MINUTES OF COMBINED FCR/UNIVERSITY FACULTY MEETING

September 24, 1986

The meeting of the Faculty Council of Representatives was called to order by Speaker Russell Martin, Professor Emeritus, Communication, at 4:30 p.m. in 110 Ives Hall. He then called on Dean Bugliari.

1. ELECTION OF SPEAKER

Dean Bugliari called upon Associate Professor Paul Kintner, Chairman of the FCR Executive Committee, for a nomination. Professor Kintner nominated Russell Martin for Speaker.

Dean Bugliari asked if there were any other nominations for Speaker of the FCR and the University Faculty. There being none, the Dean requested the Secretary of the Faculty to cast a ballot in favor of Professor Martin. After doing so, there was a round of applause for Speaker Martin before the Dean called on him to continue the meeting.

Speaker Martin: "It's nice to see that the competition is still there. Thank you very much for the privilege of serving you again.

"The Chair next calls on Dean Bugliari for announcements."

2. ANNOUNCEMENTS

Dean Bugliari: "I just have a few very brief announcements. I don't want to use up your time. I would call your attention to the report of elections (Appendices A and B, attached). I think most of you know who won those elections, and some of those people who won are here. I'm not going to go through the whole list, but I would like to congratulate all those people who won and thank all of the people who ran for faculty positions.

"The second announcement is that you either should have gotten or should be getting in the next day or two a copy of something called the Academic Integrity Handbook, which our office has prepared to help people deal with academic integrity problems. Every member of the faculty will receive a copy. We are also making copies available to all the members of the University staff who are engaged in teaching and other such activities. If you have any comments, questions, or suggestions about how we might better improve this, or what we can do with it, I would appreciate hearing from you.

"Thirdly, the proposal is afoot to get out the revision of the Faculty Handbook. I hope we'll have that out in the spring, and I would again appreciate suggestions based on the one that's out now as to how we can improve it, or things that we should change, or things that we should add, before we come out with that last edition.

"I would finally call attention to the material that we circulated - I know that you get so much from everybody that some of it may go by without being noticed, and I would call particular attention to the Preliminary Exam Schedule and the Schedule of Religious Holidays that was included in the material we distributed to the faculty.

"I would be glad to answer any questions that anyone might have."

There were no questions, so Speaker Martin proceeded to the next agenda item which was an update on construction and parking.

3. UPDATE ON CONSTRUCTION AND PARKING

Robert M. Matyas, Vice President for Facilities and Business Operations: "Thank you, ladies and gentlemen, for having me back and also, I want to thank you sincerely for your tolerance with the tasks we are trying to do.

"I've got a few slides. The Dean has me on a very short leash, and I'd like to just walk through some of these slides with you.

"What we have before us is a map of the campus. I don't expect you to see the detail of the map, but I wanted you to see the red dots. Red dots represent at least a million dollars worth of new construction.

"The next slide will give you a bit of statistics on what's happening to this campus. That slide shows on an annual basis, or maybe it's every 5 years, the addition to floor space on this campus since its founding in 1865. You will notice that after World War I there was a build up. After World War II there was another build up and, currently, we are starting a build up again. The important thing with this slide is if you look at the blue curve superimposed in the back, it shows you what is being rehabilitated as opposed to being constructed anew. I would just briefly bring to your attention the fact that the blue curve follows the red curve by about 22 years. Translated that means we restore ourselves about every 20 years, so one can expect that this build up will find itself in rehabilitation in the next century.

"Let me go on to show you some examples of what we are doing. This is the west campus, the Baker group, the War Memorial, and I show you this slide to show you the University Halls. Each of those buildings will be completely gutted and rebuilt. The first one should be open for new occupancy in the spring term. We will then shut down another one, gut it, rebuild it and put it back in service. That's an $18 million project. This shows a site plan of the buildings; in addition to restoring the buildings, we are going to try to rebuild the infrastructure and get some walkways and new planting into it.

"The next slide is of the Law School. It is a model showing expansion of the Law School. This is a new expansion and has a budget of about $20 million. That's in the schematic design stage right now.

"This is an aerial view of the Engineering College. You can see Geological Sciences down there. The Engineering College has a master plan

which calls for between $70 and $100 million growth in this area. The first element will be a Theory Center, and we haven't fixed on an exact location. Two days ago we held preliminary meetings with the design team, so that is going to move smartly along. Sage Hall may be used for Mathematical Sciences if the plans work out, which means we will have to find new accommodations for graduate students.

"This is Upson Hall on the Engineering Campus. It is a two-floor addition, and that is about seventy percent along at the moment.

"This is the new parking garage on Hoy Field with the new press box. You may have heard we found a bad batch of concrete. Our inspection system found it. We break cylinders seven days after they are poured and the break did not come up to measure, so we stopped that, and they are going to have to scale it down with jackhammers and rebuild it. That should not impinge on the construction of the garage. The garage is scheduled to be turned over to us by the contractor on the 29th of this month (September '86), and Mr. Wendt will then take over and fit it out, and I believe the plan is to open it for parking on October 6.

"This is the north end of the Statler in its reconfiguration. This is the new hotel wing with about 150 rooms and three times the space they have now. There will be a new faculty club in there and a conference center. That's just about complete in final design now, and we are starting to prepare the site.

"This is an aerial view of lower Alumni Field. This is Corson/Mudd and the new Comstock, and this is the site for a new biotechnical laboratory which has a budget of $32 and-a-half million dollars. The foundation construction has been underway for several weeks now. We will move into high gear very soon. We've probably bought out fifty percent of the work already and in a couple of weeks we should have about ninety percent of it bought.

"Our airplane is now over Bailey Hall, CRSR, Clark Hall and Savage. In this area we are putting two floors on Space Sciences. Savage Hall will have an addition in here; Clark Hall is in that renovation blue curve I showed earlier. We are doing the front side and we are doing a lot of internal work to serve the new program operations in that building.

"This slide shows the wing we are just about to start for Savage in the School of Nutrition.

"This slide shows the Agricultural quadrangle and it also shows old Comstock Hall, which is now CCC - Computer and Communications Center - with the telephone switch back there and Computer Services will be housed in there. That's well into internal construction, and, of course, you remember that we are hoping to put in something called Academic I across here, with a very large dining facility at this corner.

"This is the College of Veterinary Medicine, and if you just focus on the Research Tower, the next slide will be a computer graphic showing you what the plans are there. There is the Research Tower and this is all projected new space again for around $80 or $100 million.

"This is upper Alumni Field. There is the hockey arena, and on this site we will have a new fieldhouse. This model shows the fully phased fieldhouse. This end would be a swimming pool and an auditorium; we have not started that yet. This is about a $12 million fieldhouse, and that's about halfway through its architectural and engineering design.

"This is an earlier view of the townhouses. We started them last December, and we opened them up on August 15. We have still got a lot of clean-up work to do. The students have been very cooperative."

Mr. Matyas concluded his presentation with slides which depicted the location of the equitation and polo activity.

The Speaker asked if there were any questions for Mr. Matyas.

An unidentified speaker: "This may be a bigger question than you want to take on, but what is the financing for this tremendous building and space, and what implications does it have on the University budget?"

Mr. Matyas: "There are people who are far more knowledgeable about that than I am. Maybe President Rhodes would like to respond."

President Rhodes: "Let me speak in general terms, and then if you have questions about specific buildings, we would be happy to answer them. There are, fundamentally, a variety of sources of gifts and contributions for various buildings that we are putting up. One group of them, for example, the renovation of the dormitories and the campus townhouses is a group of buildings funded from revenues produced by the buildings themselves. We take in rent from students and we amortize the cost of those buildings over a thirty-year period. We support the financing of those with University funds, and we give a favorable rate of interest to housing and other forms of building accommodations. That has proved a very effective way of not only renovating space but also increasing space. We've also some funding in campus dormitories from the dormitory authority with no-interest bonds that were made available to us and which will carry us as far as the future goes.

"A second method is through gifts, and many of the buildings that you are looking at are the result of gifts, some of them designated, some of them undesignated. For example, the athletic gifts, I believe, are not ones that we are ever likely to be able to persuade donors to contribute to other sources, such as student financial aid.

"A third group of buildings, of which Biotechnology is a good example, are funded by the state, and so Biotechnology, Academic I, Food Sciences are all state buildings, and then other buildings, or a small fraction of them, are

funded from internal University funds. We have scrambled together the funds, from year-end revenues, general funds, in order to renovate buildings such as Clark Hall. It's the combination of those that makes it possible. What are the implications for other aspects of the University's livelihood?

"We respond to the needs as you identify them for us. You are the ones who tell us of the opportunities. We look at the range of priorities and we fund what we can. But the list is great, and we don't pretend that we have begun to meet the needs that you have identified. We've done, as you saw from one slide, very little building over the last thirty years, whereas most of our peers have been actively building in that period. Many are building actively now. Stanford is building a whole new engineering campus, for example. It's that, I think, that has been seen as the impact large or small to do better work both in research and teaching and service while staying on the same campus to do it but in renovating and expanding the facilities. We have looked very carefully at the cost of supporting those buildings that we are now constructing and we are satisfied in the long term we can cover costs of maintenance and operation from revenue sources."

Professor Douglas Fitchen, Physics: "Bob, you pointed out that two previous bursts just followed World War I and World War II. Is there some reason there is this sudden burst of activity to a half-a-billion-dollar level that we don't know about yet?"

Vice President Matyas: "From my point of view, it is pent-up demand. Other institutions have had the jump on us."

He then went on to answer Professor Fitchen's question that it was not tax-free bonds.

Professor Fitchen: "I am curious as to what means of input from faculty, and staff for that matter in the areas that are likely to be affected, was in

the planning that this is the best way to carry this out. I ask that as someone who, as you know, works in an office with two air hammers just outside today and most days of the last few weeks, and I'm just curious as to what sort of consideration does go into the disturbance to all the primary activities like research and teaching from this level of construction."

Vice President Matyas: "Projects come out of the deans' and directors' offices. We work with them. For example, Rockefeller A, we can't go in there when there are classes, so Rockefeller A is going to start on May 1. But, basically we'll work in the dean's office and the dean's office brings together appropriate faculty. We also deal with the B&P Committee, there are faculty representatives there, and the FRAC will occasionally receive visitors to talk about various plans. I have several faculty who are on faculty retainer for us."

Professor Fitchen: "I guess I'm concerned that after all, our primary activities are research and teaching. As you say, in the Rockefeller renovation we are very careful not to have noisy activity when teaching is going on. But in Clark, for instance, there are very noisy, very disruptive activities going on well past the summer, which might have been the least bothersome time to do it."

Vice President Matyas: "With the load we have, there is no way we can do it all in the summer any longer, unfortunately. I am so happy to see jackhammers working on Saturday, and then I was criticized because the Real Estate Council was meeting on the seventh floor on Saturday, and they couldn't hear. But it is very difficult. I'm not so sure I know the answer. We have got a hot line. Please give me any advice you can. I'll try to manipulate and control the various jobs that are going, but there is too much to do and somebody is going to be inconvenienced. We have noise regulations. We make

them put special mufflers on machines, but still it is awfully hard to break a rock silently."

Associate Professor Harlan Brumstead, Natural Resources: "Mr. Matyas, I'd like to inquire as to whether we have in place anything in the nature of directives or policies that serve to protect our several greens or quadrangles. For example, it was personally a joke to see your pointer indicate the possibility of a theory center on the engineering quadrangle or green. It just seems that those open spaces are beneficial to people and in the sense of your business, they certainly serve to enhance the beauty of the buildings that are being constructed."

Vice President Matyas: "We have a Campus Planning Committee, principally faculty, who try to address the grounds in a very high priority way. We tend to go up in the air higher so as to minimize the footprints.
But in the case you mentioned, Dean Streett has worked with planning consultants on that, with probably more emphasis than I've seen any dean work on in controlling those grounds; at the last Trustee meeting, he made a specific presentation on it, addressing the preservation of the open space. So, I think there is a lot of attention being given to it. Perhaps there is not enough communication with the broader community."

Associate Professor Hollis N. Erb, Clinical Sciences: "I didn't know about the new polo facilities. Will the present swine barns be razed or will the new polo facilities be adjacent?"

Mr. Matyas: "The new polo facility will be probably one hundred yards from the swine facility. It's really going to be near where there are pens that are hardly used, and Dean Call allowed us to take two of the pen areas out, leaving, I think, four."

Professor Erb: "Is it just an accident that that is also close to the equine research park annex?"

Mr. Matyas: "No, we originally tried to put it out off Hanshaw Road, but the Town would not let us put it there, next to the Vet College's large facility. That was the preferred site but the Town turned down our request."

William D. Gurowitz, Vice President for Campus Affairs: "I'm not the expert in terms of transportation and parking, but let me reiterate what Bob said. These are difficult times and from my perspective the campus behaved very well and very responsibly and very understandingly, which I think is the most important point in some of the hassles we had over construction and the dislocation of roadways and with parking, and I want to thank you and your colleagues for that. These are difficult times until we get through the construction, but I think we are doing pretty well so far.

"Let me turn it over to Bill Wendt, who is the Director of Transportation, which includes not only transportation and roadway systems but the parking system as well."

William Wendt, Director of Transportation Services: "I, too, would like to thank everyone and mainly the faculty for their patience this fall. The construction has definitely put a strain on our program. There are many more traffic detours not only associated with Cornell activity but with the City of Ithaca activities, particularly in Collegetown and adjacent to the community. Some of those activities will continue through the early part of November. The saving grace is the bad weather this winter. The asphalt plants will close down after the first weekend in November. That will bring many of those outside projects to a screeching halt until next May again. That does mean, at the current moment, you are seeing a lot more backhoes and digging up of streets and a lot more outside work going on for this next month-and-a-half.

Many of those activities are undertaken by local forces, our own grounds, shops and other workers on campus. Much work had to be done inside academic facilities over the summer to prepare them for teaching and research activities. Therefore, a lot of the outside work has to be postponed until the fall. We would like to get it all done over the summer, but it's just not possible. We did make a lot of progress over the summer. The garage, even though it has been delayed, should be open for occupancy on October 6. I think everyone is now familiar with that site and has seen that garage over the spring and summer months. A large parking lot along the north edge of alumni field for 300 cars has been opened, and I think people can appreciate the relief that that has brought to people up in the Ag Quad area and around Clark and Bailey and in that zone on campus at the current moment.

"There are several projects just taking off up there that Vice President Matyas mentioned. The full impact of those projects I don't believe has been felt yet by the campus in terms of how much parking they will remove and how much disruption that will cause to the parking system in that zone for several months yet.

"Let me highlight another project. That's the reopening of Forest Home Drive. That's a joint City, Town and Cornell project. We expect that road to be opened by mid-October, somewhat delayed from the optimistic September 1 opening that had been planned. That will relieve some of our traffic congestion as well as give people another option as they deal with some of the problems of traffic detours on the campus itself. This fall we still have three new traffic booths to install. One of them is at the corner of Wing Drive and Tower Road. You will see at the moment coordination with a Plantations project being carried forward and very shortly you will see some more activity in the area. They are erecting a new traffic booth in that

location. There are two other traffic booths to be relocated and installed - one down by Olin and Carpenter Halls and the other one just west of the entrance to the parking garage on Campus Road. That will occur in the next month. It will at times cause some delays in traffic on Campus Road. Right at the moment there is work going on at the East Avenue and Campus Road intersection. We are putting a turning lane there, improving the area /where the bus pulls over to pick up passengers. In the long run, I think that will expedite traffic at that intersection. Right now traffic has been stalled at that intersection to Day Hall and then that causes pedestrian safety problems in the area. You can see from this plan the yellow areas are all of those new buildings that Bob was talking about taking off over the next several years. It does have an impact on parking. You can also tell from this that we have plans for additional parking improvements in areas of the campus that we haven't yet begun to disrupt. So, some of you have been lucky and have not seen disruption, but it is about to come. There is almost no area on the campus where some change will not take place. We still have a very difficult job ahead of us. The bad news for me today was looking at the results of parking permit issuance for the first month. Today when we ran those figures the disgruntling news is that there are 700 more parkers on campus this fall than last. Four hundred more staff with cars and 300 more students with cars. We have got 700 spaces in a parking garage and yet we have got 700 more cars coming to the campus this fall. So, we have a big test ahead in trying to find room for all of those new people and everybody who has been here in the past and continues to expect to find and have convenient parking available to them. We will continue to plug away at that process. We have several committees involved in reviewing our plans. In looking at it, I sometimes have a little bit of heartburn trying to think what we will do with the 300 cars that are

sitting there where the field house will go next spring, but I am sure there are solutions. They all take money. That's not an easy item to find for parking, but we will keep trying and we will keep you informed as best we can as to what is going on.

"I think the zone system so far seems to be doing what it should be, even though we are very handicapped with not having the parking garage open. We have controlled and limited the number of permits in those zones as we promised people. I'm not saying that gives us the luxury of lots of empty spaces, but I believe that most people have been able to find a space in their zones with an appropriate number of permits for the spaces available. Some zones may look like there is a luxury of parking at the moment, but I am aware of some of those spaces being disrupted because of this construction over the next several months, so in zones where it looks pretty free and easy to park, that situation will get tighter. In zones where it is currently tight, I am not anticipating it will get any tighter than it is at the moment. And, hopefully, that will work out and we'll try to keep good tabs on what's happening, and I appreciate your comments whenever you do see a problem arising."

A question was raised as to whether the 700 more cars meant 700 more people with stickers of some kind.

Mr. Wendt: "That is 700 people who did not have cars in the past are bringing cars to the campus; 400 staff who did not park on campus last year parking this year and 300 additional students, for a total of 7,839 staff and 2,559 on-campus parkers. There are other student parkers in fraternities, sororities and other off-campus housing facilities."

Professor Urie Bronfenbrenner, Director, Professor-at-Large Program, asked whether Mr. Matyas could say a few words about what is going on in Beebe Lake.

Mr. Matyas: "We should have the silt out about October 15, and we found it to be a lot stickier material as we've had a very wet summer, and so we expect to have it out and on the banks, and then we are going to have to wait until spring and have that dry out so that we can dress the banks, and we will have a lake by mid-October.

Professor Andrew Ramage, History of Art: "Mr. Wendt, can you give us an estimate on what will happen when Judd Falls Road becomes one way?"

Mr. Wendt: "Right now the Town will be doing traffic counts before Forest Home Drive opens, after it opens and during the nine-month experiment period. Judd Falls Road from Forest Home Drive to the jug handle at Plantations Road, just north of Tower Road will be one way in a southerly direction. We expect that to have some impact on Plantations Road itself, diverting traffic on Plantations Road to Forest Home Drive, where traffic then will be able to flow either towards Pleasant Grove Road to the northeast, or down towards the lower campus. There will also be some impact on Caldwell Road, which is the road just to the east of the Veterinary College. There is a planned Town upgrading of Caldwell Road and other improvements there. We are concerned because at Plantations Road the intersection is very steep. They are not very generous in their geometry and size of the road to carry additional traffic, so we have to look very hard at traffic counts and see what that means in terms of our system of two-way streets on the campus and the impact and what might make sense in terms of other changes. But my bigger concern is that we don't do a piecemeal street improvement like that without having some overall plans for general circulation on, to and from the campus in that area. It is a very difficult political issue because it disrupts peoples' homes and roadways in a residential area as well as the campus community. It is something that is really going to require a lot of careful study. We haven't bought onto this as

a permanent solution. We need to know what other improvements have to be made along with this."

Professor Bruce W. Turnbull, Operations Research and Industrial Engineering: "Can you tell us a little about the two-hour red zones?"

Mr. Wendt: "Because of the parking garage being incomplete, we basically had to take all those people that have an H permit - that means that if you are in by the ILR school, Statler, Uris Hall, the athletic facilities - and allow that group of faculty and staff to use what will be visitor and two-hour staff parking around the entire block of East Avenue, Tower Road, Garden Avenue and Barton Hall. There are a good 180 or so parking spaces that will be turned into visitor and two-hour staff parking. That will occur within a week or two of the opening of the parking garage.

"In the meantime, we have allowed them to park in other zones. We have not ticketed people for parking in other zones because we realize there is a shortage of space at the moment. Some of those two-hour zones are already in place. The Tjaden lot has been instituted as a two-hour lot; as well as areas near Plant Science, Roberts, behind Mann Library, at the Vet College near the livestock building, and near the Law School. Many of the areas away from the central part of campus have already been posted as two-hours, and they seem to be working fairly well. We have also created several hundred temporary parking spaces on the Ag quad, Hoy Field and other places to alleviate the shortage until the garage is finished."

Dean William B. Streett, College of Engineering: "This is a two-part question: About how much will the traffic booths at Carpenter and Grumman lots reduce traffic along Campus Road between those two points? And, are there any long-term alternatives to Campus Road as a major east-west artery to the south part of the campus?"

Mr. Wendt: "We have had several consulting firms look at that problem. The most pessimistic of the consultants said the reduction would be about 20 percent. The other two consultants informed us there would be a 30-40 percent reduction in traffic even letting our own parkers through that area. As I mentioned, there is this alternative route for people by way of reopening Forest Home Drive so we haven't pushed people into the Collegetown area of the University and have provided another alternative for them.

"In terms of an alternate route for traffic and eliminating basically all that traffic on Campus Road, that is an extremely difficult proposition because of the location of the Ward Lab, and more so because of the buildings that have been erected over the past 30 years in the Engineering School area. The only solution becomes something like an underpass, putting Campus Road under or an overpass from the Engineering quad.

Professor Thomas F. Lynch, Anthropology: "I have a question relating to Tower Road. Will the remaining parking spaces on Tower Road remain in effect or will parallel parking or will all parking there be eliminated? And secondly, with the number of crossings from the new 300 additional car spaces on lower Alumni Field added and you have crossways in there, is any consideration being given to using speed bumps to slow down traffic?"

Mr. Wendt: "Tower Road does need a lot of work in rebuilding, and there is a plan to eliminate parking altogether from Tower Road. There was an alternate plan to just provide parallel parking along Tower Road, but the consensus seems to be that in the long run we would like to eliminate parking altogether.

"The difficulty at the moment is where you place that parking. With so many other projects coming along the question is, when we do it. I think the timing of that would be the critical thing. I think we all would like to

remove that parking. It is not a good situation having cars back into traffic as happens along there. I think it is also time to make other improvements along Tower Road. We would like to improve that and take care of lighting and sidewalks and pedestrian safety along there and that is what we are planning. The question addresses the whole pedestrian safety issue when you have so many parkers on one side of the road and they are all trying to get to the other side of the road because that is where the facilities are placed. In the near future we will be able to deal better with pedestrian crossings, to post pedestrian signs to try to slow traffic up along that road. At the time we deal with reconstructing Tower Road, that would be the time to talk about the type of measures you mentioned in terms of speed bumps. There are some easy ways of doing that, if necessary."

Professor Raymond T. Fox, Floriculture and Ornamental Horticulture: "The zebra stripes painted across campus roads are very confusing to people because in some areas of the world this means that the pedestrian has the right of way. Here on campus the cars seem to presume they have the right of way."

Mr. Wendt: "There is a New York State law and we will try to get that information out again. We try each fall to put some information out about pedestrian and motorist responsibilities. New York State laws create somewhat of a compromise position. We are not as stringent as California or, as you described, Italy, where the pedestrian has the right of way. However, if a pedestrian steps out on your side of the road, they do have the right of way."

Professor Fox: "The other thing is the whole idea of a speed limit posted very strongly. I think Tower Road has become pretty much of a freeway. We have people going down through there 35-40 miles per hour, and I realize that is against the law, but they still do it."

Mr. Wendt: "There are advisory signs for 20 miles an hour because of the heavy pedestrian traffic on the campus. But you are right. Speed limit signs often don't change the behavior of drivers. We really need to educate people about pedestrian and motorist safety."

Speaker Martin thanked the presenters, then called on Professor Peter Auer, Chairman of the University Library Board.

4. RESOLUTION RE UNIVERSITY FACULTY LIBRARY BOARD LEGISLATION

Professor Peter L. Auer, Mechanical and Aerospace Engineering, moved the following resolution:

RESOLVED, that the legislation of the University Faculty Library Board, as adopted by the Faculty Council of Representatives on November 13, 1974, be amended as follows: (deletions in brackets, new material underlined)

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

Membership: The Board shall consist of the Provost, ex officio, and/or the Vice President for Research and Advanced Studies, ex officio, and the Director of the libraries, ex officio, twelve appointed Faculty members who shall serve overlapping four-year terms, and two students selected in a manner acceptable to the Faculty Committee on Nominations and Elections. The President shall appoint the Faculty members of the Board with the advice of the Dean of the Faculty who shall have canvassed the University Faculty for expressions of interest and desire to serve. The Faculty members shall be chosen in such a way as to represent the special library interests of the various disciplines.

Organization and Meetings. Regular meetings of the Board shall be scheduled once each month during the academic year. At the last meeting of each academic year the members of the Board shall elect one of the appointed members as Chairman for the next academic year. The Chairman shall prepare the agenda in consultation with the Director and other members of the Board and shall call the meetings. One of the appointed members shall serve as a recording secretary. [Duties. The Board shall join with the Director in reviewing library policies and shall advise the Director in formulating policy. The Board shall assist the Director by keeping him informed of the library needs of the Faculty and by keeping the Faculty informed of the needs of the libraries. The Board shall present an annual report of its work to the President and to the Dean of the Faculty and shall report to the Faculty Council of Representatives whenever either Board of the Faculty Council of Representatives thinks it advisable.]

Duties and Obligations. The Board shall assist the University Librarian in maintaining and promoting the welfare of the University Libraries. It shall join with the University Librarian to review and help formulate broad library policy and shall serve as an advocate for the University Libraries with the Cornell community.

The Board shall keep the Librarian informed of the needs and concerns of the faculty and students and shall help to represent the interest of the Libraries to the faculty as well as to the University administration. The Librarian shall seek and weigh the Board's advice with respect to problems and issues affecting

the Libraries before deciding on changes in policy. To that end, the Librarian shall take appropriate initiatives to present matters of policy to the Board in a timely manner, to provide the Board with pertinent information about library operations and services and to meet with the Chair of the Board frequently.

The Board shall advise the President of its position on policy matters affecting the Libraries and about the state of the Libraries. It shall forward an annual report of its activities to the President, to the Dean of the Faculty and to the Faculty Council of Representatives, and it shall report to the Faculty Council of Representatives whenever either the Board or the Council thinks it advisable.

Professor Auer continued: "The amendments that are suggested here have not been made hastily. They have been in the making for some five or six years. They have been examined by a number of different committees."

There were no questions, so the Chair called for a vote. The resolution was carried (Appendix C, attached) and since there was no further business for the FCR, that meeting was adjourned and the meeting of the University Faculty was convened.

1. ANNOUNCEMENT OF DEATH OF FACULTY MEMBERS

The Chair called on Dean Bugliari to announce the death of faculty members since the last meeting and asked those present to stand for a moment of silence.

Laurence H. MacDaniels, Professor of Horticulture, Emeritus, June 18, 1986

Lowell D. Uhler, Professor of Biology, Emeritus, July 3, 1986

James D. Gregg, Professor Emeritus, Materials Science and Engineering, July 16, 1986

C. Douglas Darling, Professor Emeritus, Clinical Medicine, August 23, 1986

Damon Boynton, Professor Emeritus, Pomology, August 24, 1986

Jesse T. Carpenter, Professor Emeritus, I&LR, September 15, 1986

2. ANNOUNCEMENT OF DISTINGUISHED TEACHING AWARDS BY PRESIDENT RHODES

President Rhodes: "Mr. Speaker and Colleagues: I can think of only one bright spot in the agenda of a meeting that includes reports on parking, construction and a talk by the President, and that is the list of Distinguished Teaching Awards. It is always a pleasure to announce this and this year we have a remarkable group of recipients (see Appendix D attached)."

3. REMARKS ON THE "STATE OF THE UNIVERSITY" BY PRESIDENT RHODES

President Rhodes: "Let me say a word about the state of the University so far as I can judge it, though in many respects you are better able than I to judge the health of our institution. I believe that if you look at the year that has just closed, in a large sense it has been a remarkably successful year - it has had its ups and downs, certainly, and all of us can identify some of each - but on balance, it is a year of substantial achievement and progress, and we have you and your colleagues to thank for the remarkable record it represents. I want to describe the year as I see it under seven or eight headings and say a word very briefly about each of those.

"The first is new appointments. There were 132 searches campus-wide this year, and that represents a very sizable proportion of the total body of the faculty, something like seven to nine percent of our faculty turns over in any one year by retirement or resignation. Of those searches, 83 positions were filled, and the range of positions when one looks at them is one that is enormously impressive. Of those who fill the positions, 19 percent were women, and 12 percent were minority members, and each of those percentages is about twice the percentage of women and minorities in the pool of applicants. That

speaks well, I think, for the seriousness with which all of you take the need for affirmative action, and I want to thank you for that and to recognize it. It is interesting that at the assistant professor level for every vacancy there was an average of just about 100 applications, so the strength of the applicant pool continues to be very strong. I want later to talk about the significance of the demographic future, but at the moment the market is a very good one as far as appointments are concerned. Each of those appointments is an investment for the next forty years or so in the life of the University and has a major impact upon our excellence or lack of it. Nothing is more important than the selection of our successors in these faculty searches, and I want to thank you for your attention to it.

"Second, we have seen a continued pattern in faculty awards. I won't list the individual recipients and the great range of awards and professional leadership positions represented, but I do want to say that in everything from the Wolf prize where Mitchell Feigenbaum became the fourth Cornellian since those Wolf prizes were instituted in 1978, through six new members of the national academies, and seven faculty members who received Guggenheims, it has been a very strong year. It is interesting that nationwide amongst the winners of Guggenheims only five were assistant professors. It is a very unusual thing for somebody at that level of experience to receive a Guggenheim. Of that national total of five, two of them were members of our own faculty, and that speaks well for the strength of the future. It is also interesting that this year we received five Sloan fellowships and since those were instituted in 1955, ten of them have become Nobel laureates. Of the ten Sloan winners who have become Nobel laureates, five have been affiliated with Cornell, and that, too, is an indication of continuing strength. Those fellowships, you recall, go to younger scholars, and that is reassuring in terms of the future.

"Let me say a very brief word about research. It has been a good year in research as far as one can judge it in terms of the level of overall funding, and that is only a very partial level as all of us understand, but no less than $224 million was brought in by faculty members in competitive proposals during the past year. That is up about 12 percent overall, and in each of the units on campus there is a significant increase. That's a remarkable tribute to the creativity and commitment that you show day in and day out in research. Most of that is represented by individual proposals and by group projects, but there are a few new programs. The Mathematical Sciences Institute, for example, came into existence this year with funding of $12-1/2 million over a period of five years. This funding level makes us number one in the nation in terms of support for science and engineering from the National Science Foundation, and that is something that gives all of us satisfaction. It is also something that gives all of us problems because anyone who is number one has to watch out for the general concern in Washington that too much funding is going to one particular institution, and if that may sound a kind of long-range concern to have, I assure you that it is not. I congratulate you and thank you for that level of research activity.

"Fine faculty attract fine students, and this year has been no exception. If you have had contact with this year's Freshman class as most of you will have by now, you will know what a fine group of young men and women they represent. We had 21,025 applications for 2,800 freshman places, and that was an all-time high, not just in the number of applications, but also in the quality of those who were admitted. We had an all-time high in high school standing, in SAT scores right across the campus, and that's a tribute to the attractiveness of Cornell and its growing attractiveness to people nationwide. In fact, in the last five years the number of applications has increased almost

25 percent and that at a time when nationwide the number of college-age individuals is declining significantly and numbers of institutions are now finding trouble filling their places.

"A word about programs. What has just been said about undergraduate admissions is also true for graduate admissions. We have had a most impressive increase in applications - about 200 additional applications - especially strong in engineering and in the humanities, and this year's graduate intake is as good as any that we have known.

"I want to say a very brief word about new programs at both the graduate and undergraduate level, but in doing that, let me also say that I don't overlook the continuing strength and the continuing vitality of programs already in existence. We tend to be fascinated by what is new. We'd do well to consider what continues on a year-by-year basis to be the essential strength of the University.

"At the undergraduate level, certain programs on which we've worked together during the last two or three years are now beginning to mature and come to fruition. The Cornell-in-Washington Program is one such example. With our own facility there housing about 68 or so students in residence as well as a faculty member, that program had a very successful year.

"The Cornell Abroad Program has had a tough beginning and all kinds of questions that we have had to work out together - questions of transferable credit and living arrangements. But, again, with your help that program is now expanding and in spite of some rough edges which are probably inevitable, that's a source of great satisfaction to the students. We had almost 260 students in various countries last year, and that number looks as though it will be increased this year. We have taken a long-term lease on a house in Rome, and there will be new programs in Rome and Paris as well as in other

countries, a total of 12 different countries during the coming year. I do hope that the enthusiasm for that program which has marked the last two years is going to continue, and that you will help us with what I know is a difficult program - identifying the credit value of experience in another country which may not be conventional or traditional in our own terms. There has to be a benefit for living and learning in new and challenging environments.

"There are exciting programs which have come on stream this year at both the undergraduate and graduate level in two areas of particular significance. Both of them are binding programs that bring together disparate disciplines helping us to emphasize our common interests rather than our isolated interests. One of these is in ethics and public life - what was originally R.S.V.P. That program had a series of seminars during the summer in which faculty members from across the campus met to talk about ethical dimensions of both teaching and public life, and that program is now in its first year of operation.

"Also in existence for the first time this year and growing steadily, we hope, during the course of the year is the program in the History and Philosophy of Science and Technology. These programs have been made possible by a generous grant from the Mellon Foundation and are also supported by a generous fund from the N.E.H., National Endowment for the Humanities. That pattern of funding, transitional funding for a period of three or four years that allows a college or department to pick up the slack and then build a program into its own continuing general purpose budget is one that I think we are likely to see more of in the future.

"We have had 40 members of the faculty serving as Faculty Fellows this past year, and it is the first year of existence for that new program, and many of you here in the room are ones that I identify with that program. I am very

grateful for the commitment that that represents - the time you have spent in eating with students and counseling with them and simply supporting them in residence life has been enormously important. We have had some turnover in the program, some frustration, but a great many areas of satisfaction for both faculty and students, and it will continue in the coming year with another 40 or so faculty members still involved.

"The other thing I want to mention because you have been involved, but not yet perhaps fully involved, is a conference that took place in June where the Provost assembled representatives of each of the colleges serving undergraduates as well as members of the graduate and professional schools. We had a retreat for 2-1/2 days or thereabouts at Thornfield near Syracuse, and we simply talked about the undergraduate curriculum in the most general terms. The meeting followed a year of discussion and review in the colleges in which the Thornfield representatives had been meeting with our colleagues and it will be followed in turn, we hope, by more conversations in the colleges, where again at the college level, we can talk about curriculum and then at the campus-wide level, we can review it. We have no hidden agenda in this; we have no core curriculum that we are trying to impose or no particular orthodoxy of teaching that we want to encourage. What we are trying to do is to encourage everyone to think together about our common opportunities and common obligations. That conference was one of the most exciting that I have had the privilege of attending during my time at Cornell.

"Let me say a very brief word about facilities. Bob Matyas showed you that measle diagram at the beginning of his talk, and you are well aware of the number of red spots that exist all over the campus. I talked about funding a moment ago in response to a questions about sources, and obviously we looked very carefully at the creative opportunities you provide for us for new

buildings. It is a financial strain to build new buildings, but it is also a strain in two other ways, and it is important to recognize those head on. The first is the disruption in traffic patterns and parking, and we have just had a long discussion about that. I want to add my thanks to those of Bill Wendt and Bill Gurowitz for the patience you have shown in that. We have only begun to experience that inconvenience, and it will continue over the next two or three years, but your understanding and your forbearance are really very important to us.

"The second kind of disruption we have had from this is the fact that some jobs have been disrupted as well as many aspects of our day-to-day life in teaching and research. In the Statler, for example, 100 employees had to be laid off because we closed the Statler Hotel for two years. Every one of those employees has been found other employment on the campus, and the fact that that has happened is a tribute to the help that you and many others have given in various offices at the department level. I want to thank you for that because it is no easy thing to pay daily attention to the kind of human priorities we face in this construction work. The fact that we have been that successful is a tribute to your cooperation.

"A very brief word about finances. The University budget overall is now around $770 million a year - $771 million as I recall it. That is about two million dollars a day, and that is a terrifying total, and that means that we depend not only on the people in Day Hall for sound management but on everybody in every department and every center and every office. We are going to need your continuing creative frugality as we go through the next few years because funds are going to become tighter rather than looser. But you have responded with remarkable devotion to helping us through various budget challenges and I look forward to that continuing help.

"The good news in that total is that giving reached an all-time high this last year as you may have read just a couple of days ago. It totaled $114 million. That is a remarkable total. It was up 24 percent over the year before, and we are fourth in the nation, so far as we know, in terms of total giving. We would have been third except the University of Washington in St. Louis had a single gift of $100 million and that tends to distort the figures overall.

"We were second in the nation in the level of individual giving, and that is a remarkable tribute, not only to the generosity of the alumni because that is what it really represents, but also to the kind of bonds that you build up with them while they are still students. That is not automatic. It does not happen without effort, and I am very conscious of the link between devotion to the life of the campus and that kind of level of giving.

"That may seem like a very cozy kind of view of the future, and if that should appear to be the case, let me share with you four areas of major concern as we face the coming year.

"The first of these is demographic, and this is going to be a concern not only next year but over the next ten years or so. My colleague, Bob Barker, refers occasionally to what he calls the square wave of retirements from the faculty which is just about to hit us by the end of this decade. Retirements have been continuing at a rather low level as the post World War II appointment bulge begins to reach retirement age. We shall literally have an increase in retirement level that represents a square wave. And although as I said a moment ago we are in a buyer's market at the moment for new faculty members, that will not be the case when we reach the end of the eighties, and this square wave hits us. We shall find a very competitive market in certain fields, not only certain professional fields, but also various areas of the

humanities. We need to think ahead now to challenges and opportunities - challenges in finding the most outstanding people we can; opportunities in re-thinking the areas represented by particular teaching slots. That is going to come sooner rather than later and it will not represent an easy period in the life of the University.

"The second concern I have is minority student enrollment because the pattern nationwide is very clear and it is depressing. By the year 2000, one-third of our national population will be made up of members of minority groups, and at the very time that those numbers are increasing, the rate of graduation of minorities from high school is decreasing, down from 76 percent to 73 percent in the last five years, for example. On top of that, the graduation rate and, in fact, the admission rate of minority members in two groups is declining markedly in college. So, at the very time that the demographic trend is upward for members of minority groups, the college enrollment trend is down for both Blacks and American Indians.

"I want to say quite simply that we have got to increase the flow of young men and women into the undergraduate and graduate pipeline, and you are the people who can help us. We have set up three programs on campus that we hope will contribute to a solution, and I want very briefly just to itemize them. We have, with the support of the Mellon Foundation, a teacher training program that will provide a course of five years' study - both a bachelor's degree in a discipline and a masters degree in education - and will have loan forgiveness of $2,500 per year for people who undertake to stay in teaching for two years. That will come on stream this year for the first time. Please bring it to the attention of promising people, especially those representatives of minority groups.

"Secondly, we have what we call a four-university Presidential Scholar's Program now entering its third year, where in cooperation with Stanford, Princeton and Berkeley, we are encouraging young men and women of underrepresented minority groups to spend their summer in a research intern experience on one of those campuses - it can be any one. We have had outstanding success in the first two years, but we need your continuing help in publicizing that program.

"Third, as you know this year, we have instituted ten fellowships for minority students, known as the J. Saunders Redding Fellowships, to encourage graduate study. Locally, those three things, I hope, will have some modest but significant impact upon the situation, but the only long-term help can come from those of you who recruit at both the undergraduate and graduate level, and I want to seek your help on admissions committees and solicitations and interviews on other campuses in bringing the opportunities to the attention of qualified young men and women from minority groups. That's concern number one, and it's a serious one because unless we have a strong representation in minority men and women on the faculty, we have no hope of teaching effectively or providing role models effectively for the growing minority population which is now a fact.

"A second concern is legislative, and without going into any details let me say there are very serious challenges for us in Washington. There always are, but they are especially formidable this year, and by no intended plan, higher education and especially private higher education, come out very badly in the tax bill. We are going to need a lot of creativity to get over the problems represented by the new tax proposals which are almost certainly going to be adopted because, without going into any detail, it is estimated by some knowledgeable observers that they are going to reduce the level of giving to

private institutions between 25 and 35 percent, partly because of the reduced tax rate, partly because of flat tax, partly because of the lack of deduction from non-itemizers and partly because of the elimination of appreciated capital credit for tax purposes in gifts.

"All that sounds very technical. It may have a very serious direct effect upon us, and a secondary effect is going to be upon the careers of graduate and professional students because that part of their fellowship and scholarship which is not used for tuition payment purposes now becomes taxable. The campus bill for that is well over a million dollars a year from our graduate and professional students. We are going to need a lot of thought not just campus-wide but at the department level - on how we weather that particular storm.

"We are also denied access to tax free bonds for building purposes above the level of $150 million, and since we are already well above that level on this campus, that is a long-term threat of serious proportions. We hope that we have already obtained some interim transitional relief, but that is not yet clear.

"A third area of concern I want simply to note to you is the area of federal research support. On the whole, basic research has done relatively well for the last few years. For the period from 1975 to present, it has grown by an average of about four percent a year in terms of real dollars. This year the level of support for basic research is about $14 billion. About 50 percent of that is conducted in colleges and universities and on average we obtain a very large proportion of our total funding from the federal government. That is all welcome news, but there are three issues not yet public, I think, but very worrisome, which are going to challenge us in the coming year and challenge us very soon.

"The first is one that I describe as the increasing politicization of research funding and especially facility funding. You will know that after a great deal of heart searching, we turned down a gift of $10 million for the Supercomputer Center because it had not been exposed to merit review. We are one of only two universities in the country who have chosen to take a stand on that, and it looks as though we are going to remain the only two, while the growing number of institutions who do go around the merit review for direct access to the Congress, is going to represent a threat. How do we face that? How do we stand for that kind of principle in a period where we are clearly going to be run over by the political process? It is not just facilities, it is research programs themselves which are now threatened. The recent siting of a major new federal facility and program for study in a particular discipline - I won't mention it and won't mention the state - in one state as opposed to another is now a source of enormous political and scientific controversy in Washington. That will grow and we shall be in the middle of it, and we have no solutions.

"Worry two on the federal research scene is targeted research. Increasingly, federal funds go to support narrowly targeted proposals and projections. That is going to be very damaging to the seed corn of research which is the individual proposal.

"The third concern is very simply new versus old projects. There is growing evidence in the National Science Foundation, in particular, that continuing projects - national centers, even - are likely to suffer reductions and even elimination in funding in order to be able to say that new projects are being brought on line. Since we have a very substantial number of such programs here on campus we are not likely to escape the impact of that

particular trend. But it has a policy implication which is profound as far as the research capacity of the nation is concerned.

"Finally, let me say a very brief word about programs. I think as emphasis on research becomes greater at all universities such as ours, there is going to be a continuing need to watch the dangers of fragmentation. The fact that increasingly we become not just 94 departments, but in fact the departments subdivide and fragment and conversation and discourse in any meaningful way across the boundaries within departments becomes less and less frequent. That seems to me to be an accelerating trend. I have no solution, but I do want to ask how together we can address that particular concern. Because not only in teaching, but also in research, if in fact we are not the conversing community, provoking and conversing with one another across our boundaries, we are going to be a poor one.

"The second concern I have is one that is even more nebulous, perhaps, than that first one, but it is one to which we give very little attention. That is the problem of identifying future leadership in the University. When we appoint a bright new faculty member, we rarely think about the needs of the department or the center or the particular research program for leadership ten or twenty years down the road, but it is from those people appointed today that we shall look twenty years from now for the intellectual leadership in curriculum, development in new research proposals in the general direction of our life in the University. How in looking for excellence, do we look on the one hand for breadth to address this problem of cohesion versus fragmentation that I just described, and on the other hand for leadership? Leadership which is both intellectual and managerial because in the end we are appointing our future leaders. At the very moment we are appointing a first year assistant

professor. That's something that only you can provide a solution to, in fact a solution that is growingly important to us as we look ahead.

"So the year past, a good one. The year ahead, a promising one in spite of all the disruptions from new construction and other things. About six months ago I was on the campus of Stanford University speaking at the beginning of their centennial celebrations and speaking about the role of Cornell in the founding of Stanford. We are very happy to have it a distinguished daughter institution on the west coast, which is doing so well. And I couldn't help thinking as I listened to Bob Matyas and Bill Wendt talking about the disruption on the campus and all that it represents, of a statement that David Starr Jordan, the first President of Stanford, a member of the first class at Cornell, who described his Cornell experience in these words: 'The faculty was the glory of old Cornell. Everything else was crude and raw and discouraging.' That is our campus today, dug up. But with the faculty, there was inspiration.

"I want to thank you for your continuing help in providing that inspiration."

After a round of applause for President Rhodes, Speaker Martin asked if there were any questions. Since there were none and there was no further business to come before the body, the meeting was adjourned at 6:00 p.m.

Respectfully submitted,

Francine A. Herman, Secretary of the Faculty

REPORT ON ELECTIONS

Spring 1986

FACULTY TRUSTEE - 1 seat, 575 ballots cast

J. Robert Cooke

AT-LARGE MEMBER, FCR - 3 seats, 543 ballots cast

Ronald G. Ehrenberg
Isabel Hull
Ellis Loew

MEMBERSHIP OF THE UNIVERSITY FACULTY - 1 seat, 451 ballots cast

Carl A. Gortzig

NOMINATIONS AND ELECTIONS COMMITTEE - 3 seats, 485 ballots cast

Kraig Adler
Ralph Bolgiano, Jr.
Paul R. McIsaac

REVIEW AND PROCEDURES COMMITTEE - 3 seats, 473 ballots cast

Jonathan Culler
Alan J. Hahn
A. Martin Petrovic

ACADEMIC FREEDOM AND RESPONSIBILITY COMMITTEE - 3 seats, 472 ballots cast

Dale A. Oesterle
George J. Posner
James S. Thorp

ACADEMIC PROGRAMS AND POLICIES COMMITTEE - 3 seats, 517 ballots cast

Wilfried Brutsaert
Molly P. Hite
Ann T. Lemley

ADMISSIONS AND FINANCIAL AIDS - 1 seat, 469 ballots cast

Jennifer C. Greene

BUDGET COMMITTEE - 3 seats, 488 ballots cast

Roger Battistella
Paul M. Kintner
Robert S. Smith

FREEDOM OF TEACHING AND LEARNING COMMITTEE - 1 seat, 495 ballots cast

James R. Houck

FREEDOM OF TEACHING AND LEARNING COMMITTEE - 1 non-tenured seat, 350 ballots cast

Risa L. Lieberwitz

MINORITY EDUCATION COMMITTEE - 2 seats, 493 ballots cast

Marvin I. Adleman
Robert L. Harris

MINORITY EDUCATION COMMITTEE - 1 non-tenured seat, 463 ballots cast

Carolyn (Biddy) Martin

PHYSICAL EDUCATION COMMITTEE - 1 seat, 447 ballots cast

John E. Lowe

PROFESSIONAL & ECONOMIC STATUS OF THE FACULTY - 1 non-tenured seat, 454 ballots cast

Beth Rubin

RESEARCH POLICIES COMMITTEE - 1 seat, 507 ballots cast

Barbara A. Baird

UNIVERSITY-ROTC RELATIONSHIPS COMMITTEE - 2 seats, 443 ballots cast

Thomas F. Lynch
Gene H. Oberly

COUNCIL ON PHYSICAL EDUCATION AND ATHLETICS - 1 seat, 392 ballots cast

William B. Duke

UNIVERSITY ASSEMBLY - 5 seats, 481 ballots cast

Nina L. Bassuk
Steven W. Cornelius
Caryl G. Emerson
Sander L. Gilman
Carol S. Kramer

REPORT ON ELECTIONS

FCR SEATS ON COMMITTEES

Spring 1986

EXECUTIVE COMMITTEE - 4 seats, 57 ballots cast

Vernon M. Briggs
Ellis R. Loew
Elizabeth A. Oltenacu
Nicholas L. Sturgeon

EXECUTIVE COMMITTEE - 1 non-tenured seat, 55 ballots cast

David H. Holmberg

ADMISSIONS AND FINANCIAL AIDS - 1 seat, 52 ballots cast

Raymond T. Fox

FREEDOM OF TEACHING AND LEARNING COMMITTEE - 1 seat, 52 ballots cast

John A. Siliciano

MINORITY EDUCATION COMMITTEE - 1 seat, 52 ballots cast

Bertha A. Lewis

PHYSICAL EDUCATION COMMITTEE - 1 seat, 50 ballots cast

Kathleen Vernon

PROFESSIONAL AND ECONOMIC STATUS OF THE FACULTY COMMITTEE - 2 seats, 55 ballots cast

David B. Lipsky
Alan K. McAdams

RESEARCH POLICIES COMMITTEE - 2 seats, 57 ballots cast

Alan Dobson
Martha P. Haynes

THE UNIVERSITY FACULTY LIBRARY BOARD

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

Membership. The Board shall consist of the Provost, ex officio, and/or the Vice President for Research and Advanced Studies, ex officio, and the Director of the Libraries, ex officio, twelve appointed Faculty members who shall serve overlapping four-year terms, and two students selected in a manner acceptable to the Faculty Committee on Nominations and Elections. The President shall appoint the Faculty members of the Board with the advice of the Dean of the Faculty who shall have canvassed the University Faculty for expressions of interest and desire to serve. The Faculty members shall be chosen in such a way as to represent the special library interests of the various disciplines.

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

Duties and Obligations. The Board shall assist the University Librarian in maintaining and promoting the welfare of the University Libraries. It shall join with the University Librarian to review and help formulate broad library policy and shall serve as an advocate for the University Libraries with the Cornell community.

The Board shall keep the Librarian informed of the needs and concerns of the faculty and students and shall help to represent the interest of the Libraries to the faculty as well as to the University administration. The Librarian shall seek and weigh the Board's advice with respect to problems and issues affecting the Libraries before deciding on changes in policy. To that end, the Librarian shall take appropriate initiatives to present matters of policy to the Board in a timely manner, to provide the Board with pertinent information about library operations and services and to meet with the Chair of the Board frequently.

The Board shall advise the President of its position on policy matters affecting the Libraries and about the state of the Libraries. It shall forward an annual report of its activities to the President, to the Dean of the Faculty and to the Faculty Council of Representatives, and it shall report to the Faculty Council of Representatives whenever either the Board or the Council thinks it advisable.

Adopted by the Faculty Council of Representatives, November 13, 1974, Records, pp. 4347-49C. 1. Title changed adding "and Advanced Studies," July 1, 1983. Amended Faculty Council of Representatives, September 24, 1986, Records, p.

1985-86
DISTINGUISHED TEACHER AWARDS
GIVEN BY CORNELL

COLLEGE	RECIPIENT	AWARD
Agriculture and Life Sciences	Professor of Marketing, Agricultural Economics Dana C. Goodrich	Edgerton Career Teaching Award - by the State College of Agriculture and Life Sciences
	Associate Professor of Animal Science David M. Galton*	Professor of Merit Award - by the State College of Agriculture and Life Sciences, Cornell, given by Ho-Nun-De Kah (Agricultural Honor Society)
Architecture, Art and Planning	Associate Professor of Architecture Val K. Warke	Martin Dominguez Award for Distinguished Teaching
Arts and Sciences	Associate Professor of Comparative Literature Walter I. Cohen *	The Clark Award
	Professor of Chemistry Bruce Ganem*	The Clark Award
Engineering	Professor of Operations Research and Industrial Engineering Lionel I. Weiss	Excellence in Teaching Award - by Cornell Society of Engineers and Engineering Tau Beta Pi
Human Ecology	Associate Professor of Human Service Studies William M.K. Trochim*	Distinguished Teaching Award - by the College's Alumni Association and Omicron Nu Honor Society
Veterinary Medicine	Assistant Professor of Clinical Sciences N. Sydney Moise	Norden Distinguished Teacher Award

*Will not be attending September 24, 1986 Faculty meeting.

APPENDIX D

MINUTES OF A MEETING OF THE FACULTY COUNCIL OF REPRESENTATIVES

December 10, 1986

The Speaker, Russell B. Martin, called the meeting to order at 4:30 p.m. in 110 Ives Hall. He then called on Dean of the Faculty, Joseph B. Bugliari, for announcements.

1. ANNOUNCEMENTS

Dean Bugliari said in January there will be a special program essentially for new faculty on an orientation to Cornell Computer Services. Any faculty member who wishes to come will be welcome. In the spring, the normal computer programs sponsored through Cornell Computer Sevices will again be offered.

The Dean said his office is in the process of revising the Faculty Handbook again. He invited any and all who might have suggestions about changes needed in the Handbook to let his office know.

Since there were no questions for Dean Bugliari, Speaker Martin announced that there would be a brief time for questions addressed to Provost Barker.

There were no questions, so Provost Barker wished everyone Season's Greetings and explained that President Rhodes was not able to be at the meeting as he had a very pleasant duty that afternoon, which was to meet with a representative of the foundation which just gave a $5 million endowment for the Writing Program.

2. REPORT ON ACTIVITIES OF PRESIDENTIAL COMMISSION ON FREE SPEECH

Speaker Martin called on Professor John Barcelo, Chairman of the Commission on Free Speech to be followed by Professor Richard Ripple, Chairman of the Committee on Freedom of Teaching and Learning.

Professor John J. Barcelo III, A. Robert Noll Professor of Law: "This won't be a long report because we are really at a very preliminary stage in the commission's work. At this point, I will describe to you the committee, its charge, what we have done so far, where we are and which issues we have identified for more careful attention. The committee was established and its members appointed approximately mid-November by President Rhodes. He charged the committee as follows:

'1. To consider whether or not in the light of extant University policies, an additional policy statement is needed regarding the responsibilities and rights of members of the campus community in the expression of views on political, social and other matters of common concern.

2. To make recommendations on the possible need for additional guidelines regarding the conduct of the members of the campus community when assembled together for the purpose of making such views known to fellow members of the community. Such recommendations should include:

a) conduct in relation to: meetings of the Assemblies and their committees, meetings of the faculties, public convocations for the purpose of hearing guest speakers, open meetings of the Board of Trustees or its committees, and

b) conduct in relation to the character, time, place and duration of large-scale demonstrations, including attendant symbolic means of expression.

3. In reviewing such matters, the Commission will be cognizant of Federal and State laws and bear in mind the ultimate in nondelegable responsibility of the Board of Trustees to preserve the peace and

good order of the campus in the interests of all members of the immediate campus community, as well as alumni, friends and visitors.'

"Perhaps it would be useful if I mentioned the membership of the committee: Dean of the Faculty, Joseph Bugliari; Henry Granison, a student from Law; Professor Mary Katzenstein, Government; Professor Walter LaFeber, History; Professor Paul McIsaac, Electrical Engineering; Professor Roger Morse, Entomology and Chair of the University Assembly; George Peter, Director of Laboratory Operations at the National Astronomy and Ionosphere Center and an elected employee Trustee; Hillary Rossman, an Arts College student; and James Spencer, Vice Provost. That's the Committee of ten, including myself, who have been given this charge.

"At our very first meetings we concluded that the very best thing for us to do is to invite views and opinions and advice from the campus community at large, so that at the very outset, all members of the campus community would have an opportunity to help identify which issues we would be addressing and also give some advice as to what the content outcome on those issues should be. So, we decided to request written statements from anyone on the campus, and we have received approximately 35 such statements and we are still interested in receiving them. We also decided we should hold public hearings and we devoted three days last week to public hearings. We had scheduled speakers on Monday and Tuesday of last week, and on Thursday we had an open forum at which anyone could speak. Approximately 30 people took advantage of those sessions to speak to the commission, and we spent approximately nine hours listening to what those speakers had to say and also asking questions and trying to clarify the issues.

"We have not yet, as a commission, had a chance to exchange views among ourselves in any great depth or detail as to where we are likely to come out on the issues, but we have tried to narrow the issues and have identified four.

"The first is slightly difficult to articulate but we thought that we should look at the existing statements, expressions of policy on free speech that one can find in different places in the different codes and statements and policies that have been published by the University. That includes, for example, the statement on policies that you find in the very outset of the Policy Handbook for Students, Faculty and Staff - I think it is called the Statement of Principles and Policies. There is a statement in the interpretative provisions in the Rules for the Maintenance of Public Order, and there is also the Statement of Student Rights. Each one of those has something to say about free speech. We thought we should look at those and try to decide whether another statement of policies on free speech is needed - maybe a consolidation of all these is what is needed, and also to try to decide whether we should make recommendations with respect to the binding quality of such a statement or the force of such a statement. So, that is one general issue that we are addressing.

"As a result of the positions presented to the commission in these public hearings and the written statements, we will also be looking at a second issue which is sometimes articulated as making the University accountable to members of the campus community in the free speech area. This deals or involves such issues as whether the University should be a defendant in a proceeding before the judicial system or whether one might want to establish some other form of review of decisions in the free speech area by some form of neutral panel or committee, so that one might envision a permanent committee on free speech that

would be asked to rule on questions of violations of free speech that some member of the community asserted. That is the second issue.

"The third, at least in the order that I am giving them to you, is the problem of symbolic speech - what rules, policies, guidelines should govern the problem of symbolic speech, including shanty building and other forms of symbolic speech.

"Finally, the fourth issue is the question of response to disruptions of speakers or disruptions of recruitment activities - what should be done about that general problem.

"In the efforts at gaining some more insight into these, as I say, we have had meetings privately with individuals, and we will have further meetings privately with individuals who have knowledge about past experience and past practices in this area.

"As for the future, I anticipate that the committee will, in the latter part of January, make some effort at drafting a preliminary position on these issues. Perhaps other issues will develop. Then we will try to make a preliminary report to the community as to where we are likely to be leaning. Again, we will solicit reactions from the campus community, perhaps in the form of an open hearing, and surely in the form of written statements. Then we will make a final report to the President by the President's deadline of March 1, and since some of us are leaving the country shortly thereafter, we will have to hold to that deadline.

"That completes my report. If there are any questions, I will try to respond."

Speaker Martin suggested that if there were any questions that perhaps they could be held until after Professor Ripple's report.

Professor Richard Ripple, Education: "I am reporting for the Committee on Freedom of Teaching and Learning. My report will be even briefer than John's.

"We have done three things. The first thing is to agree to accept on our agenda, because it doesn't exactly meet our charge, the notion that as one of your committees, we should look into the relations between the faculty and the administration regarding matters surrounding the anti-apartheid protests.

"There was a one-page handout describing how we see that task to be engaged in (Appendix A, attached). It is a one-page statement which the committee has agreed reasonably defines the parameters of what we see our task to be in that regard. That is the first thing we have done.

"The second thing we have done is to deliberate and make a recommendation to you regarding an oversight committee or an independent body to consider serious complaints against the Safety Division. I presume that you might want to ask questions about that later, but that, too, is spelled out in our resolution in detail.

"The third thing we have done as a committee is to appoint a subcommittee under the chair of John Siliciano, which will make inquiry into the recent Survey of Sexual Harrassment and Public Safety of Cornell Women Students presented to us by the Advisory Committee on the Status of Women. That subcommittee will deliberate about the possibility of recommending additional policy statements and guidelines to the administration vis-a-vis that report. Our plate is full; our agenda is flowing over. We seek your counsel, we welcome your advice and any critical comment you might have. If there is anyone who wants to speak to our committee relative to the first matter - the activity surrounding the anti-apartheid protests - we would welcome you. Please speak with me. We are not having open hearings or open meetings, but they are not closed, either. They are more or less along the lines of informal

inquiry. We have two people coming in this Friday, and we will attempt, as a committee, to make sure that all sectors of the University community are represented in those informal deliberations or conversations."

Speaker Martin asked if there were any questions for either Professor Ripple or Professor Barcelo.

There were no questions, but Dean Bugliari had the following comment: "There is a third group out there that is operating in this area that you ought to know about. Last spring, I believe it was, the President appointed a group of six people to look at what was then Article I, the Statement of Principles and Policies and also to look at the Statement of Student Rights. That group of six has been moving along also, and it is now at a point where I think very shortly it may distribute, in some sense of the word, a revised Statement of Principles and Policies, a new Article I. That group consists of Walter Relihan, University Counsel, and Robin Rosenbaum, a student Trustee, as co-chairs; Tove Hammer, ILR; another student; an employee; and myself. I just thought you ought to know there are at least three groups looking at it."

Speaker Martin called on Dean Bugliari for a resolution from the Committee on Minority Education dealing with the Residential Program House.

3. RESOLUTION ON RESIDENTIAL PROGRAM HOUSE

The resolution was read and a motion made. There being no discussion, the resolution was voted on and passed as follows:

WHEREAS, a Residential Program House for the American Indian Program would not only help to integrate the academic and social aspects of student life but would also foster intercultural learning and exchange between Indian and non-Indian students; therefore

BE IT RESOLVED, that the FCR endorses the proposal (Appendix B, attached) from the American Indian Program to establish a Residential Program

House as described therein; and

BE IT FURTHER RESOLVED, that the FCR urges the Provost to endorse this proposal and to recommend it to the Board of Trustees.

The Speaker next called on James McPherson for a resolution amending the legislaton of the Committee on Academic Records and Instructions.

4. RESOLUTION AMENDING LEGISLATION OF THE ACADEMIC RECORDS AND INSTRUCTION COMMITTEE

James E. McPherson, Assistant Dean, Industrial and Labor Relations: "You have before you a proposal to amend legislation regarding the name, the charge, and the composition on the Committee on Academic Records and Instruction. The proposal began to come about during this past summer when I was asked to serve as chairman of the committee for a year. Not being a member of the University Faculty, it was appropriate to inquire of the Dean of Faculty and of the Executive Committee of the FCR if a change in legislation ought to be requested in order to accommodate that position. After discussion with the Executive Committee, we were asked to consider the changes that you have before you which consist of those items underlined as additions and the items in brackets as items to be deleted. The changes in effect alter most substantially item number 2, eliminating reference to the committee having oversight over the grading manual, and makes it clear that the committee's responsibilities are directed toward transcript notation and interpretative information.

"Secondly, it makes provision for the committee to be a permanent subcommittee of the Committee on Academic Programs and Policies, and finally, indicates that members will be nominated by the deans of the several schools and colleges, preferably to be drawn from those people who are in positions in which they supervise or deal with school and college registrars' offices in

their operation of the student information system in dealing with course registration, university registration, scheduling, etc.

"We presented these proposals as a committee, and they have been accepted and presented to you."

The floor was open for discussion.

Professor George J. Conneman, Agricultural Economics: "I'd like to raise a question. Under item 1. where it says 'course registration', I think a more appropriate term would be 'course enrollment'. There is a distinction between course enrollment and university registration, and I think if we are going to change it, we should make a change there. That's a friendly suggestion, and I gather that Keith Ickes would agree with that."

It was noted that the committee had no objections with that change.

The resolution was voted on and passed as follows:

BE IT RESOLVED, that the FCR endorses the recommendation of the Committee on Academic Records and Instruction to amend its legislation adopted on October 11, 1972 as follows:

COMMITTEE ON ACADEMIC RECORDS AND REGISTRATION

The Committee shall assume the functions of the Committee on Registration and Schedules and the Committee on Requirements for Graduation, which are to be discontinued.

Accordingly, it shall be the responsibility of this Committee:

1. *to review policies for course enrollment, university registration and scheduling for classes and examinations, and*
2. *to administer the grading system as prescribed by University Faculty legislation, and to make recommendations for changes in transcript notation and interpretive information, and*

3. to advise the Registrar on the maintenance and reporting of academic records.

Recommendations of this Committee which have academic policy implications shall be made to the Academic Programs and Policies Committee, of which this Committee shall be a permanent sub-committee, and to the Dean of the Faculty.

The Committee shall consist of: the Registrar, ex officio; the Dean of the University Faculty, ex officio; the Secretary of the Faculty, ex officio; and members nominated by the Deans of the several Schools and Colleges, preferably to be drawn from those who supervise the personnel and procedures in College Registrar offices, to the Dean of the Faculty, for terms of no more than four years.

The Chairman of the Committee shall be elected by the Committee from among its members for a term of one year. The Secretary of the Committee shall be the Registrar or his/her designee.

5. RESOLUTION RE RELIGIOUS HOLIDAYS

Speaker Martin then called on Professor Terrence Fine, Chairman of the Committee on Academic Programs and Policies, for a resolution concerning religious holidays.

Professor Terrence L. Fine, Electrical Engineering, moved the following resolution:

BE IT RESOLVED, that the Committee on Academic Programs and Policies looks with favor upon the proposed <u>Policy on Students and Religious Observances</u>, and recommends its endorsement by the FCR.

He continued: "Already in existence is a New York State law governing the policy on students and religious observances insofar as they may conflict with

academic responsibilities for public institutions and these sector-wide guidelines are rather similar to those. It is perhaps a slight weakening of what there is in the State law for State institutions."

Professor Emeritus W. Donald Cooke, Chemistry: "If this motion is passed, does the FCR adopt this as policy or is it just endorsing it?"

Dean Bugliari: "My assumption is that there would have to be some administrative input into the final promulgation of these rules. I think one of the main purposes of this was the forestalling since the State Legislature is putting more on private institutions in the same way it puts on public. You would have more control over the situation if that happened. Maybe Provost Barker knows more about it than I do."

Provost Barker: "That is an accurate perception of the strategy here and that is to have something rational and that fits the institution's needs, because some of the things that have been proposed before would produce very difficult situations not requiring prior notification by students so that the faculty would be required by law to respond to anything the student asserted was in relationship to a religious activity.

"I think the question that you are asking is how are we turning it into policy, I hadn't thought about it before but it seems to me that it might need to go to the Board of Trustees to become policy, in which case endorsement here would probably be adequate. If, however, this is a policy which stays with the policy, it would be better to adopt it."

Dean Bugliari: "It seems to me that if we endorse it, I assume that if we don't have to go any further, then that is the equivalent of adopting it."

Provost Barker: "I will take it upon myself that endorsement means you support it and you want to go that way, then I'll do it, and if it has to come back, then we will bring it back."

A question was asked regarding the difference between the present policy and the proposed policy.

Professor Fine answered that there was no formal policy. He said he thought there were a lot of traditions regarding accommodation of the religious practices of our students.

Dean Bugliari: "This does not in any way change what we are supposed to be doing at the moment except in one way. That is, it does put some affirmative responsibility on the student to let you know early on whether in fact they have a particular holiday they want to celebrate and not spring it on you a few days before. Now, I would assume, nevertheless, that for major holidays, the ones that are well known, that you might have to treat that a little differently, but I suppose you don't have to."

There was no further discussion, and the resolution was voted on and adopted. The Policy on Students and Religious Observances is attached as Appendix C.

6. RESOLUTION RE ESTABLISHMENT OF AN INDEPENDENT BODY TO CONSIDER SERIOUS COMPLAINTS AGAINST THE DEPARTMENT OF PUBLIC SAFETY

The Chair again called on Professor Ripple: "The brief history is that it was brought to the attention of your Committee, Freedom of Teaching and Learning. We deliberated on it, and the draft we settled on is the one that is before you. Fundamentally, the deliberations of the Committee culminated in the idea that it would be good for somebody other than Safety to investigate serious problems that emerged regarding Safety. It just seemed to be a good idea for all concerned if that was the case, and so we came up with this wording. We gave some attention to it, but I don't think we are particularly attached to any specific word, in case anybody wants to change it."

Professor Ripple moved the resolution on behalf of the committee.

BE IT RESOLVED, that the FCR endorses the recommendation of the Committee on Freedom of Teaching and Learning that an independent body (consisting of faculty, students and staff) be established by the University Administration to consider serious complaints against the Deapartment of Public Safety by any member of the Cornell community. The committee would report directly to the President and when appropriate, to the Community-at-Large.

William D. Gurowitz, Vice President for Campus Affairs: "Let me not necessarily debate the issue, but let me provide you with some information which I think is relevant to the issue.

"I believe right now there are many means of expressing concern about the actions or behavior of the Department of Public Safety or individuals within it, and let me take a moment or two to describe them.

"First off, I think the most obvious one for any department is to bring the concern to the department. This has been done. They have an internal investigation mechanism, which is done on complaint by members of the community or it is done on their own departmental initiative. Discipline has been used; results are usually not made public, but I want you to know that this has been done. Let me give you some data.

"Over the five years ending in June of 1986, the total number of complaints from the community have been 39. Of those 39 complaints, 25, or roughly two-thirds of them were founded - there was substance to the complaints. There are a couple still pending. Of those complaints that were founded plus their own internal investigations, there were 12 suspensions of officers totaling 104 days in those five years, two resignations, two discharges, four verbal reprimands, six written reprimands, and three officers

who chose to seek counsel. If, with any department, including Public Safety, someone is not satisfied with how their complaint or concern has been dealt with, they can appeal to the executive officer to whom that department reports, and in Public Safety, that is myself. An appeal of the departmental finding can be made to me. This has been done and currently is being done. Again, this may or may not be able to be made public.

"Separate from that, a point can be brought directly to me and that also has been done. The Ombudsman's office has often been contacted, and they have looked into matters with the cooperation of the legal department.

"Additionally, there are Student-Academic Staff Grievance Procedures for students only, and basically, that is to be used when policy is not implemented correctly or when a student feels unjustly treated.

"Another avenue for hearing concerns or complaints is the Public Safety Advisory Board. The Chair of that has been and continues to be a faculty member - currently, it is Ron Anderson, Professor in Agriculture and Life Sciences. Previously, it has been John Ford from Human Ecology and Peter Auer from Engineering. The Chief, has on his own, brought, as far as I know, all matters of concern to the community to that Board. Let me tell you just a bit about that. The people on it are appointed by me. I ask for a representative from the FCR, from the Student Assembly, from the Office of the Dean of Students, from COSEP, and a representative from a women's group. The newest member is from the Provost's Advisory Committee on Women. I name three people from the community, usually a student, a staff member and a representative from University Relations. I serve ex officio as the Director of the Department. Membership also includes the Dean of Students, David Drinkwater, Anita Harris in Personnel, and David Stewart from University Relations.

"Let me say just a word about the Department in terms of all these mechanisms and what you will be deliberating. I think any department, especially Public Safety, the individuals in it and the department want to be of high quality, do good work and be respected in the community. They are proud of their profession and they take very seriously any complaint that is concerned about them.

"The question to you in your deliberation is, 'what is the reason for the resolution when there already are so many, what I believe, effective mechanisms in place?' As you debate this resoluton, I hope you will keep in mind the morale of the members of the department.

"Let me close by just saying that I think there are a number of mechanisms, all which are quite active in place for members of the community to express their concern about the department, or any other department, actually, and is there a need to create yet another mechanism?"

Professor Fine: "What activity spurred this resolution at this time?"

Professor Ripple: "We weren't looking for trouble; we didn't seek this out, but in our first meeting Dean Bugliari brought to our attention the fact that there were more than a few complaints brought by faculty members, if not systematically, at least in an accumulated idiosyncratic number which caused him to bring it to our committee. Still, I must say that the sense of the committee deliberations, as I understand them, were that all the things that Vice President Gurowitz has said notwithstanding, there is no faculty independent body in a climate of contentiousness that can give the appearance of propriety as well as the substance of propriety. I guess that is what was motivating us, and certainly it was not an attack on Public Safety. It was an attempt on the part of your committee in a climate of contentiousness which might become exacerbated over time - one hopes not - to create a body which

doesn't necessarily have any power but was an identifiable faculty committee, a faculty body for any individual faculty member to go to should a complaint occur."

Professor Fine: "I guess I have some problems with the competence of the Committee on Freedom of Teaching and Learning to form a motion on this issue. When I vote for membership on these committees I try to do so with my understanding of the charge of the committee. I don't understand how this resolution fits within the charge of that committee and perhaps you could respond to that. I am most concerned to learn inadvertently that even though you deliberated on this issue and brought it to motion, you apparently had not interviewed Vice President Gurowitz who is in fact concerned with this issue, which again makes us challenge some of the advocacy of the thinking that has gone into this issue, and in a sense I'm not prepared to dwell upon this issue coming from that committee."

Professor Ripple: "Without being defensive, I take your criticism. Let me try to generate some empathy with you regarding our first meeting when this was brought to our attention. There were a whole lot of things, which if you read our charge, seem not to be according to the letter but we were encouraged to take them on because they fell through all kinds of cracks. No other committee seemed to have that directly as our charge. The shantytown issue also was not directly in our charge, and the reasoning of the committee, for better or worse, was that if we take a little interpretation of what the freedom of teaching and learning is and if there is no other committee specifically charged with this task, do we want to do it? The committee in its first meeting decided that they did want to do it. I accept your criticism and I can understand if you would like to take some action before we get some more facts on this, but I don't want to give the impression we treated this

casually. We spent one full meeting on this, and there were some members on the committee who felt reasonably strong given the options that were brought to us, and you might want to comment on this, Dean Bugliari, that we should come up with such a resolution."

Dean Bugliari: "I will be glad to. Let me say first that I did not think that this resolution was an attempt in any way to condemn the actions of the Safety Division at all. I personally have had nothing but the highest regard for their performance of their duties over the years, at least to my personal knowledge. One of the things you should note is that we tried to limit this to serious allegations; we didn't feel that every complaint that someone had over the slightest parking ticket, or whatever, was supposed to go to this group. We envisioned relatively severe types of situations to be the ones that in fact this group would be involved with.

"Secondly, we did not classify the formation of the group. That, we felt, was up to the administration. We did not want to tie their hands in any way with respect to the composition or the charge or whatever, but I have gotten even more letters from faculty people who have suggested that in fact they feel this is something that is needed, and I guess that it is not necessary to act today if the body feels we should go back and look at some of the things that Bill pointed out."

Professor Robert M. Cotts, Physics: "Do you know, Dean Bugliari, whether or not the letter writers have carried their concerns to the committee that Vice President Gurowitz described, the Public Safety Advisory Board?"

Dean Bugliari: "When I talked to Ron Anderson, I got the definite impression that they did not handle complaints, that they were a policy group, and that if I went to them with a complaint they were not going to be the ones who were going to come down on that kind of an issue. They are an advisory

group, and I got the impression from him that not only did he not feel that was their charge, he also did not feel that Chief MacDaniel wanted them to get involved in that kind of process."

Professor Emeritus John W. DeWire, Ombudsman: "This is something we have been concerned about sometimes, also. I have a couple of comments that might help you. One thing I found rather interesting was that just recently there was an article in The New York Times where the New York Police Department had a problem and in the Lindsay administration, there was an attempt to set up such an organization to hear complaints against behavior of members of the police department, and it never was put into force. The Police Benevolent Association evidently came out very strongly against it and as a result it never came into force; and just recently there was an attempt to establish such a thing. I'm glad that Bob Cotts brought up this business about the Advisory Board because I was going to ask the Vice President if in fact that was a group to hear complaints because if it is, we are not aware of it in the Ombudsman's office, and that would be very important for us because we have had to deal with some of these problems.

"I don't have very much to say about any severe problems we have had in dealing with the complaints that we have had except I have been a little bit worried about cases where I have been asked to review the findings of the police in response to a complaint, and that has been denied to me - not in all cases, but in some cases, and I felt that I could have provided to the person some better feeling about what had been done. One of the things that happens as far as I know, is that while there is a report saying what action was taken by the Chief in response to these things, that information, I believe, is never supplied to the complainant."

Vice President Gurowitz: "The Public Safety Advisory Board as I tried to indicate is an advisory board. It is not a formal complaint mechanism, that's correct. On the other hand as I mentioned, the Chief brings concerns to that Board for discussion. We will have people from the outside who have a particular problem or issue come in to talk with that Board, then it advises the Chief. It is not a formal complaint mechanism."

An Unidentified speaker: "It seems there is no need for a police review board. If the information that Vice President Gurowitz has given us is accurate, then the Department of Public Safety is unique in the sense of dealing with its own problems.

"Secondly, I would suggest that it does preclude the person who is feeling injured by actions of Public Safety to go there directly. I don't know why one would hold a department responsible for letters directed to another office. I have found, and I have not had a positive relationship the whole time, that the department has been very positive to complaints. I have directly brought complaints to the department twice, and they were dealt with quickly and with dispatch and to my satisfaction, and they have not been picayune matters. It doesn't make sense to take over something when one can't describe what's wrong with it. Where are the problems that can be made explicit that this corrective device might somehow or other make it better?"

"Last but not least, the history of policy review boards is lousy. They don't do what people think they do. They become mechanisms for contention over the department itself. They frequently don't facilitate grievances, and the best way of facilitating grievances that I know of from my work in criminology is a simple one - get the administrative organization within the department to be responsive to service demands. I would strongly urge that we look very

carefully at any proposal to set up a body that would do nothing but lower the morale and not include the services of the Department of Public Safety."

There was no further discussion and the motion was voted on and defeated.

There was no further business to come before the body, and the meeting was adjourned at 6 p.m.

Respectfully Submitted,

Francine A. Herman, Secretary

Freedom of expression is fundamental to promoting freedom of teaching and learning in the University. The Committee on Freedom of Teaching and Learning (Committee) of the Faculty Council of Representatives (FCR) will conduct an inquiry into certain aspects of the anti-apartheid protests at Cornell and the Cornell Administration's responses to the protests. The inquiry will focus on developing a faculty position with respect to policies and procedures which would assure full freedom of expression and promote an atmosphere where the freedom to dissent will be encouraged and supported within the University community. A written Committee report and recommendations will be referred to the FCR. To reach these recommendations, the Committee finds it essential to inquire into the history of the recent protests and Administration responses to them, which have raised issues concerning freedom of expression of members of the University community. In particular, the Committee will inquire into the series of events on campus relating to the construction of the shanties, the issuance of a court-ordered injunction, and the subsequent arrests and pending trials of students for alleged violations of the injunction. It is our hope that this investigation will lead to an understanding of the reasons for the breakdown in negotiations and resulting impasse between the protestors and the Administration over the shantytown issue.

In light of this examination, we shall seek to assist the faculty in developing a position with respect to mechanisms, both formal and informal, for dealing with such issues in the future, including procedures for appeal of decisions made.

The Committee's inquiry will consist primarily of interviews of individuals with relevant knowledge of the anti-apartheid protests and the Administration's responses to the protests. The Committee will also study documentary material relevant to the events.

AMERICAN INDIAN PROGRAM
RATIONALE FOR A RESIDENTIAL PROGRAM HOUSE

I. Aims and Objectives of the American Indian Program. Cornell's American Indian Program (AIP) is an intercollege, multidisciplinary program based in the College of Agriculture and Life Sciences. Each of its three major components -- instruction, student support, and research and extension -- has been designed with an eye to Cornell's responsibility as a land-grant institution. Since its beginning in 1982, the Program has developed in accordance with broad principles laid down in 1975 by the Board of Trustee's Ad Hoc Committee on the Status of Minorities and reaffirmed in March 1984 by the Trustee Subcommittee on Minority Education. In addition, the Program has incorporated major elements of the policy statement on the education of Native Americans issued by the Regents of the State of New York in July 1975.

The extension and most of the research activities undertaken by the AIP are aimed directly at improving the lot of Native Americans in New York State. Student support activities, on the other hand, benefit all Native Americans at Cornell, regardless of their geographical origins, and instruction affects Cornell students of all kinds, non-Indian as well as Indian. The proposed residential program house will have an impact on all these activities, but instruction and student support stand to benefit most directly and significantly from such a house.

II. Instruction and Student Support. The instructional core of the AIP consists of fifteen courses focusing on American Indian life, with an emphasis on the Iroquois and other Indians of the Northeast. These core courses are supplemented by a variety of offerings from a number of academic departments in the Colleges of Agriculture and Life Sciences, Human Ecology, and Arts and Sciences. An undergraduate concentration in Indian Studies is available to interested students.

In keeping with the University's commitment to broaden the educational opportunities and experiences of students from all ethnic and racial backgrounds, non-minorities as well as minorities, the AIP offers courses

designed to heighten awareness of the unique heritage of American Indians. Students in these courses, which typically include a substantial majority of non-Native Americans, explore such topics as the sovereign rights of Indian nations and contemporary Indian attitudes toward the environment as well as the historical bases of these rights and the origins of these attitudes. Courses like these, made up of Indian and non-Indian students both, serve to call attention to the distinctive identities of a minority group even as they foster the kind of mutual understanding between ethnic groups that is required in a pluralistic society.

In support of its instructional program the AIP has developed a financial aid plan for Indian students at Cornell, a plan that has been adopted by the University and accepted by tribal groups. It has also assisted in the University's efforts to recruit Native Americans and has offered counseling services to Indian students at Cornell. The most effective form of student support, however, would be a residential program house.

III. Residential Program House. A program house which also serves as residence for students interested in American Indian culture, a facility shared equally by Indian and non-Indian students, will contribute significantly to the success of the AIP. Such a house will help to integrate the academic and social aspects of student life, a goal currently being pursued in the Faculty Fellows program, the Faculty in Residence program, and similar endeavors at Cornell. It will also foster intercultural learning and exchange between Indian and non-Indian students and a potentially fruitful association with the research and extension activities of the AIP. Finally, a residential unit offering a community life to Indian students will provide the kind of psychological support that should enable many more of them to complete their academic programs.

The proposed residence unit will house about thirty-five women and men, both Indians and non-Indians. All interested students, non residents as well as residents, will be invited to engage in program activities sponsored by the house. A graduate student resident advisor will exercise counseling,

leadership, and administrative responsibilities. There will be two guest rooms for occasional visits by family members of Indian students and other Indian people visiting Cornell on matters relating to the AIP and Cooperative Extension functions. Such a receptive environment for Indian visitors to campus will greatly enhance Cornell's recruitment efforts as well.

A meeting/seminar room will provide physical space for a range of activities sponsored by the AIP or resident students. These activities will include visiting speakers, cultural activities such as pow-wows and dances, and films. The room would also accommodate displays of Indian art and other exhibits and provide a meeting place for seminars in American Indian Studies.

A resource center/library within the house will provide needed space for research and educational work in Indian studies. Part of the resource center might be devoted to displays of Indian crafts and arts, which might lead to formation of classes devoted to Indian craft work. These classes and demonstrations would be open to the University community.

Unstructured and unplanned discussions of Indian life and culture stimulated by the natural process of creating a living environment may well be the most important experience of students residing in the house. The learning which results from this kind of experience -- neither purely academic nor purely social but a mixture of both -- is the principal objective behind the proposal to establish an American Indian Program House at Cornell.

(Prepared for the FCR Committee on Minority Education by Barry Adams and Ray Fougnier, November 1985)

cIcu

23 September 1986

RESOLUTION

WHEREAS, at the January 24, 1986 meeting, the Board of Trustees of the Commission on Independent Colleges and Universities directed the cIcu staff to develop a sector-wide policy on students and religious observances, and

WHEREAS, a Religious Observance Committee was formed consisting of Board members, cIcu staff, representatives of the Anti-Defamation League and Senator Donald Halperin's office, and

WHEREAS, after several months of deliberation, the Committee formulated a Policy on Students and Religious Observances which incorporates the concerns expressed by the above parties, and

WHEREAS, the cIcu Board of Trustees has reviewed the aforementioned policy,

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of cIcu adopt such policy, retain its interest in the successful implementation of this policy and encourage cIcu member campuses to adopt policies reflecting this statement.

Duly Adopted at the cIcu Board of Trustees Meeting, September 18, 1986.

cIcu

The Commission on Independent Colleges and Universities Guidelines on Students and Religious Observances

It is the intent of the Commission on Independent Colleges and Universities through its member institutions to extend to independent college and university students the protection currently granted public sector college and university students whose religious observances may conflict with academic responsibilities.

It is not the intent of these guidelines to require that independent colleges and universities alter their academic calendars to accomodate various religious observance beliefs. It is the intent of the Commission to encourage independent colleges and universities to reasonably accommodate individual students' religious obligations and practices without penalty, based on good faith effort of the faculty and the administration, and due notice by the student to the faculty or administration of the anticipated religious observance.

The Board of Trustees of the Commission on Independent Colleges and Universities authorizes the President of the Commission or his designee to encourage the adoption of these guidelines by its member campuses by September 1, 1987. The cIcu Board of Trustees will retain its interest in the successful implementation of these guidelines.

Guidelines on Students and Religious Observances

In order to achieve these goals, the Board of Trustees of the Commission on Independent Colleges and Universities hereby requests each of its member institutions to adopt guidelines which reflect the following:

1. No student should be expelled or be refused admission to an independent sector institution of higher education because he or she is unable to participate in any examination, study or work requirement because of his or her religious obligations and practices.

2. Each institution should accept the responsibility of making available to each student who is absent from school because of his or her religious obligations and practices an equivalent opportunity to make up any examination, study or work requirements which may have been missed because of such absence on any particular day or days. No fees should be charged to the students for costs incurred by institutions that provide special classes, examinations or work requirements.

3. In effecting the provisions of this section, each college and university administration and faculty agree to exercise the fullest measure of good faith, and agree that no adverse or prejudicial effects should result to any student who avails himself or herself of the institution's guidelines on religious observances.

4. If deemed appropriate, each institution may establish and implement procedures which should require students to notify the instructor in writing, no later then the fifteenth day after the first day of the semester, of each class scheduled for a day on which the student will be absent because of his or her religious obligations and practices.

5. Each college and university is encouraged to annually publish a copy of its guidelines on students and religious observances, based on this statement, in its student handbook and/or academic calendar.

23 September 1986

MINUTES OF A MEETING OF THE FACULTY COUNCIL OF REPRESENTATIVES

March 11, 1987

Speaker Russell Martin called the meeting to order at 4:30 p.m. in 110 Ives Hall. He then then called on Dean of the Faculty, Joseph B. Bugliari, for comments.

1. ANNOUNCEMENTS BY THE DEAN

Dean Bugliari announced that revisions were still being made to the Handbook. He went on to talk about another project, which is the revision of the charges to the faculty committees, most of which were drawn almost twenty years ago. He said he may seek input from the faculty.

Dean Bugliari informed the body that a booklet on suicide entitled "Back from the Edge" is available in the Office of the Dean of the Faculty. He explained that the booklet tells how to deal with people who may be tending toward suicide.

The Dean said that there would be a meeting in April in order to approve the Slate of Candidates for the spring elections, and there may be some action to take on a couple of centers that are wending their way through the Academic Programs and Policies Committee.

Speaker Martin announced the three items for discussion on the day's agenda: Campus Rules of Conduct, Commission Report on Free Speech, and Sexual Harassment. Each of these would be introduced by Dean Bugliari and then other involvement and an opportunity for discussion and questions. He said there would be a time limit of thirty minutes for each item.

1. CAMPUS RULES OF CONDUCT: STATEMENT OF PRINCIPLES AND POLICIES

Dean Bugliari: "There are two very important items involving free speech and free expression before the University community. The first is from a group that were given the task to look at the Statement of Principles and Policies - that's old Article I of the Campus Code. That group consists of Robin Rosenbaum, who is a Student Trustee and Walter Relihan, University Counsel, as the Co-Chairs. Robin was here, but said she was sick, so I sent her home. There also are two faculty members on that Committee - Tove Hammer from Industrial and Labor Relations and myself. There is another student and an employee representative.

"You received a copy of the proposed revision of Article I with the call to the meeting. It has two very important parts. The first part is a free speech statement which is crucial because the Barcelo Commission, which is our second topic for today, has adopted it as part of its report. The second deals with the procedure for dealing with community members caught up in some way with state, local and campus judicial systems. Most of these rules, in my opinion, are not really much different from what I thought most of us always thought the rules to be. Also, I would point out with respect to the controversial so-called martial law provision, that it only applies to Section II of the Principles and Policies; in other words, the procedures for those who come afoul of the system, and not to Section I, the Free Speech Provisions. The President cannot - I re-emphasize cannot - suspend the rights of free speech contained in Section I of the Principles and Policies.

