physical examinations or physical examinations. And also ask the Trustees for permission to negotiate extensions of retirement for up to three years or to age 68. This is within the present policy as far as extension is concerned. For those reaching age 65, this year, 78-79, this action will permit them, those Faculty members who wish, to request continuation of the appointment up until June 30, 1982. We certainly pledge ourselves and agree that those that are on appointment on June 30, 1982, and wish to continue that are not age 70, certainly may request an extension of their appointment beyond age 68 at that time. There are some Faculty members who currently are beyond 65 and we will still entertain requests from them to continue their appointments up to age 68 and as we have in the past, we're prepared to consider exceptions or extensions beyond age 68.

"In modifying or working within this policy in giving more flexibility to it, we recognize that Faculty members differ in their interests, as far as teaching, research and other community and public service activities. They also differ as far as their desired time of retirement. On the other hand, there are also differences within departments and among departments as far as varying staffing needs, and the opportunity for Faculty to continue on in a productive and effective way. And hence, we think that it is desirable to maintain a spirit of cooperation and one of trying to work out a flexible package or have
A resolution of the lawsuit may be delayed for several months or longer; consequently, the University is announcing an interim program within existing policy as a balanced response to the conflicting factors identified above. The normal expected retirement age will continue to be 65 but effective immediately the Cornell administration is prepared to work with faculty who wish to continue full-time or part-time responsibilities beyond age 65.

The University administration will request the Trustees to set aside the current requirement of requiring an annual physical examination after age 65, and it also will request permission to negotiate extensions of appointments for up to three years, or to age 68. For those reaching age 65 during 1978-79, this action will permit the continuation of faculty appointments until June 30, 1982 and those on appointment effective June 30, 1982 will have the option of requesting a continuation of appointment until age 70. Those faculty members who currently are on appointments beyond age 65 may request an extension of their appointments beyond age 68.*

Faculty members differ as to their interests in teaching, research and/or community and public service. They also differ as to desired retirement age. On the other hand, there are varying staffing needs among the different academic departments, as well as within individual departments from time to time. Hence, it is desirable to maintain maximum flexibility whereby a dean or department chairman reviews with faculty members approaching retirement both the staffing needs of the particular academic unit and the desires and aspirations of the faculty member for the future.

A faculty member approaching retirement age may wish to continue with a normal teaching, research and/or extension load to the desired retirement age. Others may prefer to shift from research to more teaching and student advising, especially during the last five to ten years of their careers. Some faculty members may prefer the alternative of part-time appointments rather than retirement or continuing full time.

Academic deans and department chairmen are requested to arrange for interviews with individual faculty members approaching retirement for the purpose of developing a common understanding concerning such questions as referred retirement date, continuing workload and other responsibilities, and appropriate financial arrangements. Faculty members who are subject to mandatory retirement on June 30, 1979 under the present policy, and who wish to continue after 65 are urged to review their plans with the department chairman and/or dean. The deans are requested, with due regard for the interest of the department.

* The changes which required alteration of the Bylaws were approved by the Board of Trustees on May 27, 1979, records, pp. 10,304-06.
and college as well as the professor, to take best advantage of the current
provisions to postpone retirement for those faculty who wish to continue on
full-time or part-time appointments beyond age 65.*

Professor Walter Galenson, Jacob Gould Schurman Professor of Economics and
ILR, said that this Faculty went on record a year and three months ago as
follows: "...the Faculty Council of Representatives, speaking for the University
Faculty of Cornell University, expresses its opposition to the denial to
university professors of the same retirement rights that the Congress is mandating
for all other citizens of the United States..." He believes that the new
proposal falls far short of that. It is still the prerogative of the Dean to
refuse any individual an extension of his tenure. The motivating factor is the
decision in Glock vs. Rhodes and to the best of Professor Galenson's knowledge,
the University has not taken any steps in the appeal on that case; they will go
for trial, and it will be a long time. No one will know, when he's discussing
the matter with his Dean, whether he will be permitted to stay on. Harvard has
a 68-70 rule already. Williams and Amherst have both gone to 70 unilaterally.
Skidmore has done so very recently, as has M.I.T. Yale has done it since the
Connecticut legislature had adopted a law saying that no one can be retired for
age at any age. Cornell is not a leader, it's behind in this case. As long
as people have this uncertainty, as long as the decision is up to the Dean, then
there's no progress. Professor Galenson said he could not see that the
Provost's proposal changes the present circumstances at all.

Provost Kennedy said that this proposal has been discussed with the Deans,
individually and collectively, and they have agreed to work constructively in
attempts to reach an agreement with individuals. If there's an impasse, the
individual has the prerogative of appealing it to the University Administration.
Provost Kennedy said that it has never been contested that individuals at the
age of 65 or 66 or 67 are less productive than younger faculty members, but he
thinks in all honesty that at times the University has made decisions to grant
tenure which subsequently were found to have been mistakes. To rectify such
errors, the University can resort to action which they have not chosen to do or
wait for retirement. What you're asking, he said, addressing Professor Galenson,
is that for those very few individuals -- it's a small percentage, but it's still
there -- that we automatically extend their appointment another five years. He
still feels we can enter this in a spirit of cooperation and can reach accommodation
on the vast majority of the faculty members under this flexibile program. Provost
Kennedy said the Administration is not prepared to say automatically that we're
going to extend the appointment of every single faculty member. If he could be

*See minutes of April 11, 1979 FCR meeting for addition to this paragraph.
assured, Provost Kennedy continued, that every one of the faculty members who reach 65 is highly productive, then he'd like the evidence for it. There has to be a judgment in relation to the needs.

Norman Kretzmann, Susan Linn Sage Professor of Philosophy, said he is in favor of the University moving slowly on this matter. Whatever the uncertainties are that are faced by senior faculty members who are close to retirement, he does not feel they can really be compared to the uncertainties faced by graduate students who are being turned out by this institution. They are being trained over a long time for a profession and, by the resistance to retirement of senior faculty members, are being kept from a job market which had already dropped on the basis of other considerations. It seems that we owe it to our students and associates and to the idea of a university which is receptive to fresh ideas to consider very carefully whether it isn't a selfish attitude on our part - we can leave the economics out of it - to insist that we be treated like all the rest of the members of society as far as retirement age is concerned.

Provost Kennedy recommended that all who are interested be prepared for these discussions to proceed promptly; he does not foresee a long period of indefiniteness for those who are 65 or will be 65 during the current academic year. He said he couldn't deny that those still approaching that age may not complete their negotiations promptly but there's nothing that prevents them from discussing with the chairman and in turn with the Dean, if they're 64 or even 63, their longer term plans. In fact, there is encouragement to start at an early enough date so that the best fit can be made between the interest of the faculty member and the needs of the department.

Professor Herbert J. Carlin, J. Preston Levis Professor of Engineering, wished to address the comments of Professor Kretzmann. First, it is not clear that any significant blockage will occur due to the professors involved in this three-year hiatus. There are many other factors that make it difficult for graduate students to get jobs. Secondly, Congress, for better or worse, in its wisdom or unwisdom, has passed a mandatory retirement age for the entire population of the United States. One could easily make specific changes for groups of individuals throughout the United States on the basis that their field is crowded, that they have some form of built-in tenure or what have you, but the fact is that this rule has been extended to every individual in the United States with two very minor exceptions - those who are executives with higher retirement salaries and those who are college professors.

The Chair next called on Associate Professor Richard Penner, Hotel Administration, and member of the Committee on Academic Programs and Policies.
2. RESOLUTION RE PROFESSORS-AT-LARGE PROGRAM (Appendix A, attached)

Professor Penner said that in the absence of the Chairman of the Committee, he would like to move adoption of the resolution which cleans up some of the language in the nomination and selection procedure for Professors-at-Large:

WHEREAS, The present Administrative procedures for the Andrew D. White Professors-at-Large Program were proposed by the Faculty Council and adopted by the University Faculty in 1965, and are now in need of revision at least to the extent of taking responsibility from the hands of a non-existent administrator (the Vice President for Academic Affairs) and giving it to a Vice Provost or other representative of the President, and

WHEREAS, The new Chairman of the Professors-at-Large Program (Professor Vinay Ambegaokar, who has replaced Professor Max Black in this position) has recommended taking this opportunity to make slight improvements in the appointment procedures, therefore

BE IT RESOLVED, That the following changes in administrative procedures of the Professors-at-Large Program be adopted (material to be deleted in brackets, new material in Italics):

Records of the Faculty, pp. 3127-31 (January 13, and February 10, 1965)

(3) That, subject to availability of funds, the Professors-at-Large will be welcome on the Campus at any time, and would then have all customary Faculty privileges.

(7) That the total number of Professors-at-Large should not normally exceed [18] 20. [at any given time, this total being gradually reached by appointing six persons at a time at intervals of two years.] It is suggested that a substantial number of these Professors-at-Large be from foreign countries.

(8) Method of nomination and appointment:

[The first step in selecting the Professors-at-Large should be, of course, to solicit nominations from the various departments and fields of the University. A memorandum outlining the nature of the new appointment should be sent to each department Chairman. Each department would be asked to nominate one candidate. It would be made clear that individual nominations from members of the Faculty would be welcomed.] Vacancies in the Program should be publicly announced, and nominations solicited from departments, groups of departments and individual faculty members. All nominations should be supported by careful documentation, including a vita with a summary of the nominee's outstanding accomplishments, positions held, honors received, together with a selected bibliography[.] and letters attesting to the merit of the nomination from internationally recognized experts inside and outside Cornell.

The nominations [would then] should be reviewed by a selection committee [presided over by the Vice-President for Academic Affairs. The Vice-President would make the final recommendations
to the President for approval by the Board of Trustees. Since the Professorship-at-Large, like the University Professorship is an appointment of university-wide significance, the Vice-President for Academic Affairs should fulfill the same function with respect to the Professors-at-Large that a Dean of a college does for the other Faculty appointments.) consisting of the Dean of the Faculty, a Vice Provost or other representative of the President, the Chairman of the Program, and six other faculty members appointed by the President for staggered three-year terms upon the recommendation of the Nominations and Elections Committee of the faculty after consultation with the past selection committee.

The recommendations of the selection committee should be referred to the President for his approval and for action by the Board of Trustees.

Professor Vinay Ambegaokar, Chairman of the Professors-at-Large Program, spoke to the resolution. He said there is one substantive point, having to do with the selection committee which decides among the many nominations that are made and proposes some names to the President. In the past an ad hoc selection committee was appointed by the chairman. The resolution proposes that the selection committee should be somewhat institutionalized and that the Nominations and Elections Committee of the Faculty should have a role in choosing its members. Professor Ambegaokar feels it is important to have this change because the Professors-at-Large Program seemed to be raising expectations across the campus which it cannot satisfy. There is in fact a little less to the program than meets the eye, but it gives the impression of having a great deal of money and power, and so it's a situation where justice must not only be done but be seen to be done.

The Chair opened the floor for questions and there being none, proceeded with the vote. The resolution carried unanimously.

The Speaker called on the Dean of the Faculty, Kenneth Greisen, to introduce a resolution to the Charter of the Campus Council.

3. RESOLUTION RE CHARTER OF THE CAMPUS COUNCIL

Dean Greisen said that there are certain items in the Campus Council Charter which can be amended only by approval of the President following consultation with the Faculty. The Campus Council has recently recommended one such change and the mechanism followed in the past and which is followed now for consultation of the President with the Faculty on the matter, is to ask the FCR if it is willing to endorse this proposed change.

WHEREAS, At its meeting of January 25, 1979, the Council voted (12-1-1) to recommend a change in Section 1.2.1 of its Charter, therefore,
BE IT RESOLVED, That the following recommended change consisting of the deletion within brackets be approved:

1.2.1 Representatives of employees and students shall be elected in the spring of each year for two-year, staggered terms. Those individuals who do not expect to be members of the Cornell community for more than one year (e.g. juniors) may be elected at the discretion of their constituencies. Elections shall be the responsibility of the Committee on Committees of the Campus Council. The method of election shall be determined each year by the Committee on Committees subject to the consent of the Council. Elections for employees shall be held at-large. At-large elections for the student representatives shall be held as follows: graduate and professional students shall vote to elect two representatives with the provision that not more than one representative from any one unit shall be seated on the Campus Council (the Graduate School, the School of Business and Public Administration, the Law School, and the College of Veterinary Medicine), undergraduate students, including freshmen, shall vote to elect five representatives [with the provision that not more than two representatives from any one unit (the College of Architecture, Art and Planning; the College of Agriculture and Life Sciences; the College of Arts and Sciences; the Hotel School; the College of Industrial and Labor Relations) shall be seated on the Campus Council.] Faculty members of the Campus Council shall be selected by the Faculty in a manner which the Faculty shall determine. Definition of the faculty constituency shall also be the responsibility of the Faculty, which shall notify the Committee on Committees of the Campus Council of any changes in definition. Term of office for all Campus Council members except those serving ex officio shall begin on June 1. All terms shall be two years.

The motion is only to delete the portion of the paragraph that restricts the undergraduate student membership of the Campus Council. There are five undergraduate student members. Currently there is a phrase limiting their distribution among the colleges. It is proposed to strike that out and so make it possible for more than two of the five students to be from any one of those units. The student members feel that they don't represent a constituency identified with the college that they're from. Instead they represent students as a body - that in their own associations, they don't distinguish membership in individual colleges, they're not representing the interests of particular colleges; that limitation on their distribution should be eliminated.

Professor David M. Bates, Botany, spoke against the motion, saying that it seemed quite obvious that the original legislation insured relatively broad representation of students through the University, thereby forcing students from each segment of the University to participate and avoiding a situation where one of the colleges might dominate. By having broad representation, you do bring in differing viewpoints from different aspects of the University.
Professor Robert McGinnis, Sociology, and Chairman of the Campus Council, said it seems to be quite clear in practice that the appointed student members are not necessarily representing the college or other sub-units. They consider themselves to be, and they behave as, representing undergraduate students of Cornell University. The relaxation of the constraints would also simplify the election process itself and reduce the probability of not permitting the seating of enthusiastic, talented young persons.

Professor Geoffrey V. Chester, Physics, spoke strongly against the resolution. When the Campus Council Charter was written, representation among various schools and colleges was meant to be assured and since there are more Arts students, they might tend to dominate the undergraduate membership unless prevented by the present restriction. The way that other students feel about a dominant group is also quite important - possibly by showing less interest. Also written into the Charter of the Campus Council is the requirement that during the third year of its existence, the whole operation is to be reviewed, so that will provide an opportunity for reexamination of this issue.

The Speaker called for a vote. The resolution was defeated by a large margin.

The Chair recognized Professor Edgar Raffensperger, Entomology and Co-Chairman of the Ad Hoc Committee on the Calendar, for a proposed modification for the next Fall term.

4. MODIFICATION OF THE FALL 1979 TERM

Professor Raffensperger wished to call the body's attention to the fact that his fellow co-chairman of the committee, E. Schuyler Flansburgh, who is a student member of the Campus Council, was also present at today's meeting, and is as responsible for the modification as himself. There's probably no calendar that will be announced that will please anybody! The proposal is only for one semester, Fall 1979. There is another slightly different calendar that has been published and it involves having an additional day for registration besides those proposed in the one sent to the Faculty with the call for this meeting. Professor Raffensperger said the Committee had not meant to propose any change in the registration period, but simply to accept whatever registration days had been established. The proposal has to do with the subsequent period of instruction as shown on the calendar distributed.

The Committee set out to find whether or not a fall break was important in order to relieve tensions, so it had a rather extended interview with Dr. William White, Director of the Campus Mental Health Clinic. Dr. White informed the Committee that he could correlate quite well the student use of his
facilities, threats of suicide, and actual suicide, with decreasing daylight in the fall and periods of inclement weather, presumably because of tensions arising from such factors. The committee felt that this was a big responsibility to ignore and felt confident that a way should be found to provide some sort of release of tensions in the fall term. Incidentally, this matter has been the first priority of the Calendar Committee, so next year's calendar could be in place; the Committee will next turn to its deliberations to the overall University calendar.

The present proposal, unlike the one turned down by the body last year, has no loss of days in the semester and incorporates a minimum of change. The Committee decided not to propose having no classes on Labor Day since that would contribute to another broken week. The break allows for keeping classes on Wednesday morning after the proposed Monday and Tuesday dismissal of classes. Wednesday morning then, would overlap with the Wednesday morning of the Thanksgiving break. Thus, a Wednesday morning would not be lost in either event. This was done as a result of discussion of what the Committee came to call "slippage". "Slippage" means that whenever a student has two days off, he will supposedly attend the rest of the week of classes; if he has 2 1/2 days off, he will "slip" and take off the rest of the week of classes and we will have lost the "whole apple". So the Committee decided rather than to resume classes at noon on Wednesday after the break, that they would resume the first thing in the morning on Wednesday. Professor Raffensperger said we will have a semester of 13 1/2 weeks with a two day break, just after the middle of October. The Thanksgiving break would be as previously scheduled. Two days at the end of the semester would be added to the present schedule of classes, moving the study period back two days and retaining, very much at students' request, four days of reading time after classes are ended. This necessitates, however, that examinations begin on Sunday. The alternative was to reduce the number of study days and they tried not to do that. So the examination schedule will run from Sunday through Sunday. The last or eighth day of exams is always reserved for making up conflicts, there being no scheduled exams on that day. Last fall there were 34 students in the entire University who had conflicts, most of whom found other ways to make them up, and didn't in fact take their exam on that eighth day, although some did.

Professor Raffensperger moved that the FCR endorse this proposed calendar for the Fall term 1979:
The Speaker indicated that since the proposal came from a committee, it did not need a second, and so he opened the floor directly for discussion.

Associate Professor Peter J. Bruns, Botany, Genetics and Development, questioned whether school pressure at the beginning of the spring semester did not have an influence on the students' depression more so than the weather and daylight; these things improve during the spring; does morale?

Professor Raffensperger said that question had been asked of Dr. White; a few years ago he would not have believed that the weather had any influence, but now he is convinced.

Professor Bruns said he represents a constituency which teaches a lot of laboratory courses using live material. The problem with breaking up weeks in such laboratory courses is not only that of having all the days equally represented, but it is in addition the fragmentation of the weeks. This proposed sort of schedule will necessitate complete loss of a full week of laboratories.

The Committee considered that, Professor Raffensperger said. The alternative would have been to delay that break until Thanksgiving week and that was too long a stretch. And the only other alternative would be to reduce the number of days in the term.

Associate Professor Franklin E. Huffman, Modern Languages and Linguistics, asked whether the Committee considered eliminating Thanksgiving week, thereby permitting a full week's break in October.
Professor Raffensperger said the Committee did consider that matter and the consensus was that not only were students involved in this matter, but so were students' parents and, further, the community in general would not tolerate giving up Thanksgiving.

Associate Professor Nicholas L. Sturgeon, Philosophy, asked what evidence there was that the problem of "slippage" could be reduced by limiting the break to two days, his feeling being that people will still miss more time than allotted.

Professor Raffensperger said the Committee was convinced that there would be some, but that anything that could be done to reduce that "slippage" would help.

Professor Mary A. Morrison, Nutritional Sciences, asked if there were other ways of reducing tensions other than cancelling classes, i.e., declare a week where no test or assignments were to be given.

Professor Raffensperger said that matter was considered. If that were to happen, then the next week would be a "bear"; in most cases a professor does not change the content of his course, he will get it in one way or another.

Associate Professor Barbara Troxell, Music, asked whether the Committee was held to the registration dates?

The registration dates were not considered, Professor Raffensperger said. The Committee was not aware that there were two different registration periods under consideration.

Professor Troxell clarified her question by asking if the registration dates were not movable?

Professor Raffensperger said they were not held to them. They could have recommended moving those, but that would involve a greater change as the Committee saw it, especially with regard to people who have summer commitments.

Associate Professor Raymond T. Fox, Floriculture and Ornamental Horticulture, wondered if anyone has given any thought to the whole economic situation of creating two times when students travel back and forth from here to there - citing rise in tuition rates, rise in cost of living, etc., and now an additional transportation cost.

Professor Raffensperger told Professor Fox he had come up with one the Committee hadn't thought about.

Professor Norman N. Potter, Food Science, said the issue here is whether there should be a break or not. If there is to be a break, he said, this calendar was an amazing job of shoe-horning and that the Committee should be commended on it.
Professor Mary Purchase, Design and Environmental Analysis, spoke to the idea of having eight days in a row of exams. Several years ago when the Executive Committee considered a suggestion to have exams on the Sunday that was within the week of exams and still have time to grade papers, get out of town, etc., they felt that students needed a break within the exam period to have relief from the strains of writing papers and examinations. Professor Purchase would like that kind of tension considered as well as the tension that comes throughout the semester.

Professor Raffensperger said that matter had come up after the report was completed and it is a possibility for future change in the overall calendar.

Professor Norman R. Scott, Agricultural Engineering, wondered in light of that question whether there was a consideration of starting exams one day earlier, on Saturday, breaking on Sunday without exams, and then going through the last Sunday.

Professor Raffensperger said that was considered rather closely in the Committee. One of the things the Committee attempted to do was not to reduce the reading period, and that proposal would make it a three day reading period instead of four.

The Speaker called for a vote on the proposal for a fall break in 1979. It carried.

The Chair recognized Professor Sidney Saltzman, City and Regional Planning, and Chairman of the Budget Committee, for a report.

5. REPORT OF THE BUDGET COMMITTEE (Appendix B, attached)

Professor Saltzman said the Budget Committee thought for two reasons that it was an appropriate time for the Committee to make a report to the FCR. First, there is at this time, considerable interest in details of budget planning within endowed colleges. Secondly, if there were some issues that the Faculty Council wanted to consider, there would still be some time left in the semester to do so.

The Budget Committee activities for this year consisted of virtually weekly meetings during the time classes were in session - many of those meetings consisted of discussions, which were very frank and very open, with people in the Administration. Much of the time there was not agreement on various issues and in fact, Professor Saltzman said, it's probably true that the Budget Committee sought to discover areas of disagreement rather than to search out areas of agreement. The discussion for the semester focused mainly on the Administration's plans to achieve budget equilibrium and the Committee also dealt with some other items, which will be noted in this oral report.
Professor Saltzman, using overhead slides, showed the Administration's three-year plan which the President and the Provost presented last October. The Administration proposed a three-year budget equilibrium position, defining a gap that consisted of basically three different items. The first item was to regain budget balance and that consisted of $3.5 million, with two items within that - the elimination of the operating deficit that had been anticipated for this year of $2.2 million and the elimination of the excess payout from the Capital Fund of an additional $1.3 million, which gave the $3.5 million for regaining the budget balance. The second item was for rebuilding the invested funds - $1.5 million total - with $.7 million for building in the income reserve and $.8 million for assigning a greater portion of trusts and bequests to the endowment fund, rather than to the operating budget. The third item called for reallocation of resources within the operating budget for a total of $2.5 million. This consisted primarily of three items: (1) a provision of competitive salaries, responsible support of academic programs and new opportunities, $1.0 million; (2) to preserve and update the physical plant, $1.0 million; and (3) funds for restoration of equipment, $.5 million. The total for the three-year period is then $7.5 million and it was proposed that this $7.5 million be made up of income enhancement and budget cuts. The goal as specified by President Rhodes is that Cornell "remain a major research University of the first rank" and it was within those constraints that the Budget Committee attempted to focus its attention.

The major items that the Budget Committee dealt with were elimination of the excess payout, the $1.3 million, and the rebuilding of invested funds, for $1.5 million. There are many details related to these two items but Professor Saltzman said he wouldn't go into discussion of these unless there were questions afterwards. It took some time for the Budget Committee to educate itself and to find out what precisely the issues were in terms of most of these items. There wasn't any attempt to obfuscate or confuse the issues on the Administration's part - it just turns out the details of dealing with the budget are very complex and do take time. The essential argument from the Budget Committee's point of view is that these two items (i.e. the $1.3 million and $1.5 million) could be thought of in the sense of putting additional money into the bank - they are items that enhance the endowment and would be taken out of the operating budget in order to do so. It is the Committee's point of view, however, that because of the current inflation rates and because of the current expected returns on investment, this is not necessarily a good time to move into
that mode of operation. A simple example can illustrate this point: With the current inflation rates, even if one were to add back into one's own personal savings the interest that one earned on it, the purchasing power of one's bank account would decrease from year to year. The other point argued by the Committee related to that portion of the endowment to be used in the future. If income from the endowment, and not any of the principal, will be used in the future to support the operating budget, one just has to invest a great deal of money over a period of years in order to get a relatively small return on that investment. The feeling of the Committee was that it would be better in the long run, if we needed additional cuts further down the road, to take those cuts directly at that time rather than try and enhance the interest received from the endowment by taking much larger cuts now to build up the principal. The Budget Committee also felt and argued that under the existing economic situation, the University would be better off with a series of smaller cuts over the years rather than a large adjustment now and perhaps no adjustments subsequent to that for some years to come. The feeling of the Committee is that things are so uncertain that we ought to take smaller steps at this time rather than some major cuts because we run the risk of affecting the quality of Cornell's performance as a first rank research university.

The Committee had a number of very frank discussions with the Administration about these issues. The discussions were very open. There was not agreement but the Administration did agree to consider this particular issue again next September when the budget for subsequent years will be considered. Two of the main arguments, Professor Saltzman said, that he heard the Administration advance on the reason for not rescheduling the adjustments discussed here were the uncertainty of the situation in the national economy and also the uncertainty in the size of a number of additional budget items that were not listed in this original $7.5 million budget equilibrium proposal. The additional items that came along after the October presentation had to do with the possibility of postponing retirement to age 70 with the extra costs involved in that; some additional support mandated for women's athletics; reduction of tuition after the third year of doctoral study that's being considered; and there's an increase in the minimum wage and in the social security taxes.

The Committee did not have time to delve into the reallocation of resources ($2.5 million) within the operating budget, but plans to do so this spring to the extent that time is available.

For about two years now, the Budget Committee has been recommending: (1) that the University provide for a small increase in enrollment as a means of
enhancing income and (2) that the enrollment in the spring and fall be evened out in the sense that more students be admitted in the spring to bring the enrollment up to the fall term level. There is now a falloff of about 500 students between fall term and spring term enrollment. This year the Administration has decided to move in both directions. An important issue related to that of fall and spring term enrollments was discovered by a member of the Committee. If students admitted in the spring term stay an even number of semesters, they essentially take the place of students who might be admitted in the fall semester in the future. It's possible then for students admitted in the spring to reduce the number of fall admissions to such a point that there would eventually have to be the same number of students admitted in the spring as in the fall. Now that the Administration is aware of that particular problem, they'll be watching for it and attempt to deal with it if it seems to be developing.

Another subject that the Budget Committee considered was the main concepts and ideas involved in the Responsibility Center Analysis (RCA). The RCA is an attempt to allocate all of the direct costs of operations of all the units of the University. In addition, it provides for an allocation of overhead costs to academic units and allocates income to the academic units. By balancing these costs and incomes, it's possible then to come up with a figure that's titled "subvention", which can be either negative or positive. Negative subvention, being basically "desirable", is interpreted as meaning that the central Administration doesn't have to provide any additional funds to that particular academic unit. If there's a positive subvention, the interpretation is that funds are provided to the academic unit. The Budget Committee is concerned that these subvention figures would take on a kind of aura of their own in spite of the statements by the Administration that the RCA figures are there for guidance and not as a determination of net cost. It's possible if one is not careful, to look at the subvention figures as kind of a "profit and loss" figure; the Budget Committee made this point a number of times, being concerned that this subvention figure may tend to dominate the decision making process with regard to academic units.

The next item has to do with the operation of the Budget Committee. Professor Saltzman read the charge given to the Committee when it was established during the 1974-75 academic year:

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.

If one takes this charge seriously, a full-time Committee is really needed. All of the Committee members have other responsibilities. It has been generally meeting two hours a week and doing outside homework as well. The Committee literally cannot keep up with all of the information that is now available to it. A first step to make the Committee more effective, Professor Saltzman said, would be to provide for some released time for the chairperson from some departmental responsibilities, at least in the fall term, so that the chairperson can spend more time on Committee activities.

Finally, Professor Saltzman thanked the Faculty members who provided some ideas and information to the Committee during the course of deliberations during the fall semester.

There being no questions for Professor Saltzman, the Chair called on Professor John W. DeWire, Physics, and Vice-Chairman of the Committee on Academic Programs and Policies for a report on the Division of Unclassified Students.

6. REPORT ON DIVISION OF UNCLASSIFIED STUDENTS (Appendix C, attached)

Professor DeWire said in the absence of the Chairman of the Committee, Associate Professor Arthur Berkey, Education, he has been asked to present this report. About a year and a half ago, Dean Saunders asked the Committee if it would look into some aspects of the Division of Unclassified Students, prompted by some changes made in the way the Division was administered. These changes were not in conflict with the original legislation that set up the Division but nevertheless Dean Saunders' interest was that the Committee address the question as to whether the faculty's involvement in this Division would be maintained under the new mode in which it was being administered. The Committee discussed this problem and came up with a report containing four recommendations which have been accepted by the Director of the Division:

1. The Administrative Committee have seven members, representing at least five of the undergraduate colleges, with the Director as Chairman, the members to be appointed by the President for three-year terms upon the recommendations of the Deans of the respective colleges.

2. The colleges be encouraged to assign each DUS student an academic advisor to advise the student in selecting courses appropriate to his prospective new major. The administrative aspects of course
registration, add/drop slips, etc., remain with the Director of the Division of Unclassified Students.

3. The Director send to the Dean of the Faculty a written copy of all "regulations and operating procedures" of the Division as initially authorized by the Trustees.

4. The Director send a copy of the Division's Annual Report to the Dean of the Faculty for faculty information and review.

The Speaker, indicating that only five minutes remained before the mandatory adjournment time, called on the Dean of the Faculty to report on the Health Careers Advising issue.

7. REPORT OF THE AD HOC COMMITTEE TO EXAMINE THE HEALTH CAREERS ADVISORY SYSTEM (Appendix D, attached)

Dean Greisen said it was in the fall of 1977 that there were some rumblings of discontent among the members of the Health Careers Advisory Committee. They were a bit unhappy because of impending restructuring of the arrangements for the processes of advising and evaluating Cornell health-career students. It appeared as though by administrative action, the control of these processes would be taken from complete faculty supervision under which they had been operated, and that this reorganization was being undertaken without consultation of the committee, the members of which were very dissatisfied. The former Dean, Byron Saunders, has always been a jealous guardian of the Faculty's control over academic functions such as this and so with the encouragement of the Executive Committee of this body, he put together an ad hoc committee to look into the health careers advising process and advise him. While there has been some challenge to the legality of such ad hoc committees as the Executive Committee of the FCR might put together to study various issues, it was, in any case, done. Dean Greisen supposed the Dean would have the right at any time to call a group of faculty together to investigate some problem and advise him. In any event, he had inherited the situation and had written a report of the results of that investigation. The conclusion of the committee was that regardless of the correctness of the process by which the transition occurred, they're very content with the results. There are a number of improvements in the organization for health careers advising and evaluating and they report:

1. After examination, the new structure and organization of health careers student advising and evaluation were found to be adequate and indeed a substantial improvement over the old system. Faculty people are still plentifully involved: 20 on the Premedical Evaluation Committee plus five on the Health Careers Advisory Program Board. Now the task of writing letters is divided among
many more persons than before, but each letter is seen and commented on by enough people to assure uniformity of standards. A great improvement is the separation of the functions of advising and evaluation, although this would have occurred even without the complete restructuring.

2. The *ad hoc* committee feels that its prodding and enquiring served a useful purpose in stimulating an examination and definition of functions within the health careers operation, and also in quieting faculty misgivings about the adequacy of the new arrangements.

3. The *ad hoc* committee had one recommendation concerning the Health Careers Advisory Program Board, which reports to the Vice Provost, namely that the administrative appointees to health careers posts should be *ex officio non voting* members of the Board rather than voting members, since the responsibility of the Board is to oversee the operations of these appointees. These administrative positions are the Health Careers Coordinator (currently Jane Crawford) who also supervises the advising of health careers students, and the Chairman of the Health Careers Evaluation Committee (currently Robert E. Gardner).

The Committee feels that the appointment of Mrs. Crawford was a particularly fortunate one and the University is very well served by her in that position. There being no questions for the Dean, the Speaker adjourned the meeting.

Meeting adjourned: 6 p.m.

Paul L. Hartman, Secretary
Appendix A

Professor-at-Large Administrative Procedures

(1) That a new category of non-resident Faculty membership be established at Cornell University with the title Professor-at-Large.

(2) That these Professors-at-Large be men and women of outstanding international distinction, and include humanists, scientists, social scientists, and members of the learned professions; and perhaps also non-academic persons of broad intellectual interests and high distinction drawn from public affairs, literature, and the creative arts.

(3) That, subject to availability of funds, the Professors-at-Large will be welcome on the Campus at any time, and would then have all customary Faculty privileges.

(4) That the Professors-at-Large be appointed for a term of six years, with the possibility of renewal.

(5) That conditions of appointment be that the nominees (a) agree to accept the formal title of "Cornell University Professor-at-Large," and (b) agree to spend a minimum of two consecutive weeks every three years on the Cornell Campus.

(6) That Professors-at-Large receive an appropriate stipend, and travel expenses for each visit to the Campus.

(7) The total number of Professors-at-Large should not normally exceed 20. It is suggested that a substantial number of these Professors-at-Large be from foreign countries.

(8) Method of nomination and appointment:

Vacancies in the Program should be publicly announced, and nominations solicited from departments, groups of departments and individual faculty members. All nominations should be supported by careful documentation, including a vita with a summary of the nominee's outstanding accomplishments, positions held, honors received, together with a selected bibliography and letters attesting to the merit of the nomination from internationally recognized experts inside and outside Cornell.

The nominations should be reviewed by a selection committee consisting of the Dean of the Faculty, a Vice Provost or other representative of the President, the Chairman of the Program, and six other faculty members appointed by the President for staggered three-year terms upon the recommendation of the Nominations and Elections Committee of the Faculty after consultation with the past selection committee.

The recommendations of the selection committee should be referred to the President for his approval and for action by the Board of Trustees.

---Adopted by the University Faculty, January 13, 1965, Records, pp. 3127-30;
REPORT OF THE BUDGET COMMITTEE TO THE FCR

February 14, 1979

1.0 Introduction

In view of the current interest on the campus in details of budget planning for the coming three-year period, it seems appropriate at this time for the Budget Committee to present a report on its activities. This report is primarily concerned with activities of the Budget Committee during the current academic year and focuses on the budget for the endowed colleges only. The report contains a summary of the major issues of concern to the Committee during the past six months. It also discusses some operational problems that appear to be inherent in the structure of a faculty committee charged with the task of dealing with such a comprehensive, complicated, and continuing process as planning the University budget.

The Budget Committee was formally established during the 1974-75 academic year with the following charge:

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 Budget Committee first met at the beginning of the 1975-76 academic year and has continued to meet since then on a more or less weekly basis while classes were in session. During this period of time, the attitude of the Administration to the Budget Committee has varied from one characterized by a very low-level of interaction during the Committee's early years to the present time when there is a relatively broad and open exchange of views. There even appear to be some indications now, that opinions of the Budget Committee are accorded attention, although it is difficult to point to any particular recommendations that were implemented when initially proposed by the Budget Committee. In the following discussion, the Committee presents its views of the Administration's position on certain budget issues.

2.0 Current Budget Issues

Because of the continued financial pressures on the University, the Administration proposed last fall a three-year plan to achieve "budget equilibrium." President Rhodes and Provost Kennedy presented this plan, which specified an equilibrium target of $7.5 million for the coming three-year period, at a faculty meeting last October. For convenience, that plan is summarized here:

(over)
1. DEFINED GAP

The major elements of the currently measurable gap between the commitments and resources of the Endowed Colleges are:

A. Regain budget balance

1. Eliminate operating deficit, general purpose budget accounts $2.2 mil.

2. Eliminate excess payout from Capital Fund 1.3 "

B. Rebuild invested funds 1.5

1. Build in income reserve .7 "

2. Assign greater portion of trusts and bequests to endowment .8 "

C. Reallocate resources within operating budget 2.5

1. Provide competitive salaries responsible support of academic programs, and new opportunities 1.0 "

2. Preserve and update physical plant 1.0 "

3. Restore equipment funds .5 "

$7.5

Additional items with important budget implications developed after the $7.5 million equilibrium target was presented to the faculty. These included the possible opportunity for faculty members to postpone their retirement until age 70, additional support of women's athletics, the reduction of tuition after the third year of doctoral study, and the increase in the minimum wage and in FICA, among others.

The equilibrium plan and related budget issues have been the main topic of discussion at Budget Committee meetings since the summer of 1978. The Committee attempted to view the equilibrium target in the light of President Rhodes's stated goal that Cornell "remain a major research university of the first rank." Because there was insufficient time during the weekly meetings of the Committee to delve into all aspects of this plan, the Committee decided to focus its concerns primarily on some of the underlying assumptions that went into developing the equilibrium target, although the Committee also explored some other issues as well.

Two components of the $7.5 million equilibrium target were of special interest to the Budget Committee. One was the assignment of $1.5 million to rebuild invested funds (see item B above) and the other, the elimination of $1.3 million
excess payout from the Capital Fund (item A.2 above). The Budget Committee questioned the advisability of reducing the budget by these amounts in order to put additional funds "in the bank" under current expectations of inflation and return on the endowment. As anyone with money in a savings account must realize, the purchasing power of that deposit declines over time at current rates of inflation even if interest earned is added to the account.

From the Committee's viewpoint the key decision facing the Administration is whether to make a relatively large adjustment in the budget now in anticipation of a future declining financial picture or to make a continuing series of smaller adjustments over a longer period of time if indeed the pessimistic prognostications come to pass. Clearly the first policy is the one most favored by the Administration. It is the consensus of the Budget Committee that in view of the current economic situation the second strategy would be more appropriate. There was a useful exchange of views on this issue with the Administration, and although there is a lack of agreement at the present time, the Administration did agree to review this issue again when planning for the 1980-81 budget. Factors influencing the Administration's decision at this time apparently include the uncertainty in the expected performance of the national economy and in the size of the various additional budget commitments as noted above.