"Secondly, in my opinion, the martial law provision is really a step up from where we found ourselves before and not a step backward. I do not believe the President or the Board of Trustees will allow themselves to be put

in a position where they will be bound by those rules on dealing with those who come in contact with the system come what may on the campus. One might wish that this were otherwise, but one must also recognize the political reality. But the President now (as opposed to where we were before) must come to the community and announce his intention to suspend those rules ahead of time and provide a rationale for his actions. The community can then react politically to this decision. I would suspect that if this body or members of this body were upset with the President suspending the rules, they would ask for a special session and pass a vote condemning the action. Incidentally, I also believe that it helps the President to have to explain the basis for his action so that the community understands his views, even if we might disagree with them.

"Before we open up things for discussion on this issue, let me first suggest that neither this proposal nor the report of the Barcelo Commission are chiseled in stone. That is surely true of the Barcelo Commission report which has undergone changes since the open meeting held last Wednesday and may well undergo more before it is finished.

"Secondly, I'd like to ask Roger Morse, the Chair of the University Assembly, to tell us where this proposal is on the revision of Article I relative to Assembly action."

Professor Roger A. Morse, Entomology: "The proposal was presented to the University Assembly last Thursday, and they did not pass the report. There are sundry reasons why this was so, and I think perhaps the chief one was that there were a large number of people raising questions about it, and our time was limited since there were other matters to consider. In any event, I have called a special meeting of the University Assembly Executive Committee for tomorrow afternoon, and in talking to the people on that five-member

Committee, I expect that there will be a special meeting of the University Assembly held in the near future to consider the matter again. I would be glad to answer any questions."

Dean Bugliari: "I would like to know if there are any comments that any of the faculty members have with respect to the proposed revisions that are now before the University Assembly on the Statement of Principles and Policies, the new Article I.

"If this is passed by the Assembly, it will then be passed by the Board of Trustees, and then it will be binding on everybody. There will be no question anymore that Article I, as has been argued in the past, is not binding on the administration and the Board of Trustees.

Urie Bronfenbrenner, Director, Professors-At-Large-Program, and Professor, Human Development and Family Studies: "I am also a member of the Committee on Freedom of Teaching and Learning, and in that connection, I have a concern about the following kind of situation which has arisen in the past and is likely to arise in the future. And that is when the administration of the University is part of the protest. This creates a situation in which the authority vested in the University administration places it in the curious position of being judge, jury and executor. I recognize that's the situation under the laws of the State and the Nation. I welcome the provision to which you have alluded that the President has to make his actions known to the community, but I note that the time that is done is after the decision to take an action that has already been made. My question: is it possible at least to recommend that, especially in instances in which the University administration is the object of the protest by the issue, that there be the strong advice that the persons who would make this decision consult with, in the first instance, an appropriate representative of the faculty, so that the

decision, when made and necessary, would at least have, before the fact, some input as to the views of the faculty constituency."

Dean Bugliari: "I would have no trouble with making that kind of a recommendation. I do think that the President has to make the decision before he implements the policy. In the Barcelo Commission suggestions, there is what is called a Crisis Committee - a group that would represent faculty, students and employees that would be available to work with the President in a situation such as you described.

"I feel it is a reasonable suggestion, and we will follow up on it that in situations in which the administration is the target, the President consult with some group before he votes."

Professor Michael C. Latham, Nutritional Sciences: "I think that kind of safeguard becomes very important, and I was going to talk about this in discussing the Barcelo Commission's report. But it seems to me if there is to be a standing committee or a crisis group, it seems important that this not be a group that is appointed by the President, because again you have got the fox in the chicken coop saying what goes on in the chicken coop. It seems to me quite important that the faculty representatives on such groups be elected either by the FCR or by the faculty-at-large. One of my criticisms at the hearing the other night with regard to the recommendations of the Barcelo Commission is that they are suggesting committees which are not entirely appointed by the President, where the chairman and at least two of the faculty members were appointed by the President and were not elected by the faculty. That seems to me that if we had a U.S. Senate where thirty percent of the people in the Senate were appointed by the President, it wouldn't be a very democratic Senate, and I think it is important that these kinds of committees be chosen in a democratic manner."

Professor Bronfenbrenner: "I want to underscore that it is more than desirable in my view - it is absolutely essential for this reason. In such situations, what happens is that the perception of the situation of the different groups when they are not in communication with each other can be markedly different and, hence, decisions can be misread. It is very important before a decision is made that those making the decisions be aware of what that decision appears to be to the other parties in the case. So, I ask for this additional comment because I think that this is, perhaps, a fundamental addition to such principles and it comes up with even greater force in relation to the Barcelo report. It is absolutely essential in my judgment."

Professor Emeritus John W. DeWire, University Ombudsman: "I just want to point out that there is a problem; namely, the President is given the responsibility for maintaining public order - not a president from some committee, the President - and there may be times when he would have to exercise that authority in a hurry. I would hope that those times would not arise at all, but if they do, it seems to me that he cannot accept the situation where he would have to go and get somebody's advice or concurrence before he takes an action. I would guess that any President could not possibly accept this given the fact that the Trustees have put that responsibility on him and no one else."

Dean Bugliari: "John, would you feel that if there was a clause that provided if an emergency erupts and something has to be decided in fifteen minutes, I don't think anybody could expect that that consultation would have to take place. On the other hand, I think that in most situations that might not be the case and if we could fabricate it in some way so that the legislation would provide an out for the kind of situation you describe, I think we could accommodate both positions."

Professor Morse: "Let me make a comment on procedure. The University Assembly has received the report. It acted unfavorably in the beginning. There will be another open hearing, and then we will proceed again. Then the report, if passed, goes to the Trustees. So, you basically have two opportunities to express these thoughts in writing or in person."

Dean Bugliari: "On the other hand, being a member of the committee I think I can express the position that three of you gentlemen have expressed to Walter and Robin. Perhaps if they are favorably disposed, they could somehow amend it before it gets back to you again. It does not seem to me to be an unreasonable suggestion subject to John's caveat that in some some situations if it's impossible."

Professor Latham said he agreed with Professor DeWire in that when a crisis exists, nobody wants to tie the hands of the President, but that most of the crises are not of that nature.

2. REPORT OF THE BARCELO COMMISSION ON FREE SPEECH

Dean Bugliari: "To save paper, I did not send a copy to each of you, but there is a copy in the Chronicle. Members of that commission are here today. They include Roger Morse; Paul McIsaac from Electrical Engineering; Jim Spencer; George Peter, the employee representative; and myself.

"Let me say first that it is my understanding, and the rest of the people here will be able to check me, that the commission's report is still in the draft stage. We circulated a draft report, and following the open meeting last Wednesday, the commission has met twice for long hours, it seems, and has made some changes. I do not know if you would characterize the changes as substantial or not. I think some of us think they are substantial. Some other people might not think they are substantial enough. It has made changes in its report based on those hearings. It will be meeting again before it

submits its final report. It is going over written comments that it has received at this point, and I am sure that it will consider any suggestions that are made today.

Professor Latham: "I was not here last semester, so I did not have an opportunity to address the commission until last Wednesday. At that meeting I expressed my thanks to the members of that commission, and I felt that they had worked hard and done a good job in what they had done and tried very hard to consider all the aspects of the various viewpoints. But it seems to me and to many other people I have talked to, that the commission, though doing a reasonably good job on what it said, left a great deal unsaid, many issues unaddressed, and out of those who attended the public hearing last Wednesday, all but one agreed with that. The main unaddressed issues within that report deal with actions that could be taken with regard to the behavior of the Cornell community with regard to free speech on the campus. The points unaddressed are the issues of how the Cornell administration should behave when there are demonstrations, when free speech is sometimes being acted upon, but the administration doesn't really want to hear it too much or doesn't deal with dissent in an appropriate way. That whole group of activities, in my view and that of many others, does need to be addressed, and I think there are a number of people who feel that how the University acted with regard to shanties is indicative of its response. There are, many other issues where the administration did not act properly, especially considering that the people who were exercising free speech and who were demonstrating were doing it in a cause or an action with the majority of students and the majority of faculty of this University's support. They were not acting on what the minority wanted them to do.

"Let me mention one particular example that I raised at the Commission's hearing that still makes me very, very angry and that was the faculty picket on Wednesday outside Day Hall. Perfectly peaceful. As on many other occasions we spotted somebody photographing the faculty from a window up there in Day Hall. We were stopped from trying to get up to see who that photographer was. Eventually, the photographer in civilian clothes came down and told that there was nobody from Security taking photographs. He admitted he was a Security member and he was taking photographs from the men's toilet in Day Hall. This was not the first occasion that it had taken place. This was a terrible infringement on the rights of faculty, students and others to say something to this administration. It is something you would expect from the Soviet Union or South Africa, but not here, and the administration admitted that that took place, but there was no apology from the President. We have never been told, and we have been told we can't be told, what happened. We've never been told who gave the orders, and Inspector Hamilton who was out there in civilian clothes, I don't expect that he got up that morning and decided not to put on his uniform and decided to grab a camera. He had orders, and I expect they came from Day Hall - I don't know that they did - but this is one example in which there was a terrible infringement of the photo policy, and we haven't had satisfactory regrets or apology about it, and I expect that there will be many more of those kinds of things.

"What has the Barcelo Commission done to support the Photo Policy? It doesn't say anything about the Photo Policy. It says that at demonstrations video taping of disrupters and potential disrupters will take place. Who judges who is a potential disrupter? I don't think that security officers can make that evaluation.

"That is just one of many examples, but there seems to be no way that we can get a picture of these kinds of things. I think the Barcelo Commission is remiss in not dealing with how the administration should act in these kinds of circumstances.

"There is a second part of the part of the report that I think you need to change. I think it has got adequate conditions in there to protect faculty, staff and administration in buildings to stop disruption of normal activity, but then it goes on to provide three whole paragraphs for the protection for Day Hall, and I don't think Day Hall needs added protection. I think we should have one set of rules that affects the whole Cornell community.

"The last thing I want to mention is that there is unequal treatment of individuals based on what they are trying to say to the administration. I was particularly struck at the meeting Wednesday with two students coming forward and showing us. One student said that she had been arrested 12 times in Day Hall when there would be only 2 or 3 people, and there wasn't major disruption, when she held up a sign saying 'Divest Now'. If she goes in there and holds up a sign saying something else, she doesn't get arrested. That doesn't seem to be something that is right. Similarly, when a student who is a campus guide wears his t-shirt which says 'Divest Now', he is not allowed to be on the job as a campus guide. When he wears one with a different message, that is perfectly acceptable.

"These kinds of things need to be examined. There is a paranoia about the divestment group. A document about the Kahane disruption, which I think was a disgraceful thing, and I don't support it, contained a little sentence in it saying there are a group of faculty and something about divestment people; if anybody who does anything on this campus that the University

doesn't like, they get labeled 'divestment' people. But the majority of the faculty and students want Cornell to divest. It seems that there is this paranoia on the part of the administration with regard to those of us who want to see this University divest. Some of us have been working toward this end for seventeen years and are going to continue to work to get this University to divest. I think the University probably has divested one hundred million dollars in the last year simply by companies pulling out of South Africa, and I expect it will be willing to divest fully when Nelson Mandella becomes President of South Africa. These types of behavior have made us angry and upset, and I think that the University and the Barcelo Commission need to deal with how the administration treats those of us who are trying to excerise our rights."

Dean Bugliari: "We have been talking about the kinds of things that you have mentioned, Michael, and I do think there has been some movement toward recognizing some of the issues that you have raised in your topic."

Professor Mary Beth Norton, History: "I'd like to comment that although both reports were really developed in response to specific circumstances, that both suffer from being too tied to specific circumstances. When I was reading them, I was thinking what this is going to read like 5 years from now or 10 years from now. These are not being composed as merely responses but as laying out issues, and I guess I'd like to have people who are on both the groups comment on whether they could stand back a little more if you see a final draft of both of them. I think it would be to the benefit of everyone if the commissions that were responsible for them could produce them in response to particular incidents and yet understand that they are doing more than responding to those particular instances and laying out something that is going to be University policy for a considerable period of time."

Dean Bugliari: "Let me, as the one person who is on both, make some attempt to respond. I'm not sure if it will be adequate because I'm not sure, having sat through the number of meetings we have sat through that anybody could sort of step back from it and look at what you have produced objectively. To me, the most important thing in the Article I revision was not the free speech section because I really sort of suspected that the Barcelo Commission would be producing something and was sort of surprised that in fact what happened was that it now became the key free speech statement we are going to have on the campus. My main concern, and I will be quite honest with you, was, as I said before, to set up a set of policies as to what happens when students who got caught up with the system came before some judicial group. In other words, to get some understanding as to what I understood the old policy to be, namely that we handled everything here on the campus that we could conceivably handle. We only sent students downtown when there was no other alternative. In fact, if you are not careful, I have snuck something in there in that set of principles that nobody has commented on that to me is very important, and that is, it now provides that if everybody - that means the downtown prosecutor, the Woolworth Department Store, and the student - all agree to bring it back up here, we will bring it back up here. Now, that was not in Allan Sindler's earlier version of this, and that is important to me because we bring students, who are young people, thousands of miles from home, they get in some sort of trouble, and everybody says 'hey, if you can handle it at the University and give them community service, we won't prosecute them and give them a record, fingerprint them, and do all the things the local police do,' and we say, 'no'. To me, that is wrong. If everybody agrees that it should be handled here, I see no reason why we shouldn't take a little *in loco parentis* and do it. The thing that really drove me to that

decision was a story about one of our students who was over at a Harvard-Cornell hockey game in Boston and who injudiciously threw a bottle at somebody and got arrested by the Harvard police. Nobody was seriously hurt by the bottle. Still, it wasn't right - there is no question about that. The police over there said 'if you handle this guy on your campus, we'll do it. Our action is, 'We don't have any provisions for that,' and so the result is that he got thrown into the Boston police system.

"It seems to me that we could go that far if everybody agreed to do it. To me, that is what we were really trying to do - to restructure that.

"Regarding the free speech question, I guess my personal feeling is that we should have as much absolute free speech as possible, so I am as much in favor of providing all avenues of speech that are possible whether people are advocating one side or another side of a position. In fact, I heard a story, which I am not sure is true, that Cornell is getting a reputation so that controversial speakers on either side I'm talking about whether they are on the left side or the right side of an issue - are not willing to come because every time someone comes it is a signal for some group to attempt to use that occasion to bring out a message that they are trying to bring out. To me, that would be very unhealthy if our reputation got to that point. I think controversial speakers are what we need. I am very concerned about that, but I do think you are right. We have to stand back and look and see where we are."

Professor Raymond T. Fox, Floriculture and Ornamental Horticulture: "I just wanted to make a comment to the effect that I am getting a little bit tired of hearing all about free speech and everybody's freedom to do whatever they want. I think there are a lot of people on this campus who are many times intimidated by people crowding around Day Hall or whatever place. It

prevents normal activity on their part. Now, the people who are doing all this never think of that part of it. All they are interested in is their point of view. They are not giving the normal chain of events of other peoples' lives a chance to happen, and I resent that, too. As far as people being paranoid, I think that is like the pot calling the kettle black because there is paranoia on the other side, too.

"If somebody wants to congregate, let's have a speaker's corner or someplace where they could congregate and do what they want and say what they want and not have the rest of the campus messed up. To me, it is an affront to the campus, to the beauty of the campus, to the environmental quality of the campus to have shanties, to have whatever you want - clotheslines hung out - or whatever is going to happen the next time around. I don't think that has to happen. And just as was previously mentioned, I also think that if you have a speaker who is controversial, let the speaker speak. People who want to go and listen to him can listen. Other people can stay away. But to have that speaker disrupted is an affront to my sense of rightness on this campus, and maybe that's a different point of view from everyone else's, but I think there are a lot of people on this campus who would like to have the campus as an educational institution, not be continually confronted by all of these things that's either death or destruction or what not."

3. SEXUAL HARASSMENT

Dean Bugliari: "The final topic before us today is the issue of sexual harassment."

"You received with the call to the meeting a summary of the report on the issue that was prepared by the Advisory Committee on the Status of Women and also a resolution on the issue that was passed by the Deans' Council (Appendices A and B, attached). You also should know that a subcommittee of

the Committee on Freedom of Teaching and Learning, headed by John Siliciano at the Law School, is examining this issue and considering the possibility of a faculty statement on the issue that would be brought to this body.

"I think all of us probably recognize that blatant overt sexual propositions and contacts constitute sexual harassment. But those kinds of activities, unless I'm very mistaken, could not possibly explain the numbers of people who complained of sexual harassment in the report. To me, the question is, what more is involved? In particular, what actions are perceived as sexual harassment by the harassee, which at the same time may honestly not be so perceived by the alleged harasser.

"I had asked Catherine Murray-Rust, who was involved in the preparation of the report to come talk to us today about what is encompassed in the term 'sexual harassment' and then lead us in a discussion of the issue. Catherine, is apparently at a meeting of the Library Board at exactly the same time, and I hope that she will show up and try to give us some insight into what other kinds of activities were involved in that."

Professor Ann Lemley, Textiles and Apparel: "One of the things that struck me about both the report and the implementation of the recommendations of the Deans' Council was that we had a report where a significant proportion of incidents reported involved faculty and students probably because of the population. The perception, when one read the Chronicle, and I heard this from a lot of non-academic staff in three different departments that I have relationships with, is 'well, they have got sexual harassment and what are they going to do? They have a human relations workshop for non-academic staff.' I have very, very strong concern that only one segment of the community is going to be there because after all, you can tell non-academic staff they have to go to things. That is part of their jobs. Obviously, the

Deans' Council statement mentions faculty and students, but I am concerned about perception of our non-academic staff. Many of these people have attended many more managerial and supervisory training courses than any of us, and we supervise people all the time.

"Secondly, obviously some significant proportion of these problems involve faculty as well as other students, and there are lots of anecdotal things. How are we going to implement this with respect to faculty?"

Provost Barker: "Ann has a very good point. The Deans' Council has clearly focused in their discussion on that issue, and they weren't indifferent to the fact that other constituencies in the community needn't be concerned. They are really trying to get at the question of how this matter can be addressed within the colleges, and I know that within some of the colleges there has been a concerted effort to take the issue, not just as something to talk about now, and then forget about it, but to take the issue of how can it be dealt with. Nearly everything being recorded is by students reflecting on harassment by people in authority and those people are either faculty or teaching assistants, almost across the board. The harassment reported by graduate students was worse than that reported by undergraduate students, the situation in which the graduate student finds herself is one which is harder to deal with and it is harder to get away from. So, among the important things for this group to try to help us with is how to address that issue, because the deans recognize they can carry it back to the departments, they can try to have the departments examine it, but it is going to become a matter of what our colleagues will do about it, and that is one of the reasons I am glad it is on the agenda here as something to be talked about by the FCR. But it is really a question of how can we require faculty members to go through some of the kinds of experiences that we can require if people are

part of the managerial staff. I think there is a hesitancy about asserting that we can do that but then if you look at how much of the institution is supervised by faculty members, it is a very large count. There is an awareness of the problem but exactly how to go about getting at it, there is no pat solution. We are hoping that when some human relations training opportunities, some additional ones to what we have now, are available that we can get faculty members to go to them. I think that you will find that in the future when we are talking with new faculty members, we will be urging them to do some of those kinds of things, but I hope that some of the established faculty members will do them, too."

Professor Norton: "I have serious concern about this issue for a variety of reasons, but one is the fact that I am concerned about how we institutionalize this beyond being very concerned about sexual harassment at the moment until various policies get adopted. But then what happens over the long run? As we all know, the student population turns over completely, the undergraduate student population every four years, the faculty people go in and out of the faculty. What I am concerned about is institutionalizing any solution, and that makes it even more complex than doing it once, but it strikes me that unless we institutionalize the solution in three or four years, we are going to be doing the same thing all over again simply because of the nature of the changing population that we deal with. I was struck by the strong sense of concern expressed by my colleagues on the Board of Trustees about the contents of the report and the very strong desire that something be done on campus. Several things worried me a lot in this report. One of the things that worried me a lot was the twelve percent of the students who said they literally avoided taking a course because of the reputation of the professor as a sexual harasser. The other thing that worried me a good

deal was the perception of at least half the students who said they were thinking about reporting such an incident, that they would be regarded as the cause of it. In other words, their complaint would not be taken seriously by those persons in authority, and that reporting the incident would not help them, but rather hurt them. I think that whatever solution is arrived at would have to address these particular concerns. Like Ann Lemley, I've heard many anecdotal stories from undergraduates who have come and said they felt very uncomfortable in a course because of the way it is run, because of comments made by the professors and by other students, or perhaps one of the students makes comments and the professor doesn't stop the other student from making them, but rather joins in, in some way. I am very concerned about this; and I think that the kind of concern that we have on campus now gives us a good opportunity to strike while the iron is hot, to look upon this not as a problem but as an opportunity to solve a problem that I have seen at Cornell since I have been here, since 1971, in terms of the kinds of reports I have gotten from undergraduates and even from graduate students, as well, concerning their experience in courses and in employment situations. I think it is very important for us to put as much effort as we can into it not only in finding an immediate solution - but also institutionalizing it for the long term."

Dean Bugliari asked Professor Norton to elaborate on what she meant when she said undergraduates have come to her and expressed their discomfort in a course because of the way it was run.

Professor Norton: "I can tell you two stories. One story is a professor who is now, fortunately, no longer at the University, who was repeatedly reported to me as running a class with "a jock strap atmosphere". That is, everything that was done in the class was male oriented. The women students

were not called upon, the stories that were told, the anecdotes that were told. At the beginning of class, there would be a lot of joshing back and forth between the male students and the professor about sports stories. There would be a lot of banter during the class, a lot of joking that was entirely masculine and entirely excluding of women, and women came to me and complained about the class and also told me they were not going to take it because of the reputation. That is the sort of thing I am talking about. It wasn't anything like an obscene 'joke' or a graphic illustration, or anything like that, but a constant atmosphere.

"Another anecdote I can tell you is of a student who proposed in an advanced seminar to do a term paper on battered women and was laughed at by the men. The man sitting next to her in the class hit her with his elbow and said, 'Does that mean I am battering you?' and laughed. All the men in the class put her down for proposing this as a topic, and the professor joined them. The professor said, 'The real problem of battered women is that when there is a family quarrel and the woman is getting battered, the police get called and the policeman gets hurt.' The young woman was so distressed by this - this happened in a Cornell classroom - that she ran out of the room in tears, and she regarded it as her fault. She was one of the best students I have ever taught at this University. She was so distressed by that, she got a bad grade in that class, and it was the only bad grade on her transcript. She has really never gotten over it to a certain extent. This was a young woman who graduated several years ago.

"Now, that is the sort of thing that happens that I am very concerned about. The professor in that class should have put a stop to those young men and, instead, he joined in."

Dean Bugliari: "One of the things we could do is to some way provide a list of events like the ones you have described, and a whole lot more so that people would be more sensitive across the campus to what they might be doing. It may not help the person who is impossibly insensitive to start with, but for those people who would like to be sensitive and who may not realize what they are doing, it may help."

Professor Norton: "On the issue of prohibition on faculty and student dating, anyone who reads The Chronicle of Higher Education knows that in recent months there have been a series of proposals that have come up for adoption at faculty meetings at various places the University of Iowa, the University of California. For the most part, I think that the absolute firm prohibitions have been voted down, but guidelines, nevertheless, have been established.

"I think the issue of faculty/student dating is more along the lines of explicit propositions. It is not what I have been talking about here. I do think that there is an awareness on campus of what I call really explicit sexual harassment in that everybody knows that the idea of a person in authority asking a student for sexual favors in exchange for something is wrong. That is not a borderline question. I think that dealing with that kind of issue is not nearly as difficult as dealing with the other sorts of things that I have been talking about."

Catherine L. Murray-Rust, Associate Librarian: "I am pleased to be here. It has been six months since we have started doing these presentations on the Sexual Harassment Survey, and I think this must be my tenth or fifteenth, so I hope that what we say is germane to this particular audience.

"I thought for a couple of minutes I would remind you of the things that we found out in the Sexual Harassment Survey of students, and the survey,

which you no doubt remember, was conducted in the spring of 1986 by CISER. The Associate Provost's office supported the survey and, in fact, paid for it.

"We found four main things from that survey. One was that female students at Cornell really understand the definition of sexual harassment quite well. They have an innate understanding of the legal definition. We are not sure that some of the people in positions of authority have such a good understanding of what the definition is, but let me just remind you that women students were asked in the survey what types of unwanted sexual attention they considered to be forms of sexual harassment when the offender was a faculty member and when the offender was a fellow student, and there are really two sets of rules. Most of the students felt that all of the kinds of behavior that we listed, from sexist comments all the way down to coercion and bribery, were sexual harassment when the person engaging in that behavior was a faculty member. When it was a fellow student, they could express the fact that they felt that things such as invitations and sexist comments were not sexual harassment.

"The second major finding is that the majority of students at Cornell expect to be sexually harassed while they are here. Such findings, after all these months, continue to upset me. Nineteen percent of them said they expected sexual coercion and bribery from those in positions of authority while they were here, and 61% said that they felt they would get the same from fellow students. I think those are very horrifying perceptions that these students have of what is going to happen to them.

"They were also asked to describe their own experience with sexual harassment in this survey, and this is the third big finding. What happened to them while they were here was not half as bad as what they thought was going to happen, to our great relief. But 61% of them said they had been

subjected to some form of unwanted sexual attention during their time at Cornell. This is all the way from sexist comments to coercion and bribery. The numbers reporting coercion and bribery are actually quite small. Forty-six percent (46%) of those reporting some sort of incident of sexual harassment said that the person responsible was a faculty member, and twenty-two percent (22%) reported that graduate students and research assistants were responsible. Two percent (2%) reported that department chairpersons were responsible. When we got to the same questions about fellow students, seventy-eight (78%) of them said that they had been subjected to some form of unwanted sexual attention during their time at Cornell from a fellow student. So, what they do to each other is pretty horrifying as well.

"One of the other findings we had from the survey is what students did in the cases of sexual harassment that they experienced and virtually none of them - fewer than one percent (1%) of them - made any sort of formal complaint, so there are lots and lots of Cornell women who don't do anything in cases of sexual harassment. We asked them also what they thought they would do, and they all thought they would report it. The numbers here are actually pretty impressive. Ninety-one percent (91%) said that if it involved someone in authority they would report it, and seventy-seven (77%) said in a case of fellow students they would report it. So, what they say they would do and what they actually did are very different. We can only surmise from this that they are simply afraid to report the incidents. We also know where they would go if they were going to report it, which they don't. They would go to the Dean of Students Office, if it was a person in authority, and to the Department of Public Safety if it was a fellow student.

"So, those are the four main findings that we had. They know what the definition is; they understand it very clearly. They expect to be harassed

while they are here, but they are not as likely to be as harassed as they expected, and they don't report incidents, and we think that is because they are afraid.

"One of the things that we have discovered in all these conversations about sexual harassment is the problems that people in authority have with the definitions and how hard it is for people to really understand what some people have called the milder forms of sexual harassment - the sexist comments and those kinds of categories.

"I thought we would start with the basics because sometimes we have misunderstandings in our conversations about sexual harassment. The vast majority of sexual harassers are men. There are very few cases that we know of which involve women as harassers. We also know that it is a very few men who are responsible for most of the harassment. It seems to be that there are a few men who are responsible for harassing a large number of women, sequentially or simultaneously. We also know that single women, particularly those who seem to be vulnerable and naive, are more likely to be harassed than women who come across as being somewhat tougher. We have discovered that many people think that women ask to be harassed.

"I have to share this story with you because I seem to be provoking conversations about sexual harassment everywhere I go, including the staff lounge in Olin Library. There was a major argument the other day among my colleagues where one of them said, 'Well, these young women just ask for it,' and one of your colleagues - a faculty member - put her arm around this woman and said, 'Okay, if someone gets drunk and falls down on the street in Collegetown and you rob them, did they ask to be robbed? Who is the criminal?' The criminal was the person who robbed the person. The person getting drunk was stupid, but that doesn't mean that they deserved to be

punished. This whole problem comes up frequently in conversations of sexual harassment.

"We also know that sexual harassment doesn't go away if people ignore it. It tends to go on and on and on, usually with the same person involved. There seems to be some agreement that such categories as physical advances and explicit propositions and coercion and bribery are sexual harassment. I think that most people recognize these as pretty obvious.

"Much more difficult are the jokes or remarks that are stereotypical or derogatory to persons of one sex, such as calling women students 'sweetie, dear or honey', which don't sound very important, but to students they come across as being statements about their academic worth, that they are not important enough to be called by their name or to be treated as the other students in the class are treated. These students also have a lot less respect for the faculty members who use those terms, and twelve percent (12%) of them reported that they avoid taking classes from people they suspect or know sexually harass students. So, you see there is sort of an avoidance behavior going on here, even for things such as sexist comments in class. They also feel powerless to do anything about them because if they say anything, they become more rather than less noticeable, and they don't want to be noticed when these things are said in class.

"Another category of behavior which seems to be very hard for people to understand or talk about is unwanted attention. It is almost as though the faculty member is being too familiar, not quite polite to the student. Comments about a student's clothing or her appearance, to students these come across as emphasizing her physical attributes rather than her academic worth. I think it would be better to compliment a student on her brains rather than on her body in these cases.

"There are other kinds of harassing behaviors to be found that the students talked about a lot in their answers to the survey. One of them is what are called verbal sexual advances, sort of general expressions of interest, or questions about a student's values. Some of them reported statements that faculty had made to them such as, 'I bet you and Bill had a great time on Saturday night,' and a student just doesn't know how to take a remark like that. They don't know whether the faculty member wants something or is making a comment or is being in some sort of odd sense, fatherly. They just don't know what to do with comments like that. I think that is the same kind of reaction they have to invitations from faculty members. One of the things that has come up again and again in these discussions is when a faculty member says, 'This means that I can't have anything to do socially with my students anymore because women students are going to accuse me of sexual harassment if I ask them to go out to lunch with me.' In some senses, that may actually be the case. The student doesn't know what the motive is in some cases for being asked out to lunch, and it may well be that until there are more women faculty and more women students, so that it is not quite so difficult to understand what is going on, people have to be very specific about what they say to students. For example, instead of saying, 'Would you go out to lunch with me,' the faculty member has to say to the student, 'Would you go out to lunch with me and with student x or y because we want to talk about this.' Then, it is not so confusing for the student to know what is coming next in this arrangement. Invitations to someone's house are very confusing to students because they simply don't know whether they are going to miss out on an important social function. This is particularly true of graduate students. I think that what distinguishes forms of sexual harassment from flirting is really the element of power, and I don't think a lot of

faculty members really understand how much power they have over the students that they teach. A faculty member is really in a position where they can harm a student or help a student if they choose to. To refuse attention or demands puts a student in an incredibly difficult position. It can affect her grade, her choice of classes, or her career, and ignoring harassment may only make the situtation worse for her. I think that it is also unethical for a faculty member to harass a student because what happens is that it is a break in the trust between the faculty member and the student and that is the relationship on which education depends. In some senses, the harasser plays on the closeness of the relationship and uses the power of evaluation and recommendation as a bribe. I think much more needs to be done with potential harassers rather than victims. Many of the conversations we have had have focused on educating the victims, teaching these young women how to stand up for their rights: 'You know I don't like this. Please don't do it to me.' That only goes so far, and as you can see, they are already so afraid to say anything that the chances of really having all the victims learn how to stand up and fight is not very good.

"I think that the faculty have to be more responsible for themselves, but also for each other and seem to be responsible for each other. One of the things that we have read over and over again in the results of the survey was the statement that students believe there is a conspiracy. They believe that the University covers up sexual harassment. They believe that all of you and all of us who are in libraries and other places all cover up sexual harassment, that we all get together and protect our friends. We read aimless numbers of stories of 'so-and-so' protects his friend because... or 'it's just old so-and-so doing his thing...' or 'he can't help it because he loves her or because she asks for it' and the students really believe that there is a giant

cover-up that goes on, so unless faculty members take it upon themselves to actually be somewhat more critical of colleagues and sort of make it clear what side they are on, the students are never going to believe that the University - all of us individually and collectively - are really interested in doing something about sexual harassment."

Professor Walter Lynn, Director, Science, Technology and Society: "These observations and conclusions are based primarily on this 1,133 student survey. That is the database.

"You said something earlier about students expecting to be harassed. Do they expect that before they come to Cornell? Do they expect to be harassed when they go to college? Is it that they expect to be harassed because they are here? Is it something about Cornell or would the kind of sexual harassment that they are expressing concern about occur anywhere?"

Catherine Murray-Rust: "I think the answer to your question is that we don't know the answer. We surveyed upper division undergraduates and graduate student women, and all of them would probably have two years experience as a student at Cornell.

"The figures for Cornell look very much like the figures nationally. Depending on how the definitions are worked in any of these surveys, twenty to thirty percent of women across the country report some form of sexual harassment in the time they are at a university or a college. Our numbers at Cornell look very much the same. A lot of the surveys don't ask perception questions, so we don't know whether, if we asked that question at Yale or Harvard or somewhere else that we would get the same numbers. But it is pretty frightening."

Professor Fox: "I don't think that in the time I have been here, and I came here as a freshman in 1940, that I have ever been accused of harassing

anyone, certainly not willfully, but one of the things that came up here I would question somewhat and that is does a student ask for it? Well, spring is coming very shortly, and I am sometimes positively embarrassed by the attire of men and also women students and even find the faculty who show up on this campus as if they are going to Fort Lauderdale for the spring break or something like that. Now, you can't tell me that that is not harassment. To me, this is harassment in the reverse. I don't like to see it. If I say something in my class, I feel embarrassed and yet sometimes I have been prompted to say it, 'You are not supposed to be coming in here in bare feet and short shorts and a halter or something like that', if it is a woman; or a man coming in without a shirt, just in brief shorts that have been tattered so much that it is practically nude exposure. But students eighteen and up ought to have enough sense not to show up in public places like that, and I think they are asking for trouble if they do. There is no code of dress for the faculty or students that I know of. They can come any way they want to. I have been told by various people that you cannot say how a professor should dress and also, I guess you can't say how a student should dress."

Ms. Murray-Rust: "I don't disagree with you. I think that is inappropriate dress, and I know lots of supervisors who struggle with this on a constant basis, and the fact is that as a librarian I don't like having somebody come in there in their jogging shorts and drip on the floor in front of me when they are talking, but I think there is a difference in that you can choose to say that's inappropriate or not, but there's no power relationship. Those students don't have any power over you to make you comply. You have some power over them to make them comply, but it is not the same."

Professor Fox: "If you say to them, 'You are not dressed appropriately for this class,' that student can turn around and say, 'You are harassing me.'"

Ms. Murray-Rust: "It would be unlikely that they could do that."

Professor Fox: "They could take offense, and they could show the offense. Now, where it goes from there, I don't know, but I resent being put in that position myself, but it happens to all of us. Sometimes when these things happen, I wonder if we say that they don't do anything about it because they are afraid to. I wonder if deep down they don't feel a little bit guilty and feel it is their own fault."

Ms. Murray-Rust: "In many cases, they feel as though they are going to be blamed."

Professor Fox: "In some cases, they should be blamed."

Ms. Murray-Rust: "In that I disagree with you."

[Secretary's note: Because of garbled tape, the identity of the speaker, and the description of the event were lost. What is clear, however, is that a member of a lab on campus was reported to have sexually harassed a seventeen-year-old intern. The case apparently was investigated, but indentification of the harasser was withheld.]

The Speaker continued: "We don't even want to find out who are colleagues are who do this because it would damage the political structure of this University. I can understand your feelings about how you feel relative to the dress of males and females on this campus at times and I understand that you consider that a form of harassment, but I think it has nothing to do with the power that you are talking about that is exercised in these situations and how really offensive it is professionally to think that even thirty percent of our

students can't get through Cornell without a significant harassment situation. I find that more objectionable than any chemical insult that we have to worry about. We spend a lot of time in the workplace, and we are very willing to talk to our colleagues about how they run their laboratory. We will sit down with them and say, 'you can't run your laboratory like that because it is an occupational hazard, but we are unwilling to sit down and say, 'You can't teach a course like that' or 'you can't run your office like that'. Some of my colleagues might say, 'I don't like their social habits relative to their students, and I find it unprofessional, but it is not against the rules', and I wish it were because I think it makes it permissible for some people to use their power abusively, and I don't like that."

Provost Barker: "I forgot to mention, when I was asked before about what we are going to do about this, that one of the things that is going to happen in the next couple of weeks is that I am going to be meeting jointly with the FCR Committees on the Freedom of Teaching and Learning and Academic Freedom and Responsibility for the very purpose of talking in general terms, and I think some specific terms, about this matter because one of the things which lies behind the discussion that we are having now is the question of have we adequately defined what it is that a faculty member's responsibilities are within the institution, and say it is something worthwhile for those committees to look at. I would hope that they may help me look at ways in which we can address that kind of issue. When you look at what we have said about that, we have said very little, and maybe the world says now we should say more."

Professor Bronfenbrenner: "I want to express thanks for what you have done and to suggest that this is precisely the kind of thing that should be happening, and it would be a very healthy custom to have members of the

faculty who have acquainted themselves with this material volunteer their willingness to meet with departments and to tell them the story as you have told it. I think there is another side to this. I suspect having been around a long time and from an age in which these things were more common than they are today that in many instances, men especially, are not aware of what they are doing and would not have thought what they just did was in some sense offensive to other people.

Professor Latham: "It seems to me that looking at the problem, which I think is a terribly important one that Cornell has to deal with, that it maybe needs to be divided in two. I think the actions are different. What I sense from Mary Beth Norton in talking about that class, is that it seems to be either sexism or sexual discrimination, which is sort of different from the come-on behavior and would require different action, the same way that we made some steps toward racism. That needs a different set of actions, and I think we might easily identify harassment by sexism and sexist remarks and discrimination that occurs when there is not really a come-on might be done by a completely different approach."

Dean Bugliari thanked everyone who came to the meeting and commented that the topic of sexual harassment would probably be back again and that the subcommittee would, hopefully, come up with some recommendations.

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

Respectfully submitted,

Francine A. Herman, Secretary

SUMMARY

Assessing Sexual Harassment and Public Safety
A Survey of Cornell Women

INTRODUCTION

The Associate Provost and University Advisory Committee on the Status of Women initiated a survey to assess the experiences and perceptions of women students at Cornell with regard to sexual harassment and personal safety. The Cornell Institute for Social and Economic Research designed and implemented the survey and analyzed data.

The survey addressed the following questions:

1. What types of behavior are considered sexual harassment?

2. What is the perceived level of sexual harassment?

3. What is the incidence of sexual harassment of female students by faculty and peers, and how has it affected their academic performance?

4. What is the perception of physical danger among female students, and how has it affected their academic activities?

RESEARCH DESIGN AND DATA COLLECTION PROCEDURES

The target population for the survey were women students who had completed at least one semester in residence at Cornell, and were undergraduates enrolled in their junior or senior year, or were enrolled for graduate or professional degrees. From a file containing all eligible students, a simple random sample of 1,133 students was drawn. A mail survey was sent to the entire sample in March 1986. Three follow up mailings yielded a 70% response rate by May 1986.

The survey questionnaire identified eight categories of behavior that may constitute sexual harassment:

1.	sexist comments	jokes or remarks that are stereotypical or derogatory to members of one sex (This may include comments that are made to a group as well as specific comments addressed to an individual such as "sweetie" or "honey".)
2.	unwelcome attention	flirtation, being overly helpful, too friendly, or too personal, but short of sexual inquiries.
3.	body language	staring and/or leering at one's body; standing too close.

4.	verbal sexual advances	general expressions of sexual interest, inquiries of sexual values or behaviors, but short of a proposition.
5.	invitations	personal invitations for dates or to house or apartment, but where sexual expectations are uncertain.
6.	physical advances	kissing, hugging, pinching, fondling, touching.
7.	explicit sexual propositions	clear invitations for sexual encounter but containing no threats or promises.
8.	sexual coercion/bribery	explicit sexual propositions which include or strongly imply promises of rewards for complying (e.g., higher grades, better recommendations, enhanced social status) and/or threats of punishment for refusing (e.g., lower grades, poorer recommendations, damaged reputation).

The sample population was asked if they considered each of these categories as sexual harassment behavior if directed towards a student by a faculty member or by a fellow student; if they felt that the majority of female students at Cornell experience these categories of unwanted attention; if they had experienced any of these categories of behavior, and if so, to describe their experience with respect to who the harasser was, what took place, how they responded, and what effect the experience had on them. In addition, the students were asked how they would respond to sexual harassment experience, to whom they would report the incident, what they thought would happen to them and to the harasser.

A series of questions were devoted to perceptions of personal safety and individual and community responses to physical dangers believed to threaten women on campus.

FINDINGS

1. Perception of sexual harassment and unwanted sexual attention.

· Over 90% of the respondents saw sexual coercion/bribery, physical advances and explicit propositions from faculty as harassment and over 80% saw verbal sexual advances and body language as harassment.

· More than half of the respondents believed that women students experience unwelcome attention (85%), body language (75%), verbal sexual advances (59%), and invitations (52%) from faculty at least once.

· Over 12% have avoided taking a class or working with a Cornell faculty member whom they knew or had heard sexually harassed students.

· Over 90% of the respondents believed women students received unwanted sexual attention from male students; sexist comments (99%), unwelcome attention (99%), verbal sexual advance (98%), invitations (97%) and explicit sexual propositions (90%).

2. Experience of sexual harassment and unwanted sexual attention.

· 61% of the women students surveyed have been subject to some form of unwanted sexual attention during their time at Cornell from a person in a position of authority over them. When they were asked to describe the incident, 436 students responded. 46% of these students reported that a faculty member or a teacher was responsible for the incident, and 22% reported that a graduate student or a research assistant was responsible.

· 78% of the women students surveyed have been subject to some form of unwanted sexual attention from a fellow student.

· When asked to describe the effect of the unwanted sexual attention, 37% stated that it created a hostile environment when the incident involved someone in authority and 13% reported that these incidents interfered with their academic performance. 49% stated that it created a hostile environment when the incident involved a fellow student, and 5% reported that these incidents interfered with their academic performance.

· When students were asked to whom they would report an incident of sexual harassment, students most often named the Dean of Students Office (35%) if the incident involved a person in authority. 40% said that they would report an incident to the Department of Public Safety if it involved a fellow student.

· In answer to a question about what students think would happen if they reported an incident of sexual harassment, 54% said that the complaint would be investigated if it involved a person in authority, but 24% said that they would be treated as the cause. 44% answered that the complaint would be investigated if it involved a fellow student, but 27% said that they would be treated as the cause in these incidents.

· In answer to the questions about what they thought they would do if they were sexually harassed, only 9% of the women students surveyed stated that they would fail to report an incident when it involved a person in authority. In their reports of incidents which they had experienced, 31% said that they handled the situation by avoiding contact with the person and 50% ignored the attention. In reply to the same question about an incident involving a fellow student, 23% said that they would not report it, but from their own experience, 41% responded by avoiding contact with the person, and 38% ignored the attention.

3. Perception of personal safety.

· Pedestrian trails and bridges bordering campus were cited as unsafe areas by 70% of the respondents; campus parking lots by 43%. Areas least cited were Carpenter Hall, Helen Newman Hall, Willard Straight Hall, Olin and Uris libraries.

- Among those who reported feeling unsafe on campus, almost half have responded by walking with a group of people (45%) or by changing their walking route (41%). Approximately one-fourth reported using the Blue Light Bus (28%), staying home more often (25%), or making no changes at all (24%).

COMMENT

Sexual harassment is a behavior that is intolerable. It is behavior that interferes with learning and working by creating an intimidating, or hostile or offensive environment. The survey data support our knowledge that sexual harassment most frequently occurs when one person has some power or authority over another.

Data from the survey are being used to devise strategies to make the Cornell community aware of what sexual harassment is and what action can be taken to correct and eliminate sexual harassment behavior. The Advisory Committee on the Status of Women and the Associate Provost recommend that Cornell expand educational programs regarding sexual harassment, build awareness of formal complaint channels and take action against proven offenders.

JRE/bcd
1/7/87

STATEMENT ON SEXUAL HARASSMENT

Adopted by Deans' Council on January 6, 1987

Sexual harassment within the Cornell Community is a serious matter requiring close attention and remedy by University and College Administrations and by all individuals comprising the Cornell Community. Beyond the strongest reaffirmation of University policy that sexual harassment on this campus is completely unacceptable, action will be taken by Central Administration and by the Colleges as follows:

1. Provide and fully publicize the offices, both centrally and in the Colleges, where complaints may be lodged.

2. Provide and fully publicize the names of persons, both centrally and in the Colleges, who can provide counseling and advice.

3. Provide a variety of human relations workshops and other conferences for faculty, staff and students, both centrally and in the Colleges, in order to raise the level of sensitivity and awareness of the issues of sexual harassment and to assist individuals in coping with the problems.

4. Investigate allegations, take appropriate action when sexual harassment is proven, and protect against retaliation.

In addition to these administrative actions, the Deans' Council recognizes that much of the responsibility for dealing positively with sexual harassment rests with individuals. We hope and expect that individual responsibility will be invoked to assist the Administration in ending such behavior. The Deans' Council welcomes the advice and suggestions of members of the faculty, staff and student body to address and remedy the problem of sexual harassment.

MINUTES OF A MEETING OF THE FACULTY COUNCIL OF REPRESENTATIVES

April 8, 1987

The meeting was called to order by the Speaker, Professor Emeritus Russell Martin, Communication, at 4:30 p.m. A quorum was not present at the beginning of the meeting, so the meeting began with agenda items that did not require a quorum.

1. REMARKS BY DEAN BUGLIARI

Dean Bugliari said there would be a May meeting of the FCR, where some unfinished business would be concluded, and, hopefully, Bob Matyas and Bill Wendt would give an update on building and traffic.

The Dean called on Professor Raymond T. Fox, Floriculture and Ornamental Horticulture, for an announcement.

Professor Fox said he was at a Commencement Committee meeting that afternoon at which time a plea was made to solicit volunteers for ushering for commencement, and he had brought a number of applications for this little job. He asked that those in attendance take some back to their departments and put them where faculty and staff can see them.

Speaker Martin asked if there were any questions for Professor Fox. There being none, he called on Vice Provost Barry Adams for an update on the Writing Program.

2. UPDATE ON THE WRITING PROGRAM

Vice Provost Adams: "I come to you in my capacity as chair of the University-wide committee that has special concern and responsibility for writing by Cornell undergraduates, particularly freshmen, but not exclusively

so. I am looking not for action, none is expected or required. This is informational only, although it goes without saying, I hope, that my committee and I welcome your wisdom, advice, counsel, encouragement - all of those good things - collectively or individually. Our committee, I should explain, is in the process of visiting the several curriculum policy groups in the undergraduate units - we will be doing that over the next two or three weeks partly to maintain communications with those groups, partly to get their advice about what what could be improved in our program, particularly the freshman program. We have, I think, a good story to tell, but we are very much aware the story could always be improved.

"One reason I am coming to this group at this time is that within the last few years there had been put in place a commission appointed by the Provost - Provost Kennedy - to look into the question, across the University, of the state of writing by undergraduates, and again, particularly, by freshmen. I thought it might be useful to orient us with respect to that investigation, and bring us up to the present, and then call on my colleague, Harry Shaw, to tell us more about what is now going on and some of his plans for the future. The commission to which I am referring was one chaired by Clive Holmes from the Department of History. Clive worked with sixteen colleagues selected from across the University, produced a very comprehensive and stimulating report, which was submitted to the Provost in October, 1981. Subsequently, the faculty of the College of Arts and Sciences decided to prepare a response to the Provost's commission. A committee appointed by Dean Seznec prepared the response and submitted it to the Arts College faculty about a year after. That Arts College committee was the one chaired by Professor Nicholas Sturgeon from the Department of Philosophy. Basically, the two reports - the Provost's commission's report and the Arts College committee's report - are fundamentally

in accord, although at the time it didn't always look that way. Certainly there was fundamental agreement about symptoms and also to a large extent about remedies - what could be done to improve the quality of writing by our undergraduates. There were some differences, but as I say, they seem less significant as they recede into the past.

"Let me say more about each of these reports. My role is not to be historian here, but simply to provide a bit of orientation, and it might be useful first to say a little about the key elements in the Provost's commission's report. That report had five main recommendations, the first being to exhort the faculty; that is, the commission exhorted the Provost to exhort the faculty, and exhort them not simply to recognize the importance of good writing, but also to recognize their general responsibility to promote the cause of good writing.

"Let me read a key passage from that report, which addresses that very question: 'It is important to emphasize this general responsibility for the quality of student writing skills. The notion that the development of writing skills can be delegated to a particular course, program or department, which can then be held responsible for students' writing deficiencies has some purchase at Cornell, but it is a myth. The commission insists that writing is not just a problem to be addressed in a special sequence of courses or just in the freshman year. Good writing is always intimately related to a good command of the substantive content of a subject. Good writing requires continuous reinforcement by frequent exercises which receive detailed critical commentary at all levels of instruction.' And that is the theme that the commission returned to repeatedly and one that was reinforced by the Arts College committee.

"The second main recommendation from the Provost's commission was to encourage colleges to mandate an upper-level writing requirement, specifically two courses, over and above the freshman writing requirement. That recommendation has not won favor among the colleges. ILR has instituted it. Others have considered it, but at the moment, to the best of my knowledge, it is not under active review except in ILR.

"Thirdly, the Provost's commission recommended that there be established a University Committee on Writing to survey, to coordinate, to encourage writing efforts across campus. Something like that has been done, not precisely along the lines suggested by the Provost's commission, but close enough.

"Fourthly, the Provost's commission recommended that the Freshman Seminar Program be replaced with what was called the Freshman Composition Curriculum. Basically, the difference between the Curriculum and the Program as defined there would be that the fall term would be devoted to much more basic, elementary, fundamental instruction in composition; the spring term would be devoted to something recognizably like our present Freshman Seminar Program. That idea was discussed and debated at great length by the Arts College committee, but finally the committee disagreed fundamentally, both for practical reasons and also for educational reasons.

"Even though the freshman composition curriculum put heavy stress on elementary composition, especially in the first term, it did offer a basically humanistic approach to writing as opposed to a highly technical one. The passage that I think highlights this is the following: 'Exposition finally cannot be taught, we believe, without instruction in reading and without asking analytical questions challenging enough to make students struggle as they work their way to understanding.' That is another one of the underlying educational

principles behind the commission's report and one that was endorsed repeatedly by the Arts College committee as well.

"Finally, the fifth recommendation of the Provost's commission called for the creation of a University Bureau for Professional Writing. The Arts College committee was somewhere between cool and indifferent to that recommendation. To the best of my knowledge, that has not been carried forward. It is always there, I suppose, to be dusted off, but at the moment, emphasis and energy seem to be channeled elsewhere.

"Let me turn to the Arts College report very briefly. As I say, the report confirmed most of the findings of the Provost's commission and endorsed most of the commission's recommendations. It stopped short of endorsing the notion of upper division writing requirements, although it sympathized with the general spirit of that recommendation. It proposed a slightly different structure for the University-wide committee. That committee, I should mention, is in place. Among the handouts up here is a list of past and present committee members since 1982, and as you will see, it has an interesting spread of colleagues from across the campus.

"The points of special emphasis, though, in the Arts College report are all basically recommendations from the committee, which have been in place or are in the process of being put in place. The training and supervision of teaching assistants is a very important element in the committee's report. Screening and placement of entering freshmen - that implies that there be available and that there be recognizably different kinds of courses. The Arts College committee recommended that there be three levels of courses - one basic or remedial, one to be called composition, and a third, general writing, but without mandating any one of those types of courses for any student population. Again, the committee insisted that guidelines for these freshman writing

courses be promulgated more widely, more emphatically, and that they be enforced more vigorously than they had been before that time. That has been done. Many of the recommendations of the committee focused on questions of staffing, staff support, administration, funding. Those are things that I think we need not go into right now except to say that there has been a general level of support, both from the Arts College and from the central administration.

"Since 1982-83, the freshman program that Harry will tell you about in a few moments has been proceeding basically along the lines laid down by the Arts College committee's report, but as I have indicated, that report in turn builds upon and, in some measure, incorporates much of what had been done by the Provost's commission. One new ingredient which was not a recommendation from either party as far as I know is that the John S. Knight Foundation bestow upon us a grant of $5 million. That should have been in here, but by oversight, it was not, and I think maybe this is the cue for Harry to tell us what has happened, partly as a consequence of that."

Associate Professor Harry Shaw, English, and Director, Writing Program: "I don't want to go on at any length about the present state of affairs in the Writing Program. Since it is a writing program, I have tried to outline that in writing. and it is here, although I would be happy to answer questions.

"I thought instead that I would talk a bit about the very exciting grant that we have gotten from the John S. Knight Foundation, along with our new name. I should say that $5 million is a great amount of money. However, it is an endowment. We get the income from that, and the income from $5 million does not begin to support the freshman writing seminars which cost $3 million a year to the University. So what this money is, is money to enrich training for experimentation for that sort of thing, and it is extremely useful and good to

have for those purposes, but we don't plan to spend it on business as usual because there is too much business. The money comes in over several years as these grants usually do, so we don't have it all yet. With what we do have we hope to do things in three areas.

"The first involves the training of teachers, which I would suppose is the most important thing we administer. As the description points out, we already train our teaching assistants fairly elaborately. This summer we are going to add the training of teaching assistants. We are bringing a nationally known figure in writing instruction from Georgetown to help us teach Teaching and Writing I, a course that teaching assistants take about the state of the art in writing instruction. He is also going to help us add something quite new, a program in which faculty will get a chance, if they wish, to learn something about teaching writing. The way we are doing this is not just to put them through a seminar, but to have them actually teach in the Summer School and take a seminar because the teaching of writing is a practice; it is not primarily a theoretical business. We think that the interplay between practice and theory will prove very fruitful, and I am pleased to report that two of the members of this program for Summer School teachers are from outside Arts. They are from, as it happens, Architecture, Art and Planning. This is by way of suggesting that although our program will be mainly for people from departments that regularly teach the Freshman Writing Seminars, it by no means has to be so exclusively. The main thing we are doing with the Knight endowment thus far is to enrich our effort to make sure that those who teach our courses are as well qualified and as well trained as we can possibly make them.

"The second area involves the Writing Workshop, which is the branch of our program which helps students with special needs. Very briefly, what we are going to do there is do some hiring so that we can better help students for

whom English is a second language, and we are going to expand the walk-in service, a service which allows students to come in and get help at any time within specified hours - with their writing. We are expanding this among other ways into the dorms so that kids will be able to come downstairs from their dorms and find someone to help them, if they are in the right dorm.

"The third thing we are going to do, and this is a sort of gentle and tentative move, but something I think we will do increasingly, is to exploit somewhat more fully the use of computers in writing instruction. As you may or may not know, people in our Writing Workshop and in the English Department have already produced probably the best program for the assessment and correction of essays that exists in the country, and we are hoping to expand the use of that on campus and also to think of new ways to use the computer, which is something that the students are going to be using more and more in preparing their essays. So, that is what we are doing with the Knight money thus far.

"I'd like to close with a brief word about upper division writing. It is clear that we must address this problem. It is a very complicated problem. I suppose all I would like to say at the moment is to emphasize the note on which the little description on what we are trying to do ends, which is that we don't presume to create, maintain a curriculum all across this University in upper division writing. We couldn't do it and we probably shouldn't do it. What we do hope to do is serve as a center for training, expertise, ideas, encouragement - a kind of clearinghouse. We are feeling our way into this; we hoped to meet with the FCR and with other bodies to try to see what to do about this, and in the years ahead, I think this is going to become increasingly important for our program, although, clearly, freshman writing is going to always be at the center of what the John F. Knight Writing Program does."

Assistant Professor Cynthia Chase, English: "Teachers train student teachers during the summer training workshop. Is that how that process works?"

Professor Shaw: "The summer program works in two ways. There is an apprenticeship aspect of it in which TA's that are new to the program sit in the classes of people who are teaching summer school. These are experienced teachers, most of them from Cornell. Some have come in from outside and taught summer school intensive writing courses for years and seem competent and good, and that probably is the best kind of training to get because they see ways of doing what has to be done. They see a teacher who is experienced and who has been through the process at work, and they get a chance to teach in the courses also, and this program has been going on for a number of years. Now, what has been added after the reports came out is an actual course in the State of the Art in Writing Instruction and because of limited funds, the way this has been done for the last several years is essentially in a lecture format. This is something that has taught people things, and I think it has been worthwhile, but it is something that is not very popular with graduate students. So, by bringing the man from Georgetown here, what we are going to be able to do is to make the course in the State of the Art in Writing Instruction much more individualized. Also, we are going to be able to relate the course more fully with the individual apprenticeships, and, again, this is something we are just starting, but I believe that this could become a very, very fine enterprise indeed given this extra support which the Knight Program allows us."

The Speaker said President Rhodes was in attendance and invited his comments.

3. COMMENTS BY PRESIDENT RHODES

President Rhodes: "Mr. Speaker, I recognize that my job is really to entertain the audience and keep going until we get a quorum.

"I welcome the opportunity to touch on three topicss. I couldn't help feeling as Barry and Harry described the Writing Program that the importance of that program is one that is easily overlooked. The John S. Knight Foundation, that both of them mentioned as the benefactor who gave us this endowment, really gave it to us because it represents the estate of Jack Knight, a Cornellian, who was the founder of the Knight-Ritter newspaper chain and for many years, the chairman and publisher of Miami Herald. He was a tough, skeptical newspaper publisher, and he had an abiding belief in the absolute necessity for clear and unambiguous writing. He owed that to his Cornell years, and it is because of the dedication to the professors who taught him in his years at Cornell and took pains about his writing, that we now enjoy that gift.

"I was reading a little earlier today the reunion handbook for the Class of '62, for which I had to write an introduction, and there are three pages of reminiscence in that book about the relationship between class members of the Class of '62 and the faculty on the campus. Some of those recollections are distinctly unflattering. One alumnus recalls a professor in a subject I won't mention and ends by saying, 'his contact with students was so intolerable that I vowed that if I ever met him on the street I would punch him in the nose, and I would still do it'. But there is one Cornellian who describes the fact that he was assigned to Bill Keaton in Biological Sciences as an advisor, and I wish I had known that I would have the opportunity of talking to you. I would like to have quoted verbatim his account of the immense impact for good that the relationship between advisor and advisee had on this member of the Class of '62.

"We don't often get the chance, those of us shut up in Day Hall most of the day, to simply thank you for the kind of student-faculty relationship that

this represents. We talk about formal teaching and research and all the rest, but this kind of one to one relationship, embodied so well in the Writing Program, is something that is an immense influence for good.

"Two other things I want to talk about very briefly. One is simply to say that the Barcelo Commission Report has now been delivered. At least two of you here that I can see, Roger Morse and Joe Bugliari, were members of that Commission, and I am grateful for their help. If you have comments on the report, I would still be happy to receive them. The report has been extensively reviewed in the Chronicle and the Sun and any comments you have will be welcome.

"The other thing I want to mention is one that is a matter of some concern. We advertised two or three months ago the fact that a group of anonymous donors had given a million dollars a year for new initiatives in undergraduate education, and we invited your proposals for the use of those funds. We shall be making $500,000 available early next month. But I have to tell you, the first round of proposals included 95 different proposals and that their total cost is over $4 million. I mention that to illustrate two things. One is the enormous seriousness and the sense of creativity that you have shown in responding to that, and I thank you for that. Second, I have to tell you in advance, that we are not going to be able to support everything that you have suggested, but we shall have a second shot in September. I want to thank you for the enthusiasm and imagination you have shown in responding to this opportunity.

"Mr. Chairman, I am grateful for the opportunity to speak."

Speaker Martin asked if there were any questions for the President, and being none, he then announced: "The remaining items on the agenda require a quorom because a vote is necessary. We have three choices. Number one, and

the least likely to succeed, would be to have the Dean call a special meeting of the FCR to act on these items. Second, there is legislation that in case of emergency, the FCR Executive Committee can act for the FCR; and third, would be to vote today, not having a quorum, with the understanding that that particular matter would have to come up at the next FCR meeting for ratification.

"The Dean has suggested that as we approach each of these items, I take a straw vote to get a sense of whether or not you want to turn it over to the Executive Committee or to proceed as we must on the first item and have it ratified at the next meeting. So, if there are no objections, we will proceed on that basis.

"The first item is the presentation of the Slate of Candidates."

4. SLATE OF CANDIDATES

Dean Bugliari, on behalf of the Committee on Nominations and Elections, moved the slate of candidates with the addition of Courtesy Associate Professor Milo E. Richmond, who will be running as a faculty candidate for the University Assembly (Appendix A, attached).

Speaker Martin called for further nominations from the floor. There being none, he asked for an indication of any objections to the slate from the body. Since there were none, he suggested there be a vote and then ratification at the May meeting.

Dean Bugliari suggested the Executive Committee ratify it.

Professor Walter R. Lynn, Civil and Environmental Engineering and Director, Program on Science, Technology and Society: "I understand the problem that this body has, and I question the procedure you are following. It seems to me the Executive Committee always has the right to act on what it presumes to be an emergency. Why the vote at this time is necessary since the

vote has no standing as a quorum, seems to be totally irrelevant, and the Dean has the option to present that matter to the Executive Committee."

Speaker Martin: "You are absolutely correct. If we leave it in the hands of the Executive Committee, there is no need for a vote here other than the straw vote that we have taken. So, if there are no objections, this matter will go to the Executive Committee of the FCR for final approval before the ballots are mailed out."

The Chair next called upon Professor Terrence Fine, Electrical Engineering, Chairman of the Committee on Academic Programs and Policies, for a resolution on the proposed Cornell Institute for Public Affairs.

5. PROPOSED CORNELL INSTITUTE FOR PUBLIC AFFAIRS

Professor Fine read the resolution:

WHEREAS, a proposal for the establishment of an Institute for Public Affairs has been submitted to the FCR for approval, and has been reviewed by the Committee on Academic Programs and Policies, and

WHEREAS, the proposed Institute is intended to offer graduate training in policy analysis, politics, policy evaluation and public management leading to a Masters degree in Public Affairs,

THEREFORE, BE IT RESOLVED, that the FCR approves the proposal to establish the Cornell Institute for Public Affairs and recommends it to the Board of Trustees for their approval.

Professor Cynthia Chase, English: "I would like to make a modification of the draft proposal (Appendix B, attached). My general concern is that a major value of this new institute could be increasing participation of minority people and women in public affairs, and I would like to have that written into the proposal.

"In the introduction, I would like the second paragraph to be modified. After the third sentence in the second paragraph, I would like to add the sentence: 'With these ends in view, the increased participation for women and minorities in government and public affairs is a pressing need.'

"Then, I would like to add a clause at the end of the final sentence of this same paragraph, so that the final sentence would read: 'And as a result, Cornell's public affairs program seeks to meet the demand for improving public sector personnel in general and policy and policy analysis specialties in particular and to increase the involvement of women and minorities in the process of government by attracting and training such students in the program.'"

There was a second to the amendment. Professor Chase continued: "Let me just briefly say what would be the way of implementing this. It seems to me that it could be written into the setting up of this new institute, that the selection of students would take place in systematic consultations with already existing faculty and student groups concerned with the recruiting of minority and women students. That would include the Women's Studies Program, the Africana Center and - if it is, in fact, going to constituted - the Hispanic Studies Program and other relevant existing student groups."

Speaker Martin: "Professor Fine, is it essential that we take a vote on this today, or is this something that could wait until the May meeting? What is your wish? It is going to depend on how we handle it."

Ronald G. Ehrenberg, Irving M. Ives Professor of Industrial & Labor Relations: I think it should be pointed out that there are two separate things that are going on. One is the formal FCR approval of the Institute, which is done by this body. The second is the establishment of a field of public affairs, which is done by the General Committee of the Graduate School, and

that not yet started. To some extent, although I do not anticipate that there will be any difficulties with it, it might be prudent to wait for the establishment of the field independent of the Institute because if there are modifications made in the field, then some of the material that is in here may be irrelevant. In particular, it is my impression that the criteria for admission to a field are determined by the members of the field. The particular amendment which was just offered, regardless of the validity of its intention, is not something that I think the members of the FCR can decide."

Professor Fine: "The purpose of the Institute is in some sense to host the resurrected Master of Public Affairs Program. That is a degree that exists at Cornell. I think it has lapsed in terms of activity, but it can be resurrected. So, it is not a question of approving a new degree program. It is reactivating one that exists, and the purpose of the Center is, I think - and Professor Ginsberg is here and he can comment further - to sort of make that program visible both within and outside of Cornell and to foster an intellectual community concerned with public affairs programs. To that end, we would be constructing this program, providing support services to the field if and when, as we expect, the field would be reconstituted, and it would in fact be supported by the center. So, that is the issue - to construct a center so that it can proceed with that graduate program. In some sense - it is not clear to me in what sense we are voting - the actual wording. I have no problem with your suggestions - I think they are fine. The wording of that preamble material is the construction of the center with that educational goal; that is, to host and foster the public affairs program. I think it is good to have those comments, but I'm not sure we are actually voting the details of that. The preamble seems to be the real substance of the motion."

Professor Lynn: "You have a procedural problem that has to be dealt with. You asked the question of whether this matter can wait until the May meeting. You can't vote on this issue. You can't vote on amendments. None of those options are available to you. You can give that advice and information to the Chairman of the Committee on Academic Programs and Policies. If the Dean then wishes to consider this an emergency again, he can do that, but there is no voting that can be done at this meeting as long as there is no quorum."

Speaker Martin: "We can ratify it at the next meeting or allow the Executive Committee to do it. It is up to Professor Fine as to whether or not this is considered vital that we dispose of it today. So, we have an amendment on the floor and we have the resolution itself."

President Rhodes: "Mr. Chairman, if it would help the discussion, it may be worth pointing out that there will be no Trustee meeting until the 30th of May. That may help the timing."

Speaker Martin. "Thank you. Is there further discussion on the amendment before we go to the resolution itself?"

Professor Benjamin Ginsberg, Government: "I am the author of this proposal. Let me say that I agree with Professor Ehrenberg's statement. I have no problems with the substance of your amendment. I think, indeed, the first amendment you offered could be written into this proposal now, but it seems to me that the second amendment you offered lies within the providence of the General Committee of the Graduate School and even if we had a quorum, could not be ratified by the FCR. So, I am not sure how we are to proceed now, but if it were up to me to make the rules, I would say that we could accept the first amendment."

Speaker Martin asked Professor Chase if she had made two separate amendments.

Professor Chase said that she had not and that her second comment was merely a clarification of what she had in mind as far as implementation of her amendment.

Speaker Martin: "On the basis of what has been said, the Chair would suggest if it is agreeable, that the mover of that amendment withdraw the amendment because at this time it is not appropriate. Is that correct?"

Professor Ginsberg: "I would suggest that the first portion of the proposed amendment is appropriate, but the second portion, dealing with procedures through which students be admitted to this program, is not appropriate for this body. That lies within the province of the Graduate School's General Committee."

Professor Chase: "I would be glad to pursue that with the General Committee of the Graduate School and just have the amendment."

Professor Raymond T. Fox, Floriculture and Ornamental Horticulture: "I am in agreement with what you are saying in a sense, but I don't quite see why certain people have to be singled out. Minority students are students, women students are students. They are all students. If you go that route, then you should also say WASP students or whatever you want to say, but why point out specific students. All students are included when you say students."

Professor Chase: "The purpose of the amendment is to have it written into the policies of the new Institute, that special effort be made with certain groups concerned to attract, specifically, minority and women students to this program. Procedures must be set up in order to attract those students."

There was no further debate on the amendment and the resolution was placed on the floor for debate.

Professor Lynn: "I addressed this question to Professor Ginsberg earlier. Having had some former relationship with this Committee in previous times, one

of the things that has been a practice is to identify the faculty who see a need for this Institute and relate to it. If there is no list of faculty names of people who would be potential participants or involved with this program, then I would like some indication or assessment of the order of magnitude of faculty interest in this program."

Professor Fine replied that that had been an inquiry in the October 10 meeting of the Academic Programs and Policies Committee, and Professor Ginsberg had a response to it then that he thought was adequate.

Professor Ginsberg: "Let me give you some sense of the history of the program. This goes back to 1986 when former Provost Kennedy appointed a committee to look into the possibility of creating a public affairs institute or program at Cornell. This committee was chaired by Ted Lowi and included the late Fred Bent, Vernon Briggs, William Goldsmith, Robert McGinnis, Kenneth Robinson, Sid Saltzman, William Sims and Erik Thorbecke. This committee met over a period of some two years and presented a report to the President. When the report was forwarded to Provost Barker he asked me to proceed to act on the basis of the Lowi Committee's recommendations and essentially draft a document implementing the recommendations made in their May 14 report, which I proceeded to do. At that point, I circulated this report to the deans of all the colleges individually and then collectively, asking them to assess interest in their colleges for this program. At our meeting during the late spring of 1986, those present included Deans Ziegler, Tarr, Doherty, McMinn and Call plus a written communication from Dean Chester. These Deans expressed their strong support for the program and also indicated that they had surveyed within their colleges and had received what appeared to them to suggest strong support within the colleges for the public affairs program. I then circulated this report as best I could and received a pile of communications from various

individuals on campus who responded to this circular primarily by suggesting the different fields of concentration. My initial listing of tentative fields of concentration was derived from those communications. As I received recommendations from new fields of concentration, they usually came in the form, 'Hey, you left out my courses.' I sought to accommodate the strengths that we have on campus by adding additional fields of concentration. A colleague in the History Department told me that I left out his courses, and I informed him that we were flexible. At any rate, my sense is there has been a lot of surveying of opinion and I have been receiving what I think to be the best indication of interest. That is, letters from faculty members wanting to have their fields or their courses or their areas added to the field of concentrations."

Professor Andrew Ramage, History of Art: "I think this is an eminently sound proposal in the general notion, but I wondered if you really ought not to have a little more detail about the organizational procedures and the administration which is partly indicated in Provost Barker's letter to the Committee on Academic Programs and Policies, 'It is expected that within two years, perhaps even sooner, the Institute will be self-supporting...'

"I don't think we really know very much here about what sort of an entity it will be, where the central place might be, or what sort of costs we are getting into, especially in view of the sort of enthusiasm and keenness that seems to be coming from the large number of courses. Let me, for example, indicate an enormous program, the Archaeology program, and I could easily see if we get a lot of people who are interested in being involved in this, administrative and secretarial help is going to balloon quite rapidly."

Professor Fine: "Let me just respond briefly and then Professor Ginsberg can set it straight. We did inquire into that, and that is why you have this

letter from the Provost. There is an issue as to what level of detail is properly the business of the FCR. In other words, it is not clear at what level you go down in the structure about the budgets and the like and vote on that. That is not really what I suspect we are about here. It may be that this is insufficient for you, but it sounds to me like you want more than we thought, at least at that point, was properly the business of the FCR to get into that level of detail."

Professor Ginsberg: "I would be happy to answer any particular questions concerning the Provost's letter of March 5. The Provost indicates here that he will essentially be providing the start-up costs for this Institute and after a period of two years it is expected to stand on its own, that is an institution that is more or less self-supporting on the basis of tuition. The students accepted in the program will be paying tuition. It is expected that tuition, hopefully coupled with transport, will pay the cost of the Institute. As to the administrative structure, I think the Provost spells out the stucture, which is similar to the structure of other institutes on campus; namely, CISER, and the Peace Studies Program, which is also an institute. That is, there will be a Board appointed by the deans of the colleges. That Board, in turn, will make recommendations to the Provost as to directorship of the Institute and so on and so forth."

Professor Lynn: "Let me ask a procedural question. In terms of membership of the Institute, which is not covered, implicitly, it says those who will be members will be members of the field. It doesn't say that, but it implies that. If that is the intent, to qualify for membership in the Institute, what would somebody have to do, and what are the characteristics of memberships? All other institutes have that requirement, but that is not covered here."

Professor Ginsberg: "My understanding and perhaps it is unclear here is that those faculty members who were interested in teaching courses in the Institute will cheerfully sign on as members and members of the field. The field will have to be constitued by the Graduate School's General Committee. That committee will approve a field, presumably, the field of Public Affairs, which, like the rest of our fields, will be non-exclusive, I presume. That is, faculty members who have a professional interest in that area will step forward, identify themselves, and will be members of the field. Membership in the field and membership in the Institute will, as you suggested, be synonymous."

Speaker Martin: "On the basis of the discussion that has taken place, the Chair questions whether this is something that ought to be decided alone by the Executive Committee.

"Could we get a straw vote at this time of those in favor of having this matter postponed until our May meeting?"

A straw vote was taken, and it was decided to postpone this item of business until the May meeting.

Speaker Martin: "Our third item is a personnel matter and for this we have to ask all non-FCR members and Professor Herman to leave, please."

6. EXTENSION OF TERM OF SECRETARY OF THE FACULTY

Dean Bugliari: "This year is the third year of Fran Herman's term as Secretary. The legislation provides that the FCR can renew her term for up to an additional three years. Fran would like one more year, at which point she plans to retire, at least that is my understanding.

"The Committee on Nominations has recommended to the FCR that we extend Fran's term as Secretary for one more year, and the Executive Committee has approved that extension. I realize this isn't an absolute emergency, unless

there is a problem, because we would have to then elect a new Secretary. So, I guess what I would ask is whether there is any feeling among this group or at least get a straw vote among this group, and then I will give that problem to the Executive Committee, too, along with the Slate and bring the Institute back here at the next meeting.

"I will guarantee you that before the next meeting I am going to call every member of the FCR to make sure we have a quorum."

There was no opposition to having Professor Herman extended as Secretary of the Faculty, and the meeting was adjourned at 5:52 p.m.

Respectfully submitted,

Francine Herman, Secretary

March 30, 1987

REPORT FROM THE COMMITTEE ON NOMINATIONS AND ELECTIONS

SLATE OF CANDIDATES

(all terms commence on July 1, 1987 unless otherwise stated)

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

Thomas P. Cullen, Associate Professor, Hotel Administration
Gordon P. Fisher, Professor, Civil and Environmental Engineering
Wesley W. Gunkel, Professor, Agricultural Engineering
Lee C. Lee, Associate Professor, Human Development and Family Studies
Richard H. Penner, Professor, Hotel Administration
Richard E. Schuler, Professor, Economics, and Civil and Environmental Engineering

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

Peter Harriott, Fred H. Rhodes Professor of Chemical Engineering
Sonya Monosoff, Professor, Music

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

Carol L. Anderson, Associate Professor, Human Development and Family Studies
Jennie T. Farley, Associate Professor, Industrial and Labor Relations
Martha P. Haynes, Associate Professor, Astronomy
Leo M. Renaghan, Associate Professor, Hotel Administration

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

John E. Coleman, Professor, Classics
Robert M. Cotts, Professor, Physics
John M. King, Professor, Veterinary Pathology
Donald F. Sola, Professor, Modern Languages and Linguistics
L. Joseph Thomas, Nicholas H. Noyes Professor of Manufacturing, JGSM

ACADEMIC PROGRAMS AND POLICIES COMMITTEE - 2 vacancies, 3-year term

Judith L. Brownell, Assistant Professor, Hotel Administration
George J. Conneman, Professor, Agricultural Economics
Richard I. Dick, Joseph P. Ripley Professor of Engineering
Philip D. Nicholson, Assistant Professor, Astronomy
Andrew Ramage, Professor, History of Art

ADMISSIONS AND FINANCIAL AIDS COMMITTEE - 2 vacancies, 3-year term

Terry L. Herter, Assistant Professor, Astronomy
William H. Kaven, Professor, Hotel Administration
Jonathan B. Monroe, Assistant Professor, Comparative Literature
Ronald L. Seeber, Assistant Professor, Industrial and Labor Relations
Barry S. Strauss, Assistant Professor, History

(over)

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

James J. Eyster, Professor, Hotel Administration
Frederick C. Gouldin, Professor, Mechanical and Aerospace Engineering
Norman Kretzmann, Susan Linn Sage Professor of Philosophy
Savely Senderovich, Associate Professor, Russian Literature
Martha H. Stipanuk, Associate Professor, Nutritional Sciences

MINORITY EDUCATION COMMITTEE - 1 vacancy, 3-year term

C. Thomas Avedisian, Associate Professor, Mechanical and Aerospace Engineering
Peter S. Chi, Associate Professor, Consumer Economics and Housing
Tsu-Lin Mei, Professor, Asian Studies

PHYSICAL EDUCATION COMMITTEE - 1 vacancy, 3-year term

Dennis H. Ferguson, Assistant Professor, Hotel Administration
Peter Schwartz, Assistant Professor, Textiles and Apparel

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

James J. Bisogni, Jr., Associate Professor, Civil and Environmental Engineering
Robert R. Zall, Professor, Food Science

PROFESSIONAL AND ECONOMIC STATUS OF THE FACULTY COMMITTEE - 1 non-tenured vacancy, 2-year term

Norman W. Hummel, Assistant Professor, Floriculture and Ornamental Horticulture
Augusta M. Simon, Assistant Professor, Hotel Administration

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

John F. Cummings, Professor, Veterinary Anatomy
Michel Y. Louge, Assistant Professor, Mechanical and Aerospace Engineering
Stephen M. Parrish, Professor, English

COUNCIL ON PHYSICAL EDUCATION AND ATHLETICS - 1 vacancy, 3-year term; 1 vacancy, 2-year term; 1 vacancy, 1-year term

Alexander de Lahunta, Professor, Veterinary Anatomy
William E. Drake, Professor, Education
Arnim Meyburg, Professor, Civil and Environmental Engineering
Charles E. Short, Professor, Clinical Sciences

UNIVERSITY ASSEMBLY - 3 vacancies, 2-year term beginning June 1, 1987

Robert W. Langhans, Professor, Floriculture and Ornamental Horticulture
Richard A. Ledford, Professor, Food Science
Edward M. Murray, Associate Professor, Music
Timothy C. Murray, Associate Professor, English

Cornell Institute for Public Affairs (CIPA)

Working Draft Proposal

Revised 3-1-87

Benjamin Ginsberg

Department of Government

103 McGraw Hall

255-6359

INTRODUCTION

The Cornell public affairs program will offer graduate training in policy analysis, politics, policy evaluation and public management leading to a Masters degree in Public Affairs.

Since the second World War, the United States has developed a powerful national government with the authority, the apparatus, and the programmatic presence of a France or a Great Britain. Although there remain many things unique to the United States, we are no longer the exceptional case we had been or had thought ourselves to be. Among the problems we now share with other modern industrial states are the development of a professionalized public service, a capacity to make policies for the entire nation, and a commitment to both representative and scientific processes for doing so. Our needs for further education and professionalization of the public service are even more pressing than those of Europe because the United States came to modern national government so recently. In some respects we find ourselves still in the epoch of "state-building." And, as a result, Cornell's public affairs program seeks to meet the demand for improving public sector personnel in general and policy and policy analysis specialties in particular.

In the modern world, moreover, the functions and responsibilities of public and private institutions overlap. Executives of private corporations devote much of their time and energy to attempting to understand and deal with public institutions, especially regulatory agencies. Public managers, in turn, must be capable of understanding the needs, goals and interests of private corporations, particularly in view of the importance that all governmental agencies must attach to economic and industrial development and the key role played by governmental agencies in the promotion of technological change and industrial modernization. As a result, the special emphasis of Cornell's public affairs institute will be the development of professionals capable of understanding the interface between the public and private sectors and possessing the capacity to communicate between the two--for example, directing corporate relations with regulatory agencies, supervising the interactions of public agencies with private firms or serving the foundations and institutions that seek to mediate the relationship between business and government.

Specifically, Cornell's program in Public Affairs will seek to provide students with:

1. a thorough understanding of the political processes through which issues, problems and policies are formulated.

2. an understanding of the economic bases for government action in a market economy including both micro and macro economic techniques and problems.

3. competence in the quantitative methods needed to analyze and evaluate programs and policies.

4. familiarity with public budgets and finance.

5. a thorough knowledge of the behavior of both public and private organizations and their management.

6. familiarity with the regulatory process.

7. sensitivity to the moral and ethical dimensions of policy questions.

Administrative responsibility for the public affairs program will be shared by the Field of Public Affairs and the Cornell Institute for Public Affairs (CIPA).

Responsibility for the development and evolution of the program's curriculum will be in the hands of the Field of Public Affairs which will be constituted by the Graduate School. Members of the Field will be drawn from among interested faculty from all the colleges. In addition to curriculum development, the Field will surpervise instruction, admit students, administer student fellowships and other forms of financial aid, set degree requirements and provide the core membership of students' special committees.

The Cornell Institute for Public Affairs will house the Field and provide its administrative and secretarial services. At the same time, the Institute will seek to promote the sorts of academic and research activities that are essential to creating and maintaining an instructional program of high quality and visibility. The Institute will sponsor conferences, pursue grant support and student financial aid and promote communiciation and interaction among faculty members from all parts of the campus who share an interest in public affairs. The Director of the Institute will report to the deans of the colleges and, through them, to the Provost.

PROGRAM REQUIREMENTS

The two-year Master of Public Administration program will consist of 16 courses. Students will be required to take 4 courses per term, for two years.

First Year

1. Government and Politics in America
2. Political Economy
3. Micro-economics
4-5. Statistics I and II
6-7. Public Finance I and II
8. Management of Public Agencies

Second Year

1. Policy Evaluation
2. Regulation
3. Ethical dimensions of public management
4. The Politics of public policy
5. Concentration Elective
6. Concentration Elective
7. Concentration Elective
8. Concentration research project

Students with unusually strong backgrounds in required course areas may be granted advanced standing. Special arrangements will be made for students who require additional preparation in required areas.

Concentration Research Project

All students will be required to develop and complete a concentration research project. This project, completed under the supervision of two faculty members in the student's area of concentration, should define and analyze a specific policy problem and offer recommendations for future programs and policies in this area. This research project should allow students to refine and integrate the analytic and intellectual skills they have acquired as well as to demonstrate their capacity to understand and deal with real problems facing public agencies.

Public Executive Program (in conjunction with Cornell-in-Washington)

The Public Executive Program will be designed for experienced professionals working in Washington in the public sector or whose private sector positions include significant involvement with public sector issues. For many such individuals advanced professional education can be an important mechanism of personal and career development. Professionals with a Bachelors degree and at least three years of suitable experience will be eligible for an accelerated degree program that will allow them to continue their careers while they work toward an MPA degree. Students admitted to the Public Executive Program, will be permitted to substitute their ongoing professional experience for the MPA program's normal concentration

requirements. Thus, Public Executive students will be required to complete 12 courses rather than the normal 16 course load. These courses will normally be offered evenings, through the Cornell-in-Washington program. Students may complete the program in three years, taking two courses per term or in two years by taking two courses per term in Washington and, in addition, attending the Cornell three-week summer session for two summers and completing two intensive courses each summer. In addition, all Public Executive students will be expected to complete a concentration research project under the supervision of two faculty members during their final year of study. This project will normally be related to the student's area of ongoing professional responsibility.

Summer Internship

For the summer between the first and second years, Public Affairs students will be encouraged and helped to find a position in public service that will complement their training.

Summer internships might include: positions in state and city government, federal agencies, the offices of members of Congress, local housing authorities and planning agencies, real estate development firms, municipal finance divisions of major banks and investment houses, private consulting firms that work for government or public interest groups, international organizations such as the World Bank and the United Nations, and the domestic and foreign offices of philanthropic foundations.

An alternative to an internship would be participation in "The Washington Campus". The Washington Campus is a non-profit educational institution founded by a consortium consisting of Cornell and fifteen other leading colleages and universities to provide management education focused on the relationship between business and the public policy process.

Each summer, The Washington Campus offers intensive four-week courses in Washington, D.C. for students from its member universities. Now in its eighth year, the program provides participants with a first-hand exposure to the political process and its impact on management. Because of the program's Washington base, students are able to speak directly with members of Congress, top executive agency officials, well-known lobbyists, the press, and other key actors in the governmental process.

CONCENTRATIONS

In consultation with a faculty advisor, each student should use his or her electives to develop an area of concentration. Elective courses and research opportunities may be taken within the program or in any department or college in the University. Students should have considerable freedom to design specializations that suit their interests and career goals. Several potential areas of concentration and some of the courses which may be taken for each, are listed below:

Agricultural Policy Concentration

Ag. Econ.	250	Energy Resources
Ag. Econ.	350	Resource Economics
Ag. Econ.	351	Agricultural Policy
Ag. Econ.	430	Agricultural Trade Policy
Ag. Econ.	452	Land, Real Estate and Mineral Economics
Ag. Econ.	464	Econ. of Ag. Development
Ag. Econ.	640	Agricultural Markets
Rur. Soc.	405	Agriculture, Society and Biotechnology
Rur. Soc.	641	Politics and Economics of Rural and Regional Development
Rur. Soc.	651	Structural Change in U.S. Agriculture
Hist.	274	Foodways
ILR	360	Human Resource Economics and Public Policy
ILR	761	Human Resource Economics and Public Policy

Communications Concentration

Comm. Arts	410	Organizational Communication
Comm. Arts	382	Survey Research
Comm. Arts	375-376	Communications Planning
Comm. Arts	416	Psychology of Communication
Comm. Arts	272	Public Relations

Educational Policy Concentration

Educ.	661	Administration of Educational Organizations
Educ.	664	Educational Finance
Educ.	665	Administrative Decision Making
Educ.	678	Planning Educational Systems
Educ.	679	Policy Issues in Higher Education
Gov.	406	Politics of Education
ILR	360	Human Resource Economics and Public Policy
ILR	761	Human Resource Economics and Public Policy

Environmental Policy Concentration

CRP	480	Environmental Politics
CRP	585	Environmental Health Issues
CRP	686	Environmental Law
CRP	625	Environmental Law
DEA	660	Environment and Social Behavior
DEA	654	Facility Planning
DEA	640	Adaptive Building Reuse
DEA	648	Standards and the Quality of Life
Nat Res	201	Environmental Conservation
Rur. Soc.	324	Environment and Society

Health Policy Concentration

HSS	622	Health-Services Management
HSS	627	Legal Aspects of Health Services
HSS	628	Medical Services Issues in Health Administration
HSS	629	Strategic Planning and Marketing in Health Care
HSS	630	Comparative Health Care Systems
HSS	632	Labor Relations in the Health Industry
HSS	633	HMO Development
NBA	685	Health-Welfare Policy
Soc.	357	Medical Sociology

International Agricultural Development Concentration

Int. Ag.	603	Administration of Agricultural and Rural Development
Int. Ag.	604	Seminar on African Agriculture and Rural Development
Int. Ag.	607	Training and Development: Theory and Practice
Ag. Econ.	464	Economics of Agricultural Development
Ag. Econ.	660	Food, Population and Employment
Ag. Econ.	663	Macroeconomic Issues in Agricultural Development
Ag. Econ.	665	Seminar in Latin American Agricultural Policy
Govt.	648	Political Economy of Change; Rural Development in the Third World
CRP	671	Seminar in International Planning
CRP	771	Seminar in Science and Technology Policy in Developing Nations
CRP	772	Seminar in Policy Planning in Developing Nations: Technology Transfer and Adaption
CRP	773	Seminar in Project Planning in Developing Countries
Nutr. Sci.	680	International Nutrition Problems, Policy and Programs
Nutr. Sci.	695	Seminar in International Nutrition and Development Policy
R. Soc.	674	The Politics of Third World Policy, Planning, and Evaluation
R. Soc.	715	Rural Development Information Systems

International Political Economy Concentration

Gov	488	Comparative Capitalism
Gov	480	Foreign Economic Policies
Gov	386	Global Political Economy
Gov	434	State and Economy
Gov	334	Business and Labor in Politics
Gov	326	Eastern Europe Today
Hist.	380	Social History of Western Technology
Econ	361	International Trade
Econ	362	International Monetary Theory
Econ	371	Economic Development
Gov	490	International Politics of Energy
Gov	354	America in the World Economy
NBA	582	International Trade and Finance
NBA	584	The Multinational Business Firm
Soc	616	Business, Labor and the State
Hist.	374	War, Trade and Empire

Labor Policy Concentration

ILR	360	Human Resource Economics and Public Policy
ILR	451	Science, Technology, and the American Economy
ILR	469	Immigration Policy and the American Labor Force
ILR	681	Labor Relations Law
ILR	600	Labor Arbitration
ILR	601	The Bargaining Process
ILR	603	Governmental Adjustment of Labor Disputes
ILR	685	Collective Bargaining in Education
ILR	686	Collective Bargaining in the Public Sector
ILR	689	Constitutional Aspects of Labor Law
ILR	761	Human Resource Economics and Public Policy
Gov	423	Labor and the New Deal
Hist	409	Work in Europe and America

Law and Policy Concentration

ILR	682	Labor Relations Law
Law	636	Environmental Law
Law	748	Law, Science and Technology
Law	760	Media Law
Law	780	Sex Discrimination
CRP	643	Legal Aspects of Public Administration

National Security Concentration

Hist	313-314	History of American Foreign Policy
Gov	385	American Foreign Policy
Gov	388	War and Society
Gov	486	International SEcurity
Gov	484	Defense Strategy
Gov	481	Foreign Policy of the USSR
Gov	381	Politics of Defense Spending
Gov	349	Political Role of the Military
Soc	310	Sociology of War and Peace
Hist	313-314	History of American Foreign Policy
Hist	360	Early Warfare
Hist	379	War and Society

Politics and Policy-Making Concentration

Gov	310	Power and Poverty in America
Gov	311	Urban Affairs
Gov	316	The American Presidency
Gov	317	Political Parties and Elections
Gov	318	The American Congress
Gov	323	The Fourth Branch
Gov	328	Constitutional Politics
Gov	428-429	Government and Public Policy
Soc	363	Political Sociology
Soc	515-516	Politics of Technical Decisions
Hist	341	Recent American History
ILR	360	Human Resource Economics and Public Policy
ILR	761	Human Resource Economics and Public Policy

Public Finance Concentration

Ag Econ.	332	Economics of the Public Sector
AG Econ.	452	Land, Read Estate and Mineral Economics
Education	664	Educational Finance
NBA	543	Financial Markets and Institutions
NBA	545	Finance Theory
Econ	335	Public Finance: Microeconomics of Government
Econ	336	Public Finance: Resource Allocation

Race, Gender and Ethnic Policy Concentration

Africana Studies	410	Black Politics
Africana Studies	420	Social Policy and the Black Community
Africana Studies	495	Political Economy of Black America
Womens Studies	326	Women in American Society
Womens Studies	353	The Feminist Movement
Womens Studies	238	Women as Professionals
Gov	329	Race, Gender and Politics

Regulatory Policy Concentration

Econ	354	Economics of Regulation
Econ	355	Politics and Markets
NBA	521	Regulation, Deregulation and Antitrust
Gov	301	Politics of Regulation
Gov	412	Size of the State
Gov	323	The Fourth Branch

Science and Technology Concentration

Geotech. Eng	656	Enviromental Quality Management
Struct Eng	691	Water Resource Problems
Comp. Sci	305	Social Issues in Computing
Op. Res	451	Econ. Analysis of Engineering
Bio and Soc.	302	Food Production
	304	Environmental Chemicals
	403	Public Health
	408	Biotechnology
	409	Soc. Policy and Econ. Growth
Soc.	515-516	Politics of Technical Decisions
Hist.	447-448	History of Biology
Hist.	380	Social History of Western Technology
ILR	451	Science, Technology and the U.S. Economy

Urban Policy Concentration

CRP	400	Introduction to Urban and Regal Theory
CRP	404	Urban Economics
CRP	500	Urban and Regional Theory
CRP	411	Introduction to Planning
CRP	630	Local Economic Policy
CRP	511	Suburbanization and Metropolitian America
CRP	552-553	Urban Land Use Planning I and II
Gov	311	Urban Politics
Gov	312	Urban Affairs Laboratory
NBA	680	Management of Urban Issues
Gov	411	Political and Economic Power in Cities
Soc	364	Race and Ethnicity
Hist	332-333	Urbanization of American Society
Hist.	336-337	American Social History
ILR	360	Human Resource Economics and Public Policy
ILR	761	Human Resource Economics and Public Policy

file:concentrations
MISC3

CORNELL UNIVERSITY
300 DAY HALL
P.O. Box D.H.
ITHACA, N. Y. 14853

Office of the Provost

MEMORANDUM

To: Committee on Academic Programs and Policies

From: Robert Barker 3/5/87

I am writing in response to your request, transmitted by Professor Greenberg, that I indicate how the proposed Institute for Public Affairs will fit into the University, how its director will be appointed, and how the costs of its operation will be met.

The Institute will have a governing board consisting of the deans (or their designees) of the Colleges of Arts and Sciences, Human Ecology, Agriculture and Life Sciences, Architecture, Art and Planning, Industrial and Labor Relations, and the Johnson Graduate School of Management. For administrative purposes, the director of the Institute will report to the dean of one of the colleges (yet to be determined) and all administrative matters will be handled through that college.

The director of the Institute will be appointed by the provost on the basis of a recommendation by the governing board described above. I expect that, in making a recommendation, the board will solicit input from the members of the Institute and others having an interest in its operation. Generally, the director would be a tenured member of the Cornell faculty. An exception may arise if the governing board recommends that a national search be made, having identified an available faculty line and being able to attest to the need to search outside the University.

Start-up costs for the Institute will be provided by the provost. It is expected that within two years, perhaps even sooner, the Institute will be self-supporting from tuition paid by students seeking a professional masters degree. The Institute will also be encouraged to seek external funding to help with its establishment and with the presentation of programs not supportable from tuition income.

I hope that these responses address your questions and that, with them, you will be able to recommend the Institute to the Faculty Council of Representatives.

Robt Barker

MINUTES OF A MEETING OF THE FACULTY COUNCIL OF REPRESENTATIVES

May 13, 1987

Speaker Russell D. Martin, Professor Emeritus, Communication, called the meeting to order at 4:30 p.m. He continued: "As you know, we have a ruling in Faculty meetings that there be no tape recorders or pictures; however, we have a special request today from the Alumni News to get some pictures depicting interaction among faculty members. Dan Hightower is with us, and the Chair would like to ask consent of the body to permit these pictures to be taken."

There were no objections, so the Chair then called on Dean of the Faculty, Joseph B. Bugliari, for announcements.

1. ANNOUNCEMENTS

Dean Bugliari mentioned the computer training sessions being held June 10 through the 19th, and said all faculty should be receiving a copy of the various courses offered with the call to the University Faculty meeting. He urged that as many faculty as possible attend graduation and march in the procession this year.

He encouraged all to attend the University Faculty meeting next week to honor the thirty colleagues who have or who will be retiring.

Dean Bugliari said that Kathy Beauregard, who runs the CUINFO, is working over the summer to set up a central calendar system on the computer. He emphasized it would not be a registration process which one would have to go through to put anything on the calendar, but rather it would provide a service so that one would know what other things have already been scheduled. One of the things that has been discovered, for example, is that five things get scheduled on one day and nothing gets scheduled the next day.

The Dean thanked all for their help and support during the past year. He indicated this was the last FCR meeting of this academic year, and looked forward to seeing all or most again in the fall.

The Chair called on Professor Terrence L. Fine, Electrical Engineering and Chairman of the Committee on Academic Programs and Policies, for a resolution on the proposed Institute for Public Affairs. He announced that this was a continued item from the April 8 meeting.

2. CORNELL INSTITUTE FOR PUBLIC AFFAIRS

Professor Fine read the resolution:

WHEREAS, a proposal for the establishment of an Institute for Public Affairs has been submitted to the FCR for approval, and has been reviewed by the Committee on Academic Programs and Policies, and

WHEREAS, the proposed Institute is intended to offer graduate training in policy analysis, politics, policy evaluation and public management leading to a Masters degree in Public Administration,

THEREFORE, BE IT RESOLVED, that the FCR approves the proposal to establish the Cornell Institute for Public Affairs and recommends it to the Board of Trustees for their approval.

Professor Fine: "I'd like to note some changes in the letter from Provost Barker. What has been added to that letter are descriptions of some of the management and administrative aspects of this program. In addition, the governing board will now include the Dean of the Graduate School. That is just a simple addition; everything else remains the same. In the first page of the document itself describing the Cornell Institute for Public Affairs, there were some suggestions at the last meeting from Professor Chase about adding some wording in the area of affirmative action. And there has been a correction to the name of the degree, Masters in Public Administration, and essentially two

sentences were added at the end of the second paragraph which read, 'We also recognize that increased participation by women and minorities in government and public affairs is a pressing need. Thus, Cornell's program will seek to bolster the involvement of women and minorities in the process of governing by attracting and training such students in the program.' That is, I think, the major addition to the draft that you had last month."

There was no debate, so the proposal was voted on and passed (Appendix A attached).

3. APPROVAL OF FCR SLATE OF CANDIDATES

The Chair called on Dean Bugliari for the presentation of the Slate of Candidates for FCR seats on committees.

There being no additions to the Slate as presented, it was voted on and passed.

Speaker Martin then called on Professor John Wootton, Physiology and Chairman of the Research Policies Committee, for a resolution on the proposed Copyright Policy.

4. COPYRIGHT POLICY

Professor Wootton read the resolution:

WHEREAS, a proposed Cornell University Copyright Policy has been submitted to the FCR for approval, and has been reviewed by the Committee on Research Policies, and

WHEREAS, the proposed Copyright Policy seeks to protect and promote the traditional academic freedom of the University's faculty, staff and students in matters of publication; seeks to balance fairly and reasonably the equitable rights of authors, sponsors and the University; and attempts to ensure that any copyrightable material in which the University has an equity interest is utilized in a manner

consistent with the public interest,

THEREFORE, BE IT RESOLVED, that the FCR approves the Cornell University Copyright Policy and recommends it to the Board of Trustees for their approval.

Professor Wootton: "Copies of the proposed policy (Appendix C, attached) were distributed with the call to this meeting, and in the view of the membership of the Research Policies Committee, is in suitable form for consideration and study by this body and by the University community at large. We felt that it should be in your hands without delay and that it is a matter that requires broad input. As you will note, the basic components of the policy are presented in a very concise form. Each major paragraph is then amplified by a set of comments which deal with matters of interpretation and explanation. We think this form is highly appropriate. A detailed policy statement would be inordinately inflexible and cumbersome for handling a matter of such complexity as this. On the other hand, the inclusion of comments within the adopted policy will insure against subversion of the basic objectives of the policy as a result of any future changes in administration and consequent reinterpretation. The committee membership expected the document to generate considerable discussion and this anticipation already has been amply confirmed, and there are copies in your hands of revisions proposed by Professor Paul Velleman (Appendix D, attached), which have been developed in discussions with the University Computing Board and our committee. Vice President Ballantyne is here to answer questions, provide additional insights to this body, and to participate in any discussions."

Speaker Martin announced that the resolution was on the floor for debate.

Professor Howard C. Howland, Neurobiology and Behavior: "I wish to oppose the resolution on Cornell University Copyright Policy. I believe that this is

an extremely important matter that concerns the most fundamental issues of academic freedom, and, while I welcome a discussion of the issues involved, I am greatly distressed to see these important rights of the faculty, namely the ownership of their intellectual property, addressed by a motion which seeks to abrogate them.

"Doubtless the Administration and the members of the Research Policies Committee have given considerable thought to these issues, and those few of us here who oppose this motion must feel, like I, embarrassment at being cast in the role of those who would seek to block carefully crafted legislation. I particularly regret having to speak against a motion that I know my friends have labored on.

"Still, the issues are important, and I hope to convince you that the proposed legislation, no matter how well intended, is impractical, arbitrary, divisive, potentially corrupting, unfair, that it attacks the very heart and soul of the University, namely the academic freedom of its faculty, and lastly that it betrays a mean-spiritedness unworthy of a great institution, such as Cornell.

"Very briefly, what does the motion say? It says that if you are a scientist who makes significant use of his or her laboratory, or an artist who makes significant use of his or her studio (i.e., the definitions of a scientist and artist), then the copyright of your works belongs either to your research sponsor, or to the University, but not to you.

"It says further that should you, as such a researcher, wish to publish in journals or other media, and even though you may have signed a hundred copyright releases before, now you must request the release from the Office of Patents and Licensing.

"Moreover, the University may release to individual authors and creators the copyright of the material they created, if the opinion of the Vice President for Research is so inclined.

"The resolution allows authors to retain copyrights to all works which were not conceived with the use of 'significant University resources'. Insignificant resources are such things as our libraries (incredible!) and our teaching salaries (perhaps not so incredible!). Textbooks and software developed for class use are specifically excluded.

"Lastly, adherence to these policies is binding on those who wish to participate in research or use University resources.

"Why is this an impractical motion? It is because scientists are both researchers and teachers. It may well be, in practice, far easier to conceive of a copyrightable idea than to decide whether it was formed in the laboratory, and therefore must be reported expeditiously to the Vice President for Research, or whether it was conceived in the office or the hallway or some other insignificant place and hence is one's very own.

"To take a historical example, consider how the famous chemist, Mendeleev, would have fared under this rule. Assume that the second sub-Tsar in charge of copyrights has just seen Mendeleev's periodic table and addresses him:

"'Professor Mendeleev, we believe that your periodic table may one day appear on the walls of every chemistry laboratory in the world. We are very pleased to claim the copyright for the University of Saint Petersburg.'

"Mendeleev: 'Actually, Sub-Tsar, I intended to publish that table in my elementary chemistry text (HCH: which he did) therefore I believe the copyright is mine.'

"Sub Tsar: 'But, Dimitri Ivanovich, did you not use the significant laboratory facilities of the University?'

"Mendeleev: 'No, Sub Tsar, I actually derived my table while working in the freshman chemistry laboratory, and, to be honest, I took many of the atomic weights from Beilstein which I read in our insignificant library.'

"I think that if this motion actually passes, the University will find out just how many significant ideas occur to the faculty in the most insignificant and out of the way places!

"Why is this an arbitrary motion? Thomas Carlyle maintained that the true University was a collection of books. In his view the library would have to count as a 'significant university resource'. 'No', says this motion. Provision of ...library facilities... does not constitute significant use of Cornell's space, it's the laboratories and studios which are significant.

"Consider the absurdity of this assertion: It is not our libraries that are Cornell's assets! It is our laboratories --- like Langmuir Laboratory--- which house us biologists so long and which we now rent to local businesses, or our studios like that miserable shed in which the University allowed Jason Seely to sculpt his great works of art! If this is not arbitrary, what is?

"Why is a divisive motion? Because it pits the laboratory scientists and the studio artists against the scholars whose researches are based on the library. Because it pits the scientists or artists in their roles as researchers or creators against scientists and artists in their roles as teachers. Because it pits the empirical scientist against the theoretical scientist. Because it pits the creating artist against the critic. The one group must surrender their copyrights, the other may retain them.

"I could think of no more divisive or mischievous motion than the one before you. It creates two classes of citizens. It adopts the Aristotelian view that experimenters and artists who work with their hands are artisans who

do not belong in the company of scholars. This motion seeks to return the University to the Middle Ages.

"Why is this motion potentially corrupting? Because it concentrates very great power in the hands of the Vice President for Research. The entire motion may be viewed as establishing a sieve in which valuable copyrights are to be separated from the dross, the valuable being retained by the University or returned to the faculty on the decision of a single person, the Vice President for Research. Note that the motion does not establish a committee to make the decision or even to advise the Vice President. Rather it explicitly gives the absolute decision making power to that one person. Nor is there any need that his decisions be made public. If power is potentially corrupting, then this power is surely so!

"Were I to agree that the University had any equity rights in my copyrights, I would still find this arrangement totally improper. The fact that such practices may exist in our current patent arrangements in no way mitigates my opinion of this matter.

"Why is this motion unfair? It is unfair because it attempts to take away rights which have been those of the University scientist and artist for over a hundred years. We laboratory scientists, and the artists amongst the faculty have always owned our copyrights. There is no question about this. We all have in our files the copyright assignments signed by our own hands. What justification does the University bring forward to seize these rights? The motion asserts that the University has an equity interest in work funded by an outside sponsor or which uses 'significant University resources'.

"No such equity interest exists on the part of the University. The University did not apply for our grants, we scientists did. The work involved in each grant application to the NIH or NSF is equal to that of one, sometimes

several, scientific articles. Moreover we not only secured funds for our research, but we pay the University out of our grants for the facilities we use. Approximately 60% of the grant funds go for overhead, and much of this money nourishes the University as a whole. It would be more logical to assert that we have an equity interest in the University than that the University has any equity at all in our copyrights.

"The argument that the University has an equity interest in a work of studio-produced art, because it provided the studio, or an experimental scientific work because it provided the laboratory, is even more ludicrous. It has been our job for over a century to, in the words of Michael Faraday, 'Work, finish, and publish'. Artists have always had studios and scientists, laboratories. Whence arises this new claim of equity on the part of the University? Let us say it outright --- it arises from greed.

"I turn now to academic freedom. The major problem with this motion is one which the authors never addressed because their attention was focused on money and not on academic freedom. What is academic freedom if it is not the right to speak and to publish exactly what we think, without restraint? We are not, to borrow a phrase from the motion, producers of 'works for hire'. We are free thinking men and women who own the products of our pens. We cannot rightfully call ourselves a faculty if our intellectual products are considered the property of any persons, university, corporation, or otherwise.

"Would you trust the Vice President for Research of a German university of the thirties with the power to grant or deny your right to publish an article on genetics?

"Giving away our copyrights to the University would be to abdicate our responsibility to ourselves, our students and our profession. We would indeed

become workers for hire, and we would lose the right to call ourselves academicians.

"This is a meanspirited motion unworthy of a great University. It promulgates the picture of a university, not as a collection of books and laboratories, classrooms, and studios where scholars study, scientists experiment and students learn, but as a factory for the production of wealth, where scientists are not scholars but laborers whose intellectual products are viewed as the property of the owner of the machinery.

"Doubtless we will be assured by an administrator that we are not concerned here with the minor products of the faculty's pens, but rather with those in which the University's equity may finally be rewarded. That on the horizon are great discoveries made with ever-so-complicated equipment and facilities which may net the copyright holder untold millions, and that the University is and must be the rightful copyright owner.

"In short, you will be asked to compromise a principle -- that of academic freedom -- for the sake of money. You are being asked to deny the copyrights of all scientists and artists so that the University may capture the products of the imagined few who will make the University wealthy. You are being asked to abdicate your rights for a fantasy.

"This motion, no matter how well intentioned, should be seen for what it is: an impractical, arbitrary, divisive, potentially corrupting, unfair motion which strikes at the heart of academic freedom and betrays a mean-spiritedness unworthy of a great institution such as Cornell. I urge you to vote against it."

Speaker Martin said if there were no objections, he would suggest alternating between affirmative and negative. He went on to ask if there was

anyone wishing to speak in the affirmative, and there was not. He then asked if there was anyone else wishing to speak in the negative.

Professor Juris Hartmanis, Computer Science: "I was asked to come here by the University Computing Board. The University Computing Board does not feel, I think, as strongly as the previous speaker. The University Computing Board feels quite strongly that the policy as written is not its policy, that it should be changed and in that sense, we are speaking against it. I will ask my colleague, Paul Velleman to discuss in more detail what our objections are, and for proposed changes, which he has suggested."

Associate Professor Paul F. Velleman, Industrial and Labor Relations: "I have prepared these notes under fairly short notice, mostly to focus ideas about the objection that have been raised at the University Computing Board discussions and other objections that I saw when I looked at the Policy. I did not really mean to propose these as an amendment from the floor or anything like that. I don't think that these revisions are well enough thought out to be viewed that way, but they do focus attention on some of the key problems that we saw with the Policy and that I see personally with the Policy. The first key problem is that while everybody at the meetings that I have been at, seemed to agree that if there was a prior agreement with a granting or funding agency that in some sense restricted copyright, clearly that agreement had to be kept in force and that the University may have an obligation to control the copyright to see that that agreement is observed. However, Paragraph B of the proposed Policy says that, in the absence of such agreement, whenever work is done under a grant or contract funding the copyright would still revert to the University, and there was the general feeling that that was one of those mean-spirited feelings. Clearly it seemed more appropriate since the motivation for Paragraph B was to protect the University's obligation to meet contract

obligations, that in the absence of such an obligation, the copyright should continue to reside with the author. The first two paragraphs of my proposals are the revisions to Section B that would speak to that.

"In Section C one of the key problems is the phrase, '...significant use of University resources...'. One of the points that was raised in our discussion was that any researcher who was not making significant use of University resources is probably not doing his job.

"The suggestion that occurred to me in these discussions was that the key issues seemed not to be the amount of use of resources but specific concerns about inappropriate or extraordinary uses of resources. The examples that were cited in these discussions were misappropriations of a database that had been accumulated over a long period of time by many researchers and might then be incorporated in a software product; or misappropriation of other accumulated knowledge or material that was not specifically copyrighted by anybody but was generally an accumulated base of knowledge in the University, and there did seem to be general agreement that there should be some way for the University to prevent something like that from happening. Hence, the proposed word 'extraordinary' and the explanation of it. My feeling was that the focus of a policy that dealt with copyrights ought to be on the promotion of the interests and mission of the University. That is, the policy ought to help promote better research and promote better teaching. In that respect, activities that did promote good research and teaching ought to be encouraged and not penalized in any way, but activities that were inappropriate to good research and teaching that in some way took advantage of the University's resources in an unfair way ought to be constrained and the University ought to have some way to prevent or, at worst, participate in profits realized from them. That was

the gist of the proposed word 'extraordinary' and the explication of it in the following paragraphs.

"On the second page, the issue of how to deal with instructional materials presents a problem. I believe that there is a large loophole in the policy as written which basically says that if you claim your work is part of teaching materials or a textbook, you are absolved from all other restrictions - end of Paragraph C. There are misuses of University resources. It seemed to me that those ought not be permitted even under the guise of writing a textbook because that just seems to create an unnecessary loophole.

"The issue of how the University should share rights to instructional materials developed here is one that I think is going to need a lot more consideration of whether the University should have royalty-free use of instructional software developed here and things like that are complex policies that need to be carefully considered.

"The paragraph I proposed as Paragraph F I thought might be necessary because in the Policy as written, there is a provision for salary specifically for the creation of copyrighted material; that is, hiring somebody to work on material that would be copyrighted was handled only by stating that it was a significant use of University resources, and if we were going to rewrite Paragraph C then that became an impossible way to work, so I thought we were going to need a paragraph that specifically dealt with that, and this was my attempt to present something of that form.

"So, basically I would like to present these ideas as ideas that I hope this body will think of and discuss as the way of focusing attention on some of the issues.

"Finally, I do think that it is a valuable idea to keep copyright of written work and copyright of software under the same policy because I think in

the near future we will see that there is less and less difference between the two. We will, I'm fairly certain, within the next decade, and probably much sooner, see academic journals distributed in optical disk or magnetic disk form. And in that case, it will be very practical to write a paper that says, 'Here is my new method for doing something, and here is the program that implements it' and provide that all as part of the same publication, in which case a policy that dealt in some way differently with the program piece of that article and the explication piece of that article would need rewriting anyway. So I think that aspect of the policy is wise, and I hope the Committee will continue to keep those two together."

Joseph M. Ballantyne, Vice President for Research and Advanced Studies: "I just want to point out that the philosophy underlying this Policy, which is the first Copyright Policy ever to be proposed at Cornell University, was that it be compressed into as few words of plain English as possible and was not intended as a legal-type document. The essence of it was in the lettered paragraphs A,B,C. The first paragraph says that copyright to all materials belongs to authors except in two cases - cases B and C. In case B, there is a written agreement under which the material was produced, and there are two sub-categories: either the agreement has some terms which specify who owns the copyrights or it doesn't, and if it does have terms which specify who owns copyrights, then those terms govern. For example, if the terms specify that the copyright is owned by the authors, then the authors own the copyright. If the agreement specifies that the sponsor owns the copyright or the University does, then those terms would govern.

"Then there is the second case where there are no terms in the agreement. In other words, there is a written agreement that exists, but it is completely silent on the issue of copyright ownership. We were advised to have the

University own copyright in those cases. Now, there were some apparently good legal reasons for doing that. This was discussed extensively by the Office of Sponsored Programs, by the Office of Patents and Licensing, and by the Legal Office. There were cases that they could see where it would be important where an agreement existed, but it was silent on this issue that the University then be the one to carry the burden. I apologize for the fact that I cannot at this point reproduce for you the reasons why that particular provision was deemed to be advisable.

"Then we come to the other exception, which is the case where the University might have an equity interest because the work was produced using substantial University resources, and in this case there was a very strong effort made to try and protect the traditional academic freedom of the faculty to own and publish textbooks and other scholarly material. It is not true, for example, that in order to publish a paper you have to come and ask the Vice President for Research. I think the Policy clearly states that it is up to the authors to decide if there is anything that they are doing in which the University would have equity and where that equity ought to be protected, and then the author should come forward and make that known so that the University could copyright it. That is a very analogous situation to the Patent Policy that exists. Nobody has to get clearance in order to do things, but if they do something that is patentable, that they think is worth protecting, then they should come forward and inform the University of that so that the University can protect it. It is obvious that the faculty has to be its own gatekeeper in this role. There can be no other mechanism set up. It is also obvious that if you do have a copyright policy, somebody has to be the gatekeeper, and really the people that ought to be the gatekeepers ought to be the faculty. So that's the way the Policy was construed. It was not construed in order to provide a

'czar' who decides who can publish what. Quite to the contrary, it was felt that the faculty should have an interest in good faith in protecting whatever University interests may exist, and they would come forward voluntarily to inform the University of that.

"It was also, of course, not intended to imply that the library resources are insignificant or that even salaries are insignificant or offices, but there was a desire to make a distinction between the traditional scholarly publications that faculty had been engaged in, textbooks, instructional material, things developed in the course of the teaching process. All of these things were specifically excluded to indicate the traditional freedom the faculty have enjoyed. There was a feeling, however, that in some cases where a substantial University resource exists there may be reason for the University to have an equity, and in particular, this was aimed at a couple of the things that were mentioned. A database exists that may have been created over ten years by twenty people, and a particular individual who made an improvement might try to incorporate the entire database in a product, which would then be copyrighted under the individual's name and sold. So, this was an attempt to elucidate some principles under which one could operate. By the way, the Policy provides that anyone can secure in advance of an activity a determination as to how the Policy might apply under some set of circumstances so that before an activity is begun a person could ascertain how this Policy might affect an activity. It would be my intention to use a group of faculty as an advisory body and as a matter of fact, we have already had a meeting of the FCR Research Policies Committee as the trial body in conjunction with Ken King and Walter Haeussler to deal with issues surrounding Project Ezra to see how that would work. So, I can assure you that at least it would be my

intention to use a faculty body to advise on any such policy determinations and I would expect that subsequent occupants of this office would do likewise.

"To summarize, I guess I should say that this was an attempt to state in a fairly clear fashion the governing principles and then leave the details of individual cases to interpretation as they might arise."

Professor W. Donald Cooke, Chemistry: "I would like to address Professor Velleman. I understand the thrust of your points - the faculty vis-a-vis the University. It is the last paragraph that concerns me, which is faculty against graduate students, and it seems to be inconsistent in that the faculty reserves the right to the students' work where the University doesn't reserve the right to the faculty's work."

Professor Velleman: "Frankly, I didn't go into the relationship with students very much. There is a lengthy paragraph - Paragraph D, I believe it is - in the Policy that deals with that, and it specifies that different colleges have different regulations, and I didn't have those regulations in front of me, so I had no sense of exactly what was happening there, and I figured I would leave that alone pretty much."

Professor Cooke: "Does it seem fair to you?"

Professor Velleman: "Certainly the Policy ought to protect equitably the rights of students as well as the rights of faculty. In those instances where there is a situation where students are working in a laboratory with faculty, one of the key things that needs to be done is to provide suitable forms so that whatever the policy is, everybody knows what it is ahead of time.

"I know of several, I think, terrible violations of student rights, not at Cornell but at other schools, where students have in effect been forced to sign over copyrighted work they did to a faculty member. Or they developed ideas in their thesis, which the professor appropriated as an accommodation to getting

their dissertation through, and I think we ought to have a policy to prevent this from happening at Cornell."

Associate Professor Martha P. Haynes, Astronomy: "I would just like to propose a motion that would send this back to the Committee. I am a member of the Research Policies Committee, and I think it is fair to say that we would all enjoy the opportunity to review this over the summer."

There was a second to the motion and it was voted to send the Copyright Policy back to the Research Policies Committee.

The Speaker again called upon Professor Fine.

5. RESOLUTION RE CENTER FOR HIGH ENERGY SYNCHROTRON STUDIES (CHESS)

Professor Fine: "Let me wipe a little egg off my face. We are running an illegal prepatory remark. I think we have tripped ourselves over a pun here. There are two meanings to the word CHESS. One is the Cornell High Energy Synchrotron Source and the other is the Center for High Energy Synchrotron Studies. The resolution is really about the Center for High Energy Synchrontron Studies, not about the hardware known as the Source."

Professor Fine read the resolution:

WHEREAS, CHESS has been operating under NSF sponsorship at the Wilson Laboratory for many years, and

WHEREAS, over the years, CHESS has grown in funding, in number of users at Cornell and outside, and in the breadth of its programs to encompass topics in materials science, chemistry, biology, and applied physics, among others, and

WHEREAS, through its growth, CHESS has become interdisciplinary in nature and size,

THEREFORE, BE IT RESOLVED, that the Committee on Academic Programs and Policies having reviewed the CHESS Charter, does hereby recommend

that the FCR approve the proposal (Appendix E), and

BE IT FURTHER RESOLVED, that the FCR submit the proposal to the Board of Trustees for their approval.

The floor was opened for discussion.

Vice President Ballantyne: "I would just make a note that there was one apparent omission from this Charter, which was to specify the special relationship which exists between CHESS and the Laboratory of Nuclear Studies, which operates the Synchrotron. It has been proposed that a paragraph be inserted into the charter which specifies that there exists a special relationship between these two entities and that the Director of Nuclear Studies serve ex officio on the Board of the Center. That could either be done by delegating authority back to the Committee to add this or the Charter itself provides for revisions and the revisions could be made subsequent to approving the document."

There was no further debate, and the resolution establishing CHESS as a center was voted on and passed.

Speaker Martin called upon Robert Matyas, Vice President for Facilities and Business Operations and William Wendt, Director of Transportation, for an update on a very popular subject, construction and parking.

6. CONSTRUCTION AND PARKING (Slides illustrating various areas were shown)

Vice President Matyas: "There are about a dozen recent slides here, and most of them are aerial views. There is the stone arch bridge and the Collegetown area, renovated Cascadilla Hall which was done a couple of years ago, the new parking ramp built by the City of Ithaca, and a private and City joint venture on housing.

"The Performing Arts Center, which has had a long gestation period, is moving along. I remind some of you that it came in way over budget. It has been redesigned, but we have not changed any of the architectural statement of the original design, and I defy anybody who is not connected with the construction to show me where we changed it. We changed it internally. It is about 35% complete, and it is on the new schedule, and it is within the budget. I always worry about statements like that. I worry about what is going to happen next week. We did have some early problems with sand and some foundation problems, but we survived them.

"The next project is the stone arch bridge, and some of you may have noticed that we have a contractor in place, and they have now unloaded the bridge, and they have dug out all of the fill. Stone arch bridges were filled with earth and then a pavement put on top of them. The question was, 'how bad is it?' We had professional analyses made, and we felt that this is the time to do it. Now that we have opened it up, we are grateful we opened it up because we found some broken tie rods, not to threaten the bridge structure, but the bridge was splaying outward and would have continued had we not owned up to finishing it.

"Immediately across the bridge is the Law School. We have actually started preparation of the site at the Law School to put up a $20 million addition between the Law School and the gorge. I have a picture of the artist's representation of it, and it will be in the architectural vernacular of the existing building. It will be a 'Gothic' structure of Llenroc stone, and it is basically an upgrading of the library. There is a great need for library space there.

"As we move onto the campus, there is the School of Hotel Administration, and you might have noticed that the hotel part is down. That has been an

interesting project in that we started off very modestly. I think my initial introduction to that project was about $12-and-a-half-million, and it is now in the low 30's, because the industry has responded to Cornell and funds have come in which have allowed us to expand the program. For example, there will be a Marriott Conference Center as part of the Statler Hotel School, 150 rooms, and if you notice Dean Clark's sign, it says the grand opening will be in the summer of '88. We are looking for a fall opening, and we better meet that because they have got to teach classes in there.

"The section around Bailey Hall is a very busy section. The Space Sciences building is getting two new floors for about $5 million, and there is a major addition to Savage Hall - Nutrition. That is about $9 million, and those things are well along. Across the street from Bailey Plaza, there is the beginning of the foundation work on what is called, at the moment, Academic I. Academic I is about a $15 million building being built by the State of New York. It is largely administrative space. There is some academic space in it - Landscape Architecture, for example. In addition, we have established relations with the State in which instead of them building a building and we building a building, we are building a building together because there is a $3 million plus addition on the east side for dining.

"The proposed site for a new facility called the 'Theory Center' is near Upson Hall. One version is a four-story building, which will hold computing hardware - supercomputers - and office space. There is another version if we can fund it, and that is an eight story one. My personal hope is as we start building the four we will get the funding and the authority from the Provost to continue all the way. There is plenty of need for the extra space in the Engineering College, but the first four floors are committed to the Theory Center.

"Sage Hall is slated to be fitted out for Mathematics."

"Here we have a view of Roberts and Corson/Mudd and then the new Comstock, and this building is a $32 1/2 million Biotech building, which was just topped out. This shows a model of the Biotech building, and in addition, this is Lynah Rink and this shows again the architect's model of a new gymnasium and physical education center. That is nearing design completion, and we will await authority from the Provost's office to decide whether we have the money to start. We are trying to be very conservative and not committing ourselves unless we have got the money lined up. But it is moving along quite well. I think it is going to be a very handsome facility.

"This shows the west campus with the University Halls, and I show you this to tell you that each of these U Hall buildings are undergoing very extensive renovation. We are basically demolishing them internally and rebuilding them. We have got one in service now and another one pretty well along. It will certainly be open for the fall. That whole renovation project is running about $18 or $19 million.

"This is the north campus showing the townhouses and with some good weather we ought to get the landscaping put back together, but I show you it because here is a last element of this complex, and it is kind of a community center. It is not a Willard Straight or anything like that, but it is a place where the mail will be delivered and laundry services provided, and there will be a very large living room, a gathering place, and there will be some small offices for various functions associated with the Residence Life plan.

"This is my favorite project [Beebe Lake]. As you know, we had an anonymous gift that allowed us to dredge it and make it a lake again, and this view I show you because we also have the potential for a large building here and it would kind of be one of our main entrances to the campus. It will house

an alumni center and admissions, and it is planned to be on the corner of the gorge.

"Let me go further up the lake and just show you what has happened to the shoreline. The engineers said in order to get that lake to help clean itself out we essentially had to make a narrower throat by taking the material out of there and putting it here. If the hydrologists are correct, we will get a lot longer life out of it before we silt up again. We have deliberately maintained - really, built - the island, and you can actually ford across it.

"This is up at the Dairy Bar, and this is the new State Food Science Laboratory that is moving smartly along.

"Bill Wendt will tell you where we are on the parking and traffic plan.

William Wendt: "I think Bob has given you all a good background on what is going on on the campus, and I think daily we all experience the impact of all this construction, especially on parking and circulation. While we have about one hundred acres of the campus devoted to parking and roadways, that never seems to be enough to satisfy the appetite of the community. It is particularly evident this year that the energy crunch has eased and 400 more staff have decided that they would try to park their cars on campus and about 300 more students did the same thing. This was at a time where we built over 1,100 parking spaces in the past year to stay in abeyance of construction. We also built another 600 temporary parking spaces. Some of them will become faculty, staff or student parking spaces in the long run. At the moment they are devoted to satisfying the demands of the 500-700 construction workers on campus each day.

"Our major concern in the Bailey Hall area is with the projects of Academic I and Space Sciences, the Savage addition and phase 3 of Martha Van to begin this summer, various other renovation projects - Rockefeller lecture

rooms, S.T. Olin mechanical systems; Clark Hall systems upgrading. There is a project in every building going and reason to bring in more people and more contractors, and our major concern besides parking cars tends to be safety of pedestrians in movement about the campus and the ability for the campus to continue to move about and have emergency access and fire access which is critical to this construction, and at the same time, maintain some sense of order at a time when conditions change daily. We are doing all we can to get information out to the various people affected. I talked to this group last year about the new zone parking system and how that would enable us to better manage the parking spaces that we do have in the various locations and attempt to inform you about where your best parking opportunities may be at any given time and to give some semblance of order to the number of permits that are out in relation to the number of parking spaces.

"The reports we get are that that seems to be working fairly well. I think we have done a fairly good job in managing that, and we will continue to keep a tight rein on the number of permits and make it work, and at the same time inform various members of the faculty and staff about the changes that are occurring. For example, the Theory Center site will remove 84 parking spaces. The Associate Dean and Dean's Office in Engineering has worked with us to inform Engineering staff in those buildings near that site what their parking options will be for the fall. Our attempt is to continue communication. Our experience is that people do not really wish to change parking options once they have a place to park. Our mailing that you will recieve in the next week from the Traffic Bureau basically is an attempt to ask you to renew your parking permits. If you really want to change and want a different option, we are asking you to call and talk to our staff and get personal counseling and advice as to what will be available next year. It was just too difficult to

attempt to articulate that in any written materials, and our experience is that most people if they can find a space, and we are hoping that the spaces and the permits they now have will work for the coming year.

"A project going this summer will be the continued rehabilitation of Forest Home Drive. Last summer the piece of drive from Martha Van east was renovated. It was opened up last fall. It still needs a top coat of paving on it, but the area from Martha Van to the west will need to be opened sometime this summer. It has been closed for utility work the past couple of weeks. We hope to get that finished this year and operating as a fully usable roadway as part of our circulation network of alternatives to people. There is an area around Barton Hall and Statler, work to be done at Teagle and the Biotech building and coordination of those projects, by which we will do things to improve parking, to upgrade it in terms of safety and pedestrian activity and we will be moving ahead with those projects this summer.

"Bob has already mentioned the stone arch bridge project. That project as you saw in the rendering continues to rebuild the road up in front of the Law School and terminate up by Anabel Taylor, and hopefully that project will wind down by late fall. The Oak Avenue intersection on the south side of the bridge is also a piece of the University project, and we are working with the City. That work may begin as soon as next week. It is coordinated with the work the City will do along College Avenue and Garden Road. The best bet for everyone is to stay clear of Collegetown for the summer. There is a lot of work down there, and I am sure some of you have aleady been trapped in that construction recently.

"There is a lot of work that continues. We have just about completed the parking garage next to Hoy Field, the large parking lot along the north edge of Alumni Field has also been completed this year.

"We need to do things like rebuild Tower Road, which is getting in very bad shape, remove parking that is interfering with the oak trees and landscape considerations and pedestrian considerations in that area. We will need to do things around the new Food Science building as the old Quonset huts and State shop buildings are to be removed in the near future. There are some pony barns south of Morrison that will be removed. You will see here that we are developing a roadway link of Schoellkopf Drive as another secondary road on the campus in this are with projects slated around the new field house on up past Riley-Robb and on out to the B lot. Those will be projects that will occur in the next several years.

"The last slide tries to show you with a number of orange dots that we have built an awful lot of parking spaces. We are ahead of the game at the moment. I think that has eased a lot of the pain that we could have felt without those parking spaces on the campus. We will continue to make sure that they are done in a way that cures the landscape and works to give us a complete campus in terms of landscape and parking and circulation amenities as our building construction is done. Many of those temporary lots will remain as parking areas in the future as other parking sites are lost. The field house certainly will have a big impact, mainly for student parkers in the Kite Hill area where we will lose about 300. The Theory Center parking and growth in Engineering was considered when we built the 700 spaces in the garage. That will mean that in future years more and more staff will fill that garage. Currently we are able to accommodate a couple of hundred students in that garage, but as Biotech comes on and the Theory Center is completed and the faculty move to that area of campus from other areas, we should be prepared to accommodate them. It is a never-ending battle in terms of keeping ahead of the

growing academic programs that keep the inventory of parking where it should be. There will be areas where people will be inconvenienced. You will have to walk further if you are in the Business School or in the Bailey area. I think already you can see the last safety and construction fence going up in the Bailey Plaza area, and we will be losing some more parking there. We are attempting at the same time to make procedures as easy as they can be for staff and faculty, asking people simply to renew and make sure that the information is current in our files, and at the same time making adjustments and improving parking as best we can to accommodate the growing needs of the community."

Associate Professor Francine A. Herman, Hotel Administration and Secretary of the Faculty: "I'd like to know what is happening with the landscaping on campus that now exists. The ground is very dry in some spots. Trees and bushes are in terrible shape."

Mr. Matyas: "We have a tanker that goes around and takes care of newly planted material, but we are pretty short on being able to attend to it. Some of the landscape work we are doing is really healing over where a construction site has just left. There are a few new projects planned. The walkway between Bailey Circle and down on the side of Rockefeller is something that we have got on the boards to expand and open that up and take some of that messier stuff out and dress it up. That happens to be one of our weakest areas with regard to budget, but we depend largely on gifts for campus beautification. I understand also that Plantations has a gift prospect to refurbish the Rockwell azalea garden and that is on schedule for this summer. I happen to like gardens. When you dedicate a garden, it is the beginning of something good. It gets better and better. When you dedicate a building, it goes down, so I need all the help and support I can get on gardens and gardening."

Professor Walter Lynn, Civil and Environmental Engineering and Director, Program on Science, Technology and Society: "I'd like to ask Mr. Wendt a question. The choice of 'we will try to do this' and 'we will try to do that'. It is called muddling through, and I understand you have a problem. What I don't hear and nobody has said from the administration, what is the long-term goal for parking? Where are you going?"

Mr. Wendt: "Walter knows that we have talked and planned, and we have our first parking garage completed, but that by no means will be the last parking garage at Cornell. You can't just keep plugging away and taking away acres of parking and not expect to have to develop more parking structures. We have a problem on the campus where we use it twenty hours a day. It is not a campus that is used like a factory, and everybody goes home at night. So, we need safe parking close to facilities because of personal safety issues in the evening. We know that applies not only to our female staff and faculty, but all of us who need to have good accommodations, to be able to carry out research in a reasonable fashion and a convenient one.

"There are some major master plans under consideration now for the Arts College, the Library, Architecture, Art and Planning, and Bob could probably rattle off another five or so. We are working with those projects and looking ahead at where the second and third parking garage should be, and how the roadway network should connect with that. When we finish this round of construction, I think we are getting to a point where the plans are starting to come to fruition, the projects are in the ground, and we should be ahead by about a thousand permanent parking spaces. Granted, 700 were in the garage and we put 300 in. At the moment, we are building two spaces and losing one of those spaces to new sites. That is why we also moved ahead with temporary lots and tried to show people in an organized fashion that there was a way to gain a

thousand spaces to meet the projected new program growth in the short range. But beyond that we really know that we will need at least two other garage facilities if we are going to continue to provide the convenience and the mobility that people need to move about the campus, and I can't be site specific at this time. We have ideas, we have talked to committees about some of those ideas, but we will keep ahead of it. I think it is not a game that stops and we don't go back and do other things when this round of construction is over. We keep looking at what the colleges are doing and working with the academic programs, and their needs change. The use of buildings changes and that creates new dilemmas in terms of making sure the services fit those buildings. Sometimes it is not perfect. We move programs into buildings. A good example is some of the computer-type work that goes in in Uris Hall, an area where you really don't have a service area or loading area but you have got a program in there that needs a lot of vehicles moving in and out of it. That was temporary in nature. They are moving to the new CCC building, and that problem will go away, but it has been a pressing problem for a number of years with no reasonable alternative for us to suggest to those users. So we are going to have those types of situations all the time on the campus. People need space. The best available space isn't 100 percent perfect. It doesn't provide some of the things you need on the outside. We at least will attempt to make that known to people why things are happening the way they are and doing the best job we can. We have got a lot of good ideas around here, and I think people also understand when the dollars don't flow to make it work 100 percent. We have had a lot of good cooperation this year, and I think the reason has been that people have been in on the plans and have a better understanding of what we are doing and what we're about and what we're trying to achieve. So, even though I haven't been real specific on some of those, we

are working on it and I would hate to get up and say, 'This is the site of the next garage and then we have got another project coming along later', and change our mind, but we are working towards that and we are working towards satisfying the people who are on the campus. We have got to think of other alternatives that are reasonable for people who don't need mobility all day to get on and off campus, and our transit service has continued to grow. This year there has been new on-campus service from A-Lot to Morrison. We are now working with the various Admissions offices and Susan Murphy, Dean of Admissions, has been working with us to provide better ways of hosting our guests. We have got some very unique problems. We have faculty demands, staff demands and student demands, and at the same time we have to be a gracious host and those people that we are hosting look an awful lot like our students and we can't be rude, and we have to remember that everybody's level of convenience is different. We have to do the best job that is possible with the facilities we have, and that means just continued planning and looking at it and making changes in an orderly fashion."

Professor Karl Berkelman, Nuclear Studies: "What is the plan for the roadway that goes past Savage, around in back of Newman, alongside Clark and so on? There are various rumors about what is going to happen to it."

Mr. Wendt: "In the long term, that whole area up by Bailey really needs a landscape master plan. As we finish those projects, we need to know what we are doing to kind of cure that area. The roadway that used to exist and loop around Savage probably is not a good idea in the long run. You have got to get trucks in, and you are in Newman, we have got some problems in widening that roadway on the west side of Newman. As I understand it, there is an electrical duct in our way right now, but in a year or two there is a solution for that. So, there is some programs and things that happen that we can't always control

at the right time. We would like to remove that electrical duct and widen that roadway a little bit so that trucks could maneuver in there but that wasn't possible at this time. We have to consider those things as someone comes in to really master plan that area and it is an area where parking will decrease in the long run.

"There is no master plan, as we understand in terms of the building plans that are going on in there and what is happening with new building growth. We don't have a master plan for landscape and how the plaza and pedestrian ways and the roadway will look in the long run but we will by the time all the Academic I construction and the other projects are going on. We are in the process of developing that plan."

There were no further questions for Mr. Wendt or Vice President Matyas, so Dean Bugliari thanked them on behalf of the faculty for their presentation. He then thanked everyone for coming to the meeting and reminded them of the annual retirement program next week and hoped that everyone would be there to say a few kind words to the retirees.

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

Respectfully submitted,

Francine A. Herman, Secretary

Cornell Institute for Public Affairs (CIPA)

Working Draft Proposal

Revised 4-20-87

Benjamin Ginsberg

Department of Government

103 McGraw Hall

255-6359

INTRODUCTION

The Cornell public affairs program will offer graduate training in policy analysis, politics, policy evaluation and public management leading to a Masters degree in Public Administration.

Since the second World War, the United States has developed a powerful national government with the authority, the apparatus, and the programmatic presence of a France or a Great Britain. Although there remain many things unique to the United States, we are no longer the exceptional case we had been or had thought ourselves to be. Among the problems we now share with other modern industrial states are the development of a professionalized public service, a capacity to make policies for the entire nation, and a commitment to both representative and scientific processes for doing so. Our needs for further education and professionalization of the public service are even more pressing than those of Europe because the United States came to modern national government so recently. In some respects we find ourselves still in the epoch of "state-building." And, as a result, Cornell's public affairs program seeks to meet the demand for improving public sector personnel in general and policy and policy analysis specialties in particular. We also recognize that increased participation by women and minorities in government and public affairs is a pressing need. Thus, Cornell's program will seek to bolster the involvement of women and minorities in the process of governing by attracting and training such students in the program.

In the modern world, moreover, the functions and responsibilities of public and private institutions overlap. Executives of private corporations devote much of their time and energy to attempting to understand and deal with public institutions, especially regulatory agencies. Public managers, in turn, must be capable of understanding the needs, goals and interests of private corporations, particularly in view of the importance that all governmental agencies must attach to economic and industrial development and the key role played by governmental agencies in the promotion of technological change and industrial modernization. As a result, the special emphasis of Cornell's public affairs institute will be the development of professionals capable of understanding the interface between the public and private sectors and possessing the capacity to communicate between the two--for example, directing corporate relations with regulatory agencies, supervising the interactions of public agencies with private firms or serving the foundations and institutions that seek to mediate the relationship between business and government.

Specifically, Cornell's program in Public Affairs will seek to provide students with:

1. a thorough understanding of the political processes through which issues, problems and policies are formulated.

2. an understanding of the economic bases for government action in a market economy including both micro and macro economic techniques and problems.

3. competence in the quantitative methods needed to analyze and evaluate programs and policies.

4. familiarity with public budgets and finance.

5. a thorough knowledge of the behavior of both public and private organizations and their management.

6. familiarity with the regulatory process.

7. sensitivity to the moral and ethical dimensions of policy questions.

Administrative responsibility for the public affairs program will be shared by the Field of Public Affairs and the Cornell Institute for Public Affairs (CIPA).

Responsibility for the development and evolution of the program's curriculum will be in the hands of the Field of Public Affairs which will be constituted by the Graduate School. Members of the Field will be drawn from among interested faculty from all the colleges. In addition to curriculum development, the Field will surpervise instruction, admit students, administer student fellowships and other forms of financial aid, set degree requirements and provide the core membership of students' special committees.

The Cornell Institute for Public Affairs will house the Field and provide its administrative and secretarial services. At the same time, the Institute will seek to promote the sorts of academic and research activities that are essential to creating and maintaining an instructional program of high quality and visibility. The Institute will sponsor conferences, pursue grant support and student financial aid and promote communiciation and interaction among faculty members from all parts of the campus who share an interest in public affairs. The Director of the Institute will report to the deans of the colleges and, through them, to the Provost.

PROGRAM REQUIREMENTS

The two-year Master of Public Administration program will consist of 16 courses. Students will be required to take 4 courses per term, for two years.

First Year

1. Government and Politics in America
2. Political Economy
3. Micro-economics
4-5. Statistics I and II
6-7. Public Finance I and II
8. Management of Public Agencies

Second Year

1. Policy Evaluation
2. Regulation
3. Ethical dimensions of public management
4. The Politics of public policy
5. Concentration Elective
6. Concentration Elective
7. Concentration Elective
8. Concentration research project

Students with unusually strong backgrounds in required course areas may be granted advanced standing. Special arrangements will be made for students who require additional preparation in required areas.

Concentration Research Project

All students will be required to develop and complete a concentration research project. This project, completed under the supervision of two faculty members in the student's area of concentration, should define and analyze a specific policy problem and offer recommendations for future programs and policies in this area. This research project should allow students to refine and integrate the analytic and intellectual skills they have acquired as well as to demonstrate their capacity to understand and deal with real problems facing public agencies.

Public Executive Program (in conjunction with Cornell-in-Washington)

The Public Executive Program will be designed for experienced professionals working in Washington in the public sector or whose private sector positions include significant involvement with public sector issues. For many such individuals advanced professional education can be an important mechanism of personal and career development. Professionals with a Bachelors degree and at least three years of suitable experience will be eligible for an accelerated degree program that will allow them to continue their careers while they work toward an MPA degree. Students admitted to the Public Executive Program, will be permitted to substitute their ongoing professional experience for the MPA program's normal concentration

requirements. Thus, Public Executive students will be required to complete 12 courses rather than the normal 16 course load. These courses will normally be offered evenings, through the Cornell-in-Washington program. Students may complete the program in three years, taking two courses per term or in two years by taking two courses per term in Washington and, in addition, attending the Cornell three-week summer session for two summers and completing two intensive courses each summer. In addition, all Public Executive students will be expected to complete a concentration research project under the supervision of two faculty members during their final year of study. This project will normally be related to the student's area of ongoing professional responsibility.

Summer Internship

For the summer between the first and second years, Public Affairs students will be encouraged and helped to find a position in public service that will complement their training.

Summer internships might include: positions in state and city government, federal agencies, the offices of members of Congress, local housing authorities and planning agencies, real estate development firms, municipal finance divisions of major banks and investment houses, private consulting firms that work for government or public interest groups, international organizations such as the World Bank and the United Nations, and the domestic and foreign offices of philanthropic foundations.

An alternative to an internship would be participation in "The Washington Campus". The Washington Campus is a non-profit educational institution founded by a consortium consisting of Cornell and fifteen other leading colleages and universities to provide management education focused on the relationship between business and the public policy process.

Each summer, The Washington Campus offers intensive four-week courses in Washington, D.C. for students from its member universities. Now in its eighth year, the program provides participants with a first-hand exposure to the political process and its impact on management. Because of the program's Washington base, students are able to speak directly with members of Congress, top executive agency officials, well-known lobbyists, the press, and other key actors in the governmental process.

CONCENTRATIONS

In consultation with a faculty advisor, each student should use his or her electives to develop an area of concentration. Elective courses and research opportunities may be taken within the program or in any department or college in the University. Students should have considerable freedom to design specializations that suit their interests and career goals. Several potential areas of concentration and some of the courses which may be taken for each, are listed below:

Agricultural Policy Concentration

Ag. Econ.	250	Energy Resources
Ag. Econ.	350	Resource Economics
Ag. Econ.	351	Agricultural Policy
Ag. Econ.	430	Agricultural Trade Policy
Ag. Econ.	452	Land, Real Estate and Mineral Economics
Ag. Econ.	464	Econ. of Ag. Development
Ag. Econ.	640	Agricultural Markets
Rur. Soc.	405	Agriculture, Society and Biotechnology
Rur. Soc.	641	Politics and Economics of Rural and Regional Development
Rur. Soc.	651	Structural Change in U.S. Agriculture
Hist.	274	Foodways
ILR	360	Human Resource Economics and Public Policy
ILR	761	Human Resource Economics and Public Policy

Communications Concentration

Comm. Arts	410	Organizational Communication
Comm. Arts	382	Survey Research
Comm. Arts	375-376	Communications Planning
Comm. Arts	416	Psychology of Communication
Comm. Arts	272	Public Relations

Educational Policy Concentration

Educ.	661	Administration of Educational Organizations
Educ.	664	Educational Finance
Educ.	665	Administrative Decision Making
Educ.	678	Planning Educational Systems
Educ.	679	Policy Issues in Higher Education
Gov.	406	Politics of Education
ILR	360	Human Resource Economics and Public Policy
ILR	761	Human Resource Economics and Public Policy

Environmental Policy Concentration

CRP	480	Environmental Politics
CRP	585	Environmental Health Issues
CRP	686	Environmental Law
CRP	625	Environmental Law
DEA	660	Environment and Social Behavior
DEA	654	Facility Planning
DEA	640	Adaptive Building Reuse
DEA	648	Standards and the Quality of Life
Nat Res	201	Environmental Conservation
Rur. Soc.	324	Environment and Society

Health Policy Concentration

HSS	622	Health-Services Management
HSS	627	Legal Aspects of Health Services
HSS	628	Medical Services Issues in Health Administration
HSS	629	Strategic Planning and Marketing in Health Care
HSS	630	Comparative Health Care Systems
HSS	632	Labor Relations in the Health Industry
HSS	633	HMO Development
NBA	685	Health-Welfare Policy
Soc.	357	Medical Sociology

International Agricultural Development Concentration

Int. Ag.	603	Administration of Agricultural and Rural Development
Int. Ag.	604	Seminar on African Agriculture and Rural Development
Int. Ag.	607	Training and Development: Theory and Practice
Ag. Econ.	464	Economics of Agricultural Development
Ag. Econ.	660	Food, Population and Employment
Ag. Econ.	663	Macroeconomic Issues in Agricultural Development
Ag. Econ.	665	Seminar in Latin American Agricultural Policy
Govt.	648	Political Economy of Change; Rural Development in the Third World
CRP	671	Seminar in International Planning
CRP	771	Seminar in Science and Technology Policy in Developing Nations
CRP	772	Seminar in Policy Planning in Developing Nations: Technology Transfer and Adaption
CRP	773	Seminar in Project Planning in Developing Countries
Nutr. Sci.	680	International Nutrition Problems, Policy and Programs
Nutr. Sci.	695	Seminar in International Nutrition and Development Policy
R. Soc.	674	The Politics of Third World Policy, Planning, and Evaluation
R. Soc.	715	Rural Development Information Systems

International Political Economy Concentration

Gov	488	Comparative Capitalism
Gov	480	Foreign Economic Policies
Gov	386	Global Political Economy
Gov	434	State and Economy
Gov	334	Business and Labor in Politics
Gov	326	Eastern Europe Today
Hist.	380	Social History of Western Technology
Econ	361	International Trade
Econ	362	International Monetary Theory
Econ	371	Economic Development
Gov	490	International Politics of Energy
Gov	354	America in the World Economy
NBA	582	International Trade and Finance
NBA	584	The Multinational Business Firm
Soc	616	Business, Labor and the State
Hist.	374	War, Trade and Empire

Labor Policy Concentration

ILR	360	Human Resource Economics and Public Policy
ILR	451	Science, Technology, and the American Economy
ILR	469	Immigration Policy and the American Labor Force
ILR	681	Labor Relations Law
ILR	600	Labor Arbitration
ILR	601	The Bargaining Process
ILR	603	Governmental Adjustment of Labor Disputes
ILR	685	Collective Bargaining in Education
ILR	686	Collective Bargaining in the Public Sector
ILR	689	Constitutional Aspects of Labor Law
ILR	761	Human Resource Economics and Public Policy
Gov	423	Labor and the New Deal
Hist	409	Work in Europe and America

Law and Policy Concentration

ILR	682	Labor Relations Law
Law	636	Environmental Law
Law	748	Law, Science and Technology
Law	760	Media Law
Law	780	Sex Discrimination
CRP	643	Legal Aspects of Public Administration

National Security Concentration

Hist	313-314	History of American Foreign Policy
Gov	385	American Foreign Policy
Gov	388	War and Society
Gov	486	International SEcurity
Gov	484	Defense Strategy
Gov	481	Foreign Policy of the USSR
Gov	381	Politics of Defense Spending
Gov	349	Political Role of the Military
Soc	310	Sociology of War and Peace
Hist	313-314	History of American Foreign Policy
Hist	360	Early Warfare
Hist	379	War and Society

Politics and Policy-Making Concentration

Gov	310	Power and Poverty in America
Gov	311	Urban Affairs
Gov	316	The American Presidency
Gov	317	Political Parties and Elections
Gov	318	The American Congress
Gov	323	The Fourth Branch
Gov	328	Constitutional Politics
Gov	428-429	Government and Public Policy
Soc	363	Political Sociology
Soc	515-516	Politics of Technical Decisions
Hist	341	Recent American History
ILR	360	Human Resource Economics and Public Policy
ILR	761	Human Resource Economics and Public Policy

Public Finance Concentration

Ag Econ.	332	Economics of the Public Sector
AG Econ.	452	Land, Read Estate and Mineral Economics
Education	664	Educational Finance
NBA	543	Financial Markets and Institutions
NBA	545	Finance Theory
Econ	335	Public Finance: Microeconomics of Government
Econ	336	Public Finance: Resource Allocation

Race, Gender and Ethnic Policy Concentration

Africana Studies	410	Black Politics
Africana Studies	420	Social Policy and the Black Community
Africana Studies	495	Political Economy of Black America
Womens Studies	326	Women in American Society
Womens Studies	353	The Feminist Movement
Womens Studies	238	Women as Professionals
Gov	329	Race, Gender and Politics

Regulatory Policy Concentration

Econ	354	Economics of Regulation
Econ	355	Politics and Markets
NBA	521	Regulation, Deregulation and Antitrust
Gov	301	Politics of Regulation
Gov	412	Size of the State
Gov	323	The Fourth Branch

Science and Technology Concentration

Geotech. Eng	656	Enviromental Quality Management
Struct Eng	691	Water Resource Problems
Comp. Sci	305	Social Issues in Computing
Op. Res	451	Econ. Analysis of Engineering
Bio and Soc.	302	Food Production
	304	Environmental Chemicals
	403	Public Health
	408	Biotechnology
	409	Soc. Policy and Econ. Growth
Soc.	515-516	Politics of Technical Decisions
Hist.	447-448	History of Biology
Hist.	380	Social History of Western Technology
ILR	451	Science, Technology and the U.S. Economy

Urban Policy Concentration

CRP	400	Introduction to Urban and Regal Theory
CRP	404	Urban Economics
CRP	500	Urban and Regional Theory
CRP	411	Introduction to Planning
CRP	630	Local Economic Policy
CRP	511	Suburbanization and Metropolitian America
CRP	552-553	Urban Land Use Planning I and II
Gov	311	Urban Politics
Gov	312	Urban Affairs Laboratory
NBA	680	Management of Urban Issues
Gov	411	Political and Economic Power in Cities
Soc	364	Race and Ethnicity
Hist	332-333	Urbanization of American Society
Hist.	336-337	American Social History
ILR	360	Human Resource Economics and Public Policy
ILR	761	Human Resource Economics and Public Policy

file:concentrations
MISC3

May 13, 1987

REPORT FROM THE COMMITTEE ON NOMINATIONS AND ELECTIONS
SLATE OF CANDIDATES FOR FCR SEATS ON COMMITTEES
(Terms commence July 1, 1987)

EXECUTIVE COMMITTEE OF THE FCR - 3 seats, two-year term

Richard I. Dick, Joseph P. Ripley Professor of Engineering
Wesley W. Gunkel, Professor, Agricultural Engineering
Richard E. Schuler, Professor, Economics and Civil & Environmental Engineering
John E.H. Sherry, Professor, Hotel Administration
Val K. Warke, Associate Professor, Architecture

EXECUTIVE COMMITTEE OF THE FCR - 1 non-tenured seat, two-year term

Kathy A. Beck, Assistant Professor, Clinical Sciences
William J. Cox, Assistant Professor, Agronomy

ACADEMIC FREEDOM AND RESPONSIBILITY COMMITTEE - 2 seats, three-year term

Robert C. Fay, Professor, Chemistry
Lee C. Lee, Associate Professor, Human Development and Family Studies
Dennis D. Miller, Associate Professor, Food Science
Bud C. Tennant, Professor, Clinical Sciences

ADMISSIONS AND FINANCIAL AIDS COMMITTEE - 1 seat, three-year term

John F. Booker, Professor, Mechanical and Aerospace Engineering
Larry D. Brown, Associate Professor, Geological Sciences

BUDGET COMMITTEE - 1 seat, three-year term

L. Duane Chapman, Professor, Agricultural Economics
Ronald G. Ehrenberg, Irving M. Ives Professor of ILR

PHYSICAL EDUCATION COMMITTEE - 1 seat, three-year term

Russell D. Martin, Professor Emeritus, Communication
Robert L. VonBerg, Professor, Chemical Engineering

PROFESSIONAL AND ECONOMIC STATUS COMMITTEE - 1 seat, three-year term

John L. Doris, Professor, Human Development and Family Studies
Charles E. McCulloch, Associate Professor, Plant Breeding & Biometry

RESEARCH POLICIES COMMITTEE - 1 seat, three-year term

Gordon P. Fisher, Professor, Civil & Environmental Engineering
Herbert H. Johnson, Professor, Materials Science & Engineering

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

Barbara A. Knuth, Assistant Professor, Natural Resources
Philip D. Nicholson, Assistant Professor, Astronomy

JMB 3/12/87

Draft VII-KFS-5/29/86

Revised:tb 4/14/87

CORNELL UNIVERSITY

COPYRIGHT POLICY

OBJECTIVES

The Copyright Policy of the University seeks to protect and promote the traditional academic freedom of the University's faculty, staff and students in matters of publication; seeks to balance fairly and reasonably the equitable rights of authors, sponsors and the University; and attempts to ensure that any copyrightable material in which the University has an equity interest is utilized in a manner consistent with the public interest.

OWNERSHIP AND DISPOSITION OF COPYRIGHTABLE MATERIAL

Copyright ownership and the rights thereof are terms defined by federal law. University policy is structured within the context of the Federal copyright law by defining the equities of ownership of copyrightable material in terms of the following categories:

A. Copyright ownership of all material (including computer software)

shall vest in the author except in those situations in which there exists a University equitable interest in the material as described in B or C below. Any questions concerning the existence of a University equity interest shall be referred to and decided by the Vice President for Research. In cases where the University has an equity interest authors share in any royalties paid as described subsequently in this policy.

Comment:

This represents a formalization of past University policy in this area. The concept of author ownership covers the vast majority of the publication of written materials prepared by faculty members.

B. Copyright ownership of all material (including computer software) which is developed in the course of or pursuant to a sponsored research or other agreement to which the University is a party, shall be determined in accordance with the terms of the sponsored research or other agreement, or in the absence of such terms, the copyright shall become the property of the University.

Comment:

Research contracts usually provide the sponsor with specific rights in copyrightable material developed in the performance of the research. These rights normally consist of a royalty free license to the sponsor, with title vesting in the University. In some cases of

government sponsorship, the government prohibits any private copyright ownership. Grants and other types of sponsored research agreements, whether entered into by the government, private foundations, or private industry may, on the other hand, contain no specific provision concerning rights in such materials.

The purpose of this provision is to ensure that the University will be free to deal with all such data in a matter consistent with its obligations to the sponsor and to the public.

In cases where material has been copyrighted under this section, or is deemed to merit copyright protection under this section, and where a researcher wishes to publish it in journals or other media, federal law requires the written consent of the owner of the copyright. Requests for such consent, which will normally be routinely provided, should be addressed to the Office of Patents and Licensing. In such cases, publication is both permitted and encouraged except where there are restrictions imposed by sponsorship obligation.

Nothing in this section is intended to prevent the University from releasing its copyright ownership to individual authors and creators where, in the opinion of the Vice President for Research, other equitable considerations justify such release.

C. Copyright ownership of all material (including computer software) which is developed with the significant use of University

resources, funds, space, or facilities, even without any University obligation to others in connection with such support, shall reside in the University.

Comment:

The University shall exercise its rights in such material in a manner that will best further Cornell's basic aims as an educational institution, giving full consideration to making the material available to the public on a reasonable and effective basis, avoiding unnecessary exclusions and restrictions and providing adequate recognition of the authors.

In this respect, Cornell recognizes and reaffirms the traditional academic freedom of its faculty and staff to publish freely without restriction. In keeping with this philosophy, Cornell will neither construe the provision of office or library facilities as constituting significant use of Cornell's space or facilities, nor will it construe the payment of salary from instructional accounts as constituting a significant use of Cornell's funds, except for those situations where the funds were paid specifically to support the development of such material. Significant use of specialized research centers, studios, and laboratory facilities would, however, normally fall within this category.

Textbooks, software and other materials developed through or for the use of classes are excluded from the provisions of this category,

unless such items were developed using University administered funds paid specifically to support their development.

In cases where the University would not own title to materials developed under this section, but where University support was provided in the development of the materials, the University shall have a royalty free license to use such materials in its own programs.

Examples of "significant use of Cornell resources" include but are not limited to the acceptance of salary from non-instructional accounts, and use of accumulated software technology such as data bases, computer graphics, and operating systems. All persons who develop copyrightable material through the use of those resources or the significant use of other University resources must copyright such material in the name of the University.

Nothing in this policy is intended to negate the applicability of the traditional "work for hire" principles set forth in existing statutory and case law. The Office of Patents and Licensing is available to provide information and advice as to the applicability or potential applicability of this section.

D. Students are expected to abide by all applicable graduate school or college rules concerning access to research data. Students who copyright their theses must, as a condition of the degree award, grant royalty free permission to the University to reproduce and publicly distribute copies of their theses and

abide by any additional rules set forth by the graduate school and the colleges. Any works of students created within the scope of their employment relationship with the University, e.g. as graduate research assistants or teaching assistants, shall be subject to the provisions of paragraphs A, B, and C above. In cases where students are assigned by faculty members to write software or produce other copyrightable materials, the faculty member should obtain prior written agreements which specify ownership and use of the materials to be produced. Such agreements may not negate any applicable provisions of paragraphs B and C.

E. Authors have an obligation to inform the Office of Sponsored Programs of material produced under sponsored research or other agreements (Section B) which should be copyrighted to protect the University's interests. It is the duty of each individual faculty and staff member prior to entering into any third party publishing or licensing agreement to report to the Office of Patents and Licensing the development of copyrightable materials which may have any significant economic value to the University in order to obtain a determination as to whether work falls within Category A, B, or C or is covered by the Patent Policy. In cases where authors own copyright, the University Office of Patents and Licensing is available to authors to assist them in commercialization and obtaining copyright protection.

As an aid to authors embarking on new projects, they may secure

from the University Office of Patents and Licensing an interpretation of this policy as it will apply to future works produced under circumstances proposed by the author.

COPYRIGHT ROYALTIES

Royalty income received by the University through the sale, licensing, leasing or use of copyrightable material, under categories B and C, in which the University has acquired a property interest will be distributed in accordance with the royalty distribution provision (sec. E) of the University's Patent Policy. Some University sponsorship obligations might, however, result in no royalty payments.

COPYRIGHT AGREEMENTS

The policies set forth above constitute an understanding which is binding on University faculty and staff, students and others as a condition of their participating in University research programs or their use of University resources. The University may require formal copyright agreements to implement the policy as appropriate, but the absence of such an executed agreement shall not invalidate the applicability of this policy.

OVERLAPS WITH PATENT POLICY

Some items created at Cornell are both patentable and

copyrightable for example, where copyrightable material is the embodiment of a patentable invention. In such cases the Patent Policy for determining ownership rights governs all intellectual property rights in the work. It is the duty of authors to report to the Office of Patents and Licensing the development of materials which are potentially the subject of both patent and copyright protection.

tb:M96

From: Paul Velleman

Proposed revisions to the University Copyright Policy:

B. Copyright ownership of all material (including computer software) [which] *that* is developed in the course of or pursuant to a sponsored research or other agreement to which the University is a party, shall be determined in accordance with the terms of the sponsored research or other agreement. [, or in the absence of such terms, the copyright shall become the property of the University.] *In the absence of such terms, the copyright shall remain the property of the author, except in cases covered by section C below.*

Nothing in this section is intended to prevent the University from releasing its copyright ownership to individual authors and creators where, in the opinion of the Vice President for Research, other equitable considerations justify such release. *The University shall release its copyright of materials covered under this section to the author at his request unless it is deemed by the Vice President for Research to be necessary that the University retain the copyright in order to preserve the University's ability to meet its obligations under the sponsored research or other agreement.*

C. Copyright ownership of all material (including computer software) [which] *that* is developed with [significant] *extraordinary* use of University resources, funds, space, or facilities, even without any University obligation to others in connection with such support, shall reside in the University.

Cornell recognizes that modern research may use substantial amounts of University and other resources. The use of substantial amounts of resources or of expensive or specialized equipment shall not in itself be considered an extraordinary use of resources. The test of "ordinariness" shall be whether the use of resources is appropriate to the central research and education missions of the University.

Thus use of resources that advances knowledge, accomplishes research, or enhances teaching usually shall not be considered extraordinary, and copyrights resulting from this work shall remain the property of the author. In this respect, Cornell recognizes and reaffirms the traditional academic freedom of its faculty and staff to publish freely without restriction *and to own the copyright to their work.* In keeping with this philosophy, Cornell will neither construe the provision of office, library, *computing, or communications* facilities as constituting [significant] *extraordinary* use of Cornell's space or facilities, nor will it construe the payment of salary from instructional accounts as constituting [significant] *extraordinary* use of Cornell's funds. [,except for those

situations where the funds were paid specifically to support the development of such material. Significant use of specialized research centers, studios, and laboratory facilities would, however, normally fall within this category.]

[Textbooks, software, and other materials developed through or for the use of classes are excluded from the provisions of this category unless such items were developed using University administered funds paid specifically to support their development.] {This provision as originally written freed texts and instructional software from all restraints. I propose to move this statement into the following paragraph}

In cases where the University would not own title to materials developed under this section, but where University support was provided in the development of the materials, the University shall have a royalty-free license to use such materials in its own programs. *The University shall not ordinarily request a royalty-free license to use textbooks, software, and other materials developed through or for the use of classes unless such items were developed using University administered funds paid specifically to support their development.* {We should protect the University's right to continued use of curriculum materials developed at Cornell even if the author leaves the University or tries to charge an unreasonable price for the materials after they have been integrated into the curriculum. Hence the "ordinarily" above. It isn't clear how this can be squared with an author's rights to sell his textbook or instructional software to a publisher who might, in turn, raise the price unreasonably. I doubt that we want to open the issue of whether faculty should have the right to royalties on sales of their texts to their classes.}

Examples of "[significant]*extraordinary* use of Cornell resources" include but are not limited to [the acceptance of salary from non-instructional accounts, and use of accumulated software technology such as data bases, computer graphics, and operating systems.] *misappropriation of accumulated resources such as databases, computer software, film libraries, etc.* [All persons who develop copyrightable material through the use of those resources or the [significant] extraordinary use of other University resources must copyright such material in the name of the University.]

D. ...Any works of students created within the scope of their employment relationship with the University,..., shall be subject to she provisions of paragraphs A,B, C, *and F.*

F. Employees of the University who have been paid specifically to create copyrightable works shall not own the copyright to that work unless an agreement has been signed by the University and the employee. All employees who assist in the creation of copyrightable work shall be asked to sign a standard form that specifies their rights and obligations in this respect. {Standard forms for this purpose should be provided as an appendix to this

policy}

Work by University employees whose primary job is the creation of copyrightable work will ordinarily be the property of the University.

Work by students or research assistants in support of a joint effort directed by a Cornell faculty member or faculty members that results in copyrightable work will ordinarily be treated as work by the faculty member or faculty members under paragraphs A, B, and C. Where this work is a part of a student's research or thesis it will be treated as described in paragraph D. The University shall request that students working on such projects sign a form that specifies their rights and obligations regarding ownership of copyrights to resulting work when they begin work on such projects. {Standard forms for this purpose should be provided as an appendix to this policy}

ORGANIZATION AND PROCEDURES

of the

Center for High Energy Synchrotron Studies

A Center for Synchrotron Radiation Science at Cornell University

CONTENTS

I. Definition

II. Basic Principles

III. Program

IV. Members

V. Executive Committee

VI. Staff

VII. Policy Board

VIII. User Group

IX. Adoption and Amendments

X. Appendix A

Charter of the Center for High Energy Synchrotron Studies

(CHESS)

At Cornell University

ORGANIZATION AND PROCEDURES

I. Definition

1. The Center for High Energy Synchrotron Studies (CHESS) is established at Cornell University to facilitate and promote research and graduate instructions in the branches of science concerned with the development and uses of synchrotron radiation, and to operate the Cornell High Energy Synchrotron Source (also called CHESS, a laboratory funded by the NSF). CHESS, as a national resource, also provides synchrotron radiation and associated services to users from many institutions.

2. CHESS, as a Center, is a grouping of individual faculty users at Cornell, which interacts with the CHESS laboratory.

II. Basic Principles

1. Cornell University intends that the Center should compliment and supplement the long-range aims of the University for teaching and research, specifically in the field of synchrotron radiation science. A primary aim of the Center is to provide

an environment conducive to the use of synchrotron radiation by research groups at Cornell. The Center as a program of Cornell University operates within the accepted viewpoints and established policies governing research at Cornell and its sponsorship by outside agencies. These include, but are not limited to, the key policies excerpted from "A Statement of Policy Concerning Research Contracts, Grants, Investigatorships, and Industrial Fellowships at Cornell University," issued by then President Day on October 20, 1948 and summarized in Appendix A, the University Patent Policy and the policy on use of U sity research facilities.

2. The organization and procedures set forth in the following sections are designed to accomplish these goals of research and science. In particular, they are intended to assure that CHESS will constitute not a research institute only loosely connected to the University and with a program of its own separate from the activities of the academic departments, but an active "Center" as that term is used in this University. "The concept underlying a research Center at Cornell is that of providing a clearing and coordinating mechanism for research or other academic work in subjects which ramify into more than one of the established academic disciplines. They facilitate the study of such subjects from several angles instead of only one." (Sponsored Research Manual, Page 31.)

3. Within the charter that governs the relationship between CHESS and its current sponsoring agency, the National Science

Foundation, the Cornell High Energy Synchrotron Source is a nationally available facility, and as such is normally available to all qualified users from Cornell University, from the United States generally, and as permitted by the NSF from users abroad. CHESS as a Center at Cornell is a grouping of Cornell researchers who have a strong interest in pursuing research using synchrotron radiation.

III. Program

1. The basic aims of the CHESS program are:

a. To raise to the highest possible professional level the research throughout the area of synchrotron radiation studies by the attraction of outstanding scientists (both as faculty and users), through the addition of equipment, facilities, and professional services.

b. To exploit the presence of a unique source of radiation connected with the high energy physics program at Cornell, to train graduate students in the use of this radiation, and to encourage innovation and invention in the future development of the present source.

c. To exploit high-level common instrumentation for the upgrading of all synchrotron radiation research; to perform research specifically in the area of supporting facilities.

d. To produce graduates, and post-doctoral personnel in the field of synchrotron radiation science and with the highest level of sophistication in the use of modern radiation equipment and of technical help; to produce more experts in this field (both Cornell related and user group related) then would have been possible without CHESS.

IV. Members

1. Any member of the University Faculty with interests in synchrotron radiation science may signify to his or her department representative or Department Director a desire to become a member of the CHESS Center. The CHESS Director shall present the faculty member's name to the Executive Committee for approval, and such applicant shall have the right to appear and present his or her case for membership. Such approval shall be withheld only on the ground that the applicant's field of interest is not within the area of synchrotron radiation science as defined by the Executive Committee. In a case in which the application is denied, the Executive Committee, if the applicant desires, may seek the advice of the Policy Board.

2. A member has <u>one</u> vote in the election of the appropriate college or division representative to the Executive Committee and each member is actually eligible to be chosen and to serve as such representative.

3. Each member is entitled to submit to the Director requests, in the form of project proposals, for beam time, and research support provided through CHESS and University resources. The beam time proposals shall be given equal consideration with those of all other members as well as outside users within the limits of available beam time. Normal CHESS procedures will apply in the evaluation and rating of proposals. This involves peer review under the auspices of the CHESS Proposal Review Panel, appointed by the Director. Proposals for research support through local facilities will be renewed and acted upon by the Executive Committee in conjuction with the CHESS Director.

4. Each Center member shall be entitled to assistance by the CHESS administration in writing contract proposals and in obtaining contract support for synchrotron related studies.

5. The result of each member's research at CHESS shall be included in reports from CHESS, to any outside contracting agency.

6. A member is expected to show initiative and interest in the development of CHESS and to contribute to its training and research programs by, for example, participating in the pooling of knowledge, participating in seminars, and providing advice to other groups. At the time of submission to government agencies and university authorities copies of contract propos-

als in synchrotron radiation will also be made available to CHESS. In this way CHESS can be aware of such matters as proposed beam time loads, expected use of space and equipment in common facilities, and the likelihood of requests for emergency support from limited CHESS resources. Members and users agree to give at least partial credit to CHESS (and any outside contracting agency supplying funds or facilities) for publications emanating from work done in which CHESS facilities were used.

7. Each member will receive a copy of the CHESS annual report. Users from outside will receive copies on request.

8. Each year there shall be at least one general meeting of the membership in which all members will be expected to participate. Users from outside may be invited. At this meeting questions can be raised on any matter related to the work or operation of CHESS. In addition, it shall be the function of this meeting to receive reports from appropriate staff members or committee representatives on the technical program, equipment status, beam usage, financial status and plans of CHESS, and new members admitted since the last meeting. The Executive Committee shall report at the meeting recommended amendments to this statement of organization and procedures adopted since the last meeting; ratification shall be required by majority vote of those present prior to submission of the recomendation to

the University President for approval. The presence of a majority of the members of the Center shall be required for the transaction of business at an annual meeting of the membership.

V. Executive Committee

1. The Executive Committee of the Center shall consist of the following members: the ex officio members are, as follows:

The Vice President for Research and Advanced Studies

The Dean of the College of Arts and Sciences

The Dean of the College of Engineering

The Dean of the College of Agriculture and Life Sciences

The Director of CHESS

The Director of LNS

There shall be representative members who shall be chosen by the colleges as follows:

1. Division of Biological Sciences
2. College of Engineering
3. College of Arts and Sciences
4. College of Agriculture and Life Sciences

These representatives will be selected by written ballot, conducted by the Director, from the Center Members of the respective college or division.

In addition, the Associate Director shall serve as secretary and will attend meetings but will have no vote. From time to time the Committee will consider recommending changes in the constitution of Executive Committee membership when in its judgment circumstances warrant.

2. The Vice President for Research and Advanced Studies shall be the official Chairman of the Executive Committee but the Director of CHESS will conduct the meetings in the Chairman's absence.

3. The representative members will normally serve for three-year terms, and will be eligible for re-election for second three-year terms, but not eligible to serve more than two full three-year terms until after a period of one year has elapsed from the end of such a six-year period. The regular term of such members is to begin on July 1 and they are to be chosen during the preceding May. If a vacancy occurs in any representative membership, a member to fill the vacancy will be chosen promptly by the Center members in the appropriate unit. The replacement will serve for the remainder of the term of the retiring member. The terms of the initial group of elected members will be staggered according to a schedule determined by the Executive Committee. Whenever an elected member is to be away from the University for an extended period (but less than the full remainder of the member's term) a substitute will be

chosen by the Center members in his or her college using procedures identical to the original election. When a member will be absent for a single meeting he or she may designate a substitute.

4. The chairman or heads of the departments of Center members shall receive notices of all meetings of the Executive Committee and are free to attend any meeting, but do not vote.

5. The Executive Committee has advisory oversight of the welfare and progress of CHESS. It serves as a collective unit to represent Cornell members' and university interests in the policy of CHESS. The four elected members will choose a representative to serve as a non-voting member of the CHESS Policy Board which reports its findings and recommendations to the Vice President for Research. The Committee, shall advise the Director on matters that relate to specific CHESS support of the research and user activities of its members.

6. The Executive Committee may make recommendations to the University administration and to Deans and department heads on any matter which it believes affects the pursuit of synchrotron radiation studies at Cornell. Such recommendations may deal with appointment of faculty or other staff, allocation of space and other resources in the CHESS areas of Wilson Laboratories, library collections and other technical literature or any other

matter pertinent to research and development in synchrotron radiation science. The recommendations are advisory only and do not diminish the authority and responsibility of those empowered by the University to act in the area of the recommendation; in particular, the responsibility for recommendations to the President on academic appointments rests not with the Center but primarily with the appropriate department or departments.

VI. Staff

1. The staff of CHESS is headed by a Director appointed by the Vice President for Research. The Director shall be a Professor or Associate Professor in one of the departments participating in CHESS and shall normally serve only part time as Director. The Director is to be appointed for a term of five years, but may be reappointed.

2. The Director will be the chief administrative officer of CHESS and will be responsible, with the advice of the external CHESS Policy Board, the National Science Foundation and the Executive Committee, for the welfare and progress of CHESS and for the accomplishment of its program, for its funding, and for its staffing including salary rates for his subordinates.

3. There may be an Assistant or Associate Director, and the Executive Committee shall advise the Director on the appropriateness of the title from time to time. The Assistant or Associate Director shall be a person of academic or scientific background related to CHESS research. In the selections of Assistant or Associate Director, the unique relationships among CHESS, LNS and the Physics department shall be considered. The Assistant or Associate Director is appointed by the Director on the advice and recommendation of the Executive Committee and on such terms as the Director, with the advice and consent of the Executive Committee, and others involved in the academic appointment process, may determine. The Assistant or Associate Director will have such reponsibilities and perform such duties as the Director may delegate. In the absence of the Director, the Assistant or Associate Director serves as officer in charge.

4. There may be an administrative manager, who shall be hired by the Director at such salary and on such terms as determined by the Director with the advice of the Executive Committee. The administrative manager has the responsibilities to perform such administrative duties as the Director (or by delegation the Associate or Assistant Director) may direct.

5. There may be auxiliary technical and administrative staff as the Director sees fit.

VII. Policy Board

1. There will be a CHESS Policy Board, which will consist of not fewer than five nor more than seven members.

2. The members of the Policy Board will be appointed by the Vice President for Research on the advice and recommendation of the members of the Executive Committee and the Director. They will be Distinguished scientists in fields related to synchrotron radiation science and will be chosen with regard to securing a distribution among different aspects of that field and a distribution among university, national laboratories, and industrial organizations. Members shall be appointed for terms of three years and may be reappointed.

3. The function of the Policy Board is to provide advice and long range planning, and it shall submit its recommendations to the Vice President for Research formally at least once each year and either formally or informally at such other intervals as it may deem fit.

4. An annual meeting will be held at a time arranged each year by the Director in consultation with the members of the Policy Board and the Executive Committee.

5. The Policy Board will choose its own mode of operation aimed at discharging the function set forth above.

VIII. User Group

1. A User Group will be established to represent the interests at CHESS of outside users.

2. The User Group will have a small Liaison Committee, (Chairperson plus one or two others) elected from the User Group body, with members rotating on and off on a two year basis.

3. The purpose of the User Group is to act as a support group for the CHESS operation at Cornell, and to make recommendations to the CHESS administration on technical and instrumentation matters.

4. CHESS will hold a meeting of the User Group at least once a year to review matters relating to the running of the facility and the exploitation of new scientific opportunities.

IX. Adoption and Amendments

1. This statement of organization and procedures shall be effective upon receiving a favorable vote approval by the University trustees.

2. A proposal to amend this statement of organization and procedures may be made by any member. Adoption of a proposed amendment requires a majority vote of the total membership of the Executive Committee; such vote shall take place at a meeting the announcement of which was in writing and furnished to members at least three days in advance and provided that such announcement included the text of the proposed amendment and notice that it was to be voted on. Each such proposed amendment shall be acted upon at the next annual meeting in accordance with the provisions of Section IV, paragraph 8, prior to submission to the President of the University for approval.

APPENDIX A

"A statement of policy concerning the fundamental aim of research at Cornell University is to advance the boundaries of knowledge in all fields recognized in the curricula of the institution. The research program is regarded as an essential element in University education. Assistance from industrial concerns, governmental agencies and foundations has hitherto effectively aided the expansion of this program beyond normal budgetary limits; and the University welcomes such assistance, whether by research contracts or investigatorships for members of the faculty or by fellowship for graduate students. Grants-in-aid enable individual members of the faculty to carry their research forward more rapidly than would be possible without them; and fellowships provide for the graduate instruction of able students who might otherwise not be able to realize their potentialities as scholars and scientists.

In view of the aim of the University's research program and its close integration with the training of graduate students, emphasis is placed on basic research rather than on the type of research aimed at the development of specific products and formulae. Projects in basic research may have quite clearly defined objectives, of course, but there is a wide range of projects with narrowly defined objectives which do not fall within the scope of such research as the University desires to sponsor and therefore could better be undertaken under other auspices.

The line between these two types of research is frequently difficult to draw, but the general conditions stated below serve to indicate the type which the University aims to promote....

Proposals for research contracts or investigatorships shall meet the following conditions:

> The investigation should fall within a general field of study actively cultivated at Cornell and should be of a special interest to the professors in the field.
>
> The proposal should specify research in a broad field or an objective giving wide latitude in method of approach....
>
> The sponsor should agree that the publication of the results of such research shall remain in the jurisdiction of Cornell University. "Classified" research is not in general acceptable....."

MINUTES OF A MEETING OF THE UNIVERSITY FACULTY

May 20, 1987

The meeting was called to order by Speaker Russell Martin at 4:30 p.m. in 120 Ives Hall. He then called on Dean of the Faculty, Joseph B. Bugliari, for remarks.

1. REMARKS BY THE DEAN

Dean Bugliari: "This is one of those bittersweet occasions we often go through in our lives. We share with our thirty retiring colleagues immense pride in their staggering accomplishments in over 920 combined years of service to the University. This will not be quite the same place without them.