There was agreement by all parties that budget reductions that do not lower the quality of the University should be made now, although most observers do not have much hope that many opportunities for such reductions exist. Although it is clear that Cornell must be in sound financial condition, it is equally clear that dollars in themselves do not bring distinction to any university; people do. Budget adjustments that are not absolutely necessary lower the potential for remaining a university of distinction because they reduce the number of faculty members who are the main resource for bringing that distinction to Cornell.

Another important component of the $7.5 million equilibrium target is the $2.5 million reallocation of resources within the operating budget (item C). The Budget Committee recognizes the potential need for such a reallocation and will attempt to examine more closely in the coming months the specific items, priorities, and quantities involved.

In an effort to increase income, the Administration has budgeted for a small increase in the size of the student body and, to the extent possible, a leveling of the fall and spring term enrollments. For at least the last two years the Budget Committee has recommended that the University move in both of these directions. The Budget Committee has also cautioned that the admission of new students during spring semesters may lead to a situation where an increasing number of students will have to be admitted in the spring term and a decreasing number in the fall term until admissions in each term are equal. This would be the case if those students admitted in the spring terms take an even number of semesters to graduate since their presence will reduce the number of open positions in subsequent fall terms. The Committee believes the Administration will be watching for evidence leading to such a development and will take appropriate action, if necessary, now that such a possibility has been recognized.

In times of tight financial constraints it becomes quite clear that the budget is an integrated whole, i.e., every item in the budget, directly or indirectly, affects every other item, at least in terms of the lost opportunities involved.

(over)
For example, more money allocated to activity X means there is less money available to allocate to activity Y, etc. For this reason, the Budget Committee feels it is important that there be a continuing process for reviewing the policies under which major units, whose budgets and activities have a significant impact on the rest of the University, function. There exists precedence for such review processes in the operation of the Office of Computer Services and in the University Libraries. If time is available this spring, the Budget Committee will attempt to explore alternative possibilities for implementing such review processes without creating new committees for this purpose.

3.0 Other Issues

The Budget Committee has expressed its concern to some members of the Administration regarding various aspects of the reports generated by the Responsibility Center Analysis (RCA) now being implemented on the campus. The Committee supports attempts to determine the quantity and purpose for which funds are being spent. However, the Committee is concerned that current efforts to allocate to academic units all overhead costs through the RCA may well be unwarranted. Many expenses, such as those for security and maintenance of the campus, for example, cannot be directly influenced by decisions made within academic units. (In fact, these are the types of expenses that should be scrutinized by faculty committees in accordance with the proposal outlined at the end of Section 2.) The Budget Committee is concerned that the overall "negative and positive subvention" figures assigned to individual units by the RCA will be interpreted as profit and loss figures. As such they might very well become more and more influential in the Administration's budget deliberations resulting in a decline for the role of traditional non-quantitative values in making important academic decisions.

The original charge to the Budget Committee is presented in Section 1.0 above. Quite frankly, the range of these responsibilities is too great to be done on a part-time basis by faculty members who have primary responsibilities to teaching, research, and related academic activities. These Committee responsibilities tend to be undertaken on an ad hoc basis and depend upon which topics are of interest to the Budget Committee at any particular time. In addition, the amount of technical information now available to the Committee is literally overwhelming and cannot be fully absorbed in the time available. As a first step to a more effective operation, it is recommended that the departmental responsibilities of the Chairperson of the Budget Committee be reduced in order to permit greater attention to the business of the Committee. This problem is especially acute in the fall semester when the budget for the coming academic year is being formulated.

The Administration is taking steps to improve the presentation of various financial reports of the University. These changes should help the Budget Committee and others more easily to understand Cornell's financial position.

Finally, the Committee wishes to express its thanks to those members of the faculty and the administration who have provided assistance and information on various issues related to the budget.

Budget Committee Members

Alfred C. Aman, Jr.                                      Paul L. Hartman
Larry E. Chase (on lv. fall)                             E. Elizabeth Hester
Kenneth I. Greisen                                      Timothy D. Mount
Dean of Faculty, ex officio                             Peter C. Stein
Anita V. Grossvogel                                      Sid Saltzman, Chair
REPORT ON THE DIVISION OF UNCLASSIFIED STUDENTS
FROM THE COMMITTEE ON ACADEMIC PROGRAMS AND POLICIES

The Division of Unclassified Students (DUS) was established by the University Trustees in 1951 to provide the framework for assisting students to transfer between academic programs at Cornell. It has worked well for the past two and one-half decades and serves a continually increasing need for career counseling and advising. It is not a teaching division for it has no faculty, teaches no courses, and grants no degrees. While facilitating undergraduates' admission to another college at Cornell, it does not serve primarily an admissions function either. An early statement on the purposes of the Division clearly spelled out the types of students to whom an internal transfer mechanism is essential: those who entered the wrong college through misinformation, poor advising, or family pressure; and those whose professional goals changed while at Cornell.

The Division allows undergraduates the opportunity of demonstrating through a trial semester that they are capable of doing the work in the college to which they are trying to transfer. The college then determines whether they wish to admit the provisional student to the degree program. In the Spring 1977 semester 84 students were registered in DUS, 49 of whom transferred at the end of term; in the Fall 1977 semester 116 students registered of whom 61 transferred in January 1978. One hundred thirty-eight were enrolled in DUS in Spring 1978, of whom 63 transferred at the end of the term. The most common change is out of Engineering and into Agriculture and Life Sciences, Arts and Sciences, and Hotel Administration.

The work of the Division of Unclassified Students is handled by a Director, officially only quarter time, an Administrative Assistant, who helps with the interviewing and advising as well as the usual clerical work, and a faculty Administrative Committee, appointed by the president to three-year terms.
The enabling legislation of the Trustees empowers the Administrative Committee to "enact regulations and adopt operating procedures under the general supervision of the University Faculty," and to "admit students, drop them, place them on probation, or remove them from probation (similar to the colleges)." In practice, the operating procedures of the Division are limited; they deal almost exclusively with advising, testing, and counseling of students unhappy or unsuccessful in their current academic program and with the flow of paperwork which accompanies the transfer procedure. The operating procedures do not deal in any way with the instructional process, except that the Director is called upon to sign course add/drop slips and the like.

Following a brief review of the Division of Unclassified Students the Academic Programs and Policies Committee recommends that:

1. The Administrative Committee have seven members, representing at least five of the undergraduate colleges, with the Director as Chairman, the members to be appointed by the President for three-year terms upon the recommendations of the Deans of the respective colleges.

2. The colleges be encouraged to assign each DUS student an academic advisor to advise the student in selecting courses appropriate to his prospective new major. The administrative aspects of course registration, add/drop slips, etc., remains with the Director of the Division of Unclassified Students.

3. The Director send to the Dean of the Faculty a written copy of all "regulations and operating procedures" of the Division as initially authorized by the Trustees.

4. The Director send a copy of the Division's Annual Report to the Dean of the Faculty for faculty information and review.

Arthur L. Berkey
CAPP Chairman
Eugene L. Ziegler, Jr.
Director of DUS
Office of Learning and Teaching Services
375 Olin Hall
Campus

Dear Dr. Ziegler,

I am writing in regard to the FCR Committee on Academic Programs and Policies report on the Division of Unclassified Students which was approved at our October 9 meeting. We received and considered your September 28, 1978 memo to Ian Stewart responding to our draft report. The only recommendation your memo raised questions about was number one dealing with the appointment and composition of the Administrative Committee for DUS. We agree with and wish to affirm the desirability of recommendations 2-4 which you point out are already being implemented by your office. I wanted to share with you CAPP's rationale for our revised recommendation (please refer to copy of report attached). We were in agreement with your point on the need to recruit interested persons. However, it was felt that you could continue to do this and make your recommendations to the respective College Deans with the same result. By having recommendations for Committee membership come from the College Deans, this would provide knowledge and responsibility at the College level -- where CAPP feels it should be located. It was also felt by CAPP that it would be desirable to have representation by all the seven colleges on the DUS Administration Committee. However, in consideration of your concern for recruitment in the "high traffic" colleges we modified our recommendation from representation from "each" of the seven colleges to "at least five." We hope that you will strive for complete representation in the expanding DUS program.

Thank you for your September 26 memo. Should you have any questions I would be pleased to discuss this in person with you if you desire.

Sincerely,

Arthur L. Berkey
Associate Professor

October 11, 1978
In the fall of 1977, the chairman and members of the Health Careers Advisory Committee expressed disapproval of the impending restructuring of arrangements for advising and evaluating Cornell health-career students. What, until then, was completely a faculty operation was apparently to be put under control of non-faculty personnel, by action of the Provost's office and without consultation with or approval by the faculty.

With the encouragement of the Executive Committee of the FCR, Dean Byron Saunders appointed an ad hoc committee to examine the proposed advising and evaluating system. The committee consisted of Professors John M. Anderson (Botany, Genetics and Development; former chairman of Premedical Advisory Committee), Donald L. Bartel (Mechanical and Aerospace Engineering), Richard L. Hallberg (Botany, Genetics and Development), Daniel M. Tapper (Physical Biology and Physiology), and Stanley A. Zahler (Botany, Genetics and Development), with the Dean acting as chairman. The committee received reports from Vice Provost June Fessenden-Raden and from Jane D. Crawford, the new Health Careers Coordinator. It held meetings on February 7, March 31, June 19 and July 24 of 1978, with the latter two meetings attended at least once by June Fessenden-Raden, Jane Crawford, Robert Gardner (chairman of the Health Careers Evaluating Committee), and Daphne Poe (Professor of Nutritional Sciences and chairman of the Health Careers Program Advisory Board).

Conclusions reached by the ad hoc committee are as follows:
1. After examination, the new structure and organization of health careers student advising and evaluation were found to be adequate and indeed a substantial improvement over the old system.

Faculty people are still plentifully involved: 20 on the Premedical Evaluation Committee plus five on the Health Careers Advisory Program Board. Now the task of writing letters of evaluation is divided among many more persons than before, but each letter is seen and commented on by enough people to assure uniformity of standards. A great improvement is the separation of the functions of advising and evaluation, although this could have occurred even without the complete restructuring. In retrospect, making the position of
Health Careers Coordinator a full-time professional post instead of a part-time responsibility of a faculty member seems to be an organizational improvement, and Ms Crawford a fortunate selection as occupant of this post.

2. The ad hoc committee feels that its prodding and enquiring served a useful purpose in stimulating an examination and definition of functions within the health careers operation, and also in quieting faculty misgivings about the adequacy of the new arrangements.

3. The ad hoc committee has one recommendation concerning the Health Careers Advisory Program Board, which reports to the Vice Provost; namely that the administrative appointees to health careers posts should be ex officio, non voting members of the Board rather than voting members, since the responsibility of the Board is to oversee the operations of these appointees. These administrative positions are the Health Careers Coordinator (currently Jane Crawford) who also supervises the advising of health careers students, and the Chairman of the Health Careers Evaluation Committee (currently Robert E. Gardner).

With this report, the ad hoc committee respectfully submits its resignation.

John M. Anderson
Donald L. Bartel
Richard L. Hallberg
Daniel M. Tapper
Stanley A. Zahler
Byron W. Saunders, Chairman to 6/30/78
Kenneth Greisen after 6/30/78
The Speaker, Professor Russell Martin, called the meeting to order at 4:35 p.m. Noting a lack of a quorum, with only 19 persons in attendance, the Chair said that those present could hear reports and discuss, but could not take any action. He called on the Provost, W. Keith Kennedy.

Provost Kennedy said it was his sad responsibility to announce the death of colleagues since the September meeting:

*Clifford N. Stark*, Emeritus Professor of Bacteriology, October 14, 1977
*Georges A. Knaysi*, Emeritus Professor of Microbiology, October 3, 1978
*H. David Block*, Professor of Theoretical and Applied Mechanics, October 6, 1978
*Joseph A. Carreiro*, Professor of Design and Environmental Analysis, October 15, 1978
*Ellis A. Pierce*, Emeritus Professor of Animal Science, November 4, 1978
*Henry Dietrich*, Emeritus Professor of Entomology, November 8, 1978
*Richard H. Barnes*, James Jamison Professor of Nutrition, Emeritus, November 16, 1978
*Martin P. Catherwood*, Emeritus Professor of Industrial and Labor Relations and former Dean, ILR, November 23, 1978
*Eleanor Emerson*, Emeritus Professor, Industrial and Labor Relations, December 7, 1978
*Vincent du Vigneaud*, Emeritus Professor of Biochemistry (Medical College) and Professor of Chemistry (Ithaca), December 11, 1978
*Charles B. Sayre*, Emeritus Professor of Vegetable Crops, Geneva, January 8, 1979
*Ruth B. Comstock*, Emeritus Professor of Housing and Design, January 11, 1979
*Stanley J. Brownell*, Emeritus Professor of Animal Husbandry, January 16, 1979

He asked the body to stand in remembrance of these colleagues.

The Chair next called on the Dean of the Faculty, Kenneth Greisen, for a report.

1. REPORT OF THE DEAN

The item the Dean wished to report on pertained to that part of the material sent out with the call to this meeting having to do with the voting rights of *ex officio* members of the University Faculty. This was brought to his attention recently because of the imminent change in the Directorship of the University Libraries and the concern of the present Director, Professor J. Gormly Miller, for the viewpoint with which the librarians are regarded; that is, since they are a part of the academic function of the University, the Directors of the Libraries, at least, should have a place in the academic governance of the University. Professor Miller has felt that the withdrawal of the vote for the Director of the Libraries and the five Assistant Directors, was an unfortunate action to have taken back in 1975. In his case it didn't matter, since he already had a professorship which gave him voting rights in the Faculty, but the new person arriving this year to take up this position doesn't have the
same advantage. Two of the Assistant Directors also have membership in the Faculty apart from their positions as Assistant Directors, but it seemed to Professor Miller that the Director and Assistant Directors should be regarded as participants in the academic life of the University to the extent of having a Faculty vote. The Committee on Membership in the University Faculty considered the matter and voted unanimously to approve recommending giving full rights of membership back to the Directors of the Libraries, including the vote. The Library Board considered the matter and they too voted unanimously that this be done. When this matter was considered by the Review and Procedures Committee, they raised the question of why certain other ex officio members shouldn't also have the vote and be regarded as members of the Faculty. It was hard to consider where to draw the line. The Dean said that following all this, he then looked up what had actually transpired back in 1975. What initiated the action was that some matter had been voted in the University Faculty and decided by a fairly small margin. Following that, someone became concerned that ex officio members are administrators rather than Faculty members and they might have swung the vote. The threat was brought to the Faculty at its May meeting that year for elimination. But there wasn't a quorum in the Faculty meeting of that day in May 1975, so the Faculty could not consider the matter. It was presented to the FCR at its meeting immediately following, although that body had no right to consider the matter. But they did. The resolution that they passed said that present ex officio members of the Faculty should retain the vote as long as they retain their position, but recommended that, as they are replaced with new ex officio members, the new ex officio members not have the vote unless they hold a professorial title as well. The Trustees, however, have legislation defining membership - voting and non-voting - in the Faculty and somehow the Trustees were presented a change in the Bylaws to approve, what they thought, were the wishes of the Faculty. The change in the Bylaws did not distinguish between present and future ex officio - it just summarily took away the vote immediately from all the ex officio members. And there it stands. Since it seems rather difficult to present a piece of legislation to the Faculty to undo a piece of legislation they never enacted, Dean Greisen said that, rather than presenting it to the Faculty for any action, he was just announcing it and would ask the Trustees to undo the Bylaw change that they made by mistake in 1975. At the next meeting of the Trustees, Dean Greisen will present the matter to them and ask that they take us back to the initial condition.*

*Board of Trustees, March 17, 1979 - ex officio members of the University Faculty shall be voting members of the Faculty.
Professor Geoffrey V. Chester, Physics, asked what the status of those ex officio members will be if the Trustees revert back to the initial condition - will they retain the vote until they are replaced?

Dean Greisen said that what he is proposing is to take out the sentence the Trustees added to the Bylaws - which made ex officio members non-voting. The ex officio members will then have the vote as they did before 1975. More than half of the present 40 ex officio members (24) have the vote anyway by being members of the Faculty, leaving 16, six of which are the Directors of the Libraries. The remaining ten include some Vice Presidents, the Director of Physical Education and Athletics, Dean of Admissions and Financial Aid, possibly the new Director of Summer Session and Extramural, the Registrar, etc.

The Speaker said the only other item of business other than approving the minutes, had to do with Resolution #5 which was postponed from the September meeting, having to do with authorization of committees. At the September meeting this matter had been moved to treat it seriatim and following that it was moved to postpone it until today's meeting. The Chair asked if there was any discussion, debate or questions relative to the parts of Resolution #5.

The Secretary of the Faculty, Professor Paul Hartman, thought the Faculty was making a mountain out of a molehill: he didn't see why the Dean of the Faculty could not appoint a committee to advise him about some matter or other. He didn't see why Professor Blumen couldn't appoint a committee of his own to examine, for example, the proliferation of illegal committees. Professor Hartman is almost certain that whoever got such a group together could bring the matter to the Executive Committee or Review and Procedures and have it presented to the Faculty for discussion. It certainly wouldn't carry the weight of an honest-to-goodness ad hoc committee, but one could accomplish effectively the same thing. In response, Professor John Whitlock, Parasitology, said much is heard about the difficulty of staffing committees and getting a quorum out to the University Faculty meetings. This particular proposal has come up four or five times and most of the time hasn't stirred enough interest for the Faculty to even want to consider it. The mechanism to establish new committees is always there - the mechanism to establish subcommittees is there and why we need to spend all this time talking about establishing new committees when the old ones cannot even be staffed is just more wheel spinning, Professor Whitlock said.

Dean Greisen said he didn't think it mattered an awful lot whether this resolution is passed or not. However, there is a difference between ad hoc committees and standing committees. Ad hoc committees are formed to examine
temporary questions - they should go out of existence very quickly after they're formed. Sometimes questions arise that are not appropriate for one of the standing committees and in that case a convenient mechanism is to have either the Executive Committee of the FCR or the Review and Procedures Committee of the Faculty recommend the formation of an ad hoc committee. As Professor Hartman said, the Dean is not sure any great authorization had been done. An example of one used during the past year was that at the time the Provost's office took over the responsibility to change the organization for the Premedical Advising functions. Byron Saunders, then Dean of the Faculty, appointed an ad hoc committee of very responsible people knowledgeable in the areas involved. They made their report and have gone out of existence. Perhaps these present resolutions (#5) are not necessary but Dean Greisen thought they had come about because of a challenge made to the legality of forming ad hoc committees to make temporary studies of one kind or another; it was felt desirable to propose an amendment to OPUF so that there would be no question of the legality of such procedures. If a problem does arise and it needs rather early attention, Dean Greisen said one doesn't want to have to wait for a meeting of the FCR to authorize starting giving it attention - sometimes there isn't enough business to justify a meeting.

Professor Isadore Blumen, I&LR, said that Dean Greisen unfortunately inherited a series of resolutions which he had no hand in formulating. First, the ad hoc committees as proposed by this resolution will not automatically go out of business at the end of the year. One of the things this resolution provides is that if the Review and Procedures Committee wants to keep an ad hoc committee going indefinitely, it can do so by reappointing it. It can thus effectively make our ad hoc committees standing committees just by a vote of the Review and Procedures Committee. He said that Dean Greisen cited the case of an ad hoc committee which was set up to study the question of Premedical Advising. That matter properly falls within a function of a standing committee of the FCR. It is a rule of parliamentary procedure that if there exists a standing committee within whose jurisdiction something falls, then that matter should be referred to the standing committee. Now it was not a serious matter which created the ad hoc committee in that case. In point of fact, we have a standing committee which is supposed to handle that sort of thing; what somebody decided was that a quicker way of doing it was to ignore the wishes of the FCR and of the Faculty and so create an ad hoc committee. The whole problem we have here is that somebody wants to be in a position to ignore the
wishes of the FCR and the Faculty whenever it's convenient to do so. And we ought not to do it. Now in this case, it's trivial and I don't feel very excited about whether this particular ad hoc group was simply an advisory committee to the Dean as Professor Hartman suggested, or whether it's a committee of the University Faculty. In fact, it acted as an advisory committee to the Dean. But there may be some serious matters which will come up and then it raises an entirely different question. Furthermore, there are a whole series of parliamentary questions involved here. Professor Blumen said he may be reading something into it and this resolution may be indeed the most innocent resolution in the world, in intention, but it is devastating to the Faculty's powers over its committees. He did not want to go into a detailed discussion of certain points now, because there are not enough people here to participate in the debate. But this means that every one of these certain items will have to be amended if we're to make anything out of them. If in fact, as has been suggested here, there really wasn't very much intended by this, Professor Blumen thinks the wisest thing for the committee to do is to recognize that unless they can get Keith Kennedy to promise another financial crisis speech, we're not going to get any kind of Faculty attendance out here to vote on it; he hoped that the Provost did not have another speech of that kind.

Professor Jay Orear, Physics, commented on the last point that Professor Blumen raised. One of the main purposes of the University Faculty meetings, as Professor Orear sees it, and the reason why he comes to these meetings is that he expects it to be one of the opportunities for him and his colleagues to have interchanges and discussions with the President of the University and the Provost. He would hope that at each University Faculty meeting the President and Provost would attend and that there would automatically be a question and answer period available by which the Faculty could interact with the top administration. Furthermore, he thinks this should always be stated, probably as the number one item on the agenda, in the call to the meeting. If Faculty knew for sure that the President or Provost would be in attendance, then many more would come.

Dean Greisen responded, saying that since the Provost was in attendance, he could speak for himself. The President had spoken to the Dean about that and has expressed his intention to be here as a normal thing. Today he was out of town. Dean Greisen said he would accept Professor Orear's suggestion as advice that in the call to the meeting, he should try and report whether the President and Provost will be in attendance.
Provost Kennedy said that in the College of Agriculture and Life Sciences, the first twenty minutes of each meeting were open season on the Dean, so he was quite prepared now to have it open season on the Provost. And he feels the president would also be pleased to entertain any questions and responses.

Professor Walter Galenson, Jacob Gould Schurman Professor of I&LR and Economics, supported the notion of an informal discussion period; it is common practice in labor meetings.

There being no further discussion, the Chair adjourned the meeting.

Adjourned: 5:05 p.m.

Paul L. Hartman, Secretary
The Speaker, Professor Russell D. Martin, called the meeting to order at 4:35 p.m. 59 members and about 30 visitors were in attendance.

The first item of business was the approval of the minutes of the February 14, 1979 meeting. The Speaker asked for any additions or corrections. Professor Walter Galenson, Jacob Gould Schurman Professor of Economics and I&LR, said there was an omission at the end of Provost Kennedy's speech on page 4833C, first paragraph from the top, which he wished inserted, as follows: "To summarize: for the time being we will remain with the current overall policy but with several modifications: (1) Set aside requirement of yearly physical exam; (2) we'll be able to consider longer than one year extensions - up to three years; (3) where in the past the exception has been that a member can extend his time, here we believe the exception will be where an appointment may not be extended, where a request for extension would be denied rather than accepted. So we feel most faculty members who desire to continue beyond 65 can be accommodated through a series of discussions with chairmen and Deans of College."

There being no further additions or corrections, the Chair entertained a motion for the approval of the minutes as corrected. The motion was made and seconded and approved unanimously.

Associate Professor Lloyd C. Street, Community Service Education, moved that item number four on the agenda be moved up above all items except item three so that the FCR could handle the approval of the slate of candidates and then the next item would be the confidentiality of letters issue.

The motion was seconded and in a vote call, carried.

The Chair called on the Dean of the Faculty, Kenneth Greisen, to present a slate of candidates.

1. APPROVAL OF SLATE OF CANDIDATES FOR FACULTY TRUSTEES, SECRETARY OF THE FACULTY AND MEMBERSHIP OF VARIOUS COMMITTEES

On behalf of the Committee on Nominations and Elections, Dean Greisen presented the slate and moved its adoption - noting a few peculiarities in it. One of the candidates for Faculty Trustee, Associate Professor James E. Turner had decided, upon reflection, to withdraw his candidacy. Another item is that for the Secretary of the University Faculty, the Committee has presented only one candidate so that unless there are additions to that list from the floor, the acceptance of the slate will be tantamount to the election of that person as Secretary. The Dean indicated that for all the other seats, there are more candidates than vacancies.
The Chair opened the floor for further nominations, reminding nominators that the approval of the person being nominated must be assured.

Professor Galenson nominated Professor Isadore Blumen, I&LR, for Faculty Trustee. There being no further nominations, the Chair called for a vote on the slate with the addition of Professor Blumen for Faculty Trustee. The slate was approved as follows:

SLATE OF CANDIDATES
(all terms commence on July 1, 1979 unless otherwise stated)

SECRETARY OF THE UNIVERSITY FACULTY - 3-year term
Joseph B. Bugliari, Professor of Agricultural and Business Law

FACULTY TRUSTEE - 1 vacancy, 5-year term
Isadore Blumen, Professor of Economic and Social Statistics
Karen W. Brazell, Associate Professor and Chairman, Asian Studies
George L. Nemhauser, Professor and Chairman, Operations Research/Industrial Engr.
Benjamin Nichols, Professor of Electrical Engineering
Jason C. Seley, Professor of Art
Daniel G. Sisler, Professor of Agricultural Economics

FACULTY TRUSTEE - 1 vacancy, 4-year term

AT-LARGE MEMBER, FCR - 4 vacancies, 3-year term
Ronald C. Gorewit, Assistant Professor, Animal Science
Wesley W. Gunkel, Professor of Agricultural Engineering
Norman Kretzmann, Susan Linn Sage Professor of Philosophy
Ronald J. Kuhr, Professor of Entomology, Assoc. Dir., Research and Experiment Sta., Ithaca
Thor N. Rhodin, Professor of Applied and Engineering Physics
Bettie Lee Yerka, Associate Professor of Cooperative Extension

NOMINATIONS AND ELECTIONS COMMITTEE - 3 vacancies, 3-year term
Thomas R. Dyckman, Ann Whitney Olin Professor of Accounting
Jennie T. Farley, Assistant Professor of Industrial and Labor Relations
N. Bruce Haynes, Associate Professor of Clinical Sciences
Marion E. Minot, Professor of Community Service Education
Thomas W. Scott, Professor of Agronomy

REVIEW AND PROCEDURES COMMITTEE - 3 vacancies, 3-year term
Nelson H. Bryant, Professor of Electrical Engineering
William H. Kaven, Associate Professor of Hotel Administration
Jay Orear, Professor of Physics
Henry N. Ricciuti, Professor of Human Development and Family Studies

MEMBERSHIP OF THE UNIVERSITY FACULTY - 1 vacancy, 3-year term
Gertrude D. Armbruster, Associate Professor of Nutritional Sciences
John Silcox, Professor of Applied and Engineering Physics
ACADEMIC FREEDOM AND RESPONSIBILITY COMMITTEE - 2 vacancies, 3-year term

George Gibian, Goldwin Smith Professor of Russian Literature, Acting Chairman Department
David Novarr, Professor of English
Murad S. Taqqu, Assistant Professor of Operations Research/Industrial Engineering

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

David Blandford, Assistant Professor of Agricultural Economics
J. David Deshler, Assistant Professor of Community Service Education

BUDGET COMMITTEE - 1 vacancy, 3-year term

Ronald G. Ehrenberg, Professor of Labor Economics and Economics
Barclay G. Jones, Professor of City and Regional Planning
William F. Lucas, Professor of Operations Research/Industrial Engineering

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

Robert L. Bruce, Professor of Education
M. Vivian White, Associate Professor of Design and Environmental Analysis

MINORITY EDUCATION COMMITTEE - 2 vacancies, 3-year term

Alvin H. Bernstein, Associate Professor of History, Actg. Chairman, Near Eastern Studies
Shiriki K. Kumanyika, Assistant Professor of Nutritional Sciences
J. Congress Mbatu, Associate Professor of Africana Studies and Research Center

PHYSICAL EDUCATION COMMITTEE - 1 vacancy, 3-year term

D. Bob Gowin, Professor of Education
William F. Rochow, Professor of Plant Pathology

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

Frederick M. Ahl, Professor of Classics
David C. Heath, Associate Professor of Operations Research/Industrial Engineering
Phil Schoggen, Professor and Chairman, Human Development and Family Studies

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

James J. John, Professor of History
Peter L. Minotti, Associate Professor of Vegetable Crops
John A. Muckstadt, Associate Professor, Operations Research/Industrial Engineering
Kenneth A. Strike, Associate Professor of Education

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

Michael C. Kelly, Associate Professor of Electrical Engineering
Robert P. Merrill, Herbert Fisk Johnson Professor of Industrial Chemistry

CAMPUS COUNCIL - 5 vacancies, 2-year term beginning June 1, 1979

Barry Edmonston, Assistant Professor of Sociology
Herbert L. Everett, Professor of Plant Breeding and Biometry
Michael E. Fisher, Horace White Professor of Chemistry, Physics and Mathematics
Robert Mccinnis, Professor of Sociology
Carol B. Meeks, Associate Professor of Consumer Economics and Housing
Bernice M. Scott, Associate Professor of Rural Sociology
Sydney S. Shoemaker, Susan Linn Sage Professor of Philosophy
James Thorp, Professor of Electrical Engineering
Michael F. Walter, Assistant Professor of Agricultural Engineering
The Chair next called on Assistant Professor Richard Quaas, Animal Science, and member of the Committee on Academic Freedom and Responsibility.

2. RESOLUTION RE CONFIDENTIALITY OF LETTERS

On behalf of the Committee on Academic Freedom and Responsibility, Professor Quaas presented the following resolution:

The Committee on Academic Freedom and Responsibility recommends the following resolution to the FCR:

WHEREAS, state and federal agencies investigating faculty appointments and promotions may seek to examine or take possession of letters of evaluation written with the assurance that they would be held in confidence, and have already requested such letters in at least one case, and

WHEREAS, the abrogation of confidentiality in letters of reference would destroy the chief source of objective evaluation now used in judging whether or not to appoint candidates to faculty positions or promote them to tenure and to full professorships—all of which steps are very costly and long-lasting commitments of University resources,

THEREFORE, BE IT RESOLVED, that the Faculty urges the University Administration to pursue all possible legal means to preserve the integrity and confidentiality of the letters of evaluation solicited in regard to possible appointments of individuals to Cornell faculty positions, or in regard to promotions of faculty within the Cornell ranks.

Dean Greisen spoke to the motion. The problem which is now being faced with regard to letters of recommendation is a rather new one. In the past, dependence has been placed rather heavily on such letters and if they are to have the meaning that was always hoped they had, there has to be the possibility that the letters might sometimes contain derogatory statements or mild praise instead of always extreme praise, and the kind of interference that that makes with the possible professional relationships of the people who write the letters is such that confidentiality has been assured. He believes that the nature of the letters would change drastically if assurance of confidentiality was dropped. It is an even more sensitive matter when letters are sought from students who may, subsequent to the outcome, still be dependent on the faculty person they've written about for guidance in completing a thesis, approval of a thesis, and for jobs in the future, etc. On the other hand, there have been very legitimate challenges, appeals of the original promotion reviews and decisions, and those have to be honored also. There has to be cooperation with investigating agencies in following up such appeals. What is being proposed here is not a series of explicit tactics or steps or lines of retreat for the Administration, but a general policy in the investigations that will ensue, procedures to be followed
that will protect the sources of these letters so that we can maintain for the future, the element of confidentiality that lies in them. This does not mean an obstructionist attitude with regard to agencies. It is possible to be cooperative with them in fashions that will protect the confidentiality, and with which flexibility can be achieved as time goes on. One sort of thing if letters are asked to be examined, is letting them be examined only by a responsible officer of the agency that has the authority to make such a request and not to let them enter the public domain or be released to the press. Another possibility is to release them with a separation of the content from the identity or location of the person who wrote them. It seemed to the Faculty committee looking at this matter, that a very important issue for the University was involved, because it will utterly change our consideration of people for hiring and promotion if we can no longer depend on evaluations by students and by peers, whether outside the University or within the University community, the Dean said. Presumably, it may be within the power of certain agencies to subpoena information or to threaten the University with such dire consequences that it becomes ultimately untenable.

Associate Professor Terrence L. Fine, Electrical Engineering and Chairman of the Committee on Academic Freedom and Responsibility, elaborated on the resolution. The recommendation to preserve the integrity and confidentiality of the letters of evaluation is not meant to urge that no information in those letters will be transmitted. The first WHEREAS states a fact; the second stresses the importance of confidentiality; therefore, protect it. There is no intent to block authorized inquiry.

Associate Professor Arthur L. Berkey, Education, said there appear to be two issues here. One issue is whether or not letters would be confidential thereafter in the tenure process. The second question is whether or not letters which have already been submitted under guaranteed confidentiality, should be given out. The latter seemed to be the argument which was primary here for keeping the existing letters that have been received in confidentiality, confidential. He wondered why there wasn't another WHEREAS to say "WHEREAS, existing letters have been submitted under guaranteed confidentiality."

The Speaker asked Professor Berkey if he was proposing an amendment to the resolution.

Professor Berkey said he would write something out to the effect, "WHEREAS, letters already in the files that were submitted for tenure reviews have been solicited under assurances of confidential treatment."
The Speaker asked if he was proposing an additional WHEREAS, not an addition to the resolution itself, and Professor Berkey replied that was correct.

The Chair requested that Faculty members identify themselves, for the record.

Professor Michael C. Latham, Nutritional Sciences, said he was particularly alarmed at the way in which this motion had come to the Faculty Council of Representatives. This motion had been brought at this time, he thinks, because there are cases pending outside the University in which the University is being accused of unfair hiring and promotional practices and there's no WHEREAS saying, "WHEREAS, the University is not wanting to open its records to legal organizations investigating these unfair practices;" it would have been fairer to the Faculty if there had been such a WHEREAS. The main part of this resolution is the saying that the Administration should "pursue all possible legal means". This University is in a financial crisis; we are saying to them: spend as much money as you want in order to protect these confidential documents. These confidential documents are not those that should be freely available to the Sun the day after they're written - these are confidential documents that legal bodies are making legal requests to obtain, believing that they are protecting the civil rights of citizens of this country. In the guise of this motion, when these cases are pending, to pass this resolution would be viewed as trying to maintain the status quo, which is a White, Anglo-Saxon, Protestant, Male-dominated Administration and Faculty.

Professor John Whitlock, Parasitology, asked a procedural question - how many of these documents were in the files and why wouldn't a little judicious burning solve 99% of the problem?

Dean Greisen, speaking for himself, said if he had anything to do with it, he would not permit any such burning. There has been only a very short period of time in which we have been subjected to the need to consider this question. There has been one investigation in which the Division of Human Rights requested access to letters of a candidate. The investigator was given access to those and was permitted to read them, but not to make copies of them or to make them public. It seems that that kind of making available of information is something the University is obligated to do. Doing it in that fashion, moreover, did preserve the element of confidentiality that is being discussed here today. It is possible to misconstrue the resolution - the resolution did not mean keep all this information in the files of candidates unavailable to legitimately constituted investigating agencies. It is consistent with cooperation with the
agencies but at the same time seeking to have the agencies cooperate with us also, in the sense of using the information of a legitimate investigation and findings but not making it public - not releasing it to the press or to the candidate.

Professor Galenson said he disagreed emphatically with the statement made by Professor Latham that this University has a bad record in affirmative action. He thinks the University has a good one - as good as any university in the United States. Nonetheless, he comes out on the same side, but for a different reason. If someone sues the University under an affirmative action statute and the matter goes to court, lawyers tell him that the records will be subpoenaed and there is no way that they cannot become a matter of public record. Since the resolution can be misconstrued, it might not be a good idea at this particular time to adopt it.

Associate Professor Richard N. Boyd, Philosophy, said he is concerned about misconstruals because the FCR that passes this will be issuing instructions to another body, inviting it to use all legal means. It seems that this resolution could place us in the unwanted circumstances of having the Administration decide to engage in an extended legal fight against opening its files, and be able at every stage say they were doing so in the name of the Faculty. Professor Boyd said he had a question for the Committee on Academic Freedom and Responsibility: what was the response of the Affirmative Action Officer of the University and the Affirmative Action Board to this legislation, i.e. how did they respond when asked about the appropriateness of it?

Professor Fine responded that, as Professor Boyd probably suspected, there was never any issue that involved the Affirmative Action Board in this matter. This is not a step that was taken as some people have wished to interpret it, an anti-affirmative action, in conflict with civil liberties or anything of that nature. It is a step being taken to preserve the integrity and confidentiality of documents which we have requested under that label.

Assistant Professor Michael E. Gold, I&LR, said he is one of the lawyers that Professor Galenson referred to; from 1972 his practice was concentrated principally on the law and discrimination; he has taught courses on that subject since 1976. He said that Professor Galenson is absolutely right, that if a plaintiff brings an action against the University claiming discrimination, everything in the University's records which pertain to that person are discoverable. There is no way that a candidate who feels that he or she is a victim of employment discrimination can be forbidden seeing the letters and seeing the author's name of those letters for purposes of cross-examining that author. There are two ways
to prove employment discrimination - one is comparison and the other is statistics. Comparison means that the qualifications of one person are stacked up against another person to decide who's better. If we are successful in preventing disclosure of these confidential letters, it's impossible to make a comparison and therefore the administrative agencies will resort to the use of statistics to determine if there has been employment discrimination. We know how slippery they are; there are statisticians, there are liars, and there are damned liars. (Point of order by Professor Blumen; neither statistics nor statisticians lie.) To resort to statistics would be disadvantageous to the cause. A system of promotion based upon confidential evaluation is not sacrosanct by any means. Professor Gold thinks the best thing this Faculty could do would be to devote its time to developing a system of evaluation for selection and promotion which is fair to candidates, accurate, and legal.