"My first reaction when I saw this year's list of retirees was to try to figure out a way to prevent their retirement, but since all I could possibly do was to block the holding of this meeting - and I'm not even sure I could get away with that - and since in any event that would not have prevented their retirement, I decided instead to remind them at the beginning of the meeting that while retired status confers the exalted privileges of a free parking sticker and two tickets to the home football games, the steep price for this high reward is continued membership in the University Faculty with all the onerous responsibilities that this entails, including, of course, the most onerous of all, and that is that you still remain under my supervision and jurisdiction."

"Seriously, we wish you all well and you will always be a part of us."

The Chair again called on Dean Bugliari for the announcement of faculty deaths since the last meeting.

2. ANNOUNCEMENT OF FACULTY DEATHS

Dean Bugliari: "It is with great regret that I must announce the death of the following colleagues since our last meeting in the fall or that were *reported to us since the last meeting in the fall:

Nathan A. Pattillo, Jr., Professor Emeritus, History of Art, March 16, 1986

Laurence H. MacDaniels, Professor of Horticulture, Emeritus, June 18, 1986

Lowell D. Uhler, Professor of Biology, Emeritus, July 3, 1986

James L. Gregg, Professor Emeritus, Materials Science and Engineering, July 16, 1986

C. Douglas Darling, Professor Emeritus, Clinical Medicine, August 23, 1986

Damon Boynton, Professor Emeritus, Pomology, August 24, 1986

Jesse T. Carpenter, Professor Emeritus, I&LR, September 15, 1986

Ralph P. Agnew, Professor Emeritus, Mathematics, October 16, 1986

Harold C. Perkins, Professor Emeritus, Mechanical Engineering, October 24, 1986

Arthur J. McNair, Professor Emeritus, Civil and Environmental Engineering, October 31, 1986

Ernest N. Warren, William C. McRoberts Professor Emeritus, November 6, 1986

Dwight A. Webster, Professor Emeritus, Natural Resources, November 9, 1986

John P. Hertel, Professor Emeritus of Personnel Administration, November 18, 1986

Robert S. Morison, Richard J. Schwartz Professor of Science and Society, December 2, 1986

A. Miller Hillhouse, Professor Emeritus, Public Finance, December 2, 1986

Andre Gerard van Veen, Professor of Nutrition (retired), December 7, 1986

Geoffrey S. S. Ludford, Professor, Theoretical and Applied Mechanics, December 11, 1986

John R. Moynihan, Professor Emeritus, Theoretical and Applied Mechanics, December 15, 1986

Herbert Dieckmann, Avalon Professor of the Humanities, Emeritus, December 16, 1986

Mabel A. Rollins, Professor of Household Economics & Management, Emeritus, December 18, 1986

Byron W. Saunders, Professor Emeritus, Operations Research & Industrial Engineering, January 4, 1987

David Novarr, Professor of English, January 21, 1987

Edward S. Flash, Jr., Associate Professor of Public Administration, January 27, 1987

Louis M. Massey, Jr., Professor of Biochemistry, Food Science & Technology, Geneva, February 2, 1987

James M. Hamilton, Professor Emeritus, Plant Pathology, Geneva, February 20, 1987

Sydney A. Asdell, Professor Emeritus, Animal Science, February 21, 1987

Frederick T. Bent, Associate Professor, JGSM, March 2, 1987

Donald J. Grout, Given Foundation Professor of Musicology, Emeritus, March 9, 1987

Orrilla Wright Butts, Professor Emeritus, Cooperative Extension, March 21, 1987

W. Lambert Brittain, Professor, Human Development/Family Studies, April 22, 1987

Robert D. MacDougall, Associate Professor, Architecture, and Dean, Summer Session, Extramural Study & Related Programs, May 8, 1987

Dean Bugliari asked those present to rise for a moment of silence.

3. SALUTE TO RETIREES BY THE HANGOVERS

Speaker Martin then introduced the Hangovers for a musical salute to the retirees.

After much applause for the Hangovers, the Speaker then introduced Provost Robert Barker.

Provost Barker: "Those young men work very hard for Cornell. That is the second time I have heard them in the last 24 hours. They were at New York Pier 4 entertaining the major donors of the University last night, and when I left there, it was about quarter to eleven, and they were still singing to the alumni as they left the auditorium and since then, they have had a nice bus ride back here, so that is real dedication. They may have even had some exams somewhere in there as far as I know.

"I agree with Joe Bugliari that this is a bittersweet kind of occasion. It is a time of transition for those of you who are retiring. I think you are probably planning to do all the things that you should have done and haven't. As soon as you are retired, you will probably get that done in about three weeks, and then I hope you go on to do the things that you really want to do and will enjoy doing, not the ones that you should have done, but the ones that you really want to do . It is also a transition time for the University. We are losing - but hopefully not fully losing - an enornmous pool of talent and skills and commitment and a truly outstanding group of people will be officially gone from the campus. Tradition, however, of those who have retired before you, is that that is a very incomplete kind of change that occurs. Like Joe, I looked at the list of people, and some of you realize that some of those

who are retiring this time around have been rather closely associated with me in the last little while, and as you know, the laws about retirement are changing. Retirement will become not mandatory at some point in the future, and I thought of having it not allowed, but as with Joe, I am not sure how we can go about doing that.

"What I hope for you is that all of you will make the transition a happy one. I hope that you will be like some of those young men who were just here and think of yourselves as the Class of '87. Cornell is great for sticking numbers on people and expecting numbers in return, too. I don't mean it in that sense but only in the sense that you will think of the University in some degree as alums do, hopefully, of their alma maters, that you are very much graduates of this institution. I hope if you do leave town and you are bound to go to a warmer climate - it would be strange to see somebody going into Saskatchewan or somewhere like that for the winters - that you will think about us when you are there and think warm thoughts to keep us warm here, but that you will also keep in touch. Some of you are going to be here and clearly will be in touch.

"You are one of the groups of people who can help the University stay in touch with reality. We have lots of help from our alums and what they see as reality, but I think you, as alumni of the faculty, can do a different thing for us in that regard, so don't go away; we need you. And thanks for having been here."

Speaker Martin called on Dean Bugliari for introductions.

4. HONORING RETIRING FACULTY

Dean Bugliari: "Before I call on the deans to introduce the people who are retiring, I have a piece of good news for you, and that is the report that was going around in Jim Spencer's office earlier this afternoon that TIAA-CREF

and the New York State Retirement System had invested all of their assets in Brazilian bonds, and therefore, none of you would have any money to retire has proved to be unfounded. I want that in the record, please.

"I first call on Dean David L. Call to introduce the retirees from the College of Agriculture and Life Sciences."

Dean Call: "It is always a mixture of pleasure and sadness when one has to introduce so many colleagues who have decided that they are going to pursue the transition.

"The first three that I would introduce retired on December 31, and they look very good, and so I think they have made the transition, and I think the tradition is, Dean Bugliari, that they will stand and be introduced.

"I would like to introduce first William K. Jordan from the Department of Food Science. Bill is one of those that if you had a blood transfusion it would come out carnelian. He did all three degrees at Cornell, and he was appointed as an assistant professor at Cornell in 1950. That is dedication - some 38 years. He also, like a number of other people who are retiring this year, has been a dedicated teacher in the area of dairy and food engineering, both in the training of undergraduate and graduate studens and has made major contributions to the dairy industry in the State and the Nation, and we will miss him much, but we are glad he is staying in Ithaca.

"The second one I would introduce also retired December 31, and he looks better now than he did when he retired, and that is Dana Goodrich in the Department of Agricultural Economics. Dana got a bachelor's degree at Rutgers before he came to Cornell for his Masters and Ph.D., and we were colleagues and have been close friends ever since. He was a marketing specialist, assistant professor, all the way through, but Dana taught a very large course for almost 30 years in marketing - principles course, 300-400 students - and he has been

honored first with the Professor of Merit Award, which is given by our senior honorary, and then recently with the Edgerton Career Teaching Award which is given to those who have devoted an outstanding career to undergraduate teaching. Dana has been greatly missed in the classroom, but he earned his retirement. I'm glad to see you looking so good, Dana.

"The third person is another one of those - William F. Millier. Bill even looks red in the face. That's also because he is carnelian - Bachelor's, Ph.D at Cornell. Believe it or not - an extension assistant in 1941. Believe it or not - 46 years of service to Cornell University in the Department of Agricultural Engineering. Bill is an outstanding teacher of both undergraduates and graduates in the area of power and machinery and also in research on the design of labor saving equipment and so on. I don't see how anybody that spent 46 years at Cornell could look as young as you do, Bill. We wish you well. He retired October 1, so he is doing pretty well, too.

"Now, the rest of these characters - particularly the next one - are going to retire on June 30, and it is hard to introduce one who was your boss, but I have to introduce James W. Spencer, who is a Professor in Agricultural Engineering, but has had a lot of other titles as well, most recently Vice Provost, before that an Associate Dean in the College of Agriculture. Before that he was Acting Director of Extension, and I had the privilege to follow him in that position. Before that a Vice Director of Cooperative Extension, and then a professor, associate professor, and Jim did his undergraduate work here and received his Ph.D. from Stanford. He doesn't like it but he is known in Ag. Engineering as the first of the pothole kings because his one claim to fame is he knows about rural roads and the proper base under rural roads, and so if you have a pothole in your driveway, Jim is going into the consulting business now that he is retiring, and he would be glad to help all of you with that.

Jim has done a fantastic job - first in the College in a number of administrative posts and the way he has guided our relationships with the State University of New York the last few years has just been absolutely superb. He is going to be greatly missed, but we said we would hire him back to teach surveying in the Department of Agricultural Engineering, but we don't pay very much anymore, Jim, so you are aware of that.

"Professor Kenneth L. Robinson - I wanted to say something special about Professor Robinson because he is a Liberty Hyde Bailey Professor, which is our most distinguished honor and he also has won the Professor of Merit Award. He came to Cornell from Harvard, trained 27 Ph.D. students and some 44 or 45 Masters. The only thing I wanted to say was that two of his Ph.D. students are still on campus. I am one and Dan Sisler is the other, and Dan Sisler has just been awarded the Liberty Hyde Bailey Professorship. So, he follows Professor Robinson, although it was not connected to Professor Robinson's retirement, but Ken Robinson was also an outstanding undergraduate teacher."

"The next person I would introduce is Ari van Tienhoven, and he brought his wife, Ans, with him, which is very nice. Ari started at the University of Aaganen before he came here, got a Masters and Ph.D. I first remember meeting Professor van Tienhoven when I was a graduate student. We lived in the same apartment unit on South Hill. Here is another winner of the Edgerton Career Teaching Award, and if you all will keep it a secret he already knows - Friday night at our Senior barbeque he is going to be awarded the Professor of Merit Award by our senior honorary society. Again, another outstanding teacher of both graduate students and undergraduates in the area of animal physiology, a pioneer in several areas of research, and Ari is the one who came to me a few years ago and said, 'You know, these animal rights people have got a point, and we need to start doing research to try to understand more about what is going

on in that area.' He convinced me that if we gave him some funding he could tell when a chicken was happy or not. When everybody was wringing their hands, as usual, Ari van Tienhoven came forward with some innovative thoughts and has been a major help, and that has been true of his career throughout the College.

"The other people I would mention a few others who are retiring who couldn't be here: Verne N. Rockcastle from the Department of Education in the area of science teaching; Robert S. Dickey, Plant Pathology, 38 years of service; Donald K. Freebairn, Professor of Agricultural Economics; John W. Ingram Jr., the Bailey Hortorium, and Arthur S. Leiberman, Landscape Architecture, Department of Floriculture and Ornamental Horticulture; and Douglas S. Robson, Plant Breeding and Biometry."

Dean Bugliari: "The next College is Architecture, Art and Planning. Dean McMinn could not make it, but he left me a note about Professor John W. Reps who is retiring as a Professor of City and Regional Planning, and I would like to read this into the record.

"This year Professor John Reps completed 35 years of continuous service to Cornell in the Department of City and Regional Planning serving as Chairman of that department from 1952-1964. Professor Reps has directed his research and writing to the history of American cities for which he has become renown. His numerous books have received world-wide acceptance and his book on Cities of the American West was cited in 1980 as the year's best book in American history. His challenge in his lecture given at the national meeting of the American Planners in 1964 became the benchmark for contemporary city planning reform. He has lectured extensively and recently received an honorary doctorate from the University of Nebraska, several distinguished awards from the Society of American Historians and numerous citations for his work with the American city. In 1984 he was the second recipient of the National Teaching

Award from the American Association of Collegiate Schools of Planning. He has brought attention and recognition to Cornell and his students encircle the globe. He is a teacher, an author and a dedicated member of the Cornell community.

"I next call on Dean Geoffrey Chester, College of Arts and Sciences."

Dean Chester: "I have been telling the Provost for some years that we are such a young college no one ever retires. I was surprised to find a few weeks ago we had five people retiring. It has also dawned on me very slowly it is quite unproductive to tell Bob Barker that. He really expects my faculty to work much harder than the other faculty because they are so much younger, so we are going to have more retirements in the future, I believe.

"I think there are only two of my retirees here. I will briefly mention the first three who are not here.

"Professor Eleanor H. Jordan from the Department of Modern Languages and Linguistics, Mary Donlon Alger Professor of Linguistics, joined us in 1969 and she became extremely famous as a teacher of languages. She had very distinguished service in the foreign service because she joined us as a teacher of languages. Many of you may know that perhaps one of her great claims to fame - not only on this campus, but elsewhere as far afield as Japan - is the very intensive language called the Falcon Program in Japanese. She became extremely noted for that and it has been copied elsewhere. When she leaves us she will in fact retire, but she will take a very important post in the new National Center for Foreign Language Teaching at Johns Hopkins University.

"Thomas Gold retired on December 31st. To those of you who may not know Tommy Gold - I don't know how many there are - not many, I suppose, the Center for Radiophysics and Space Research was created by Tommy Gold and that was a very important thing for Cornell.

"I suppose Tommy's great claim to fame among other things, is that he must be the most provocative faculty member in the University. He is absolutely outrageous most of the time. He doesn't mind me saying that or other people saying that and that, I suppose, is his greatest claim to fame, but more than that, behind those outrageous statements is an extraordinary intellect. He was a very good teacher, but he was also an extraordinary contributor to the field of astrophysics. As you may know, he has gone on to solve the world's energy problems and he has retired in order to essentially pay full time to that very important pursuit, and he has gone off to Cambridge University to live. We will miss Tommy, not only for his intellect, but he could always provoke one almost into a fight whenever he wanted to.

"Gordon M. Messing in the Classics Department joined us in 1967. He is a professor of classis and a professor of linguistics as well. Gordon is a much quieter personality than Tommy, but many of you in this room must remember, in fact, that when large faculty meetings took place on contentious issues, perhaps around political problems, Gordon would be here and Gordon would stand up and speak his mind very freely. He liked doing that. He thought it was important to do that. He was doing that recently in Arts College Faculty meetings during the year. We will miss Gordon for that, but I am sure he will be at University Faculty meetings as an emeritus professor.

"Now I turn to two distinguished faculty members who are here, both in the sciences.

"Professor W. Donald Cooke, Professor of Chemistry, came here in 1951. I think Don must have held more positions in this University than almost anybody else: Associate Dean of the Arts College, Dean of the Graduate School, Vice President for Research, Acting Provost. Actually, I think he was the Speaker of the constituent Assembly. He was also a long-term member of the University

Senate. He was a member of the President's Commission with myself, who essentially had in fact to tell the Senate that their time had come, and he mananged to do that very gracefully as well. Recently, he has been director of Occupational Health and Safety, and I knew my health and safety were in good hands. All those positions had nice, formal titles, but if you talk to the members of the Chemistry Department, they will tell you Don was an extraordinarily valued citizen of the Department, he was a valued citizen of the College, and he was a very important teacher in the Department and many, many graduate students were trained by Don in his own speciality. We will miss Don, but I don't think he is going to depart. I presume this list of titles will go on forever.

"Professor Boyce D. McDaniel, known to everyone in the Physics Department as Mac, Floyd R. Newman Professor of Nuclear Studies. Mac came here as a graduate student in 1940, and he has been with us 47 years. During the war he was with the Manhattan Project at Los Alamos from 1943-46. He can tell you some interesting stories about that. He returned here in 1946 and has been here as professor of physics, Associate Director of the Laboratory of Nuclear Studies and then Director of the Laboratory of Nuclear Studies. One very simple thing you can say is that Mac played a major role in bringing that building on the gorge, which is a very important site for accelerated physics, particle physics, into being and ever since then, has been probably the major force in operating that laboratory. He is no longer the director, but is present as a force. Recently he has been chairman of the committee that is overseeing the Super Collider, which has reached the national press very visibly. To be chairman of such a Board, I presume they have discovered as we have in the Physics Department that Mac is extraordinarily well endowed with common sense and a lot of political astuteness. In the Physics Department, he

was known in the earlier years, probably when I first came to Cornell and before that as a very distinguished experimemtalist in particle physics, then moved on to direct the lab, which is an enormous undertaking. They give tours to the public, and anyone who has not been to see it should go and see it and just think how many pairs of hands of Cornell faculty members and graduate students and many other people constructed that lab. I presume Mac will be dedicated to the lab in the future and, undoubtedly, will play a major role on the national scene in particle physics and also on the international scene. We are very glad to have had him with us, and I presume we have not seen the last of Mac."

Dean Bugliari: "Again, using my prerogative since I am up here in front, I would like to add two things about Professor Cooke that some of you may not know. It has been told to me, and I am not sure if this is true, that Don, while in World War II, was in the weather service and was responsible for the successful Normandy invasion. That is one story. The second story that I also think is true is that one thing you never want to do with Don is play poker.

"Next I will call on Dean William B. Streett to introduce the retirees from the College of Engineering."

Dean Streett: "Seeing the Hangovers here and looking out at this audience reminds me of a saying attributed to Oscar Wilde, 'Youth is a wonderful thing; it is too bad it is wasted on the young.'

"Retirements seem to be coming in fives today. We have five, and the last time I checked around the room, I saw that only two of them are here. I am going through in alphabetical order, and I think it is the first three who are not with us today, but I would like to mention a few things about them.

"The first is Herbert J. Carlin of the School of Electrical Engineering. Herb came to Cornell in 1966 and was appointed the Director of the School of

Electrical Engineering and to a chaired professorship, the J. Preston Levis Professorship in Engineering, and he served in the position of Director for ten years from 1966 to 1975. He had a very distinguished career, both in teaching and research, and the most impressive thing that I found in his list of accomplishments was his list of visiting appointments that he held, and he is really an international scholar.

"Next is G. Conrad Dalman, also an Electrical Engineer. He was educated at CCNY and the Polytechnic Institute of Brooklyn, where he got his Ph.D. in 1949. He came to Cornell in 1956, so he has been here for 31 years.

"Arthur F. Kuckes was educated at M.I.T. and Harvard and he has been a very active and innovative member of the faculty ever since he came here. Within a few years after his arrival, he completely changed his field from plasmaphysics to geophysics and he developed an innovative series of instruments for electromagnetic probing of subterranean regions of planets, and this evolved eventually into the founding of a company in which he uses inventions to probe oil wells, particularly to locate, to sink shafts down wells that are out of control with the idea of cutting into the shafts and capping off those wells. This has been so successful that he has decided to retire, although he has been elected to the status of emeritus professor, as have all five of these, and to continue his work at Cornell on a part-time basis as an emeritus professor but to pursue his business interests at the same time, and we all wish him well in that."

"Next is Floyd O. Slate of the School of Civil and Environmental Engineering, Department of Structural Engineering. Floyd has been a member of the faculty for 38 years and before coming to Cornell in 1949 he was an assistant professor of civil engineering at Purdue and like Professor McDaniel, he worked on the Manhattan Project case from 1944-1946. In 1955 and 56 he

worked as a housing advisor for the Ministry of Public Works in Pakistan, and he was assigned to that position by the International Cooperation Administration of the U.S. Foreign Service. He was a founder of Geotechnics and Resources, Incorporated and from 1959 to 1963 served as Director and Executive Vice President of that organization. He has acted as a consultant to industry primarily on concrete and other engineering materials and has lectured and participated in seminars and workshops on six continents. He has researched and experimented low cost housing in more than 70 countries and at Cornell he organized a multi-disciplinary program in low cost housing for developing nations. He is the author of two books and about 80 technical papers. He is a three-time winner of the American Concrete Institute's Lawson Research Medal. In 1983 he received the Institute's Anderson Award and in 1986, he was the recipient of the Institute's Lawson Medal for the best paper published that year. In 1976 he was given a senior fellowship by the East-West Center for work on low cost housing and in the same year he received the Excellence in Teaching Award in the College of Engineering at Cornell. He is a member or fellow of the American Concrete Institute, the American Society of Civil Engineers, the American Chemical Society, the American Institute of Chemists, the American Society for Testing Materials and several honorary societies.

"Last, but not least is Herbert F. Wiegandt from the School of Chemical Engineering. Before coming to Cornell in 1947, Herb had worked for six years in the Research and Development Division of Standard Oil of Indiana and as a research scientist at the Armour Research Foundation. In 1953 he spent a leave at Monsanto Chemical and in 1961 he was a Fulbright Fellow at the French Petroleum Institute in Paris, and he has returned to that institute during subsequent leaves. He is a member of the American Institute of Chemical

Engineers and the American Chemical Society. Herb has been very active in research, having made particularly significant contributions to processes for the conversion of saline water to fresh water by freeze desalting. He has six U.S. patents. His industrial experience has been particularly important in adding a sense of reality and perspective to the chemical engineering design courses and the courses on petroleum refining that he has taught. Herb has been the envy of all of the Engineering faculty because since 1973 he has had a joint appointment in Cornell and in Paris, allowing him to spend his spring and summer in Ithaca and fall and winter in Paris, and that has worked out very well for him and the applied work he has then brought back to the design courses at Cornell. I am going to repeat a couple of comments I made at his retirement dinner a few days ago. To quote Oscar Wilde again, he once said, 'Anyone can be good in the country. There are no temptations there.' But Herb has not only been good here in the country in Upstate New York, but as far as we know, he has also been good in Paris, spending half of his time there.

"Finally, I would like to close with a quotation from the Ascent of Man by Jacob Brunowski: 'There are many gifts unique to man but at the center of them all is the ability to draw conclusions from what we see to what we do not see, to move our minds through space and time and to recognize ourselves in the past on the steps to the future.'

"All of you who are retiring have helped us to do that, and we thank you all."

Dean Bugliari: "Next, I would like to call on Vice President for Campus Affairs, William D. Gurowitz, who will introduce a retiree from Health Services.

Vice President Gurowitz: "I am pleased to have this opportunity to thank Allyn Ley for his service to the University. Allyn joined Cornell at the

Medical College in 1947 and except for a couple of years, one of which he looked at some other institutions and came back and one year he was at the S.S. Hope, he has been with the University for approximately 40 years. He came to the Ithaca campus in 1971. We started in our current positions together to head up the Health Services and he continued his title as Professor of Clinical Medicine. He has accomplished a number of things. He has taught while he was here. He has provided a much higher quality of medical service to students and also opened that up to faculty and staff. I think his service to his colleagues here, in New York City, and elsewhere is exemplified by being Chief of Staff at the S.S. Hope for a year, is reflected in his concern for his patients. Now, Allyn, at times has gotten into a little bit of hot water or controversy in the community, and I think it is because he has had what I call a vision of the future. Some of you may recall that more than ten years ago Allyn was at least raising the question, 'Should we have an HMO, IPA, PPO, all those alphabet things about health care delivery. At that time he got into a bit of controversy with some of his colleagues I think because he had that vision of future and maybe they did not. And here we are today moving ahead - I'm not sure with great rapidity - but you will hear from Lee Snyder and others we are moving ahead in Tompkins County to form something like an HMO or IPA or both of those. I think Allyn had that vision quite some time ago, and we may have been better served to start then rather than now, but then better late than never.

"It has been a privilege for me to be associated with him. It has been a privilege for the University to have him serving us here in Ithaca and at the Medical College, and I wish him well in his retirement which I have been able to postpone for two years, but he told me awhile ago I couldn't postpone that any longer. So, thank you."

Dean Bugliari: "I would like to call on Associate Dean David B. Lipsky to introduce a retiree from the School of Industrial and Labor Relations."

Dean Lipsky: "Thank you. Bob Doherty would like to be here today but, unfortunately, he entered the hospital this afternoon, and we all hope it won't be terribly serious, and he won't be out very long. But I do have the privilege and pleasure of introducing John P. Windmuller, who is our only retiree this year. Other schools have had five retirees. John is worth at least five other ILR faculty members. I carefully said ILR faculty members. John has been here a long time. He joined the faculty in 1951, so he has been on the faculty for 36 years. He received a Ph.D from the ILR School, one of the earliest Ph.Ds awarded by the School in 1951. He is the first holder of the Martin P. Catherwood Chair in Industrial and Labor Relations, and to give you some indication of our regard for John, that chair will remain vacant into the indefinite future until we can find - if we can ever find - someone of John's stature to hold it. John has published many journal articles and books, is well known for his work in the field of international comparative labor relations, has published probably the definitive study of labor relations in the Netherlands and partly because of that work, he received the silver medal from the Ministry of Social Affairs and Public Health of the government of the Netherlands in 1970. He has been the head of the International and Comparative Labor Relations Department at the School for many years. He has also been a visiting professor and Fulbright senior research fellow at the Free University of Amsterdam in the Netherlands. He has been a U.S. State Department lecturer in Germany. He has been a senior staff member with the International Labor Office in Geneva, Switzerland, and he has been Associate Dean of the ILR School. What I really want to add at this point is that I think we are all

going to remember John because of the wisdom that he has had and the judgment that he has exercised in the School. Deans, associate deans and department chairmen and the faculty may come and go, but John was a steady hand through all the time that he was at the School, always providing us with the right judgment, the right guidance at the right time, and John will be around and we hope to benefit from that guidance in the future, but we will miss him being at the School on a full-time basis."

Dean Bugliari: "Next, I call on Associate Dean S. Gordon Campbell to introduce the retirees from the College of Veterinary Medicine."

Dean Campbell: "We have two retiring faculty members from the Veterinary College this year. The first I would like to introduce is Professor Edgar L. Gasteiger, who is a professor of physical biology in the Department of Physiology and he had a joint appointment in the Section of Neurobiology and Behavior. Ed had his early training in math, physics and biophysics, and he came to us via Harvard and the University of Rochester. During his career, he has taught in a broad area all the way from physics to veterinary physiology, and he has been a notable teacher. He arrived at Cornell in 1961 and that, coincidentally, was the same year as I did, and we have both been here for a quarter of a century, and we have known each other on a daily basis. Last Friday I looked at his official CV for the first time, and I find that he has had many more adventures than I realized. He spent time in Italy and in Mexico and has worked with colleagues all over the world. He also has some very interesting consultancies, everything from the Naval Ordinance Laboratory to the Gillette Safety Razor Company. Ed will be remembered on this campus for his dedicated efforts in teaching, for his dedicated efforts on behalf of graduates studies and graduate students, and of course for his research in neurophysiology, but I think, perhaps, particularly for five very dedicated

years as Chairman of the Faculty Health Careers Advisory Committee. Many undergraduates headed for careers in the health sciences will remember him for his great wisdom - he was a pillar of wisdom for them - his great good sense, and for his friendly advice before they went to their respective caeers, and I think he will be remembered very much in loco parentis.

"The second of our colleagues is Dr. James H. Gillespie, who was a professor in microbiology and lately chairman of the that department for ten years. Jim came to Cornell in 1946 after a stint in China as a Lt. Colonel in the Army, and he has been here ever since. He has been a major force in establishing Cornell University and the Baker Institute where, incidentally, he was Assistant Director for a number of years at a world center in Veterinary Microbiology. He and his graduate students have been pioneers in the infectuous diseases in a number of animals, notably cattle, dogs and cats, and more recently, horses. At the local level, he has served the University well in many committees, notably President Corson's Committee on Biology. At the national level, he has often served the National Institutes of Health, the National Science Foundation, and the United States Department of Agriculture. At the international level, he is a world authority on foot and mouth disease and on viral toxonomy. At the international level, too, he is well known as a co-author of a standard textbook in veterinary microbiology, and that particular text has been translated into five languages. For all of the above, Jim has been honored by the American Veterinary Medical Association and by his alma mater, Penn, where they have the other veterinary school, and there he was honored as a distinguished alumnus. Those of us who know Jim Gillespie know him as a fine athlete. He can still beat most of us at everything. He is a congenial scholar, and he is a very devoted family man, and he is one who always put the welfare of his colleagues before his own."

Dean Bugliari: "There are three other very distinguished members of the faculty who are retiring today, and I would just like to mention their names and indicate to you that they are also retiring. The first is Urie Bronfenbrenner, Jacob Gould Schurman Professor, Human Development and Family Studies; the second is Alice J. Davey, Professor of Consumer Economics and Housing; and the third is Gray Thoron, Professor of Law.

"I want to suggest that we give a hand to hand to all those retirees, and I want to thank all of you for coming to this ceremony."

Speaker Martin: "Our congratulations and best wishes to all of you. If there are no objections, we are adjourned."

Respectfully submitted,

Francine A. Herman, Secretary

MINUTES OF COMBINED FCR/UNIVERSITY FACULTY MEETING

Wednesday, September 16, 1987

120 Ives Hall

Speaker Russell D. Martin, Professor Emeritus, Communication, called the FCR meeting to order at 4:30 p.m. He then called on Dean of the Faculty, Joseph B. Bugliari, for announcements.

1. ANNOUNCEMENTS

The Dean announced that the next meeting of the FCR will be on October 14, and one of the items on the agenda will be the President's State of the University report. He encouraged all to attend.

Dean Bugliari went on to give details about the Bicentennial Celebration that was going to begin the next evening.

The Dean next announced the winners of last spring's election (see Appendices A and B, attached), and talked about a demonstration of a Course Management Software package being offered the next day.

2. ELECTION OF SPEAKER

At that point in the meeting Dean Bugliari called upon Professor Vernon Briggs, ILR, and Chairman of the FCR Executive Committee, who nominated Russell Martin for re-election as Speaker. There were no other nominations, and Professor Martin was re-elected.

3. ANNOUNCEMENT OF DEATH OF FACULTY MEMBERS

Speaker Martin declared the FCR meeting adjourned and convened the meeting of the University Faculty. He then called upon Dean Bugliari, who announced the death of the following faculty members:

H. Hugh Dukes, Professor Emeritus, Veterinary Physiology, June 8, 1987

Felix Reichmann, Professor Emeritus of Bibliography, July 24, 1987

Deborah Rabinowitz, Professor, Ecology and Systematics, August 18, 1987

Carl S. Pederson, Professor Emeritus, Bacteriology, Geneva, September 2, 1987

Dean Bugliari then asked the group to stand for a moment of silence in memory of their departed colleagues.

Speaker Martin called on Beth Rugg, Sales Manager, Statler, and Professor Richard Penner, Hotel Administration, for a report on the Statler Club.

4. A REPORT ON THE STATLER CLUB

Professor Penner: "Let me introduce Beth Rugg, who is the Sales Manager, Mary Lou Graf, who is Director of Marketing and Theresa Nycz who is a Sales Assistant for the Statler. We hope that as you come over to the Club next fall and thereafter, you will see them to arrange for departmental meetings and banquets and so forth. Also we have with us Allan Lentini, who is the Assistant Dean for Business at the College, and after I make a few remarks, if there are questions I choose not to try and answer, I will try to pass it to one of them.

"I think that most of you know that the Statler consists of four entities: the Faculty Club, the Hotel, the School of Hotel Administration, and the Alice Statler Auditorium, which is at different times part of the Hotel or part of the School. Depending on the audience, I might list them in some other order, but principally I would like to talk about the Faculty Club. The club is being greatly expanded. When we open the building, it will be on the ground floor. We are no longer calling it the basement because those of you who approach the building from the west will notice that the lowest level now will have full-height windows along the entire west facade. The larger dining room will have

about 200 seats, and it, and the expanded faculty lounges where coffee service will be continued after luncheon, and the browsing library, will all have natural light flooding into them. We are proceeding with the same kind of service in the sense that we feel people want to try and get through the lunch line quickly and have a chance to visit afterwards. The more leisurely lunches will be continued upstairs in the main dining room, but the cafeteria area will be doubled in size, the choices increased, the number of cashiers increased, and we hope that when we are back in there next fall you will all be pleased with the space, the layout, and the accommodations. One other thing we have tried to do in the Faculty Club is to provide semi-private rooms off the main dining area since the old map room, as some of us called that little alcove in the old Rathskellar, was so popular. We have three rooms like that plus another one which is really fully private.

"Let me also say that the main entrance into the Faculty Club will not be through the hotel lobby - you won't have to trip over the luggage of the conference attendees and the Hotel guests. The receptions in the Hotel will be primarily in the meeting and banquet spaces, not in the club lounges, so I think the faculty areas will be much more attractive in that way, and that they will really be club spaces and not primarily hotel spaces used by the club at lunchtime. The club entrance will be opposite Uris Hall. There is a new plaza planned for that location, and so we will come in from the north and down about a third of a flight of stairs into the ground floor. The main hotel is on the first and second floors entering from the east from the direction of Ives and Barton Halls and that also is being expanded. Many of you know that there is a new conference center planned. The only meeting spaces we had in the old hotel were the West Lounge and the Taylor Room. The new building will have pretty much the same, but with five other meeting rooms and with an amphitheater all

on that first floor. Various colleges and departments can attract a large number of academic meetings, and the hope is that people choose to house those and host those in the Statler Hotel. The ballroom is being expanded by increasing its size and adding a large new foyer. I think most of you know the number of rooms is increasing: we had 51 rooms in the old hotel; now we will have 150, including 14 small suites, 7 rooms for the handicapped, 4 study or conference rooms so that people here for conferences will have some meeting and/or working spaces on the upper floors. So, we are really looking at a new facility. The plan originally had been to renovate and add a little bit. A year and a half ago the decision was 'let's do it right'. We probably did it right in 1950 for a School of 300 students, and for a University maybe of fewer than 10,000 and a much smaller faculty. Our needs have changed, and I think we are 'doing it right' for what the needs are for the next 35 or 50 years.

"I am happy to answer questions. If you have some that are more specifically to Hotel or to sales function, what kinds of room we will have, Beth or some of the others may be able to help you."

Dean Bugliari: "In addition to the eating area described there, there is also, as I understand it, a place for coffee and a library."

Professor Penner: "The old Faculty Club, the way I pictured it, was the Rathskellar, and the lounges primarily used at lunchtime, and the browsing library. Those are now all together on one floor, along with the necessary support facilities. We have decent toilets, coat rooms, vending for newspapers, public campus phones, and so forth, and we hope it will be a much more comfortable place, not just for dining but for faculty receptions and for the people who want to go in the library and look at the Wall Street Journal."

Professor James W. Gillett, Natural Resources: "What is going to be the policy on alcoholic beverages specifically regarding conferences and receptions, etcetera?"

Beth Rugg: "It is the same policy as the New York State law which is that we will not serve alcohol to anyone under 21 years of age, but as long as the majority of the group is over 21, we will continue to serve beer, wine, and assorted liquor."

Professor Gillett: "The current regulations, as I understand them, prohibit the University from honoring a voucher for alcoholic beverages from an outside vender, and it would be rather awkward if an internal vender were allowed to do that."

Ms. Rugg: "Our liquor license is under the name of the School of Hotel Adiministration, so we are part of the University."

Professor Gillett: "With conference funds we cannot purchase alcoholic beverages for a reception or a wine tasting, even."

Assistant Professor Ali Hadi, ILR: "Whenever we go to lunch with candidates, we are told not to put alcoholic beverages on the voucher."

Ms. Rugg: "It was a problem in the old hotel, but the laws have been changed recently. We will find out about it."

Professor Penner said the plan was to open some of the facilities in the fall of 1988, and the rest by the end of the year.

Professor Peter Harriott, Chemical Engineering, asked if a smoking policy had been formulated for the new Faculty Club.

Ms. Rugg said that nothing had been decided as yet.

Dean Bugliari mentioned that he assumed the faculty committee which runs the Statler Club would be directly involved with that.

Professor Robert C. Fay, Chemistry: "What provisions have been made for handling the increased traffic that the new Statler is going to generate?

Professor Penner: "The plan as I understand it is that the lot at the south end of Barton Hall will be enlarged to between 80 and 90 spaces, and will be entirely for Statler Club and Statler Hotel. There will be some limited parking between Statler and Barton and for larger functions such as major banquets or receptions, we will be able to reserve space in the parking garage by making a card available to those people in the department that are coming. We are trying to assure enough space for overnight guests and for the luncheon and the dinner business in that lot next to Barton."

Associate Professor Ronald C. Gorewit, Animal Science asked for a breakdown on what the room charges are going to be and how they compare with off-campus housing.

Beth Rugg: "Our rates have not been definitely set yet. They should be set by the end of next week. We are estimating for our rates is that we will give Cornell departments a discount - approximately twenty percent off of what we would charge off-campus visitors. The rates will range from about $70 for standard rooms, with kings, queens and twins ranging up to $150 for a two-room suite in the guest room tower. Compared to off-campus, we are definiteley high, but we feel that our location as well as the services and the amenities that we offer can justify the price we charge. We are not significantly higher, although we are certainly higher. We also will be offering package group rates, so if you have conferences come in to the Hotel, we will be offering you a package rate somewhere around $125 $130 per person per night, which would include overnight accommodations, meeting room, two-three meals per day, coffee breaks, and standard audio-visual equipment in that package price.

"Those rates are subject to change. We have to review what the area

hotels do next spring, and then just make sure that we are in accordance with that, but that is what we are looking at right now, and our off-campus visitors will be charged a higher rate."

Dean Bugliari: "I understood that when the new facility was opened on the ground floor that you would serve breakfast, and at lunchtime you would serve all the way through until about 10:00 at night. Could you explain that?"

Beth Rugg: "The new club restaurant - the facility on the ground floor - will actually be open from 7 a.m. until 8:00 at night. The restaurant will not close down between meal periods. Before that, we used to close down between 10:30 and 11:30 and then from 2:00 until 5:00 in the afternoon. We will continue running the restaurant throughout the day, the idea being if there are odd class schedules or if you just want to stop in for a snack, get some coffee, the facility is there and available. The restaurant will also be available seven days a week. It used to depend on the academic year whether it was open on Sundays, but now it will be open seven days a week. We wanted to have a restaurant facility open for hotel guests on Sunday nights, which was not an option before."

Professor Raymond T. Fox, Floriculture and Ornamental Horticulture: "We are talking about a grand new scheme here, and I can see prices escalating all over the place. One of the more pleasant things about belonging to the Faculty Club in the past - I'm not talking about the recent past, but before that - was the fact that you could run in there and make a selection for a reasonable price, which meant that you could go several times a week if you wanted. I hope this is not going to escalate into such a grand restaurant that it no longer serves the needs of the faculty for everyday dining."

Beth Rugg: "Right now the restaurant is defined as a medium-priced restaurant."

Professor Fox: "The last year or two prior to closing, the prices went up and the quality of food went way down. I hope you keep that in mind."

Ms. Rugg: "Certainly, we will keep that in mind. Obviously, the hotel will be run as a business, so we will be reviewing prices periodically, but it is not our goal or intent to price ourselves out of your budgets because then we won't have any clientele, and that doesn't do us any good, and certainly the quality of the food will be there. We know what our problems were when we closed down the place and those are the problems that we are really going to strive to correct in the new facility. The dining room will continue to be open at lunchtime with a luncheon buffet as well as a selection of soup and sandwiches and in the evening it will be a fine dining restaurant for the campus, and those prices will be comparable to other clubs."

Speaker Martin thanked Professor Penner and Beth Rugg and then called on James Hazzard, Director of Alumni Affairs, for an update on the New York City facility.

5. A REPORT ON THE NEW YORK CITY FACILITY

James Hazzard: "I was happy to see Keith Kennedy walk in a little while ago because he has been intimately involved with the New York City facility since its inception and has had considerably more contact with the architect and the construction manager than I have, so if any details come up, he will, I am sure, have better information than I.

"There has been a Cornell Club in New York City for many, many years. For a period of time it had a facility in the old Barclay Hotel. It moved into rental facilities and lost that because of the space being leased to somebody else in 1983. It then went to the Women's Republican Club and is now in the

N.Y.U. facility, and there hasn't really been much in the way of activity or really any entity.

"The needs for a facility there have been pretty apparent. There has been a great deal of talk on the part of Alumni in the area asking if there wouldn't be something we could do, but it has also been apparent that there has been a great demand for space in New York City on the part of the University and also on the part of Alumni organizations aside from club membership. We were, therefore, very, very fortunate in the recent past when a number of anonymous friends of the University came forward with a solid offer to help finance that project. Following that, the University appointed a team of people to look around the City and to identify possible locations. We fell into, very happily, a facility on Six East 44th Street, on the south side of the street between Fifth and Madison. It is just an ideal location. It had been occupied by Chicago Pneumatic as their corporate headquarters; it is now an office facility. It is currently ten stories, approximately 47,000 square feet, and there are air rights. In going forward on the project, we got Ginsler & Associates as the architects, and Lehrer-McGovern as construction managers, and we have been working with them very closely. The facility will be 14 floors. We are going to take advantage of the air rights that are there for a number of reasons. It will give us more guest rooms, which we feel will be necessary to accommodate Cornellians who come in from out of town and also to generate more revenue because the facility itself must be self-sustaining. It will be financed by the funds that were given to us by our anonymous friends specifically for this purpose and also from borrowings, but the facility itself must generate the revenues that will operate it on a profitable basis as well as service and retire the debt. We have in the New York metropolitan area

approximately 24,000 Alumni. Yale, in a much larger area has approximately 20,000 alumni. That goes down to Philadelphia and includes all of Long Island and the state of Connecticut. They have approximately 7,500 Yale members, and they have about 2,000 members who are there from Dartmouth. Given this, we feel that our projections of looking for members in the number of 2,000 the first year and ending up after about the sixth year with 7,000 members are quite realistic. The Club will be available for the club members, who will be dues-paying members. It will be available for Alumni organizations - and there are obviously many - to use for meeting and for group meals. It will be available for the University for similar purposes, so that we see that it will not only be available for use for Trustee meetings and Council meetings, but we would hope that we might be able to merit continuing education kinds of courses down there and have the University more intimately involved than it might have been in the past.

"What I would like to do if I may, is give you a brief look at it with the few transparencies I have here. I have one of the elevations and I have others of the floors so that you will have a little bit of an idea as to what it is going to look like.

"We do not have a manager on board yet. The interview process has been ongoing, and we expect to have a manager selected, and I feel rather certain that it will be a Cornellian, and the manager will be selected in the next two weeks. That person's input is going to be enormously important in many of these considerations, but we are looking at dues that will fall in the resident area, that is, for people who live within New York City itself, a suburban dues level, a non-resident dues level, and then we are looking at a special faculty and staff level, so that all in all, I think we have got a very exciting prospect here. It is something that is going to answer a lot of needs. In the

brief time that I have been here, I have been just amazed at the number of meetings that are in New York City on the part of many organizations - University and Alumni, and they are sprawled all over the City. With this kind of a base, I think it is wonderfully exciting for the University, and we are really looking forward to it."

Professor Roger A. Morse, Entomology, asked if the University owned the building.

Mr. Hazzard: "The University owns it through a corporation that is set up to handle this, and the University is the sole voting member of it. That is different from the prior set up when the club itself was operated exclusively by an independent group of Alumni."

Dean Bugliari asked when the Club would open, and he was told that the earliest possible date would be January of 1989.

Secretary of the Faculty, Associate Professor Francine Herman, Hotel: "It does seem to me that there is a fair emphasis on conferences and yet, perhaps, I missed it. Are there any break-out rooms or things like that attached to the conference rooms?"

W. Keith Kennedy, Provost Emeritus: "We are planning to furnish rooms on the seventh floor in such a way that they can be used for small group meetings during the day and still rent them out at night. In other words, get two fees."

Assistant Professor Philip D. Nicholson, Astronomy: "Will faculty members be able to stay there if they are not members of the club?"

Mr. Hazzard: "No. The availability of the facilities for non-members will be as groups. In other words, if a department wanted to have a meeting, it could go in, rent a space, have meals served, and what have you, but as far

as the other amenities, they would be available only to individuals who would be paying dues; that is, rooms and the dining rooms, etc."

Professor Ronald G. Ehrenberg, Irving M. Ives Professor of ILR: "Just following up on that, does that mean that if a department has a program where they regularly send faculty members down to teach in New York City that this facility would not be available to those faculty members to stay in unless each individual was a club member?"

Mr. Kennedy: "I think this is still subject to further review."

Professor Ehrenberg: "I wanted to suggest that from the perspective of the faculty it seems strange that you would come to make a presentation to us because you have essentially taken away some of the benefits that we used to have in the leased facility, so I would strongly urge you to reconsider the decision not to make the hotel rooms available to the faculty, especially if they are travelling on University business."

Mr. Kennedy: "There is going to be roughly twenty million dollars of debt service to handle, and so the University has to be cautious in how it recovers these expenses where there are no general purpose funds going into it. We are trying to obtain further gifts for it." [Secretary's note: A few comments were lost as the first tape ended.]

Speaker Martin thanked Mr. Hazzard, then called on Provost Barker and Malden Nesheim, Vice President for Planning and Budgeting, for an update on construction, with the title 'Where We Are and What We Have to Look Forward To.'

6. UPDATE ON CONSTRUCTION

Provost Barker: "Before I start reading what may seem like an excerpt from the book of lists, I want to just say a few words about the context in which all of the construction that is obviously going on, is going on, and

which future construction will go on. There are a set of guidelines adopted by the Board of Trustees in 1972, which are several pages long, and really have guided campus development since that time. I am not going to try to give you more than a quick glimpse of some of the aspects of those guidelines, but they anticipated that what you might call the center campus - that is, the campus we are on at the present time and not something extended beyond the periphery - would undergo substantial further development subsequent to 1972. The guidelines called for there to be a higher density of buildings and for there to be higher buildings in the campus, and in particular, that if needs were developed and they were to be met through this higher density of construction, that particularly large buildings should be at the periphery of what they viewed as the central campus. There were commitments in those guidelines to protect green space, recognizing that there is a sort of contradiction in terms. If you are going to develop, you are going to get rid of some green space, but I think the two tie together, that the idea of 'up' rather than 'out' was a way of suggesting that green space could be protected, that there would be protection particularly of vistas, of areas where people can see for some distance beyond their nose, and that there would be a retention of aspects of a walking campus.

"Those are some of the things which are said in a six or seven page document, and I will say to you that the Board of Trustees is going to re-examine that document in the next several months. However, my sense of what they are going to say about it is that it will be subject to relatively little change unless they were to decide that we should really start building another university on some other site, and I don't see that coming along. The assumptions that have gone into the building boom that is all around us, are that there would be - and this is going to sound really strange - that there

would be no growth of significance in the various constituencies that those buildings serve. For the last ten years, we have been trying to keep the number of faculty members in the institution roughly constant. There has been some growth, but it has not been huge, something like 40 faculty members over a period of more than a decade. We have been trying to hold the line - and the deans can attest to this - on the number of undergraduate students that come to Cornell. It is a bit of a guessing game, and we guess wrong every year, on how many of those we make offers to will actually accept. We are running seven separate programs of admissions and that sort of enhances the Russian roulette aspects, but there is an honest effort on the part of some of us to try to hit a target, but it is kind of hard to predict how to hit it. There has been an understanding that in general the graduate programs would grow, and about five or six years ago the Board of Trustees released the then quota system that was governing graduate enrollments and have allowed graduate enrollments to increase in response to demand. In some cases, that is determined by whether there is external money to pay for the student, to pay a stipend and to provide tuition. In the case of professional students, it is a question of the student having the resources to come to obtain a professional degree. But in the professional programs like the Graduate School of Management it is currently managing itself for a smaller number. That is part of its long-range plan. In the Law School, they are managing themselves to a constant number, but as you must realize, the Law School is one of the growth areas in terms of the construction activity.

"The particular projects which you see around you all were begun after there had been a detailed planning process carried out. There is some variation between what happens on the statutory side and what happens on the endowed side, and in some kinds of schizophrenic cases, like the Savage Hall

addition, it is happening on both sides because the new addition over there is provided by private funds, but we are at least working on the state and have some hope that they will continue its support after it is built. So there is a definite planning activity which leads to the building. In some areas, we have very highly developed long-range plans which have been reviewed at various levels, and in all cases at least before faculty groups from the college or the unit, and approved of through the Buildings and Properties Committee of the Board of Trustees and the Board of Trustees itself. Some of them have had scrutiny by campus committees; some have not. I will just list them: the Engineering Center, Theory Center - the combined master plan is one which was accepted as a planning document by the Board about eighteen months ago. The Law School had a plan. These plans identify the expectations of the school or the college with regard to specific numbers of faculty, specific numbers of students and kinds of programs, how much of that group will be doing research, and what size will faculty research groups be on the average, how will they differ by discipline. A great deal of detail depending upon the college, has gone into the translation of the people plan into the physical plant. So, the master plans that are on deck and sort of understood in this sense are the Engineering/Theory Center plan, the Law School plan, the Athletics plan, the Hotel School plan, the Graduate School of Management plan, and the Veterinary Medicine plan. The ones where we have less than full planning in place but where, I hope within the next year or so we will have more complete plans, are the other colleges: Arts & Sciences, in particular; Architecture, Art & Planning; Agriculture & Life Sciences; Human Ecology; and ILR. Each of those has some aspects, except for Architecture, Art & Planning, that has a complete element in their planning, but there isn't a sort of global plan that has been reviewed and discussed and agreed upon.

"A significant piece of our construction plan has been for student housing, and while you may not be as aware of those activities, they have been going on really all around the campus - Cascadilla, Sheldon Court, the U Halls, which are currently in the phase of being upgraded, and construction on north campus.

"I can list sixteen of the projects that are going on around you. My list includes a couple which have just sort of come off the construction list. Two floors were added to Space Sciences. That is essentially complete, and the construction work has gone away, although they are still in that phase called the 'punch-out phase'. That is what people do to each other over those aspects of the building that haven't come up to standard. The same thing is going on in what you recognize most clearly as old Comstock. It has now got a different title, but old Comstock was refurbished to provide a home for Computer Services, and there is some serious punching out going on over there at the present time. The list includes the Performing Arts Center, the Law School, the Olin Hall project, Space Sciences, the additions to Upson which are also complete, and as far as I know, everyone is relatively content with that addition, Savage, which is in process and hopefully will be finished fairly soon, old Comstock, Academic I, Barton Hall, the Field House, which isn't there yet, but I put it on this list because it is fully planned, and really the decision about when to go with that is a funding one. We have prospective donors who are saying that they are going to provide the money, and when they sign on the dotted line, then the Field House, which will be adjoining Lynah Rink, will begin. And then there are the Equitation Center, the Food Science building, Plantations building and Beebe Lake. I may have left something out, but those are the ones that I would say are sort of very definite projects and on their way.

"Coming up, there is the Theory Center, and I expect there are going to be some questions about that here. Arts and Sciences is like most of the rest of the University facing really very tough space situations in certain areas. The Mathematics Department is a particular pressure point, but that runs across the College. When the Performing Arts Center is finished, Lincoln Hall will lose some of its current occupants. They will move to the Performing Arts Center, but Lincoln Hall doesn't give a lot of relief to the College of Arts and Sciences, where there is a need for space because of changes in the teaching programs. All sorts of things really have had a growth rate in terms of demand for space of about one percent per year for the last couple of decades, and that pressure is really now very significant. The College of Arts and Sciences then will be trying to look at the buildings that can be renovated to accommodate needs and at the same time it will be looking at whether there is construction possibility, particularly if there is a prospect of a music practice building behind Lincoln Hall. Now, that might seem like a tough site, but it would have to be a building which is low and doesn't tower over the East/West Road. Architecture, Art and Planning is in a very difficult situation with regard to its space needs. It has a need for facilities, both for its own programs, and for the very large numbers of our students who are interested in science and technology to experience the arts. The Performing Arts Center is going to open up one avenue, but the visual arts are another area of need, and we clearly have to do something about providing studios. Tjaden Hall is not something that is going to last very long. It is a building that needs great attention.

"I see I am losing a lot of people, so I had better stop talking.

"The programs for the statutory colleges involve additions to Mann Library of about $23 million. That is a fairly substantial addition. Catherwood

Library - that's the ILR library - about 13 million dollars, and the master plan for the Vet School is about a $70 million plan, so there is about $100 million in construction there, and in addition, about $20 million is being sought to renovate buildings like Plant Sciences, which were built 65 years ago, and their innards have never been touched, really, since then, and they are a disaster in terms of the kind of work that needs to be done in them now. That will depend upon the passage of state legislation, lifting what is called the Capitol cap, but that seems as though it will happen in the next several months.

"In the student housing plans, there is a real need for graduate student housing, married student housing and undergraduate student housing, and we are looking at opportunities to build some of that at a lesser price than you have to pay when you build what you might think of a traditional dormitory. The per bed cost in a traditional dormitory is above $22 thousand plus the more program support you add for the student; that is, RAs. The more you try to build in things that would link to the teaching programs, the more the price goes up. Something like a residential college has a per bed price on it currently of about $35 thousand. We translate that into cost of your own housing, and it turns out student housing is really fairly well up in the market.

"There is a need for additional parking on the north side of the campus that has to be looked at, and with that issue which always raises questions, I'll stop.

"A prospect that we have is that most of the projects that are ongoing now will be finished in 1988 or '89. Most of the ones I've talked about may not be undertaken before 1988 or '89, although I hope there is an exception there with regard to the Theory Center."

Professor Kenneth A. R. Kennedy, Ecology and Systematics: "Will there be further building on alumni field, and, secondly, are there plans for Olin Library occupying space in Stimson Hall?"

Provost Barker: "Alumni Field is going to be reduced somewhat in size - it has already been to accommodate some parking, and on the other side, as the new Field House is built, it will be trimmed in a little bit, but Alumni Field and Hoy Field were addressed in the Athletics master plan, which was reviewed a couple of years ago, and those are committed to providing what you might call classroom space for physical education on the campus. Hoy Field, in particular, will see more activity than it has in the past. It has already got several sports besides baseball occurring on it, so it is 'no' on that one.

"With Stimson, the answer is yes. Stimson Hall is really not adequate for the teaching that is carried out in it right now, and there is a plan being developed - I didn't list it on here - in the Division of Biological Sciences for a teaching building, which would be joint with programs in agriculture, and it is my hope that we can address the state to meet that need. I think we have a reasonable chance of getting them to build us a teaching building for those purposes. Stimson Hall really represents probably the last opportunity we have to expand library space on central campus. It may not be the last, but it looks like it. There is no obvious next place to go. We have examined 'can you go underground?' and the answer is 'yes', if you have a lot of money. The underground is kind of hard in spots around the current library."

Someone asked if the library could be built upward.

The Provost responded: "It is partly a problem of its capacity to bear additional weight, and we are currently trying to fill it to the point using compact shelving that it will be at its maximum safe bearing. You realize that libraries carry more weight than anything else, and sometimes librarians do,

too. So, I don't think that that is an option that would be possible unless we were to put huge caissons around it and then build on top. So, Stimson represents where we can do things on center campus for the main library. One of the parts that has to be examined is what is going to happen to the Fine Arts library and what is going to happen to the Music library. Both of those are jam packed. We are not even able to unpack the things which we've collected, particularly in the Music library. So, as I look around at the space needs, we have a tremendous proportion of them related to our need for library space. They go Law, Music, Fine Arts, main library, ILR, Mann, and part of the Vet master plan is a big chunk for the library.

Assistant Professor Vincent Mulcahy, Architecture, asked if Stimson was going to be used as a book storage facility in the same way as Olin.

Provost Barker: "That is yet to be determined. It is my sense that it will serve us best to increase book storage in Olin and move administrative and other sort of customer service functions into Stimson. I think that is roughly what the library is thinking of at the present time. It will still mean a very major cost of renovating Stimson because it is a wooden interior building and once you have made a certain relatively small investment you must bring the building up to the fullest code, and that turns out to be quite expensive. For example, Sage is currently used to house the Hotel School while they are temporarily out of space. In the long term, we expect to use it for Mathematics. The full renovation of Sage could run as high as $13 million, a very significant chunk of money, and unlike getting money for a new building where we have been very successful to interest donors, the track record on interesting people to renovate is really pretty miserable."

Professor Michael Latham, Nutritional Sciences: "I want to raise the question of the Theory Center. As you well know, there has been a great deal

of concern about the proposed location of the Theory Center, which from what we gather, is going to be an enormous building and poised on the edge of the gorge. It seems that the Administration is getting locked into saying that is the only place that it can go.

"I would really like to talk to the FCR and the Faculty to suggest, but I'm not sure that this is an appropriate place to have a motion, that a faculty committee be established by the FCR to look at the implications of that, but also to look at alternative sites. Hoy Field is the obvious place."

Professor Latham went on to say some people in Day Hall do not seem to want to have a dialogue with the downtown community, faculty, students or other concerned people, about it and he felt it would be useful to have a knowledgeable faculty committee to look at some of the alternatives.

Professor Latham also said that he was distressed that Day Hall seems to be unwilling to have a dialogue outside the arbitration process about the problem with the U.A.W.

Provost Barker: "I'm not going to touch the second area that you are commenting on, but I will touch it to this extent. The process of discussion with the Union is covered by a certain set of laws, and we have to be careful that we stay with those because we can only really discuss with anyone outside of the bargaining what has been discussed in it, and that makes it rather difficult to have the kind of free-flowing discussion that you would like. There is a legally binding agreement with the Union, which, if I can express this as a personal view, limits things which it would be great if we could do. It is a contract, and you can only work within that contract, and that is part of the limit.

"Let me come to the Theory Center, and I will ask Mal Nesheim to make a comment.

"There have been attempts to have discussions with the leadership in the community and others who are expressing strong concerns. There have been meetings held and plans talked through. We brought the architects back for more than one session to have them discuss with members of the community, but the opposition is firm. It believes the building shouldn't be there and it shouldn't be on that site. In putting it on that site, it wasn't done so without consideration of other possible sites for the building. The Hoy Field site was not looked at because the plans which I refer to, particularly the Athletics master plan had been put in place, and decisions to build a field house, to renovate Barton, and so forth, are all part of a plan in which Hoy Field was a critical element. The architects who were given the responsibility of developing the plan for the Theory Center were given it in the context of making sure that whatever they recommended fit with the master plan and would allow the realization of the master plan on the general site which is the Engineering quadrangle, and it was their conclusion after looking at that, that even if Hoy Field had been a possibility, it would probably not be the right site.

"Regarding the question of whether the building is too big to be accommodated there, it is at the same height as the towers in Barton, as the top of Schoellkopf, and it fits with an overall development of the campus in which we would have larger buildings and higher density in the zone across the middle, not going down the hill at all because down the hill you now come into view downtown, and the building I don't think will be visible at all from downtown, not like the Performing Arts Center, which is going to be very visible or the apartments behind it. It will be visible from on the campus, but not as visible when just looking at it as you might think. There are going to be some pictures taken, using balloons to mark the corners so that we can

know precisely where you will be able to see it from and what you will be able to see. There is no question that it is a huge building, but it does something which we have not been able to do before. It is a very efficient building and it very effectively meets the needs of the Engineering master plan, which has a need for even more space than this of the kind that can be used flexibly between office, classroom, conference room, computer room, and it isn't compromised by the presence of wet laboratories and so forth. So, it allowed for the construction of a building that was efficient in price terms. If you are opposed to it, that isn't going to satisfy you. Mal has been meeting with the Campus Planning Committee which has been rejuvenated, and I am quite sure that one of the first issues that Committee takes up will be this topic. I would be surprised if it isn't. We are still asking the questions. Are there alternatives? I know Bill Streett has been having discussions with his faculty about some of the alternatives that they have suggested, but if we can't get this much space somewhere in that region - I'm not saying specifically on that site - then we have got to ask, are we going to build another Engineering quad somewhere else, and I am very strongly opposed to that because I think it is the wrong thing to do at this juncture. The Engineering School can, I think, quite well be accommodated on that site for the next 50-60 years, and it would be wrong to pull them away from Arts and Sciences and all of the other activities on the campus."

Malden Nesheim, Vice President for Planning and Budgeting: "I might just respond to one of Michael Latham's points about the campus community and the whole issue of planning and how we come to some kind of decision as to where things are going to go, or at least we don't surprise people about things suddenly shooting up someplace on campus.

"I have been in Day Hall since the first of August, so I haven't completely accommodated myself to that particular set of individuals making those decisions that Michael refers to, but I think the issue that I am trying to work out as we go through this coming year is to work out methods that we can effectively use consultative bodies that are available on the campus. I intend to work closely with the Campus Planning Committee. I intend to, in the course of this year, work out a set of materials in terms of maps, drawings, understandings relative to campus development plans that we can share with the community, and that includes the community outside the Cornell campus so that the City of Ithaca planners and the Town and the County have, I think, a good conception of what the long-range plans are here at Cornell. So, I hope to be working with a number of faculty groups, and if people want me to come and talk to individual college faculties in the course of the year, I will do that, but I hope that we can develop a general understanding of the directions that we hope to go within the next few months."

There were no questions for Vice President Nesheim and no further business to come before the University Faculty, so Speaker Martin adjourned the meeting at 5:59 p.m.

Respectfully submitted,

Francine A. Herman, Secretary

REPORT ON ELECTIONS

Spring 1987

AT-LARGE MEMBER, FCR - 4 seats, 447 ballots cast

Gordon P. Fisher
Wesley W. Gunkel
Lee C. Lee
Richard E. Schuler

MEMBERSHIP OF THE UNIVERSITY FACULTY COMMITTEE - 1 seat, 438 ballots cast

Peter Harriott

NOMINATIONS AND ELECTIONS COMMITTEE - 3 seats, 426 ballots cast

Carol L. Anderson
Jennie T. Farley
Martha P. Haynes

REVIEW AND PROCEDURES COMMITTEE - 3 seats, 410 ballots cast

Robert M. Cotts
John M. King
Donald F. Sola

ACADEMIC PROGRAMS AND POLICIES COMMITTEE - 2 seats, 422 ballots cast

George J. Conneman
Andrew Ramage

ADMISSIONS AND FINANCIAL AIDS COMMITTEE - 2 seats, 389 ballots cast

William H. Kaven
Barry S. Strauss

FREEDOM OF TEACHING AND LEARNING COMMITTEE - 2 seats, 431 ballots cast

Norman Kretzmann
Martha H. Stipanuk

MINORITY EDUCATION COMMITTEE - 1 seat, 400 ballots cast

Peter S. Chi

PHYSICAL EDUCATION COMMITTEE - 1 seat, 353 ballots cast

Peter Schwartz

PROFESSIONAL AND ECONOMIC STATUS COMMITTEE - 1 seat, 389 ballots cast

James J. Bisogni, Jr.

PROFESSIONAL AND ECONOMIC STATUS COMMITTEE - 1 non-tenured seat, 360 ballots cast

Norman W. Hummel

UNIVERSITY-ROTC RELATIONSHIPS COMMITTEE - 2 seats, 401 ballots cast

John F. Cummings
Stephen M. Parrish

COUNCIL ON PHYSICAL EDUCATION AND ATHLETICS - 3 seats, 368 ballots cast

Alexander de Lahunta
William E. Drake
Arnim Meyburg

UNIVERSITY ASSEMBLY - 3 seats, 407 ballots cast

Robert W. Langhans
Richard A. Ledford
Edward M. Murray

REPORT ON ELECTIONS

FCR SEATS ON COMMITTEES

Spring 1987

EXECUTIVE COMMITTEE - 3 seats, 55 ballots cast

Richard I. Dick
Wesley W. Gunkel
Richard E. Schuler

EXECUTIVE COMMITTEE - 1 non-tenured seat, 51 ballots cast

Kathy A. Beck

ACADEMIC FREEDOM AND RESPONSIBILITY COMMITTEE - 2 seats, 53 ballots cast

Robert C. Fay
Lee C. Lee

ADMISSIONS AND FINANCIAL AIDS COMMITTEE - 1 seat, 47 ballots cast

John F. Booker

BUDGET COMMITTEE - 1 seat, 55 ballots cast

Ronald G. Ehrenberg

PHYSICAL EDUCATION COMMITTEE - 1 seat, 51 ballots cast

Russell D. Martin

PROFESSIONAL AND ECONOMC STATUS COMMITTEE - 1 seat, 50 ballots cast

John L. Doris

RESEARCH POLICIES COMMITTEE - 1 seat, 49 ballots cast

Herbert H. Johnson

RESEARCH POLICIES COMMITTEE - 1 non-tenured seat, 50 ballots cast

Barbara A. Knuth

MINUTES OF A MEETING OF THE FACULTY COUNCIL OF REPRESENTATIVES

October 14, 1987

The Speaker, Professor Emeritus Russell D. Martin, Communication, called the meeting to order at 4:30 p.m. in 120 Ives Hall. He called on Dean of the Faculty, Joseph B. Bugliari, for remarks.

1. REMARKS BY DEAN BUGLIARI

Dean Bugliari: "I have two very brief announcements.

"At the last meeting we had a presentation on the opening of our new Statler facility. Since then, I have gotten a memo that indicates that the Statler Club facility, three floors of guest rooms, and the Alice Statler Auditorium will be open on November 1, 1988, and the rest will be open on January 16, 1989, so make your reservations early.

"Secondly, November 11 is our next meeting, and one very important item we have scheduled for that meeting, I want to tell you about now and that is a discussion of the Cohen-Gates report on increasing the number of minority members on the faculty. We will be sending you a copy of that report prior to the meeting, and Professor Gates and Professor Cohen will both be here to discuss that report and try to get some input from various members of the faculty and the FCR on their reaction to the report."

2. ANNOUNCEMENT OF DISTINGUISHED TEACHING AWARDS

The Chair then called on President Rhodes, who announced the recipients of the Distinguished Teaching Awards for 1986-87 (Appendix A, attached).

3. REPORT ON THE STATE OF THE UNIVERSITY BY PRESIDENT RHODES

President Rhodes: "I am to give you what is rather grandly called a report on the state of the University, and on sunny, warm days like today, that is a pleasant thing to do. I want, if I may, to talk in fairly specific terms and then in more general terms, about the year that has passed and the year ahead as I see it.

"This is the tenth occasion on which I have talked to you about the state of the University, and it is instructive to recall the issues that were at the top of our agenda at that earlier time. Inflation was rampant and was troubling us all, both in our departments and in our paychecks. The demographic downtrend had us all concerned because we were not sure we could maintain our freshman applications and our level of enrollment. An unbalanced budget in the University had created, over a period of five or six years, very serious financial problems. They were reflected in a lack of new facilities and in a lack of maintenance of existing facilities. Federal regulations seemed to be encroaching on every area of the University's life. We had a major campaign on our hands which had sputtered along during its first two years.

"Most of those concerns have now receded, and our situation, with respect to them, has improved. The campaign was successful. We got to work on our facilities problems. Our budget is balanced. The demographic downturn took place but produced more applications rather than fewer.

"Today the issues have changed, but problems remain. Of concern are such major items as:

-- the cost of undergraduate education;

-- the question of access and choice in higher education for members of all groups in our population;

-- the question of our ability and our willingness to meet national needs;

-- the substance and style of undergraduate education.

The climate is harsher now in Washington than it was ten years ago, and we seem to be viewed there as just another special interest group. This appears to be open season for college bashing, and a number of our foes, as well as a few of our friends, are indulging quite happily in it. Professor Bloom, Secretary Bennett, and Dr. Boyer all have something to say about our performance, and I want to come back to that later.

"Instead of talking about ten years, I want to talk about the last year here on campus and, in the very briefest terms, sketch what seem to me to be the highlights of it.

"First, it has been a year of solid accomplishment, and for that I thank you and your colleagues and also the deans, directors, department chairs, the admissions office and the many other staff members who work with us.

"We have 120 new faculty colleagues this year, as the result of searches, across the campus. If you read the profiles of newcomers in the latest issue of the Cornell Chronicle, you will have some indication of the richness of their experience, background and skills. If you have had the privilege of attending faculty orientation sessions and welcoming receptions across the campus, you will have met some of them firsthand and know that the intellectual succession is in good hands. It is gratifying to note that of the total I just mentioned, 27 individuals are women, and that represents 22.5 percent of the total of new appointments; 15.8 percent are members of minority groups, with the largest number - 12 of them - being Asians, but also including four Hispanics, two Blacks and one American Indian. Those numbers are an improvement, but we have much work to do in continuing to support initiatives

that will help us recruit more talented women and members of minority groups to the faculty.

"It has also been a good year for formal recognition of faculty members by colleagues outside the campus. Faculty members have received seven Guggenheims, nine Fulbrights, and a couple of Sloan fellowships. John Hopcroft received the Turing Award in Computer Science. We also had the normal gratifying crop of new members of the National Academy of Sciences, the National Academy of Engineering, the American Academy of Arts and Sciences, and the American Philosophical Society. In fact, as you look at the individuals represented in those societies, the impressive thing is the strength of representation from across the campus.

"It has been a good year in terms of research support. Our total research expenditures reached $244 million last year, an increase of 8 percent over the year before. That represents almost a 56 percent increase in real dollars over the past 10 years, and is one reason that we have so much construction on the campus at the moment. We are number one still in the level of support from the National Science Foundation for science and engineering. That success is indicative of the initiative and distinction your research proposals represent, and I want to thank you for that and congratulate you on it.

"It has been a good year in terms of admissions because fine faculty members attract fine students. We are gratified at the small but steady increase in the number of applications - 21,075 last year for 2,800 freshman places. The yield was higher than ever, giving us 300 more students than we had expected. As a result we had to trim back a little on transfer students, and we are still catching up with some of the added load and overcrowding. For example, normally by this time of the semester, we would have all our freshman students out of temporary housing. This year we still have between 40 and 45

people in temporary housing, and we are working our way through the list.

"It is gratifying to note that over the 10-year period the total number of minority students has shown a steady increase. We have gone up, for example, overall from 8 percent to around 17 percent in total minority student membership of the campus. That reflects some very uneven increases. All groups have increased in numbers; in fact, at a time when the overall student numbers have gone up by 12 percent, Asian Americans have gone up by 240 percent. Hispanics are up by 152 percent, American Indians by 26 percent, and Black students by 23 percent. We still need to improve upon those figures, but they do represent a level of commitment, because nationwide many of those figures, especially for Black and Hispanic students, have actually turned down in the last 5 years. Your continuing attention and commitment to that is something that is vital.

"It has been an exciting year in programmatic terms on the campus. Much of the change has taken place at a level that isn't readily observable - new trends in your own research, new developments in your own teaching, subtle changes in balance within departments that are not reflected in formal reports or counts of external support. But some things we can track, and they are gratifying: the steady increase in faculty and student interest in Cornell Abroad, for example, which has added more than 60 students during the present year to its various programs; the Mellon Folding Chair Program, which has allowed three of our most distinguished professors in Arts and Sciences to develop new skills in fields that parallel their own; the History and Philosophy of Science and Technology program, which is now well established and very successful; the Ethics in Public Life Program, which got off the ground this summer with David Lyons and Walter Lynn entering into a partnership which enabled a small group of faculty members to attend a summer-long seminar on

ethics within the framework of their own teaching. The Cornell Institute for Public Affairs, which was formally approved by the Board of Trustees at its most recent meeting, has come into existence though it will not admit its first students until 1989. For all those initiatives we are grateful. We are grateful, too, for those of you who serve in so many voluntary capacities, as Faculty Fellows, for example, where the numbers continue to edge upwards, and on your departmental curriculum committees.

"We had a flood of worthy proposals to the President's Fund for Educational Initiatives, and we have been able to fund 46 proposals so far, totaling around a million dollars. These range from the very encouraging Program in American Indian Studies, which is now strengthened with a new director, to the Asian American Studies Program and the Hispanic American Studies Program, which will be getting off the ground this year.

"The changes in programs at both the research and the teaching level are obviously the cause of much of the construction and renovation now taking place on the campus. Nobody can be on the campus very long without experiencing the dust and the noise and the inconvenience that entails. In about 18 months, the dust will have settled to some extent, and we will have some splendid new facilities. In fact, we are already enjoying the benefits of some of them the Spaces Sciences addition, the Savage addition, the new parking structure, and the townhouses are all things that have become available during the last few months. We have completed renovations in places like Clark and Olin Library, and are well into renovations of the West Campus dorms, where I visited this afternoon, and of the Statler, though one wouldn't think so to look at it.

"By the end of next year, if all goes well, we will have completed almost all of Statler, the Center for the Performing Arts, Biotechnology, the Law

School, and the Lasdon Bioscience Building in New York City, and the campus should begin to settle down. There will still be some major building going on, such as Academic I, but considerably less than there is now. In a community of 25,000 architectural critics, it is not surprising that not everybody is satisfied with every particular design. We also face some longer term issues, especially in such areas as Architecture, Art and Planning, some parts of Arts and Sciences, in the Libraries, which Alain Seznec will shortly tell you about, and some needs for added dormitory space, amongst others.

"I ought just to say a word about the Theory Center. You know we have had a lot of generous environmental advice about the siting of the Theory Center, and we are doing our best to respond responsibly to that. We realize that the site now proposed raises some serious concerns, even though we have moved it once to try and mitigate the impact upon trees at the edge of the gorge. We are now working with the architects to look at alternative siting options. We don't know where the solution is going to end up, but we are looking as radically as we can at alternative solutions. On the advice of faculty members in the College of Engineering and with the help of Bill Streett, for example, we are looking at the possibility of using the site now occupied by Grumman, in spite of the inconvenience and added cost and disruption that would involve. While we are doing our best to respond to local environmental concerns, which we recognize as real ones, we also recognize, on the other hand, the need to have the Theory Center and the people in it as near as possible to other members of the College of Engineering. We shall do our best to balance those two priorities.

"Let me also say a word about finances. This is a tight budget year, and you will know that we are tightening our belts within the colleges. We are looking at an overall reduction campus-wide of something approaching two

percent. That is not going to create undue hardship for most activities, but we are going to need your continuing help in living at a frugal level because of the increasing competitive pressure on the University's budget.

"This is also a year when we have a fairly substantial turnover of people in Day Hall. I want to say a word about the new people there and to ask for your understanding as our new team settles down. I ask you to be patient with us and to help us in the learning process. We have tried to achieve three distinct aims in filling vacancies on the third floor of Day Hall. One of those has been to bring greater discipline and coherence to our budgeting and our planning, including program development, program support and capital facilities and projects of different kinds.

"Jay Morley has moved from the position of vice president and treasurer to the position of senior vice president, previously held by Bill Herbster, who retired early, unfortunately with some medical concerns. Mal Nesheim replaces Jim Spencer, who has retired. Mal Nesheim moves from a very successful directorship in nutrition for over a decade to the new position of vice president for budget and planning. We have vacancies still for a treasurer to take Jay Morley's place, and also for an associate vice president for facilities, who will replace the vice president for facilities vacated with Bob Matyas' retirement.

"That is one goal - to streamline and coordinate the budgeting and the planning process. It is not easy, given the kind of creative innovation that we prize within our community.

"The second object that we have is to strengthen the support we can give you in continuing to enrich undergraduate education. For that reason, Larry Palmer's return to the position of vice president for academic programs is one that I especially welcome. You will find him helpful there. Norm Scott is

standing in on an acting basis as vice provost for computing services following Ken King's appointment as President of EDUCOM. Joycelyn Hart is occupying the new position of associate vice president for human relations. This is our third prioritiy this year: to improve, so far as we can, the quality of campus life in terms of its human relations, and Joycelyn will need your support and encouragement as she tackles that formidable problem.

"We have another change in New York City where Tom Shires, chairman of our Department of Surgery, is replacing Tom Meikle, who is leaving us to become President of the Macy Foundation. Let me add my thanks to those who are leaving these administrative positions and my welcome to our new colleagues.

"With all these changes, it becomes more important than ever to try to keep in touch with you, and I want to ask your help as we continue to try to do that. One thing the Provost and I began about six months ago is a regular lunch with the FCR Executive Committee. It is a useful way of bringing common interests and concerns up in an unhurried discussion. We would like to extend that, and we are available, so far as we can within the calendar, to come and eat lunch in your departments, for example, if you care to invite us. We also have plans to meet with new faculty members over lunch. But we will need your help in devising new, useful ways in which we can continue to remain available and accessible to you. I value your advice on that.

"Let me say a very brief word about concerns on campus, and I have listed four local ones. I want then to talk about two or three national ones.

"At the top of my local concern list is the UAW strike. I think we have a settlement that both sides find more or less acceptable, not with everything they wanted, but certainly with a degree of agreement. I am sorry that it needed a strike to get there, and I hope we can avoid that in the future. We haven't settled all our differences, and we look forward to a positive and a

productive working relationship with the UAW, not just in the next month or two, but as we move towards reopening discussion of the contract next summer.

"The second thing I want to talk about is campus planning. It is quite clear, as we struggle with the environmental concerns about the Theory Center, that we haven't yet developed a wholly effective way of getting our plans out early, discussing them, and at least assuring you that we have listened to your concerns and tried our best to accommodate your particular priorities and interests. With the number of people we have on the campus, we can never do a perfect job of that, but we do need to learn how to consult more widely about building location and building styles while responding to the urgency that comes from the user departments and the budget that comes from the architects and builders.

"We have taken pains to revive the Campus Planning Committee under Mal Nesheim's leadership and Len Mirin's chairmanship, and we hope that can be a much more effective partnership in the year ahead.

"A third item I want to bring to your attention is that we are going to be looking during the next month or two at the question of outreach from the campus to the wider community. A report prepared last summer by a committee under Robben Fleming, president emeritus of the University of Michigan, looked at the whole question of Cornell's outreach to the wider community, and at ways in which we could modify and expand the range of our extension services. We haven't yet taken action on the recommendations because there are big questions involved about the way we should set up other programs, about the way we should fund them, and about what their relationship would be, not only to existing extension programs, but also to faculty members in colleges like Engineering and Management, for example, who might be involved. We shall be seeking your

help and your advice as we move toward some sort of decision on the Fleming report. It is going to be an important concern to us.

"Finally, let me talk about three wider concerns, although I don't mean to suggest that we can solve them together this evening.

"First, there is widespread concern - not only in Washington, but in the country - about the cost of undergraduate education, and Secretary William Bennett has been particularly outspoken on this issue. He accuses universities like ours of being rich, greedy, extravagant and insensitive to the pressures we are putting upon the already hard-pressed families who have to pay tuition. He points out, for example, the differences between the total cost of tuition, room and board of the University of Illinois, which is something like $5,700 a year, and the neighboring University of Chicago, which is about $17,000. His staff have drawn an unflattering comparison between the efficiency of public universities and the inefficiency of private universities, especially the large research universities.

"This is not the time to debate Secretary Bennett's particular concerns, except to say that it is easy to forget the massive state subsidy that goes into fine public universities like Berkeley and Illinois. We are going to be under increasing public pressure to look at our programs and to be cost-conscious. Somehow we have to learn how to live within a constrained budget and control our own costs. If we don't do it, somebody else is going to do it for us, and that is a much worse solution. You may say that could never happen to universities because of academic freedom and all the rest. Well, that is what the hospitals thought about four years ago and look at what has happened to them. Together, we have got to find some way of putting a reasonable cap upon the rate of increase in overall costs, and that won't be easy. It means we have got to look together at things like overlapping programs and duplicate

courses. It means we have got to look at under utilized facilities and maybe at under utilized people. We have got to be tough-minded together in establishing some priorities.

"None of that is good news; it doesn't come easily to any of us. But we have got to give value for money, if I can put it as crudely as that. We have got to be sure that the quality of our undergraduate programs really is worth the ten or eleven, or twelve thousand dollar difference between our institution and the public universities.

"The second point of concern I want to raise is the question of access and choice. A year ago I mentioned to you in brief outline what I believe is still the most pressing single problem we face -- the diminishing number of some underrepresented minority students in higher education. That has not improved in the last year in spite of the fact that the percentage of Blacks graduating from high school has increased from 67 percent to 75 percent over the past 10 years. The same is true for Hispanic students. The percentage of Hispanic students graduating from high school increased from 56 percent in 1975 to 62 percent in 1986, but their college-going rate during the same period dropped from 36 percent to 26 percent. Most of those who are attending college are attending two-year colleges.

"We have simply got to take this challenge seriously because it is a matter of the greatest social importance as far as the future of our nation is concerned.

"The situation is even worse when you look at graduate and professional schools. Nationwide, in 1986, for example, only 15 Black students received Ph.Ds in Engineering. If you take computer science and look at the numbers, the number was three Black students receiving Ph.Ds nationwide; we simply cannot live with those figures. We the people, together, who have to do

something about it, and so I seek your continuing help in addressing the problem. We can address it in the membership of our admissions committees, both for the graduate school and for our undergraduate programs. We can address it in counseling and mentoring those minority students who are already here, especially encouraging them to look at the various programs we have now that will enable them to get some research experience and a taste of what graduate school would be like. We can do it by identifying colleagues in other institutions with whom we might form institutional linkages and so have a flow of people coming at both the undergraduate and the graduate level. The need is serious, and, in spite of the fact that there is no single answer, I do urge you to give the problem your best attention.

"I happen to be serving this year as chairman of the American Council on Education, and we have made this our number one priority during the year. We have put together a national committee, with former Presidents Ford and Carter as the honorary co-chairs, which is attempting to bring this very serious problem to our nation's attention.

"I think we are also going to face increasing pressure for addressing other national needs in addition to this one, and I catalog, for example, health care policy, the competitiveness agenda, and the quality and availability of legal services as just three topics that will impact some of our professional schools. Just as a searchlight is now on the undergraduate curriculum, and all its supposed deficiencies, it may shortly move to our professional schools and it is well to be aware of that.

"Finally, a word about undergraduate education because this has been a prolonged season of what one friend of mine calls college bashing, and there have been many people who have indulged in that. Professor Bloom, who was some years ago a member of our own faculty, has been one of our harshest critics.

He doesn't like rock music, and he doesn't like feminism; he doesn't think very much of the late sixties, and he doesn't seem to like co-ed dorms; he worries about our lack of conviction, and he has, what seems to me, a wholly uncharitable view of our particular institution here at Cornell. But having said all that, although it is easy to score points from what Professor Bloom has written - all 382 pages of it - it seems to me the concern he addresses is real, and it is not just a concern which is shared by those of us in the world of scholarship. As Secretary William Bennett reported recently, he was in Chicago giving a talk to the Midwest Association of Grocers, and the first question that came up was this: 'Professor Allan Bloom says relativism is a terrible thing. What do you think about it?' And that from an association of midwestern grocers. So, if they are aware of the problem and are debating it, how much more do we have to take it seriously?

"The fundamental issue, it seems to me, is not whether we agree with the details of Professor Bloom's indictment, serious though that is, but whether it is possible for universities like ours to provide a rigorous undergraduate education, whether in science, engineering or other professional field, or in the traditional liberal arts, avoiding on the one hand, the kind of advocacy and dogmatism, which is all too evident as a danger, and, on the other hand, the kind of neglect and cynicism, which so disappoints Professor Bloom. We are fortunate, I think, at Cornell in having a long and distinguished tradition of commitment of the most senior faculty members to undergraduate education. We are fortunate in having an undergraduate commission under the Provost's chairmanship, actively supported by Larry Palmer, which is addressing this and similar issues, and I urge you to give your help to that commission. It has a whole series of subcommittees, which are addressing timely issues, but part of the problem is simply getting an agenda that is a manageable and a meaningful

one. Let me suggest half a dozen headings that are worth discussion in your colleges, and in your departments, as well as on this undergraduate education commission.

"The first one is the whole question of student-faculty interaction. Ask anybody on campus what they think about faculty advising. There is only one reply: it should be better. That is right. It always should be better, but how what ways can we look synthetically across the campus at the whole pattern of faculty advising, professional counseling, faculty-in-residence, faculty fellows and all the things related to them? Are there ways that we can be more helpful? Are there ways that we can change the pattern, and if so, how?

"A second area is how do we break out of our departmental boxes? How can we encourage faculty to work together with a sense of excitement that comes from cooperation and partnership with people in other disciplines? We have seen this in the Common Learning Program, where the most effective outcome may not have been its benefit to students, though that has been great, but rather its benefit to the faculty members who have cooperated together in presenting the courses. There has been an intense intellectual excitement in partnerships across the conventional boundaries. In what ways can we expand that particular model and make it possible for more of that cooperation to take place on the campus? Would some kind of informal center or office for the support of undergraduate instruction across departmental boundaries be useful, and if so, how? How can we support individual faculty members who reach outside their own department into experimental ventures of this kind?

A third question: to what extent can we or should we embark on issues of common discourse across the fragmented colleges and departments of the University? It is probably naive to think that we could sustain a common freshman year, but could there be or should there be a common core of courses

for undergraduates, whatever college they are enrolled in? I don't know the answer to that, but I would like to see us debate the question.

"What can we do about what has come to be called the 'enriched major' following Ernie Boyer's book, College? How can we expand at the margins a conventional major in economics or genetics by bringing in the wider implications and the relationships of the subject.

"What are we going to do in the long term about religious studies on the campus? We have put one foot in the water with the Catholic Studies program this year and the welcome presence of Professor Curran. Is that a model that could be applied to other religions and other ways of putting programs together, in an area where there is clearly great student and faculty interest?

"Do we need a new sort of visiting professor coming to campus? We already have a very successful A. D. White visiting professor program. Do we need an Ezra Cornell visiting professor program that would bring in, not only distinguished scholars, but distinguished practitioners in other areas of everyday life - people in government service and international diplomacy, the performing arts, the media, business and other fields who would share with us some of the major overarching concerns from the world outside the campus.

"Some of those suggestions are, no doubt, pure heresy and others are, no doubt, pure fantasy. I raise them not as solutions, but as items for debate, because it seems to me if our undergraduate commission is to have the benefit of your involvement and help, we need to take such questions as those seriously.

"We had on the campus on Friday Frank Newman, president of the Educational Commission of the States. He has had various other incarnations, but he is best known, perhaps, to most of us as the author of three Newman reports on higher education, which have attracted nationwide attention. He spoke at

lunch, and one thing he said I found especially interesting. He said, 'Cornell is one of the great universities of the world, not just because it is one of the greatest research universities, though it is that, but because in all the campuses I have traveled to, I have never seen the commitment to undergraduate education or the ferment of activity connected with it that I have found at Cornell.'

"That makes me optimistic that it might just be possible for Cornell to provide a model that even Professor Bloom and some of our other critics might find exciting and rewarding. I don't know if it can be done, but one thing I do know is that it cannot be done without your interest and your support, and I am glad that Frank Newman sees in the faculty here at Cornell the same kind of commitment to undergraduate teaching that he sees in their distinguished research programs."

Following the President's speech, Speaker Martin announced with pleasure that Professor deBoer had again agreed to serve as Parliamentarian.

4. RESOLUTION RE SEXUAL HARASSMENT AND RACIAL PREJUDICE

Professor Vernon Briggs, ILR, and Chairman of the FCR Executive Committee read the resolution on Sexual Harassment and Racial Prejudice.

WHEREAS, on January 6, 1987 the Deans' Council adopted the statements on Sexual Harassment and Racial Prejudice (Appendix B, attached), and

WHEREAS, the Executive Committee of the Faculty Council of Representatives has duly considered said statements and recommends to the FCR that it accept, endorse and support said statements,

THEREFORE, BE IT RESOLVED that the Faculty Council of Representatives does hereby accept, endorse and support the aforesaid statements on Sexual Harassment and Racial Prejudice approved by the Deans' Council on January 6, 1987.

The resolution was so moved, and the floor was opened for debate.

Associate Professor Lee C. Lee, Human Development and Family Studies: "I have some concern about this, and the concern is not that I do not support these statements but the intent of asking the FCR to support them. Does this mean that we, as an FCR body, no longer have our own statements?"