Professor Norman Penney, Law, said he is puzzled why we are confronted now with this resolution. It is his understanding that the University Administration is already making available confidential letters anyway and being discreet about it. He was on the horns of a dilemma; one's damned however one votes. The issue now having been put, if we vote negatively, it seems to indicate to the world that now our files are wide open. On the other hand, if we vote affirmatively, there are all these nefarious motives that are being read into that vote. Professor Penney posed a question for the author of the resolution, namely, did the confidential papers include memoranda of telephone conversations? He spends a great deal of time on the phone, cross-examining people - in fact his phone conversations are much more revealing than letters.

Professor Norman Kretzmann, Susan Linn Sage Professor of Philosophy, said he wasn't sure he was making a response, but his move was, as a member of the Committee, to suggest that the discussion thus far had indicated that the Committee did not take all the relevant considerations into account when it brought the resolution to the floor of the FCR. He therefore moved that it be returned to the Committee.

The Speaker asked for a second to the motion to recommit and received one at which time the floor was opened for discussion.

Professor Latham asked if the body could be told why this resolution was before the floor - what stimulated it, did this come from members of the Faculty or Administration, or the University Council?

Professor Kretzmann suggested that the Committee be allowed a graceful withdrawal. It seemed to him that Professor Penney was quite right in saying
that if we vote affirmatively, we're damned in one way and if we vote negatively, in another, and further questioning at this point could only make the situation more uncomfortable.

The Chair said it was now his privilege to recognize the Secretary-elect of the Faculty, Professor Joseph B. Bugliari, Agricultural Economics and Business Law.

Professor Bugliari said he was a little disturbed. It seemed to him that the Faculty has got to tell the Administration what they want to do with this eventually. This is really a Faculty question.

The Chair called for a vote to recommit, which was carried with but few nays.

The Speaker called on President Frank H.T. Rhodes for a report.

3. REPORT OF THE PRESIDENT

"Mr. Chairman, Ladies and Gentlemen. Let me say that Provost Keith Kennedy and I are glad to be invited back, not with any momentous announcements certainly, but really to get the opportunity of a conversation which we value and which I think at least some of you value, on a periodic basis. Just to stimulate that discussion, let me report to you on four or five items - none of them new ones - but all of them I think of significance as we think about our various responsibilities and programs in the University. You'll know by now that the mid-year admissions to Cornell showed a very satisfying improvement during this past year - an increase in fact of about 19% overall; most of those are transfer students. And that's a tribute to the work of admissions officers in schools and colleges and it's also a great tribute to the efforts that many of you have made to accommodate the particular needs of students who arrive at mid-year. So far as we can tell that's been a very successful transition and we're grateful for your help in it.

"The other admissions question which is a matter of priority for us, is that we've got a very satisfactory overall situation as far as applications for next September's admissions is concerned. We've got a record number; in fact, freshmen applications totaled 16,365 for the coming year - almost a thousand more than the previous high figure and an increase of 7.8% over a year ago. That compares very favorably with any institution in the Ivy League; Penn is well ahead of us but all the others are behind us. And that, too, seems to me to be an implicit tribute to continuing strength of the various programs that are represented on the campus. What is particularly encouraging is the increase from geographical areas that have not been traditionally strong in freshmen applications. Those numbers for example, include an increase of 10% from the southwest and an
increase of 26% from the southeast for the coming year. So, overall, that's a very satisfactory picture. It's also important to note, I think, the sense of the Cornell experience that outgoing graduates have recorded. I've been very interested, within the last ten days, to look at a survey that Dean Elmer Meyer has conducted, wherein he solicited the opinions of 600 graduating seniors of 1978. He got a response from 331 of them - that's a 56% response. And what was encouraging about the responses was the relatively high level of satisfaction of those graduating seniors for their Cornell experience. Let me quote a few examples. At the 80% and better levels of satisfaction, students were highly satisfied with the library, with the cultural atmosphere of the campus, with the academic challenge that their work provided, with the quality of labs and classrooms (I confess that I'm not satisfied with the quality of many labs and classrooms) and with the range of student activities. At the 70% level of satisfaction or better, they were highly satisfied with the quality of instruction, dormitory life, academic performance, dining services and unions. And at the 60% plus level of satisfaction, with the opportunities to carry out research with faculty members. Now all that, it seems to me, is a profoundly practical tribute to the fact that many things are being done extraordinarily well in the undergraduate sphere and as we enter a period where competition for the most qualified undergraduates is going to increase, that's something that should be a cause for satisfaction. There are two items, however, in that survey that seem to me to be matters of concern. One of them, which is perhaps not directly the business of the Faculty here, is the lack of enthusiasm for campus government on the part of graduating seniors. Only 4% were satisfied with campus government. On the other hand, there were two other aspects of campus life which are our particular concern. One was faculty advising and only 42% were satisfied with that. The other, less directly involved with our particular responsibilities, was registration and scheduling procedures; just over 50% were satisfied with those. I want to suggest to you that the area of faculty advising is something that we shall have to work together on over the coming year because great though the wealth of Cornell offerings are for the average student, unless we've got effective advising, they're not going to be properly used and enjoyed by the students on the campus. We need continuing help from you and advice from you as to how we can improve that area. The summary of that student survey was that almost 84% of those who responded said that they would highly recommend Cornell to a well-qualified student applicant; and that's a mark of encouragement.
"Let me go on to say a word about a new academic consideration which is likely to be an important one for the campus community. You'll remember that the School of Nursing will close at the end of this current academic year. That's a financial decision. The third-party reimbursement which has supported the educational program of the School is no longer available to us and the conclusion was reached with great regret that the School would therefore have to close. We have been discussing with Dean Ziegler and his colleagues in the College of Human Ecology, their interest in the possibility of some continuing program in nursing in the college. And I'm happy to report that though this matter has not yet been approved by the Faculty, and I stress that, a small committee appointed by Dean Ziegler has recommended to him favorably on the establishment of a new specialty within the College in health education. This will be discussed tomorrow by the College of Human Ecology. It includes the possibility of developing an M.P.H. (Master of Public Health) program and recommends the establishment of a small task force to begin a detailed survey of the possibilities. That's something for the Ithaca campus which could be a return to an old area of specialization and one that would tie together a number of existing specialities within the campus.

"We've been much occupied during the last few weeks with the question of facilities and two of them particularly have given us a good deal of concern and have been matters of a great deal of discussion. The first is the completion of funding for Biological Sciences and as you know we still need about another $4.5 million to fund that building. We're doing our best to obtain that but that's an uphill struggle and we haven't the total amount yet in sight. The other decision which has been made in recent weeks is the decision to go ahead with a targeted campaign for $10 million for the performing arts. That's received a good deal of attention in the press in the last two days and it's one that we're very happy to reach. But it does represent a commitment that has campus-wide significance because the performing arts and the facilities available for them are going to do a great deal to contribute to the quality or lack of quality of campus life, not least campus life as it affects the range of the liberal Arts and Sciences.

"We've been concerned too with four particular aspects of ongoing preparations for the budget. One of the satisfactions of preparing the budget has been the fine cooperation we've received from Deans and Department Chairmen as Mr. Kennedy and his colleagues have struggled through the business of putting the budget together. But there are four areas of particular concern as we confront next year. The first is the recent increase in the cost of energy. In spite of the fact
that our energy consumption last year was reduced by 3.5%, in the first six months of this present academic year, the costs of that reduced amount of heat and electricity were up by well over $100,000. So in the face of conservation we find costs continuing to go up. The latest increase in the price of fuel oil and natural gas is going to mean an increased cost to us next year of about $300,000 and the end is not yet in sight. That's a very serious burden on an already burdened budget. The second concern we have is one that's another mandated cost which we have to continue to live with: the costs of required Federal regulations in one form and another continue to weigh heavily upon us.

Let me give you just two examples. In spite of the fact that the Federal improvements are ones that all of us welcome as far as their desirability is concerned, we face next year an increased cost of about $270,000 for mandated increases in costs of social security. That's a huge additional burden for the campus. We also face another $60,000 plus for increases in the minimum wage. And none of that, of course, necessarily contributes to the effectiveness of our academic programs on campus. In the environmental area we face similar problems. We've recently had to pay $500,000 to put a barrier around the coal tips to prevent leechings running away from them and contaminating the local environment. We face the possibility of another Federal requirement to filter water going back into Fall Creek, which would cost us as much as $700,000. And these are major items in a budget that is already heavily stressed.

"The other concern we have at present is the level of response from Albany as far as the statutory budgets are concerned. We received in the present budget only about 48% of our budget request and that represents for the four statutory colleges, if it's allowed to stand, a very serious problem for the coming academic year. We hope that our requests for further relief will be met in the supplemental budget - but we've no guarantee that that will take place.

"One other item for which I want to offer you my thanks, is the cooperation you've given in the continuing evolution of the calendar. We're delighted that the ad hoc group has recognized the need for some kind of mid-term break during the fall semester of next year and we look forward to continuing work of that joint committee between the Campus Council and PCR as it wrestles with the longer term calendar problems. If I may, Mr. Chairman, I want to emphasize the opportunity that you have to respond to the invitation to question and comment which is provided with the call to today's meeting. With that as background, Mr. Kennedy and I would welcome your questions or comments."

Assistant Professor J. David Deshler, Community Service Education, said he is pleased with the increased number of applicants to the various colleges and asked if that means the number of minority students applying has increased percentage-wise?
President Rhodes replied the full breakdown is not known yet. Last year the number of black students increased by 10% overall in the freshmen class and the level of achievement of those that were admitted, in the SAT tests, was considerably up. In both the math and the verbal tests, there was an average increase of 15 points. What is not known yet for any group of students, including minorities, from this year's figures, is what the take is going to be from the group of applications and it won't be known until September.

Professor Street asked how the health program would be funded in Human Ecology if there was a problem with third-party financing?

President Rhodes replied that was one of the item that Dean Ziegler's colleagues will want to address in some detail. There will be two differences: (1) the proposal for the Ithaca campus is not a major undergraduate program; and (2) there is a belief that there will be some interest in the State in support of a program of this kind.

There being no further questions for the President or Provost, the Speaker called on Dean Greisen for his report.

4. REPORT OF THE DEAN

The joint calendar committee of the Faculty and Campus Council has been working very hard to assemble information and to try to develop a recommendation to the campus. The target for completion is this semester, and they fully expect to do that. But the recommendation is not in hand as yet - a report is expected in time for consideration at the next meeting of the FCR on May 9. Dean Greisen urged members to make advance plans for things like meetings with their representative departments, etc. so views can be absorbed of other persons as well as the member's own. It is hoped that a vote on the matter can be taken before the spring term ends and that would be at the last meeting of the FCR this spring. Following acceptance of any changed calendar, there will be a considerable delay in its implementation. There is too much inertia to put it into effect immediately - the delay will be a minimum of a year, more likely two years, depending on the extent of the changes which are recommended. The Dean, therefore, urged members to attend the next FCR meeting and to make arrangements to consult their constituencies beforehand.

Secondly, the Dean reported that in the most recent election of student members of the Campus Council, one of the members elected had a candidate statement which was a mockery of the Council and his platform was to bring the Council down. He was elected with 750 votes, whereas someone with 1150 votes approximately, was not seated, even though he had over 50% more votes, the reason
being that would have meant too many student members from one college. Dean Greisen said he wasn't aware of that situation being imminent when the recommendation from the Council was considered at the last meeting, giving up that limitation on student members. In the future, that difficulty should be eliminated by stirring up more interest in membership and participation in the Council among students in those colleges which now seem so unconcerned about it.

For information purposes, Dean Greisen reported on the Preference Poll on Mandatory Retirement which he conducted.* The response was quite good - 812 ballots returned, representing a 50% response of the Ithaca based faculty and even a pretty good response from emeriti. Overall, lumping together all ages, the division was nearly even - 48% for immediate extension to 52% opposed, which represents only one standard deviation difference on the assumption that the votes were random. On the other hand, there were strong differences among groups sorted out according to their age. There was not a large difference depending on the college. Human Ecology, however, did distinguish itself by leaning very strongly towards recommending immediate extension of the retirement age to 70. In the other colleges, the division was nearly 50/50 throughout.

But if one separates out the group of people having administrative responsibilities, such as Chairmen or Deans, they are opposed to extending the retirement age immediately to everybody, particularly in the statutory colleges where the ratio was about 4 1/2 to 1 against extending. The younger members of the Faculty also seemed more conservative on that issue. Below age 35 in the endowed colleges, they would urge by a 2 to 1 margin not to immediately extend retirement to 70. The Faculty above age 55 on the other hand, would recommend by a margin better than 2 to 1 that the retirement age be immediately extended. It seems to be a matter of viewpoint rather than possible direct personal benefit that affects the thinking on this issue. A detailed report giving actual numbers of people in the different age groups and different colleges, etc. is available from the Office of the Dean of Faculty to anyone who cares to request it.

Professor Isadore Blumen, I&LR, said the Dean unfortunately computes the standard error on the assumption that this is a random sampling of the Faculty. Professor Blumen said this is not a random sampling and second the computation is in error. He was more disturbed about the circulation of a poll as effectively seeking out an alternative way to reach a conclusion within the University Faculty. Professor Blumen continued, "We already have procedures carefully set up by the University Faculty for reaching a conclusion. The procedures we have set up

*see Appendix A
are a representative organization - resolutions are presented, modified at the meetings and voted on by this representative body. There are good reasons for doing so. *Robert's* strongly recommends that referenda not be used: (1) it is very important how the question is phrased and it is the responsibility of a body like this to phrase the question; (2) those persons involved in making a decision on the question should have access to the facts and opinions of their colleagues on the issue at the time they are facing the issue. What we have here is a referendum in violation of our own rules. I think that we're going to be in trouble if at any time an officer of this Faculty decides that he doesn't like the outcome of a vote or some officers of the administration tells him he doesn't like the outcome, he concludes it's not representative and conducts a referendum. This is a dangerous precedent. I want to protest it."

Dean Greisen said this differed from a referendum in that most referenda are conducted to reach a decision which would be put into effect as a practice or policy, i.e. to approve amendments that are passed by the Faculty. This particular one succeeded in resolving the question that existed in many minds about just how the bulk of the Faculty regarded that issue. There had been many speculations and guesses about it, and now we are more informed about that one thing, Dean Greisen said. It will not determine what the University's policy will be - it was not conducted with the authority to do that. It was only a seeking of information and now it's done.

Professor Blumen said a referendum does not have to make any decision - it can be advisory on opinion. And secondly, this does not inform anybody because as we know there was no indication as to whether or not this is a representative search.

There being no further questions or comments, the Speaker adjourned the meeting.

Meeting adjourned: 5:35 p.m.

Paul L. Hartman, Secretary
The Preference Poll on Mandatory Retirement

Between March 5 and March 26, 1979, Dean Greisen conducted a preference poll of the Faculty regarding University policy on mandatory retirement in the period 1979-82. A choice was asked between just two alternatives:

(1) Immediately extend mandatory retirement age to 70; and

(2) Maintain principle of mandatory retirement based on age before age 70 until July '82 (but grant exceptions in individually approved cases).

For brevity in what follows, we refer to these alternatives as "yea" and "nay", meaning "for" and "against" extending the retirement age to 70.

A total of 812 ballots were returned on which a choice was indicated: 50% of the active faculty based in Ithaca and Geneva plus 17% of the Ithaca-area Emeriti. Results are given below in the form of a fraction in which the numerator is the number of yea votes and the denominator the number of nays. The ratio for the entire voting body was 390/422, i.e. 48% yea and 52% nay. This is nearly an even split, the difference being statistically insignificant (1.1σ).

On the other hand, for deans and department chairpersons, the result was 29/67; 20/28 for the endowed colleges and 9/39 for the statutory ones. Thus, the administrators are more strongly against extending the retirement age to 70 than are the other faculty, especially in the statutory division, where 81% of the administrators oppose it. If the votes of the deans and chairpersons are subtracted from the total, the ratio of yeas to nays for the remainder is 361/355.

For the faculty omitting deans and chairpersons, the breakdown of results according to age and college of the faculty member is given in the following table. (For comparatively small units, such a breakdown lacks statistical meaning; hence some of the smaller units are lumped together.) The results for deans and chairpersons are given in the bottom lines.
<table>
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<th>College</th>
<th>Age</th>
<th>&lt;35</th>
<th>36-45</th>
<th>46-55</th>
<th>56-62</th>
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<td>12/31</td>
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<td>15/7</td>
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<td>24/30</td>
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<td>10/7</td>
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<td>Vet.</td>
<td></td>
<td></td>
<td>6/3</td>
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<tr>
<td>Total Deans &amp; Chairpersons</td>
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<td></td>
<td>2/3</td>
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<td>7/15</td>
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Except for the comparatively large proportion of yeas from the College of Human Ecology, we see rather little variation from college to college. However, there is a marked variation with age among the faculty who are not deans or chairpersons. Note that in the endowed units, the faculty under 36 are against going to age 70 by a two to one margin, while the age group 36 to 55 is about evenly divided and those over 56 (and still employed) are more than two to one in favor of the extension. A similar effect, though not quite as strong, exists among the statutory faculty. Interestingly, the emeritus professors vote more like the middle age group than like the older but still employed professors. It is also interesting that the professors aged 63 and higher, whose employment opportunity is most directly affected by the choice of policy, have a yea/nay ratio indistinguishable from that of the age 56-62 group, who can work to age 70 if they wish, regardless of the decision. Thus the trend is more a matter of attitudes than of self interest.

Kenneth Greisen  
Dean of the University Faculty  
April 4, 1979
The Speaker, Professor Russell D. Martin, called the meeting to order at 4:35 p.m. 54 members and several visitors eventually were in attendance. He called on the Dean of the Faculty, Kenneth Greisen, for his report.

1. REPORT OF THE DEAN

Dean Greisen announced the results of the recent Faculty election, indicating also that the Secretary of the Faculty for a three-year term beginning July 1 would be Professor Joseph B. Bugliari, Agricultural Economics and Business and Public Administration, as declared at the April FCR meeting.