Dean Bugliari: "I do not think that this precludes us in any way from having our own statement. It was a feeling that at least at this point, until we had our own statement, that we in fact would support this one, and so if the Minority Education Committee or other groups of faculty people produce another statement that would be one that the faculty would feel more comfortable with or would be more appropriate, we are perfectly willing to have that, too. The feeling is that we ought not to be standing here doing nothing, that at least it was better to adopt this one, which was already in place until we got one of our own that would replace it."

Professor Lee: "I think that this statement is a very general statement and does not speak to the issues that are really of importance. For example, the sexual harrassment statement, number 4, what does 'appropriate action' mean?

"The same issue is present in the racial prejudice statement. My question is, what does 'appropriate severe penalties' really mean? So, essentially these two very nice statements have very vague implications, and my concern is that these kinds of actions - sexual harassment and racial prejudice have an issue of patterns of behavior that continue to be repeated. My concern is that there is nothing in place that can show that an individual has a pattern of behavior that is unacceptable.

"For example, we are looking for quite a few deans this year. If the central administration selects someone from internal sources, would they even

look at the track record of this individual with regard to sexual harassment or racial prejudice? Is there such a place for them to look? It seems to me that if central administration is taking this seriously, they are going to have to act and show the public it is not so much what they say, but their behavior which is more important. It seems to me that we as a body could, for example, add to this a recommendation that central administration ought to check the track record of individuals that they mean to appoint to high-level administrative posts with regard to sexual harassment and racial prejudice."

Provost Robert Barker: "You have a very significant point, particularly the last one that we should be concerned as we appoint people. Part of the difficulty is that I don't think we have as good a system as we could have. One of the things which followed upon the adoption of these two resolutions by the Deans' Council was the establishment in every college of a system, and I have been pushing on the deans to make sure that they are making it clear within the college, who within the college a person can go to with a concern of either racial or sexual harassment. Part of the problem that you are addressing is that we don't have records, and the reason that we don't have records is not that we don't keep track of what we have learned. The concerns are out there in the community and don't necessarily come to our attention. Last year there were 22 cases which we heard about. I am sure that is many fewer than people felt that occurred on the campus. One of the things which is very important to understand is that we want people to come forward, and we have to try to create an environment which will reduce that reluctance, and at the same time, however, be protective of those people who are abused until we are sure that there is a substance to the charge. It is a very tough area, and I think we have made at least a little bit of progress in trying to be sure that the colleges have got people who can serve as the first contact."

William B. Streett, Dean of the College of Engineering: "As a result of the adoption of these statements by the Deans' Council, we have established several groups in my college representing faculty, staff and students. We have arranged for Associate Vice President Hart and Professor Sandra Bem to come and talk to these groups to promote some discussion and the examination of some of the issues. They put on skits illustrating different kinds of sexual harassment that is considered inappropriate and so we have tried to educate people. These kinds of meetings are ongoing, and we are going to have a discussion session with various groups of faculty, staff and students throughout the year to make people more aware of the kinds of problems that exist and to get all this out into the open.

"When I first began to discuss this with some of the groups in the College, the initial reaction of most of them was that there really wasn't much a problem here, but then when we got groups of people together and began to talk about some of these things, people said they had had that type of problem, but some said they didn't think it was serious enough and didn't want to cause problems and didn't want to make waves, so they didn't say anything about it. So, these kinds of statements can have a positive effect, and I think that a strong endorsement by the FCR would reinforce what the deans are trying to do through the Deans' Council."

There was no further discussion, and the resolution was voted on and passed.

Speaker Martin called on Assistant Professor Timothy J. Fahey, Natural Resources, and Chairman of the Committee on Academic Programs and Policies, for a resolution on a proposed change in the Charter of the Biotechnology Program.

5. RESOLUTION RE CHANGE IN CHARTER OF THE BIOTECHNOLOGY PROGRAM

Professor Fahey read the resolution:

This Charter may be amended in a manner consistent with the general purposes and powers contained herein by action of the Biotechnology Executive Board, and with the approval of the President of Cornell University. The Vice President for Research shall obtain the recommendation of the FCR Committee on Academic Programs and Policies on proposed amendments and forward this recommendation to the President along with any requests for approval of amendments.

Membership. The Cornell Institute for Biotechnology will have an Executive Board consisting of the Vice President for Research, the Deans of three of the participating Colleges, the Director of the Institute, the Director of the Division of Biological Sciences, a representative from each of the industrial sponsors, two Cornell faculty who are members of the Institute, and the Chairperson of the Research Policies Committee of the Faculty Council of Representatives. Additional members may be approved by unanimous consent of all of the members of the Executive Board.

Professor Fahey spoke to the resolution: "In essence, what this amendment does is to allow the Charter to be amended, and the main amendment change is to allow changes in the membership. In the view of the Academic Programs and Policies Committee, it solves any problem with possible imbalances that occur in the Committee as a result of changes in its membership, and so we unanimously approved the recommendation to the Council to approve this."

The resolution was voted on and passed.

Speaker Martin then called Joseph M. Ballantyne, Vice President for Research and Advanced Studies, to introduce three items for discussion.

6. STATEMENTS FROM THE CORNELL RESEARCH FOUNDATION RE UNIVERSITY INVESTMENT IN VENTURE FUNDS AND COMPANIES, GUIDELINES FOR UNIVERSITY AGREEMENTS WITH ENTREPRENEURS RECEIVING RIGHTS TO TECHNOLOGY, AND STATEMENT ON OBJECTIVES FOR CORNELL POLICY ON TECHNOLOGY TRANSFER

Vice President Ballantyne: "You have received the text of three sets of guidelines which were drafted by a committee of an subsequently approved by the Board of the Cornell Research Foundation to guide interactions with the entrepreneurial community. We felt it was important for the faculty to see these and have a chance to comment on them before the matter comes up to the Trustees. Let me speak very briefly to the three.

"The first one is University Investment in Cornell Related Venture Funds and Companies (Appendix C, attached) and this document is being proposed to the Trustee Committee on Investments for their own action. They would have to adopt it or not, but these are guidelines which were recommended by the CRF board, which basically established an arms length relationship between any financial investment that Cornell might make in a venture corporation and a technology that a faculty member may have an association with.

"The second one is the Guidelines for University Agreements with Entrepreneurs Receiving Rights to Technology from Cornell (Appendix D, attached). These are guidelines that would be used by the Cornell Research Foundation in its own interactions with entrepreneurs. They are not being proposed for adoption by the Trustees, but they are proposed as the policy that will guide the Research Foundation in its interactions with entrepreneurs. The gist of those guidelines is to prevent any entrepreneur from coming in and

grabbing a big section of Cornell technology or grabbing future output and also to be sure that any arrangements with entrepreneurs respect our guidelines for freedom of publication, conflicts of interest and so forth.

"The last document, the Proposed Statement on Objectives for Cornell Policy on Technology Transfer (Appendix E, attached), is a statement of what we believe the objectives of the University are in pursuing technology transfer activities, and this statement is proposed to the Trustees for their adoption as guidelines for our objectives in technology transfer. There are a number of items set out, the first guideline being that we do it because of our interest in serving the public and in fulfilling our mission to society. The last one being set out, although they are not numbered, is to generate enough money to pay for the activities and, perhaps, some extra to pay for other activities that the University may want to undertake.

"I have to apologize for the wording of these statements. They were edited by a committee, and, therefore, the wording is not as nice as it should be. However, I have to say that even though the last statement, for example, had a couple of proposed changes in the wording, our legal counsel advises that since those changes were not approved by the CRF Board, they should be disregarded, and we should give the Trustees the things that the Board actually approved, which would mean that all of the brackets would be deleted, and the superscripted insertions would also be deleted. I would appreciate any thoughts or discussion that the body would have on the substance of these documents.

There was no discussion at the time, but Dean Bugliari said that maybe if someone sees something later that they would like to comment on, that they could give Vice President Ballantyne a call or drop him a note. He went on to

explain that the purpose of this was to make sure that no one had any problems with the statements before they went to the Trustees.

Speaker Martin then introduced Alain Seznec, University Librarian, for remarks on the State of the Library.

7. STATE OF THE LIBRARY

Professor Seznec: "I am somewhat aware of the lateness of the hour, and as all speakers promise to be brief, I will try to live up to that.

"Just a word to catch you up a little bit on your library and mine, about which I am discovering more everyday than I thought was possible. It is a very large system, as you undoubtedly know, made up of 15 separate libraries. It has a budget of about $20 million, which suggests that in the hierarchy of the University as a whole it is a very large item. Clearly, it is of enormous importance to many of you because it is part of the most important tool for research and teaching. It is also clear that it is not equally useful to all members of the faculty. Indeed, there are some faculty members who probably have no idea where libraries of any sort may be because their function and their work really doesn't take them near the library, and this makes for a slightly different perspective on how important the library is to the University as a whole. I suppose that one of my jobs is to make sure that all of us, and especially what is referred to as 'Day Hall' is aware that it is an important element of our lives, or at least that it is crucial for some people and most always of some help to many. It cuts across all of the departments, all of the fields, all of the interests.

"I want to say a couple of words about where we are, in general terms, not necessarily, by the way, different at Cornell than other places, but which I think are worth thinking about. It is a cliché, of course, to talk about a great moment of change, but in fact, libraries in general all over the world,

and especially the research libraries, are in the midst of quite important evolutions. We thought many years ago when microfilms were invented that a new era had begun, and then when micro chips appeared, we thought a new era had begun, and now, of course, we have laser disks, we have on-line information and many other things, so that the traditional definition of a library, which presumably was primarily books and journals is now only a partial definition. It would be the hope, of course, and I have had some discussions with the Provost about this, that miniaturization - reduction to very small format - would make all of our problems, or at least all of our space problems, go away. Unfortunately, the world being what it is, as we find more and more documents appearing in these strange and new forms, human beings have not ceased to produce books and journals. Indeed, the number of books and journals published each year rose at something like 16 percent a year, so that on the one hand, libraries have to absorb and continue their traditional mission of bringing the best in books and journals, and at the same time, they must also be very much aware and very much involved in all the new formats and new forms that libraries represent. And this means not just technical problems or technological problems, it means changes in attitude. Remember that for all of us, and I certainly include myself in that, we have to look all of a sudden at new processes, when, for instance, a whole system goes on line, as we very much hope. Unfortunately, the date selected would be April 1, which I thought was somewhat unfortunate, and I have been pushing for April 2. In any case, when they do go on that system, all of us will find that our habits are changed. Old humanists like myself who were used to and confided in little cartons of cardboard boxes which they could flip through, now have to sit at consoles, and we have even had questions about people wearing glasses, and all the problems that new technology brings, but the point is that great change in attitude will

be needed, great patience on your part, incidentally, because installing new systems inevitably will bring about some slight perturbations.

"One other element of novelty, I think, and especially in the last few years, we are, for better or for worse, in the generation of information, not necessarily education or instruction, but information. It is very interesting to see, for instance, that a number of universities in the last two or three years have created a new position of vice president for information resource. I am not bucking for that job, I assure you, but the fact is that because of an enormous amount of information of a non-traditional source and non-traditional format, the question is, where in a university should that be found? Should it be the library that takes the leadership or should it be other areas? In some cases, what we find is that there is a vice president for information and then a librarian. In other cases, it is the same individual. The point is that every university is going to have to look at this and one of the concerns that we all have is that this is incredibly expensive to do. The more information, the kind of equipment, the kind of technology, that we need, is so expensive that you worry about its imbalancing a more traditional kind of gathering of more traditional materials. With that, let me just mention briefly four areas in which the library is particularly involved in these days.

"The first is one that President Rhodes alluded to as being a general concern for the whole campus, and that is space. Everybody talks about space, and miniaturization notwithstanding, unfortunately, that remains a very crucial problem for the library, as it is for others. Universities go through cycles, I have sensed, and I have been at Cornell long enough for this to be my second cycle of seeing too many trucks and too many buildings. On the other hand, the reason that they are there is because we put the pressure on for them to be there, and we as faculty members, certainly because of the richness of the

programs that we want to see come forward, are also pressuring to see better facilities. For instance, these new technologies that I mentioned a moment ago clearly need not only more space, but different kinds of spaces - much more sophisticated spaces. So, we are looking at that and as you probably know in every one of the schools that you are in, all 15 libraries in one way or another are either constructing new spaces for libraries, planning new spaces for libraries or are beginning to think about planning new spaces and beginning to gather funds. The one that I have been particularly involved in is the space in Olin because that is where half of all of the collection at Cornell resides and 55 percent of the people working in the library system live. For those of you who have not been there recently, as long as you are extremely slim, we will be glad to have you in the library, but if you are a little bit my size, I think you will probably have to stay away from some of the floors. The point is here again that is something that we have to do over a period of time and we hope that we can coordinate all of these 15 building plans so they are supportive of one another.

"The second general area is automation, and as I mentioned before, there are several problems connected with automation as well as several good things. Obviously, we would not be putting it in unless there was a sense that this is ultimately going to prove to be a benefit to most of us. The magnitude problem is one. To automate the downtown lending library is one thing. To automate a library that has over five million pieces of things, half of which are in foreign languages and some 20 percent of which are in non-Roman script, is not the easiest thing in the world, and it will take quite some time before we have a complete hold on what we are doing. We are going on our local system, our own system, which will deal primarily with and allow us to do acquisitions as well as cataloging. One advantage that you will feel immediately is that if

you want to find out if Cornell has a particular book, you will not have to traipse all over the place to find it, you will be able to get it right there on the screen. In some areas, for instance in most of the social sciences where material tends to be in about ten different libraries, this will be extraordinarily helpful. But besides the problem of size, there is a problem I referred to before of attitude, of getting used to a new way of doing things, and that takes some doing. At the moment, I am running across a particular problem, which is that over a period of years, our libraries have a mode of independence from one another, to put it in the most polite terms possible, and when you have automation, you are talking about leveling in a way because you cannot have automation unless you have standardization. Standardization does not come easily to librarians, I gather, at least not Cornell librarians, and at the moment, there are some peculiar territorial quarrels going on. I am still walking, but I know that I may not always be walking quite as easily in the next few months, and, again, here this is maybe a place where faculty interaction may be very helpful because we cannot have several systems coexisting. We have to have one, and we have to hope that it works, and, incidentally, that it will connect us with the rest of the world because automation presumably is going to set up our capacity to work with vast networks, both in this country and even abroad. Contrary to what you have read, we are not at the moment prepared to use this automated system for circulation because there are no funds for it. This will take at least another million dollars, and it is not there, and it would have to be raised from outside funding, but that will probably not be for at least another year.

"The third area, which in some ways is the key area, and I am not giving you these in order of priority, but simply in the order in which they are on my piece of paper, is the collection development. That is to say, what we have,

what we have in every form, whether it is a map or newspapers or serials, the richness of the collection itself. Cornell is at the moment, I believe, somewhere between eleventh and twelfth in the general ranking of university libraries, so far as the collections are concerned. Obviously, one of our major tasks is to make sure that that collection remains as strong as possible because that is what is needed by the faculty to do its work. There are also some issues that have to be dealt with which I will allude to only briefly.

"One is the extraordinary inflation that has taken place in the last few years in publication and, most specifically, in scientific journals which are of great interest to most of you, and yet, which we can no longer afford to have in as great a quantity as we did. We are also turning to you to ask which of those things we must absolutely have as opposed to those things which would be nice to have, but which we cannot necessarily always afford to have.

"The second, which has the same effect, has been the American dollar. I have learned more about foreign currency in the last six months than I ever thought was possible. I can tell you the rates of German money, Japanese money, Dutch money, and so on because that affects our purchasing, and I remind you that roughly 50 percent of the things we acquire, we acquire abroad. That reflects the international nature of the quality of this faculty. If we were a small, unimportant, trivial, provincial college, there would be no problem, but you make a lot of problems. I think that is good, by the way, needless to say, but the fact is that that is something that we have to balance somehow because, at the same time, we have all the other new technologies that I mentioned a bit earlier.

"Finally, one other problem which has reared its ugly head in the last few years, not at Cornell alone, but everywhere, is the question of preservation and conservation. Here, I am not merely talking about taking care of old books

which are falling apart; I am talking, of course, in part about this very well-known problem of the so-called acid paper, which is simply the fact that for the last 150 years we have been printing, happily in the Western world, at least, on paper which is now self-destructing, and that causes some rather serious problems. It does depend on climate and climate control and various other things, but in fact all over the world, libraries are simply disappearing, and we have to do something about maintaining them, and we have to do this in collaboration with other universities to minimize the cost.

"But there are other ways in which we have to talk about preservation. As new materials come in - tapes, video disks - each of these presents a particular technical problem so far as storing and, especially, as maintaining, is concerned. The life of these objects has to be preserved and, in fact, for the last twenty some odd years, Cornell has done practically nothing in construction of really adequate modern facilities so far as libraries are concerned. This is not a pitch, but it is simply an explanation of what we have to look to because it is not merely a question of restoring old books; it is a question of saying, we have here an enormous treasure house, and the worst thing we could do is to allow it to deteriorate, and so we are going to be working on that.

"Let me close by saying that with all of these problems - I don't mean to simply dwell upon the downside - the most important is that our collections are among some of the best in the world. Their extraordinary richness, which time and time again visitors refer to when they come here, help, not only our faculty in their work, but also, and I know this very well as ex-Dean of the College of Arts and Sciences, it allows us to bring in top-notch faculty. One of the first things many of us do is to bring visitors to the library knowing that it is going to be a positive effect on our recruitment, rather than a

negative effect, and we tend to maintain because it is absolutely crucial to the well-being of the whole University. One thing that I can say in closing because I have had nothing to do with it, I have only been, like yourselves, a beneficiary of it, is the gentle quality of the attitude of people who work in our libraries. I imagine all of us in this room have worked at one time or another, whether it is Harvard or London or, God forbid, in Paris, and have not always found that the attitude was of some generosity towards the people who actually use the library. My experience in general has been, and many of you confirm this occasionally in writing, letters about the way you have been dealt with, that there is a long tradition here at Cornell of people really seeing themselves as part of the educational process, and I certainly want to encourage that because I think it is absolutely crucial that the library not just be a box in which we put things and from which you can get things, but can become and maintain itself as one of the major instruments for intellectual development and maintenance of this University. We will continue to work with your help in that direction."

There was no further business to come before the body, and the meeting was adjourned at 5:59 p.m.

Respectfully submitted,

Francine A. Herman, Secretary

1986-87

DISTINGUISHED TEACHER AWARDS GIVEN BY CORNELL

COLLEGE	RECIPIENT	AWARD
Agriculture and Life Sciences	Professor of Microbiology, *Paul J. VanDemark	Chancellor's Award for Excellence in Teaching - by the State University of New York
	Liberty Hyde Bailey Professor of Agricultural Economics, Emeritus Kenneth L. Robinson	Edgerton Career Teaching Award - by the State College of Agriculture and Life Sciences
	Professor of Animal Physiology, Emeritus Ari vanTienhoven	Professor of Merit Award - by the State College of Agriculture and Life Sciences, Cornell, given by Ho-Nun-De Kah (Agricultural Honor Society)
Arts and Sciences	Professor of Mathematics *Kenneth S. Brown	The Clark Award
	Professor of Computer Science David J. Gries	The Clark Award
	Associate Professor of English *Paul L. Sawyer	The Clark Award
Engineering	Professor of Theoretical and Applied Mechanics Harry D. Conway	Excellence in Teaching Award - by Cornell Society of Engineers and Engineering Tau Beta Pi
	Professor of Civil and Environmental Engineering *John F. Abel	Innovative Undergraduate Teaching Award

*Will not be able to attend October 14, 1987 FCR Meeting.

Appendix A

COLLEGE	RECIPIENT	AWARD
Engineering	Professor of Materials Science and Engineering Dieter G. Ast and Associate Professor of Materials Science and Engineering David T. Grubb (joint award)	Innovative Undergraduate Teaching Award
	Associate Professor of Operations Research and Industrial Engineering *Peter L. Jackson and Professor of Operations Research and Industrial Engineering * John A. Muckstadt (joint award)	Innovative Undergraduate Teaching Award
Human Ecology	Lecturer, Human Service Studies Andrea Parrot	Distinguished Teaching Award - by the College's Alumni Association and Omicron Nu Honor Society
Veterinary Medicine	Assistant Professor of Clinical Sciences *John F. Randolph	Norden Distinguished Teacher Award

*Will not be able to attend October 14, 1987 FCR Meeting.

Chronicle, 3/5/87

Statement on sexual harassment

Adopted by Deans' Council Jan. 6, 1987

Sexual harassment within the Cornell Community is a serious matter requiring close attention and remedy by University and College Administrations and by all individuals comprising the Cornell Community. Beyond the strongest reaffirmation of University policy that sexual harassment on this campus is completely unacceptable, action will be taken by Central Administration and by the Colleges as follows:

1. Provide and fully publicize the offices, both centrally and the Colleges, where complaints may be lodged.

2. Provide and fully publicize the name of persons, both centrally and in the Colleges, who can provide counseling and advice.

3. Provide a variety of human relations workshops and other conferences for faculty, staff and students, both centrally and in the Colleges, in order to raise the level of sensitivity and awareness of the issues of sexual harassment and to assist individuals in coping with the problems.

4. Investigate allegations, take appropriate action when sexual harassment is proven, and protect against retaliation.

In addition to these administrative actions, the Deans' Council recognizes that much of the responsibility for dealing positively with sexual harassment rests with individuals. We hope and expect that individual responsibility will be invoked to assist the Administration in ending such behavior. The Deans' Council welcomes the advice and suggestions of members of the faculty, staff and student body to address and remedy the problem of sexual harassment.

Statement on racial prejudice

Adopted by Dean's Council Jan. 20, 1987

Racial prejudice and discrimination have no place in a free society. In an academic community, individual worth is to be measured without regard to racial or ethnic origins or other circumstances irrelevant to personal performance. The Dean's Council therefore condemns unequivocally any and all behavior based on such prejudice or discrimination and calls upon the University administration to maintain and, wherever necessary, to increase its efforts to eliminate racist behavior on campus. In addition, the individual members of the Council pledge to take whatever steps are required to root out such behavior within their units.

Among actions that might be taken at Cornell at this time, the Deans' Council wishes to lay special stress on the following:

1. Provide human relations workshops and other sources of information and encourage all members of the University community to take advantage of the opportunities thus provided, to understand morae fully the nature of racism, particularly in its less obvious and more subtle manifestations.

2. Make known both centrally and locally the names of individuals and offices best equipped to deal effectively with complaints about incidents of racial prejudice, whether from students, staff, or faculty.

3. Urge those who experience racial prejudice or discrimination to report such behavior promptly.

4. Move quickly to investigate all allegations of racist behavior on campus and impose appropriately severe penalties on those found guilty of such behavior, while protecting complainants against retaliation.

Recognizing that each member of the community bears a responsibility for ensuring that Cornell is free from intolerance, the Deans' Council welcomes any suggestions from faculty, students, and staff aimed at dealing more effectively with racial discrimination and prejudice.

Approved by CRF Board of Directors
April 30, 1987

Proposed Statement Regarding University Investment in Cornell Related Venture Funds and Companies*

Draft by CRF Long Range Planning Committee 10/23/86

A. Cash Investment in Venture Funds

1. Any cash investment in such a Cornell-related vehicle should be based on the same risk and return criteria as other similar non-Cornell-related venture capital investments in our Long Term Investment Pool.

2. In addition, such cash investments should benefit the University in terms of its technology transfer objectives.

3. Even when the above two criteria are met, the University should be cautious when making a cash investment in those instances where potential investors might reasonably assume that, based on its investment, the University has a substantial interest in assuring the vehicle's success and a related responsibility if the vehicle were to fail.

4. None of the above precludes a cash investment in a zero stage-type vehicle which includes other leading investors who are sophisticated and/or institutional investors.

B. Non-cash Investments

Regardless of the above cautions, it is reasonable for the University to receive equity in a new or existing enterprise (be it an operating company or a venture capital fund) in exchange for rights to a technology and in lieu of or in addition to licensing arrangements.

However, it is expected that such an investment would not require a cash investment on the part of the University, and normally would represent less than a majority of or controlling interest in the equity of whatever vehicle was involved.

C. Other Considerations

As a general matter, the University should not lend its name to or endorse any venture fund or other organization which purports to have a right to some Cornell technology and wishes to use this in promoting sales of its securities. The University should never give a single venture fund or corporation an "exclusive" right to all technology at the University or from a major unit of the University.

---

*Defined as firms which intend to invest a substantial amount of their assets in Cornell technology.

Approved by CRF Board of Directors
April 30, 1987

Guidelines for University Agreements with Entrepreneurs Receiving Rights to Technology From Cornell

Draft by CRF Long Range Planning Committee
10/23/86 Revised 3/27/87

1) A model for agreements with entrepreneurs receiving rights to technology from Cornell should be developed. To the extent feasible, the model agreement should be generally applicable to guide all entrepreneurs wishing to interact with University technology. However, particulars of any agreement will be negotiated with CRF management subject to the restrictions of Cornell policy.

2) Rights to a particular development of future technology should be tied to a funding contract for well defined project goals. Agreements with entrepreneurs for Cornell technology should not convey exclusive future rights to the entire future technology output of particular University groups. In particular, the agreements should not be of such a nature as to restrict the future funding opportunities for a group. That is to say that an entrepreneur wishing to gain rights to future technologies would be required to fund a research contract to develop such technologies in much the same way as government or corporate sponsors now fund such research.

3) Agreements with entrepreneurs shall require payments as a matter of course (e.g., royalties, equity positions, up front fees.) CRF may take an equity position in return for some appropriate portion of its intellectual property as consistent with guidelines for Cornell equity holdings. Agreements may specify other negotiated benefits for the entrepreneur organization.

4) The University shall not invest University funds for deals on specific technologies.

5) The projected division of benefits from equity positions must be reasonably equivalent and parallel to licensing agreement income to researchers, departments, and Cornell.

6) The agreement should specify that the entrepreneurs and their corporations abide by University policies which might be applicable. Such policies include but are not limited to the University policy on conflict of interest, employment of graduate students and classified research. (These policy statements are attached.)

7) Agreements should be consistent with the University policy on both conflicts of interest and conflicts of commitment. Agreements involving Cornell technology could result in a Cornell faculty member or other employee holding an equity position or serving as an officer of a corporation involved in acquisition of technology from Cornell or providing goods and services to Cornell. In such a case, all of the details of the arrangement should be disclosed as indicated in the University Conflicts Policy, and any apparent conflicts should be resolved with the appropriate University officer.

(over)

8) Any agreements to protect trade secrets or limited term confidentiality to protect patent rights can only be negotiated subject to existing Cornell policy including the policy on classified research.

9) Cornell will not lend its name to entrepreneurs for the promotion of stock sales nor in any way claiming Cornell endorsement or affiliation beyond the specific terms of their agreements with CRF for technology transfer. Entrepreneurs will be required to obtain written approval of permissible factual presentations relating to Cornell University, its faculty and staff.

Approved by CRF Board of Directors
April 30, 1987

Proposed Statement on Objectives for Cornell Policy on Technology Transfer

Draft by CRF Long Range Planning Committee
10/23/86

One way*/ is*/ Cornell University serves society through the creation of fundamental knowledge, but the economic and social benefits of innovation, the creation of new wealth and improvement of the quality of life, require successful consummation of an entire process to create applicable technologies and implement them. This demanding process is called "technology transfer."

University participation in the technology transfer process is being driven by the accelerating pace of the translation of basic knowledge into applicable services and products from many established fields ranging from Agronomy to Zoology. Applicable discoveries and patentable inventions pour from the growing volume of sponsored research in the University. University researchers in many applied sciences and engineering fields are now coupled synergistically with their industrial counterparts; knowledge flows in both directions. Notably, many patentable inventions and discoveries in biological sciences move rapidly into licensed biotechnology for veterinary care and medicine. However, most innovations require extensive investment of human effort and financial capital in technological development, business planning and production and marketing strategy before the implementation reaches a stage of maturity suitable for introduction into the economy. Inventors, entrepreneurs and venture capital interests interact on the campus in reaching for economic gain through innovation based private enterprise. University participation in this complex mode of technology transfer is an effective mode of public service, but it presents opportunities and challenges to the University.

These pressures called for a statement of the objectives of the University participation in technology transfer. This institutional statement comprises the six objectives listed below:

- Serve the public through the economic and social benefits of innovation, generation of jobs, services and products by facilitating application of new knowledge created at Cornell, by sustaining, and teaching the technology of technology transfer itself, and by providing technological, scientific and consulting services.
- Enhance the economic [and technology*] climate in the community and the State of New York by facilitating the creation of new jobs, enterprises and services in the community.
- Enhance the educational and technology effectiveness and stature of Cornell by technology transfer activities in support of the business and industrial community.
- Create opportunities and activities to attract faculty and students in sciences, engineering, technology and business (and provide interesting employment possibilities for faculty, students and spouses).
- Attract external support for University research.

*) These are J. Ballantyne's recommended editorial changes

- Generate sufficient investment return to the University and its units to support the costs of technology transfer activities and to provide resources in support of University objectives.

MINUTES OF A MEETING OF THE FACULTY COUNCIL OF REPRESENTATIVES

NOVEMBER 11, 1987

120 Ives Hall

Speaker Russell D. Martin, Professor Emeritus, Communication, called the meeting to order at 4:30 p.m. He called on Dean of the Faculty, Joseph B. Bugliari, for remarks.

1. REMARKS BY DEAN BUGLIARI

Dean Bugliari: "I have two announcements. One is to ask you to notice that in the call to the meeting there were two enclosures asking you to submit nominations for the Dean of the Faculty and for the Secretary of the Faculty, and we are doing that early so we can get the elections underway. We will also, of course, have a full set of regular elections, including electing a Faculty Trustee. So, we will have a lot of electing to do.

"Secondly, the plan is to have a meeting on December 9. The hope is that I can get to you what I consider a relatively major revision, but not a complete revision, of the committee structure of the University Faculty. Most committees we have are really just sort of set out in one format, but for the Budget Committee, the Committee on the Professional and Economic Status and the Committee on Physical Education and Athletics, we are making some proposals for some major revisions. Hopefully, we will get that past the Executive Committee, and the Committee on Review and Procedures and get it out so that we will have it ready and in place in time for the spring elections."

There were no questions for Dean Bugliari, and Speaker Martin called on Associate Professor Walter Cohen, Comparative Literature, and Professor Henry Louis Gates, Jr., English, for a discussion on *The Crisis of Minority Faculty at Cornell*.

2. DISCUSSION ON *THE CRISIS OF MINORITY FACULTY AT CORNELL*

Professor Gates: "You have our report before you (Appendix A, attached), so Walter and I do not think it our task, or even our pleasure, to summarize it even in brief.

"I want to explain a bit at least from my part what the motivation for writing this report was.

"I am a Black person - that should be obvious - who came to this campus approximately two-and one-half years ago. When I came here, I encountered two things.

"The first thing was the absence of a large group of African and Afro-American people with whom I share certain cultural values.

"The second thing that I encountered was a set of myths - perceived myths, as we in literature might put it - about the reasons for the absence of a large group of Afro-American faculty members. I decided that the myths were just that - myths - that indeed it would be just as easy to recruit talented Afro-American and African faculty to this campus as it was to people in the English department and the Africana Studies department, and the Comparative Literature department to recruit me. Since I had come here, I decided that I thought that other people could come here as well if we worked out a mechanism through which individual departments, individual colleges did not feel they were being penalized to recruit specifically for minority people - scholars as it were, of color. What Walter and I did was to study two sister or brother schools - Stanford and Yale - examine relatively successful procedures that have been in

place there for the last five to ten years, make certain modifications, and then put them into the report.

"I would like to end by saying how much the implementation of this report means to the minority faculty here at Cornell. I think I speak for us all when I say that Ithaca and upstate New York can be very lonely culturally, though we do share the academic culture with you, and, shall we say, upper middle-class culture with you, there are aspects of our culture which the majority of you and I do not share. Having that sort of community here, having it as an example for our children, having it as an example for, and perhaps most importantly, in the life of the institution, as an example for our students no matter what their ethnicity, no matter what their economic, social or cultural background, is a fundamental aspect of the education of an Ivy League student and, indeed, of any student at a major institution of higher learning.

"When Walter and I began our statistics seeking and finding, we discovered that Cornell alas had fewer Black American full professors than did the University of Mississippi or the University of Alabama. We can all remember George Wallace standing at the gates in 1962, keeping Arthur Ian Lucey and other students out of the gates of the University of Alabama, an event which certainly has no precedent on this campus. If Alabama and Mississippi can get Afro-Americans on their faculty in the ranks of full professor, by 1986, when we first started thinking about this report, then Cornell University could do so as well.

"In summary, the thrust of our report is designed to give incentives to departments, to the colleges for actively recruiting persons of color of the highest qualifications. We thought that the system that was in place, while very well conceived in many ways, was not fully understood on the one hand and,

indeed, was taken to be a penalty situation on the other hand. That is the motivation, as complex as it is, for the report that you have before you."

Professor Cohen: "I am going to say one or two things about my own motives. I have been talking to a number of other faculty members, all of whom shared a concern about the lack of progress in recruiting minority faculty members. The question of racism in American society is something I was brought up to be concerned about, and I happened to be at a fortunate point in my academic career, that is, just having gotten tenure, when I felt that I could look up and work on something that I cared about but hadn't been able to address previously. Both Skip and I felt that the University was at an impasse, not necessarily because of nefarious motives, but because of a large complex of factors, some of which we have tried to address in the report.

"I want to say a couple of things about what has happened since March, which is when we completed this report. We initially got an enthusiastic response from the Humanities Council and since then, several departments in the College of Arts and Sciences, which we are both in. The deans of that college have been supportive, and we felt the same way about Bob Barker, whom we have spoken to about this.

"It is fair to say, however, that administrators who are obviously eager to increase the size of the minority faculty have stopped well short of full and unqualified endorsement of it, no doubt in part for financial reasons because we make no bones about the fact that implementing this report in full is not for free. As for other colleges, the fact is we simply don't know how things have been going in the last few months. I don't have any information, and I would be eager to hear about it.

"Though there seems to be progress, it seems to me that it is still ad hoc in its quality. We are interested in setting up ongoing institutional

commitments and structures as summarized in bold face in pages one and two of the report, which is a general summary and described in detail in Section V.

"I will mention a couple of those in passing, but they are argued through the report: long-term 'mortgages' and add-ons; visiting professorships, with the idea of turning some of the visitors into non-visitors; commitment of funds and fundraising; timetables, ultimate goals and interim goals; university-wide affirmative-action committee and college-wide subcommittees of that committee. Those are the kinds of mechanisms we are talking about.

"There is an additional need for access to individual departments since this is where the hiring goes on. Among the issues we have talked about, and I must confess that we haven't made any real progress here concretely, is establishing a general meeting with a representative from each department, possibly, but not necessarily, with the chair of that department, and a few people active in promoting the report, that could include us, but need not.

"I think it would be a good idea if each department at some point had a meeting to discuss the report, and if they wished, they could invite a proponent of the report from outside to attend. I think a meeting of all the deans would be useful to discuss the report. I would again welcome any suggestions from the body about ways of going about these and comparable informational, educational, or agitational activities.

"Finally, we are aware that not all departments have sufficient pools at the Ph.D level from which to recruit in any significant fashion. The distribution of minority Ph.Ds is uneven across disciplines, but we were heartened just recently by a letter that we both received from the director of an interdisciplinary program here, who will remain nameless simply because I have not been able to get in touch with him to ask him if I can cite the letter. He outlined in sober fashion the multiple recruiting steps his program

is undertaking in order to get into the position to recruit minority faculty. This is a field which doesn't have that pool in any sizable number at this point. These proposals include the recruitment and solicitation of graduate students, undergraduate students and high school students, as well as the use of assistance from minority community leaders and intellectuals. I am summarizing what was actually a very detailed and thoughtful account he sent us.

"The point I am making in citing this is that every department can start work now, even if concrete results at the faculty level only occur several years down the road.

"I think that is all I have to say right now, so as far as we are concerned, the meeting is open for discussion."

An unidentified speaker: "I am obviously from India. I cannot hide this from everybody in this society. Yet, I did not go through primary or secondary schooling in the United States. I came here to this country, and I made this my society. I became a U.S. citizen, and have faced a lot of the same problems that all minorities have faced in the past.

"Many of my relatives work in this country as factory workers. I have many relatives that have been in Chicago or Los Angeles for many generations and so forth. Yet myself, I came as an immigrant into this society, but I still have faced some of the same problems. For example, I have been arrested by police in Tulsa, Oklahoma and in Wisconsin just because of the way I look.

"This has been the situation of the past, but still a situation that affects us all in the present, and if this society hasn't accepted me as an immigrant, as a citizen, the only place where I can find myself fitting in is with minority groups. If I do not belong here, then I do not belong anywhere.

When it comes to opportunities and so forth, I face the same kinds of problems that Professor Gates has pointed out, and that is the first issue I want to raise."

Professor Cohen: "This was the area of the report that we had the most difficulty with, precisely because of the kinds of quesions you are raising. So, let me explain the rationale. I am willing to concede the point. So, I am not arguing. Let me explain what we were concerned about: If you take an aggregate total of minority faculty at Cornell, the numbers are rising every year, and in some years fairly substantially. That aggregate total is heavily weighted towards the increasing number of Asian-American faculty members at Cornell in practice and heavily weighted toward Asian-American faculty members in the sciences. As we say in the report, we consider this a very good thing because we believe that Cornell should be an international university. On the other hand, I don't think that increasing recruitment of Asian Americans primarily in the sciences is a substitute for recruiting minorities of other ethnicities or for that matter, recruiting Asian-Americans in the humanities and social sciences, where they are very poorly represented in the Cornell faculty. It was with that sort of concern in mind that this was written. There are obviously going to be cases - yours is a prominent one where people are going to be mistreated by these categories, and any solution you could present would be one that we would enthusiastically accept. That is the thinking. It isn't meant to be exclusionary, and there are various escape clauses if you actually read the way the statistics are developed so as to make it possible to include someone like yourself without any problem.

"We felt trapped in part by the definitions of the United States government, and we tried to fiddle with those and try to find loopholes precisely for Africans, for example, for persons with your background, that

once implemented we would be able to make exceptions, but believe me, I hope that it would be obvious from every page of the report that our concern is to bring persons of color to this campus, wherever they are from."

An unidentified speaker: "I think the definition of minorities is extremely difficult. I think in regard to many situations we classify people by socioeconomic factors, and I think that the people who lack opportunity are the people that are minorities in our society."

Assistant Professor Enrique Figueroa, Agricultural Economics: "Although I feel hardpressed to differ with the gentlemen, in reading their report, from my point of view of being raised as a Chicano in this country in Texas and California, I was elated to find out there was somebody finally taking the definition of minority and applying it in effective and realistic terms. Myself, as well as a number of other Chicanos in California, did a lot of things in our youth to promote minority faculty members at institutions, and it is an insult to me, as well as some of the people that I grew up with, to realize that institutions would hire people in the name of 'affirmative action'. Yet institutions will hire within that definition individuals that were very capable and very sympathetic to Chicanos, particularly, but at the same time they had no history and no understanding of what it was to be raised in that environment. It is very, very important for individuals that are raised in that kind of environment to have people that are there that truly represent that experience, so I salute and commend you because it is actually a very difficult thing to find. The alternative is detrimental to the institution because it truly does not reflect that segment of American society that needs to be represented, so I sincerely do not wish to disagree with the gentleman because obviously the gentleman has experiences that are common to me as a person who grew up as a minority in secondary schools, but at the same

time, the alternative is really not a proper alternative as far as I am concerned."

Professor Cohen: "He said exactly what we had hoped was between the lines. It is a very difficult problem, but affirmative action statistics are often, shall we say, unconsciously or consciously deceptive. Obviously, your experience is an exception to the sort of thing that he is talking about, but there are other exceptions to your exception, if you see, and we tried, but any suggestion that you might have now or later would be welcome."

Associate Professor Mary Gaylord, Romance Studies: "I am currently, as a department chair, involved in a very aggressive department-initiated program of minority hiring, so we have run into the same practical problems that I think anyone runs into in the course of such a strategy. I sit at my desk in Goldwin Smith and phone departments around the country and colleagues around the campus, and when I put the phone down, it rings and there is a colleague from another department in another university doing the same thing that I am doing, asking if he or she can get from me the names of qualified minority Ph.Ds in our field to hire. I think one of the facts that we are trying to change is the scarcity of supply, and I think that it is going to be hard to do that, and we are going to need a flexible way of doing that.

"I am sympathetic to both of the things that I have heard, and I think that we simply need to be flexible enough in our policies to allow for a staged approach to this. That is, in the best of all possible worlds, yes, we would hire minority people who are U.S. citizens, who were raised here, who were educated here, who know the system. Next best to that is someone who has had graduate education here or university education or some kind of identification with the American educational system, with the American socioeconomic situation as a minority person. After that, if we fail there,

then I think we simply have to take each group in each discipline and look to where in the world the intellectual parents, fathers of this generation of students, may come from, and we will have to go there to get them. We have now a large population of minority graduate students in our department, and they are very literally here begging us to find them their fathers. They are ordinate in our system and what we are trying to do is precisely that. I think we are going to have to be creative and take a long-range view of this.

"I said to a man the other day on the telephone, 'Call me again in five years, and I will have five people to recommend to you.'

"I think that priming the pump is going to involve some kind of exception of the kind that Carlos is talking about, and then we will be in that situation that Enrique is talking about; but if we don't take those chances, then we will be in a situation where people who are hostile to this kind of proposal will say they have done everything they can, but there is nobody. There simply isn't a supply. We can do better than that, and I think we have to try.

"One of the things that I encountered when I first started talking to people around campus about recruiting senior Black scholars and Black scholars in places at other universities was, 'Oh, my goodness, how could we raid another university? Wouldn't this be unethical or immoral?'

"Ask the Physics Department. These universities thrive on raiding each other. I mean we go after an aggressive campaign to get people. Let the candidates decide, and this was something that was used. Since when is it unethical to get a nobel laureate? It isn't unethical."

Professor Cohen: "An administrator here on campus asked me the other day if I thought we should only try to get continental Afro-American faculty members. I said, 'No, of course not - West Indians, Africans.' It was a

a conversation about recruitment of Black faculty, specifically, and these sort of role models can be West Indians, or Afro-Americans. Of course, they didn't grow up in the United States, but they suffer the same sort of discrimination that you spoke about so eloquently."

Professor Gates: "I wanted to make two comments on what you said, Mary. One is that what you called 'priming the pump' is obviously crucial, and while I am hoping that we will have significant results this year, I am less worried about that than about the whole thing pooping out in three years. We did real great for three years, and now we will go on to something else, whatever that is. You know, it is either long range, or it is a failure.

"Second, you said you were sympathetic to both of the previous comments, and I would like to argue that even though we do take a stand in this report on how the definition should be made up, it is a practical matter, whether we can accommodate those positions. The escape clause in this, which you didn't mention in your comment is that the majority of the minority faculty hired have to conform to the narrow definition. Now, that is a 49 percent escape clause. That seems big to me. That seems like it covers a lot of options of the kind you were talking about. It does mean, frankly, that half or more of the Black faculty hired on this campus, we would expect to be primarily from the continental United States. That doesn't seem like an unreasonable expectation and, likewise, with Hispanic faculty. It also doesn't limit the number of faculty from Africa that we hire. There can be more faculty hired from Africa than there were from the United States as long as the numbers from the United States were adequate to our goals. In other words, it doesn't put a maximum cap on the number of faculty from Asia, from China, from Equador or anything like that. That is neither here nor there. It puts a maximum cap on the number from those areas that can be used to count toward the minimal

affirmative action statistics, but that is a 49 percent cap, which is very, very high, I think."

Associate Professor Lee C. Lee, Human Development and Family Studies: "I'd like to speak to this issue because it has the most significance, perhaps, for Asian Americans. There are two native born Asian Americans, not one. It is important because it has impact, not just on the number of Asian Americans on campus, but also because of our training of graduate students. For example, Asian Americans are constantly being told that we are overrepresented in higher education and yet they look at Cornell's record. There are two that were born in this country. Now, I am not one of them. I had the privilege of getting my education abroad, and that is why I can be here at Cornell University. If we continue that, and we think a little bit about the graduate student fellowships for minority students, Asian Americans are excluded from that pool. Once, as a graduate faculty representative for my field, I had inquired whether a lower class Asian American from Chinatown could qualify for the minority fellowship pool, and the answer was no. Aren't Asian Americans highly needed in the social science area? Both those issues are important to the support of Asian Americans. It had nothing to do because Asian Americans are overpopulated in higher education, so that we continue our trend of hiring Asian Americans that were foreigners when we started. Most of us got our green cards as we became professors, as we got into the professional mode. That means that we are depriving future Asian American scholars of ever having a little of a nudge to get a higher education, especially in the social sciences and humanities."

Professor Ronald Ehrenberg, ILR: "A number of people that I have talked to have concerns about the document as written. The first concern is that it doesn't make clear whether the goal is to provide employment opportunities for all backgrounds or whether the goal is to have people serve as role models for

students, and in particular, there is a paragraph in the document which I found particularly disturbing. I think most people did. On page 22, where you make the point, 'Heavily concentrated in the sciences, Asian American faculty members at Cornell only very rarely teach or publish on the cultural, social, economic, political, or historical experience of Asian Americans.' That sort of leads to the question of whether people can be counted in affirmative action statistics, and are they going to be playing these roles and if they are, does this mean we are going to exclude scientists and that we are going to think that the responsibility for affirmative action is primarily social sciences and the humanities? So that point has to be cleared up.

"The second point has to do with the question of what is the appropriate target for affirmative action? Should your goal be to sort of be at least representative in pools of qualified Ph.Ds, or should your goal be at least to be representative in the pool of the population at large? The position that is taken in this document is that Cornell's goal should have minority faculty in proportion to the population at large. That will be impossible implicitly to obtain unless all other universities do a very, very bad job simply because the available people aren't going to be there.

"So, I would suggest that this proposal would have a lot more support and a lot of the objections would go away if you separate out the goal and the obligation of the University to try to do everything it can to increase the supply of qualified people from the goal of trying to get representation from qualified people on the University faculty."

Professor Cohen: "There are two points. The answer to the question, 'which is it?' is 'yes'. I am being facetious, but I mean that seriously. There is more than one goal as we understand it in this report. I recognize that is not a minimalist position on affirmative action; it is, however, the

position we are unconsciously taking. Those goals include giving minorities the opportunity for employment, providing role models for minority students and also, in a certain sense, for white students, and also providing education in areas that are of particular concern or are particularly involved with the lives of minorities, especially in the United States. These seem to us to be all legitimate procedures; hence, the concern with all those. Now, it doesn't mean that Asian or Black or Hispanic faculty members in the sciences don't count. It means that they count in several ways, but, perhaps, less in one way in particular, which is dealing with the cultural experiences of minorities. They would be less involved with that except the cultural experience of minorities in relationship to, say, the area they are working in. So, in that one area they might be less crucial, but, overall, they would have many crucial roles in relationship to an affirmative action program. So, the ambiguity you are talking about is deliberate on that point, and I think we would want to continue to defend it.

"On the second point, the University's current policy already is to reach the goals for the Ph.D pool. I don't think it is really getting there currently, but it is possible in time that it could.

"It seems to me that reaching the goal of the Ph.D pool is another way of saying we won't discriminate and in time, it will all flatten out and the situation at Cornell will be no better or worse than it is anyplace else. We saw that that as a minimalist goal, as an interim goal, but not as an adequate long-term goal. You are quite right that a broader and more aggressive and more difficult goal is going to less easily win support. It is certainly true that if we took the least common demoninator we would probably get very little opposition, but that didn't seem to us to be the right way to go.

"The other thing to be said is that we acknowledge, as you say,

implicitly, but explicitly, that if other universities make equally aggressive recruitment searches over the years that we probably won't reach this goal. We also say in the report that under those circumstances we would be happy to fail because it is better for Cornell to fail having adopted this goal because 200 other universities adopt the same policy than for Cornell to succeed because no other universities do it. In that case, the failure will not be in the form of a zero sum game because the net effect of universities gearing up in this way will be to have some sort of generalizing impact on society. Now, I know that universities cannot transform American life by themselves. On the other hand, they are not absolutely marginal and trivial institutions, they can have some limit in impact, so if we got one-half the way there because a hundred other universities are also getting one-half the way there, that would be really great, and Skip and I wouldn't be mad."

Professor Gates: "What is a goal? A goal is something to which we should aspire. It is easy to set a lower goal, something 'more realistic', but if the percent of Black Ph.Ds between 1973 and 1983 is 2.3% - that's a goal? That wasn't sufficicient. That wasn't satisfactory to me. I wanted to see the goals set as large as possible so that we could fail, but we could fail nobly.

"I don't think and I don't think that Walter thinks that these goals are realistic, that they will be met, but we wanted to create fervor; we wanted to create energy around this report. We didn't want you taking pot shots at it because the goals are too high. What's wrong with having a high goal? Let's run around and find all the minorities who are qualified that we can fit in. And then say there just wasn't anything more, and then we can blame the system. More important, we can serve as a model for other peer institutions and lesser institutions. I think the commitment to a diversified society, the commitment to create a diversified leadership of the society, the commitment to represent

the society through leadership on this campus through ethnic diversity and socioeconomic diversity is something of paramount importance to the present and future greatness of this university. We thought we could meet that best by establishing a high goal, and that is the explanation for it."

Professor Ehrenberg: "There seems to be a couple of things. The first point is if we have failed in the past at reaching a reasonable target, I don't think the setting of unreasonable targets is the way to get there. I think that we should take the actions that are necessary to get to the reasonable target.

"Point two is that it has always seemed to me that affirmative action in hiring means that you want to be in the situation of given some preferences until you reach the point that equal opportunity is assured and once you reach the point where equal opportunity is assured, then you want a hiring policy that is going to be color, ethnicity, gender blind.

"That is not what is proposed here in the second section because what you are saying in the second section is that when you set the target, it is the share of the population, not the share of the available pool. I accept the needs of the University to provide the way of getting the available supply out, and I view the publication education system in the United States of which Cornell is a part as a primary vehicle for upward mobility historically, and I want it to continue to be there, but I don't want to see us discriminating against qualified people from the non-minority groups in the interim."

Professor Gates: "Let me try to respond at least to one point. I don't think that Cornell's affirmative action policy failed because the goals were reasonable, which is essentially what you said. You said if we had reasonable goals and the policy failed, then why make unreasonable goals? How can that, therefore, make the policy better? I think it failed because we didn't have a

policy that people understood. That is what we tried to say in the report, and what we have tried to do is modify and retain the best aspects of a very clever affirmative action policy, but to provide some sort of incentive so the people will seek out minority candidates. In the Arts College, with which Walter and I are most familiar, I think it is fair to say that there is a hum of activity and, particularly, in literature departments, looking for qualified minority candidates, trying to fiddle with long-term mortgages or at least mortgages longer than normal. That is what we want to do. I think I told the Sun last spring that this place, the administration and the faculty, at least in the Arts College, which, again, I know best, seemed to bewaiting on an excuse to pursue an effective affirmative action policy. No one quite knew why it failed. They said the sky was gray here. They said it snowed. Give me a break; it didn't stop me from coming here, and it won't stop other people from coming here. There was inertia in the affirmative action policy. What we have done, I would hope, is to get rid of that inertia and certainly we have in the Arts College. Geoffrey Chester has been fantastic in leading departments and encouraging those departments. We don't know what is happening in the rest of the University, and we hope that same energy will be contagious, as far as equal opportunity - to have these goals. We tried to create a policy which wouldn't penalize non-minority people. I wanted a mortgage so long that everyone who signed the mortgage would be dead when the mortgage was due, so that in effect, I tried to trick the University into creating new lines. What Provost Barker said was you can't have incremental lines. The number of lines in the University is fixed and the reason is because it costs a lot. I think that the University should commit itself. The University should commit itself to millions of dollars to fund incremental lines. But in the meantime, I think

that we should have the most flexible, non-penalizing policy possible, hoping that subsequent generations can balance the budget.

"I am concerned with immediate results in trying to create a kind of momentum to transform the lethargy and the inertia which have prevented Cornell from bringing minority faculty to this campus. But I don't ever want to be seen to be the co-author of a report which penalizes non-minority people. That is just not what the agenda is. I think the number of lines should be increased. I think that should be the priority of the Development Office of the University. I think that is the only way that we can do it and address fears such as the fear that you articulated."

Professor Ehrenberg: "I think the notion of fundraising is a wonderful idea. The only issue that I am concerned about is the issue of, given that we are going to do it, unreasonable targets. Should the University be striving to recruit graduate students to increase the supply of Black Ph.Ds more generally?"

Professor Gates: "They go hand in hand, though, don't they?"

Speaker Martin announced that time was getting short, and there were still two more speeches on the agenda.

It was suggested that ten more minutes be spent on this topic before going on to the other speeches, but Professor Lee said that she would be willing to postpone her talk until the next meeting, as she felt this was a very important issue. Professor Briggs said he would be willing to postpone his talk as well.

In view of that, a motion was made and seconded to continue the discussion of the Cohen-Gates report and postpone other business to a later meeting. It was then voted on and passed.

Professor Duane Chapman, Agricultural Economics: "When I began reading your excellent report, the first thing I began thinking about was some of the

statistics that President Rhodes had mentioned in his speech several weeks ago, and I am sure you will correct me if I recall them incorrectly.

"As I recall, it was noted that the proportion of minority students in the United States, including high school, is rising. The proportion of minority students going to college is climbing, and the proportion of minority graduates with doctoral degrees is insignificant. One figure I recall was three - I think it was - in computer science."

Professor Cohen: "It's like dominoes falling over, at least that is what I hope. You have to start someplace. We were charged to write this report about faculty. If we get more faculty, the faculty demand more students and attract more students and create more fellowships to bring the students here. Then we run out of students because of all the socioeconomic factors that you cite and begin to address in a much more systematic way larger socioeconomic issues, and these are major problems in the recruitment and retention of minority undergraduates, high school graduates, minority graduate students. We decided that we would start at the top rather than the bottom with a report on the recruitment of faculty."

Provost Barker: "In the last four or five weeks, Associate Vice President for Human Relations, Joycelyn Hart, has been working with Deans Call, Chester and Casarett developing the kind of plan that we need to have if we are going to be successful in raising external funds, and it aims at every level. The people we have been talking with outside within the last year who might provide some of the funding that we will need to get are quite interested in what happens before Cornell, not just what happens inside Cornell, and I think that is important. We are in a difficult situation to deal with that, given our location, but it is not impossible, and I think we can do something there.

"I want to say also that I was delighted to receive this report, although they were saying to me that the resources should move in this direction, and that is not an easy thing to respond to, but I was delighted to see a report coming from faculty members, and I am delighted that it is being talked about in this study here. We hire 70-80 people per year into the tenure track at Cornell, and the distribution of that resource is determined in a very large degree by faculty members.

Professor Gates: "I went to Yale as an undergraduate to be a doctor or a lawyer or both, and I have to say that, if I can for a moment be autobiographical, my father who is a wonderful person and who said the following with the best of intentions, told me to go to Yale and study anything but Afro-American or African studies - go there, learn how to be a lawyer, learn how to be a doctor, make money and be free in this society. Family is a tremendous burden. I think my consultation with freshmen seems only to have increased since the late sixties when I started college, rather than to have diminished, and it was only through the model of a man who is now dead, Charles Davis, who was a master at one of the Yale colleges, could I overcome this burden, this thing which had propelled me toward medical school from the time that I could remember. It was his having a positive Black role model who was a scholar. It never occurred to me to be a scholar. My smartest Black kids at Yale, my smartest Black kids here, go to law school or med school, and I try to beg them to be a literary critic, be an historian, be a scientist, be anything. There are many ways to skin a cat. There are many ways to be successful and having economically successful role models before them whom they see every day is, I think, more important than I think you might think. It is something most of you in this audience can take for granted; your children have a diverse array of positive, successful, well-educated role models, but in our

culture are primarily lawyers and doctors, sports people or entertainers, and I am opting for a broader array of scholars.

"Ohio State started a plan whereby they look at talented sixth grade people. They identify them on the results of their performance on report cards and test scores and then, as I understand it, they are in effect admitted into Ohio State at that early age. I mean they are told that if they continue to do well they will be admitted and given scholarship funds. It seems to me, as you suggested, that we don't have Columbus to draw upon, but we have a large area to go from Syracuse, to Buffalo, to Binghamton in the region. Since we have a model for someone who was a success for minority persons from the Ithaca area - Jim Gibbs - it would be perfect to make a Jim Gibbs scholarship or something - and implement this plan here but on a regional basis. I think it is a great idea. It doesn't solve the problem of students, but it certainly adds to the momentum."

An unidentified speaker: "In reading your report, there was a fragment in it that dealt with the restlessness of minority faculty at Cornell, and the inclination seems to indicate that the ambition was due to their non-tenure track status. I suspect there are other reasons, and I would like you to go into them."

Professor Gates: "Not every minority person wants to be with minority people, but I do. I did, I do, and one of the reasons that I was interested in writing this report was to help to create a community of people through whom my children (I have two children under the age of eight) could see those class and intellectual and social values from other minority people transmitted in ways that are invisible, that you don't even think about, in the way that most of you in the audience can take for granted. I don't want my kids to grow up like white kids up here in upstate New York. I wanted them to grow up and be able

to participate in minority culture, yet benefit from and enjoy all the wonderful things that make this area so special. I think a lot of people could be brutal about it - just can't stand it, the isolation - not the geographical isolation, the cultural isolation - the isolation from our own culture and that one is implicitly forced into a kind of mold, which means that the specificity of one's ethnicity is shunted away by circumstances, and it certainly is in the school system for one's children. I find that unnecessary and unfortunate, and I think that it can only change through recruitment of minority people to this campus. This is a company town as Cornell knows, so goes the whole area. That is why I think that a lot of people leave. Also, I think there is an unnecessary burden put on minority people here because there are so few of us. When I came here, Ken McClane, who is our colleague in the English Department, a Black man who is an Associate Professor, told me that - I think I had been put on four or five committees in the first three week - and he told me I couldn't do that or they were going to burn me out. I asked if that wasn't what I was supposed to do. He said they see you are willing to be on these committees, they need a minority person; they think you have some energy, so you are going to be on all these committees. I found that he was absolutely right, and by December, I had resigned from my first committee with the ARC, which was like picking cotton or working in a coal mine. It was too much, and so when I wrote my letter of resignation, I suggested that once we had an effective affirmative action policy, they might find other Black people to put on instead of asking me to be on five times. I think it is that unfair burden, a social burden, having minority people seek you out because they are so lonely to be their advisor in amounts totally out of proportion to the faculty/student ratio for your non-minority colleagues. It is weird; it is a terrible burden. It is something you feel obligated to do, yet which is exhaustive. It leaves

you no time to do the work that you have to do, so if you don't publish, who cares? I could go on, but I think that you understand, and I think that the University has not fully thought this out when minority people come up for tenure or found a way to accommodate their social and cultural needs on campus, or the needs of the students, which the faculty fulfill, and their obligation to publish or to do research."

President Frank H. T. Rhodes: "I have two requests. One request is this. I think there is great value in what the report has done for us today, which is to get the question on the floor and get it discussed. My request is that we don't make it an either or, it is not either administration or the faculty who are going to do it. It is not either graduate training or more emphasis on schools or more faculty recruitment. We have really got to work both ends, and I hope we can be a part of the solution.

"The second thing I want to say is that there is really an opportunity now in a national sense to get some focus and some tension on this issue. I happen to be chairing the American Council on Education this year, and we have made this our number one issue. What we lack are detailed examples of the things that are working at every level. It simply won't do to talk in general terms, and so my plea is if you know of schemes like the Ohio State sixth graders, if you know of others at every level, we need them documented as fully as you can."

Assistant Professor Michael Thornton, Human Development and Family Studies: "I would like to elaborate on President Rhodes' first point about not taking either/or positions. I think the report is important and necessary and points out some very important goals for us to follow. It is fine to talk about getting people here, but if there are no mechanisms to keep us here, what good is that effort of getting people here.

"Associate Professor Lloyd Street, Human Service Studies: "I'm looking at the time, and I despair, because an important topic like this can't be dealt with in the five minutes remaining. I'd also like to build on what President Rhodes said."

Professor Street then moved the following resolution:

"I would like to move that this report be forwarded to the Minority Education Committee and that we ask that Committee to review the report and pass it on for implementation after bringing it back here for action by the FCR, and that this implementation process take into account faculty constituencies throughout the University as well as the University administration for the purposes of putting those features of the plan that are modified or accepted as they are, or rejected, into action as soon as possible.

"I would like to see the report come back by February so that by March we will have something that the University at large can look at."

Dean Bugliari explained that the Minority Education Committee had looked at the report and discussed it and had decided to bring it to the FCR.

Professor Gaylord: "I have one very friendly wish. I wish there were more language in here to reflect what is obviously in the minds of the Provost and the President and the Dean about having an ongoing effort right now on the front of graduate education and recruitment. It seems to me that one of the things that gets said again and again is that when you have more minority faculty here, then you will have more minority students. I think that one of the things that we need desperately to do on a field by field basis is to assess the situation if we are in fact in a situation in certain fields where there are no models available for minority students. Then we better make a special effort in those areas to get graduate students into the system right now because we are thinking about feathering our nest five or ten years down

the road and other peoples' too. If everyone were doing both of those things, I think it would be better. I wish it were in the report."

Professor Cohen: "It is in the report, but it isn't in as many pages as you would want it in."

Professor Gaylord: "The other thing that I think is essential, and I have struggled with this on the graduate level in the Graduate General Committee, is the fellowship question. The instrument for deciding who is a minority and who isn't, as Lee Lee was saying, are exceedingly cumbersome. I have been in the situation again and again of having to tell a Cuban-American student because it's not a targeted person, whose father is a blue collar worker that that person is not eligible for a fellowship, while awarding the fellowship to a very well-to-do Puerto Rican islander. We have this same kind of problem in other fields. Then there are some minority students who simply don't fall under any of those categories. We have the same problem when it comes to bringing African students or students from Trinidad or the Antilles or something like that to the campus to get going. Sometimes we are going to have to do that because sometimes the undergraduate population of today in the United States will not supply us even with adequate student candidates, so I think we are going to have to use that same kind of flexibility there, but we need to look at the instruments that we have available and make them more responsive at all levels. I just think that everywhere in this report the necessity of doing it all at once is implicit, and I really wish that you had some stronger language in there about it."

Professor Cohen: "I think we need another report on graduate and undergraduate students.

"I'm not sure how far we can go locally toward redefining the received

categories of ethnicity that we get from Washington. I think they are ridiculous offers precisely for the reasons you have said."

Professor Gaylord: "I think if we can't define Washington's categories, then we need to devise compensatory strategy right here."

Professor Cohen: "I agree."

An unidentified speaker: "There is a probability of having reverse discrimination if some of these things are instituted, but there is also a probability of having discrimination perpetuated without having these things instituted, and I think from my own personal judgment that the latter probability is probably higher, and I would go much more heavily on that end as compared to the other end.

"Lastly, let me just give you a personal example of discrimination as it fits last year in an institution of higher education in this country that I personally lived through. As you know, we go out for interviews and are taken out to dinner with some of the faculty members and such, in this particular institution I was at a dinner with five other faculty members, and one faculty member felt quite casual during dinner to discuss and refer to Mexican-Americans as 'wetbacks' in my presence, without having the sensitivity of even knowing that a person on a professional level as well as a personal dignity level, was grossly overstepping his bounds. That, in fact, occurred last year. So, there is something out there that we should probably caution ourselves in thinking that we have perhaps shed our discriminatory history."

Professor Walker: "As I read the report, I agreed with most of the things in the report, but there is a subject that was lacking as far as I am concerned and that is placing more responsibility on the faculty for this program and especially in terms of generating set pools of minority scholars down the road."

Professor Gates: "It seems to me that your comments then are quite similar to Mary Gaylord's, and this is an area in the report where we simply asserted that this would be a good idea without working it out in detail for various reasons, but it seems clear to me that if something comes out of the proposal that Lloyd Street is about to make, and it goes into the Minority Education Committee that is in some ways similar to this report, that the Minority Education Committee would be in a position to work up that area in greater detail. There is obviously no contradiction there, and I would just re-assert what President Rhodes said about this being a giant circle, and we just happened to insert ourselves at one point."

Professor Cohen: "I would like to address that and something that the Provost said earlier. The burden of affirmative action recruitment in the cultural or ethnic integration of Cornell does rest with the faculty. The administration - and this is not to defend the administration - can create policies, make policies possible, but the bottom line is what we do on the search committees, what we do in our votes, when we have to hire people. How do we assign priorities within our field? Until that happens, it is just not going to work, and one of the things that we wanted to address and tried to do implicitly in the report was in pointing a finger toward the administration as an excuse to keep from doing the hard work of recruitment of minority people. I think the faculty here have no excuse for the situation in which we, as minority faculty members, find ourselves, and there are excuses in the administration that are just totally unacceptable."

Charlotte A. Heth, Director, American Indian Program and Visiting Professor, Music: "I would just like to say that I would like to see some of the burden put on the search committees in the various departments. I would like to see the search committees tell how many minorities or how many women

made it to the finals, how many were interviewed, that kind of thing, what kind of advertising and searching they had to get those people to apply for jobs at Cornell, and so on. It's not enough to call up everybody; there are other mechanisms to be addressed to find these minority people and encourage them to apply and bring them to the campus."

Professor Raymond T. Fox, Floriculture and Ornamental Horticulture: "I don't fit into any of the categories, but I have been here quite awhile, and I have made some observations, and one of the things that I was going to mention but Professor Gates brought it up. That is, the aspirations of minority students. I've seen some minority students in agriculture, but not many, because they are not interested in agriculture. They want to get out of agriculture, and I think that the aspirations of many young minority students, and particularly Black students, is that they do want to get into the professional field and make some money and pull themselves up by the boot straps. Maybe their children will go into some of the other areas, but it is very difficult to deter them or change their minds. These people are urged to go into well-paying business positions. Their families point out role models to them. If we want to do anything here to start the ball rolling, I would think that some of you people who are out west, some of you people who in the language department and the humanities and so forth who have a way with words should start first with the idea of communication. Maybe we need to start at the beginning and write some good brochures that can go out to high schools and even possibly junior high schools because it has been my observation that there are very poor advisors and counselors in the high schools to steer students on to some of these areas. Maybe if you can plant a seed, to use an agricultural term, at a very early age, write up some role models to give some of these students the ideas. They are not going to get them from the counselors because

the counselors don't even know about these things. Get it started at that level. You have got to get some undergraduates before you can get graduates. For the past five years, you cannot say there have not been any opportunities at Cornell for minority students to come here. They have been literally dragged out from any place that they could be found to come here just to show them what Cornell has to offer and give them opportunities at one thing or another, but when they didn't come here, just as you said, they say they want to be lawyers or doctors and make a lot of money because my family hasn't had any. You have got to do it from that standpoint."

Professor Keith H. Steinkraus, Food Science and Technology, Geneva: "I just want to remind you that minority students have the same motivations as white students. The opportunities just aren't there. Money is not the primary motivation for minority students.

"What I want to ask you is, are the law schools and the medical schools doing anything that Cornell isn't doing? Are they attracting minority students through a special program?"

Professor Cohen: "I don't know."

Professor Street: "In view of the fact that the Minority Education Committee has already looked at the report, I would like to modify my motion to read as follows:

First, that the Committee be directed to return their recommendations to the FCR no later than February so that the FCR can discuss the motion and direct it to the faculty a a whole, and to the administration.

The motion was seconded, voted on and passed, and the meeting was adjourned at 6:00 p.m.

Respectfully submitted,

Francine A. Herman, Secretary

THE CRISIS OF MINORITY FACULTY AT CORNELL*

prepared by
Walter Cohen and Henry Louis Gates, Jr.

for
The Humanities Council of the
College of Arts and Sciences
and
Faculty and Staff Against Apartheid

March 1987

TABLE OF CONTENTS

Text

I.	Summary		1
II.	Introduction		3
III.	Affirmative Action: Premises and Concepts		5
	A. Consistency	5	
	B. Internationalism and affirmative action	8	
	C. Full-time, permanent faculty	14	
	D. Comparisons	15	
	E. Summary	15	
IV.	The Current Situation		17
	A. Cornell's Record	17	
	B. The National Record	24	
V.	The Proposal		29
	A. Affirmative-Action Policy at Cornell	29	
	B. An Alternative Policy	32	
	C. Implementation: Responsibilities and Mechanisms	38	
	D. Timetables	44	
	E. Conclusion	5Ø	
	Notes		52

Tables

I.	Minority Faculty at Cornell, 1971-86	17
II.	Minority Faculty at Cornell, 1985-86	19
III.	Minority Faculty at Cornell, 1985-86 (excluding Indians)	19
IV.	Minority Faculty at Cornell, 1985-86 (U.S. citizens)	2Ø
V.	Minority Faculty at Cornell, 1985-86 (tenured and tenure-track)	21
VI.	Minority Doctorates, 1973-83	24
VII.	Minority Doctorates, 1973-83 (excluding education)	25
VIII.	Minority Women Doctorates and Faculty (excluding education)	25
IX.	Turnover of Minority Faculty at Cornell, 1972-86	27
X.	Minorities in the United States, 198Ø	34
XI.	Affirmative-Action Goals (based on 198Ø census)	46
XII.	Affirmative-Action Plan, 1987-92	47
XIII.	Affirmative-Action Goals (based on projections)	48
XIV.	Affirmative-Action Plan, 1987-92 (based on projections)	48

I. Summary

Cornell faces a serious crisis in the recruitment and retention of minority faculty, a crisis that can be overcome only through an aggressive, long-term, affirmative-action policy. The depth of the problem is suggested by the fact that the College of Arts and Sciences currently boasts exactly 1 Black full professor. The situation in the other colleges and with other ethnic groups is much the same.

What's wrong with the official statistics? The administration's figures on minority faculty present an excessively optimistic picture in a variety of ways:

by employing the most favorable possible definition of minorities, one that is at odds with definitions used elsewhere at Cornell;

by failing to distinguish American from foreign people of color;

by failing to distinguish minority groups with a past of discrimination and a present of underrepresentation from minority groups who have been more fortunate;

by presenting combined figures for several minority groups;

by including temporary and part-time faculty;

by excluding important bases for comparison.

What is the actual situation of minority faculty? Even on the basis of the official statistics for the past 15 years, the crisis is clear enough:

there has been no increase in the number of Black faculty members over the past 1Ø years;

there has been no increase in the number of Hispanic faculty members over the entire 15-year period;

there has been a decline in the number of American Indian faculty members (to zero) in the last 15 years.

But the situation is actually even worse:

the category of "Asian," in which a big increase seems to have occurred and in which Cornell appears to be overrepresented, is so seriously inflated that Asian Americans, and individual Asian American ethnic groups in particular, may be underrepresented on the Cornell faculty;

although official university figures for the past 15 years suggest a near doubling in the number of minority faculty to the present total of 98, or 6.3% of the faculty, a more plausible estimate would be one-half or even one-quarter of these totals;

minority women faculty members constitute only a small part of the minority faculty (5.5%) and an almost infinitesimal part of the university faculty (Ø.3%);

minority scholars have formed a smaller percentage of new faculty appointments at Cornell than of the national applicant pool over the past 1Ø-15 years.

What are the approrpriate policies? A series of remedies and goals are necessary:

the establishment of a general policy of long-term "mortgages" (in which a department hires a minority scholar by borrowing against a line currently occupied by another member of the department), lasting from 1Ø to 2Ø years, the specific length to vary according to the size and needs of the particular department involved;

the funding of minority visiting professorships with the aim of employing some of the visitors on a permanent basis;

the expansion of the number of faculty lines for minority scholars throughout the university, at the rate of at least 1 per year for 3Ø years;

the creation of a campus-wide, faculty Affirmative Action Committee, whose function would be to promote and assure aggressive recruitment of minority faculty members;

the adoption of these proposals expressly for the purpose of hiring minority faculty and bringing their total numbers to numbers representative, initially, of the percentage of minority Ph.D.s and, within 3Ø years, of the larger percentage of each minority ethnic group in the American population (resulting in a minority faculty that constituted 25% or more of the Cornell faculty);

the commitment, by the end of this period, to a minority faculty half of whom are women;

the implementation of the policy on the basis of a series of five-year programs, which would be repeated over the duration of the 3Ø-year period if successful and in the first of which the goal would be to hire approximately 9Ø minority faculty members.

Cornell both could and should reach these goals in the ethnic composition of the faculty. It would benefit from doing so by becoming a leader in the emergent fields of area studies and ethnic studies and in its increased ability to attract minority students to the school.

What can the Cornell community do? The unsatisfactory progress in affirmative-action hiring at the faculty level cannot be blamed on the administration alone. The faculty bears equal responsibility. Departments can change their own implicit procedures:

by defining jobs more flexibly so as to increase the number of minority applicants;

by discarding unfounded, racist fears that the hiring of minority scholars will diminish the intellectual quality of the university;

by taking advantage of the existing recruiting mechanisms more fully;

by publicly pressing for a more aggressive affirmative-action policy.

This last activity requires the concerted effort of the entire faculty--and not just the faculty. More generally, the recruitment plan can succeed only if it is coupled with intensified affirmative-action programs directed toward students. Its chances will improve even further if it is accompanied by a better record in hiring and retaining minority staff and administrators. And it can work only if it obtains widespread support in all sectors of the university. Campus-wide debate is the first step.

II. Introduction

Cornell faces a serious crisis in the recruitment and retention of minority faculty.[1] Affirmative action programs have failed to produce the desired results. It is time for a change.

This report analyzes Cornell's policies toward minority faculty and the consequences over time of those policies. It proposes ways in which the policies should be changed so as to make them effective. We have limited our attention to minority faculty. This decision should not be taken to imply an indifference to minority students, staff, or administrators. Toward the end of our report, we will have something to say about the role of increased recruitment of minority faculty in a more general policy of affirmative action at Cornell. We do not believe, however, that an growth in the size of the minority faculty would itself be sufficient to solve the problems of racism in the university. Similarly, although we address the question of recruiting more women faculty only as it bears on the situation of minority women faculty, we do not wish to suggest that Cornell's progress toward sexual equality in the professorial ranks is otherwise adequate.

Since the category of affirmative action figures largely in our discussion, it may be useful to specify the meaning assigned to it. The term and the issues associated with it have generated a complex political and philosophical debate.[2] Affirmative action obviously means more than the absence of discrimination or even than the presence of equality of opportunity. In its original sense it involves "making special efforts to find . . . minority candidates for positions in which they are underrepresented, and encouraging them to apply," a strategy that "will probably not alter that

underrepresentation very rapidly."[3] We, however, are committed to altering the pattern of underrepresentation as rapidly as possible. The reasons for taking this position are not simply that one thereby undoes some prior discriminatory actions or that the minority scholars hired, who might be understood as the beneficiaries of the affirmative-action policy, have themselves been victims of that earlier discrimination. In addition, there is reason to believe that even if discrimination suddenly ceased to exist, its effects would continue to damage future generations.[4] It is this problem that we seek to address. But the thrust of the report is not to urge Cornell to make sacrifices so as to help oppressed minorities. Though such a proposal would be entirely legitimate, it is not the one offered here. Our argument, on the contrary, is that the university serves its own interests as much as those of various minority groups by undertaking a major effort to recruit and retain minority faculty members.

III. Affirmative Action: Premises and Concepts

A. **Consistency.** For the purposes of affirmative-action recruitment, Cornell University employs several different definitions of minorities. The Graduate School offers minority fellowships only to entering students who are Afro-Americans, Puerto Ricans, Chicanos, or American Indians.[5] Aid to minorities at the undergraduate level is directed not only to the above groups but also to all other Hispanic Americans and to low-income Asian Americans.[6] Official university policy is broader still. It follows Federal guidelines for affirmative action by including in addition all those "having origins in any of the original peoples of the Far East, Southwest Asia, the Indian subcontinent or the Pacific Islands," and those of "Cuban, Central or South American, or other Spanish culture or origin, regardless of race."[7]

Clearly the Graduate School is targeting those areas where it sees the greatest importance of active intervention. The logic is that Asian Americans and Cuban Americans, to take the obvious examples, already do so well in American society, in American higher education, and at Cornell that they do not need additional aid or incentives. (This logic is debatable, as we shall see.) Just as clearly the quite different official university position, in conformity with Federal policy, is concerned with the overall status of minorities at Cornell.

The discrepancy between the two positions is nonetheless difficult to justify, particularly given its differential consequences for students and faculty. The Graduate School acts on one of two principles. Either it assumes that underrepresented student minority groups deserve support above and beyond the ordinary standards of affirmative action, or perhaps, employing more

restrictive categories, it assumes that only these underrepresented minority groups ought to be the targets of affirmative action. The official university policy allows for no such distinctions among minority groups, and in practice this is the policy that applies to faculty recruitment. Three interpretations are possible here.

One is that, since minorities form a smaller percentage of the faculty than of the student body,[8] the university has decided that in faculty recruitment it must make an unusual effort with all minority groups. If the Graduate School policy described just above is designed to provide support above and beyond affirmative action, then for the sake of consistency the university's position on faculty recruitment would have to operate according to the same logic, only for all minority groups. Similarly, if the Graduate School is simply targeting certain minority groups, but not others, for affirmative action, then one would have to infer, again for the sake of consistency, that in faculty recruiting the university targets all minority groups for affirmative action. The premise of consistency is unlikely for at least two reasons, however. First, Asian Americans make up a larger percentage of the faculty (4.2%) than of the graduate student population (3.9%).[9] If there is no need for special effort in recruiting Asian Americans to the Graduate School, then there is even less reason for doing so to the faculty. Second, the percentage of Asian Americans on the faculty exceeds the percentage of Asian Americans in the American population as a whole (1.5%) and perhaps the percentage of Asian American doctoral recipients in the last decade or so.[10] It would be surprising, then, if the university was engaged in a special recruiting effort for Asian Americans at the faculty level alone.

The second interpretation is that the university is engaged in no special

recruiting effort for any minority groups at the faculty level. But since the minority groups targeted by the Graduate School are even more poorly represented on the faculty, it is hard to see why a similarly intensive effort should be unnecessary in faculty recruitment. The third interpretation is that the policy toward faculty is in fact the same as the policy toward graduate students, that there is no affirmative-action effort to recruit Asian Americans at either level. As we have seen, however, official university policy is incompatible with this inference.

To repeat, then, there is no apparent rationale for the different standards of minority recruitment applied to graduate students and to faculty. Indeed, it is only slightly uncharitable to suggest that, whatever the intention, the function of the present policy is to permit the university to save money and to save face. Only small numbers of minority graduate students need to be specially funded, but a considerably larger group of minority students and faculty can be cited as evidence of Cornell's successful efforts at minority recruitment.

It is beyond the scope of this report to develop an encompassing, university-wide policy. But a few remarks may be useful here. First, Cornell should develop a consistent, unitary definition of minorities. Second, the specific translation of that definition into policy would necessarily vary, according to whether one were considering undergraduates, graduate students, faculty, or staff. Additional subgroupings might even be necessary, but the variation among the groups would be considerably smaller than the current differences between the recruiting of graduate students and the recruiting of faculty members. Third, the intermediate position adopted in providing aid to undergraduate minorities--in which low-income Asian Americans and all Black

Americans, Hispanic Americans, and American Indians are targeted--offers the appropriate model for a university-wide definition. We will later provide the rationale for employing this definition, as well as the specific policy contours that definition ought to assume, in minority faculty recruitment.

B. **Internationalism and affirmative action.** A somewhat different, more clearly two-tiered, system also governs the presentation of data on minorities at Cornell. In the current report on the Status of Women and Minorities, minorities are limited to "U.S. citizens and permanent residents" in the tables listing minority enrollment at both the undergraduate and the graduate levels. Such a stipulation is noticeably absent from the tables devoted to minority faculty members.[11] This absence is not simply an oversight. A Cornell affirmative action report from 1979 provides statistics both on minority faculty in general and on minority faculty who are U.S. citizens.[12] It is evident from the information presented there that the figures used by the university since the late 197Øs refer to the former and larger group.[13] At about the same time the university followed the revised policy of the Department of Health, Education and Welfare and began classifying Indians as minorities.[14] Therefore, official university figures can give a misleading sense of the change in minority representation at Cornell, suggesting a significant increase when what really occurred were changes in definition.[15] It is also worth noting that the category of Hispanic seems to include people from Spain.

The data on minority faculty thus refer not to people from American minority groups but to everyone in the species except non-Hispanic whites. In other words, two overlapping but often distinct practices are being conflated. One

involves the hiring of faculty members from all over the world. This practice is in the best interests of Cornell: it contributes to the national, cultural, ethnic, and intellectual diversity of the campus. Any aspirations to international significance at this university depend not only on continuing the policy of hiring faculty members from abroad, but also on strengthening this program.

The other practice is affirmative action, which, as we have seen, is designed in one of its central purposes to reverse historical patterns of racism, discrimination, inequality, and underrepresentation that various minority groups have been subjected to in the United States. For this reason a Chilean usually cannot stand in for a Chicano, a Paraguayan for a Puerto Rican, an Indian for an American Indian, an African for an Afro-American, or an Asian for an Asian American. And the rule of nonsubstitution may sometimes remain in force even if the Chilean, Paraguayan, Indian, African, or Asian becomes a permanent resident or citizen of the United States.[16] A recalculation of the number of minority faculty members at Cornell that strictly respected this distinction would result in a qualitatively bleaker picture--not at all for Native Americans and only modestly for Blacks, but decisively for Hispanics and Asian Americans.

Yet there are at least two reasons for not strictly enforcing this far narrower understanding of minority faculty. One involves affirmative action, the other the criteria for inclusion in a minority group. A legitimate purpose of affirmative action in the hiring of faculty members is--to have recourse to that unfortunate phrase--to provide role models for students from the same minority group. For example, a Black African faculty member might usefully serve this purpose for Black American students. Given the relatively small

percentage of the American population originating on the Indian subcontinent, however, it would be far harder to argue that the relatively high number of Cornell faculty members from India perform such a function. But even in this instance there may well be a contribution to the goals of affirmative action. The reason is that still another purpose of affirmative action at Cornell is to expose the entire community to a genuinely multiethnic environment, with the aim of combatting the deep racist heritage of American society, a heritage from which relatively few of its citizens, and certainly few of its white citizens, are entirely free. In general, ethnic considerations alone should not necessarily constitute the sufficient condition for classifying faculty members from abroad as members of domestic minority groups. A better case could be made if such a faculty member taught a subject that directly bore on the experience of the American minority group with which she or he shared an ethnic ancestry.

The second reason for rejecting a strict understanding is related to the personal and group histories of American minority groups. Someone of Mexican descent need not have been born in the United States to be a Mexican American. But what then is the dividing line? Although no absolute demarcation is available here either, certain guiding principles can be borne in mind. An important question is whether the faculty member has significantly shared the experience of the relevant American minority group. Primary or secondary education in the United States would be a sufficient condition. Another possibility, though a less decisive one, is American citizenship at the time of initial employment by Cornell. But even a person who joined the Cornell faculty without ever having previously set foot in this country might be considered a member of an American minority group--through extended residence

and the experience of raising a family, for example. This is a particularly awkward and even distasteful criterion, however, since it involves the assignment of an arbitrary probationary time-period (18 years, to match the age of a native-born freshman from a minority group?) before the person "achieves" minority status. We would recommend that the first criterion offered above be generally though not invariably invoked, that college be the dividing line, that faculty members of color born abroad be considered minorities if they attended primary or secondary school in the United States. But faculty members of color should not automatically be excluded if their initial extended residence in this country occurred thereafter. We suspect that the degree of identification between American minority groups and foreign-born-and-raised people of the same ethnicity varies considerably from one minority group to the next. An affirmative-action policy should be sensitive to such feelings.

These difficult distinctions concern the individual histories of faculty members. But the collective histories of various minority groups are also relevant. For instance, however problematic the position of faculty members of Chinese descent may be, there is unquestionably an important history of discrimination against emigrants from China in the United States. As suggested above, the same cannot be said of Indians. The Indian immigration to this country is in significant measure an immigration of professionals and intellectuals. The hiring of Indian faculty members has obviously benefited Cornell, but perhaps only in the limited sense noted above can these benefits be related to affirmative-action concerns. (We note in passing that such an argument would not hold in England.)

This line of reasoning also forces one to reject the current policy of aggregating distinct minority groups into loose geographical and ethnic

categories. The separation out of individual national groups may well be important in considering Hispanic American faculty members; it is unquestionably important in considering Asian Americans. To take the obvious but not the only example, the administration's method of calculation has the effect of concealing the very limited success in recruiting from some Asian American groups (Japanese, Filipino?) behind the considerable success in attracting Cinese and Indian faculty members to Cornell.

The various arguments in this section can now be summarized. The current university policy may well correspond to a technical definition of minorities, and it may have to be continued in order to conform to the letter of the law. But it does not accord with the spirit of affirmative action. That spirit requires a different policy.

1. Cornell should continue and indeed intensify its current policy of hiring faculty from throughout the world. Given the number of nations, it would be foolish to insist on faculty representation from each, desirable though that eventuality would be. In this instance, then, ethnic aggregation may well be necessary and even appropriate. One would expect in time to see an increased number of faculty members from Africa and Latin America, for example.

2. On the other hand, the affirmative-action policy should be primarily American rather than global. It is designed mainly to remedy injustices in this country. It should be aimed less at all people of color than at those from groups that have suffered discrimination in the United States and remain proportionally underrepresented on the faculty at Cornell. Thus, one must sometimes make a distinction between a broad definition of minorities, which legitimately includes any person of color in the United States, and a narrower and in the present case more important definition, which refers to members of

those groups targeted for affirmative action. This narrower definition would include the following: American Indians and Alaskan Natives, Afro-Americans, Mexican Americans, Puerto Ricans, Cuban Americans, Native Hawaiians, American Samoans, Micronesians, Chinese Americans, Japanese Americans, Filipino Americans, and Korean Americans. It might also include the main recent refugee groups: Indochinese and Central (and some South?) Americans.

3. As a corollary, a person from a targeted group should be considered an affirmative-action appointment only if he or she is in some important sense an American. No single stipulation adequately addresses this concern. Probably the least objectionable is the necessity of primary or secondary schooling in the United States. Any prospective faculty member satisfying this condition and the previous one would automatically be included in affirmative-action data.

4. Minority faculty who do not conform to these criteria would nonetheless be considered under the rubric of affirmative action if they met all of the following requirements: ability to serve as a role model for students from minority groups targeted for affirmative action, contribution to a multiethnic environment, teaching and publication on a relevant topic, American citizenship at the time of initial employment by Cornell, and long residence in the United States. Additional inclusions would of course be possible.

5. The center of the affirmative-action policy would be the criteria established in paragraphs two and three. That is, in each minority group the majority of faculty members included in affirmative-action statistics would have to satisfy the conditions stipulated in those two paragraphs. Scholars who fall into the categories specified in paragraphs one and especially four

could, but need not, make up the remainder. The purpose of this quantitative stipulation is to prevent a successful program of hiring foreign faculty members from concealing an unsuccessful program of hiring American faculty members from minority groups. More specifically, it is aimed at guaranteeing a more realistic appraisal of the current status of Hispanic and Asian faculty at Cornell.

These criteria nonetheless have the disadvantage of potential ambiguity. There will inevitably be hard cases. This is not as serious a problem as it might seem, however. A successful affirmative-action policy is primarily concerned not with making invidious distinctions about past appointments but with making useful distinctions about future appointments. It does not presuppose the ability to make infallible decisions in borderline cases. It does require that the line be drawn in roughly the right place, even if the outcome is a more complex and cumbersome policy than mere adherence to the letter of the law necessitates. The above guidelines are designed to meet this latter requirement.

C. **Full-time, permanent faculty.** The university has a misleadingly expansive definition of minority faculty in yet other ways. "Data on minority faculty prior to 1980-81 exclude part-time appointments."[17] In the 1980s, however, part-time faculty are included. Furthermore, university statistics count temporary appointments.[18] This procedure not only provides an optimistic view of the position of minority faculty; it also can produce an exaggerated sense of progress if several part-time or temporary faculty from minority groups are added to the faculty. Various acceptable alternatives exist. The simplest is to consider only full-time tenured or tenure-track faculty.

Alternatively, one could exclude temporary appointments and include part-time faculty according to the amount of time they work at Cornell. (For example, two half-time, tenured or tenure-track minority faculty members would count as one full-time minority faculty member.) A less attractive option that would nonetheless be an improvement on the present procedure would be to include temporary appointments as well while counting part-time faculty as in the previous model.

D. **Comparisons.** In the 198Øs, it has become extremely difficult to get any historical perspective on the status of minorities at Cornell. Relatedly, the meaning of the data has become increasingly elusive in this period, given the absence of comparisons with other universities, with national availability pools for recruitment, and with national demographic information.[19]

E. **Summary.** The official statistics on minority faculty are inadequate. They tend to present an excessively optimistic picture of minority faculty in a variety of ways:

1. by employing the most favorable possible definition of minorities, one that is at odds with definitions used elsewhere in the university;

2. by failing to distinguish American from foreign people of color;

3. by failing to distinguish minority groups with a past of discrimination and a present of underrepresentation from minority groups who have been more fortunate;

4. by presenting combined figures for several minority groups;

5. by including temporary and part-time faculty;

6. by excluding important bases for comparison.

Some of these procedures have been introduced rather recently. The result is to give the impression of progress by means of a mere change in bookkeeping methods. These are qualitative judgments; their quantitative application is attempted where possible in the following sections. Here we need only conclude that affirmative action data on minority faculty at Cornell are grossly inflated. They badly overestimate Cornell's success in combatting the legacy of racism in the United States, in higher education, and at Cornell.

IV. The Current Situation

A. **Cornell's Record.** In the absence of an appropriate breakdown, the official statistics are the only ones available. Here is a reconstruction of the period from 1971 to 1986.

TABLE I

MINORITY FACULTY AT CORNELL, 1971-86 [20]

	Asian		Black		Hispanic		American Indian		Total	
	#	%[21]	#	%	#	%	#	%	#	%
1971-72	28	1.9	14	Ø.9	9	Ø.6	2	Ø.1	53	3.5[22]
1972-73	na	na	na	na	na	na	na	na	na	na[23]
1973-74	na	na	na	na	na	na	na	na	na	na
1974-75	33	2.4	18	1.3	11	Ø.8	3	Ø.2	65	4.6[24]
1975-76	33	2.2	23	1.6	1Ø	Ø.7	2	Ø.1	76	5.1[25]
1976-77	44	3.Ø	2Ø	1.4	11	Ø.8	2	Ø.1	78	5.3[26]
1977-78	44	3.Ø	2Ø	1.4	11	Ø.7	2	Ø.1	78	5.3[27]
1978-89	na	na	na	na	na	na	na	na	74	4.9
1979-8Ø	48	3.2	26	1.7	6	Ø.4	2	Ø.1	81	5.4[28]
198Ø-81	47	3.1	25	1.7	6	Ø.4	1	Ø.1	79	5.2
1981-82	53	3.4	27	1.8	7	Ø.5	1	Ø.1	88	5.7
1982-83	53	3.4	26	1.7	8	Ø.5	1	Ø.1	88	5.7
1983-84	54	3.5	25	1.6	1Ø	Ø.7	1	Ø.1	9Ø	5.9
1984-85	59	3.8	25	1.6	1Ø	Ø.6	Ø	Ø.Ø	94	6.1
1985-86	65	4.2	24	1.5	9	Ø.6	Ø	Ø.Ø	98	6.3

Certain trends are clear from this table. There has been little if any gain in Black faculty during the past 1Ø years. There has been no gain in Hispanic faculty in the entire 15-year period covered by the table. And there has been a decline in American Indian faculty in these 15 years--a decline that puts their current number at zero. The Asian faculty is a different story. Even if we limit ourselves to legitimately comparable data, which in effect means the period beginning in 1976-77, there has been a substantial increase. The question, however, is what this increase measures. We have already argued that the official statistics bear no necessary relation to appropriate affirmative-action data. But it is possible to get a little closer to what such data would look like. In so doing, we will be strict constructionists. That is, we will try to determine the number of minority faculty at Cornell who fall into the central affirmative-action category specified above (pp. 7-8, pghs. 2-3).

The criteria developed in the previous section had the effect of implicitly excluding Indian faculty from affirmative-action data. The reasoning was that the Indian migration to the United States was to be understood primarily as a brain drain. The consequent absence of a significant legacy of discrimination, of a current pattern of underrepresentation, and indeed even of a major migration that would give some urgency to the search for role models--all these considerations render remedial policies supererogatory. In Table I, the large increase in Asian faculty between 1975-76 and 1976-77 seems primarily to reflect the inclusion for the first time of Indian faculty members. It is possible to infer that in 1975-76 there were 8 Indian professors at Cornell, in addition to the 33 listed in the table. If the percentage of Indians among Asian faculty members has remained constant, then in 1985-86 there were 13 Indian professors at the university.[29] If they are then excluded from the data

on minority faculty, the figures for 1985-86 are of course lower. The next two tables are designed to clarify this comparison. The first reproduces the figures for 1985-86 from the previous table.

TABLE II

MINORITY FACULTY AT CORNELL, 1985-86

Group	Number	% of Faculty
Asian	65	4.2%
Black	24	1.5%
Hispanic	9	Ø.6%
American Indian	Ø	Ø.Ø%
Total Minorities	98	6.3%
Total Faculty	1558	1ØØ.Ø%

Table III presents the same information but excludes the estimated number of Indian faculty members.

TABLE III

MINORITY FACULTY AT CORNELL, 1985-86 (EXCLUDING INDIANS)

Group	Number	% of Faculty
Asian	52	3.3%
Black	24	1.5%
Hispanic	9	Ø.6%
American Indian	Ø	Ø.Ø%
Total Minorities	85	5.5%

The resulting figures are not necessarily limited to faculty members from groups targeted for affirmative action. A partial method of refining the data is to exclude noncitizens. The most recent university figures on minority faculty who are American citizens come from early 1976 and thus are a decade old. In 1975-76 28 of the 33 Asian faculty, 2Ø of the 23 Black faculty, and 4 of the 1Ø Hispanic faculty were American citizens.[3Ø] If we work from the figures in Table III and assume that the proportion of U.S. citizens among the minority faculty has remained constant in the past decade, then in 1985-86 roughly 44 of the 52 current Asian faculty members, 21 of the 24 current Black faculty members, and 4 of the 9 current Hispanic faculty members were citizens.[31] Table IV presents these data.

TABLE IV

MINORITY FACULTY AT CORNELL, 1985-86 (U.S. CITIZENS)

Group	Number	% of Faculty
Asian	44	2.8%
Black	21	1.3%
Hispanic	4	Ø.3%
American Indian	Ø	Ø.Ø%
Total Minorities	69	4.4%

But citizenship is a highly inadequate register. On the basis of the criteria set out in the previous section, some minority faculty members who are foreign citizens undoubtedly belong in affirmative-action statistics. But more who are citizens do not. Many of the people counted here are faculty members of color who were foreign born and raised, who came to this country as adults, and who

subsequently became citizens. In such cases, we have argued, the presumption should be that the faculty member is to be excluded from affirmative-action records. We do not possess sufficient information to provide even estimated numbers here. But we will return to this topic and offer some relevant data after considering one final issue for which calculations are possible.

All of the above tables include nontenure-track faculty. If only tenured and tenure-track faculty are considered in the official statistics, the result is lower absolute numbers of minorities and half the rate of growth over the past five years.[32] The official and estimated results of this recalculation are presented in the next table.

TABLE V

MINORITY FACULTY AT CORNELL, 1985-86 (TENURED AND TENURE-TRACK)

Group	Number	% of Faculty
Asian	4Ø	2.6%
Black	19	1.3%
Hispanic	4	Ø.3%
American Indian	Ø	Ø.Ø%
Total Minorities	63	4.2% [33]
Official statistics	9Ø	6.Ø%
Total faculty	1511	1ØØ.Ø%

Even this figure of 4.2%, which is only two-thirds of the official 6.3%, includes part-time faculty and thus may inflate the actual situation.

With these numbers in mind, we can return to the problem of foreign-born minority faculty. The number of Hispanic faculty is already too small for any

further changes to matter much, and there is reason to believe that the data for Blacks are at least roughly accurate. Once again, however, the Asian statistics are seriously misleading. Of the 65 Asian American faculty members included in university statistics for 1985-86, perhaps only 1 was born in the United States.[34] The exact accuracy of this figure, which we were not able to check, is less important than the order of magnitude indicated by it. Clearly the overwhelming majority of Asian American faculty members at Cornell were born abroad. The vast majority of them came to the United States for college or later. Heavily concentrated in the sciences, Asian American faculty members at Cornell only very rarely teach or publish on the cultural, social, economic, political, or historical experience of Asian Americans. On the basis of these considerations, one can justify including only a small minority of the 4Ø Asian American faculty members (estimated in Table V) in affirmative-action reports.

On the other hand, various weaker criteria point in the direction of a somewhat more inclusive policy. Even among those in this group of 4Ø faculty members who did not come to the United States until after their secondary education, some were American citizens when they were first employed by Cornell, some have lived in the United States for a long time, some are role models to Asian American students, some meet all three of these conditions. Some of these professors belong in affirmative-action statistics. Some, however, do not. Whatever the most plausible estimate of Asian American faculty at Cornell proves to be, it will surely be far below 4Ø, indeed probably closer to 1 than to 4Ø. The comparable estimate of the size of the minority faculty at Cornell is thus likely to be between the 2Øs and the 4Øs, 1.5-3% of the entire faculty, and thus between one-quarter and one-half of the official count. Moreover, the Asian American faculty's lack of professional

interest in Asian American experience tells its own story. It is perhaps surprising, even counterintuitive, but nonetheless true that at Cornell it is far more difficult for students to learn about the Asian American heritage from Asian American professors than it is for them to learn about the Afro-American heritage from Afro-American professors. Official university statistics, which present a favorable view of the situation of Asian Americans on this campus, should not be allowed to obscure this serious problem.

Two other issues, one of them already touched on, are relevant here. The first is the fallacy of aggregation. What holds for large groups like Hispanics or Asians holds even more strongly for individual national minorities, such as Mexican Americans or Japanese Americans, who did not come to the United States in elite immigrations and who are scarcely represented at all on the Cornell faculty. The second problem concerns minority women. This is an invisible category in at least two senses. The university provides no information about minority women. More important, there is little information to be had. Through consultation with minority faculty members, we have been able to come up with the names of only 5 minority women on the Cornell faculty. This figure, which is once again significant only as a ballpark estimate, represents 5.5% of the minority faculty at Cornell according to the official university statistics and a slightly higher percentage of the figure given in Table V. It represents Ø.3% of the university faculty as a whole. In 1985-86, women constituted 12.8% of the tenured and tenure-track faculty at Cornell--an extremely low figure that nonetheless looks spectacularly impressive by comparison.[35] Minority women are surely the most underrepresented minority group that we have identified on the Cornell faculty.

The least that can be said in defense of the estimated figures presented in

Tables III-V and in the accompanying discussion is that they almost certainly give a more realistic representation of the situation of minority faculty at Cornell than do the official figures. It would, of course, be preferable to rely on actual rather than estimated data--if such data existed.

B. **The National Record.** What should these figures be measured against? It is official university policy to "establish goals which will ultimately bring the total number of female and minority employees into parity with their availability within the labor market."[36] For faculty appointments the labor market consists primarily of Ph.D.'s.[37] Table VI below presents statistics on minority doctorates in the United States for 1973-83, statistics that are limited to degree "recipients who are U.S. citizens or have permanent visas."[38] This definition of minority status is thus narrower than the one employed by Cornell but a bit broader than the one proposed above.

TABLE VI

MINORITY DOCTORATES, 1973-83

Group	Number	% of Ph.D.'s
Asian	11,397	3.8%
Black	11,416	3.8%
Hispanic	4,923	1.6%
American Indian	1,420	0.5%
Total Minorities	29,156	9.7%
Total Ph.D.'s	299,859	100.0%

A disproportionate number of Black Ph.D.'s have come in the field of

education. If doctorates in education are excluded from the calculations, these are the new results.[39]

TABLE VII

MINORITY DOCTORATES, 1973-83 (EXCLUDING EDUCATION)

Group	Number	% of Ph.D.'s
Asian	1Ø,46Ø	4.6%
Black	5,Ø91	2.3%
Hispanic	3,561	1.6%
American Indian	888	Ø.4%
Total Minorities	2Ø,ØØØ	8.9%
Total Ph.D.'s	225,812	1ØØ.Ø%

If one uses the estimates in Table V, which is admittedly a little unfair, the percentage of total minorities in the availability pool is more than double the percentage of total minorities on the faculty. But even if one employs official university tallies, for every minority group the percentage in the availability pool exceeds the percentage on the Cornell faculty.

The result for minority women, presented in Table VIII, is similar.

TABLE VIII

MINORITY WOMEN DOCTORATES AND FACULTY (EXCLUDING EDUCATION)

Group	% of Total	% of Minorities
Minority women Ph.D.'s, 198Ø-81	2.3%	33.1% [4Ø]
Minority women faculty at Cornell, 1985-86	Ø.3%	5.5%

These data probably require some explanation. The first comparison involves the percentage of minority women in the total pool. In 198Ø-81, 2.3% of all Ph.D.'s went to minority women--quite possibly an uncharacteristically low percentage. In 1985-86, as noted earlier, only Ø.3% of the Cornell faculty were minority women--a figure many times lower. The second comparison involves the representation of minority women in the total minority pool. In 198Ø-81, 33.1% of all minority Ph.D.'s went to women. In 1985-86, again as already noted, only 5.5.% of the Cornell minority faculty were women--again a figure many times lower. Finally, it is worth noting that, except for American Indians, the trend during this 11-year period was for minorities to constitute a growing percentage of doctoral recipients. The availability pool seems to be growing.

Still, one should not expect a quick correlation between the percentage of minorities on the faculty and the percentage of minorities in the availability pool. A university faculty turns over quite slowly. Table IX presents data on the turnover of the Cornell faculty. They come with the usual caveats about uncertain and noncomparable figures.[41]

TABLE IX

TURNOVER OF MINORITY FACULTY AT CORNELL, 1972-86

	New Appointments	New Minority Appointments	% Minority Appointments[42]	Minority Departures	Attrition Rate[43]
1972-73	1Ø7	5	4.7%	na	na
1973-74	1Ø4	1Ø	9.6	na	na
1974-75	1Ø7	5	4.7	na	na
1975-76	81	6	8.5	na	na
1976-77	8Ø	7	8.8	7	1ØØ%
1977-78	1Ø3	8	7.8	3	38
1978-79	14Ø	5	3.6	4	8Ø
1979-8Ø	9Ø	8	8.9	6	75
198Ø-81	1Ø9	2	1.8	1	5Ø
1981-82	96	11	11.5	4	36
1982-83	9Ø	4	4.4	2	5Ø
1983-84	59[44]	6	1Ø.2	7	117
1984-85	68	8	11.8	7	88
1985-86	71	5	7.Ø	2	4Ø
Total/%	13Ø5	9Ø	6.9%	43	67%[45]

A number of inferences are possible from this table, only two of which need concern us here. First, and most striking, the 6.9% rate of minority appointments is lower than the 8.9% rate of minority doctorates over roughly the same period. One would have to consider whether the particular disciplinary structure and hiring needs of Cornell differ sufficiently from the disciplinary distribution of minority doctorates to explain away the deficit of

2%. In the absence of such an analysis, there is some presumption that the university is doing a poor job in recruiting minority faculty and a strong presumption that it is not doing an unusually good job. If, however, we recall that Cornell statistics overstate the number and percentage of minority faculty, these presumptions become difficult to avoid.

Second, the 67% attrition rate means that, as things currently stand, it takes three new minority appointments to increase the minority faculty by one, since those three new appointments are accompanied by two departures. A more rapid increase in the size of the minority faculty therefore requires an increased hiring rate, a decreased attrition rate, or both. Since a high percentage of the minority faculty considered for tenure are in fact promoted, and since much of the attrition rate among minority faculty is due to nontenure-track appointments,[46] it is likely that Cornell can kill two birds with one stone. An increased rate of hiring minorities for tenured or tenure-track positions will also have the effect of reducing the rate of attrition among minority faculty.

V. The Proposal

A. **Affirmative-Action Policy at Cornell.** We believe the absence of a representative group of minority faculty at Cornell to be the single greatest hindrance to the university's quest to remain at the forefront of higher learning in the Ivy League and in this country. As the academy's notions of the humanities and social sciences expand to include fully the history, languages, and thoughts of cultures of color, area studies and ethnic studies programs--constructed upon a foundation of interdisciplinary methodologies--will become increasingly important to liberal arts education. As our world shrinks geographically and temporally, our notion of "the best that has been thought" seems destined to expand geometrically. By undertaking the recruitment plan that we propose, Cornell can realize two goals simultaneously: first, it can become, virtually overnight, a major force in affirmative-action policy formation and execution in higher education; and second, by targeting minority faculty with area study and interdisciplinary expertise, it can become a pioneer in defining the nature and function of a liberal arts education in the next century.

To do so, we propose that Cornell establish a long-term program in minority recruitment, with the results to be monitored carefully, analyzed, and published every five years. Our aim is not to replace the current annual reports but to recognize that major changes require more than a year, that the crucial issue is the overall direction of the university. Our belief, of course, is that the results of these policies could very well make Cornell's a model affirmative-action plan for other institutions of higher learning.

Cornell's current affirmative-action policy is a brilliant idea in theory.

Roughly put, it works in the following manner: if a department possesses an unfilled tenure-track line and, in the course of a search to fill this line, identifies a minority scholar at the senior level, funds can be provided by the Provost's office to upgrade the unfilled position, thereby making the hiring of this minority person possible. This clever policy was designed to stimulate the recruitment of senior-level minority faculty, by offering departments a concrete incentive for identifying such scholars and encouraging them to come to Cornell. But it was also designed to keep the number of faculty lines at Cornell at a fixed number, for obvious budgetary reasons.

In theory, this affirmative-action policy extracts no "penalty" from the unit which utilizes the "upgrade" device. But there is a widespread, though by no means universal, belief among department chairs that the utilization of upgrading leads inevitably to the loss of lines, in a one-to-one ratio. During several interviews with Cornell department chairs, we found that an alarming number of persons complained that the administration in fact penalized departments for upgrading lines by insisting upon the "mortgaging"--or exchange--of one senior position (filled already, but about to be vacated by a retirement) for the newly-created senior position--again, to "fix" the number of tenured positions in each department or school.

We have no way to verify this claim; but we can verify that administration policies, whatever they may have been in the past, have generated this belief among department chairs--a belief which has been a disincentive to affirmative-action recruitment and which renders a well-intended and potentially useful minority recruitment strategy effectively null and void. The single most frequently repeated sentiment heard during our interviews with department chairs in the Arts College was this: "The administration penalizes us for

hiring minority faculty, by insisting upon short-term mortgages." If, as several administration officials claim, no such policy exists, then it is incumbent upon the administration to end this confusion among department chairs.

The fear of penalty, however, is only one explanation for the failure of Cornell's affirmative action policy. The current policy cannot, by itself, achieve its stated goals. Let us explain the policy in practice. It is oriented towards an individual, previously identified scholar. How can it not be? The policy can only be brought into effect if a senior minority scholar's candidacy emerges during a junior-level search. Since a senior or middle-rank scholar would almost never apply for an untenured position without urging, the policy demands that a department engage in a normal junior-level search with a more advanced minority scholar already in mind. It is unrealistic to believe that the policy can work otherwise. That is why it has not worked--and can never work. Moreover, under the present system, the recruited scholar must possess an expertise in the specialized area advertised in the initial invitation to apply. The possibilities of identifying a minority person in that specialized field are extraordinarily small, given the statistics for minority Ph.D.s that we have cited earlier in this report.

It is obvious that Cornell's affirmative-action policy, while in theory quite flexible and responsive, has in practice failed to make a meaningful alteration in the ethnic make-up of the faculty. While it can on occasion produce spectacular individual results, it fails on the systematic and systemic levels to bring minority scholars to Cornell in representative numbers.

B. **An Alternative Policy.** We propose a bold departure in minority faculty recruitment. We believe that Cornell's crisis in affirmative-action recruitment of faculty demands such a bold departure. The new policy should have several components, but as a first step the University should adopt an affirmative action policy combining the best features of those at work at Yale and at Stanford. Yale's plan works in the following way: if a department identifies a minority scholar--either during a normal search to fill an available position or independently of such a search--it can petition the Provost for the creation of an apparently additional line. So-called "mortgages" do indeed exist as part of Yale's policy, but these are "amortized" over long periods, in practice over a decade or even two decades. More important, each department selects its own position to be mortgaged. In the case of the formation of additional lines in an ethnic or area studies department, no such mortgage policy obtains. The consequences of this policy have been impressive, enabling Yale to recruit and retain a considerable number of minority faculty in its College of Arts and Sciences, and simultaneously to produce major centers in Afro-American Studies, Latin American Studies, and most recently African Studies.

Stanford's policy is even more dramatic. Nicknamed "Star Trek," it motivates a given academic unit to locate stellar senior minority faculty, again through the enticement of additional lines at no cost to the department involved. The effects have been telling. If, for example, we compare the results of Cornell's affirmative-action policy for Blacks with those of Stanford and Yale, the statistics speak for themselves. In the 1985-86 academic year, Cornell employed 4 Black people in the College of Arts and Sciences. In the same year, Stanford's Black faculty in the arts and sciences

totalled 16, while Yale's figure was 14. (Stanford now has 2Ø Black professors in the arts and sciences.)[47] Among the university faculty as a whole, Cornell employed 24 Black people in the 1985-86 academic year, whereas the total at both Yale and Stanford was 34. Given the fact that Yale and Stanford count only full-time tenure-track faculty (while Cornell includes part-time and nontenure-track categories) and that Cornell's total faculty in 1985 (1,558) was significantly larger than Yale's (1,366) and Stanford's (1,295), these figures are profoundly disturbing.[48]

Cornell's policy, clearly, has not worked as well as has the policy of affirmative action at these peer institutions (institutions, it must be emphasized, that themselves still have a long way to go), precisely because both Yale and Stanford offer incentives for minority recruitment to highly motivated departments, rather than disincentives. Clearly, something concerted and creative must be done.

We propose that Cornell establish a general policy of long-term "mortgages," lasting from 1Ø to 2Ø years, the specific length to vary according to the size and needs of the particular department involved. In addition, we propose that the university commit itself to the expansion of the number of faculty lines in each of its academic units. The university should adopt these proposals expressly for the purpose of hiring minority faculty and bringing their total numbers to numbers representative, initially, of the percentage of minority Ph.D.s and, eventually, of the larger percentage of each ethnic group in the American population. Both the mortgaged and the additional positions would be utilized for highly qualified junior, middle, and senior-rank scholars.

Before turning to details of implementation, let us consider each of these two goals more closely. First, however elusive any progress may have proven,

the university's aim of reaching parity with the availability of minorities on the academic labor market is also modest in the extreme. Its attainment means little more than that Cornell will not discriminate against minority Ph.D.'s in its hiring procedures. In other words the policy is not at all activist. It reveals no interest in reversing a persistent pattern of inequality and underrepresentation by intervention at the faculty level.

The second step is another matter. The obvious and appropriate goal of affirmative action is to constitute a faculty whose ethnic composition mirrors that of American society at large. Any less ambitious program, whatever its intentions, inevitably ends up perpetuating the very pattern of racism it was designed to overcome. Table X presents the results of the 1980 U.S. census count of minorities in America.[49]

TABLE X

MINORITIES IN THE UNITED STATES, 1980

Group	Number	% of Population
Asian	3,501,000	1.5%
Black	26,488,000	11.7%
Hispanic	14,606,000	6.4%
American Indian	1,418,000	0.6%
Total Minorities	46,013,000	20.3%
Total Population	226,505,000	100.0%

The percentage of minorities on the Cornell faculty is not even within striking distance of these figures. And the disparity is only increasing with time. The above data are already out of date. These minority groups currently make

up over 25% of American 18-year-olds, and that percentage will continue to grow.[50] Unless the number of minorities in the doctoral pool takes a sudden and extraordinary leap, Cornell's current affirmative-action goal, even if achieved, will render the institution ever more incapable of educating minority students. It is certainly true that minority groups, with the possible exception of Asians, do not attend universities (as opposed to colleges) and especially elite universities like Cornell in anything like their proportion of the population.[51] But this is only another way of acknowledging the need for greater recruiting efforts at all levels.

The goal of bringing minority representation on the Cornell faculty into line with national population figures is both desirable and possible. Obviously if all other things were equal, it would be impossible to achieve. If all colleges and universities committed themselves to this same goal in the absence of efforts substantially to expand the doctoral pool, the result would be a zero-sum game. But all other colleges and universities have not committed themselves to such an ambitious policy. And all other things are not equal in other respects as well. Cornell is wealthier, more prestigious, and, crucially, more attractive to prospective faculty members than most other institutions of higher education. It could hire a large number of minority faculty, drawing both on the doctoral pool and on the faculties of other colleges and universities.

We would argue that it should do so. One standard objection to such a policy--that it would entail nothing more than increasing Cornell's minority faculty at the expense of other schools and hence have no overall impact on the position of minorities in higher education--is invalid even if the initial result turned out to be the predicted zero-sum game (in a different sense from

the one described in the previous paragraph). This objection fails to recognize the importance of at least one (and preferably many more than one) major university hiring and retaining a large number and significant percentage of minorities on its faculty. Moreover, we reject the competitive model that underlies this objection. Let us consider the two extreme possibilities. The first is that Cornell, virtually alone among major universities, indeed almost alone among all colleges and universities, embarks on an ambitious program of recruiting minority faculty members. Under such circumstances the policy will surely succeed. No doubt a few distinguished minority scholars will have no interest in coming here. But they will constitute a smaller percentage of the minority academics in the country than is currently the case, for the simple reason that Cornell will have become a far more attractive place for minority faculty than it is now.

This is, however, the less desirable alternative. The more desirable one is that many, indeed all colleges and universities in the United States adopt a policy similar to Cornell's. Under these circumstances, Cornell's policy is bound to fail in the short run. Something like the zero-sum effect will come into play, although, of course, Cornell will not be as badly damaged by this phenomenon as less prestigious schools. But a serious recruitment of minority faculty on a national level will inevitably have a profound effect on graduate education, undergraduate education, and even secondary education. The long-term effect will be sharply to increase the size of the faculty recruitment pool and eventually to make it possible for Cornell to achieve its affirmative-action goals. This accomplishment will be possible not because one university makes unusual efforts but because the overall position of minority groups in American society and especially in American education measurably improves. In

the scenario just sketched, Cornell has most of its thunder stolen. Although, to change the metaphor, such an outcome will surely undercut local Cornell chauvinism, we are dealing here with something more serious than intercollegiate sports. This is a result to be welcomed but unfortunately not one that is likely to occur.

There are considerable benefits, however, even under the first model, in which Cornell has to go it alone. First, minority faculty members would have the critical mass to form a social and intellectual community. For them to have the quality of life that white faculty members take for granted, their numbers will have to be sufficient to constitute a decisive break with the heritage of ethnic tokenism and isolation. Moreover, many academics from minority groups are working in relatively new scholarly disciplines--disciplines whose problems and resources are often unfamiliar to most white faculty members. To do their best work, minority faculty need support from each other. Second, a visible presence of minorities on the faculty would quite quickly attract more minority students to Cornell. The correlation is more direct with graduate students than with undergraduates. At the graduate level, the university would be in a position to train well a considerable number of minority students, who in turn would become members of the next, and at least slightly expanded, generation of minority faculty members around the country. The result could be a feedback mechanism. As part of its own long-term recruitment policy, Cornell could itself hire some of these new Ph.D.'s, either directly out of graduate school or after brief employment elsewhere. Minority recipients of Cornell doctorates who obtained jobs at other colleges and universities could direct their most promising students back to Cornell, either as graduate students or as faculty members. The effects of this policy

might begin to be evident within a decade. The impact on undergraduate enrollment would be less direct, immediate, or decisive, but one could reasonably expect that Cornell would gradually become, and become known as, a place where minority students would not be alone and where they could thrive.

In return the university would get more than the satisfaction of doing the right thing in some abstract sense. It would improve the quality of life for a substantial portion of the white students and white faculty members on campus. As already suggested, it would have a significant impact on American higher education and intellectual life within a fairly short time. This last point is not to be underestimated. In some areas of the humanities and social sciences, area studies and ethnic studies are at the cutting edge. For these departments and disciplines at Cornell, substantially increased recruitment of minority faculty is not a luxury but a condition of continued intellectual vitality.

Finally and more generally, it is worth considering the possibility that the current university policy of piecemeal hiring and at best slow increase in the number of minority faculty is a self-contradictory procedure doomed to failure. It may well be that under present conditions Cornell does not provide a sufficiently hospitable environment for minority faculty, that each hiring will be matched by a departure, that for every step forward there will be a step back. The data we have presented are certainly compatible with such an interpretation. If this hypothesis is plausible, then a large and rapid increase in the number of minority faculty may be the only way for Cornell to make any lasting progress toward its affirmative-action goals.

C. **Implementation: Responsibilities and Mechanisms.** How are these goals to be achieved? What is to be done? Since we are far more concerned with the

future than with the past, we are not primarily interested in how things came to be the way they are. Yet implicitly and at times explicitly, the effect of the report is to place heavy responsibility on the administration for the failure of affirmative-action policies at Cornell. This is not a position we disavow, and indeed most of our broadest proposals are aimed in that direction. But it is only fair to add that the university's unsatisfactory record in recruiting and retaining minority faculty members has been a collective effort, or, rather, a collective lack of effort between the departments and the administration.

What, then, are the problems at the faculty level? Most generally, the faculty has not consistently availed itself of the real, if limited and inadequate, affirmative-action recruiting mechanisms that are part of official university policy. And insofar as the faculty has found these mechanisms inadequate, it has not systematically lobbied for the adoption of a new affirmative-action policy that would have a greater chance of success. More specifically, individual departments have often remained committed to structural rigidity at the level of personnel. A discipline that inflexibly defines the fields of specialization it wishes to cover, that insists on replacing a faculty member who leaves with someone who does the same thing--such a discipline will make few, if any, minority appointments. Small departments face a genuine dilemma here; large departments have no real excuse. A minimal solution is to describe job openings in a broad enough way to allow at least some minority scholars to apply. The more effective option is, in addition, to advertise some lines directly in areas of primary interest to minority graduate students and faculty members.

Cornell is in the enviable position of being able to attract many of the

very best minority scholars in the country. Once a large number of such scholars gather together here, one might reasonably expect them to create for themselves an intellectual milieu the size and quality of which few of them currently know and from which impressive results would emerge. A considerable proportion of the work of minority faculty members would no doubt be devoted to the analysis of the experience of minority groups, fields in which people of color are preeminent. In traditional disciplines, intellectuals build on the accomplishments of generations of predecessors. In several emergent disciplines, however, minority scholars are those predecessors. It is their work on which future generations will build. In the constitution of a new field, false starts and blind alleys inevitably accompany creative breakthroughs. What is decisive is the degree of advance that new work represents, and in this crucial respect minority faculty members are likely to lead the way. Finally, it is worth emphasizing that intellectual excellence is not measured exclusively in terms of quality and quantity of publication. An important job of a minority academic in a field that has little or nothing to do with the experience of minority groups is to attract minority students to that field and to do a better job of teaching them than can be done by a white faculty member.

Perhaps such considerations do not automatically spring to mind partly because of the difficulty of recognizing the need for objective, rigorous scholarly standards while at the same time recognizing the inevitably social and hence subjective dimensions of all intellectual work. We do not wish to enter into this tricky problem except to insist that just such a simultaneous recognition is absolutely necessary. A discipline with no serious commitment to objectivity is no discipline at all. But decisions about what constitutes a

discipline, about where disciplinary boundaries are to be drawn, about which disciplines are important enough to warrant organization at the departmental level, and about which areas within any given discipline are most worthy of investigation--all such decisions are value-laden. These decisions are made for many reasons (perceived social utility, budgetary constraint, historical inertia, intellectual challenge, etc.) and by many groups (the state, large corporations, administrators, faculty members, even students), of which the faculty is only one and often not the most influential. But the crucial point is that they are, and must be, made. One can argue that it is not important to study the experience of Afro-Americans, just as one can argue that it is not important to study the experience of Renaissance Europeans[52] or the feasibility of space-based missile shields. Similarly, one can argue that members of the university should promote an ethnic composition of the faculty that corresponds to the ethnic composition of American society, just as one can argue that the ethnic composition of the faculty should be determined by larger social forces. Our position is this: if one concludes that the racist legacy of American society is responsible for the underrepresentation of minorities on the Cornell faculty, a careful review of the evidence suggests that a major drive to recruit minority scholars will improve the intellectual quality of the university.

We therefore turn to the mechanisms needed to make that drive successful. We propose that the university seek private funding, from alumni and foundations, to embark upon a program which would enable academic units to recruit to Cornell minority visiting professors whom each unit might seek to persuade to come to Cornell permanently. Each academic unit would be responsible for nominating minority professors for these Distinguished Visiting

Professorships. Enticements might include a reduced teaching load, research and secretarial funds, and research assistance. The goal of such a program would be to interest these scholars in remaining at Cornell, and to interest Cornell in retaining these scholars. While no field would be excluded from nomination, we would hope that scholars with expertise in interdisciplinary areas or ethnic studies programs would be given a high priority, to aid in the achievement of the university's admirable goals in these increasingly crucial fields of learning.

Simultaneously, we propose that the university earmark part of its private fund-raising efforts for the financing of the longer-term mortgages described above and for the creation of additional lines in its several academic units. This are especially urgent needs in the College of Arts and Sciences, which because of its broad role in undergraduate education must reflect the variety of the world's cultures and traditions in the faces of its faculty and its students if Cornell is to satisfy its grave responsibility to strive, explicitly and implicitly, to rid the world of ethnic-group prejudice. One sustained encounter with a member of an ethnic group can do more to disrupt the deep roots of ethnic prejudice than can any other single experience.

Because we believe that significant progress depends on the faculty as well as the administration, we further propose the creation of a university-wide faculty Affirmative Action Committee. Its purpose would be to promote and assure aggressive recruitment of minority faculty members in pursuit of the university's affirmative-action goals.[53] The committee would have two, related responsibilities. First, it would be charged with identifying potential job candidates and helping to recruit them. This effort would require familiarity with scholarship in fields where minority academics are most likely to be

found, involvement in existing national minority faculty organizations, and personal contacts. When minority job candidates visited Cornell, it also would involve introducing them to minority groups and networks on campus and in the community. A substantial proportion of the committee would therefore consist of members of minority groups themselves or of other faculty members whose professional interests overlapped with those of many minority scholars. Second, the committee would be expected to keep affirmative-action recruitment and the subsequent retention of minority faculty at the center of university policy, to maintain a high degree of visibility for the issue, to promote an ongoing sense of urgency, to monitor progress toward avowed affirmative-action goals, and to develop additional or alternative strategies if that progress proved too halting.

Because these are large tasks and because hiring and promotion occur to a significant extent within individual colleges, the Affirmative Action Committee should also have a subcommittee for each college. The Committee and its subcommittees would work with the central administration of the university, with the Minority Education Committee of the Faculty Council of Representatives, with the deans of the various colleges, and with the individual departments. If and when similar programs and committees are established for the recruitment of minority staff and students, the faculty Affirmative Action Committee would closely coordinate its activities with these other bodies. Its job would be done and it could safely be disbanded only when minorities constituted the same proportion of the Cornell faculty that they constituted of the American population and there was therefore no longer any need for a university affirmative-action policy.

D. **Timetables.** How long will this take? We are going to propose a period of 3Ø years, but to do so we will have to proceed through several steps in the argument. The timetable depends on a number of variables: the size of the Cornell faculty, the rate at which the university hires new faculty, the percentage of affirmative-action appointments, the attrition rate of minority faculty, the percentage of minorities in the American population, and the number of additional lines for minority scholars. We will assume that the size of the faculty will remain constant, with the exception of the additional affirmative-action positions, and that the rate of hiring will also remain constant, with the same exception. That is, we assume a faculty of 1511 (see Table V) and a rate of hiring of 66 per year, a figure that represents the average rate for the past three years (see Table IX). Under these circumstances the university faculty will turn over in 23 years. It might seem that if minorities were hired during this period according to their representation in American society, if, in other words, 2Ø.3% of the appointments went to minorities (see Table X), if, to try yet another formulation, the university did things right this time around, all would be well in 23 years. By the year 2Ø1Ø, 2Ø.3% of the faculty and 2Ø.3% of the population as a whole would be composed of members of minority groups.

Unfortunately, this line of reasoning overlooks two countervailing forces. The first and more important is the rate of attrition among minority faculty. As we have seen, that rate for the past 1Ø years is 67%. For every three minority scholars who came to Cornell, two left--a net gain of one. If this pattern were to continue, the results would be devastating even with the accelerated rate of hiring minority scholars just proposed. Rather than 23 years elapsing before the Cornell faculty reflected the ethnic composition of

American society, it would take perhaps three times as long.[54] There is some reason to reject this gloomy scenario, however. The departure of temporary appointments is reflected in the attrition rate. More encouraging still, the promotion rate for those minorities who came up for tenure (during the mid and late 197Øs) was 82%. If the university hires minorities with tenure or on the tenure track in proportion to their representation in American society, if the high rate of granting tenure to minority faculty members continues, and if the rapidly increasing number of affirmative-action appointments helps reduce the number of minority scholars who choose to leave Cornell, then it is reasonable to predict that the attrition rate will drop precipitously. We will assume that it could fall from 67% to 33%, that for every three minority appointments, there might be only one departure--a net gain of two. The result would be to cut in half the length of time necessary for the university to achieve its affirmative-action goals. This period would now span about 35 years.

But during this time the second countervailing force would take effect. As already noted, the percentage of minorities in the population is increasing. By the year 2Ø2Ø, when minorities would constitute 2Ø% of Cornell's faculty, they might well constitute between 25% and 3Ø% of American society.[55] One would expect the university's target hiring percentages to change with the national population, as frequently as possible, but at least as often as with each new census. Nonetheless, this reactive strategy would inevitably slow progress toward affirmative-action goals, raising the necessary time to as much as 4Ø years. Finally, however, the combination of a minority hiring policy that anticipated demographic trends and the creation of additional lines for minority candidates could slightly abbreviate this period--perhaps to as little as 3Ø years.[56] The following tables are designed to recapitulate this

argument. The first offers target figures based on the 198Ø census.

TABLE XI

AFFIRMATIVE-ACTION GOALS (BASED ON 198Ø CENSUS)

Group	% (Goal)[57]	Number (Goal)[58]	% (Current)[59]	Number (Current)	Shortfall
Asian	1.5%	23	Ø.8+%	12+	11-
Black	11.7%	177	1.5%	22	155
Hispanic	6.4%	97	Ø.5%	8	89
Amer. Ind.	Ø.6%	9	Ø.Ø%	Ø	9
Total Min.	2Ø.3%[6Ø]	3Ø7	2.8+%	42+	253-264
Excluding Asian	18.8%	284	2.Ø%	3Ø	253

Table XII shows the results of hiring minorities over the next five years in proportion to their percentage in the American population. It takes into account attrition. On the other hand, it takes no notice of demographic changes, either those that have occurred since 198Ø or those that are likely to occur in the next 3Ø years, and includes no additional lines for minority faculty recruitment. It may therefore be considered an inadequate, minimum model.

TABLE XII

AFFIRMATIVE-ACTION PLAN, 1987-92

Group	Appointments[61]	Departures[62]	Net Gain	Total[63]	% of Faculty
Asian	5	2	3 64	15+	1.Ø+%
Black	39	13	26	48	3.2%
Hispanic	21	7	14	22	1.5%
Amer. Ind.	2	1	1	1	Ø.1%
Total Min.	67	23	44	86+	5.7+%
Excluding Asian	62	21	41	71	4.7% 65

If we compare the last column in this table with the figures on minority doctorates in Table VII, it is evident that at the end of these five years the percentage of Black faculty at Cornell would exceed the percentage of Blacks in the doctoral pool. The same would be true for Hispanics if the same policy remained in effect for another year or two, and for American Indians only after a total of 25 years. Asians are a special case, given their high degree of representation in the Ph.D. pool and the uncertain relevance of that pool to the definition of affirmative action employed here. There is some argument, however, for accelerating the appointment of American Indians in particular (perhaps from 2 to 4 every five years), in order more closely to coordinate the achievement of this modest, interim goal among the different minority groups.

On the other hand, it would probably be wiser to anticipate demographic changes from the start and begin making appointments right away on the basis of the probable percentage of minorities in the national population at the time the affirmative-action program is completed. Table XIII gives a rough idea of

how the long-term goals would look with this approach.

TABLE XIII

AFFIRMATIVE-ACTION GOALS (BASED ON PROJECTIONS)

Group	% (Goal)[66]	Number (Goal)	Shortfall
Asian	1.8%[67]	27	13-[68]
Black	14.9%	225	2Ø3
Hispanic	1Ø.2%	154	146
American Indian	Ø.9%	14	1[illegible]
Total Minorities	27.8%	42Ø	37[illegible]-
Excluding Asian	26.Ø%	393	363

Table XIV summarizes the first five years under this plan.

TABLE XIV

AFFIRMATIVE-ACTION PLAN, 1987-92 (BASED ON PROJECTIC[illegible]

Group	Appointments	Departures	Net Gain	Total	[illegible] Faculty
Asian	6	2	4[69]	18+	1.2+%
Black	49	16	33	55	3.6%
Hispanic	34	11	23	31	2.1%
Amer. Ind.	3	1	2	2	Ø.1%
Total Min.	92	3Ø	62	1Ø6+	7.Ø+%
Excluding Asian	86	28	58	88	5.8%

Here both the Black and the Hispanic percentages exceed the comparable

figures for the doctoral pool. The program would have to be continued in this form for at least 15 years for the same to be true of the American Indian statistics, however. If the program lasted for 3Ø years, the results would come up just short of the numerical goals suggested in Table XIII. There would be a sufficient number of Asian faculty, but the deficit for Blacks would be 5, for Hispanics 8, and for American Indians 2. If 3Ø additional lines for minorities were created, a total of one per year, this difference could probably be made up, even on the basis of the slightly expanded university faculty.[7Ø] It would make sense to have 2 or 3 of these earmarked for American Indians in the early years of the program. Finally, for there to be parity between minority women and minority men at the end of 3Ø years, women would need to be 52% of the appointments (48 out of 92 every 5 years; 45 out of 86 excluding Asians). In 198Ø-81, women constituted 42% of the Black, Hispanic, and American Indian doctoral recipients, but only 25% of the Asian doctoral recipients.[71]

It is obvious that these projections depend on assigning values to highly unpredictable variables. For this reason, modifications will undoubtedly be necessary over time. If, for example, the net gain is lower than the one specified here, either the number of additional lines or the percentage of minorities hired can be increased during the next five-year period. But it is worth emphasizing that, if the university conscientiously recruits minority faculty, the greatest difficulties will probably not be encountered in the first five years. During that period a lot of the slack will be taken up: a number of appointments will be made in fields of special interest to many minority intellectuals, fields in which Cornell is in most cases quite weak. Meanwhile, in other areas, particularly the sciences, departments will recruit

leading minority scholars. The more serious problems will occur in the middle years of the program. At that point there will be relatively few remaining major scholarly gaps to fill. And it is at that point as well that the interaction between the recruitment of minority faculty members and the recruitment of minority students, briefly discussed above, will become decisive. The increased size of the minority faculty will attract more minority graduate students, at least in certain disciplines. But it will also be essential to recruit minority students into disciplines where minority groups are most severely underrepresented (the sciences for Blacks and Hispanics, the humanities for Asians), at both the undergraduate and graduate level at Cornell, with the aim of creating as rapidly as possible a first-rate minority doctoral pool. In the absence of a concerted effort along these lines, any substantial affirmative-action program will inevitably reach an impasse in short order.

These are some of the complications that are likely to arise in the course of the execution of the program we have outlined. But a more general and more immediate problem is that this proposal is unlikely to please anyone. Members of minority groups as well as other supporters of affirmative action may well find 3Ø years a painfully long period of time. On the other hand, despite the evident gradualism of this approach, it places the university as a whole and its individual academic departments under a considerable amount and various kinds of pressure. Our belief is that both the waiting period and the pressure are bearable.

E. Conclusion. Finally, we propose that this plan be discussed, debated, and revised by the faculty, students, staff, and administration, and be

implemented on July 1, 1987, for the following five years. In the fifth year of its implementation, the policy would be examined rigorously and its results debated and discussed, leading to the creation of a new policy should this be needed.

Our proposal does not suggest piecemeal change. It seeks to transform the university in one fundamental respect, to redefine the sense and the reality of what Cornell is. Our proposal demands implicitly that the university stop paying lip service to generalities about affirmative action and embark upon a bold new policy. If executed with care and enthusiasm, this policy will serve to place Cornell in a leadership role in the creation of a truly diverse ethnic academic community. The university will thereby become a model of higher education planning and policy in the twenty-first century, as our world shrinks even more and as the goals of a true education come to include the best that has been thought and felt by all of the world's cultures.

Notes

*We wish to thank the many members of the Cornell community--students, faculty, staff--who have generously helped in the research, writing, revision, and circulation of this report.

1. Although many members of the groups so designated find the standard term "minority" objectionable, we employ it, reluctantly, for lack of a satisfactory alternative.

2. For the latter, see, for example, Marshall Cohen, Thomas Nagel, and Thomas Scanlon, eds., Equality and Preferential Treatment (Princeton: Princeton Univ. Press, 1977).

3. Nagel, Introd. to Equality and Preferential Treatment, ed. Cohen et al., p. vii.

4. See Louis I. Katzner, "Reverse Discrimination," in And Justice for All: New Introductory Essays in Ethics and Public Policy, ed. Tom Regan and Donald VanDe Veer (Totowa, N.J.: Rowman & Allanheld, 1982), pp. 64-85, esp. p. 74.

5. Personal communication from Judith F. Hammes, Director of Fellowships and Financial Aid Office, the Graduate School.

6. Personal communication from Deborah B. Pointer, Assistant Director of Special Programs, Office of Financial Aid, and Robert I. Rowe, Associate Director of Financial Aid.

7. Cornell University, Academic Appointment Manual, 1977 (updated 6/79), 4.19. It must be admitted that this interpretation is not beyond dispute, given the confusion evident in the document. The text begins by promising a list of minority groups but then goes on to present a list of all racial/ethnic groups (including whites!) recognized by the Federal government. We assume that this conflation of intentions is inadvertent, that minorities are meant to include everyone except whites. In conformity with Federal usage, we employ the designations Asian, Black, Hispanic, and American Indian, although not all members of these groups accept the terminology. Furthermore, the category of Asian includes Pacific Islanders, and the category of American Indian includes Alaskan Natives.

8. Status of Women and Minorities, 1986, pp. 11 and 15-16.

9. The faculty percentage is calculated from Status of Women and Minorities, 1986, pp. 15-16. The graduate student percentage appears in the same document, p. 11.

1Ø. Asian American population: Betty M. Vetter and Eleanor L. Babco, Professional Women and Minorities: A Manpower Data Resource Service (Washington, D.C.: Scientific Manpower Commission, 1984), p. 13. The figure in the source of 1.6% is reduced to 1.5% on the basis of direct calculation. Asian American doctorates, 1973-83: 3.8% (Vetter and Babco, p. 34). This latter percentage should be treated with some caution. Elsewhere in the same volume (p. 83) the authors cite another report published in the same year (1984) by the same organization (the National Research Council) but with a far higher percentage of Asian Americans among holders of U.S. doctorates (6.8%--our computation). The data presented do not suggest how these figures might be reconciled with each other or with the lower percentage (2.7%--again, our computation) for 198Ø-81 given in W. Vance Grant and Thomas D. Snyder, Digest of Education Statistics (Washington, D.C.: National Center for Education Statistics, 1984?), p. 124.

11. Status of Women and Minorities, May 1986, pp. 11 and 15-16.

12. Cornell University, A Source Book of Academic Information on Minorities and Women at Cornell University, May 1976, updated March 1979, pp. 5.31 and 5.33.

13. The point is made explicitly in Status of Women and Minorities, January 1982, Table X: "Minority figures include non-resident aliens."

14. A Source Book of Academic Information, p. 5.39.

15. E.g. Status of Women and Minorities, January 198Ø, p. 1Ø, and January 1981, p. 12, Table X.

16. Lest this seem like special pleading, it is worth noting that if the university were to reject an American-based affirmative action program for an internationalism genuinely reflective of the diversity of the world's population, its task would be extremely formidable: the vast majority of all future faculty appointments would have to go to people of color.

17. Status of Women and Minorities, 1982, Table X.

18. Status of Women and Minorities, 1982, Table XIII.

19. The contrast between A Source Book of Academic Information, from 1979, which does contain most of this historical and comparative material, and the annual Status of Women and Minorities reports, from the 198Øs, which do not, is most striking in this regard.

2Ø. Sources: Source Book of Academic Information, pp. 5.21, 5.31, 5.33, 5.35, 5.39, and 5.41; Status of Women and Minorities, 198Ø, p. 1Ø; 1981, p. 12, Table X; 1982, Table X; May 1983, Tables, pp. VII-VIII; and 1986, pp. 15-16.

21. Percent of faculty. The percentages shown are based on the actual size of the faculty, which varied from year to year but averaged about 15ØØ.

22. The raw data for individual minority groups come from Source Book of Academic Information, p. 5.31. The total faculty of 1511, from which all the percentages are derived, comes from Status of Women and Minorities, 1981, p. 12, Table X. That table, like Status of Women and Minorities, 198Ø, p. 1Ø, gives 44 as the total minority faculty for 1971-72. This figure may well refer to the number of minority faculty who were U.S. citizens. Source Book of Academic Information, p. 5.33, gives 42 as the number of minority faculty at Cornell, "U.S. Citizens Only," for 1971-72.

23. Not available.

24. These data come from Source Book of Academic Information, p. 5.21, which probably uses a more restricted definition of faculty than that employed for previous or subsequent years. For purposes of multiyear comparisons, the percentages may be slightly higher than is warranted.

25. The raw data for individual minority groups come from Source Book of Academic Information, pp. 5.31 and 5.35, where the total number of minority faculty is listed as 68. The total of 76, as well as the total faculty of 1481 from which all the percentages are derived, comes from Status of Women and Minorities, 1982, Table X. This discrepancy is important and demands explanation. It probably arises from a shift in the method of counting. Note that the number of Asians jumps sharply from 1975-76 to 1976-77. "The large increase in Asians was caused to a large degree by HEW classification of individuals from the Indian subcontinent as minorities" (Source Book of Academic Information, p. 5.39). Most likely the new system of classification was retrospectively applied to 1975-76. If this inference is correct, then the discrepancy of 8 between the two totals of 68 and 76 probably indicates 8 Indian faculty members not counted in one survey but counted in the other. For purposes of comparison with later figures, then, the correct number of Asians for 1975-76 might be not 33 but 41, or 2.8% of the faculty. More generally, the Asian figures from before 1976-77 and the total figures from before 1975-76 cannot be unproblematically compared with those from subsequent years.

26. The raw data for individual minority groups come from Source Book of Academic Information, p. 5.39, where the total number of minorities is given as 77 in February 1977. The total of 78, as well as the total faculty of 1462 from which all the percentages are derived, comes from Status of Women and Minorities, 1982, Table X.

27. The raw data for individual minority groups come from Source Book of Academic Information, p. 5.41, where the total number of minorities is given as 77 in February 1978. The total of 78, as well as the total faculty of 1481 from which all the percentages are derived, comes from Status of Women and Minorities, 1982, Table X.

28. The figures for 1979-8Ø actually add up to 82 rather than 81. The raw data for individual minority groups come from Status of Women and Minorities, January 198Ø, p. 1Ø, where the total number of minorities is given as 82 in 1979 (presumably Fall 1979). The total of 81, as well as the total faculty figure of 15Ø8 from which all the percentages are derived, comes from Status of Women and Minorities, January 1982, Table X.

29. The calculation is 8 divided by 41, and the result multiplied by 65. Such inferential figures are rendered necessary by the university's policy of aggregating various national minority groups, noted above, and its far more justifiable policy of refusing to provide public lists of the names of minority faculty members.

3Ø. Source Book of Academic Information, pp. 5.31 and 5.33.

31. The calculations are as follows: Asians--28 divided by 33, and the result multiplied by 52; Blacks--2Ø divided by 23, and the result multiplied by 24; Hispanics--4 divided by 1Ø, and the result multiplied by 9.

32. Status of Women and Minorities, 1983, Tables, p. VIII, and 1986, p. 16. During the past five years (1981-82 to 1985-86) minority faculty increased by 1Ø, from 88 to 98, and from 5.7% to 6.3% of the faculty. In the same period tenured and tenure-track minority faculty increased by 5, from 85 to 9Ø, and from 5.7% to 6.Ø% of the tenured and tenure-track faculty.

33. The calculation is the number of tenured and tenure-track minority faculty (e.g. 9Ø) divided by the total number of minority faculty (e.g. 98), and the result multiplied by the estimated number of minority faculty who properly belong in an affirmative action survey (e.g. 69). The resulting figure (e.g. 63) is then divided by 1511 tenured and tenure-track faculty (computed from Status of Women and Minorities, 1986, p. 16) to get the percentage. The same procedure is followed for each minority group. Note that this procedure assumes that the percentage of American citizens among minority faculty who are tenured or tenure-track is the same as among those who are not. It also assumes that the percentage of tenured or tenure-track faculty is the same for each minority group.

34. Information from Professor Lee Lee, HDFS, who is also the source for the other data on Asian American faculty at Cornell that follow.

35. Calculated from Status of Women and Minorities, 1986, pp. 13 and 14.

36. Cornell University, Summary: Affirmative Action Plan, 1985-86, p. 1.

37. See Source Book of Academic Information, Appendix III.5-8, which reprints information from the mid-197Øs on doctorates according to ethnic and racial background.

38. Vetter and Babco, p. 34.

39. Calculated from Vetter and Babco, p. 34.

4Ø. Calculated from Vetter and Babco, Table 2-15.

41. Sources: Status of Women and Minorities, 1981, Table XIII; 1982, Table XIII; 1983, Tables VIII-IX; and 1986, pp. 16-17.

42. New Minority Appointments divided by New Appointments.

43. Minority Departures divided by New Minority Appointments. This output-input ratio helps to measure the effect of hiring minorities. A result of 5Ø% means that for every two new appointments there is one departure (net gain of one); a result of 1ØØ% means that for every two new appointments there are two departures (net gain of zero); a result of 15Ø% means that for every two new appointments there are three departures (net loss of one).

44. The figures on New Appointments and New Minority Appointments for 1983-84, 1984-85, and 1985-86 are for additions to the tenured or tenure-track faculty only. This presumably explains the apparent drop from an annual average of about 1ØØ new appointments in the previous 11 years to an annual average of about 65 in the three most recent years. Since Minority Departures during these three years are not explicitly limited to tenured and tenure-track faculty, the shift in the mode of calculating new appointments may also explain the unusually (and perhaps misleadingly) high minority attrition rates for these years.

45. Calculated by dividing the 43 Minority Departures by the 64 New Minority Appointments from 1976 to 1986. The net gain in minority faculty during this ten-year period was thus 21. This figure accords rather closely with the results obtained by comparing the data from Table I, which gives a total of 76 minority faculty for 1975-76 and of 98 for 1985-86--an increase of 22.

46. Status of Women and Minorities, 1981, pp. 8 and 14. "Of the 34 minority faculty considered for tenure in the past six to eight years, 28 were promoted" (p. 8). This is a rate of 82%.

47. Even if one includes Africana Studies in the College of Arts and Sciences for the purposes of comparison, the absolute numbers at Cornell remain lower than at Yale or Stanford.

48. Information on Yale and Stanford comes from affirmative-action officers at the two universities.

49. Calculated from Vetter and Babco, p. 13. The figure for Asian has been reduced from 1.6% to 1.5% and for Hispanic from 6.5% to 6.4% on the basis of direct computation. The percentages in the final column do not add up to exactly 2Ø.3% due to rounding off.

5Ø. Calculated from Vetter and Babco, p. 67.

51. Calculated from Vetter and Babco, p. 18, Table 1-19.

52. We cite our own fields of specialization here.

53. This committee might be thought of in part as an attempt to implement various proposals for "improving affirmative action procedures" made by President Rhodes several years ago and included in the Academic Appointment Manual, pp. 4.1d-g.

54. American Indians are the exemplary case here and may be used to illustrate the method of calculation. They currently make up Ø.6% of the American population (Table X). If this percentage is multiplied by 1511, the size of the Cornell faculty, the result is 9, the target number of American Indian faculty members. This is also the number of American Indians who would be hired every 23 years, if minorities were hired according to their percentage in the American population. But during this same period of time, two-thirds of these faculty members would be lost through attrition leaving a net gain of 3. The faculty would therefore have to turn over three times, a period of 69 years, for there to be a net gain of 9. Since there are already a few Black and Hispanic faculty members at Cornell (see Table V), the target number would be reached slightly more quickly in their cases: 61 years for Blacks, 66 years for Hispanics. Lack of the appropriate data on Asian Americans makes any comparable calculation for this group impossible.

55. According to Vetter and Babco, p. 67, in 198Ø Asians, Blacks, Hispanics, and American Indians made up about 2Ø% of the 3Ø-year-olds, but 27.8% of those under 5 years old. They constituted about 24% of the population 29 and under. Although these data do not permit inferences about trends, we will assume for the sake of simplicity that variables such as birth rate, mortality rate, and immigration will roughly balance each other out, that a figure between 25% and 3Ø% is likely.

56. Both the anticipation of demographic trends and the creation of additional lines may prove most crucial with respect to the Hispanic population of the United States, which seems likely to experience the largest proportional increase in size over the next 3Ø years.

57. From Table X.

58. Calculated by multiplying % (Goal) by 1511, the size of the faculty.

59. The figures for % (Current) and Number (Current) are based on a slightly different set of calculations from those undertaken earlier. It will be recalled that, for the purposes of illustration, a strict construction of affirmative action, as defined in section III.B.2-3, guided the statistical argument that culminated in Table V and the immediately succeeding paragraphs. But we also argued that a more inclusive understanding of affirmative action was appropriate, as long as the majority of the faculty included under the rubric of affirmative action conformed to the strict construction.

In the present instance we have employed the more inclusive interpretation. We have started with the official university figures, as reproduced in Table II. We have omitted the calculations designed to exclude Indians and foreign citizens (Tables III-IV) but have corrected downward to limit the count to tenured and tenure-track faculty (Table V). The same principles apply to each minority group, but with Asian Americans we have been forced to be tentative. Using the broad interpretation of affirmative action, at least 11 foreign-born and raised Asian American faculty members at Cornell belong in this table. So, too, does the (at least) 1 Asian American faculty member born in the United States. This gives a total of 12, but presumably there are others: hence the "+" sign here and the "-" sign in the Shortfall column. We would insist, however, that even if there proves to be no shortfall of Asian American faculty

at Cornell, the near total absence of such faculty in fields related to the Asian American experience requires prompt remedy.

Note that this method of calculation is relevant less to present realities than to future goals. The inclusion of 11 foreign-born Asian faculty members who fit only the loose interpretation of affirmative action would be legitimate in an assessment of the current situation only if a greater number of Asian faculty members conform to the strict interpretation. It is not at all clear that this is the case. On the other hand, for the purpose of future projections, their inclusion is entirely appropriate.

60. This figure and a few others are not exactly the sums of the columns above them because of rounding off.

61. Calculated by multiplying % (Goal) x 66 (appointments per year) x 5 (number of years).

62. One-third of appointments.

63. Net Gain + Number (Current) from Table XI.

64. This figure and the two to its right may depend on the net gain consisting exclusively of Asian American faculty members who conform to the strict construction of affirmative action. This calculation also presupposes that there are currently no more than 20 Asian American faculty members who may legitimately be counted toward even the loose construction of affirmative action as defined in this report.

65. This figure is less than the sum of the above numbers due to rounding off.

66. From Vetter and Babco, p. 67: percentages for the under five age group.

67. Probably a low estimate.

68. This calculation assumes 13 Asian American faculty members are included in affirmative-action figures under the loose construction and at least 1 more under the strict construction.

69. For the assumptions behind this calculation and the two to the immediate right, see n. 64.

70. The calculation is as follows: 26% minorities x 30 new lines = 8 additional affirmative-action appointments. These 8 appointments are added to the shortfall of 15 to produce the need for at least 23 new lines. If one assumes an attrition rate of one-third on these lines as well, then there would be a need for about 35 new lines in all. The figure of 30 is thus optimistically low and is chosen for its "fit" with the 30-year length of the program.

71. Calculated from Vetter and Babco, Table 2-15.

MINUTES OF A MEETING OF THE FACULTY COUNCIL OF REPRESENTATIVES

December 9, 1987

120 Ives Hall

The Speaker, Russell D. Martin, Professor Emeritus, Communication, called the meeting to order at 4:30 p.m. He then called on Dean of the Faculty, Joseph B. Bugliari, for remarks.

1. REMARKS BY DEAN BUGLIARI

The Dean wished everyone well for the holiday season and announced that the next meeting would not be until February. He added that there was a motion that was passed at the last meeting by Professor Street to bring back the Cohen-Gates report at the February meeting, and he reported that the Committee on Minority Education had been meeting every week, and, presumably, would be back with something for either discussion or a resolution of some sort at the February meeting. He noted that that was the plan at the moment. He also added that the Deans' Council had had a discussion of the report as had other groups, so there is a movement afoot to have something before the FCR at the February meeting, as was requested.

Dean Bugliari announced that Secretary of the Faculty, Fran Herman, would be retiring from the School of Hotel Administration, but not as Secretary, and that they had agreed to provide her with exactly the same pay serving as Secretary as is paid the Speaker.

There were no questions for the Dean, so Speaker Martin called on Professor Vernon Briggs, Acting Director of the Hispanic American Studies Program for a discussion of that program.

2. REPORT ON HISPANIC AMERICAN STUDIES PROGRAM

Professor Briggs: "As you can see from the start, I am part of the problem. We have a chronic shortage of Hispanic American faculty here at Cornell and nationwide, and I have agreed to serve as acting director for the first year.

"Our purpose this year is to try to get the program launched and underway, but we feel that the Hispanic American Studies Program is designed to try to fill an academic gap in the program here at Cornell. We are not a student service organization nor do we seek to be one per se, although we are available to students for information. Our primary concern is one of time this first year, anyhow, to try to arrange to find ways to increase Hispanic American faculty representation through, in the short run, visiting professorships, if possible, and we hope, also, to be able to sponsor academic programs such as lectures and a seminar series. We've had a sandwich seminar series this year and have some invited speakers coming in this spring.

"I think it's useful to indicate that the Hispanic American population of the United States is currently the largest and the fastest growing minority group in the United States. It is growing at five times the population growth rate. The Hispanic American population is currently estimated at 18.8 million people. It is the most rapidly growing due to high fertility rates, high immigration rates. It may well be that the Asian American population is the fastest growing in percentage terms, but in absolute terms it is clearly the Hispanic American population. Some of the demographic estimates are that the Hispanic population in the United States will be one out of every three people sometime betwen the year 2030 and 2050. That is not that far away, although I don't intend to see it, but I think that certainly some of our children will, and it is a matter of beginning to prepare our students, to prepare our

University to be more receptive in terms of preparing people to enter teaching, academic careers, and present programs that would respond to specific issues that the Hispanic American population is confronted with.

"There are currently nine Hispanic American faculty members on the Cornell faculty, which is six tenths of one percent of the University's faculty, and I think one can begin to see why there is a need for a program in some sense. You are talking about a major population shift that is underway and a faculty representation that is infinitesimal. In fact, of the nine members of the faculty who are Hispanic American, at best one or two actually have been born in the United States.

"As far as student enrollments, there are currently 4.1 percent of the student body that is Hispanic American. Graduate enrollments at the University are 2.7 percent, which are quite small; professional school are 2.5 percent. So, clearly there is some concern that there is a crisis in terms of higher education in preparing Hispanic American students for positions of resposibility in the forthcoming college graduation, college degrees, college training.

"There is one thing I would like to ask from the faculty and that is support, at least in considering trying to encourage certain faculty search committees to seek out Hispanic American faculty in their pools to be considered for postions. We would like to be supportive of that with the Hispanic American Studies Program if we can. We would like to encourage and hope that various departments, where it seems appropriate, would consider sponsoring Hispanic American programs and lectures. We would hope that faculty members might establish courses, might certainly consider including and looking over the curriculums to see how much recognition there has been

for Hispanic American contributions in roles and issues in their courses and to encourage that in all courses where it seems appropriate.

"I might say there is a search for a permanent director underway, which I am strongly supporting, and we will need that person to be jointly appointed with some established department, so it is an issue that we may be discussing with those of you here on campus. When we find a candidate, we will have to find someone who is also acceptable to the particular academic line department in which they would be placed. The recruitment will take place at the tenured level."

There were no questions for Professor Briggs, so the Speaker introduced Associate Professor Lee C. Lee, Director of the Asian American Studies Program.

3. REPORT ON ASIAN AMERICAN STUDIES PROGRAM

Associate Professor Lee C. Lee, Human Development and Family Studies: "A friend and colleague responded with amazement to my announcement than an Asian American Studies Program was about to be launched at Cornell. What she said to me was, 'Lee, why do we need an Asian American Studies Program on campus? All my Asian students are bright, dependable, and hard-working. They don't need any extra help.'

"The sentiment expressed by my friend and colleague reflects a misunderstanding of the role of ethnic studies in higher education. The underlying assumption in this statement is that ethnic studies is not an academic endeavor but a compensatory program for ethnic groups. In order to understand the role of ethnic studies in higher education we must first ask the more basic question concerning education. What role do we as educators hope our students will take in society as they graduate from Cornell? I am sure that there would be diverse answers to this question, but I am willing to

bet that we would wish them to be successful and take on leadership roles as world citizens. Our Cornell graduates will share responsibilities in an increasingly complex world, one in which technical knowledge and traditional wisdom appear to be at odds, a world in which national and corporate interests thrive alongside growing concern over global issues, a world which is being transformed by the demands of a growing population, the influences of trade, and the possibilities of technology. Clearly, technical or professional competency alone is not sufficient preparation for responsible, social, political and economic participation. How successful we are in molding these future world citizens will depend a great deal on how we nurture them during their tenure at Cornell. I believe one important nurturant in students is an understanding of the full spectrum of this nation's cultural history. Without an understanding of the diverse roots from which this society emerged, it would be difficult for our students to fully comprehend our society or its relationship to the rest of the world. I believe this basic understanding is indispensible to becoming world citizens. Cornell, then, should not only address what presently exists within the larger society, but also to what has been and what ought to be.

"On a more practical level, a university could be viewed as a microcosm in which people with different religious beliefs, cultural values and worries communicate and interact on a daily basis. The success of such interaction depends in large measure on the extent to which the university fosters an atmosphere of mutual understanding, respect and tolereance. Success at this microcosm level should have consequences for our graduates as they take on leadership roles in the macrocosm that is the world.

"Our task is to acquaint our students with an array of global issues, cultures and values for study and analysis. We should provide the means and

environment where a student can weigh various sets of values against each other and learn a lifelong process of thinking critically and creatively. Students' educational experiences should help them become full participants in the complex process that is civilization.

"It is within this context that the American ethnic studies is indispensible in American higher education. It is important for us to recognize that the fundamental value of ethnic studies is in the perspective they afford our traditional education, American culture and global issues. Ethnic studies serve important functions: making university curriculum more reflective of the social and humanistic realities, and giving minority students the sense that they as a people have a legitimate place in our education. Further, at a time when the overall trend in higher education has been toward specialization, ethnic studies programs have begun to provide an important counterbalancing force. Unfortunately, most programs of ethnic studies on the nation's campuses have been isolated from mainstream academic curricula. Few faculty outside the ethnic studies program feel competent or adequately prepared to include ethnic content or issues in their regular courses.

"To further the isolation, most ethnic studies programs have focused on education of their own ethnic groups and, on the whole, have ignored the education of the general population. Such a division in an academic enterprise does not serve the best interests of students because they are deprived of the opportunity to achieve a broad base liberal education. Ethnic studies programs ideally should be integrated into the the regular curriculum of university offerings as the content is of importance for all students regardless of their racial and ethnic origin.

"Although Asian Americans have been in this country in significant numbers for at least a hundred years, their cultures and presence have been largely ignored in university settings. While course offerings in Asian history, literature, art, etc. have existed for many years, they address issues of foreign cultures, whereas Asian American Studies speak to issues of American studies, American culture. Asian American Studies also speak to the manner in which Asian and American experiences are linked in cultural, social and political ways. Asian American Studies is also a means of reinforcing and contributing to the legitimation of the culture of Asian Americans. Stereotypes and myths concerning Asian Americans fill the news media and misunderstandings of Asian Americans have led to violence and discrimination. There is no better vehicle than education to begin to build the bridge of knowledge of this American heritage.

"The fact that it has taken Cornell 20 years to recognize the need for an Asian American Studies Program after the establishment of its first ethnic studies program reflects a lack of understanding of the role of ethnic studies by past administrators. I must commend the current administrators for seeing that ethnic studies has a place in the academic arena of Cornell, and it is not an issue of political might or compensatory education for ethnic people.

"In the spring of 1986 an ad hoc committee made up of Professors Brett de Bary, Martie Young, Henry Gates, John Hsu, Charles Hirschman and myself was established by the then Vice Provost Barry Adams, to assess the feasibility of initiating an Asian American Studies Program on campus. In July 1987, the Asian American Studies Program was officially established at Cornell as a University-wide program. The Program's specific aim is to achieve a broad based education for all Cornell students. The program functions as a teaching, research and resource center to serve the educational

needs of the general Cornell community as well as those of the Asian American community. As a University-wide program, it is intercollegiate in nature, with links to all schools and colleges of the University. The teaching program will offer a number of basic courses dealing with Asian American experience to be offered in any of the participating colleges depending on the content and faculty affiliation and encourage incorporation of specific Asian American content into the mainstream curriculum of the University by providing necessary financial resources and substantive support to faculty members interested in developing new courses and adding pertinent materials to the existing courses. The staff in the program will work toward establishing one or more academic concentrations in Asian American Studies in the future.

"It is our belief that any good academic program must be accompanied by ongoing research. Thus, program activities will also direct toward encouraging, stimulating and generating research on topics related to Asian Americans. The program will function in part, also, as a resource and activity center for its affiliated faculty members as well as the larger Cornell community. It will sponsor activities designed to facilitate dialogue and interchange among faculty from the variety of disciplines and departments and will work to encourage collaborative research among its members.

"The third dimension of the program is to foster and promote Asian American culture and art. The program will serve as a resource center and provide a base for social interaction among Asian American students and members of the Cornell community interested in Asian American culture and art. In this capacity, the program will sponsor events aimed, not simply at enhancing Asian American students' sense of identity, but also at developing an appreciation of the role of Asian American culture and art in American society among all the members of the Cornell community.

"Where do we stand as a program now? The program currently has approximately 17 affiliated faculty members drawn from various departments and colleges of the University in the humanities and social sciences. A course is being offered next semester called 'Asian Americans From Exclusion to Model Minority'. We hope that at least four more courses will be offered during the next academic year. In addition, a grant program has been implemented to encourage the inclusion of Asian American content into regular courses. In fact, the course material and the grant program announcement is on the table.

"A research project has been started in New York City on immigrant children as well as a grants program for seed money to encourage research in Asian American topics.

"In terms of art and culture, an Asian American poet spent a week on campus a month or so ago, and a colloquium series is in place.

"The Caldwell office space that was given to the program has been established as a reading and resource center for students and colleagues instead of using it as a regular office. The intent there is so that students can come to a place where they can interact and network among themselves. I don't know how many of you know that we have an innumerable number of Asian student associations. This is the first time at Cornell University that we are able to bring these students together as a unit. So, each student group has sent a representative to what we call a student committee which is a liaison to our program, which will give us input in terms of their desires and so forth. Also, next spring Cornell will be the site of the East Coast Asian Students Conference, which is a conference of all the East coast universities' Asian students. The selection of this site was greatly influenced by the establishment of the Asian American Studies Program. The program will also

hold an annual symposium on Asian American topics. The first symposium will be on Asian Americans in Higher Education and will be taking place May 4 and 5.

"As you can see, we have been busy, and we will continue to be busy. I have been encouraged by the actions of central administration and the interest of colleagues throughout the University. Thank you."

Speaker Martin: "The Chair again calls on Professor Vernon Briggs in his role as Chairman of the FCR Executive Committee to present a resolution on proposed changes in FCR and University committee structure."

4. RESOLUTION RE CHANGES IN COMMITTEE STRUCTURE

Professor Briggs read the resolution:

WHEREAS, the FCR Executive Committee and the Review and Procedures Committee of the University Faculty have reviewed and endorsed the proposed changes in the charges and composition of the FCR and University Faculty Committes as enclosed herewith,

BE IT RESOLVED, that the FCR approves the changes in the charges and composition of the FCR and University Faculty Committees as proposed, and

*BE IT FURTHER RESOLVED, that the FCR empowers the Executive Committee to take such steps as it deems necessary to effect an orderly transition from the present committee structure (Appendix A) to that hereby adopted (*Appendix B)."

Speaker Martin: "The resolution is now on the floor for debate. To simplify things, the Chair would suggest that we take these in order in case there are comments or discussion."

Dean Bugliari: "First, let me say that there is a reference in here in a number of places to something called the Rules and Procedures for Governing Standing Committees. The normal standing committee structure is seven members

and, therefore, unless that number is to be changed, the normal seven member rule would still apply. The rest of those rules indicate things like, 'The Committee shall elect its own chairman; the Dean of the Faculty and the Secretary are ex officio members; when the election shall take place, etc. So, what the difference is is those that have nothing after the procedure, in effect, have seven members, the other ones have nine or have some special people added who wouldn't normally be members of the committee."

Speaker Martin: "The first one in your packet of the revised committees is the committee on Academic Freedom and Professional Status of the Faculty. Are there questions or discussion relative to that first committee?"

Associate Professor Alan K. McAdams, Johnson Graduate School of Management: "I currently chair the Committee on the Professional and Economic Status of the Faculty, and first, I would like to say that I endorse the principle of combining responsibilities. I do have some problems with the way in which the responsibilities have been designated between the two committees, the Committee on Academic Freedom and Professional Status of the Faculty and the Committee on Financial Policies. For example, it appears as if there is a contradiction in the wording within the statement on page 3. For example, at the end of item B, it says that the committee will deal with matters which will adversely affect his or her economic status and lead to his or her dismissal or otherwise alter the terms of his or her employment, and yet, if you turn to page 10, you see in item 4 that the Committee on Financial Policies is intended to examine and make recommendations concerning issues and considerations that affect the economic status of the faculty. So, it seems to me that here in one place the individual economic status is dealt with by one committee and the general economic status dealt with by another.

"Second, and perhaps more important, for the committee on page 3, item A 3, the question of retirement is there, and in my view, that is going to be a feature issue of both Professional and Economic Status and it will have profound implications for financial policies within the University, and yet it also falls within this other committee. I have some questions about the way in which the responsibilities which currently would be falling under the committee that I chair will be split and placed between the two committees."

Dean Bugliari: "At present, the Committee on Academic Freedom and Responsibility has a review function in it. The idea was that if a person claimed that their economic status was affected by issues of academic freedom, that they could bring that claim to this committee. This is the only committee in the whole group that has some sort of a review function in it, and you are quite correct that general economic conditions such as salaries, CCTS, all of those kinds of issues would, in fact, be decided by that new financial committee and issues that affected an individual where that individual claimed economic discrimination of some sort based on issues of academic freedom of otherwise would, in fact, be decided by this other committee. It has the review function in it.

"Secondly, the question that you raised about retirement - it is quite clear that today lots of issues have financial and other implications, as we move into the area of retirement. I would not think that it would mean that retirement is an economic issue for the University and for the faculty as a general group that the Financial Committee wouldn't be involved but that the questions of retirement in other senses, in things like the question of how we deal with emeritus professors, what privileges and so forth we accord them, or what roles and functions, would be more properly in the other committees.

"The idea was to take all the financial issues and put them in one place and all the non-financial issues in another and have two committees deal with it rather than the present number of committees, which is 5, deal with it."

Professor McAdams: "In item A3, page 3, it says that 'The Professional Status of the Faculty, including but not limited...' - of the faculty, this is not an individual faculty member, this is the faculty as a group."

Dean Bugliari: "That is because the part A is the policy part of that committee's function and the part B is the review part of the function."

Professor McAdams: "Are you saying that the retirement issue would, nonetheless, stay with this committee?"

Dean Bugliari: "I am saying that it will probably involve both committees, that retirement is an issue that has a tenure problem connected with it, has a lot of academic freedom problems connected with it and also, obviously, has financial problems with it, through the University. So, I see both committees dealing with the issue of what we do about retirement and tenure, and everything that goes with it. What I am saying is that I don't think that this exclusively gives this committee retirement and says to the other one, 'don't look at it' anymore than dealing with both faculty salaries in your committee and the Committee on the Budget."

Professor McAdams: "That sounds like legislative history to me, and I think it is very important to have such legislative history on the record."

Dean Bugliari: "As a practical matter, any committee that feels there is an issue that they should be looking at as well as another committee, it seems to me that is perfectly appropriate."

Professor McAdams: "If I may comment further, I found the opposite - that when a member of the Budget Committee, we were told to keep our nose as far as possible out of the faculty salary question, and on the Economic Status

Committee, we were told to keep our nose out of budget questions when clearly the two of them were intertwined, and that is why I stated my support in general for having a Financial Policy Committee. But I do think it is important to establish in legislative history that, for example, one other issue - the largest rate of increase in the current budget is likely to be in undergraduate financial aid. That is the most rapidly growing element, as far I am aware from our last meeting on Friday, in the current general general purpose budget. The questions of policies on undergraduate financial aid are technically to be with the Committee on Admissions and Financial Aid, yet, clearly, there is an absolutely major financial implication for the general purpose budget, and I fear that in light of your comments, that you would agree that that is something that is clearly not foreclosed to the Financial Committee, merely because it is stated that policies from this issue will be recommended by the Committee on Admissions and Financial Aid."

Dean Bugliari: "I am not arguing that the overlap has completely disappeared. I do think the worst one, though, is the one you alluded to, which is faculty salaries, which had two committees working on it, one which was telling the other to keep out."

Professor McAdams: "It was not the committees telling each other to keep out; it was the administration telling the committee not to join."

Dean Bugliari: "This other committee on Academic Freedom and Professional Status - without the professional status part of it - has already been meeting and has elected one chair for both committees."

Speaker Martin: "All right. Let's move on to other people who may wish to discuss this, and Professor McAdams, you are at liberty to propose an amendment to this, if you wish, before we leave it."

Franklin K. Moore, Joseph C. Ford Professor of Mechanical Engineering: "It seems to me in comparing the two charges to the committees, old and new, that I had sort of imagined - I have never been a member of the FCR before - that the Committee on the Professional and Economic Status of the Faculty was intended to be zealous of the faculty position within the University as an entity. If having lost any such sense of that being an entity at the time when general faculty meetings were and the FCR was begun, so I assumed that was the function of that committee. Now I sense that this function is being split and most likely will not be attended to. Am I wrong?"

Dean Bugliari: "I don't really believe that is true. I think the Financial Committee will be looking at the issues on the financial side, and you are quite correct that the other committee will be looking at the rest, but as a practical matter, both of those committee chairs will also be meeting with the Executive Committee. You will notice that one of the things we have done is to add the chairs of those two committees plus the two from Research Policies and Academic Programs and Policies to the Executive Committee in order to provide a holistic picture to the Executive Committee. In addition to those kinds of issues, there are issues like admissions and financial aid. There are other kinds of issues that are all part of faculty concern, too."

Professor Moore: "It would seem to me that I would like to see a committee that is concerned with the faculty."

Dean Bugliari: "I hope every one of these committees is concerned with the faculty."

Professor Moore: "They are spread out in such a way that none has responsibility for it. There were two answers to that kind of question I heard before. One was that when the committees and the functions were split that both would run for cover and not deal with the issues or possibly that

they would argue about it. I think that they both would tend to avoid these issues. I would like to know if I am wrong about the previous function of the committee I am referring to?"

Dean Bugliari: "First, as a practical matter, the Professional and Economic Status of the Faculty Committee had other issues that would come before it, such as parking, CCTS, etc. Now, CCTS will go with Financial Policies because that basically is a very important financial issue. Parking and other kinds of things - and there are two or three issues that are now before the other committee - would go over with that other group. What happens is that in the past - and Alan can respond to this and Ron Ehrenberg, Walter Lynn and other people who have been on both of these committees - the issue of faculty salaries took so much time that the Professional and Economic Status Committee wound up not being, I think, properly able to look at a lot of these other issues. You could have one group, but the question is whether they can then do everything that they have got to do."

Professor Ronald G. Ehrenberg, Industrial and Labor Relations: "I am totally in favor of the consolidation for the reason that you are arguing, but the range of issues that this Financial Committee is going to have to deal with is so large that you never get to issues such as what has happened with the disability insurance (a policy which hasn't been changed in years and the maximum benefit level for faculty members is $2,500 a month, which means for those of us with nine-month contracts, $22,500 is the most you can get, including social security) and the Budget Committee is so preoccupied with the short-run aspects of the budget that we never get around to talk about the long-run areas, which is where the committee in principle has a much larger impact, that while I'm in favor of the consolidation, I would hope that the number of members of the committee would be expanded from 9, which we

currently have, so that you could really set up a subcommittee structure with different areas of problems."

Dean Bugliari: "Let me make two comments. The reason I picked 9 was that under the University Faculty legislation, it is possible to have subcommittees that include people who are not members of the committee on the subcommittees. I would hope that on some issues like that it might be even wiser to have maybe one member of the committee and two or three other people who have some more expertise in some of these areas from the general faculty to serve as a subcommittee to report back what they find and recommend to the whole committee.

"The other problem is if you get a committee that has 15 or 21 or some other number like that, then it is impossible to make sure you have got a meeting. So, I agree with you that a lot of these issues could be looked at. It's my hope that if we put all of the financial issues together, the chair and members of that committee will then decide that these are issues that they should look at and set up subcommittees to look at it and report back."

Professor Ehrenberg: "Could you add an amendment that the chair gets a one course teaching load?"

Dean Bugliari: "I don't know if I could enforce it if you stuck it on there."

Professor McAdams: "In response to the direct question, the Professional and Economic Status of the Faculty Committee has been in the role of advocate on a number of occasions. I think it is important to have a committee that has that kind of a role and accepts the mandates of that role. I kind of wonder if you'd get exactly the same thing.

"Academic freedom is a different kind of an issue. It's a very important issue; it needs its own advocacy. In some ways, putting parking into that

committee is an interesting question. It seems to me that where you park your car or have academic freedom are not on a par to some degree."

Dean Bugliari: "I will let the rest of the people decide that one. I am not trying to put them on a par, either."

Professor McAdams: "In further response to the question, last year we had a very important series of developments. For example, in whatever form, the pool for faculty salaries was considerable. In this committee, we were able to learn that at least one dean, in responding to the directive that there was a pool of seven percent, approximately, for salaries last year, said, 'In order to make that go, I must cut a number of appointments that I can make this year.' Now, there is a place where the economic and professional status are directly involved on both ends of that discussion. Here, if one group is dealing with the seven percent and another group is dealing with the teaching load, which is implicit, and having fewer faculty members appointed, you lose the ability to really come to grips with the issue. So, while Ron is correct that the mandate to the Financial Committee is broad, there are occasions when you really need at the same time to look at professional status and economic status because they are two sides of the same coin, and when you split them, you lose the ability to really influence policy."

Dean Bugliari: "Let me respond to that in one sense, and that is while I wouldn't disagree with anything you said, and, again, these two committees may have to work together on some issues, at least the example you gave is a question of whether in fact the University faculty committee should deal with a problem that is inherently one within that particular school or college where the dean is making that decision. It seems to me that our function is an overall review and not getting down to the question of whether a particular

college, in order to keep within the seven percent pool limit, decides that the way to do it is give everybody who is there some more and cut down on the number of appointments. I don't know whether the University faculty could ever have a role in making that. Every college and faculty might look at it differently. They might resent the University group trying to tell them how to manage the affairs of their particular college."

Professor McAdams: "It seems to me that you have got to have someone stating on behalf of the faculty the general principles that the faculty would like to see observed, and having the teaching load expanded as a means of providing an improvement in the effectiveness of Cornell University as a place for new faculty members to come strikes me as being counterproductive."

Speaker Martin: "Is there any more debate on the first committee?"

Professor John F. Booker, Mechanical & Aerospace Engineering: "I wonder if somebody could speak to priorities on this proposed revised committee on Financial Policies. I have the same concern that I've heard here about who is going to speak for the faculty and how much time is there in the day to do it. If I read through the charge to the committee, it is a four point charge, and it is only when I get down to the fourth point that I find that has been at least the traditional area that the Committee on the Professional and Economic Status of the Faculty has largely spent its time, mainly on the economic status of the faculty."

Dean Bugliari: "Basically, if you look at it, the Budget Committee looks at the budget. It looks at a lot of things in the budget, such as Alan's suggestion that it looks at what is going on with admissions and financial aid expenditures and other kinds of expenditures. On the other hand, it spends most of its time looking at the question of the salary. To some extent, this was taken to include all of the functions the Budget Committee had plus that

salary review process, which includes not just salary but fringe benefits and all the things that go along with it. Actually, the Budget Committee looks at a whole bunch of things which you can't do anything about. It then looks essentially at the question of the salary pool and tuition, basically, because they run somewhat together."

Professor Ehrenberg: "I think the interests to the faculty are represented, but the process in recent years has been moving so quickly that there has not really been any effective faculty input, at least in the last two years in terms of salary type of issue. Decisions, essentially, have been made because of time to present evidence to support the case.

"I might add that one thing which hasn't been discussed here is the whole question of statutory colleges salary program and half of the faculty is totally outside the budgetary pool."

Dean Bugliari: "We do have a committee on faculty salaries in statutory units, and the hope is that we will continue to have that committee with, perhaps, somebody from this committee as a subcommittee of this committee. We have been trying to exert, and maybe have been succeeding this year, incidentally, in getting some changes at the upper level on the statutory salaries of the senior professors."

Speaker Martin asked for any comments or discussion relevant to the various committees.

Professor McAdams: "I'd like to come back to my comment on the Committee on Admissions and Financial Aid. I'm worried about the way in which committees often function without the benefit of legislative history. When I look at B. 2, and it says 'making of recommendations as to policies and procedures concerning allocations of general University funds for financial assistance to students...' That sounds like it is right in the middle of the

Financial Policies Committee's charge. I hear Joe's legislative history, but I don't see the same words in the Financial Policies bailiwick. I would be much happier if there was some way to make clear that it is intended that the Committee should be exercising their full responsibilities despite the lack of explicit wording and perhaps wording in the charge of another committee."

Dean Bugliari: "That charge is the same as it is now. That has not changed at all. I think the answer has to be something that the Executive Committee and the Dean, who sits on all of these committees, has got to perform some of the part of the function that you mentioned, which is when two committees are working on the same thing to be absolutely sure the chairs of those two committees understand what each other is doing.

"Admissions and Financial Aid normally gets its act together earlier than Budget because Admissions and Financial Aid recommendations have to come in before the budget can be put together. So, they are normally working on an odd-cycle so that the financial aid group that reviews the final budget and has a chance to come back and look at what that committee has done."