FACULTY TRUSTEE - 5-year term - 634 ballots cast
Daniel G. Sisler, Agricultural Economics
Karen W. Brazell, Asian Studies, Chairman of Department

AT-LARGE MEMBER, FCR - 567 ballots cast - 4 seats
Wesley W. Gunkel, Agricultural Engineering
Norman Kretzmann, Susan Linn Sage Professor of Philosophy
Ronald J. Kuhr, Entomology, Assoc. Dir., Research, Agr. & Life Sciences
Thor N. Rhodin, Applied and Engineering Physics

NOMINATIONS AND ELECTIONS COMMITTEE - 553 ballots cast - 3 seats
Thomas R. Dyckman, Ann Whitney Olin Professor of Accounting
Jennie T. Farley, Personnel and Human Resources Management
Thomas W. Scott, Agronomy

REVIEW AND PROCEDURES COMMITTEE - 530 ballots cast - 3 seats
Nelson H. Bryant, Electrical Engineering
Jay Orear, Physics
Henry N. Ricciuti, Human Development and Family Studies

MEMBERSHIP OF THE UNIVERSITY FACULTY COMMITTEE - 493 ballots cast - 1 seat
Gertrude D. Armbruster, Nutritional Sciences

ACADEMIC FREEDOM AND RESPONSIBILITY COMMITTEE - 513 ballots cast - 2 seats
George Gibian, Goldwin Smith Professor of Russian Literature, Acting Chairman
David Novarr, English

ACADEMIC PROGRAMS AND POLICIES COMMITTEE - 441 ballots cast - 1 seat
David Blandford, Agricultural Economics

BUDGET COMMITTEE - 509 ballots cast - 1 seat
Ronald G. Ehrenberg, Economics and Chairman, Labor Economics and Income Securities

FREEDOM OF TEACHING AND LEARNING COMMITTEE - 471 ballots cast - 1 seat
Robert L. Bruce, Extension Education, Coordinator, Grad. Prog. Extension and Continuing Education

MINORITY EDUCATION COMMITTEE - 517 ballots cast - 2 seats
Alvin H. Bernstein, Acting Chairman, Near Eastern Studies, Prof. History

PHYSICAL EDUCATION COMMITTEE - 436 ballots cast - 1 seat
William F. Rochow, Plant Pathology
PROFESSIONAL AND ECONOMIC STATUS OF THE FACULTY COMMITTEE - 513 ballots cast - 1 seat
David C. Heath, Operations Research and Industrial Engineering

UNIVERSITY-ROTC RELATIONSHIPS COMMITTEE - 468 ballots cast - 2 seats
James J. John, Paleography and Medieval History
Peter L. Minotti, Vegetable Crops

COUNCIL ON PHYSICAL EDUCATION AND ATHLETICS - 435 ballots cast - 1 seat
Michael C. Kelley, Electrical Engineering

CAMPUS COUNCIL - 558 ballots cast - 5 seats
Herbert L. Everett, Plant Breeding and Biometry
Michael E. Fisher, Horace White Professor of Chemistry, Physics and Mathematics
Robert McGinnis, Sociology
Carol B. Meeks, Consumer Economics and Housing
Michael F. Walter, Agricultural Engineering

The Dean reminded the body that a week hence a meeting of the University Faculty would be held, and all members of the Faculty were urged to attend. The agenda at that meeting would include a report by the President, the annual ceremony of recognition for retiring members of the Faculty, and if a quorum is present, presentation once again of an amendment to the Organization and Procedures of the University Faculty. There had also been advance notice of an intention by some Faculty members to bring another item to the floor, namely discussion of the safety barriers that have been proposed to be put up on the Cascadilla Bridge.

Dean Greisen presented the slate of candidates for FCR seats on committees:

EXECUTIVE COMMITTEE - 1 non-tenured vacancy, 2-year term
David A. Caughey, Assistant Professor of Mechanical and Aerospace Engineering
William Cross, Jr., Assistant Professor of Africana Studies

EXECUTIVE COMMITTEE - 4 vacancies, 2-year term
Richard D. Aplin, Professor of Agricultural Economics
John F. Burton, Jr., Professor of Industrial and Labor Relations
Norman Kretzmann, Susan Linn Sage Professor of Philosophy
Thor N. Rhodin, Professor of Applied and Engineering Physics
Jason Seley, Professor of Art
Robert L. Von Berg, Professor of Chemical Engineering

ACADEMIC FREEDOM AND RESPONSIBILITY COMMITTEE - 2 vacancies, 3-year term
Jeffrey Frey, Associate Professor of Electrical Engineering
Larry I. Palmer, Professor of Law
Nicholas L. Sturgeon, Associate Professor of Philosophy

ACADEMIC PROGRAMS AND POLICIES COMMITTEE - 2 vacancies, 3-year term
Michael C. Latham, Professor of International Nutrition, Director, Program on International Nutrition, Nutritional Sciences
J. Thomas Reid, Liberty Hyde Bailey Professor of Animal Science
Barbara B. Rosecrance, Assistant Professor of English
BUDGET COMMITTEE - 2 vacancies, 3-year term
John W. DeWire, Professor of Physics, Associate Director, Nuclear Studies
Barclay G. Jones, Professor of City and Regional Planning, Director, Program in Urban and Regional Studies
William D. Pardee, Professor of Plant Breeding and Biometry and Agronomy

FREEDOM OF TEACHING AND LEARNING COMMITTEE - 1 vacancy, 3-year term
Gordon P. Fisher, Professor of Environmental Engineering/Civil & Environ. Engr.
Joseph D. Novak, Professor of Science Education and Biological Science Education

PHYSICAL EDUCATION COMMITTEE - 2 vacancies, 3-year term
George L. Good, Associate Professor of Floriculture and Ornamental Horticulture
E. Wood Kelley, Associate Professor of Government
Ruth Schwartz, Associate Professor of Nutritional Sciences

PROFESSIONAL AND ECONOMIC STATUS OF THE FACULTY COMMITTEE - 1 vacancy, 3-year term
Thomas M. Lodahl, Professor of Administration, Business and Public Administration
Robert R. Zall, Professor of Food Science

RESEARCH POLICIES COMMITTEE - 2 vacancies, 3-year term
Ronald J. Kuhr, Professor of Entomology, Assoc. Dir. Research, and Experiment Station, Ithaca
Kenneth E. Torrance, Associate Professor of Mechanical and Aerospace Engineering
Joseph Veverka, Associate Professor of Astronomy

The Speaker asked for any additions to the list of nominees. There being none, the slate was approved as read.

The Chair again called on Dean Greisen.

2. APPROVAL TO SET UP AN AD HOC COMMITTEE ON CONFIDENTIALITY OF LETTERS

At the previous meeting of this body, a motion brought to the floor regarding confidentiality of letters aroused considerable dispute. Instead of acting on it at that time, it was returned to the Committee on Academic Freedom and Responsibility for reconsideration. The Committee did meet and realized there were only three avenues open. To let the furor die down and not take any formal action would be to assign the whole question to the Administration. So the Committee thought there should be some sort of statement composed. In view of the division that had arisen in the Faculty and the arguments that were raised, the Committee considered that it would damage itself by attempting to formulate such a statement since this same Committee frequently has to act as an appeals board in the instance of Faculty bringing issues of this sort to it. So the Committee chose the third alternative which was to seek authority to set up an ad hoc committee on the matter. Therefore the Dean moved that the body authorize him to set up an ad hoc committee to compose a resolution related to the matter of confidentiality of letters of recommendation and bring it to this body for discussion and possible approval.
The Speaker asked for a second and received such and on a vote call, it was so ordered.

Before moving to the next item - the main item of business - the Chair welcomed several members of the Joint Calendar Committee who had worked so diligently to bring forth a report. He called on Professor Edgar Raffensperger, Co-chairman, for his report.

3. CALENDAR PROPOSAL (Appendix A, attached)

Professor Raffensperger began by saying the report was not to be construed as a unanimous report, but it was better than just a consensus report. The Committee, after long, hard discussion, agreed that it's the best they could do - even if they did not all agree on every facet of it. The first meeting was on December 13, 1978, and meetings had been held at least weekly since. The charge to the Committee asked that it review prior studies on the calendar. This was done and they were debated. No definite answer was found as to why none had produced a viable report; so the Committee proceeded to see what they could do themselves. The calendars of other schools were investigated - 45 out of 500 in detail - to find out how they did things. An attempt was made to determine some of the constraints that would have to be lived with - academic, administrative, costs involved in various programs, how would such be managed with personnel available, the psychological constraints and even some of personal preference. A number of University officials were interviewed: the Director of the Mental Health Clinic, the Dean of Summer School, the Director of the Energy Program, the Director of Athletics, etc. Next a canvass was made using the Cornell Sun, the Chronicle, and sheets available at the ballot boxes which netted about 350 responses: less than 5% of the student body responded; less than 10% of the Faculty responded; the staff providing more than twice the number of responses of the other two groups.

The selection that the Committee ended with was the one mailed out to the Faculty for this meeting. There is difficulty in voting on something like this without some months to debate and consider; however, the Committee was given barely a semester in which to work, and found the job an enormous one. The Committee's debate, after investigations had been made, finally narrowed down to the "early start" system. The trimester system was eliminated because that particular type seemed best adapted to a school running year-round. The quarter system, although having many things in its favor, was dismissed because it would not be acceptable to a large enough portion of this community to be a viable one. The traditional system was also eliminated, mainly because of the "lame duck" session after Christmas, and strong opposition from both students and Faculty.
Some of the major constraints the Committee tried to consider along the way were: at least 13 1/2 weeks of instruction in the fall, ending before Christmas; preservation of a full summer; avoidance of broken weeks; provision of an adequate break; a viable examination and study week period in order that grades could be submitted in good order; an intersession of useful length with simultaneous consideration of energy economy; and spring semester start/end. For the spring semester the Committee considered: 14 weeks of instruction; preservation of summer; timing of the break; examination and study days and grading, and placement of Commencement. There was a strong request to try and end things no earlier in the spring than we do now because of the need for decent weather for classes which were weather-dependent.

The fall break was placed in Thanksgiving week. The weather was looked at in relationship with Dr. White's admonitions about daylight and related depression. By Thanksgiving there is less daylight and the weather is getting worse than in October. Students and Faculty members would rather go to school for 11 weeks with the prospect of having nine days off than for seven weeks and two days off. The whole week off is perhaps long enough to get something done on a term paper or to justify the cost of a long trip, while in two short breaks the travel time and cost would be excessive. This also eliminates the problem of split weeks in the term.

Exam and study days are to be interspersed to allow students time to study between those days when there were large numbers of exams given. The early examination period is heavily loaded with exams, making interspersing much more beneficial. Aside from that, an improvement of 16% was gained in reduction of the number of conflicts students encountered with the present exam schedule. When a professor has large classes and would like to have his TA's finish correcting papers and get home for Christmas, he has more time to do it than he would have had with the old system.

Intersession was lengthened, hoping to encourage people to make better use of it. The University will save approximately $60,000 in energy in the partially closed down configuration. The spring recess will be located so people can take advantage of Easter and Passover; both are encompassed in the same week in every year but one in the next 14 years. Commencement day follows quickly on the end of exams. In 1989, for example, only one day will separate them. That isn't as bad as it appears since less exams are scheduled on the last day than on the others. This also allows for Memorial Day to be a holiday for all employees, and Faculty, as well as Trustees.
Professor Raffensperger concluded his remarks by saying that the Committee was an exceedingly hard-working one. He paid compliments to Dean Greisen and Professor Robert McGinnis, Chairman of the Campus Council, for their cooperation throughout the operation. The Committee was representative and hard-working, and was determined to come up with a proposal that would be academically viable and one that would have some chance of being approved by the two bodies that had to approve it. With that as background, Professor Raffensperger moved that the Faculty Council of Representatives endorse the calendar proposal that had been presented.

The Speaker opened the floor for discussion, asking those addressing the body to identify themselves for the record, and also reminding them that members of the Calendar Committee were present for questions.

Elmer Meyer, Dean of Students, being one of the advocates of the mid-term break, said that his staff would give it a try at Thanksgiving, but he was concerned over the increasing tension by the middle of October, even though the weather then isn't that bad. The thing that was of more concern to him was Commencement. At present three days are available to clean up the dorms and prepare them for the families that come in. This year there are 3,000 family members already signed up in the dorms, with 500 more at Ithaca College. Dean Meyer said his staff had told him that it would be practically impossible to do that when you have exams one day and a day later, Commencement. If Commencement is to remain a family celebration, which it really is, then there has to be some kind of flexibility with Commencement.

Professor Raffensperger said he thought the Committee would probably agree that the exact placement of Commencement did not have an ultimate bearing on the general proposal. It was placed where it is mainly to allow students and Faculty to get away for a full summer's work.

Professor Geoffrey V. Chester, Physics, felt that the FCR should not act on the proposal at this meeting, i.e. give it more thought and bring it up in the fall.

Professor Raffensperger said the reason for acting on the proposal at this time was to avoid delay in setting up the calendar for another year. A year's lead time was minimum.

Dean Greisen said that although the Committee had presented a very specific calendar and had called for a vote, the vote should be conceived as adopting a type of calendar - the general framework of it - but not with complete rigidity of every detail. The Charter of the Campus Council authorizes the Provost to
make minor adjustments in the calendar without need of going through the FCR. For instance, a change in the exact date of Commencement does not have a serious effect on the rest of the calendar - it does not extend the term nor lengthen the period of obligation for most of the Faculty and students. There is also the possibility, if the proposal were adopted, to have further legislation changing single elements of the proposal - as done a few months back when the two days Fall term break was inserted. With regard to Professor Chester's objection, the Committee saw those particular objections as nothing new - they had been raised over and over again. The extensive work of the Committee and the number of studies of the calendar done in the past, were such that it would be unlikely that a really substantive, new suggestion would arise. The same debate would be engaged in if it were postponed until next fall.

Associate Professor Peter J. Bruns, Botany, Genetics and Development, said when looking at the system as it now stood, what was proposed would give us generally a short week the very first week, and then a broken week the second because of Labor Day. The proposal puts Labor Day classes on the previous Saturday. He wondered if possibly the Committee might consider changing this or if this body would like to amend the proposal - i.e. observe Labor Day and not have classes that day but have all the classes of that week observed one day later than normal.

Professor Raffensperger said the question there was the placement of the day that takes the place of Labor Day in the first full week of classes. The Committee had recommended that that day be replaced by the Saturday preceding it. The suggestion by Professor Bruns is that it be replaced by the Saturday following it instead. The reason for the Committee's recommendation was that in those years when classes would have to start before Labor Day, in order to get in 16 weeks before the 22nd of December, those courses in which lectures were given on Monday or Wednesday, but no Friday lectures, would have no opportunity to meet during that part week. So in that case the Monday scheduled class would be on the Saturday of that first week. There would have been a meeting of those courses.

Professor Bruns said his thinking was that for the courses in biology, the first week was a lame duck and to write it off as such.

Provost W. Keith Kennedy said there were Saturday morning labs, and he thought in most cases labs would not be started in the week before Labor Day. He believed it best to use the first Saturday as a Monday for lectures and then start on Tuesday following Labor Day and have a full week then.
Associate Professor David Usher, Chemistry, said he wished to make the same point with a few hard figures. In Chemistry 207, there were 1300 people this past fall. They met on Saturdays. There is then a potential problem at the beginning of the semester as well as a continuing one throughout the semester if as had been suggested, they were to meet starting on a Thursday, especially with a class that has two labs a week. Professor Usher also didn't like the deletion of senior week, feeling that senior week was a good investment. One of the things that encourages a generous attitude towards the University is a feeling of present nostalgia and he feels it is increased during senior week.

Professor Raffensperger responded first to Professor Usher's comments about beginning on Thursday. That kind of a problem comes up in any broken week situation and a fall term cannot be constructed with any less than one broken week. The Committee felt that disruption was less if it were at one end of the term or the other - that the first and the last weeks are check-in, set-up, "begin-operation" weeks in laboratory courses and not quite so much involved in regularly proceeding exercises. The only other alternative would be to go to 14 weeks - then either go through Christmas or start before the first of September.

Dean Martin W. Sampson, Summer Session and Extramural Courses, said he wished to make a few comments about the intersession. He said he heartily approved of the lengthened intersession - primarily because there would be a substantial saving of energy. As far as additional courses are concerned, Dean Sampson didn't think many on-campus courses would be found. There were a good many things that could be done off-campus, i.e. many smaller colleges are on a 4-1-4 system with their students required to take a course during intersession. Unless Cornell students are required to take courses, we won't have anything here to speak of, Dean Sampson said.

Professor Henry N. Ricciuti, Human Development and Family Studies, said he endorsed the comment made by Dean Sampson - that is, the extension of the intersession would be justified primarily in energy savings. The problem that bothered him, though, was the Thanksgiving break, his feeling that the fall term break should come sooner.

Professor Raffensperger said the Committee's contact with the Mental Health Clinic did confirm that things got worse as the season went on. But the problem of broken weeks was also considered. The best time to have a break, according to the Mental Health people, is the first week in November but it's impossible to move Thanksgiving. Most students take off the Friday before Thanksgiving week, meaning they will take off more than a week. Given all the limitations, that was the most viable time for a break.
Associate Professor Raymond Fox, Floriculture and Ornamental Horticulture, said he was personally in favor of going back to the old system of time after Christmas, but knew he was in the minority. He felt if the energy saving in intersession is put against the time lost in Faculty salaries, one will be way behind. But he said he would like to see the proposal passed as it now stood without any amendments. No one is going to be completely satisfied with this calendar.

Associate Professor Walter M. Pintner, History, said he was distressed that the traditional calendar was dismissed primarily in terms of student preference. The primary consideration should have been the environment for learning and he thought the traditional calendar solved all the problems that had been discussed about the fall calendar. It gives people a long time to study and prepare for exams and eliminates an intersession that is a total waste for most students and Faculty.

Associate Professor Franklin E. Huffman, Modern Languages and Linguistics, said the Thanksgiving compromise was brought up in discussion with Faculty from his constituency, and there was consensus that they were unhappy with it because (1) they didn't feel it was early enough to do any good and (2) it didn't leave a very significant period after Thanksgiving for instruction. Why not ignore Thanksgiving?

Professor Raffensperger said the Committee did address that question and came to the conclusion that Thanksgiving would not go away. If it were ignored, then there would be less attendance in the classrooms on those days.

Professor Fred Somkin, History, said that although the Committee certainly was diligent and worked very hard, they were constrained and not able to really deal with the problems that were at the heart of this fall semester problem; the main thing is the time of the break, the introduction of this anomaly about Labor Day, and beyond that, forcing people to work on Saturday when many University Faculty members deliberately set their classes not to meet on Saturday. He felt the new calendar for the coming fall term should be given a chance to prove itself, especially since this Faculty should have a period of debate and argument over the calendar being presented.

Professor Barclay G. Jones, City and Regional Planning, said it would be better to move Labor Day to the Saturday following it rather than the Saturday preceeding.

Professor Andre T. Jagendorf, Botany, Genetics and Development, said the traditional calendar wasn't taken seriously enough.

Professor Raffensperger objected, saying it was taken quite seriously indeed and occupied in toto several days debate. In the end, the students who
make up a large part of the community, had to be considered. Some students even said they would have gone someplace else if Cornell didn't end the semester before Christmas. So did, in fact, some Faculty.

Professor Isadore Blumen, ILR, said there are real problems. In addition to those spoken of, we are in violation of the State Regents requirement that we must teach 15 weeks. He, therefore, moved that the matter before the body be indefinitely postponed. This was not intended to kill the matter, but simply to say there was no time now to amend it properly. His motion allowed someone to simply get up and reinstate the original motion at the next meeting.

Professor Blumen's motion was seconded.

The question was asked what the motion meant in terms of timetable since no more meetings remained this term, i.e. was this to be taken up at the very beginning of next fall, making the calendar too late for the year after?

Professor Raffensperger replied that the best information he could get on the time required - the lead time necessary to make a major change - was a year.

Professor Chester said he supported the motion since if the proposal passed now, it was likely that a number of students and Faculty will say that a start before Labor Day is something they cannot do; and secondly, he was disturbed about the longer break at Thanksgiving.

Professor Raffensperger said that in a survey it was found that almost half of the colleges in the United States begin their semester before Labor Day.

Associate Professor Robert G. Calkins, History of Art, said the Committee that studied the calendar would expire now, so that for future debate, there would be no committee. A number of the people who participated on that Committee would have left Cornell.

Professor Norman Potter, Food Science, said that much of this came into being in an attempt to remove stress and, whatever the decision is on this calendar, he suggested the body consider that stress is not a problem of the calendar but, rather, of what happens in the classroom. Therefore it is within the power of many people to relieve stress in the classroom.