Professor McAdams: "My motion is that the Dean and Secretary of the Faculty review the transcript of this meeting and codify a succinct statement of legislative history that is supported by the transcript of this committee."

Speaker Martin told Professor McAdams there was already a motion on the floor so his motion could not be accepted at this time, but it could be an amendment to the existing motion.

Dean Bugliari: "As I understand it, you wish it brought to the Executive Committee for their approval as part of the second part of this resolution which is for them to implement it. I don't want to be the sole arbiter."

Speaker Martin: "Do you wish to rephrase your motion taking this comment into account?"

Professor McAdams: "I have just done so."

The amendment was seconded, and Speaker Martin asked if there was any further discussion.

Professor Terrence Fine, Electrical Engineering: "I would like to have clarified what is meant by codifying the legislative history in this regard. It is beginning to sound a little bit like adopting these motions and adding to them some as yet unexplored codicil to be created by another body. That is not my undersatnding of legislative history. I would like to urge the defeat of the amendment. Let's see what we get for the main motion and then come back to it, but at this point, it seems to me it would just confuse the issue."

Professor McAdams: "My impression is that what Joe has said on a number of occasions meets most of my objections to the current charges to these committees. I also recognize that if there is nothing written that can accompany the charges, the committees will neither know about the comments that Joe has made nor follow through. They are much less likely to do so, and all I am asking is that the sense that is being presented to this group, which sounds quite reasonable to me, be incorporated in writing in a succinct fashion so that the people who are accepting these charges do so in a context rather than in a vacuum. That is the point I am trying to get across."

Professor Ehrenberg: "It seems to me that what we really need is a one-line addition to the charge of the Financial Policies Committee, which says, 'Matters specifically assigned to other committees, for example, retirement and financial aid policies, which have economic implications are also in the purview of this committee.' I think then that all of Professor McAdams' concerns would be satisfied."

Speaker Martin: "Are you proposing an amendment to the amendment?"

Professor Ehrenberg: "No, I am just making a statement."

The amendment was defeated.

Speaker Martin asked if there was any discussion of the Faculty Advisory Committee on Athletics and Physical Education.

Professor Moore: On item B. 3, the Committee is to provide counsel regarding schedules. In the past those have been specifically approved by the committee, but providing counsel is not quite the same thing as signing off. That simply says to comment, to chat with the Athletic Director about those schedules, where I have been on that committee and what you do is you get down and wrestle with him on the appropriateness of the baseball schedule, and I don't see wrestling there."

Dean Bugliari: "We assumed it was wrestling. I don't think there was any intent to have any change there at all. The Committee is doing exactly the same function as before. The idea was that there was one committee that did only that and another committee that only handled whether people met the physical education requirement. I personally think that this is one of the biggest improvements we've made."

Professor Ehrenberg proposed an amendment to the Committee on Financial Policies: "An amendment, point 5, under Charge to the Committee, which would read: 'Consider the financial implications of all issues for which responsibility is also assigned to other FCR committees (e.g., financial aid and retirement policies).'"

The amendment was seconded, voted on and carried.

Professor Booker: "I think to make me happier with page 10 regarding the Committee on Financial Policies, I would propose an amendment which simply renumbers the items and put the priority the way I think it ought to be. What is now item 4 should become item 1, and leave 2, 3 and 5 where they are."

The amendment was voted on and carried. (The Financial Policies Committee charge as amended is attached as Appendix C.)

Professor Walter Lynn asked why some of the committees which are appointed by President Rhodes were listed and Dean Bugliari explained it was a matter of housekeeping, to make them all look the same.

Speaker Martin went through the remainder of the proposed revised committee charges, and there was no further discussion.

The resolution was then voted on and passed.

Speaker Martin: "Before the Chair entertains a motion for adjournment, I noticed David Drinkwater back up here. Dean Drinkwater, we don't like what we saw in the paper, but we wish you well." [applause]

There was no further business to come before the body, and the meeting was adjourned at 6:00 p.m.

Respectfully submitted,

Francine A. Herman, Secretary

PRESENT COMMITTEE CHARGES

THE EXECUTIVE COMMITTEE

The Executive Committee of the Faculty Council of Representatives (FCR) is hereby established in accordance with the Organization and Procedures of the University Faculty:

The duties of the Executive Committee are as follows:

1. It "shall assist the Dean in preparing the agenda for regular and special meetings of said (Faculty) Council" of Representatives.

**2. It shall, when establishing the agenda for each meeting, make the determination as to whether the meeting is to be "open" or "closed" to visitors and with the further exception that all members of the University Faculty who are not members of said Council shall be entitled and encouraged to attend any meeting of the Council and to participate in debate, but not to make motions or vote.

3. It shall assist the Dean in coordinating operations of all committees of the University Faculty and of the FCR. A standing item on the agenda of the Executive Committee shall be reports from committees of the FCR.

4. 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 actons by the FCR.

5. It shall bring these proposals to the FCR for action.[1]

6. It shall assist the Dean in informing members of the Faculty on University matters lying within their concern.

7. It may initiate investigations of questions of general policy and of any other questions falling within the purview of the University Faculty.

8. It shall advise the Dean on the choice of members of the University Faculty to participate in discussions and negotiations* with Trustees, administration, college faculties, other organized University bodies, with such others as the FCR may, on occasion, determine.

9. It "shall act for the Council of Representatives in emergencies." Any emergency action taken by the Executive Committee shall be submitted to the FCR for its approval. The Dean shall call a meeting of the FCR as soon as possible for this purpose.

*10. It may establish ad hoc committees and subcommittees.

The Executive Committee shall consist of nine Faculty members elected from among members of the FCR. Two of the members of the Committee shall, when elected, be non-tenured Faculty. The Speaker, the Dean of the Faculty and the Secretary of the Faculty shall be ex officio, non-voting members of the Committee.

The regular term of office will be for two years, beginning with the first Executive Committee meeting after election and extending to the corresponding meeting two years later. A vacancy shall exist, among other reasons, if a member of the Executive Committee is no longer a member of the Council except that if that Committee member remains a member of the University Faculty he shall continue to be a member of the Executive Committee until the vacancy can be filled.

Note: Material in quotation marks is from Organization and Procedures of the University Faculty, X, B, 1.

---

*With respect to those matters set forth in Article XV, Section 3, Bylaws of Cornell University.

**Amendment to O.P.U.F., University Faculty, February 12, 1975, Records, pp. 4374-76F, Appendix A, referendum March 21, 1975.

***Amendment to O.P.U.F., University Faculty, September 19, 1979, Records, pp. 4914-18F, referendum October 22, 1979.

Adopted by the Faculty Council of Representatives, September 15, 1971, Records, p. 3959C, Appendix E. 1. March 8, 1978, Records, p. 4741C.

COMMITTEE ON ACADEMIC FREEDOM AND RESPONSIBILITY

The Committee on Academic Freedom and Responsibility is hereby established.

It shall have the following functions:

1. The Committee shall concern itself with policies and procedures in the area of academic freedom and responsibility except as explicitly delegated by the FCR to other standing committees. It shall, when directed by the FCR, make studies and prepare reports and recommendations in its area of concern for action by the FCR. It shall provide an initial screening of formal proposals with respect to policies and procedures in this area from FCR committees or others, reporting its findings to the FCR if it feels that further study is desirable. It shall keep itself informed of developments with respect to academic freedom and responsibility which may affect the Cornell University Faculty, reporting significant developments through the Executive Committee to the FCR.

2. The Committee, or a subcommittee it may designate, shall receive and review written complaints brought by a Faculty member with respect to matters involving academic freedom and other matters that might adversely affect his professional reputation, impair the execution of his professional and University responsibilities, adversely affect his economic status, lead to his dismissal, or otherwise alter terms of his employment. It, or a subcommittee, shall also review written complaints against a Faculty member that might have the same effects. When appropriate, such subcommittees shall include members of the Committee on Professional and Economic Status of the Faculty and the Committee on University Research Policies.[1]

It is expected that established appropriate procedures in colleges or other academic units shall be first utilized for such reviews; in such cases this committee or subcommittee may act as an appeal body. However, Faculty members or others may present their cases to the Committee through the Dean of the Faculty if they feel that the established procedure is not appropriate or adequate to their situation.*

Nothing in the foregoing shall be taken to conflict with, or supersede any provisions for the protection of Faculty rights in dismissal or other procedures set forth in the University Bylaws or in Faculty or Trustee legislation.

The Committee, or subcommittee, shall at all times maintain strict confidence in the handling of individual cases. The confidential nature of testimony precludes dissemination of reports except as noted below.[1]

After reviewing a written complaint, the Committee shall prepare a written, draft report of its findings and any recommendations for action. Copies of this draft report shall be sent to the complainant, the other principals in the case (typically a department chairman and dean), the Executive Committee of the FCR and the Dean of the Faculty. All recipients shall be enjoined to keep the draft report confidential and to return it promptly with comments or criticisms to the Committee. After reviewing these replies, the Committee shall prepare a final report which it shall send to the same people as the draft report and, when appropriate, to the President and Provost of the University. The grievant shall not be enjoined to keep this report confidential but other recipients shall be requested to do so. If, in the judgment of both the Committee and the Executive Committee, public release of a report, in whole or in part, would either clear an individual of charges damaging to his or her reputation or serve to clarify incorrect publicity, this may be done. A complainant shall be advised when initiating a complaint that such a public release is a possibility.[2]

*Statement of Principles of Academic Freedom***

RESOLVED, That this Faculty hereby adopts the following statement of Principles of Academic Freedom applicable to the Faculty of Cornell University:

Academic Freedom for the Faculty of Cornell University means:

Freedom:

--of expression in the classroom on matters relevant to the subject and the purpose of the course and of choice of methods in classroom teaching;

--from direction and restraint in scholarship, research, and creative expression, and in the discussion and publication of the results thereof;

--to speak and write as a citizen without institutional censorship or discipline;

and

Responsibility:

--to perform faithfully the duties of the position;

--to observe the special obligations of a member of a learned profession and an officer of an educational institution to seek and respect the truth;

--to make it clear that utterances made on one's own responsibility are not those of an institutional spokesman.

Adopted by the Faculty Council of Representatives, December 16, 1971, Records, p. 4003C, Appendix A; 1. March 13, 1974, Records, pp. 4261-64C, Appendix A. 2. December 9, 1981, Records, pp. 5442-44C.

*In the spring of 1981, new procedures were developed and approved by the FCR (May 13, 1981, Records, pp. 5342-54C) and the Board of Trustees (May 30, 1981, Records, p. 10,808) for appeals of negative decisions in the following instances:

(1) denial of reappointment of a faculty member who has been in probationary tenure status to a second term as assistant professor
(2) refusal to conduct a review for promotion to tenure for a faculty member who has been in probationary tenure status for the normal length of time before such reviews are conducted
(3) negative recommendation on promotion to tenure after completion of a review
(4) negative recommendation on promotion of a tenured faculty member from associate to full professor.

In these instances the approved procedures take precedence over the process of appeal to the Committee on Academic Freedom and Responsibility; and at the conclusion of such appeal procedures, no further appeal is authorized within the University.

**Principles of Academic Freedom adopted by the University Faculty, May 11, 1960, Records, pp. 2927-2932.*

COMMITTEE ON ACADEMIC PROGRAMS AND POLICIES

The Committee on Academic Programs and Policies of the Faculty Council of Representatives (FCR) is hereby established.

The Committee on Academic Programs and Policies shall concern itself with academic programs and policies which are independent of or extend beyond the single or joint jurisdiction of a school or college faculty, except those delegated to other committees by the University Faculty or the FCR.

Within the context noted above the Committee on Academic Programs and Policies has the following responsibilities:

1. *It shall, when directed by the FCR, make studies and prepare reports and recommendations on matters within its areas of concern for action by the FCR.*

2. *It shall provide an initial screening of formal proposals for new academic programs or policies. It shall upon authorization by the Executive Committee provide an initial screening of proposals for substantial modification or discontinuance of existing programs or policies. If, after an initial screening of a policy or program, the Committee concludes that further study is desirable, it shall so report to the FCR. It shall proceed further only after authorization from the FCR.*

3. *It shall keep itself informed and shall inform the Executive Committee about policies governing the use of, and plans for, University-wide academic facilities and services, such as libraries, classrooms and computers.*

The Committee on Academic Programs and Policies shall also provide an initial review of proposals from all sources for new degrees and for the combination, modification or abandonment of old degrees.

Membership. (See items 1-4 Rules and Procedures for Governing Standing Committees of the FCR.) In addition to the seven faculty members elected under procedures adopted by the FCR on December 1, 1971, and amended from time to time since then, there shall be two student members (of which at least one shall be an undergraduate) with voting privileges, selected annually by the Staffing Committee of the Student Assembly. Reselection of a student for a second year shall be permitted. The first student members shall be selected in the spring of 1982 to begin service on July 1 of that year. No student members shall serve after June 30, 1985 unless the provision for student membership is renewed by the FCR.[1]

Adopted by the Faculty Council of Representatives, December 1, 1971, Records, p. 3995C, Appendix H. 1. December 9, 1981, Records, pp. 5445-47C. The provision for student membership was renewed and subsequently approved by the FCR on April 10, 1985.

COMMITTEE ON ADMISSIONS AND FINANCIAL AIDS

The Committee on Admissions and Financial Aids of the Faculty Council of Representatives (FCR) is hereby established.

The FCR reaffirms the established roles of the faculties of the individual colleges and schools of the University in admitting students and in awarding financial aids. It also recognizes that certain aspects of admissions and financial aids are of concern to more than one college, school or program and may have basic effects upon the educational policies and the total educational character of the University. The University Faculty and the FCR, therefore, have a basic concern and responsibility for policies affecting admissions and university-wide financial aids.

The Committee on Admissions and Financial Aids shall:

1. Recommend to the FCR policies and procedures for admissions of students.

2. Recommend to the FCR policies and procedures concerning allocations of general University funds for financial assistance to students. In recommending policies and procedures the Committee will take into account the effect of such aid upon the makeup of the student body and upon the kind and quality of education at Cornell.

3. Report and make recommendations concerning admissions and university-wide financial aids to the FCR at such times as it deems advisable, but shall report at least once in each academic year.

Membership shall be as prescribed by the Rules and Procedures Governing Standing Committees of the FCR with the provisions that, in addition, the Dean of University Admissions and Financial Aid shall be invited to serve as an ex officio, voting member of the Committee and that two student members be added, one from the endowed and one from the statutory colleges, as appointed for one-year, renewable terms by the Student Assembly.

Adopted by the Faculty Council of Representatives, April 13, 1983, Records, p

COMMITTEE ON THE UNIVERSITY BUDGET

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

1. *Undertake a continuing and comprehensive analysis of the financial condition and policies of the University;*

2. *Develop priorities, based on educational considerations, which should be reflected in the University Budget;*

3. *Participate, with the cooperation of appropriate administrative officers, in the budget-planning process, both short-term and long-term;*

4. *Be organized and operate under the Rules and Procedures governing standing committees of the Faculty Council of Representatives.*

Adopted by the Faculty Council of Representatives, November 13, 1974, Records, pp. 4349-52C.

COMMITTEE ON FREEDOM OF TEACHING AND LEARNING

The Committee on Freedom of Teaching and Learning of the Faculty Council of Representatives (FCR) is hereby established.

It is of special concern to the Faculty that teaching and learning at Cornell University be carried on freely and without disruption, interference, or intimidation. It is to guarantee this freedom that the Committee on Teaching and Learning has been created. The more general questions of freedom of speech and the maintenance of public order within the Cornell community are the concern and responsibility of other agencies.

The Committee on Freedom of Teaching and Learning shall be concerned with all abridgments or attempted abridgments of freedom of teaching and learning at any academic event on the Cornell University Campus. "An academic event" shall denote:

1. *The sessions of the courses listed in the various catalogues and bulletins of the colleges and centers.*

2. *By academic events, we also mean official University meetings and ceremonies (e.g., faculty meetings and University exercises) and any event whose purpose was, in the opinion of the Committee, academic (lectures, not sermons, seminars, not political workshops, conferences, not rallies).*

*The Committee shall present to the FCR and the appropriate officers of the administration the Committee's views on the existing and proposed policies on and machinery for the protection of freedom of teaching and learning. The Committee will be concerned to assure that there are, and continue to be, effective means whereby any member of the Cornell Community who believes that his or her right, or any other member's right, to teach or to learn has been violated may bring charges against those he believes have violated those rights. When the Committee believes there has been an invasion of freedom of teaching or learning, it shall present the case to the appropriate University authorities and report that action and the ultimate disposition of the case to the FCR.**

Membership. (See items 1-4 Rules and Procedures for Governing Standing Committees of the FCR.) In addition to the seven faculty members elected under procedures adopted by the FCR on December 1, 1971, and amended from time to time since then, there shall be two student members (of which at least one shall be an undergraduate) with voting privileges, selected annually by the Staffing Committee of the Student Assembly. Reselection of a student for a second year shall be permitted. The first student members shall be selected in the spring of 1982 to begin service on July 1 of that year. No student members shall serve after June 30, 1985 unless the provision for student membership is renewed by the FCR.[1]

Adopted by the Faculty Council of Representatives, December 1, 1971, Records, p. 3999C, Appendix M. 1. December 9, 1981, Records, pp. 5445-47C. The provision for student membership was renewed and subsequently approved by the FCR on April 10, 1985.

**Announcement from the Committee on Freedom of Teaching and Learning made at the April 8, 1981 FCR meeting, Records, pp. 5327-30C:*
The Committee on Freedom of Teaching and Learning of the Faculty Council of Representatives is prepared to hear complaints charging violations of this principle from any member of the University, to investigate such complaints, and to refer those that appear to warrant further action to appropriate University authorities. Complainants may communicate with the Committee through the Office of the Dean of the Faculty in Day Hall.

COMMITTEE ON MINORITY EDUCATION

BE IT RESOLVED, That a standing committee of the faculty be established, for the purposes of providing continuing review of the minority education programs, evaluation of program effectiveness and making recommendations for improvement to the Faculty, and to the Administration.

The Committee shall be organized according to the procedures of the FCR as a standing committee.

Adopted by the Faculty Council of Representatives, May 5, 1976; Records, p. 4515C

COMMITTEE ON PHYSICAL EDUCATION

The Committee on Physical Education of the Faculty Council of Representatives is hereby established.

The Committee on Physical Education shall

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 to be made no later than December 1974.*

4. *Exercise responsibility concerning the physical education requirement.*[1]

5. *Membership. (See items 1-4 Rules and Procedures for Governing Standing Committees of the FCR.) In addition to the seven faculty members elected under procedures adopted by the FCR on December 1, 1971, and amended from time to time since then, there shall be two student members (of which at least one shall be an undergraduate) with voting privileges, selected annually by the Staffing Committee of the Student Assembly. Reselection of a student for a second year shall be permitted. The first student members shall be selected in the spring of 1982 to begin service on July 1 of that year. No student members shall serve after June 30, 1985 unless the provision for student membership is renewed by the FCR.*[2]

Adopted by the Faculty Council of Representatives, May 8, 1974, Records, pp. 4284-87C. 1. November 13, 1974, Records, p. 4347C. 2. December 9, 1981, Records, pp. 5445-47C. The provision for student membership was renewed and subsequently approved by the FCR on April 10, 1985.

RESOLUTION RE: PHYSICAL EDUCATION COURSES

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.

Adopted by the FCR, April 12, 1978, Records, pp. 4754-56C.

COMMITTEE ON THE PROFESSIONAL AND ECONOMIC STATUS OF THE FACULTY

The Committee on the Professional and Economic Status of the Faculty is hereby established by the Faculty Council of Representatives.

The Committee shall prepare reports on the economic and professional status of the Faculty; prepare and review proposals for improvements in policies and procedures relating to Faculty appointment, promotion, retirement, separation, tenure and other related matters; prepare and review proposals for improving conditions of employment including salary levels, fringe benefits, leaves, consultation and interdepartmental compensation; and it shall be available to the Dean of the Faculty and others for consultation on economic and/or professional matters. Such reports as are prepared by the Committee shall be made to the Faculty Council of Representatives.

Adopted by the Faculty Council of Representatives, December 16, 1971, Records, p. 4003C, Appendix B.

COMMITTEE ON UNIVERSITY RESEARCH POLICIES

The Committee on University Research Policies of the Faculty Council of Representatives (FCR) is hereby established.

The Committee on University Research Policies shall be concerned with University Policies and priorities governing research activities and facilities.

Specifically the Committee shall be concerned with:

1. Policies that affect allocation and use of University resources for research, including such resources as computers and libraries that serve research programs.

2. Policy governing relationships with outside agencies whose grants or contracts affect research carried on under the auspices of the University.

3. Policies for personnel whose continued employment is directly dependent upon research funding.

4. Policy defining the freedom and responsibility of those engaged in research, including but not limited to freedom and responsibility in the publication of research findings.

The Committee is expected to develop and recommend to the FCR policies governing research, and it is also expected to work with individual faculty members and administration officers in reviewing existing policies and in studying proposals for new policies.

Membership shall be as prescribed in the Rules and Procedures Governing Standing Committees with the provision that there shall be at least one member of the Graduate Faculty elected from each of the following four areas: Humanities, Social Sciences, Biological Sciences, and Physical Sciences. The Vice President for Research and Advanced Studies shall be an ex officio, non-voting member of the Committee.

Adopted by the Faculty Council of Representatives December 1, 1971, Records, p. 3996C, Appendix N; 1. May 16, 1973, Records, p. 4173C. 2. Title changed adding "and Advanced Studies," July 1, 1983.

COMMITTEE ON ACADEMIC RECORDS AND REGISTRATION

The Committee shall assume the functions of the Committee on Registration and Schedules and the Committee on Requirements for Graduation, which are to be discontinued.

Accordingly, it shall be the responsibility of this Committee:

1. *to review policies for course enrollment, university registration and scheduling for classes and examinations, and*

2. *to administer the grading system as prescribed by University Faculty legislation, and to make recommendations for changes in transcript notation and interpretative information, and*

3. *to advise the Registrar on the maintenance and reporting of academic records.*

Recommendations of this Committee which have academic policy implications shall be made to the Academic Programs and Policies Committee, of which this committee shall be a permanent sub-committee, and to the Dean of the Faculty.

The Committee shall consist of: the Registrar, ex officio; the Dean of the University Faculty, ex officio; the Secretary of the Faculty, ex officio; and members nominated by the Deans of the several Schools and Colleges, preferably to be drawn from those who supervise the personnel and procedures in College Registrar offices, to the Dean of the Faculty, for terms of no more than four years.

The Chairman of the Committee shall be elected by the Committee from among its members for a term of one year. The Secretary of the Committee shall be the Registrar or his/her designee.

Adopted by the FCR, October 11, 1972, Records, pp. 4070-4071C, Appendix A; amended FCR, December 10, 1986, Records, pp.

NOTE: The Requirement for Graduation regulation was transferred to the Committee on Physical Education, FCR, November 13, 1974, Records, p. 4347.

COUNCIL ON PHYSICAL EDUCATION AND ATHLETICS

The President shall reconstitute the current Council to reflect more balance among alumni, students, faculty and staff.

1. *The Council shall review policies affecting programs, services and practices within the Department of Physical Education and Athletics and advise the Athletic Director.*

2. *Special care should be taken by the Council to insure that the needs and interests of the physical education, intramural and recreational programs are not subordinated to the intercollegiate athletics program.*

3. *The membership of the Council shall be as follows:*

   a) *Three faculty, elected by the University Faculty in a manner which it shall determine, each for a three-year term. Terms shall be staggered.*

   b) *Five alumni, appointed by the President for four-year terms.*

   c) *Three students, one each selected by the Sports Advisory Committee, the Women's Athletic Association, and the Intramural Organization, each for a two-year term. Terms shall be staggered.*

   d) *Two other members from the Ithaca campus, at least one of whom shall be an employee, chosen by the Committee on Committees of the Campus Council. Each shall serve a two-year term.*

   e) *The Director of Athletics shall serve ex officio, without vote.*

4. *No member of the Council on Physical Education and Athletics shall serve more than two consecutive terms.*

5. *The Council on Physical Education and Athletics shall meet at least twice each semester; one-half the voting seated members shall constitute a quorum.*

6. *The President will appoint the chairperson.*

Executive Committee of the Board of Trustees, April 12, 1977, Records, p. 9668, Appendix A, pp. 9687-88.

COMMITTEE ON UNIVERSITY-ROTC RELATIONSHIPS*

The Faculty Council of Representatives (FCR) continues as one of its standing committees the Faculty Committee on University-ROTC Relationships established by act of the University Faculty on November 12, 1969.

The Faculty Committee on ROTC Relationships was originally charged with "broad responsibility for readjustment of the relations between the ROTC and the University and for reporting annually to the appropriate segments of the University." In practice this includes, but is not limited to, the Committee acting for the ROTC program in a manner analogous to an educational policy committee of a college or school. In addition, the Committee is responsible for making recommendations regarding program, curriculum changes and establishing general University-ROTC relations.

It is anticipated that the Committee members may be called upon to participate in ad hoc review committees for instructional appointments, disenrollment hearing boards, scholarship review boards and other ad hoc committees related to the ROTC programs. It is desirable to have active liaison established between the Faculty Committee on University-ROTC Relationships and the Military Training Committee of the University Senate.**

The Committee will make an annual report to the FCR at a meeting in the spring. This report will include evaluations and recommendations for credit for the military-taught courses in ROTC and recommendations on program changes for the following academic year as well as other activities of the Committee.

The Committee on ROTC Relationships shall consist of six Faculty members, the Commanding Officer of each military service offering instruction at the University, two administrators appointed by the President of the University and seven[2] students.

1. In nominating Faculty members, attention should be given to distributing the membership among colleges of the University and especially to representing colleges and schools with large numbers of ROTC students.

2. Three[2] of the students shall be nominated from, and elected by, students actively enrolled in ROTC programs at the University to represent the three services of the Air Force, Army and Navy. The other four students shall be selected or elected from the various colleges having students enrolled in the program in a manner acceptable to the Faculty Committee on Nominations and Elections. The term of office for student members shall be one year with the provision that they may succeed themselves for a one-year term.[1]

---

* The Faculty Committee on University-ROTC Relationships has been fully operative for only a year with duly elected faculty representatives. It seems to be functioning well, and it is the intent of the Interim Executive Committee to leave it substantially alone for the time being and thus gain more experience with this type of committee structure and function before considering revision.

** The Military Training Committee of the University Senate went out of existence along with the Senate in the spring of 1977.

Adopted by the Faculty Council of Representatives, December 1, 1971, records p. 3999C, Appendix L; 1. May 16, 1973, Records, p. 4173C; 2. February 12, 1975, Records, p. 4377C.

1. *In conducting research and teaching involving human subjects, the primary responsibility for the well-being of the subject, for ethical behavior and for avoiding legal difficulties lies with the scientific investigator.*

2. *At the University level, responsibility for review of the proposed procedures [in conducting research and teaching involving human subjects] and for a determination of their acceptability rests with the University Committee on Human Subjects (UCHS), which is a university committee appointed by the President upon recommendation of the Dean, University Faculty.*

3. *The UCHS consists of 12 faculty members serving three year staggered terms, representing primarily the social, behavioral and biological sciences, and including a member of the Law faculty and a physician representing the University Health Services.*

4. *Each proposal submitted to UCHS will be reviewed by a two or three-man subcommittee appointed by the chairman, supplemented by one or more ad hoc consultants, as needed. The review shall involve an independent determination of the acceptability of the proposal, with consideration of: the rights and welfare of the individual or individuals involved; the appropriateness of methods used to secure informed consent; and the risks and potential benefits.*

5. *Regular meetings of the UCHS shall be held bimonthly, at which time decisions and recommendations made by subcommittees in the preceeding two-month period will be reported for informational purposes to the entire committee, and can be discussed in the interest of developing consistent policy guidelines.*

6. *The UCHS and the subcommittees shall maintain minutes of all meetings and shall record their findings and recommendations as part of these minutes. These records shall be maintained in the Office of Sponsored Programs. The UCHS shall make an annual report to the President on its activities for the year and shall make its report available to the Faculty Council of Representatives.*

The basic formulation and structure of this committee was embodied in a report from the committee on Research Policy and Personnel that was presented to the Faculty Council. The Faculty Council adopted the Report, therefore the Committee was created. Faculty Council Minutes, June 6, 1967. The Committee was enlarged from six to twelve members and other procedural changes were made with the approval of the Faculty Council, November 18, 1970.

COMMITTEE ON UNIVERSITY LECTURES

1. *This committee administers the several University lecture funds and serves informally as a clearinghouse for other general lectures and scheduling.*

2. *The Committee on University Lectures consists of seven[2] members of the University Faculty, plus the Dean of the Faculty and the University Publisher, ex officio. The Faculty members are appointed by the President for terms of four years each.*

3. *The Committee shall also have two students with full voting rights.*[1]

Adopted by the University Faculty, April 19, 1933, Records, p. 1793; February 10, 1954, Records, p. 2729; November 12, 1947, Records, p. 2478; 1. FCR, May 16, 1973, Records, p. 4173C; 2. FCR, September 11, 1974, Records, pp. 4310-11C.

THE UNIVERSITY FACULTY LIBRARY BOARD

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

Membership. The Board shall consist of the Provost, ex officio, and/or the Vice President for Research and Advanced Studies, ex officio, and the Director of the Libraries, ex officio, twelve appointed Faculty members who shall serve overlapping four-year terms, and two students selected in a manner acceptable to the Faculty Committee on Nominations and Elections. The President shall appoint the Faculty members of the Board with the advice of the Dean of the Faculty who shall have canvassed the University Faculty for expressions of interest and desire to serve. The Faculty members shall be chosen in such a way as to represent the special library interests of the various disciplines.

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

Duties and Obligations. The Board shall assist the University Librarian in maintaining and promoting the welfare of the University Libraries. It shall join with the University Librarian to review and help formulate broad library policy and shall serve as an advocate for the University Libraries with the Cornell community.

The Board shall keep the Librarian informed of the needs and concerns of the faculty and students and shall help to represent the interest of the Libraries to the faculty as well as to the University administration. The Librarian shall seek and weigh the Board's advice with respect to problems and issues affecting the Libraries before deciding on changes in policy. To that end, the Librarian shall take appropriate initiatives to present matters of policy to the Board in a timely manner, to provide the Board with pertinent information about library operations and services and to meet with the Chair of the Board frequently.

The Board shall advise the President of its position on policy matters affecting the Libraries and about the state of the Libraries. It shall forward an annual report of its activities to the President, to the Dean of the Faculty and to the Faculty Council of Representatives, and it shall report to the Faculty Council of Representatives whenever either the Board or the Council thinks it advisable.

Adopted by the Faculty Council of Representatives, November 13, 1974, Records, pp. 4347-49C. 1. Title changed adding "and Advanced Studies," July 1, 1983. Amended Faculty Council of Representatives, September 24, 1986, Records, p.

UNIVERSITY COMMITTEE ON RECOMBINANT DNA RESEARCH

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.

Adopted by the FCR, February 9, 1977, Records, pp. 4594-95C.

NIH Guidelines require that the University have such an official committee, with membership to be included from various representative groups as prescribed under the Guidelines. In order to protect our own investigators working in the area of research on recombinant DNA, it was necessary that this committee be officially established.

PROPOSED REVISED COMMITTEE CHARGES

EXECUTIVE COMMITTEE

Charge to the Committee

The duties of the Executive Committee are as follows:

1. It shall assist the Dean in preparing the agenda for regular and special meetings of said (Faculty) Council of Representatives.

2. It shall, when establishing the agenda for each meeting, make the determination as to whether the meeting is to be "open" or "closed" to visitors and with the further exception that all members of the University Faculty who are not members of said Council shall be entitled and encouraged to attend any meeting of the Council and to participate in debate, but not to make motions or vote.

3. It shall assist the Dean in coordinating operations of all committees of the University Faculty and of the FCR. A standing item on the agenda of the Executive Committee shall be reports from committees of the FCR.

4. 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.

5. It shall bring these proposals to the FCR for action.

6. It shall assist the Dean in informing members of the Faculty on University matters lying within their concern.

7. It may initiate investigations of questions of general policy and of any other questions falling within the purview of the University Faculty.

8. It shall advise the Dean on the choice of members of the University Faculty to participate in discussions and negotiations with Trustees, administration, college faculties, other organized University bodies, with such others as the FCR may, on occasion, determine.

9. It shall act for the Council of Representatives in emergencies. Any emergency action taken by the Executive Committee shall be submitted to the FCR for its approval. The Dean shall call a meeting of the FCR as soon as possible for this purpose.

10. It may establish ad hoc committees and subcommittees.

Composition of the Committee

The Executive Committee shall consist of nine Faculty members elected from among members of the FCR. Two of the members of the Committee shall, when elected, be non-tenured Faculty. The Speaker, the Dean of the Faculty and the Secretary of the Faculty shall be ex officio, non-voting members of the Committee. The Chairs of the Committee on Financial Policies, the Committee on Academic Freedom and Professional Status of the Faculty, the Committee on Academic Program and Policies and the Committee on Research Policies shall also be ex officio, non-voting members of the Committee.

The regular term of office will be for two years, beginning with the first Executive Committee meeting after election and extending to the corresponding meeting two years later. A vacancy shall exist, among other reasons, if a member of the Executive Committee is no longer a member of the Council except that if that Committee member remains a member of the University Faculty he shall continue to be a member of the Executive Committee until the vacancy can be filled.

COMMITTEE ON ACADEMIC FREEDOM AND PROFESSIONAL STATUS OF THE FACULTY

Charge to the Committee

A. Examine and make recommendations concerning issues and considerations in the following areas:

1. Academic Freedom and Responsibility

2. Freedom of Teaching and Learning, including but not limited to the special concerns of the faculty that teaching and learning at Cornell University be carried on freely and without disruption, interference, or intimidation.

3. The Professional Status of the Faculty, including but not limited to policies and procedures relating to faculty appointments, promotion, retirement, separation, tenure and other related matters.

B. Receive and review written complaints brought by or against a faculty member with respect to matters involving academic freedom and responsibility and freedom of teaching and learning and any other matters that might affect his or her professional reputation, impair the execution of his or her professional and university responsibilities, adversely affect his or her economic status, lead to his or her dismissal or otherwise alter the terms of his or her employment.

1. This review process is subject to the following limitations:

i. All conclusions and recommendations shall be advisory only unless all involved agree otherwise in writing.

(a) Where the committee renders a decision brought in a complaint on the merits, such decision is final and is not subject to further appeal within the organization of the university faculty.

ii. It shall lie within the discretion of the committee to determine whether it will or will not entertain a specific complaint brought to it. In deciding whether or not to entertain a specific complaint the committee can properly consider among other factors whether other avenues of review are more appropriate or should at least be pursued before the complaint is brought to the committee, and whether the issue involved as posed

in the complaint is properly within its purview to review.

(a) When possible, the committee should promulgate to the community any criteria it establishes that it will utilize in determining whether or not to entertain complaints.

(b) If the committee determines it will not entertain a specific complaint, the individual or individuals advancing such complaint can appeal such decision to the Executive Committee. The Executive Committee can uphold the committee's decision, direct the committee to entertain the complaint or direct the committee to entertain a portion of the issues raised in the complaint or the complaint in some modified form.

2. Procedures for reviewing complaints brought to it shall be established by the committee:

i. Such procedures must

(a) Comport with the basic precepts of due process.

(b) Maintain at all times strict confidence in the handling of individual cases unless otherwise agreed in writing by all parties involved. This rule of strict confidence includes the dissemination of any committee reports except under the following terms and conditions:

(1) After reviewing a written complaint, the Committee shall prepare a written draft report of its findings and any recommendations for action. Copies of this draft report shall be sent to the complainant, the other principals in the case (typically a department chairman or dean), the Executive Committee of the FCR and the Dean of the Faculty. All recipients shall be enjoined to keep the draft report confidential and to return it promptly with comments or criticisms to the Committee. After reviewing these replies, the Committee shall prepare a final report which it shall send to the same people as the draft report and, when appropriate, to the President and Provost of the University. The complainant shall not be enjoined to keep

this report confidential but other recipients shall be requested to do so. However, if the complainant makes public a portion of the report, other recipients may make public the entire report. Moreover, if, in the judgment of both the Committee and the Executive Committee, public release of a report, in whole or in part, either would clear any individual involved in the proceedings of charges damaging to his or her reputation or serve to clarify incorrect publicity, or provide guidance to the faculty or the university community because of the issues involved, this may be done. The complainant and others involved shall be advised that such a public release is a possibility.

ii. The Committee may utilize subcommittees of its own members to undertake the initial review of complaints brought to it, but all final decisions on any complaint must be by a majority vote of the committee members attending a meeting of the committee called to review the complaint.

iii. The Committee should make available the procedures it will utilize in reviewing a complaint to those involved prior to the undertaking of its review.

Composition of the Committee*

Nine members of the faculty, three elected from the FCR and six who are not FCR members elected by and from the university faculty for three-year terms. At least one of the committee members shall be non-tenured.

Two student members (of which at least one shall be an undergraduate) with voting privileges, selected annually by the Staffing Committee of the Student Assembly. Reselection of a student for a second year shall be permitted. Student members of the Committee shall not participate in the review process set forth in Subdivision B of the Committee's Charge.

*Except as noted specifically below the Committee shall be organized and operate under the Rules and Procedures governing standing committees of the Faculty Council of Representatives as amended.

COMMITTEE ON ACADEMIC PROGRAMS AND POLICIES

Charge to the Committee

1. Concern itself with academic programs and policies which are independent of or extend beyond the single or joint jurisdiction of a school or college faculty, except those delegated to other committees by the University Faculty or the FCR.

2. Conduct an initial screening of formal proposals for new academic programs or policies including proposals for substantial modification or discontinuance of existing programs or policies.

3. Examine policies governing the use of, and plans for, University-wide academic facilities and services, such as libraries, classrooms and computers.

4. Provide an initial review of proposals from all sources for new degrees and for the combination, modification or abandonment of old degrees.

Composition of the Committee*

The Vice President for Academic Affairs as an additional ex officio member.

Two student members (of which at least one shall be an undergraduate) with voting privileges, selected annually by the Staffing Committee of the Student Assembly. Reselection of a student for a second year shall be permitted.

*Except as noted specifically below the Committee shall be organized and operate under the Rules and Procedures governing standing committees of the Faculty Council of Representatives as amended.

COMMITTEE ON ADMISSIONS AND FINANCIAL AID

Charge to the Committee

A. While respecting the established roles of the faculties of the individual colleges and schools of the University in admitting students and in awarding financial aid, certain aspects of admissions and financial aid are of concern to more than one college, school or program and may have basic effects upon the educational policies and the total educational character of the University. Accordingly, the Committee shall have a basic concern and responsibility for policies affecting admissions and university-wide financial aid.

B. In carrying out this responsibility the Committee shall undertake, but is not limited to:

1. The making of recommendations as to policies and procedures for admissions of students.

2. The making of recommendations as to policies and procedures concerning allocations of general University funds for financial assistance to students. In recommending such policies and procedures the Committee will take into account the effect of such aid upon the makeup of the student body and upon the kind and quality of education at Cornell.

Composition of the Committee*

Two student members (of which at least one shall be an undergraduate; one shall be from the statutory colleges and one from the endowed) with voting privileges, selected annually by the Staffing Committee of the Student Assembly. Reselection of a student for a second year shall be permitted.

The Dean of University Admissions and Financial Aid as an additional ex officio member of the Committee.

*Except as noted specifically below the Committee shall be organized and operate under the Rules and Procedures governing standing committees of the Faculty Council of Representatives as amended.

FACULTY ADVISORY COMMITTEE ON ATHLETICS AND PHYSICAL EDUCATION

Charge to the Committee

A. The role of the Cornell Faculty Advisory Committee on Athletics an Physical Education is to provide advice on how the programs of the Department of Athletics and Physical Education can best complement and support the overall educational objectives of the University.

B. The committee will consult with the Athletic Director regarding how to assure an intercollegiate, physical education, intramural, and recreational program of the highest quality. In doing so, the Committee will become familiar with and provide counsel regarding the following matters:

   1. Areas of continuing interest to Cornell and the Department, including admissions, academic performance of student athletes, and the overall programs, goals, and objectives of the Department.

   2. Issues facing the NCAA, ECAC, and Ivy League.

   3. Schedules for fall, winter, and spring seasons for each team and the guidelines for leaves and absences for intercollegiate teams.

   4. The physical education requirement for students (including administering the procedure of hearing appeals from students regarding their physical education requirement for graduation).

C. In addition, the Committee will review and help develop, in conjunction with individual athletic academic advisors:

   1. A strong academic advisement system for student athletes.

   2. A series of seminars for all freshmen athletes to cover library skills, study and reading skills, expectations of a student-athlete at Cornell, etc.

   3. A series of meetings with the captains of the intercollegiate teams to discuss athletics and academics, and the role of the captains as academic role models.

   4. Procedures for working with individual academic problem cases.

Composition of the Committee*

Nine members of the faculty, three elected by and from the FCR and six who are not FCR members elected by and from the

University Faculty for three-year terms. At least one of the Committee members shall be non-tenured.

Two student members (of which at least one shall be an undergraduate) with voting privileges, selected annually by the Staffing Committee of the Student Assembly. Reselection of a student for a second year shall be permitted.

The Athletic Director, the University's Ivy Group eligibility officer and the President of the Red Key Society as additional ex-officio members.

*Except as noted specifically below the Committee shall be organized and operate under the Rules and Procedures governing standing committees of the Faculty Council of Representatives as amended.

COMMITTEE ON FINANCIAL POLICIES

Charge to the Committee

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. Examine and make recommendations concerning issues and considerations that affect the economic status of the faculty. Such examinations shall include, but are not limited to, the improvement of the conditions of employment including salary levels, fringe benefits, leaves, consultation and interdepartmental compensation.

Composition of the Committee*

Nine members of the faculty, three elected from the FCR and six who are not FCR members elected by and from the University faculty for three year terms. At least one of the committee members shall be non-tenured and the nominating committee is directed, insofar as possible, to ensure that the committee membership is roughly equal in number between statutory and non-statutory members of the faculty.

The Vice President for Planning and Budgeting as an additional ex-officio member.

*Except as noted specifically below the Committee shall be organized and operate under the Rules and Procedures governing standing committees of the Faculty Council of Representatives as amended.

COMMITTEE ON MINORITY EDUCATION

Charge to the Committee

A. Provide continuing oversight of minority education, including not only review of proposed and ongoing special programs but also monitoring of the experience of minority students in other programs and the representation of minorities on the faculty at large.

B. Make recommendations to the Faculty and Administration where it judges changes are appropriate and in order to improve minority education.

Composition of the committee

The Committee shall be organized and operate under the Rules and Procedures governing standing committees of the Faculty Council of Representatives as amended.

Committee on Research Policies

Charge to the Committee

A. Concern itself with University Policies and priorities governing research activities and facilities, including but not limited to:

   1. Policies that affect allocation and use of University resources for research, including such resources as computers and libraries that serve research programs.

   2. Policy governing relationships with outside agencies whose grants or contracts affect research carried on under the auspices of the University.

   3. Policies for personnel whose continued employment is directly dependent upon research funding.

   4. Policy defining the freedom and responsibility of those engaged in research, including but not limited to freedom and responsibility in the publication of research findings.

B. Develop and recommend to the FCR policies governing research.

C. Work with individual faculty members and administration officers in reviewing existing policies and in studying proposals for new policies.

Composition of the Committee*

At least one member of the Graduate Faculty shall be elected to serve on the committee from each of the following four areas: Humanities, Social Sciences, Biological Sciences, and Physical Sciences.

The Vice President for Research and Advanced Studies shall be an additional ex officio member of the Committee.

*Except as noted specifically below the Committee shall be organized and operate under the Rules and Procedures governing standing committees of the Faculty Council of Representatives as amended.

COMMITTEE ON ACADEMIC RECORDS AND REGISTRATION

Charge to the Committee

A. The Committee shall have responsibility:

1. To review policies for course enrollment, university registration and scheduling for classes and examinations, and

2. To administer the grading system as prescribed by University Faculty legislation, and to make recommendations for changes in transcript notation and interpretative information, and

3. To advise the Registrar on the maintenance and reporting of academic records.

B. Recommendations of this Committee which have academic policy implications shall be made to the Academic Programs and Policies Committee, of which this committee shall be a permanent sub-committee, and to the Dean of the Faculty.

Composition of the Committee

A. The Registrar, ex officio; the Dean of the University Faculty, ex officio; the Secretary of the Faculty, ex officio; and members nominated by the Deans of the several Schools and Colleges, preferably to be drawn from those who supervise the personnel and procedures in College Registrar offices, to the Dean of the Faculty, for terms of no more than four years.

B. The Chairman of the Committee shall be elected by the Committee from among its members for a term of one year. The Secretary of the Committee shall be the Registrar or his/her designee.

COMMITTEE ON RESEARCH ON HUMAN SUBJECTS

Charge to the Committee

A. The Committee has responsibility at the University level for review of the proposed procedures in conducting research and teaching involving human subjects and for a determination of their acceptability.

B. In carrying out this responsibility the Committee shall operate under the following guidelines and procedures.

1. In conducting research and teaching involving human subjects, the primary responsibility for the well-being of the subject, for ethical behavior and for avoiding legal difficulties lies with the scientific investigator.

2. Each proposal submitted to UCHS will be reviewed by two members of the committee appointed by the chair or the executive secretary, supplemented by one or more ad hoc consultants, as needed. The review shall involve an independent determination of the acceptability of the proposal, with consideration of: the rights and welfare of the individual or individuals involved; and the risks and potential benefits.

3. Regular meetings of the UCHS shall be held monthly, at which time decisions and recommendations made by subcommittees in the preceding period will be reported for informational purposes to the entire committee, and can be discussed in the interest of applying consistent policy guidelines.

4. The UCHS and the subcommittee shall maintain minutes of all meetings and shall record their findings and recommendations as part of these minutes. These records shall be maintained in the Office of Sponsored Programs. The UCHS shall make an annual report to the President on its activities for the year and shall make its report available to the Faculty Council of Representatives.

5. The UCHS operates under an approved Assurance from the Department of Health and Human Services effective February 1, 1984 which will expire January 31, 1989.

6. The Office of Sponsored Programs supplies the administrative support for UCHS and initial contact with the Committee should be made through that office.

Composition of the Committee

The Committee shall consist of twelve members of the University faculty appointed by the President upon recommendation of the Dean of the Faculty. Members will serve three year terms and should provide representation primarily from the social, behavioral and biological sciences. One member should be from the Faculty of Law and two should be physicians representing the University Health Services.

COMMITTEE ON UNIVERSITY LECTURES

Charge to the Committee

The committee shall administer the several University lecture funds and serve informally as a clearinghouse for other general lectures and scheduling.

Composition of the committee

Seven members of the Faculty appointed by the President upon recommendation of the Dean of the Faculty for terms of four years. Two students appointed by the Committee and the University publisher as an additional ex officio member.

THE UNIVERSITY FACULTY LIBRARY BOARD

Charge to the Board

A. The Board shall assist the University Librarian in maintaining and promoting the welfare of the University Libraries. It shall join with the University Librarian to review and help formulate broad library policy and shall serve as an advocate for the University Libraries with the Cornell community.

B. The Board shall keep the Librarian informed of the needs and concerns of the faculty and students and shall help to represent the interest of the Libraries to the faculty as well as to the University administration. The Librarian shall seek and weigh the Board's advice with respect to problems and issues affecting the Libraries before deciding on changes in policy. To that end, the Librarian shall take appropriate initiatives to present matters of policy to the Board in a timely manner, to provide the Board with pertinent information about library operations and services and to meet with the Chair of the Board frequently.

C. The Board shall advise the President of its position on policy matters affecting the Libraries and about the state of the Libraries. It shall forward an annual report of its activities to the President, to the Dean of the Faculty and to the Faculty Council of Representatives, and it shall report to the Faculty Council of Representatives whenever either the Board or the Council thinks it advisable.

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

Composition of the Board

Twelve members of the faculty appointed for four-year terms by the President with the advice of the Dean of the Faculty who shall have canvassed the University FAculty for expressions of interest and desire to serve. Such faculty members shall be

chosen in such a way as to represent the special library interests of the various disciplines.

Two students selected in a manner acceptable to the Faculty Committee on Nominations and Elections.

The Provost, the Vice President for Research and Advanced Studies and the University Librarian as ex officio members.

COMMITTEE ON RECOMBINANT DNA RESEARCH

Charge to the Committee

Assure that the NIH Guidelines are understood and followed by investigators working in the area of research on recombinant DNA.

Composition of the Committee

The membership is from various representative groups as prescribed under the NIH Guidelines.

COMMITTEE ON UNIVERSITY-ROTC RELATIONSHIPS

Charge to the Committee

A. Examine and make adjustments to the relationship between the ROTC and the University. In carrying out these responsibilities the Committee shall, but is not limited to:

   1. Acting for the ROTC program in a manner analogous to an educational policy committee of a college or school.

   2. Making recommendations regarding program, curriculum changes and establishing general University-ROTC relations.

B. It is anticipated that the Committee members may be called upon to participate in ad hoc review committees for instructional appointments, disenrollment hearing boards, scholarship review boards and other ad hoc committees related to the ROTC programs.

Composition of the Committee

Six faculty members, the Commanding Officer of each military service offering instruction at the University, two administrators appointed by the President of the University and seven students.

   1. In nominating Faculty members, attention should be given to distributing the membership among colleges of the University and especially to representing colleges and schools with large numbers of ROTC students.

   2. Three of the students shall be nominated from, and elected by, students actively enrolled in ROTC programs at the University to represent the three services of the Air Force, Army and Navy. The other four students shall be selected or elected from the various colleges having students enrolled in the program in a manner acceptable to the FAculty Committee on Nominations and Elections. The term of office for student members shall be one year with the provision that they may succeed themselves for a one-year term.

COMMITTEE ON FINANCIAL POLICIES

Charge to the Committee

1. *Examine and make recommendations concerning issues and considerations that affect the economic status of the faculty. Such examinations shall include, but are not limited to, the improvement of the conditions of employment including salary levels, fringe benefits, leaves, consultation and interdepartmental compensation.*

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. *Undertake a continuing and comprehensive analysis of the financial condition and policies of the University.*

5. *Consider the financial implications of all issues for which responsibility is also assigned to other FCR Committees (e.g. financial aid and retirement policies).*

*Composition of the Committee**

Nine members of the faculty, three elected from the FCR and six who are not FCR members elected by and from the University faculty for three year terms. At least one of the committee members shall be non-tenured and the nominating committee is directed, insofar as possible, to ensure that the committee membership is roughly equal in number between statutory and non-statutory members of the faculty.

The Vice President for Planning and Budgeting as an additional ex-officio member.

**Except as noted specifically below the Committee shall be organized and operate under the Rules and Procedures governing standing committees of the Faculty Council of Representatives as amended.*

Adopted by the Faculty Council of Representatives, December 9, 1987, Records,pp.

MINUTES OF A MEETING OF THE FACULTY COUNCIL OF REPRESENTATIVES

February 10, 1988

The Speaker, Professor Emeritus Russell D. Martin, called the meeting to order at 4:30 p.m. It was held in 120 Ives Hall. He then called on Dean of the Faculty, Joseph B. Bugliari, for remarks.

1. REMARKS BY DEAN BUGLIARI

Dean Bugliari: "I have just two remarks. The first is that you all should have received with the call to the meeting our trusty sheet to nominate friends or enemies for members of faculty committees for the spring election. If you are interested yourself, put yourself down; if you have got people who you think would be good for the various committees, including this year, very importantly, a faculty trustee position, put them down. This year we will elect one faculty trustee. We will be down to just two faculty trustees - Mary Beth Norton and Olan Forker will be going off, and we will only be replacing them with one person. So, if you have any suggestions, I am sure Bud Stanton and the rest of the Nominations Committee would be very happy to get your input.

"The second thing I would like to announce is that we will soon be sending out a new version of A Writer's Responsibilities. Some of you remember that little book. We have updated it to have some material in it dealing with the computer, and it will now contain a copy of the Code of Academic Integrity. Our plan is to make sure that every student has a copy. We are going to get them out to everybody now and send them out ahead of time to people before they come in as freshmen.

"I'll be glad to answer any questions."

There were no questions for Dean Bugliari, so Speaker Martin called upon Charlotte Heth, Director of the American Indian Program, for a presentation on the program.

2. PRESENTATION ON AMERICAN INDIAN PROGRAM

Professor Heth passed out brochures for the program, and brought about 10 copies of the magazine, The Northeast Indian Quarterly.

Professor Heth: "In the American Indian Program this past year, we have been working together to define our mission, and part of that is reflected in the new brochure. We now see ourselves as a multidisciplinary intercollege program with five areas of development: academic, research, student support, extension, and publication. We are striving in these five areas 1) to develop respect for and understanding of native world views through enabling faculty to conduct research and offer courses with Indian content; 2) to enable Indian students to achieve a Cornell education; 3) to extend Cornell resources to Indian communities; 4) to create forums to train educators about Indian issues; and 5) to recruit American Indian students and faculty members. (If you see yourself assisting in the reaching of any of these goals that I have stated, please contact me later.) To these ends, the faculty and staff have tried to balance documentary research methodologies of western science with a time tested observation, progressive intuition and principled rationales of native societies. We explore American Indian cultures and world views, not only for the extrinsic knowledge, but also to discover the intrinsic conceptual bases of indigenous cultures with a view to gleaning solutions for current problems, such as developing an environmental ethic, recognizing cultural pluralism, and finding humane living patterns.

"Academically, we offer a growing number of courses in four Cornell colleges and schools, with an undergraduate concentration available. While

some Cornell professors broadly relate research and course topics to Indian studies themes, indigenous world view inquiries have also found application in education, fine arts, human service studies, agronomy, law, natural resources, cooperative extension, agricultural economics, communication arts and ecology, history, linguistics, and on and on.

"The American Indian Program offers summer teacher training institutes for public school teachers and summer internships in agronomy. The teacher training institutes focus on mastering Indian studies content, developing new materials and strategies for teaching about American Indians and developing skills in dealing with sensitive materials. The course is aimed at teachers of fourth, seventh, and eleventh grades where the state curriculum mandates local history and American Indian culture. The AIP's outreach extension unit seeks to develop solutions to problems identified by Indian people by applying Cornell knowledge bases to important issues in native communities. It has projects underway in environmental toxicology and risk assessment, native seed conservation, curriculum development and state education policy. The AIP publishes its own multidisciplinary magazine, The Northeast Indian Quarterly, and participates in the indigenous press network. The NEIQ publishes the results of AIP forms and research and engages its contributors to provide pieces on subjects that can be useful for curriculum writing. The AIP student support unit helps Indian students achieve the greatest benefit from their Cornell education. Staff members work in cooperation with the Cornell Indian Student Organization and maintain an active, friendly system of personal, financial and academic support. The Student Development Specialist recruits students from Indian communities and acts as an advocate within the University system and assists students in setting postgraduate goals. An enrollment of more than 60 American Indian students, including a dozen in graduate programs,

marks a significant gain in Indian students at Cornell over the past three years. It indicates a projected growth of the next five years.

"A future project for which we are currently seeking funding aims to maintain a high degree of sensitivity to the needs of the American Indian communities in New York State and to assist them in reintegrating students into their home community. This full circle approach, which will be offered upon student desire, provides the response to the consistent Indian community concerns with the effect of higher education on their succeeding generations.

"Just beginning this January is an indigenous communications resource center funded by an extramural grant that will collect indigenous publications, video and cassette tapes on contemporary issues. The resource center will also establish communications and material exchange links with indigenous programs throughout North America. This collection will provide Cornell with an excellent resource base for use by faculty, students, community members and other researchers.

"The September 1987 Cornell conference, 'The Iroquois Great Law of Peace and the U. S. Constitution', provides a good illustration of the work of the program. This event brought groups of culture bearing traditional Indians together with anthropologists, historians and lawyers to discuss two of the major cultural documents of the indigenous world. This unique topic, which was amply explored, elicited a dynamic audience response, both from the Indian and the academic communities. In December, the Senate Select Committee on Indian Affairs heard testimony on a concurrent resolution to recognize the Iroquois contributions to the U. S. Constitution. Our new resource center is the recipient of the video tapes from these hearings, and some of it will be published in the forthcoming issue of The Quarterly, which is about ready to go to press at this moment, and there will be a 100-page version of this

magazine devoted entirely to proceedings at the conference, and then the hearings from the Senate Select Committee.

"This national response is evidence of a widening public awareness of the tremendous amount of American Indian cultural material and reaffirms the dynamism of the AIP mission in these times. Currently, the American Indian Program projects a gradual, steady growth of faculty, students and staff dependent in part on funding and part upon the areas of research and the recruitment of faculty members and graduate students."

There were no questions, and Speaker Martin called upon Professor Robert Harris, Chairman of the Committee on Minority Education for a discussion of the Committee recommendations based on the Cohen-Gates report. The Speaker announced again that this item was for discussion only and that voting would occur when the final Committee recommendations are in at the March meeting.

3. DISCUSSION OF MINORITY EDUCATION COMMITTEE RECOMMENDATIONS BASED ON THE COHEN-GATES REPORT

Associate Professor Robert L. Harris, Jr., Director, Africana Studies and Research Center: "Since receiving our charge, our Committee has met almost continuously to discuss the Cohen-Gates report and to bring recommendations back to this body as we were charged after the November 11, 1987 meeting. We have made those recommendations (Appendix A, attached) that we bring to you today for discussion based upon the discussion here as well as discussion that we have already had with the Deans' Council, based on communications that have come back to the Committee. Our plan is to return to the March FCR meeting with final recommendations for approval at that time.

"The recommendations, I think, are fairly clear. Let me just state that there were three basic issues growing out of the FCR meeting of November that we wrestled with. One was the definition of minority, of those groups that

might be targeted for affirmative action purposes by Cornell, and we are suggesting that the University target specifically Afro-American, Hispanic-American and Native American scholars to recruit for faculty positions. We have also indicated that there are areas in which Asian American scholars are underrepresented in higher education and that the University should also seek Asian American scholars in those areas.

"Secondly, there was the question of whether preference should be given to those potential minority faculty who were born in the United States. Legally, the University cannot distinguish between those individuals who have been born in the United States or who are naturalized citizens. Furthermore, the University can't discriminate between individuals who are citizens of the United States and those individuals who are permanent residents. This is something that we discussed fairly extensively in the Committee and felt that we could reach a point where we begin to draw such fine distinctions that it becomes counterproductive. I think the spirit of the recommendation in the Cohen-Gates report is that if some preference is given to those individuals born in the United States that they might serve as better role models, might have more knowledge of the experience of minority students. We don't really accept that generalization. There are individuals who are not born in this country who are as sensitive to minority students as anyone else. There are individuals born outside of this country who make tremendous role models, so it is very difficult for us to draw that type of distinction.

"The third major area, I think, deals with the establishment of goals for hiring, particularly, targeted minority faculty and we have wrestled with establishing a particular percentage. We have talked alot about the availability of minority scholars, including what availibity is based upon. We found it very difficult to set a specific percentage as our target. Part

of the reason for this is the absence of accurate data and information. As we indicate in our preamble, the Cohen-Gates report is based primarily on the report on the status of women and minorities at Cornell. That data, as we indicate here, is based upon the work force as a whole and includes a number of individuals that we would not include for affirmative action purposes. Also, in indicating availability, at one time we were sort of looking at the figures that were given by Professors Cohen and Gates in their report and were thinking about suggesting a target based on their figures of availability, but those availability figures were based on minority doctorates.

"Now, as you know, not every position at Cornell requires a doctorate degree, so it could be that minority availability is much higher than suggested in the Cohen-Gates report. We feel that the University's affirmative action report would provide us with more accurate data on availabilty, but that report is not publicly available. One of the things that our Committee plans to request is that at least we be able to look at the University's affirmative action report, to be able to determine availability as indicated in that report and also that, annually, as we suggest here, the Office of Equal Employment Opportunity provide colleges and departments with the percentage of minority faculty in their ranks. I say percentage because, according to the affirmative action law or precedent or however it is determined, you can't indicate number, especially where the numbers might be very small and individuals might be identified, but you can say percentage. Of course, anyone who has the least amount of intelligence can extrapolate that from the percentage to the numbers, but this is the way we have to speak about this.

"We are asking that the percentage of minority faculty in the department be provided together with the percentage of availability within specific

disciplines. This would provide a means for departments to sort of measure how close they are to the availability of minority scholars. And in those instances where there is very low availability, we are suggesting that those departments take measures to seek to increase the pool and that they look at hiring their own advanced degree recipients as the means of increasing the percentage of minority faculty within their departments.

"Let me point out that Marvin Adleman, Vernon Briggs, Peter Chi, Roger Morse, Betty Lewis and Biddy Martin all worked very hard on putting these recommendations together. Perhaps they might have something to add to my comments."

Associate Professor Walter I. Cohen, Comparative Literature: "I am going to address the issue of goals, and therefore I'll comment on points 5 and 9 under Recommendations. I'll start by quoting point 9.

"'For the next five years, the University should set a goal for a net increase in minority faculty that reflects current availability pools.' Now what does this mean? Let's begin with the most optimistic possible interpretation. In five years the percentage of minority on the faculty will equal the percentage of minority in the availability pool. Let's say 8.9%. It might be a little higher. That would be 139 minority faculty. This would mean a net increase of 41 minority faculty members over 1985-86, which is a substantial figure. Let us also assume that this net increase would occur disproportionately among Afro American, Hispanic American and Native American scholars as the report seems to advocate. The result would be roughly to double the numbers in these groups. On the other hand, this is only two-thirds of the net increase called for in our report over the next five years. More important, there are no recommendations beyond five years. This is a major omission - one that would allow the adoption of a status quo position

thereafter. The passage, however, might also simply mean that the guideline for increasing the number of minority faculty at Cornell is the availability pool. This is indeed the position I unambiguously adopted in point 5 to which I now turn.

"'As a short-term goal, academic departments should hire minority faculty consistent with their disciplines' availability pools. The University should commit itself to hiring minority faculty in proportion to their availability.'

"The most optimistic interpretation of this passage is the one I have just given. Just using it as a guideline, what would this mean? If you accepted the data in our report, it means increasing the rate of hiring minority faculty from 6.9% to 8.9%. In practice, this means increasing the number of minorities hired by 1 to 2 per year. Even if you assume a very low attrition rate among minority faculty, the result is not more than a net increase of one minority faculty member per year. This may be constrasted with the eight per year that I optimistically extracted from point 9.

"As I said, however, this one per year is the most optimistic interpretation of the passage possible. First, this goal says nothing about the disaggregation of data by ethnicity. Unless these distinctions are made, stepped up progress in recruiting from one minority group could easily mask lack of progress or even a decline in the recruitment of another.

"Second, the goal is defined in relation to the various 'disciplines' availability pools.' To take a plausible hypothetical situation: if two percent of the people in a particular discipline's availability pool are Afro American, that discipline could reasonably be expected to hire an Afro American once in every 50 appointments. A similar line of reasoning applies to the recommendations for targeting minority women - independent of specific ethnicity - according to their availability. Once again the two percent

figure with the same nonconsequences for hiring is relevant.

"In summary, the most optimistic interpretation is that the report is incoherent and even self-contradictory, and what it really intends is a net increase of 41 minority faculty over the next five years. If this is the case, then I would press for the following: (a) removal of the ambiguities, (b) a somewhat higher net increase, and (c) adoption of a long-term strategy.

"Unfortunately, where the report is clearer, it leads to the conclusion that little or no net increase in minority faculty need occur in order to meet its goals. If this is the correct interpretation, I would urge the Minority Education Committee to start again.

"The problem lies in parts of point 5 that I have not quoted. These refer to expansion of the availability pool and the rejection as unrealistic of hiring minority faculty at a higher percentage than their proportion of that pool. These two propositions are self-contradictory, however. There is no basis for believing the availability pool will increase with the result that the number of minority faculty will eventually hit a wall at somewhere around one-third of the percentage of minorities in the American population. There is an alternative, however. Cornell can adopt an aggressive program such as the one outlined in our report and thereby have some positive effect on the availability pool, while at the same time, substantially and continually increasing the number of minority faculty at Cornell.

"This is the only realistic strategy available, short of doing nothing at all. Arguments for its realism are presented in our report. Arguments against it or in favor of the realism of the alternative offered are not presented in the Committee draft.

"Let me conclude by saying that there is much else to say about this draft and much of it positive. I should add that I have great respect for the

contributions a number of members of this Committee have made to the promotion of minorities in American education and at Cornell. I have concentrated on the bottom line, however, because I believe that the Committee has unwittingly prepared a document that will set back the very cause it seeks to advance."

Professor Harris: "We have some differences of opinion. We talked with Professor Cohen earlier. Perhaps we should speak again with Professors Cohen and Gates. I am not sure that we are going to fully agree, and I think it is at that point that the recommendations will have to come to the FCR, and it will be up to the Faculty at that point."

Professor Vernon M. Briggs, Jr., Industrial and Labor Relations: "I wish to make two comments. First, the issue of the long term commitment can be handled quickly. We thought it best to look at what has been or has not been accomplished after five years before proceeding to continue under any one plan of attack. If in five years we have accomplished our goal of hiring 41 new minority faculty members, we probably will be satisfied with our basic strategy. If not, we may want to make some changes. So it is our intention that the effort continue after five years -- not that it ends in five years.

"As a second matter, there are concerns over the adequacy of the data. In our review with officials from the affirmative action office of the Administration, we did find that the data on availability is very 'soft'. It does not report the actual number of persons available but, rather, the number of new Ph.D.s issued in a field over the last six years. This means that the availability data is a very weak stick to use as a prod in discussing precise goals with departments. But having said all of this, the fact remains that the availability data is all we have to work with.

"Given the data problems, we can write rules and try to devise formulas based on bad data forever. The bottom line is that the success of this

affirmative action endeavor is really based on the goodwill of the faculty to see that its spirit is carried out. You cannot give the departments firm goals due to the inadequacy of the data. We really do not know what the pools are. So we suggested creating affirmative action committees in every college to report to a new FCR committee that, in turn, will report to the FCR. This process puts the responsibility for reviewing hiring where the actual power to hire is -- with the departments in each college.

"If we can add 41 minority faculty over the next five years we will have made an enormous stride forward. I think the implementation of this report would represent a start in the right direction. It represents a faculty commitment -- not an administration commitment. It is a commitment by the one group that has the real power to make change happen: the faculty itself."

Visiting Assistant Professor Carlos Castillo-Chavez, Ecology and Systematics: "I think it would be appropriate to include women, not only minority women, but women in general. They are not properly represented in my opinion in some departments, particularly in some science departments."

Associate Professor Ann T. Lemley, Textiles and Apparel: "I would like to second that comment because if committees don't also consider the gender problem, not within minorities, but outside of minorities, people may be faced with two alternative goals, and I think they must be related and faculty must be able to look at the entire situation. They don't want to be faced with, 'Shall I hire a minority male or a majority woman?' Only with a cohesive policy and some guidance that relates to the two issues will we make progress on both."

Professor Ronald G. Ehrenberg, ILR: "I like these recommendations very much, and I want to thank the Committee for the thought that went into them. I think the concern about the policy can be fixed if you just modify point 9

to say 'the next five years and all succeeding years' and thus make it clear that the availability is constantly recomputed. I think that a lot of the discussion that Professor Cohen has put forth relates to what seems to be philosophical issues. One view seems to believe that the way you improve the status of minorities in academia is by concentrating on one institution. A second view is that the way you increase the status of minorities in academia is by drastically increasing the supply of minorities. I personally feel that a nationwide approach is the best approach, and it is also the approach that Cornell should follow with a leadership role. When you rewrite this and bring it before the FCR for a vote, I would urge you to consider stressing specifically that Cornell should have very specific policies to increase the supply of minority graduate students coming to Cornell. It is much easier for us to play a leadership role in this area."

Professor Harris: I'm sorry, I didn't quite get the last part."

Professor Ehrenberg: "In points 5 and 6 you talk about how Cornell should try to increase the availability, and I think that this is something we should push much more and urge the administration to develop specific plans to do this.

"I think that there are two goals. One goal is to remedy problems at Cornell specifically. The second goal is trying to think nationally, and I think that a lot of our efforts should be put into developing a leadership role in this area."

Professor John F. Booker, Mechanical and Aerospace Engineering: "I am just curious about the wording on item 5 as to what the pool is. In Engineering, the pool is international. Is the omission of any mention of that simply because it didn't come up or are these sentences carefully thought out after two hours of arguing?"

Professor Harris: "Did I understand you to say that the pool for engineering is international?"

Professor Booker: "I would think that that's true, and I suspect it is true for half the University."

Professor Harris: "That puts us in a very different situation, I think. It is something we should talk about in committee, but if you are suggesting that the pool for faculty at the University is international, then certainly looking at what you would target or set as a goal for minority faculty would be much higher than anything that has been discussed here thus far."

Professor Briggs: "I do not think we can automatically assume that because minority citizens of other countries are qualified for faculty that they will be allowed to immigrate to the U.S. to fill faculty positions. Our immigration laws are designed to give preference to U.S. citizens for jobs available in the country. You are correct, however, that in some disciplines the faculty shortages are so severe that international recruiting has already begun. Only 40% of Ph.D.s earned in engineering in the U.S. last year went to U.S. citizens. The remainder went to persons with temporary and permanent visas. This is not the case, however, in the social sciences and humanities.

"As for the report itself, we have pushed away from the recommendation of the Gates-Cohen report that favor hiring native born minorities over foreign born minorities. It is our belief that such an action would be illegal under existing law and it would be undesirable to split the faculty along these lines even if it were legal to do so."

Professor Cohen: "By our calculations, and you were looking at this in an earlier draft of our report, the University would have to hire about 14 or 15 minority faculty a year and have a net increase of 14 or 15 a year before it would be able to close that gap over a five-year period.

"To arrive at that figure (14,15) assumes that the availability is about nine percent. The availability could be higher than nine percent because for faculty in the Law School, for example, I don't believe that report on doctorates includes J.D.s, and that would be the minimum requirement for being in the Law School. I should also point out for the record, and I am sorry that I forgot to do this earlier, that the Medical School has received a copy of our recommendations, and while there is general agreement in principle with the recommendations, the Medical School assumes that because its situation is very different and highly specialized, that it will not be specifically bound by these recommendations."

"The point is that if you hire according to the availability pool, there is no way you are going to hire 14 or 15 a year because the availability pools are low. Suppose it's higher than 8.9% - supposing it is 11 % - I don't think it will be higher - I would be happy if it was 8.9%, but the point is that that means that 8.9% of the new appointments are going to be minority. That is what the report says."

Provost Robert Barker: "I would interpret it that it may mean that in some departments you would have to hire all minorities if you are going to hit 8.9% in your department in five years. That might not be the correct interpretation."

Professor Cohen: "If people want to interpret it that way, that is what I described as the most optimistic interpretation in which I had friendly amendments. But that is clearly not what the recommendations say. That is the reason I would urge you to revise it to make that clear, and then I think there are grounds for a friendly debate and discussion, but I think the report doesn't say that."

Professor Harris: "There are a number of things that we talked about in the committee, how specific should we be? The more specific we become the more difficult it is, especially working in a committee to gain concensus, right? But one of the things that we are suggesting in 14 is that the University not sit passively by and wait for minority scholars to apply to the University, but that the University actively seek to identify minority scholars that would then be brought to the attention of the department."

Associate Professor Hollis N. Erb, Clinical Sciences: "I think some of the confusion going on here is that the second to the last line in point 5 says 'hiring' as opposed to 'employing', so in fact that it can be interpreted that new hires would be eight percent as opposed to the total department faculty shall be eight percent."

An unidentified speaker suggested a movement toward more specific organizational recommendations and removal of words like 'would', 'should' and 'might' to words 'will' and 'shall'. He said the wording was very wishy-washy and suggested that these issues should be considered by the Committee in reformulating the Recommendations.

Professor Harris: "I would take exception to your last comment about the recommendations being wishy-washy. We are in no position to dictate unless you feel that that is the position of the faculty. We can only suggest or recommend. We are bringing this to you. If you want to dictate, that's your prerogative."

Associate Professor Isabel Hull, History: "If women don't fall under the purview of the Minority Education Committee, where do they fall in the FCR? What committee is responsible for the under-representation of women on the faculty at Cornell?"

Dean Bugliari: "We do have a committee on Academic Freedom and

Professional Status, and that committee could raise that issue."

Professor Hull: "It could raise it, but there is, as far as I can see, no committee which has as its mandate, the extreme under-representation of women in the faculty."

Dean Bugliari: "While this committee is entitled the Minority Education Committee, clearly its original function was on the other side, not so much from the hiring side, but on the side of the educational process of minority students."

President Rhodes: "I wanted simply to say that it is not surprising that in a document of this magnitude, we have some fine tuning to do. I do find two things encouraging. One is that we as the faculty as a whole are taking this on as our responsibility.

"The second thing is that I hope I can repeat the thanks that already have been given to Professor Harris and his Committee. It is discouraging to produce a very carefully drafted report and have it dissected in this way. I know that very well. But you have done us a service and you have started us on the road with a workable set of recommendations that may well have detailed adjustments which are implementable and which we can work with. We thank you."

Professor Harris: "That is part of the process, though, to dissect it and put it back together again."

Provost Barker: "There was an interesting point raised. It was discussed very briefly, but I think it is important and maybe it deserves a look beyond what this Committee probably should give it and that is what about the Graduate School? What about the supply line? It is a faculty responsibility by and large. It is also an administrative responsibility, but

I wonder whether we don't need some help there in terms of mechanisms to try to encourage the pipeline to be filled up beyond the sort of statement that you have made. Is it appropriate to ask the FCR or would it be better if I ask the Dean of the Graduate School and the General Committee to come up with some guidelines which might assist the field in setting some goals, because if they don't have this discussion, twenty years from now it is not going to have much results."

Dean Bugliari: "If somebody asks us to do it, we will do it. If you think it is appropriate that the FCR does it, we can either do it in one of our standing committees, a subcommittee or a special committee established by the Executive Committee."

Provost Barker: "Let's you and I sort that one out."

Professor Harris: "Part of our discussion with the Deans' Council led to a suggestion - and we didn't have time to modify this before bringing it to the FCR because lead time is needed to mail these out - but from that discussion one of the recommendations is that in number 12, we should modify it to read that 'each college establish a faculty affirmative action committee to encourage and to monitor the hiring of targeted minority and the recruiting of minority graduate students' so that that Committee would have a combined responsibility looking at faculty as well as graduate students."

Professor Philip Lewis, Romance Studies: "I have two remarks that are simply expressions of skepticism that I would like to ask the Committee to take into account as they go to the process of fine tuning the document. I want to come back to Vernon Briggs' initial response to Walter Cohen at the start of the meeting, and it concerns the use of availability pools and varied concepts of availability for putting out the recommendations in this report.

Maybe some other type of measure that doesn't have to do with calculable availability should be considered. In any case, if a standard availability is used, the question is how effective is it likely to be in generating institutional progress over the long term. I would say that is one of the best prospects we have for generating large-scale institutional progress given that in some areas it is going to be exceedingly difficult because finding available people is a problem. It would require us, in fact, not to stick to the letter of calculable availability pools and expect more in those areas where there are a substantial number of minority scholars available from the departments and fields who have a good chance of recruiting. If what we are trying to do is develop momentum as an institution and position ourselves so that we can do a strong job of training minority people for work in higher education, I think we have to look at it in a somewhat more subtle manner and not simply say that you are okay once you have your proportion of available minority scholars in your field. In a field where 30 percent of the scholars in the pool might be minority people, maybe we should expect higher than 30 percent because of the boost that it can give us here in the institution. In any case, just going with availability seems to me the kind of signal that we are just looking for - a little bit better than status quo or the performance that we have been maintaining in the past - and what we are really doing is putting ourselves on the line to improve, looking for more agressive and positive kinds of measures seems to me to be something.

"The other thing that I am worried about in this report because it seems to me to be a kind of dilution of the general program that is advocated in the Cohen/Gates report would have to do with recommendations 10 and 11 where the drop back from the recommendation that long-term mortgages be used in certain cases and that we then assist colleges going with short-term mortgages by

providing the general University lifeline to help with higher mortgages. The difficulty I would foresee there is simply that we would preclude the kind of progress that certain fields could make using long-term mortgages because they do have available in their fields a significant number of minorities. Looking at it on an institution-wide basis, it seems to me that the three to five-year mortgage is far preferable to the longer ones.

Professor Harris: "As we looked at this, if you take a long-term mortgage of ten to fifteen years, it ties up the possibility of using mortgages period. We felt that a greater number of short term mortgages would bring more of the targeted minorities onto the faculty than if you have the use of a few long-term mortgages. So, we thought that you might be able to achieve the goals more readily with the short terms than with the use of long-term mortgages."

Professor Castillo-Chavez: "I would like to go back to the issue of women, and I agree that women are also minorities. I could put myself in the position that I should be concerned only about Hispanic issues but I think that that is unfortunate. I think there should be a policy recommendation and it should address every group that is under-represented. The last part of the recommendation under number one says that the 'Committee recognizes that Asian-American scholars are also under-represented' and that could easily be changed to 'the Committee recognizes that Asian-American scholars and women are also under-represented in some disciplines.'

Professor Harris: "We were asked to make recommendations based on the Cohen/Gates report. This raises another issue that we have not discussed in the Committee, and I think it is one that we are going to have to address."

Professor Michael C. Latham, Nutritional Sciences: "I would like to reiterate President Rhodes' sentiments. I really think we owe a great deal of

gratitude to the Minority Education Committee and to you, Bob, for this report. But you did bring it here as a draft report, and I would urge the Committee without prolonging your work too much to sit down for a fairly long session with Professors Cohen and Gates. They put a huge amount of work in it, and they also deserve our gratitude as well as the two organizations you mentioned who originally brought this issue up and maybe representatives of those two together with Professors Cohen and Gates ought to sit down. These are resolvable issues, and I think it would be nice to come back to the FCR with something that everybody agrees on. I do think, as President Rhodes said, it is very gratifying that this issue is before us, and there is general agreement on the part of the faculty that something needs to be done about minority hiring, and I would also like to second what Isabel Hull said. If this Committee is not going to deal with the question of hiring based on gender, then the FCR should set up a body that does deal with it in the same kind of way and maybe we need a very careful study and a decent report showing the deficiencies and looking at why we are in the situation that we are in with regard to gender hiring and that a similar kind of action be taken if it's not taken by this Committee."

Professor Duane Chapman, Agricultural Economics: "When the final proposals are brought to the Council, I am sure I will be pleased to vote in favor of it regardless of how these various issues discussed today be solved, regardless of how the question and inclusion or exclusion of women in this resolution is actually handled. For the past several months since we first discussed this, I really feel a serious degree of discouragement about the nature of the problem. I guess Cornell has had a tradition of trying to deal with the questions of access to education. Of course, they are not just Cornell's problems; they are the nation's problems. I hope some of the ideas

that you have come up with will be acted upon."

Associate Professor Lee C. Lee, Human Development and Family Studies: "Since I have been at Cornell for the last 20 years, the issue of the status of who are minorities has been around. That issue keeps coming up, and every report we have that deals with minorities, there is always an attempt to exclude Asian Americans as part of the minority pool, and I am really concerned that this is happening again, and this whole notion that Asian Americans are over-represented in higher education is a sheer myth, and I think you have got to stop talking that way. The issue is that there are some disciplines that have over-representation of male Asian Americans. If you look at the number of disciplines in this University, I am willing to bet that there are many more under-representations of disciplines of Asian Americans than there are over-representations. Essentially the over-representation is clustered in a very few disciplines, and to have this report essentially say that Asian Americans should not be included, really gets to me. This is outrageous to me because there are different ways to slice the cake.

"I would like to offer a friendly amendment to your statement of number one. 'The Committee suggests that Cornell University generally counted Asian American, Afro-American, Hispanic American and Native American scholars for faculty positions as the most under-represented minorities in higher education. The Committee recognizes that Asian American scholars are over-represented in some disciplines. It would be appropriate to not target selected Asian American scholars in those areas.'"

Associate Professor Lloyd Street, Human Service Studies: "Given the nature of the argument of the last few minutes with equality of the numbers, I would suggest that we could try to improve the quality of the data and then use what data is good to form some specific picture of what the outcomes of

some of these proposals would be. That is, to specify, where we can, what the data says about availability.

"Secondly, I would support Lee Lee's position. With respect to Asians and science - especially chemistry - there are data that clearly indicate that Asians are underrepresented in at least that field here at Cornell and elsewhere."

Dean Bugliari: "I would just like to make one comment before we leave, and that is that of all the committees in the four and three-quarter years I have been here, this Committee under Bob Harris has worked as hard, if not harder, than any, and a lot of things have come up today, a lot of suggestions, including the one you just made, and I am going to take my prerogative as a lame duck Dean and suggest that if in fact they can't get back to you by the March meeting, we will let you know, and we will do it right and maybe have to come back in April."

Speaker Martin: "Professor Harris, our sincere thanks to you and your Committee."

Speaker Martin then adjourned the meeting at 6:00 p.m.

Respectfully yours,

Francine A. Herman, Secretary

FCR MINORITY EDUCATION COMMITTEE

DRAFT Recommendations Based on the Cohen/Gates Report of March, 1987 "The Crisis of Minority Faculty at Cornell"

Since receiving its charge from the November 11, 1987 Faculty Council of Representatives meeting to review the Cohen/Gates report on affirmative action and to report recommendations not later than February, the Minority Education Committee has met each week, except for when University offices closed for the holiday period. We have examined the Cohen/Gates report "The Crisis of Minority Faculty at Cornell" in great detail, with particular attention to its suggested remedies and goals as summarized on pp. 1 and 2.

The Minority Education Committee has consulted Provost Robert Barker, the Deans' Council, Associate Vice President for Human Relations Joycelyn Hart, Professor Walter Cohen, Assistant University Counsel Patricia McClary, and Assistant Director for the Office of Equal Opportunity Lillie McLaughlin. The Minority Education Committee recognizes the need for Cornell to improve its affirmative action record, especially in hiring more Afro-American, Hispanic-American, and Native American faculty. The committee applauds the work of Professors Walter Cohen and Henry Louis Gates, Jr. together with the Humanities Council of the College of Arts and Sciences and the Faculty and Staff against Apartheid for bringing this issue before the University in such a comprehensive and persuasive manner.

In considering its recommendations, the committee has sought to make meaningful suggestions that are legal, practical, and realistic. We do not take issue with the moral imperative of seeking a faculty that reflects our society, but we have had to take into account the current constraints that limit the realization of that ideal. One of the major constraints is the availability of minority faculty for the disciplines taught at Cornell. We believe that the University should make every effort to hire minority faculty consistent with their availability. The University should also make a concerted effort to increase the pool of potential minority faculty. To provide a yardstick for measuring affirmative action progress, the University must make public its affirmative action plan, because it contains the most current information on minority faculty employed at Cornell and availablity of minority scholars across disciplines.

The Cohen/Gates report relied primarily on the statistics published in the Status of Women and Minorities at Cornell. That report provides information on the work force as a whole and includes foreign nationals, part time, and acting appointments in its review of minority faculty. In considering minority faculty availability, the Cohen/Gates report uses statistics for all minority doctorates, although they do exclude education in one instance for a more accurate measure. Their statistics on minority faculty availability do not take into account the fact that a doctoral degree is not a prerequisite for all faculty positions at Cornell. A more accurate index of minority faculty availability must include only those disciplines represented at the University and the minimum degree requirements for faculty positions across such disciplines. The University's affirmative action plan as updated annually should contain that data. Reasonable goals for hiring minority faculty would have to be based on such information.

Recommendations

1. The committee suggests that Cornell University generally target Afro-American, Hispanic-American, and Native American scholars for faculty positions as the most under-represented minorities in higher education. The committee recognizes that Asian-American scholars are also under-represented in some disciplines. It would be appropriate to target selectively Asian-American scholars in those areas.

2. The University's Office of Equal Opportunity should report to the faculty annual statistics at the beginning of each academic year on all tenure track minority faculty by rank, gender, and ethnicity.

3. The committee believes that the University legally can not and also as a matter of policy should not draw a distinction among native born, naturalized citizens, or permanent residents in hiring decisions.

4. The University's Office of Equal Opportunity should provide each college at the beginning of each academic year with the most current statistics on minority faculty availability within the various disciplines, together with the percentage of minority faculty in each department.

5. As a short-term goal, academic departments should hire minority faculty consistent with their disciplines' availability pools. As availability pools expand, the number of minorities in full-time faculty positions should also increase. The committee does not consider realistic a goal of minority faculty linked to their proportion of the population. The committee believes that the University should commit itself to hiring minority faculty in proportion to their availability and that it should make a concerted effort to increase the pool of minority scholars.

6. The committee believes that departments should work toward gender balance in hiring minority faculty as in hiring faculty in general. Minority women should be hired in proportion to their availability. Implicit in our recommendation that the University make a concerted effort to increase the pool of minority scholars, especially in disciplines with low availability, is the assumption that minority women will be targeted in those disciplines where they constitute less than half the available minority pool.

7. Given that minority availability varies by discipline, the University should encourage special efforts to train minority scholars in those areas of low availability. The Graduate School should guarantee financial assistance over several years for minority graduate students in disciplines with low minority availability pools.

8. Departments should consider hiring their own advanced degree recipients, where there is the opportunity to hire minority faculty.

9. For the next five years, the University should set a goal for a net increase in minority faculty that reflects current availability pools.

10. College Deans should use short-term mortgages of three to five years to hire minority faculty, especially in departments with little normal attrition. Such mortgages will allow departments to prefill positions before they become vacant.

11. To assist College Deans in using short-term mortgages, the University should establish a fund to help retire mortgages. The committee recommends a system of short-term rather than long-term mortgages to avoid encumbering colleges and departments beyond the normal terms of deans and chairs.

12. Each College should establish a faculty affirmative action committee to encourage and to monitor the hiring of targeted minority faculty. The college affirmative action committees might foster visiting scholar positions to attract minority faculty who might become candidates for positions or who might assist in recruiting minority graduate students. The college affirmative action committees should report annually to the Minority Education Committee on progress in hiring minority faculty and/or increasing the pool of potential minority faculty.

13. The college affirmative action committees should work with departments to identify potential minority faculty. To increase the number of targeted minority faculty at Cornell, it is important that departments actively recruit such candidates, rather than wait for them to respond to advertised positions.

14. To assist colleges and departments in recruiting targeted minority faculty, the University should assign responsibility for identifying potential minority faculty and maintaining a data bank on minority scholars in the various disciplines. It will be necessary to survey professional associations and graduate schools, to access programs such as the Ford Foundation predoctoral and doctoral fellowships for minority students, and to contact leading scholars about their minority doctoral students.

Submitted by:

Marvin I. Adleman, College of Agriculture and Life Sciences
Vernon M. Briggs, Jr., School of Industrial and Labor Relations
Peter Chi, College of Human Ecology
Roger A. Morse, College of Agriculture and Life Sciences
Robert L. Harris, Jr., Africana Studies and Research Center (Chairman)
Bertha A. (Betty) Lewis, College of Human Ecology
Carolyn A. (Biddy) Martin, College of Arts & Sciences

Joseph B. Bugliari, Dean of Faculty, ex officio

January 25, 1988

MINUTES OF A MEETING OF THE FACULTY COUNCIL OF REPRESENTATIVES

April 13, 1988

120 Ives Hall

Professor Emeritus Russell D. Martin, Communication, and Speaker of the FCR, called the meeting to order at 4:30 p.m. He called on Dean of the Faculty, Joseph B. Bugliari, for announcements.

1. ANNOUNCEMENTS

Dean Bugliari announced that his successor had been chosen and that it would be Walter Lynn and that as of June 30, he would be stepping down as Dean.