The Speaker reminded the body that all debate should center on the motion of whether to postpone or not.

Professor Blumen said there was a change made in next year's calendar rather late in the game and he wondered why a change of the same order of magnitude could not be made next year at about the same time.

Professor Mary Purchase, Design and Environmental Analysis, supported the motion, feeling more time was needed for discussion. She would also like to see some amendments giving choice of examinations after Christmas and a later start in September.
Professor Fox said since the President and Provost were present that they could give the body their considered opinion on how long it takes to change the calendar.

President Rhodes said he didn't wish to intrude his personal opinion, although he had one. What has been said is a fact - there's no perfect calendar. There's some merit in taking the opportunity to see how the one designed for next year works.

Provost Kennedy said Professor Blumen's point cannot be ignored.

Professor J. Robert Cooke, Agricultural Economics and Director of Instruction on the Ag campus, urged that the FCR proceed with a decision. He couldn't imagine a committee being more industrious or committed than this committee had been, nor could he imagine a calendar designed to satisfy everyone.

Associate Professor Richard Penner, Hotel, and a member of the Calendar Committee, agreed. For every argument there was an opposing equally valid argument. The calendar starts before Labor Day on three of the seven possible years; it starts the day after Labor Day four of the seven years. Some students must work summers through Labor Day to gain practice, especially in the Hotel School; but one can permit such students to register late.

A final voice said he would be voting against Professor Blumen's motion because if a calendar were not approved at this time, a default option would not be available in the fall. If a calendar were approved, it did not rule out the possibility of overthrowing it in the fall.

The Chair called for a vote to postpone the calendar proposal indefinitely. The motion was defeated.

The Chair invited Dean Greisen and Professor Cooke to serve as tellers for the vote on the calendar proposal. The calendar was adopted by a vote of 41 to 12.*

The President suggested adjournment, if there were no objections. So done.

Adjourned: 6 p.m.

Paul L. Hartman, Secretary

* Subsequently, at its May 10 meeting, the Campus Council also approved the proposed calendar. However, the Council passed two resolutions recommending that there be further consideration of the interspersion of study days with exam days as outlined in the proposed calendar, and that there be a concerted effort toward greater utilization of the lengthened intermission for courses and other academic purposes.

Following the approval of the calendar by both the FCR and the Campus Council, Provost Kennedy announced his acceptance of the calendar, with assurances (echoed by the Dean of the Faculty) that the question of interspersing reading and exam days, as opposed to having separate reading and exam periods, would be studied further in the fall of 1979. The new calendar does not go into effect until the fall of 1980.
The Joint ad hoc Committee on the University Calendar
Report to FCR/Campus Council
April 25, 1979

The Joint FCR/Campus Council ad hoc Committee on the University Calendar was appointed by Kenneth Greisen, Dean of the University Faculty, and Robert McGinnis, Chairman of the Campus Council early in December, 1978. The Committee first met on 13 December 1978 and, except for a short period during the Christmas holiday, has met at least weekly since. The charge to the Committee was:

"To review prior studies of the Cornell University calendar; investigate the calendars of comparable other schools; determine the constraints within which Cornell's calendar must be set; identify feasible calendar options that minimize the violations of those constraints; determine the advantages and disadvantages of each, and from the identified options, recommend a long-term calendar policy to the FCR and Campus Council. It is hoped that the Committee will be able to complete its work by the end of the spring term."

The Committee believes it has fulfilled this charge, and in accordance with the phrase to "recommend a long-term calendar policy to the FCR and Campus Council," we submit the following for endorsement by the FCR and the Campus Council.

Our proposal includes calendars for the academic years 1980-1981 through 1988-1989, years which include representatives of virtually all possible combinations of Gregorian Calendar accidents. These calendars are constructed upon the following features:

**Fall Semester**

1. 13 1/2 weeks of instruction.
2. A starting date for instruction no earlier than September 1.
3. A completion of examinations no later than December 22.
4. A single Fall semester recess of the full week in which Thanksgiving occurs.
5. No classes on Labor Day.
6. Examinations interspersed with study days.

**Intersession**

1. Four weeks of optional instruction starting no earlier than January 2.

**Spring Semester**

1. 14 weeks of instruction.
2. A starting date for instruction on the 5th Monday following January 1.
3. Completion of examinations within the month of May (but not necessarily before Memorial Day).
4. A single Spring Recess, in most cases adjusted to include both the first days of Passover and Easter.
5. Neither examinations nor Commencement on Memorial Day.
6. Examination days interspersed with study days.
7. Senior week deleted from the calendar.
8. Commencement two days following the last day of examinations, unless such day should fall on a Sunday or on Memorial Day.

CONSIDERATIONS

Four general forms of calendar were given careful study by the Committee: 1) a trimester system, 2) a quarters system, 3) a "traditional" semester system (Fall term beginning in mid-to late September, and instruction and examinations after Christmas; a brief period between semesters), and 4) an "early start" semester system (presently used at Cornell).

The trimester calendar was eliminated because the Committee viewed it as economically and educationally viable only if students were expected to attend year-round, an unlikely circumstance.

The quarters calendar has the merit of fitting easily into holiday patterns. The academic units in this system are 10 or 11 weeks in length, a period of time considered by some to be less efficient for instruction than the longer semester. Further inspection leads to the realization that costs of administration would be greater because of the increase in examination periods, grade recording and registration necessities. Some institutions which have adopted the quarters system have reported a heavy expense in the transition from semesters, and that in some cases the attempt to convert has been abandoned. In any event, course structures and curriculum requirements require revision, and most courses must be rewritten. This system was preferred by about 15% of those who stated a preference.

The "traditional" semester system, widely used until the late 1940's, was favored by about one in four members of the Cornell community who responded to our requests for input. Several advantages over the present system were put forward and discussed: a mid-to late September start of instruction allows for a full summer of employment for faculty on academic year appointments and for students; meetings of international professional societies which occur in September could be attended by faculty; 14 weeks of Fall term instruction would be easier to arrange; and January might be used more profitably in completing the Fall semester than presently occurs with an extended intersession. Objections
to the traditional calendar centered around the fact that the burden of Fall term anxieties would be carried home for the Christmas holiday, and it was supposed by many that faculty would, as in other cases, further burden students with assignments to be done during the holidays. The percent of universities operating on the traditional calendar has dropped from 76% in 1968 to 7% in 1978. The traditional system at Cornell is opposed by nearly all students, and by about half of the faculty.

Thus the Committee turned its attention to the Early Start calendar. An intensive effort was made to find ways to alleviate some of the problems associated with this calendar, with the following results.

a. "Broken weeks" in the Fall term would be reduced, if the Committee's recommendations are accepted, by scheduling a single, full week recess at Thanksgiving. We recognize that an earlier date would be more desirable, but our inquiries lead us to believe that Thanksgiving, being a family holiday of religious (but non-sectarian) significance, will be observed by most of the community whether or not it is a declared holiday. A loss in pedagogical effectiveness would result. Further, an examination of meteorological data reveals that weather associated with emotional tension continues to decline in quality through the end of the term. A recess at Thanksgiving, though later than the optimum time, will provide a measure of relief before the concluding days of classes, and before the stresses of examinations occur. Having one, rather than two, Fall term recesses will halve the travel costs to students, and indeed will allow those who live at considerable distance from Ithaca to make trips that would not be possible in the shorter recesses.

b. By beginning classes before Labor Day in some years, but never before September 1 (the trade-off for ending before Christmas), the instructional period can be maintained at 13 1/2 weeks.

c. The Labor Day holiday, an important traditional holiday for many employees, students and faculty, and a symbolic day to the American labor movement, is restored. Classes which would have been held on Labor Day are scheduled instead on the previous Saturday, unless the first day of classes falls on the Tuesday following Labor Day. In that event, the classes which would have fallen on Labor Day are to be held on the following Saturday.

d. Interspersing study and examination days, especially in the early part of the examination period, is presented as an innovative means of making more effective use of the reading days, and of alleviating some of the problems associated with preparing grade reports in the larger courses.
e. The first Sunday of the Fall semester examination period will be a study day. This scheme fits well with the principle of interspersing study and exam days, and meets in part the objections of many faculty to dropping the traditional practice of holding no exams on Sunday.

f. The Committee strongly recommends that the calendar include a lengthened Intersession. We have learned that there is an increasing use of the period for organized academic programs. A lengthening would allow for improvement of these programs, and perhaps both on-campus and off-campus activities would be increased significantly.

g. As a result of the lengthened Intersession, the last day of classes of the Spring semester will occur a week later than at present, allowing courses which are somewhat weather-dependent a better opportunity to benefit from rapidly improving conditions.

h. In considering the Spring recess, it was noted that neither of the major religious holidays of Spring (Easter and the first days of Passover), had been accommodated in recent years. In fact, both could be given consideration in most years without causing significant disruption.

i. Memorial Day, as in the case of Labor Day, is considered by many to be an important traditional holiday. A large staff is required on the Campus to manage the several affairs of Commencement. There is thus a serious conflict when these two occasions fall on the same day. We have recommended that Commencement be scheduled to avoid Memorial Day, and that Commencement follow very shortly after the completion of exams. This shortening of the period between exams and Commencement may make it necessary to deliver individual diplomas by mail, a practice of many other universities.

In preparing this proposal the Committee reviewed calendars of the other Ivy schools, other endowed schools of considerable standing, the major state-supported universities, and innovative calendars of less well known institutions. We read and discussed the reports of the other groups who reviewed our calendar in recent years. And we received and considered nearly five hundred written and oral depositions bearing upon our task.

The Committee wishes to thank those who gave consideration to the matter and transmitted their thoughts and opinions to us.

Lynne Abel
Neil Ashcroft
Mary Alice Cleary
Alan Cohen
Schuyler Flansburgh, Co-Chairman
Barbara Giuffre

Kenneth Greisen, ex officio
John Levitt
Robert McGinnis, ex officio
Paul McIsaac
Richard Penner
Edgar Raffensperger, Co-Chairman
### Holidays in 1980

**NEW YEAR'S DAY**
Tuesday, January 1

**LINCOLN'S BIRTHDAY**
Tuesday, February 12

**WASHINGTON'S BIRTHDAY**
Monday, February 18

**ASH WEDNESDAY**
Wednesday, February 20

**ST. PATRICK'S DAY**
Monday, March 17

**PASSOVER**
Tuesday, April 1 through April 8

**GOOD FRIDAY**
Friday, April 4

**EASTER**
Sunday, April 8

**MEMORIAL DAY**
Monday, May 26

**INDEPENDENCE DAY**
Friday, July 4

**LABOR DAY**
Monday, September 1

**ROSH HASHANAH**
Thursday, September 11

**YOM KIPPUR**
Saturday, September 20

**COLUMBUS DAY**
Monday, October 13

**VETERANS DAY**
Monday, October 27

**ELECTION DAY**
Tuesday, November 4

**THANKSGIVING DAY**
Thursday, November 27

**CHRISTMAS**
Thursday, December 25

### Holidays in 1981

**NEW YEAR'S DAY**
Thursday, January 1

**LINCOLN'S BIRTHDAY**
Thursday, February 12

**WASHINGTON'S BIRTHDAY**
Monday, February 16

**ASH WEDNESDAY**
Wednesday, March 4

**ST. PATRICK'S DAY**
Tuesday, March 17

**GOOD FRIDAY**
Friday, April 17

**EASTER**
Sunday, April 19

**PASSOVER**
Sunday, April 19 through April 26

**MEMORIAL DAY**
Monday, May 25

**INDEPENDENCE DAY**
Saturday, July 4

**LABOR DAY**
Monday, September 7

**ROSH HASHANAH**
Tuesday, September 29

**YOM KIPPUR**
Thursday, October 8

**COLUMBUS DAY**
Monday, October 12

**VETERANS DAY**
Monday, October 26

**ELECTION DAY**
Monday, November 3

**THANKSGIVING DAY**
Thursday, November 26

**CHRISTMAS**
Friday, December 25

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Holidays

IN 1984

NEW YEAR'S DAY
Sunday, January 1
LINCOLN'S BIRTHDAY
Sunday, February 12
WASHINGTON'S BIRTHDAY
Monday, February 20
ASH WEDNESDAY
Wednesday, March 7
ST. PATRICK'S DAY
Saturday, March 17
PASSOVER
Tuesday, April 17 through April 24
GOOD FRIDAY
Friday, April 20
EASTER
Sunday, April 22
MEMORIAL DAY
Monday, May 28
INDEPENDENCE DAY
Wednesday, July 4
LABOR DAY
Monday, September 3
ROSH HASHANAH
Thursday, September 27
YOM KIPPUR
Saturday, October 6
COLUMBUS DAY
Monday, October 8
VETERANS DAY
Monday, October 22
ELECTION DAY
Tuesday, November 6
THANKSGIVING DAY
Thursday, November 22
CHRISTMAS
Tuesday, December 25

Holidays

IN 1985

NEW YEAR'S DAY
Tuesday, January 1
LINCOLN'S BIRTHDAY
Tuesday, February 12
WASHINGTON'S BIRTHDAY
Monday, February 18
ASH WEDNESDAY
Wednesday, February 20
ST. PATRICK'S DAY
Sunday, March 17
GOOD FRIDAY
Friday, April 5
PASSOVER
Saturday, April 6 through April 13
EASTER
Sunday, April 7
MEMORIAL DAY
Monday, May 27
INDEPENDENCE DAY
Thursday, July 4
LABOR DAY
Monday, September 2
ROSH HASHANAH
Monday, September 16
YOM KIPPUR
Wednesday, September 25
COLUMBUS DAY
Monday, October 14
VETERANS DAY
Monday, October 28
ELECTION DAY
Tuesday, November 5
THANKSGIVING DAY
Thursday, November 28
CHRISTMAS
Wednesday, December 25
## Holidays

### 1988

**NEW YEAR'S DAY**
- January 1

**LINCOLN'S BIRTHDAY**
- February 12

**WASHINGTON'S BIRTHDAY**
- February 15

**ASH WEDNESDAY**
- March 17

**ST. PATRICK'S DAY**
- March 17

**GOOD FRIDAY**
- April 1

**PASSEOVER**
- April 2

**EASTER**
- April 9

**MEMORIAL DAY**
- May 30

**INDEPENDENCE DAY**
- July 4

**LABOR DAY**
- September 5

**ROSH HASHANAH**
- September 12

**YOM KIPUR**
- September 21

**COLUMBUS DAY**
- October 10

**VETERANS DAY**
- October 24

**ELECTION DAY**
- November 8

**THANKSGIVING DAY**
- November 24

**CHRISTMAS**
- December 25

### 1989

**NEW YEAR'S DAY**
- January 1

**ASH WEDNESDAY**
- February 8

**LINCOLN'S BIRTHDAY**
- February 12

**WASHINGTON'S BIRTHDAY**
- February 15

**PASSEOVER**
- April 20

**EASTER**
- May 26

**MEMORIAL DAY**
- May 29

**INDEPENDENCE DAY**
- July 4

**LABOR DAY**
- September 4

**ROSH HASHANAH**
- September 30

**COLUMBUS DAY**
- October 9

**YOM KIPUR**
- October 9

**VETERANS DAY**
- October 23

**ELECTION DAY**
- November 7

**THANKSGIVING DAY**
- November 23

**CHRISTMAS**
- December 25
The President, Frank H.T. Rhodes, called the meeting to order at 4:30 p.m. and indicated that a quorum was present with 80 some members in attendance.

He announced, with regret, the death of a number of colleagues since the last Faculty meeting, and invited those present to stand for a moment of silence:

Robert H. Ferguson, Emeritus Professor of Labor Economics, ILR, February 19, 1979
Giles F. Shepherd, Jr., Associate Librarian, March 9, 1979
Roger L. Geer, Emeritus Professor of Mechanical Engineering, April 11, 1979
Raymond Bowers, Professor of Physics, April 29, 1979
Frank C. (Ted) Baldwin, Former Dean of Men and Secretary of the University, April 30, 1979

1. REMARKS BY THE PRESIDENT

"I want very briefly, and for that reason superficially, to review with you the year that's just closing. It's the end of my sophomore year and those of you who are much more senior than I will be able to put it in a wider perspective. But it does seem to me that it's been a year of progress, of problems too, and of varying measures of satisfaction and frustration. That's probably true of any year and it's certainly true of this one.

"Let me divide my remarks into obvious headings, if I may, and talk first about students on the campus this year. I suppose that the greatest satisfaction for those of us who teach at Cornell continues to be the quality of our students, year in and year out, and this year has been no exception. Judged by almost any criterion that one wishes to apply, these are young men and women of outstanding distinction. It's been reflected in the appointments that they've received on graduation at every level - Bachelor's candidates, Master's candidates, graduate and professional degree recipients. It's been reflected in the range of graduate and professional schools to which they've been admitted. It's been reflected in the range of honors that they've received. It was refreshing to receive a Rhodes Scholarship this year - Tom Smith of the College of Arts and Sciences was the recipient. It's been reflected in the achievements, both on-campus and off, of student groups as disparate and varied as the Cornell teams, those who took part in the Hamlet Festival, various musical events, recitals, campus bowl achievements and just the general student mood in seminars and residence halls and fraternities and sororities one sees as one travels around. Equally clear is the fact that the students themselves find this a satisfying and a challenging environment. I mentioned to the FCR about a month ago that a survey conducted by Dean Elmer Meyer showed a very high level of student satisfaction with everything from the library to cultural events to the academic challenge to
the quality of instruction, with levels of satisfaction in the 80's and high 70's percent. Less satisfactory to those who responded was Faculty advising, which received only a 42% level of satisfaction. And that's something that you and I have to work on together in the coming year, because without it, the quality of our programs is to some extent diminished. But it's good to know that, as one looks at the continuation of that student strength, admissions continue to be a strong feature. Freshman applications for this coming year are up by 7.8%; we had 16,475 applications for about 2,630 places. That's a remarkable ratio of applications to admissions and we're finding that applications from certain areas in which we have traditionally not recruited very strongly - the southeast for example - are up very significantly. The southeast is up by 26% this year, and the southwest is up by a smaller percentage. This has been a good year, too, for mid-year admissions, which are so important to us because of filling up the lag that we normally get in enrollments during the spring term. This year we were up by 19% and we owe you a debt of gratitude for the part that you played in helping accommodate those incoming individuals at both the freshman and transfer level.

"Well, if the quality of student experience then remains good, I think the challenge for us as we face the coming year and the years that follow is a very brutal financial question, and it's this: Is the Cornell undergraduate experience so good that it's worth something like $4,236 a year more than the SUNY undergraduate experience? The single economic educational problem for us in the next ten years is going to be whether we can compete in an increasingly tight market for outstanding students, given the growing differential between our own tuition and that of the State universities and colleges. But good students, of course, don't arrive by accident, they come because we have distinguished and dedicated Faculty and this year has been no exception. We mourn the loss of those of our colleagues, both emeritus colleagues and active colleagues, whose lives and deaths we just stood to recognize. We lose this year, through retirement a number of outstanding individuals who will be recognized during the later part of the meeting. And we also lose a number of deans who are retiring from their deanships, though fortunately, in at least some cases, they will still be in the community and in the University. I want to mention in particular four individuals who step down this year from deanship positions, other than by retirement. Let me first of all mention Dean Eleanor Lambertsen, not as well known on this campus as she is in New York City, who has devoted years of distinguished leadership to the Nursing School. The Dean of the Graduate School, Bill Lambert, is retiring at the end of his term of office this year and Bob McKersie and Justin Davidson will be retiring from
deanships of I&LR and B&PA respectively, at the end of I think nine and ten years in those two cases. We owe each of those individuals a great debt of gratitude for the leadership they have given. And equally it's been a year that's an important one because of incoming individuals to new administrative appointments. One thinks, I think in particular, of my colleague, Keith Kennedy, to whom it's quite impossible to express my gratitude and admiration for the way he's picked up the most difficult and the most challenging of all the jobs on campus and has led the University with great distinction in his new role as Provost. I want to pay a tribute, too, to others who've occupied leadership positions and who serve the community well: to Alison Casarett and Don Randel in the Provost's office; to Dave Call, to Jerry Ziegler, to Tom Everhart, to Cindy Noble, as they moved into the deans' offices, together of course with Alain Seznec in the College of Arts and Sciences; to Lou Martin as he becomes the University Librarian; and to two important individuals in two important offices as far as Faculty concerns go - Michael Montgomery in the Office of Affirmative Action and Gary Posner in the Personnel Office.

"It's also been a good year for the Faculty because of the range of honors and awards that Faculty members have received. As I began to tabulate these it became obvious that it was quite impossible to do justice to the range of them. And yet I would be deficient, I think, if I didn't comment at least on something of the flavor that they represent. Let me mention for example, one of the most senior and one of the most junior Faculty members to receive awards. Solomon C. Hollister - 'Holly' to generations of students and colleagues, Emeritus Dean and Professor of Engineering - received the American Concrete Institute's highest award this year, the Henry C. Turner Award. At the other end of the age scale, David Caughey, Assistant Professor of Mechanical and Aerospace Engineering, recognized as the outstanding research worker under 35 by the receipt of the Lawrence Sperry Award at the American Institute of Aeronautics and Astronautics. Eleanor Jorden, Mary Donlon Alger Professor of Linguistics, was elected Vice President this year and President designate of the Asian Scholars, the World's largest association of Asian Scholars, and she will assume the Presidency in 80-81. Carl Sagan received the Bradford-Washburn Award. And one could go on, across the campus here. In New York City, Ted Cooper in the Medical College received the Lasker Award for Public Service. One is impressed by the range of Faculty achievements. That was reflected particularly by the fact that Cornell this year ranked third in the nation in the number of Guggenheim Fellowships that it received - a grand total of eight, ranking only behind Berkeley and Columbia in the total number. Given the size of this institution, that's a remarkable achievement.
"Third, this has been a year of program change and transition, which has been important. The Nursing School closes this year, after 102 years of distinguished service. I want to pay a tribute especially to the Faculty members for the devotion they've shown under very difficult conditions. Our hope is that Human Ecology might continue a graduate program in Nursing and although their intention is to look at that, the final outcome is not yet certain. Boyce Thompson Institute arrived on the campus at the start of this year and are now full partners with the College of Agriculture and Life Sciences in working with the largest aggregation of food and fiber plant scientists that exists in the country. There has been a very important program during the year supported by the Exxon Foundation, for strengthening the freshmen instruction programs in the College of Arts and Sciences, and especially the freshmen composition program. In a period where that assumes growing importance, that's a program of considerable significance. The FCR voted in support of calendar changes this year, that I hope will be an improvement and have significance for future program development. The Ladd-Lipsit Survey was one that caused both satisfaction and concern on the campus. Satisfaction because the College of Agriculture and Life Sciences ranked number one in the nation and many of our science and engineering programs ranked well up in the top ten; but concern also because our professional programs were not well represented. The humanities were represented in the top ten by only one department, Philosophy; the social sciences were unrepresented. That raises a whole question of the adequacy of course of the particular survey, but it raises also questions for us on the campus. And finally, in programmatic terms, let me not overlook the fact that most change takes place at the department level in particular courses and particular programs and combinations of courses. The continuity and the devotion of Faculty continues to be reflected.

"I want to say a word, as a fourth heading, about Cornell as an employer because most of us present in this room are employed by the University. It's been a troublesome year because of the range of problems and challenges that we faced. Early in the year we grappled with the question of extension of the mandatory retirement age, and we developed a solution which, while not acceptable to everyone, (perhaps no solution is acceptable to everyone) at least allows the possibility of continuation of Faculty members beyond age 65 with the agreement of their department chairpersons and deans of schools and colleges. It's been a year marked by a series of compliance reviews that have kept many of us busy - deans, department chairpersons, Faculty members in particular departments. And although those have raised frustrations and concerns, they're important to the fair and impartial application of standards of appointment and promotion at
the University and we welcome the kind of scrutiny that they afford. It's been a year also where there has been growing concern about the adequacy of our affirmative action program and I hope to come back to you early in the year that follows to talk about ways in which we can continue to devote our efforts to that important part of our University life. It's been a year also, where obviously leadership becomes more and more significant, especially leadership at the department level. And that contains a paradox because leadership at the department level grows less and less attractive. It isn't a time when it's possible to build with large new numbers to develop brave new programs, but it becomes absolutely clear, in both the dean's office and the chairperson's office, that that leadership is crucial and we value the commitment that's represented across the campus in those particular positions. It's been an important year, I think, as far as governance is concerned and what is most refreshing is to see the quality of those Faculty members who've been appointed to the major areas of governance on the campus - to the Board of Trustees, to the Campus Council, to the FCR and its committees. In all these ways, we appreciate the commitment of the Faculty.

"I said on Monday and I want to repeat it, that one day I hope to speak to some meeting on campus without talking about the financial situation. But that day is still someway off. So I want to spend a moment talking about the year in financial terms. We have a series of budgetary concerns; the Faculty Committee has proved a significant and a patient and constructive partner, under the leadership of Sid Saltzman, as it has grappled with us regarding a range of financial concerns. The year that's just ending, 78-79, has been a very good one, financially, because we have reduced the projected deficit of over $2 million to about 1/10 of that amount. I'm well aware that the moment that is done, questions are raised about the accuracy of the original projections. In this case, the results are easy to explain. They're due in part to the cooperation that you have shown in every sphere of departmental and college life, in holding costs down. That's by no means the whole story, in fact that's not really a very large part of the story, important as it is. We've been helped partly by high short-term interest rates, which are unlikely to continue, and we've been helped by sizeable increases in the level of Federal support, especially indirect cost recovery because of the success of research programs, and also in student financial aid. That means that this is short term and not long term relief and in spite of the fact that the deficit has been reduced, we have still had a total draw down on capital reserves this year of almost $1.7 million, if one counts capital used for various projects other than the operating budget. Next year, under the leadership of the Provost, we plan a balanced budget, but that balance
is precarious and for reasons that I will refer to in a moment, that's a matter of considerable concern. In longer term, within the next two years, we will remain committed to a pattern of financial equilibrium and that is going to mean further hardship in terms of budget reduction but it will mean overall, once we're able to achieve it, a quality of life on the campus which is improved because we shall be able to devote resources to areas that are now neglected. There are particular problems with which I won't detain you in connection with the Medical College; it will continue to have its problems during the coming year. There are also uncertainties on the Ithaca campus because of the present inadequate levels of recommended appropriation by the Governor for the four statutory colleges. In brief, we requested $4.2 million from Albany and the Governor has only recommended 27% of that total amount. We plan to go back in the supplementary budget for a considerable increase, but at the moment the future planning pattern for the coming year remains a matter of concern. We have, during the year, with the cooperation of the Board of Trustees, revised our investment strategy in very significant ways and although they will not be matters of very common knowledge on the campus, they're matters of considerable importance in terms of the future return on investments. What are the concerns in longer term about the financial outlook? They're concerns that are familiar to everyone. The first is inflation. Inflation in the first three months of this year as far as it concerns Cornell, is running between 12 and 13 percent and the amount that we had projected in our long term financial estimates of financial equilibrium was something on the order of 8 or 9 percent. That remains a serious problem for us as it eats out the allocations we have made. To give just one example, fuel oil and natural gas costs have increased by $300 thousand over and above the allocations that we originally made to them and that difference has to be made up by pinching the budget elsewhere. Second, salaries remains a matter of grave concern; it's no secret that the academic world is falling behind at the salary level. Seven percent in a period of 12-13 percent inflation has nothing to do with merit and we're very conscious of the general level of inadequacy of salaries across the campus. Nevertheless, we're committed to making that a priority. But at the same time, our difficulty is that the level of increase in tuition remains a matter of concern and tuition levels this year already cause difficulties for many families. The Campaign has now reached a level of about $143.5 million and although that's a large amount of money, it is not moving at the rate which it needs to in order to reach a level of $230 million in 18 months time. That's aggravated by the fact that many of the gifts come in the form of deferred gifts - bequests in particular - and designated gifts and in
those terms of course both the use and the value of those particular gifts
tends to be a matter which doesn't represent our first choice. Mandated costs
continue to plague us. Let me mention just two. The added increase this year
in the endowed colleges only from increases in social security costs will be
$270,000. Costs already incurred for containing leachings from the coal tips
total $500,000 and these continue to be problems. On the other hand, the
most successful and the most encouraging aspect of our financial picture this
year has been the continuing strength of research support that you, the Faculty
members of the Ithaca campus, have continued to generate. I'm well aware, of
course, that much research enjoys no outside financial support. But in those
areas where it does, the increase of 18% for the Ithaca campus this last year
has been a tremendously important attainment in a period of increased competition
for research funding.

"A word about facilities. Important new facilities have come into use
during the year: Boyce Thompson Institute; the addition to Wing Hall with all
that that means for some areas of biological sciences; the decision to go ahead
in the fall with work on the biological sciences building; the Veterinary Diagnostic
Lab; and our decision to carry out certain work which isn't yet obvious. The
upgrading of facilities in Goldwin Smith and Rockefeller represents a high priority
that will, however, have to spread over a number of years. The Theatre Arts
project which we hope to begin as a fund raising project during the summer is an
important commitment. And one particular non-building activity that perhaps
I should mention in this context is that I've asked the chairman of the Campus
Council to review the recommendation that was made by the buildings officer,
by Mr. Matyas's staff, to build a defensive rail - a protective rail - across
Cascadilla Bridge. We hope for more support and interest in the community
in reviewing that before any further action is taken. The repair work on the
bridge, not involving the rail, will continue during the summer.

"Let me mention four other concerns in closing, simply to itemize them but
not to describe them. The first is regulation and the growing problem that all
universities face with Federal, State and Local levels of friendly, understandable,
and socially desirable, but still intrusive regulation. Second, our relations
with SUNY continue to occupy a great deal of time, with no significant progress
at a very significant level. Third, the whole question of student recruitment
in a period when the population of New York State of college-age will decline
by 39% has to be a matter of concern. For the Ithaca campus, we still recruit
about 48% of our students from the State of New York and the New York metropolitan
area. Overall, the student-age population of New York will decline by 39% within the next decade. That means that we shall have to continue, and in fact improve, the present strenuous efforts to recruit. And, finally, the quality of life on the campus, which, though intangible, is something to which all of us contribute and from which all of us derive satisfaction, is something that will continue to be a concern. In the end, it's the Faculty members who create the climate of life on any campus. We who serve you, and students who benefit from your presence, receive the benefits of that quality of campus life. As we face an uncertain future the contribution that each of us makes to the quality of that life is going to take on added significance. I'm reminded of David Starr Jordan, who on a return visit to the campus, looked back wistfully to his early years at Cornell and said this: 'The faculty was the glory of old Cornell. It was the strength of the men (as it was then) whom, with marvelous insight President White collected about him in 1868, that made the Cornell we knew. Everything else was raw, crude and discouraging, but with the teachers was inspiration.' The one change we would make now is to say that it's with the men and women gathered around Cornell that the future lies. The quality of campus life, the quality of the programs, other things about us including the quality of accommodation, remain crude and sometimes discouraging. With the Faculty, there continues to be inspiration and for that commitment, for that professional skill, we continue to be grateful for all that you provide. Mr. Speaker, I'm happy to turn the meeting over to you."

The Speaker asked if there were questions for the President.

Professor Jay Orear, Physics, questionned the President's announcement of postponement of the barricades on Cascadilla Bridge, gathering that the Council had been asked to hold public hearings, but nothing was mentioned about a public opinion survey or referendum. Professor Orear asked if the President was opposed to any kind of public opinion survey and if not, would it be possible to recommend such to the Campus Council?

President Rhodes said he certainly was not opposed to any campus opinion survey, but added that he did not intend to tell the Campus Council how to conduct its hearings. It does involve more than a particular bridge and a particular railing. It involves a policy question as to the extent to which the University can and should protect people against the natural hazards of the campus region.

Professor John Wilkins, Physics, asked if the Campus Council had approved the calendar and if so, is it in effect?
President Rhodes deferred the question to Provost Kennedy. The Provost said he has seen the communication from the Campus Council that they support the calendar with the proviso that further consideration be given to the interspersing of examination/study days. A response was sent to Professor McGinnis, Chairman of the Campus Council, that the calendar was accepted and this will appear in the Chronicle one week from tomorrow. Further consideration will be given during the summer and the early part of the fall to the examination/study days.

Professor Wilkins asked if that meant that a ten year calendar had been adopted.

Provost Kennedy replied he was talking about adopting it - the recommended type of calendar plan - for 80-81, but that its continuation without change for ten years could certainly not be assured at this time.

There being no further questions for the President or Provost, the Speaker called for any additions or corrections to the minutes of the September 20, 1978 and February 21, 1979 University Faculty minutes. Hearing none the minutes stand approved as distributed.

The Speaker said that in keeping with ordinary practice, the minutes of the present meeting as well as the minutes of the May 9, 1979 FCR meeting will be mailed to the Faculty shortly for approval.

The next item of business was the recognition of retirees.

2. RECOGNITION OF RETIREES

The Deans or their representatives of the various schools and colleges were called on to make appropriate remarks recognizing the retirees of their particular unit and those present were asked to stand when their names were called. The list of retirees includes:

John M. Anderson, Professor of Zoology; Botany, Genetics and Development
Ward W. Bauder, Professor of Rural Sociology
Nicholas C. Bodman, Professor of Linguistics; Modern Languages and Linguistics
C. Arthur Bratton, Professor of Farm Management; Agricultural Economics
Dale R. Corson, Professor of Physics, Chancellor of the University
Wendell G. Earle, Professor of Agricultural Economics
Edward O. Eaton, Professor of Agricultural Engineering
Louis J. Edgerton, Professor of Pomology
Kenneth W. Evett, Professor of Art
Eleanor J. Gibson, Susan Linn Sage Professor of Psychology
Jack C. Kiefer, Horace White Professor of Mathematics
Franklin A. Long, Henry R. Luce Professor of Science and Society
J. Gormly Miller, Director of the Libraries and Emeritus Professor of ILR
Royse P. Murphy, Professor of Plant Breeding and Biometry
Walter J. Pauk, Professor of Education; Director of Reading-Study Center
Charles C. Russell, Professor of Communication Arts
Byron W. Saunders, Professor of Operations Research and Industrial Engineering
Harry W. Seeley, Jr., Professor of Microbiology
Nelson J. Shaulis, Professor of Pomology and Viticulture, Geneva
Raymond Sheldrake, Jr., Professor of Vegetable Crops
Earl L. Stone, Charles Lathrop Pack Professor of Forest Soils; Agronomy
Kathryn Walker, Professor of Consumer Economics and Housing
John H. Whitlock, Professor of Parasitology; Veterinary Pathology
William F. Whyte, Professor of Industrial and Labor Relations
Leroy K. Young, Associate Professor of Clinical Medicine

Dean Greisen wished to say a word about another retirement - not from the University, although at an age where it would be permitted - but a retirement from a Faculty duty. For the past three years, Paul Hartman has been Secretary of the Faculty and handled a very large task - not only attending FCR and Faculty meetings and taking care of the Faculty page in the Chronicle - but also being an ex officio member of all the Faculty committees, as well as Chairman of the Committee on Membership of the University Faculty. In the course of doing this, he has introduced a unique style in reporting Faculty discussions that has been both illuminating and informative in its clarity and a joy to read. (The Secretary was pleased but embarrassed over the kind words.)

The Speaker next called on President Rhodes.

President Rhodes said it was an honor to speak, although in their absence, to the service of J. Gormly Miller and Dale R. Corson. They are two people literally known to everyone present at this meeting and two people who, in spite of their differences in background and disciplines, have many things in common. Both were born in 1914; both came to Cornell in 1946; both are men of quiet integrity and have won on the campus the admiration and respect of their colleagues in every division; and both are characterized by the fact that they have retired twice. J. Gormly Miller retired first in 1968 and went to Geneva and then as the result of the long search for a University Librarian, he came back and returned to service. The range of library services enjoyed during the past ten years is a tribute to him. Dale R. Corson has served in every capacity of the Faculty ranks - Professor of Physics, Department Chairman, Dean of the College of Engineering, Provost, and President, from which position he retired two years ago. He took on the position of Chancellor and is now really retiring. He was Provost in a turbulent period and essentially had the Presidency thrust upon him, continuing in that difficult era and seeing the University through to a period of relative calm. Both men have left their mark on Cornell. Along with the Faculty, the President wished to add his expression of thanks to each. Long applause for both followed his appreciative remarks.

The Speaker called on the Reverend W. Jack Lewis, Director of Cornell United Religious Work, for a special announcement.

Mr. Lewis issued a personal invitation to the retirees of the Faculty to attend the interreligious convocation at Sage Chapel on the day before Commencement. It has been a past custom to honor not only the graduating students but the retiring staff and Faculty as well on that occasion.
The Chair next called on Dean Greisen to bring the body up-to-date on a matter first introduced at the September meeting.

3. AMENDMENT TO OPUF

Dean Greisen said there had been an amendment to the *Organization and Procedures of the University Faculty* which was introduced to the Faculty last year, was debated and postponed until now. It was decided in bringing it back to present its parts in series.

The Speaker reminded Dean Greisen that the process of losing a quorum was taking place, a major exodus of members.

Dean Greisen said if anyone wished to request a check on the existence of a quorum, it would be more efficient to do so at this point rather than later.

Professor Isadore Blumen, ILR, said most of the people who had come to the meeting had come for another purpose - namely recognition of retirees. With only a few minutes remaining to discuss a long and complex issue, he wished someone would put an end to something that is uninteresting to everyone except the committee involved, and move adjournment.

Dean Greisen said in addition to the item about which he was going to speak, there were a few other items that could be discussed.

The Speaker wished to have a count, which revealed about 60 persons remaining - not enough for a quorum.

Professor Blumen moved adjournment. Before the Chair accepted the motion to adjourn, Professor Orear was called upon.

Professor Orear wanted the University Faculty to pass a resolution calling for a referendum regarding the barricades on Cascadilla Bridge, but without a quorum, could not do so.

The Speaker asked for a second to the motion for adjournment. Having received such, the meeting adjourned.

Meeting adjourned: 5:45 p.m.

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