He went on to say that there would be a May meeting of the FCR. He also stated that there would be a meeting of the University Faculty on May 18, and that would be the traditional meeting to honor those members of the University Faculty who will be retiring. He said it would not be a long meeting, and hoped to have a lot of people there to honor those people, most of whom have served the University for very long periods of time.

He then announced that ballots would be sent out next week for an election for Secretary to replace Fran Herman (and added that he didn't think that could be done, but we'd try). He also said that a Faculty Trustee would be elected as well as seats for many of the Faculty committees and FCR At-Large Members.

He called the body's attention to two enclosures which were sent with the agenda. One was a proposal coming out of the Committee on Academic Programs and Policies on textbook and computer software conflict of interest (Appendix A). He said that if there are any responses to that, to send them to Tim Fahey, who is the Chairman. He also mentioned the exam time reminder memo (Appendix B).

Dean Bugliari announced that although Speaker Martin was present, it may not be known that he had a bypass operation. He said it was a single bypass, but the Dean said that he had heard it was octuple. But under threat that his pay would be suspended, Speaker Martin has come out from his sick bed.

The Dean mentioned that Fran Herman had had two eye operations this past year, but having spent over a month in Hawaii to recuperate, she looked in 'pretty darn good' condition.

Speaker Martin then invited Dean Bugliari to present the Slate of Candidates.

2. APPROVAL OF SLATE OF CANDIDATES

Dean Bugliari: "On behalf of the Committee on Nominations and Elections, I am presenting to you a slate of candidates for election of Faculty Trustee and various committee vacancies. I would add that there is one deletion. At the last minute, Professor Terrence Fine, Electrical Engineering, who was a candidate for the Advisory Committee on Responsible Speech and Expression is going to be out of the country and has asked that his name be deleted."

Dean Bugliari asked if there were any additions to the slate, reminding nominators that they must have agreement of those they are nominating that they are willing to run.

There were no additional nominations, and the slate was voted on and approved (Appendix C, attached).

The Speaker called on Professor Alan Dobson, Chairman of the Research Policies Committee, for a presentation of a resolution on the proposed Copyright Policy.

3. RESOLUTION ON THE COPYRIGHT POLICY

Dean Bugliari: "Before Alan and Bob come up, I would like to pay tribute, on behalf of all of the Faculty, for the efforts of these two gentlemen as

chairmen of these two committees during the months. I thank Alan and his committee for trying to hammer out something that would work in the area of a Copyright Policy, and Bob Harris and his Committee on Minority Education for trying to hammer out a set of recommendations on the Cohen/Gates report. They both deserve an awful, awful lot of credit from all of us.

"I just wanted to say that for the record, Mr. Speaker."

Professor Alan Dobson, Veterinary Physiology: "Thank you very much. I just hope that you weren't half an hour too early.

"The circulated document had the corrections put into it that the faculty had suggested on the last round. If you want to see what the actual corrections are, copies are available here.

"Traditionally, the Faculty have owned and controlled the copyright of the fruits of its scholarship. Unfortunately, the law, as it stands at the minute, does not recognize this. It treats the employer as owning the copyright of work prepared by an employee within the scope of his or her employment. This hasn't been settled in the court, but neither the Faculty nor the University would be very happy with this arrangement. Indeed, it's highly likely that if there was any intent to go this route that the University administration would probably grind to a halt under the bureaucratic burden that this would provide.

"So, the policy your Committee is introducing is designed to conserve the traditional position. In doing so, it also recognizes that students have rights, too, and the University has obligations. The document represents a compromise which was reached between the Research Policies Committee, the Office of the Vice President for Research and the Counsel's office.

"The process of drafting this latest round has included the whole Faculty. It started off with small circles of interested people and was gradually widened as agreement was obtained. You have had the latest copy to see if

there are any problems that would arise, and I am pleased to say that the document in your hands includes those changes and clarifications which you have suggested. Now, this is not to say that the document is precise in all details. For instance, in Section II on page 2, the first sentence there refers to 'extraordinary use', which it doesn't define. Our first reason for not defining these kinds of things was that whenever as a committee we tried to draft anything about this to make it a bit better, we got into trouble with somebody or other. But then after we had thought about it a bit more we realized that there was some wisdom in leaving some terms undefined and if I may illustrate this, I think nobody would regard having library resources or a secretary provided, as extraordinary resource and wouldn't have done it 15 years ago. But 15 years ago, having one's own personal computer might have been an extraordinary resource provided by the University. Now, of course, it is commonplace and is not an extraordinary resource, not even if you have a laser printer. So, we have left some areas somewhat indeterminate. There is a mechanism within the document for pronouncing on specific issues, and the procedure will be something like this: If you have any doubts about the applicability of anything to the copyright ownership, you first of all discuss it with the head of your department or the equivalent in the unit you happen to be in, and this can be resolved at this level. We think most disputes are likely to stop there. But if there is any further dispute, it can be brought to a committee of which the majority are members of the faculty, which reports to the Vice President for Research and to the Dean of the Faculty, to render a decision.

"This is the kind of procedure we envisage. I think this is the second time the document has been around the faculty in this particular cycle.

"We recommend that you accept this policy on the grounds that it is a lot better than not having a policy."

Professor Dobson moved the resolution as follows:

WHEREAS, a proposed Cornell University Copyright Policy has been prepared to promote and encourage excellence and innovation in scholarly research and teaching by identifying and protecting the rights of the University, its faculty, staff, and students, and

WHEREAS, the proposed policy was circulated to the Faculty on March 1, 1988, soliciting their comments, and

WHEREAS, the Committee on Research Policies has incorporated those comments into the document,

THEREFORE, BE IT RESOLVED, that the FCR approves the Cornell University Copyright Policy and recommends it to the Board of Trustees for their approval.

There being no discussion, it was put to a vote and the Copyright Policy was adopted (Appendix D, attached).

Speaker Martin next called on Associate Professor Robert Harris, Africana Studies and Research Center, and Chairman, Committee on Minority Education, for a resolution and recommendations based on the Cohen/Gates report.

4. RESOLUTION AND RECOMMENDATIONS BASED ON THE COHEN/GATES REPORT

Professor Harris: "The Minority Education Committee withdraws its resolution for a vote at this meeting. We would like to proceed, however, with a discussion of the recommendations (Appendix E, attached) and some of the legal ramifications, particularly of our recommendation number 5. You might have available to you a memorandum dated April 13 to Dean Bugliari from Walter

Relihan (Appendix F, attached) regarding affirmative action policy. If you do not have that, you might want to secure a copy, and it is available up front here.

"There might also be discussion on some of the other recommendations other than recommendation number 5 as presented in our report that we can take into consideration as we go back once more to the drawing board to bring recommendations to you at the May FCR meeting.

Associate Professor Walter I. Cohen, Comparative Literature: "I would like to second Dean Bugliari's comments praising the Committee's work over the last several months and their willingness to take a lot of guff from various people, including, at times, me.

"I want to ask one or two questions and propose what I really believe are friendly amendments to points 5 and 7, even though I realize that point 5 is obviously going to be a matter of contention based on the letter from Relihan.

"This is a point that I have talked to committee members on, and I will just beat on this point one more time. Later in the paragraph, when we get to the question of availability data, the goal of 70 additional faculty is based on availability data for '86 which 'should increase as availability increases.' This is, again, based on the assumption that availability will increase. I don't think that assumption is warranted and it leaves the implication, which I think is unfortunate, that this program is going to take care of itself over the long term by merely matching the availability pool. I would propose changing 'as' to 'if.'

"The last sentence of the paragraph reads: 'At the end of five years, the FCR affirmative action committee shall recommend a new five year plan.' I would add: 'That would not necessarily be based on availability pools.' That neither excludes the possibility of using availability pools in the future nor

prejudges the case. I realize that I'm making a somewhat fine point here, but it does seem to me there is a danger of assuming that using availability pools for the next five years is a permanent definition of University policy on affirmative action issues, and I would like to see that as I think it is stated at the beginning of the report as the initial step, with which I have no quarrel. Those are my suggestions on point 5."

Speaker Martin: "You are proposing two separate amendments in number 5."

Professor Harris: "Mr. Speaker, we asked if we could have discussion at this point, so that we could take it into consideration and bring back to the May FCR meeting. So these are recommendations since the resolution is not on the floor for a vote at this time."

Speaker Martin: "If that is the case, it is the Chair's suggestion, and I have my Parliamentarian here, since this was on the agenda to be brought to a vote, now that is being changed, it would seem appropriate, Professor Harris, that you make a motion that vote on this resolution be delayed until our May meeting. Would you propose that?"

Professor Harris: "I move that a vote on the recommendations from the Minority Education Committee of the FCR be delayed until the May FCR meeting upon receipt of possibly amended recommendations from the Committee."

There was a second to the motion.

Assistant Professor Ali Hadi, Industrial and Lasbor Relations asked what the reasons were for this being delayed.

Professor Harris: "Primarily because there are some legal implications, particularly to recommendation number 5, that we had not anticipated within the Committee. We presented a series of recommendations to the FCR at its February 10th meeting a series of recommendations that we had discussed. We went back after our discussion at the February 10th meeting, reconsidered those

recommendations, presented them again, and number 5 in particular raises some legal implications that we had not thought of, and we need to reconsider those."

Associate Professor Lee C. Lee, Human Development and Family Studies: "I am interested in knowing whether Mr. Relihan is present because it appears to me that it is his memo that you are concerned about. The memo itself concerns me. It seems to me that what we need to do is debate on the memo because the message to me here is essentially to say affirmative action is illegal. English is my second language, so is that correct?

"Some of the language used in his memo concerns me. It tells me he has some prejudice himself using words such as 'ransack University records'. It provides in my mind an image that someone went in and threw these records around like what we thought some students did with the library books.

"I would like to express a third concern with this memo which has to say essentially that 'The Committee report, unless modified, could restart that entire process of litigaion. This time, however, the FCR would have provided evidence, in the form of utterly unfounded admissions against interest, which were not and could not be produced in the Zahorik case'.

"It appears that Mr. Relihan would like for us not to be able to have any records about anything so they could prove anything.

I would like someone to correct me, if I have misinterpreted the message that Mr. Relihan is trying to convey here."

President Frank H. T. Rhodes: "Mr. Chairman, Mr. Relihan, I think, is intending to be here, but I couldn't see him when I looked around. I don't propose to speak for him - he must speak for himself - but I want to say one thing. I have only just picked this memo up, but I discussed this concern with him, and it is not just the University which is involved in this affirmative

action policy. The spirit of it and the implementation of it will rest with the Faculty. This concern is in complete agreement with the spirit of it. The concern, however, is that unless you get the language and implementation correct, then both the Faculty and the University are going to face some legal problems. It is not in a negative sense, but in a positive sense, but in a positive sense, the implementation."

Professor Lee: "Then, my question is, at the end of his memo, he says: 'In my view, a few changes, modest in scope would suffice to reaffirm and strengthen the University's policy on equal opportunity and affirmative action.' Now, why did he not do so, if they are such simple, modest changes?"

Professor Harris: "Our Committee is not in agreement with all of the objections raised in this particular memo, which is one of the reasons why we did not ask for a substitute motion. We want to be able to take these concerns into consideration, as we think about what recommendations we should bring back to the FCR at the May meeting."

Speaker Martin: "We are now debating the motion whether or not to postpone a vote on this matter until our May meeting."

Professor Michael Latham, Nutritional Sciences: "I would have to support the motion, but I do feel that it was a gross discourtesy to the FCR and to all of us that we were brought here to vote on this motion. University Counsel should have known for many weeks that this was going to be discussed and voted on. It has caused us to want to vote in favor of putting this off until the May meeting when it is quite difficult to get a quorum and I would really like to know the reason why a memo dated April 13th reaches us and leaves us in a position where we have to vote in favor of this kind of motion when the University Counsel should have been working with this Committee, and I must agree with some of Professor Lee Lee's concerns."

Speaker Martin: "Is it possible that someone could try to reach Mr. Relihan and ask him to come over?"

Associate Counsel Patricia McClary: "I am from the University Counsel's office, and I believe he is going to attend, but in the meantime, I could answer any questions."

Associate Professor Isabel V. Hull, History: "I have a couple of questions. The first one is to Bob Harris. When did the Minority Education Committee finish the draft that we have in our hands now?"

Professor Harris: "I don't have my records with me, but we had to submit this the Dean of Faculty's Office by late March, I believe, for it to be on the agenda for this particular meeting. It was at that time that we also circulated this to those individuals that we had consulted with beforehand. Walter Relihan was not included on that list, but the Counsel's office was. We had talked with Counsel's office beforehand about the recommendations, but of course, these recommendations have undergone significant modification since the February 10th FCR meeting. So, my assumption is that the Counsel's office did not have the same amount of time to look these recommendations over as it did prior to the February 10th meeting when they had looked them over."

Professor Hull: "Did I understand you to say that they had at least two weeks to be able to peruse this document?"

Professor Harris: "Approximately two weeks, yes."

Professor Hull: "Did anyone from the Counsel's office attend any of the meetings of your Committee?"

Professor Harris: "Not since the February 10th FCR meeting."

Speaker Martin: "Mr. Relihan is here now. Perhaps he can answer some of these questions." He then asked Professor Harris to bring Mr. Relihan up to date.

Professor Harris: "The basic question, I guess, is why the concern is raised today, and I think part of that, the memo was prepared specifically for this meeting, and that is one of the reasons why it is dated April 13 as opposed to being dated earlier. That is one question that was raised."

Mr. Relihan: "Pat McClary has been sitting with the advisory committee and each draft she has participated in and advised about and each draft has been, I think, a wonderful statement and creates no legal problems whatever. The latest draft, however, departs in some major ways from the previous draft and in ways which I think create potential legal problems for the Faculty. That is, the members of the senior Faculty would have to make these judgments and for that reason, I was concerned. I prepared a memorandum for the FCR which would explain generally my concerns, and it strikes me that there are only two or three places in the report which need modification, and I think that could be done preserving the purpose and intent and the fervor which that statement commands, and rightly so. But there are a couple of places where it seems to permit the inference that the present configuration of the Faculty is the result of a past policy or practice of intentional discrimination, and this should not be allowed to stand because not today, not tomorrow, not for our purposes, but who knows when, that could turn up as a piece of evidence in a lawsuit. Even if some of the assumptions in the report are not in fact true, they could be taken for true as a matter of the law of evidence, and you wouldn't want that to happen. You would want whatever the judgment is in some future case to turn up on the facts and nothing but the facts and not upon a statement which really is not justified by what in fact is the case. But I don't think it is a very large concern that we have; it is a matter of a few words and I think if repaired could more clearly express what is really intended than the present draft."

Assistant Professor Carolyn Martin, German Literature and Women's Studies: "Could you be very concrete now about what modest changes you think that would not change the fervor of the document?"

Mr. Relihan: "I think it might be appropriate for the Committee to deal with that in the first instance, but, for example where an inference is permitted that the current profile of the Faculty does not reflect current availabilities, I think that creates a false impression. That is to say, we know that the general profile statistically of the entire Faculty as it exists today does not reflect the minority Ph.D. production in the year 1988 or perhaps in previous recent years when statistics are beginning to change, but in order to make it instantly reflect today's Ph.D production, you would have to reconstitute the entire existing faculty and you can't do that, except over time. So, without getting into specifics, I'd rather have the advisory committee deal with it and then come back to you. But that's the general concern I would have."

Professor Nicholas Sturgeon, Philosophy: "I have a couple of questions about this amazing document. One of them is that you were just asked and you say in here that there are specific changes that would satisfy your worries, but when I look at the document, most of what it says is that that there are things that could be used in evidence in a lawsuit against Cornell. If that means that if we had adopted this document, then the Cornell 11 might have succeeded, too, and I'm not sure that the Faculty would regard that as an objection.

"After thumbing through the report, after looking at the memo, I can't find any sentence that anybody would construe that way. I think it is actually

amazingly mild about what has happened at Cornell. If you think there are specific passages, why do you write three pages and not say once what passage you are talking about?"

Mr. Relihan: "I think, again, with deference to the Committee that is preparing this, that that should be a matter for them to look at, and it is a very simple matter to correct in my view. I would be glad to do it now or at any other time, but I think the preference is..."

Mr. Relihan was interrupted by a chorus of "nows" from the body.

Professor James W. Gillett, Natural Resources: "I am curious. Are you not willing to speak on the record with the tape recorder on or is this so sensitive that you can't speak to the official record? Your response to Dr. Martin was, I felt, unresponsive, and it was a non-answer. I really think we need an answer."

Mr. Relihan: "I tried to explain, for example, in a couple of places it refers to the fact that by a certain date in the future, you want the Faculty profiled to reflect availabilities. That infers that it does not and what I'm saying is that availabilities must be viewed in terms of current production and current recruitment, and I think we are doing that. But we can't instantly today reconstitute the entire Faculty to reflect current statistics when we have to deal with statistics that are 15 and 20 years old. Each and every year over the last 20 years that have have resulted in the appointment and promotion of the current Faculty as it now exists and getting back to the Zahorik case, I don't think the Faculty who were involved in that case and who made those decisions felt that the plaintiffs were justified, and if I think if your department were involved, you might have felt differently, too, because those departments made their judgement as far as I can determine, on the merits and for no other reason."

Professor Sturgeon: "It's just relevant to keep in mind on the Faculty stance first of all that the Arts College Faculty did take a formal vote asking for a delay on the Zahorik case because of the way it had been handled and second, that it is clear that the Faculty, in light of evidence of what happened in those cases, adopted the grievance procedure, which is in place and that was part of the recognition without taking a stand on the details of the particular cases that there was a general problem that needed to be addressed.

"No, I don't know what individual Faculty members thought about each and every allegation in that case, but it is clear that the lawsuit was against the administration and not against the Faculty."

Mr. Relihan: "I disagree emphatically with that. The administration had nothing to do with those decisions that were made in the cases, zero to do with it, except to affirm what the Faculty had decided at the departmental and college level. Now, having been a part of the team that developed the grievance procedures, I take pride in that, and I think that was one of the good results that came out of the Zahorik case, and I agree with that."

Professor Latham: "Mr. Relihan, you wanted to have some changes made in this resolution that you knew was coming to a vote at the FCR. Why didn't you choose to go to the subcommittee and ask for discussion of the changes before it came to the FCR rather than throwing us into a situation where we have to put off a vote on this resolution? It seems to me that that is a discourtesy to the FCR. Perhaps you didn't have enough time, but you have caused us to meet here to discuss your document from the one that was meant to be discussed here and we can't now vote on that, and that seems to have wasted time and has caused some inconvenience."

Mr. Relihan: "I truly apologize for any inconvenience. Our role has been to have Pat McClary sit with the Committee as an advisor and in each evolution

of the statement, we were a participant and were totally satisfied that it expressed the intent of the Committee. The latest draft was a departure in a couple of important particulars that we had not seen before. I had not seen it until today, so I think it came to us a surprise and as a recent development and, again, I apologize."

Professor Hull: "I think that as long as we are all gathered here that it might make sense for us if you and your assistant had already agreed to substantial portions of the report, apparently, before, then it might make sense for us to go over specifically the areas that you have concern about, and we could discuss those because as I say, and it has been pointed out before, it is not easy to get everybody together. I had to cancel office hours to come here, and I am genuinely interested to hear the reasons that disturb you about the document and would be particularly interested to hear the exact changes that you made and that might be able to speed things up some. If there are only a couple of things that are the problem, and we have another 42 minutes, it does seem to me that this is an appropriate time to begin."

Speaker Martin: "The motion on the floor is to postpone a vote on this resolution to the May meeting. Is there further debate on that motion? We must act on it."

Someone said, "Call the question".

Speaker Martin said if there were no objections, they would proceed to vote on the motion to postpone action to the May meeting.

Professor Lee: "I do object, and the reason is that if indeed we want to carry out what Izzy proposed, we do not need a postponement. Therefore, I think we do need to say, 'Are we wlling to discuss the issue here now?' If not, then we need to postpone but if we can discuss it within 42 minutes, why not do it now and vote?"

Professor Hull: "If it turns out that after 42 minutes we cannot vote after the discussion, we can postpone it at that time."

Speaker Martin: "The motion on the floor - this is apparently not clear to some of you - is to postpone the vote. We must dispose of that motion."

Parliamentarian deBoer: "It's possible to withdraw the motion to postpone, introduce the current motion and later on introduce the motion."

Speaker Martin: "That is possible. The Parliamentarian has indicated the mover of the motion to postpone could ask to withdraw it, if that is your wish."

Dean Bugliari: "Is it not possible that if the discussion in the next 42 minutes were to produce a result, then it could be brought back on the floor for a vote at that point even if we postpone the vote now?"

Speaker Martin: "The only thing that we could do then is to reconsider our vote on the motion to postpone or rescind it, one or the other."

Professor Latham: "I want a review of the discussion of whether Professor Harris might like to withdraw his motion so that we could discuss, then re-introduce the motion before we break up."

Professor Harris asked to withdraw his motion.

Speaker Martin: "There is a request to withdraw this motion. Since this has now been debated, we are going to have to take a vote."

It was voted on and carried, and the motion was withdrawn. The resolution was placed on the floor for discussion.

Mr. Relihan was asked to identify the problem passages in the Committee's report.

Mr. Relihan: "Incidentally, I am told that Pat did communicate our suggested changes to the subcommittee.

"There was no concern at all with page 1. On page 2, at the foot of the page, you will notice an indented section 1 - it identifies a particular group of minorities, and our problem with that is that these minority groups have been identified and promulgated in Federal regulations and in other regulations by public agencies, and in those cases it seems to us that we ought not to try to redefine those categories and take the risk that we are asserting some social phenomenom that would not be regognized by governmental agencies or the courts. We would have no problem if the identification of subgroups were identical with those found in Federal regulations, so it is not a major item on that page.

"On page 3 there are two items. Number 5 is the most problematic and it creates a couple of assumptions - one that the current faculty is or could be viewed as the product of a deliberate plan of past descrimination, which has resulted in a profile such as we now have and that in order to get it into a lawful condition, you would have to take extraordinary measure with fixed quotas between now and 1994. We are not very clear about where the numbers used in that paragraph come from and I have an alternative suggestion that I think would do much the same thing but protect the Faculty from having a noose put about its neck and having it jerked up short when unrealized goals are not achieved. It would also protect the Faculty against reverse descrimination charges, and I think you have to be particularly conscious of that.

"What is really being proposed here in paragraph 5 goes beyond where we are in the law as pronounced by the Supreme Court of the United States, and maybe just very, very quickly to recapitulate where we now are in terms of constitutional law and the Civil Rights Act and other statutes. As everybody knows, affirmative action began with the equal opportunity commitment. That is to say, removing impediments to invidious descrimination. Next, we came to a

stage where affirmative action was more important and more dramatic and more useful and that is the outreach to minority groups in an active attempt to seek out, find and qualify minorities for positions of employment. We now are constitutionally at a third stage which really comes to pass by reason of the Supreme Court's decision a year ago about this time in the Johnson case in Santa Clara County, California. In that case, the Court by a bare majority concluded that gender or minority status could be used as one positive factor among others in certain circumstances, and those certain circumstances are very constrained. The kind of language which is suggestive of where I think you really want to be, would say something like this: 'New faculty appointments in each academic field each year should approximate the percentage of minority persons awarded the Ph.D. or other qualifying credential in such field by institutions of requisite distinction.' Now, in my view, you can't use the bare, bald, Ph.D. production across the country because a particular field or particular institution may not award a degree that Cornell would choose to look to that institution to recruit from, so you've got to be a little bit careful and protect yourself. You want, ideally, the new class of faculty to approximate the statistical profile of minorities in the country or exceed it, if possible, but you don't want to be stuck with a iron-clad quota that is unrealistic in terms of what particular fields that are out looking for faculty that particular year can expect to produce. In every case, the broadest possible pool of minority candidates would be sought, based upon this commitment. The total statistical profile of the entire faculty can be expected to move each year toward a closer reflection of the growing annual percentage of minority persons being awarded the Ph.D. or other qualifying

credential--it may not be a Ph.D.--across the nation. I think that says what you're trying to do. I think what section 5 in its current form says is something that's going to be a very serious problem for the people who have to make decisions in the department. It won't bother me, it won't bother the President or the Board of Trustees, because you people are the ones who make those decisions. So, that's paragraph 5, and the rest is very small stuff. Let me see if I can find it. In paragraph 7 on that page, it says, 'Unless we make a concerted effort to increase the number of potential minority faculty, we cannot continue to measure progress in employing minority faculty on the basis of availability pools.' That suggests you're going to use something else, and I presume that means you're going to use a search method that excludes genders or races, and in great numbers, and I don't think you can do that. I think if you do, you're going to be in trouble, and as your lawyer, I'm telling you that. So those are the kinds of suggestions that I would make on Monday to the subcommittee. And I think they're very serious, and you guys are going to be the ones in the witness dock, not me."

Question from the floor: "Would you just delete the first sentence, if it were up to you, on point 7?"

Relihan: "Yes."

Question: "All of us are political scientists. Mr. Relihan, would deletion of the first sentence of point 7 solve the problem to which you are referring?"

Relihan: "Yes, it would. "

Professor Cohen: "I would like to address the other two substantive points. I have no problem with the third point you made, which is a lesser

one. I wasn't clear on the necessity of that sentence to begin with. On the first point, sticking to the federal categories, I understand the legal reason why you want to do that. I would point out, however, that for instance, in awarding minority graduate fellowships through the University already--an even narrower group than the ones here, that is to say, Chicanos, Puerto Ricans, Native Americans, and Afro-Americans - it's a very narrow, specific group, and those are, quote, minority fellowships. They may be called something different, but the point is that the University does need some discrimination. This is also true in terms of undergraduate recruitment. The question is, why can't you do that on the faculty level? That's the first question. The second one involves not doing--I mean, your recommendation proposed to the committee is not a committee preference--it guts the entire program. The distinction is between reaching a goal of parity in the availability pool in terms of total numbers of the faculty and hiring according to the availability pool. This is a fundamental distinction. Hiring according to the availability pool, which is what you're proposing, has a pleasant rationality to it, it suggests you're not discriminating. It's consistent with equal opportunity, and so forth. It's quite clear this will not significantly increase the number of minority faculty at Cornell. If you want to go over it arithmetically we could, but I'm quite sure I'm right about that point. Unless the availability pool increases sharply--there's no evidence that that has happened. Second, on the other hand, the goal that the committee came up with, which is to reach parity with the availability pool is in some sense symbolical--that is, there's no legal mandate or relationship to that. It's just a way of saying, if I understand it, that if we get there, then we'll feel much better about the way the

University is. It's something that we think would be intellectually, socially, culturally, and morally good for the University. And that is the rationale for that position. Now, if the language could be softened, so as to avoid legal problems, that would be one thing, but the substitution of your own proposal simply is another way of saying that there can be no significant increase if that's our law. So, if there are legal obstacles to the current wording, I would like to see us handle those legal obstacles. Yours is not a friendly remedy; it's a hostile remedy."

Mr. Relihan: "Well, I'm trying to be friendly because I'm your lawyer. Turning to the second point, I think my position is this: You can't transform the existing Faculty, some of whom came here, well, Keith Kennedy came here in 1939, not as a Faculty member but there are probably Faculty here since the 40's, and at that time the availabilities were vastly different than they are today, so my only point is that you can't, by recruiting today, reconstitute the entire Faculty unless you dismiss swarms of tenured senior members of the Faculty and what not, and start all over again. So that's number two. As to the first point you make, I can't talk to you about it with the tape recorder running. I just can't talk to you about it. It's that sensitive, and I'd have to plead lawyer-client privilege on that one."

Speaker Martin: "Further discussion. Professor Lee."

Professor Lee: "I also find that amendment not friendly. It distresses me because the language you use is exactly the kind of language that we have at present, and it has gotten us nowhere, and so essentially you're asking us for no change, and if that's the case, that means you're really not for affirmative action. I'd like to ask you a further question, Mr. Relihan, with regard to

your second paragraph, which essentially, to me, is the basic philosophy by which you are really acting on this proposal, which essentially says in a couple of places I read it it uses phraseology which commits the University to future Faculty recruitment and promotion policies involving preferences based on race and gender which are no more than the law of the land, and I find the law of the land for parity, for equality, and for affirmative action."

Mr. Relihan: "Well, to answer the last part of your question first. If we come to paragraph 7, for example, what you're really saying there is that you're going to have to recruit from categories that exclude vast numbers of people and limit themselves to certain minority characteristics that you feel are underrepresented. Now, the law is that equal opportunity and the equal protection of the law is the norm, and as I say, in last March's decision of the Supreme Court in the Santa Clara case, you had one small crack in that door where you have this very unusual circumstance of a segregated workplace or a past record of intentional discrimination, which is not the case here, so what I'm telling you is that I understand the goal that you trying to get at, but if the means to get there is to exclude whole genders, and whole classes of people, you're violating the law of the land."

Professor Lee: "Can you tell me how it does that? How that statement is excluding these groups that you're talking about, I assume you're talking about."

Mr. Relihan: "Well, paragraph 7 says that availability is the key, and that's fine. Then it says that maybe we won't be able to adhere to that and I take it the inference is that it commits the University to adopt a policy of recruiting from special classes that exclude other classes, large other

classes, and that is against the law."

Professor Lee: "I think when we do that, I can see you slapping an objection. I don't think anyone that worked on this document recommends..."

Mr. Relihan: Well, I think if this paper means anything, it ought to be a commitment. If it is a commitment, it's setting the University up for reverse discrimination claims. As a lawyer, I worry about it; as a client, I think you ought to be twice as worried about it as I am, because I'm not going to be in the dock--you people will be."

Professor Lee: "Then, in other words, we should stop affirmative action."

Mr. Relihan: "No, absolutely not, absolutely not. But by affirmative action you cannot today, or even next year, or maybe even for many years, reconstitute the entire profile of the University Faculty as it has been created since I don't know when, the late 1940's."

A question was asked of Mr. Relihan as to who he is counsel for, who's his client?

Mr. Relihan: "You are referring to my remark about not talking on the record. I don't think I can deal with that issue because of the legal problems it would cause to you, my clients, if I spoke for the record."

Question: "We're your clients?"

Mr. Relihan: "That's right."

An unidentified speaker: "So shall we turn off the mike and confer with our lawyer?" [laughter]

Mr. Relihan: "I'd be glad to speak to you in my office at your convenience."

An unidentified speaker: "Those of us that have proposed programs which

have the specific onus of beyond affirmative action, that because they explicitly require hiring minorities or other special persons, would these be affected by the unavailability in certain technical disciplines, and overavailability in others, let's say, Comparative Afro-American Literature producing lots of Ph.D.'s, and Chemistry not producing very many Ph.D.s, for example, among Blacks or Chicanos."

A member of the Minority Education Committee: "In our discussions, we looked at the employment of minority Faculty at the University as a whole, as opposed to specific colleges or specific departments, and I was sitting here reflecting, thinking that if we set as a target to hire each year, because we basically go from employing to hiring, we hire each year a percentage of minority Faculty consistent with availability, that would be a large improvement over the number of minority Faculty that are hired within the University now, and it could be that there would be more hired. It does not if we set that as a target, it does not limit the University; it's not a ceiling as to the percentage of minority Faculty that would be hired, and I think that the mechanism that it is setting up, whereby each college would have a Faculty affirmative action committee, would be encouraging departments, looking at current availability statistics, to hire minority Faculty. I think one of the things that we're looking for here is to establish a principle for improving the number of minority Faculty hired at the University, especially those that are currently underrepresented on the Faculty, and we're suggesting a mechanism that we can set in place to do that. One of the concerns that we've had in committee is that as we attempt to fine-tune this, do we destroy the principle as we become very specific about the way in which that might be accomplished,

and that's one of the reasons why we were interested in having some discussion going back, and we've talked almost every week about this, and trying to put forth a proposal that we think might accomplish our objectives."

Mary Beth Norton, Mary Donlon Alger Professor of History: "Walter, I have a question. In the language that you propose as substitute for section 5, you did not include the numerical goal that's laid out in the current section 5, that is, that by the fall semester of 1994, the University will employ at least 70 minority faculty. Do you object to the inclusion of a specific numerical goal in that language?"

Mr. Relihan: "I think it's very dangerous. I say that because each year's recruitment program depends on what departments are in need of a Faculty member, what subfields they're interested in. You cannot predict even the demand, much less the supply, and the supply, of course, will also vary by subfields and specialties and institutions. You are probably somewhat suspicious of some Ph.D.'s, so, to fix a number like that, especially over a span of years like that, comes dangerously close, in my mind, to being a) unrealistic, b) a quota, and if a disappointed majority or other candidate brings a reverse discrimination case against you, you've got an additional problem, but I think mostly it's a pragmatic difficulty that I see. It's hanging a burden on yourself that there's no way to predict much about."

Professor Norton: "I recognize what you're saying about the given slots that come up in a given year, but over a five-year period it strikes me that a lot of that would even itself out. Indeed, I would agree with you on the situation that we can't say that we're automatically going to hire, say, ten people in a particular year on a particular description when we don't know in

advance what kinds of positions will be open and we don't know what the availability of persons in this field will be. But over a five-year period it strikes me that that's long enough that those things would even themselves out. Now, on the issue of the possibility of reverse discrimination, I don't think that such suits have been extraordinarily successful in the past, and indeed the decision in the Johnson vs. Santa Clara County was precisely a reverse discrimination suit that did not succeed. So, I'm not sure that that's a genuine issue. I would like to deal some more with the issue of the numerical quota, or not quota, but the numerical goal, because it strikes me that, the people who demanded this believe that we should have a goal to work towards, and it doesn't mean that it's a quota."

Mr. Relihan: "Well, a number is not necessarily a problem if it's viewed as a goal and not as a quota. I think one of the problems with this one is that it's surrounded by other language in this document which if not modified gives a different slant to it than would normally be the case. I'm not sure where the number itself comes from, and I'm a little concerned about it, but in context with some of the other statements in the document, I think it gives substance to the fact that what we're doing is we're looking to availabilities if we can, but if not, we're looking to something fixed, and that has an exclusionary implication to it that could be very, very troublesome."

Professor Yervant Terzian, Astronomy: "Ok. I understand. One of the things that I would like to see is whether point number five could be modified as Professor Cohen suggested in such a way as to make the language less specific but try to maintain the same spirit of this point. For example, we could have something like, 'By the fall semester of 1983 (sic), the faculty

would like a percent of the minority faculty employed by Cornell to be at least the same percent as the availability pool. To reach this goal, the University should try to appoint an increase of at least 70 minority faculty over the next five years within the framework of affirmative action.' So, changes of this type might allow to maintain the spirit of the law without violating the spirit of the recommendations. Is that a real possibility?"

Mr. Relihan: "Yes. I think so. As I say, the language I proposed I scribbled in just the last hour, and I think it's probably the kind of thing that's best worked on by a small committee, but there's nothing sacred about my choice of words. "

Dean Bugliari: "We've talked basically about paragraph five, and a little bit about paragraph seven. I would hope that before we leave that if we don't resolve it, that the committee be told whether there's a problem with anything other than five and seven. I realize that if we don't resolve it today, we've got to resolve it the next time. If there are problems with any of the other numbers that people have, I think we ought to bring those up too, so that we don't have the committee back again. We've had them back twice already."

An unidentified speaker: "Is the worst case scenario, if the document is accepted as is, that someone would file a reverse discrimination lawsuit and it would go to court, and that if it is found to be unconstitutional, Cornell is liable then to pay that individual's back pay from whence the court case started, plus the time and effort of your office. Is that the monetary loss, or is there a greater loss?"

Mr. Relihan: "No. I don't think that's the only peril you run."

Question: "What is the worst case scenario?"

Mr. Relihan: "Well, there are not only reverse discrimination possibilities, but there are claims of discrimination based on at least inferential statements that this document makes, that the current Faculty is the result of a past policy of deliberate discrimination, and I think I've tried to explain that as best I can. If that should occur, you might get into a position, as was a real possibility in the Zahoric case, where you would have a loss of Faculty autonomy, you would have committees making judgments about new recruits and new appointments and promotions and the rest of it, and I don't exclude the possibility of individual judgments against Faculty members who participate in such decisions which are later viewed with evidence which this document in its present form could help to substantiate, that there had been a deliberate act of discrimination practiced. It could be a class action that could involve hundreds of people; it could involve millions of dollars; it could involve individual Faculty liability; it could be a major issue, and it could have an important effect on the ability of Faculty to continue to run their own ship."

A Faculty member from Anthropology: "English is my native language; legal language certainly isn't. I think one of the things I'm uncertain of, although I would support the motion as it is, is that what we're told is that there are certain legal dangers that we impose upon ourselves in the present language. Now, there could be a suspicion and a lot of people have this suspicion, that as a matter of fact, that this is an overly cautious point of view, and perhaps we should as a Faculty consult some of our colleagues in the Law School or something before we 'x' out this motion or whatever and see whether there's a general opinion that there's a real basis for fear of lawsuits and the like."

Associate Professor Lloyd Street, Human Service Studies: "I guess I'm still sort of stuck on the question about who is acting as my attorney? I have an experience with attorneys that when I go in and ask them what risk I might run by taking a particular course of action, they tell me what the risks are. I then decide whether those risks are worthwhile or not given the enterprise that I want to engage in. I believe that you are a corporation lawyer. You are, therefore, speaking mainly for that portion of the University, namely the administration, which has responsibility for the institutional life of the University, and not for me. I would therefore like to ask this question: For those persons in the administration here who have spoken to the joint nature of this enterprise, what would they say to their attorney with respect to their position? Should we run a little bit of risk to achieve the ends that we're looking for? Or should we avoid all risk? Do we want a new world without a storm, without a raindrop, or anything? What does the University say to you with respect to their position? Do they say, 'Go for it, and knock out all the risks,' or do they say, instead, 'That's a risk worth running.' I'd like to know."

Mr. Relihan: "I think I should meet and discuss with you in private rather than in a large group of this kind, but the University is committed to the leading edge, and I think we do much that a more cautious soul would caution against, and I can go into detail if you'd like to stop by, or I can stop by and see you sometime."

President Rhodes: "Mr. Chairman, I don't want to swing the discussion in a different direction, but I do want to reply to that question, especially to the spirit of several other comments earlier in the debate. My main request is

to urge the Faculty not to neglect what I think has been an outstanding partnership, especially in recent years, of the administration in pursuing affirmative action. You cannot do it alone. We cannot do it alone. We can together have an effective affirmative action program, and I'm going to urge you today not to squander what I think is an effective and strong partnership in what I realize is disappointment and frustration that this vote is again delayed. I recall that this is not the first occasion it's been delayed, that we delayed it at the February meeting because of the concerns of a small group, but one person in particular, who spoke and actively tried to refine some language of the proposal. It could perhaps have been pushed through. There was concern and there was patience, where there has been impatience today. There was tolerance in February. I think there's been intolerance today, and I'm sorry to hear that, on the part of some of the speakers. I just think this is too important a program for us to act hastily. I think this is too important a project for us to have an illegal means of obtaining legal and worthy ends. I think both the chairman of the committee and the University Counsel have said that they believe that language can accommodate our joint concerns. I simply respond that we really believe that we can pursue a more effective affirmative action program. The substantial number of offers that have been made by the College of Arts and Sciences this year have been made possible by the additional funds by the central administration. But we have to be partners in this, and we should not pursue worthy and legal ends with illegal methods. We can work together."

Question: "I just want to ask again for clarification about the notion that there's something in the document which suggests illegal means, and I

haven't been convinced by what Mr. Relihan has said, that there's anything in the document as it now stands that suggests illegal means. There's concern about possible legal repercussions or risks down the road, but I think that it's important to keep those two things separate, at least for me. Nothing that anyone has said has led me to perceive any wording in the document as it now stands that is illegal per se. I mean, there's a big difference between saying that and saying that there might be some legal repercussions down the road. I would like to not be confused on that subject."

Mr. Relihan: "Well, I tried my best to explain my concerns. I think the indication that means other than availabilities would be pursued by a University as a matter of official policy would be extremely dangerous. I think defining our own classes of minorities is dangerous. I think a fixed number of people to be appointed in a fixed number of years is also extremely questionable, when so much is locked in mystery and doubt about what the supply or the demand would be in any particular year between now and 1994. The cases which give me these doubts I can explain in detail, but I don't think it would be useful in such a large group as today."

Question: "If the Faculty decides that it wants to set a goal of 70 or however many numbers of minority Faculty over the next five years, that is not in and of itself illegal, is it?"

Mr. Relihan: "A goal as opposed to a quota is not illegal per se. Again, I think that probably the closest one in this document is the context in which it appears, more than anything else."

Speaker Martin: "Before going to Professor Walker, the chair would remind you that we do have a mandatory six o'clock adjournment time."

Associate Professor Larry Walker, Agricultural Engineering: "I want to respond to President Rhodes' comment. He seems to be a little bit disappointed at the tone of the discussion today. I would argue that the tone of the discussion was set by the letter, and the choice of words used in the letter."

Speaker Martin: "Is there further discussion?"

Dean Bugliari: "I come back to my question again. I don't know what we're going to do. I want to be absolutely sure that nobody has any problem with anything other than the lines that have been brought up today. Now, I would like to add one other thing. I'm not going to worry about it now, but I sure hope that the other suggestions about trying to promote more graduate students and other kinds of things, are taken into consideration."

Professor Harris: "I would like to move that we abstain from votes on the resolution of the Minority Education Committee until the May meeting of the FCR."

Speaker Martin asked for a second to the motion to postpone a decision. There being no discussion, the motion to postpone carried.

There being no further business, the meeting was adjourned at 6 p.m.

Cornell University

Ithaca, New York 14853

March 31, 1988

To: Members of the University Faculty

From: The Committee on Academic Programs and Policies

Re: Textbook and Computer Software Conflict of Interest

The following statement has been approved unanimously by CAPP and is being forwarded to the faculty FOR THEIR REACTION PRIOR TO BEING PLACED ON THE AGENDA OF THE MAY 11 FCR MEETING. If you have any comments, please respond directly to the Chairman, Professor Timothy Fahey, Natural Resources, 8f Fernow Hall, 255-5470 no later than April 20.

Draft

Textbook and Computer Software Conflict of Interest

While it is assumed that faculty will select textbooks, computer software, and other materials for their courses based on quality, there exists a potential conflict of interest where the sale of such selected texts and/or materials to Cornell students enrolled in their courses results in a direct financial benefit to faculty members making such selections. In order to avoid any appearance of impropriety, faculty are strongly encouraged to use such profits for purposes other than personal financial gain, such as those enhancing academic programs.

This proposal does not apply to texts and materials selected in courses taught by faculty members' colleagues nor where the decision on texts and materials for a course are chosen by a committee or group of faculty responsible for a course even if the faculty member is on such a committee or part of such a group. Additionally, the proposal does not apply to materials reproduced for a course where the charge for the materials is used solely to cover the cost of reproduction and associated expenses.

Cornell University

THE UNIVERSITY FACULTY
OFFICE OF THE DEAN
315 DAY HALL
ITHACA, NEW YORK 14853-2801
607 255-4843

April 6, 1988

To: Members of the University Faculty

From: Joseph B. Bugliari, Dean of the Faculty

Re: Exam Time Reminders

The University Faculty long ago established and has never reversed, the policy that each course should require that a final examination or some equivalent exercise (for example, a term paper, project report, final critique, oral presentation, or conference) be conducted or due during the period set aside for final examinations.

As we approach final exam time, I would remind you of the following.

> Although not specifically prohibited, it is University policy to discourage more than two examinations for a student in one twenty-four hour time period and especially on any one day. It is urged that members of the faculty consider student requests for a make-up examination, particularly if their course is the largest of the three involved and thus has the strongest likelihood of offering a make-up for other valid reasons, i.e., illness, death in the family, etc.

Legislation of the University Faculty governing study period and examinations is as follows:

1. No final examinations can be given at a time other than the time appearing on the official examination schedule promulgated by the Registrar's Office without prior written permission of the Dean of the Faculty.

2. No permission will be given, for any reason, to schedule final examinations during the last week of classes or the designated study period preceeding final examinations.

3. Permission will be given by the Dean of the Faculty to reschedule examinations during the examination period itself if requested in writing by the faculty member, but only on condition that a comparable examination also be given for those students who wish to take it at the time that the examination was originally scheduled.

   The faculty member requesting such a change will be responsible for making appropriate arrangements for rooms or other facilities in which to give the examination. This should be done through the Registrar's Office.

4. No tests are allowed during the last week of scheduled classes unless such tests are part of the regular week-by-week course program and are followed by an examination (or the equivalent) in the final examination period.

5. Papers may be required of students during the study period if announced sufficiently far in advance that the student did not have to spend a significant segment of the study period completing them.

6. Faculty can require students to submit papers during the week preceding the study period.

7. Take home examinations should be given to classes well before the end of the regular term and should not be required to be submitted during study period but rather well into the examination period.

In addition:

Students have a right to examine their corrected exams, papers, etc. to allow them to question their grading. (Note they have no absolute right to the return thereof). Exams, papers, etc., as well as grading records, should be retained for a reasonable time after the end of the semester, preferably till the end of the following term, to afford students such right of review.

According to federal law, grades are restricted information and may be released only to the student or at the student's written request. Thus, grades earned on examinations or in courses may not be posted by name. Posting by the student's identification number is, however, permissible. Although there is no federal or state legislation that pertains to the manner in which graded work is to be returned to students, the returning of such materials should be handled in such a manner as will preserve the students' privacy.

JBB:jb

March 31, 1988

REPORT FROM THE COMMITTEE ON NOMINATIONS AND ELECTIONS

SLATE OF CANDIDATES

(all terms commence July 1, 1988 unless otherwise indicated)

FACULTY TRUSTEE - 1 vacancy, 4-year term

Frederick M. Ahl, Professor, Classics
Locksley G.E. Edmondson, Professor, Africana Studies and Research Center
Jennie T. Farley, Associate Professor, Industrial and Labor Relations
Juris W. Hartmanis, Walter R. Read Professor of Engineering
Norman Kreztmann, Susan Linn Sage Professor of Philosophy

AT-LARGE MEMBER, FCR - 3 vacancies, 3-year term

Donald J. Barr, Professor, Human Service Studies
June M. Fessenden-Raden, Associate Professor, Biochemistry, Molecular and Cell Biology
Ann T. Lemley, Associate Professor, Textiles and Apparel
Richard J. McNeil, Associate Professor, Natural Resources
Mary Beth Norton, Mary Donlon Alger Professor of American History
Peter J. Trowbridge, Associate Professor, Landscape Architecture

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

Fran Herman, Professor Emeritus, Hotel Administration
Donald F. Schwartz, Professor, Communication

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

David J. Allee, Professor, Agricultural Economics
Nina L. Bassuk, Associate Professor, Floriculture and Ornamental Horticulture
George Gibian, Goldwin Smith Professor of Russian Literature
Charles A. Peterson, Professor, History
Leo Renaghan, Associate Professor, Hotel Administration
James Turner, Associate Professor, Africana Studies and Research Center
Virginia Utermohlen, Associate Professor, Nutritional Sciences

(over)

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

Arthur L. Berkey, Professor, Education
Royal D. Colle, Professor and Chairman, Communication
Donald Fredericksen, Associate Professor, Theatre Arts
Ali S. Hadi, Assistant Professor, Industrial and Labor Relations
Phil Schoggen, Professor, Human Development and Family Studies

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

Michel Y. Louge, Assistant Professor, Mechanical and Aerospace Engineering
David P. Mankin, Assistant Professor, Classics
Bettie Lee Yerka, Associate Professor, Cooperative Extension

ADMISSIONS AND FINANCIAL AID COMMITTEE - 1 vacancy, 3-year term

Judith Bernstock, Assistant Professor, History of Art
Jeanne Hogarth, Assistant Professor, Consumer Economics and Housing
Donald A. Rakow, Assistant Professor, Floriculture and Ornamental Horticulture

MINORITY EDUCATION COMMITTEE - 2 vacancies, 3-year term

Njoku Awa, Associate Professor, Communication
Donald J. Barr, Professor, Human Service Studies
Duane Chapman, Professor, Agricultural Economics
J. Victor Koschmann, Associate Professor, History

FACULTY ADVISORY COMMITTEE ON ATHLETICS AND PHYSICAL EDUCATION - 2 vacancies, 3-year term

Donald Cullen, Professor, Industrial and Labor Relations
James R. Houck, Professor, Astronomy
Thomas J. Kelly, Associate Professor, Hotel Administration
Victor Kord, Professor and Chairman, Art
Thomas W. Scott, Professor, Agronomy

RESEARCH POLICIES COMMITTEE - 2 vacancies, 3-year term

David M. Bates, Professor, Bailey Hortorium
Steven W. Cornelius, Associate Professor, Human Development and Family Studies
Pamela S. Tolbert, Assistant Professor, Industrial and Labor Relations
Larry F. Walker, Associate Professor, Agricultural Engineering

UNIVERSITY ASSEMBLY - 4 vacancies, 2-year term beginning June 1, 1988

Robert J. Babcock, Associate Professor, Human Service Studies
Muriel S. Brink, Professor, Nutritional Sciences
Hans H. Fleischmann, Professor, Applied and Engineering Physics
Richard L. Liboff, Professor, Electrical Engineering
Timothy C. Murray, Associate Professor, English
Michael Shapiro, Assistant Professor, Communication

ADVISORY COMMITTEE ON RESPONSIBLE SPEECH AND EXPRESSION -
1 vacancy, 1-year term and 1 vacancy, 2-year term

Terrence L. Fine, Professor, Electrical Engineering
Peter McClelland, Professor, Economics
Jean Robinson, Professor and Chairperson, Consumer Economics and Housing
Cushing Strout, Ernest I. White Professor of American Studies and Humane Letters
Susan Watkins, Professor, Textiles and Apparel

CORNELL UNIVERSITY

COPYRIGHT POLICY

OBJECTIVE

Cornell University is committed to providing an environment that supports the research and teaching activities of its faculty, students and staff. As a matter of principle and practice, the University encourages all members of the Cornell community to publish without restriction their papers, books, and other forms of communication in order to share openly and fully their findings and knowledge with colleagues and the public. The Copyright Policy has been prepared in this spirit and with this intent. The Copyright Policy is intended to promote and encourage excellence and innovation in scholarly research and teaching by identifying and protecting the rights of the University, its faculty, staff, and students.[1]

OWNERSHIP AND DISPOSITION OF COPYRIGHTABLE MATERIAL

Copyright ownership and the rights thereof are concepts defined by federal law. University policy is structured within the context of the federal copyright law. The long-standing academic tradition that authors own the intellectual property resulting from their research, teaching, and writing is the foundation of the University's Copyright Policy. Exceptions to this rule may result from contractual obligations, from employment obligations, from certain uses of University facilities or by agreement governing access to certain University resources. This policy addresses these exceptions.

Copyright ownership of all work shall vest in the author except in the following specific situations:

I. Copyright ownership of all material that is developed in the course of or pursuant to a sponsored research or other agreement to which the University is a party shall be determined in accordance with the terms of the sponsored research or other agreement. In the absence of terms which directly or by implication create University obligations as to intellectual property, the copyright shall remain the property of the author, except in cases covered by other sections of this policy.

The University shall release its copyright of materials covered under this section to the author at his or her request unless it is deemed by the Office of Sponsored Programs to be

1 For discussion of academic freedom see Chapter 6 of the Faculty Handbook.

necessary that the University retain the copyright in order to preserve the University's ability to meet its obligations under the sponsored research or other agreement or in cases covered by other sections of this policy. Any disputes arising from the administration of copyright under this section shall be referred to the review committee described in Section "Disputes" below.

Comment:

Research contracts often provide the sponsor with specific rights in copyrightable material developed in the performance of research. These rights may consist of a royalty-free license to the sponsor, with title vesting in the University. In some cases of government sponsorship, the government prohibits any private copyright ownership.

Some restrictions on copyright may be specified by statute or by prior agreement between the University and the granting or contracting agency and thus may not appear specifically in the contract or agreement. It is the responsibility of the principal investigator to be aware of such restrictions and to make them clear to all who work under the agreement, and the responsibility of all authors of copyrighted material to be aware of any restrictions applying to their work. The University Office of Sponsored Programs shall assist principal investigators to be aware of these responsibilities.

In cases where the University owns copyright under this Section and where a researcher wishes to publish the material in journals or other media, federal copyright law requires that the consent of the owner of the copyright be obtained. Ordinarily, such consent will be provided routinely. Requests for such consent should be addressed to the Office of Patents and Licensing.

Authors and principal investigators have an obligation to inform the Office of Patents and Licensing of material produced under sponsored research or other agreements that should be copyrighted to protect the University's ability to meet its obligations.

II. Copyright ownership of all material that is developed with the extraordinary use of University resources, funds, space, or facilities shall reside in the University.

Comment:

The University supports teaching and research efforts of its faculty in a variety of ways. The University considers these allocations appropriate to further the individual scholarly activities of the members of the University community and makes no claim to the products of these activities. In accordance with established custom at institutions of higher learning, copyright ownership of most works produced by the individual effort of the author as well as royalties therefrom accrue to the benefit of the author.

For material prepared with extraordinary University support, ownership of the product by the originator would be inequitable. The production of certain works may involve heavy use of advanced facilities, owned by, or leased to the University, or it may involve the substantial assistance of University employed specialists. In cases where University support goes beyond the protection of the traditional faculty interest in scholarly

production or includes substantial support for work undertaken by academic staff which may bring in personal income from outside, the University will own the copyright.

Other examples of extraordinary use of Cornell resources resulting in University ownership of copyright include, but are not limited to, appropriating accumulated resources such as databases, computer software, or film libraries and using University facilities to provide substantial support for an independent business.

In order to avoid disputes and inconsistencies the University may establish general conditions prior to granting access to specific resources.

III. Authors shall grant a royalty-free license to the University to use any copyrighted materials developed with substantial University support.

Comment:

The obligation to provide royalty-free copies of copyrighted work to the University for its own internal purposes should be considered a condition of accepting substantial support from the University.

This section states a principle. The way in which this principle applies to a specific copyrighted work may depend upon the nature of that work. In some instances it may be necessary to assess the fraction of the costs of materials properly attributable to royalty.

IV. The copyright of material that is prepared by a non-academic employee within the scope of his or her employment or by academic[2] personnel pursuant to a specific written commission from the University or from a unit of the University shall be the property of the University. Specific agreements can reassign ownership of such work.

Comment:

This Section covers such work as the creation of a computer operating system or database management program by employees of the University. It also covers work created by employees of the University in support of faculty-directed research or teaching. In some cases, it may be appropriate to arrange assignment of copyright to the faculty member but this must be done by specific written agreement. When such an agreement exists, the University will ordinarily retain the right to royalty-free use of the work.

V. Any works created by students within the scope of an employment relationship with the University e.g., as graduate research assistants or teaching assistants, shall be subject to the provisions of this policy. Students may also be subject to rules and restrictions of their units, colleges or of the Graduate School.

2 For purposes of this Policy, the term "academic" shall apply to those positions described in Article XVIII of the University Bylaws.

Comment:

The rights of students to own the copyright to their work are as important as the corresponding rights of faculty.

- *Students working on their own and not making extraordinary use of University resources have the same rights and obligations regarding copyright as faculty members.*

- *Students working collaboratively with faculty on projects that result in copyrightable work shall have the same rights and obligations of copyright ownership as would another faculty member working collaboratively on the project. Students and faculty are advised to clarify these rights early in their collaboration.*

- *Students who are hired to perform specific tasks that contribute to a copyrightable work will ordinarily have no rights to ownership of that work, regardless of the source of funds from which they are paid. In such cases, when the funds originate from sponsored research or other agreements, copyright ownership may be determined as described under Section I. When students are hired by the University and assigned to specific tasks, the party who owns the copyright of the major parts of the project will ordinarily retain copyright ownership of the portion contributed by the student employee.*

- *Students working on projects in collaboration with other members of the University community should take care to clarify their rights to copyright any part of the work that they intend to incorporate in their theses or dissertations.*

- *Students who copyright their theses or dissertations must grant the University rights to reproduce and distribute copies of their works in accordance with the policies of the College or University.*

- *Students working on a project governed by a contract or agreement to which the University is a party shall be bound by the terms of that contract or agreement.*

- *If none of the above relationships applies, students employed by the University are subject to the provisions governing non-academic employees under Section IV.*

- *Cornell faculty members who direct research or development projects that might generate copyrightable material should clarify with student employees and co-workers the rights of all concerned to any resulting copyrightable material.*

ADVICE ON INTERPRETATION

Members of the University community may obtain from the Office of Patents and Licensing, advice on the application of this Copyright Policy to their work, and from the University Office of Sponsored Programs information about

restrictions on copyright ownership related to grants or other sponsored agreements.

DISPUTES

Generally questions concerning extraordinary use of resources should be raised at the department, center or equivalent level where a decision could settle the matter. Disputes over copyright ownership shall be brought to the Vice President for Research and Advanced Studies, who shall refer the matter to the Research Policies Committee of the Faculty Council of Representatives. Three elected members of that Committee shall be appointed by the Chairman to serve, together with the Vice President for Computing and the Director of the Office of Patents and Licensing, as an *ad hoc* subcommittee. This body shall report its recommended decision for resolution of the dispute to the Vice President for Research and Advanced Studies and to the Dean of the University Faculty. The decision of the Vice President for Research and Advanced Studies will be final.

COPYRIGHT ROYALTIES

Royalty income received by the University through the sale, licensing, leasing or use of copyrightable material, in which the University has a property interest shall be distributed in accordance with the royalty distribution provision (Section E) of the University's Patent Policy, as amended from time to time.

COPYRIGHT AGREEMENTS

The policies set forth above constitute an understanding that is binding on the University, and on its faculty, staff, students, and others as a condition of their participating in University research programs or their use of University resources. The University may require formal copyright agreements to implement the policy as appropriate, but the absence of such executed agreements shall not invalidate the applicability of this policy.

OVERLAPS WITH PATENT POLICY

Some materials created at Cornell are both patentable and copyrightable (e.g., copyrightable material that is the embodiment of a patentable invention). For material that is both copyrightable and patentable, the Patent Policy of the University shall govern the ownership of intellectual property rights in the work. Disputes over the applicability of the University Patent Policy shall be referred to the committee described in Section "Disputes" above.

WAIVERS

Waiver of any provision of this Copyright Policy shall be granted only in extraordinary and compelling circumstances and pursuant to the procedures described below.

A request for waiver of any of the provisions of this Copyright Policy shall be submitted to the Director of Patents and Licensing for transmittal to the review committee described in Section "Disputes" above. Such request shall include an identification of the provision or provisions of the Policy requested to be waived, and a full explanation of the reasons for the waiver including, but not limited to, the manner in which the waiver is consistent with the educational and research purposes of the University and the public interest.

The review committee shall review each request for waiver and submit a report of its findings and recommendations to the Vice President for Research whose decision shall be final. Each action under this section shall be considered on its own merits in light of all of the facts surrounding the particular request.

FCR MINORITY EDUCATION COMMITTEE

Recommendations Based on the Cohen/Gates Report of March, 1987 "The Crisis of Minority Faculty at Cornell"

The Minority Education Committee has made an intensive review of the Cohen/Gates report "The Crisis of Minority Faculty at Cornell" since receiving our charge from the November 11, 1987 Faculty Council of Representatives meeting. We have met twice with the authors of the report and have consulted Provost Robert Barker, the Deans' Council, Associate Vice President for Human Relations Joycelyn Hart, Assistant University Counsel Patricia McClary, and Assistant Director for the Office of Equal Opportunity Lillie McLaughlin. The committee presented draft recommendations to the February 10, 1988 FCR meeting for discussion and has received written comments from several concerned faculty. We applaud the work of Professors Walter Cohen and Henry Louis Gates, Jr. together with the Humanities Council of the College of Arts and Sciences and the Faculty and Staff against Apartheid for bringing this issue before the faculty in such a comprehensive and persuasive manner.

The Cohen/Gates report focuses attention on one aspect of affirmative action at Cornell, i.e. the employment of minority faculty. The report does not examine affirmative action policy in general nor does it address the university workforce as a whole. The Cohen/Gates report analyzes a particular problem, i.e. the small number of Afro-American, Hispanic American, and Native American members of the faculty, and offers short-term and long range solutions to that problem. The committee and Professors Cohen and Gates agree that as a first step, the university in general and the colleges and their departments in particular should increase the number of minority faculty at Cornell consistent with their availability. Based on current availability statistics and the number of minority faculty at Cornell, the university needs to make a concerted effort to employ Afro-American, Hispanic American, and Native American scholars. The university must also act to increase the number of potential minority faculty in those disciplines with low or nonexistent availability pools.

These recommendations propose mechanisms based on the Cohen/Gates report and our deliberations to increase the number of underrepresented minority faculty to the level of their availability over a five year period. With the appropriate procedures in place, there will be a better means to measure progress toward our goals and to determine further steps to realize and to maintain them. We recognize that faculty play the primary role in hiring and in training scholars. The committee has therefore proposed that each college establish a faculty affirmative action committee to review annually the number of minority faculty employed in each department in relationship to their availability. In those areas of low availability, the affirmative action committees will assess efforts to recruit, admit, and support minority graduate students. In concert with the position that we recommend to identify potential minority faculty, the affirmative action committees will encourage departments to consider minority scholars for faculty positions. Departments without routine faculty openings should use mortgages when the opportunity arises to hire minority scholars. Mortgages, which have traditionally been used to augment faculty positions, should be used more creatively to employ

larger numbers of minority scholars. Mortgages can be used to supplement faculty positions or to replace faculty prior to retirements and normal attrition. Given the growing number of anticipated retirements over the next decade, the university should act now to employ minority scholars before the competition becomes even keener.

We suggest a five year plan to put procedures in place and to develop a means of accountability, whereby faculty assume responsibility for increasing the pool of minority scholars and employing more minority faculty. The proposed FCR Committee on Affirmative Action will assess progress in each college annually and will report to the FCR on accomplishments or shortcomings in increasing the pool and employing minority faculty. At the end of five years, the FCR Committee on Affirmative Action will reexamine these recommendations in light of the status of minority faculty at that time.

The college faculty affirmative action committees should also encourage the employment of more women faculty at the university. Our recommendations are not intended in any way to alter the university's affirmative action objective to "ultimately bring the total number of female and minority employees into parity with their availability within the labor market." We have not reviewed the issue of gender except as it relates to minority faculty. We note, for example, the small number of Asian American women faculty employed at Cornell and suggest that more vigorous steps be taken to increase the number of Asian American women faculty. The Minority Education Committee's charge is to "provide continuing oversight of minority education, including not only review of proposed and ongoing special programs but also monitoring of the experience of minority students in other programs and the representation of minorities on the faculty at large." We understand the term minority in this instance to refer specifically to racial and ethnic groups that have been historically discriminated against and that are currently deprived of equal opportunities in the society. Our recommendations can not automatically be transferred to affect women in general without a document on which to base judgment and suggestion similar to the Cohen/Gates report. We believe that the FCR should establish a standing committee on affirmative action to review the work of college faculty affirmative action committees and progress toward achieving the university's faculty affirmative action goals. After the establishment of such a committee, the Minority Education Committee will redirect its attention to issues relating specifically to minority education.

1. The Minority Education Committee supports Cornell's affirmative action goal to "ultimately bring the total number of female and minority employees into parity with their availability within the labor market." In the context of these recommendations, we define minority as Afro-American, Asian American, Hispanic American, and Native American. At present, the University has made little progress in bringing Afro-American, Hispanic American and Native American faculty as well as Asian American women faculty into parity with their availability. The university should therefore make a special effort to employ Afro-American, Hispanic American and Native American faculty. Among Asian American faculty, the university should seek to employ more women and Asian Americans generally in disciplines where they are less well represented.

2. The university legally can not and as a matter of policy should not distinguish among native born, naturalized citizens, or permanent residents in employment decisions.

3. The FCR should appoint a standing committee on affirmative action to review the work of college faculty affirmative action committees and progress toward achieving the university's faculty affirmative action goals in employing women and minorities.

4. Each college should establish a faculty affirmative action committee. Each college faculty affirmative action committee should encourage and monitor employment of minority faculty and women and recruitment of minority graduate students. The college faculty affirmative action committees should report on their progress to the FCR Committee on Affirmative Action by April of each academic year.

5. By Fall semester, 1994, the percentage of minority faculty employed by Cornell should be at least the same percentage as their availability pool. To reach this goal, the university should employ a net increase of at least seventy minority faculty over the next five years. The committee believes that departments should seek gender balance in employing minority faculty as well as in employing faculty in general. This goal of seventy additional minority faculty is a conservative estimate based on availability data for 1986 and should increase as availability increases. The FCR should review and update this goal annually. At the end of five years, the FCR affirmative action committee shall recommend a new five year plan.

6. The university's Office of Equal Employment Opportunity should provide the college committees in September of each academic year with the most current statistics on minority faculty availability within the various disciplines and the percentage of minority faculty within each department of the respective colleges. This information should be disaggregated by rank, gender, and ethnicity.

7. Unless we make a concerted effort to increase the number of potential minority faculty, we can not continue to measure progress in employing minority faculty on the basis of availability pools. To increase the availability pool, especially in those disciplines with few minority scholars, the Graduate School should guarantee tuition and fellowship support for at least three years for minority graduate students. The university should seek additional funds to increase significantly the number of minority graduate students. The Minority Education Committee will review recruitment, enrollment, and support for minority graduate students to recommend specific targets for expanding opportunity for graduate study for minority students.

8. As one means for employing additional minority faculty, departments should consider hiring their own advanced degree recipients.

9. The university should appoint an administrator to identify potential minority faculty and to maintain a data bank on minority scholars in the different disciplines.

10. College affirmative action committees should assist departments in identifying potential minority faculty in cooperation with the administrator assigned this responsibility. Departments should actively recruit minority faculty rather than wait for them to respond to advertised positions.

11. College Deans should encourage the use of mortgages to employ minority faculty, especially in departments with little normal attrition. The length and terms of such mortgages will vary depending on department size and budgetary conditions. Mortgages might be used to supplement faculty where there is an opportunity to hire minority scholars or to replace faculty prior to retirements or resignations.

12. The university should initiate a major fund-raising campaign for the specific purpose of facilitating the use of mortgages in employing minority faculty.

*Submitted by:

Marvin I. Adleman, College of Agriculture and Life Sciences
Vernon M. Briggs, Jr., School of Industrial and Labor Relations
Peter Chi, College of Human Ecology
Roger A. Morse, College of Agriculture and Life Sciences
Robert L. Harris, Jr., Africana Studies and Research Center (Chairman)
Bertha A. (Betty) Lewis, College of Human Ecology
Carolyn A. (Biddy) Martin, College of Arts & Sciences

Joseph B. Bugliari, Dean of Faculty, ex officio

April 13, 1988

*The Minority Education Committee voted 7-0 with no abstentions at its March 28th meeting to forward these recommendations to the Faculty Council of Representatives.

CORNELL UNIVERSITY

Office of the
University Counsel and
Secretary of the Corporation

607 255-5124
Edmund Ezra Day Hall
Ithaca, NY 14853-2801

Date: April 13, 1988

To: Dean Joseph B. Bugliari
Faculty Council of Representatives

From: Walter J. Relihan Jr. R

Re: **Affirmative Action Policy**

I have reviewed with care the Committee's most recent draft report which, as I understand it, will be submitted to the FCR for its consideration. The draft clearly fulfills its important purpose of lending still further force to the University's present commitment to equal opportunity and affirmative action.

In a couple of places, however, it uses phraseology which commits the University to future faculty recruitment and promotion policies, involving preferences based on race and gender, which find no warrant in the law of the land. These changes, arguably, exceed the bounds prescribed by federal and state laws and regulations. Moreover, almost certainly, these changes would invite claims of reverse discrimination. In short, the latest draft exposes the University to claims from both ends of the spectrum. Finally, several recitals in the newest draft could be used as a substitute for evidence that the University has engaged in the systematic practice of discrimination against women and minorities.

The mere statement of opinion by a faculty committee, ordinarily, would not necessarily constitute evidence of discrimination. However, an admission against interest by an authorized agent of a principal (i.e., the University) is admissible in evidence as the equivalent of an actual fact or facts. In respect to faculty appointments and promotions, the faculty itself is sufficiently involved in management [See *National Labor Relations Board v. Yeshiva University*, 444 U.S. 672 (1980)] to be viewed as the authorized agent of the University. The FCR, of course, is an official organ of the University faculty.

Consequently, even if the assertions of the Council are unwarranted by the actual facts, these assertions might be received in evidence against the University or faculty members who may be named as individual defendants in some future discrimination case.

The Council should note that the "University" is a legal abstraction which, in actuality, operates only through individuals. In the case of faculty appointments and promotions, of course, those individuals are members of the senior faculty. Hence, in any legal action, based on a claim of discrimination in faculty appointment, renewal or promotion, individual members of the faculty can be expected to be named as defendants in their individual capacities.

We should be reminded that, after four years of litigation in which a number of plaintiffs were allowed to ransack University records and take the sworn depositions of many members of the senior faculty, the federal courts refused to certify a class action based on the claim that the University and its faculties had engaged in a policy or practice of discrimination. The courts also dismissed all claims brought by the plaintiffs as individuals. See *Zahorik, et al. v. Cornell University* (1984)

The Committee report, unless modified, could restart that entire process of litigation. This time, however, the FCR would have provided evidence, in the form of utterly unfounded admissions against interest, which were not and could not be produced in the *Zahorik* case.

If the Council adopts a report which contains statements which inculpate the University, even if such statements are unfounded, all individual defendants will have been placed in jeopardy. The inculpatory statements contained in the report may permit a trier of the fact (i.e., court or jury) to draw the inference that the individual defendants, in passing judgment upon appointments and promotions, have been serving an official University policy of discrimination.

This realization, when it becomes known and understood among the faculty, may dampen the resolution of senior professors to resist the appointment and promotion of minority or female candidates of dubious quality. This, over time, could have a profound

effect upon the very standards of excellence upon which the future of the University utterly depends.

The latest draft merits your urgent attention. In my view, a few changes, modest in scope, would suffice to reaffirm and strengthen the University's policy on equal opportunity and affirmative action. In the absence of such change, the draft is seriously flawed and will become the source of many unnecessary and self-imposed woes.

WJR:sw

MINUTES OF A MEETING OF THE FACULTY COUNCIL OF REPRESENTATIVES

May 11, 1988

120 Ives Hall

The Speaker, Professor Emeritus Russell Martin, Communication, called the meeting to order. He then called on Dean Bugliari for announcements.

1. ANNOUNCEMENTS

Joseph B. Bugliari, Dean of the Faculty, announced that Walter Lynn is the new Dean of the Faculty Elect; and that the new Secretary of the Faculty Elect is Mary Morrison from Nutritional Sciences. He went on to announce the results of the remainder of elections (Appendix A, attached).

Dean Bugliari said there is another University Faculty meeting next Wednesday at which time those members of the Faculty who will retire, or who have retired, will be honored. He said forty-one retirees, with a total number of years in service of 1121, is the highest he could recollect.

Dean Bugliari continued: I would like to once more, and again, and forever, praise Bob Harris and the Minority Education Committee for their efforts on the Cohen-Gates recommendations that will come up later in the meeting. I'd also like to take this opportunity to thank Russ Martin, our Speaker, who has been the Speaker I think ever since the University started, or at least as far as I can remember, and Fran Herman, who has been Secretary while I have been the Dean, and who I obviously couldn't operate without. There's a statement that says, 'Old deans never die, they just lose their faculties.' I think in my case that's probably true. Somebody asked me, 'What is the thing that's been most pleasurable about your term as dean?' I think that the thing that really has impressed me

as I thought about that question was the opportunity I've had to meet so many different members of the Faculty who I'm sure that if I'd stayed in Warren Hall and Malott that I'd never have had an opportunity to meet. I want to thank all of you members of the Faculty, all of you members of the FCR, and all of you who have participated on FCR and Faculty committees. I assure you that Cornell is a better place because of your participation."

Speaker Martin: "As you can see, the Dean is stalling for time until we get a quorum. The Chair was going to wait until the end of the meeting to do this, but you'll probably have surmised by now that this is Dean Bugliari's final FCR meeting, and I think we should recognize that. [applause, laughter]. Joe, on a personal note, I've had the privilege as Speaker to have worked with four different deans, and very honestly I can say that you have put together the top qualities of each of the other three and done a wonderful job, and what a pleasure it has been to work with you."

Dean Bugliari: "Well, I appreciate all that, Russ, but you're not going to get a salary raise, no matter what you do."

Speaker Martin: "Ok. Walter, how about it?"

Dean Elect Walter Lynn: "Sure."

Speaker Martin: "For those of you who might not recognize Walter Lynn, and there might be a few students who might not, Professor Lynn, the newly-elected Dean of the Faculty. Walter, stand up. [applause] The Chair again calls on Dean Bugliari to present the slate of candidates for FCR seats on committees."

2. APPROVAL OF SLATE OF CANDIDATES FOR FCR SEATS ON COMMITTEES

Dean Bugliari: "I'm standing in for the chairman of the Nominations and Elections Committee. You know we have a double process. First, we elect the people to the committees who are members of the Faculty, and then we elect additional members who are members of the FCR. Of course, we can't hold that second election until we know the At-Large Members of the FCR elected at the first election. He then proposed the slate.

Speaker Martin asked if there were additional nominees. Hearing none, the slate (Appendix B, attached) was approved.

The Chair next called on Professor Timothy Fahey, Chairman of the Committee on Academic Programs and Policies, for a resolution.

3. RESOLUTION ON THE PROPOSED NANOFABRICATION FACILITY

Assistant Professor Timothy Fahey, Natural Resources: "We have two resololutions. The first one is a resolution regarding the Nanofabrication Facility." He read the resolution:

WHEREAS, the Committee on Academic Programs and Policies has reviewed the proposed charter of the National Nanofabrication Facility (formerly the National Research and Resource Facility for Submicron Structures or "Submicron Facility"), and

WHEREAS, the facility now has a funding level of $2 million annually from NSF, and its program involves about forty university faculty from four colleges,

THEREFORE, be it resolved, that the Committee on Academic Programs and Policies does hereby recommend that the FCR approve the proposal as attached, and

BE IT FURTHER RESOLVED, that the FCR submit the proposal to the Board of Trustees for their approval.

Speaker Martin said the floor was now open for questions and discussion. There being none, the resolution establishing the charter of the Nanofabrication Facility (Appendix C, attached) was adopted.

4. RESOLUTION RE PROPOSED REAL ESTATE PROGRAM

Professor Fahey continued: "The second resolution is regarding a proposed real estate program. I note here that the Deans of the College of Architecture, Art and Planning talked to the Committee on Academic Programs and Policies about this proposed program, and it's apparently a Catch-22 kind of situation in which they wanted to get some statement of support in principle from the FCR for this program prior to trying to raise money for the program, but it was decided at the meeting of the committee that we should have a formal proposal for a program at this time." He read the resolution:

WHEREAS, a proposal to establish a Real Estate Program has been submitted by the College of Architecture, Art and Planning for consideration by the FCR and has been reviewed by the Committee on Academic Programs and Policies, and

WHEREAS, the proposed program is intended to provide a comprehensive program addressing all aspects of real estate including finance, law, regulation, marketing, management design, land development, etc., and

WHEREAS, the proposed program, while located for administrative purposes in the College of Architecture, Art and Planning, will be an interdisciplinary program drawing upon course work and involving faculty in several of the Colleges and Schools, and

WHEREAS, it is understood that all funding to support the program will come from previously uncommitted external sources, and

WHEREAS, it is understood that the proposal does not seek at this time approval of a new degree or the establishment of a center,

BE IT RESOLVED, that the FCR approves the proposal to establish a Real Estate Program as outlined in the March 1988 "Proposal for a Cornell Program in Real Estate" (Appendix D, attached) brought forward by the College of Architecture, Art and Planning.

Speaker Martin said the resolution was on the floor for debate. Hearing none, the Cornell Program in Real Estate was adopted.

The Chair next called upon Professor Harris, Chairman of the Minority Education Committee, for a continuation of the resolution and recommendations based on the Cohen/Gates Report.

5. MINORITY EDUCATION COMMITTEE RECOMMENDATIONS BASED ON THE COHEN/GATES REPORT

Associate Professor Robert Harris, Africana Studies: "Well, we've had an extensive discussion on these recommendations. We've been to the drawing board a number of times with them, and the Minority Committee of the FCR would like to move the adoption of the recommendations as written."

WHEREAS, the FCR, at their November 11, 1987 meeting, charged the Minority Education Committee with making an intensive review of the Cohen/Gates Report, "The Crisis of Minority Faculty at Cornell", and

WHEREAS, the Minority Education Committee presented draft recommendations to the February 10, 1988 FCR meeting for discussion, and received comments from several concerned faculty,

THEREFORE, BE IT RESOLVED that the FCR hereby adopt the attached Recommendations of the Minority Education Committee Based on the Cohen/Gates Report.

Professor Duane Chapman, Agricultural Economics: "I'm from Agricultural Economics and I'd like to propose an amendment. It's sponsored by the FCR members in the Agricultural Engineering Department. What we're proposing in the amendment is to replace the first sentence under section five with 'The Dean of the Faculty shall request that during Fall 1988 the Faculty of each academic department or comparable hiring unit, adopt specific goals for hiring tenure-track minority Faculty between the present and the Fall of 1994.' In other words, between 1988 and 1994. 'The goal for the university faculty shall be the composite of the departmental goals. The FCR recommends to the departmental faculties a composite goal of 137 minority faculty in tenure-track positions by the Fall of 1994.' Now I'll ask Dr. Cooke to present the rationale for this amendment."

Speaker Martin: "Is there a second to the amendment? The amendment is seconded."

Professor J. Robert Cooke, Agricultural Engineering: "I'm Bob Cooke from Agricultural Engineering. I'm a Faculty-elected Trustee, and therefore an ex officio member of the FCR. I attended the session a month ago and listened to the debate and something kept gnawing at me about the prospects of success of having events different in 1994 than they are in 1988, and it reminded me of the situation of having a new student come to my office during Orientation Week with his parents and having the parents say to me, 'I've thought very carefully about which courses my son or daughter should take, and I've decided that he or she should earn a grade-point average of 4.0.' And I suspect that the effectiveness of setting that goal would be about the same as the FCR setting the goal for the faculties to carry out this difficult task, this important task. So

the more I thought about it, the more I thought, you know, it's not the FCR, it's not the University Faculty. The hiring of individual Faculty members is done by the academic departments. It's there that the job description is written, and therefore must be broad enough to include minorities. It's there that this choice of candidate to be hired is made. It's there that the nurturing and caring and the, well, the nursing of getting that person to the point of getting that successful tenure vote, and it's that same group that makes the tenure decision. And so, it seems to me that it's just common sense that the responsibility, that part of the responsibility lies with the department. And that's where the goal ought to be made. It ought to be internalized and the leadership for this ought to come from the Dean of the Faculty, the highest-ranking member of the Faculty, to lead that effort, and that in addition to having them own that, it also means that there will be a conversation now in some academic departments, instead of just having one conversation in an auditorium in Ives Hall, we would have conversations throughout the campus. But it seems to me that it's not a major change, but a profound one, as far as having the people own responsibility for seeing that something is in fact happening."

Speaker Martin: "Is there further discussion on the amendment?"

Question: "Is it correct that this proposed amendment would replace only sentence one in the recommendations, and the rest of recommendation five would remain as is?"

Professor Bob Cooke: "That's right, and you will see that the content of five is there, but not as authoritatively, but as a recommendation to the departmental faculties, so that there's still an expression of the wishes of this group."

Associate Professor Walter Cohen, Comparative Literature: "Is this a discussion of that amendment only?"

Speaker Martin: "This amendment only. That's all that's on the floor."

Professor Cohen: "I'm only going to speak briefly to this one, because I want to speak at greater length in favor of an amendment that I will be proposing. I want to speak against this amendment, not because the sentiments in it are all wrong, but I believe the number in it is wrong, and I also think that weakening the proposal in that way will only serve to weaken the likelihood of an ambitious program. I might add that point four in the paragraph before covers much of the same material, and I consider this amendment to point five to be both unnecessary and insofar as it has any content, to be a dilution. I would urge a no-vote on it."

Speaker Martin: "Is there further discussion on the amendment? Professor Walker?"

Associate Professor Larry Walker, Agricultural Engineering: "Because of the softening of terms, I'm not recommending the suggestion. In any individual department, if you break down percentages, let's say the percentage of minorities available in a department, available in a pool, is seven per cent. I imagine that it is, in some departments. If that is the case, and you have three appointments over the next five years, the reasonable expectation of that department hiring someone is zero, and I can see any number of departments saying, 'Well, under 50/50, we come out zero' and I think that's the kind of scenario that I'd like to oppose."

Speaker Martin: "Is there further debate on the amendment?"

Professor Vernon Briggs, ILR: "I don't see the purpose of the amendment either, and to me, everything that you've said is exactly what

the committee already incorporated in point number four and number five, that the departments are supposed to participate and contribute to the college affirmative action committee. I think it's the weakening of a very declarative statement that the committee has made as a minimum goal."

Professor Cooke: "I'm not sure that the analogy of having the student set goals for himself versus having someone else set goals for him, is any different from having this body, which really has no jurisdiction over the hiring, set the goals."

Associate Professor Lee C. Lee, Human Development and Family Studies: "I disagree with Professor Cooke. I think this body does have jurisdiction over the Faculty. This is a Faculty committee, this is a Faculty council, and this is the only pressure that the Faculty is going to receive, not from the administration. It receives pressure from its own peers."

Speaker Martin: "Further debate? If not, we shall proceed to vote. All in favor of the amendment, say aye. Opposed no. The amendment is defeated. Professor Cohen, you have several amendments."

Professor Cohen: "I hope everybody has a copy of this. It's entitled, 'Proposed Changes in the Minority Education Committee Recommendations for the 5/11/88 FCR Meeting.' It consists of three amendments under Part One, 'Proposed Changes,' or at least amendments to three paragraphs, and they apparently have to be considered separately. What I thought I would do is read the Preamble out loud, and give a cursory overview of the full document, and then we could take up the amendments as you wish. I don't plan to read through the whole thing again. I'm assuming that you can do that."

Speaker Martin: "You are speaking to the entire document first, and

then offering an amendment?"

Professor Cohen: "Yes. The changes proposed below accept the general framework provided by the latest version of the FCR Minority Education Committee recommendations. The main shift is to disaggregate the various targeted groups, as is proposed in the Recommendations, page four, point eight, establishing goals for each of them. The effect of this shift is to restore the call for 'a net increase of at least 70 minority faculty over the next five years' that appeared in the previous version of the Recommendations. By contrast, the latest version of the Recommendations is compatible with the combined net increase of all targeted groups totalling one per year. What follows consists first of proposed substitute language; second, of analysis of the problems that might arise in the absence of the substitutions; and third of a comparison with affirmative action programs recently adopted by other universities. The focus is on point five. Now, I'm not going to go into detail about the second and third points. The second, the analysis of potential problems, is simply designed to provide evidence for the conclusion that the current version would lead to a combined net increase in targeted groups of one per year, or could lead to no more than that, and the third one, comparisons, is designed to suggest that even the admittedly larger number of recruitments that this amendment calls for would do nothing more than put Cornell in line with what's going on at various other universities at this point, and would not at all put us out on a limb. The point of that comparison is to suggest that the current recommendations are very weak in their effect. The proposed changes are only strong enough to make Cornell one of a group of universities trying to do changes, and is in no way a maximalist goal."

Speaker Martin: "You have three amendments, so take number one first and tell us exactly where it goes."

Professor Cohen: "All right. Number one is 'Proposed Changes.' The sentence is proposed to read: 'These recommendations propose mechanisms based on the Cohen-Gates report and our deliberations, to increase the number of underrepresented minority Faculty in each targeted group, to the level of their availability over a five-year period, or less.' And the rationale for that is only clear in relationship to the later amendments. It's simply to bring that passage into harmony with the others. My own recommendation would be that there's no point in voting on that one. If you don't like the other one, you're not going to like that one either."

Speaker Martin: "All right. You all understand the amendment. Is there a second? All right. Do you wish to speak specifically to this amendment, or have you already done so?"

Professor Cohen: "I can only speak to the amendment by offering the other amendment, unfortunately."

Speaker Martin: "Professor Harris?"

Professor Harris: "First of all, I'd like to say that the Minority Education Committee tried to make sure that the parties directly involved, that is, Professors Cohen and Gates, the Provost's Office, those individuals listed in the first paragraph of this report, that they always received a copy of our recommendations prior to the time that these recommendations went out to the FCR as a whole, and just as we were surprised at the last meeting by the University Counsel's office--at least I was surprised; I don't know about other members of the committee--by these proposed amendments, and I've not really had an opportunity to look at them except when receiving them at the meeting today. We've discussed

whether we should include each, a sort of target for each group within our committee, and we thought that that would become very cumbersome; we would begin to set up sort of quotas in a sense for each group as opposed to looking at minorities as a whole and sort of leaving it to the departments; that is, calling upon our colleagues within the departments to recognize the problems that we face, to recognize the underrepresentation, and to encourage them to make some remedy to that as opposed to trying to impose some type of quota on each department, a quota or goal or specific minority group. I fear, and this is one of the discussions that we had within our committee, that this is going to set up some real contention between the different groups that comprise the Faculty, and I would suggest that you defeat the amendment."

Speaker Martin: "Further discussion on Professor Cohen's first amendment?"

Question: "Can all these amendments be combined as a matter of substance?"

Speaker Martin: "You can always do that if you wish. The reason the Chair had suggested to Professor Cohen to treat them separately seems a little more democratic because one of them might defeat a good one. That's the only concern. It's entirely up to you."

Question: "If the motions aren't cast together, there's no point in casting each of them. They ought to be discussed as a group, or rejected

Speaker Martin: "If there are no objections, we will treat the three as a group. No objections? We shall proceed on that basis. Professor Cohen?"

Professor Cohen: "The second one is slightly different, and I take it to be really a question primarily of wording. On the first and third, I think, there is clearly a disagreement. The second one reads: 'The college Faculty Affirmative Action Committees should encourage and monitor recruitment and retention of minorities and women at the faculty and graduate student levels' and in sentence three replace 'employment and recruitment' with 'recruitment and retention.' I'll just explain very briefly the rationale for that. In the current form, for Faculty you're supposed to encourage employment, and for graduate students it seems recruitment and retention was what was intended in both cases. I take it as a friendly amendment in the strongest sense, and if you look at line three of the document, the recommendation as it stands now, we're asked to encourage and monitor employment of minority Faculty and women, and I don't think that means what the committee wants it to mean. I think they must mean minority women and Faculty. I mean, minority and women faculty; they don't mean employment of women, they mean of women faculty, and it doesn't say that. So I'm simply trying to correct what I think was just a typo or something like that, and I also added women under graduate students for symmetry. But I don't think that I am changing substance, either quantitatively or qualitatively. I thought I was capturing the intention of the committee there, in detail."

Speaker Martin: "Professor Harris, do you wish to speak to this?"

Professor Harris: "Yes, thank you. I think I understand the sense in which Professor Cohen is making this recommendation. I think that there's a problem, though, when we say 'retention.' We tried to avoid that, in suggesting that once a person is hired that they're going to be retained forever, by saying that we would have a Faculty at a particular

level, which means that there are individuals who will come and there are individuals who will go, but we'd have to recognize that if we have a large attrition, we've got to double our efforts in order to reach the particular number. I think if we say specifically 'retention' that that could become problematic, as though these were individuals who were not going to go through the normal process of evaluation for tenure promotion if they're at the junior Faculty level. On the other part, and I understand the desire for symmetry here, I think we purposefully, although I agree that we should say 'employment of minority and women Faculty' but we were trying to make a distinction here though on the recruitment. It was our sense that the University at this point, unless it could be demonstrated otherwise, does not experience a serious problem in recruiting, admitting, women graduate students. So, we were making a distinction there, but perhaps this language does need to be changed a bit."

An unidentified speaker: "I would like to ask Professor Cohen what sort of activities the affirmative action committees might engage in in encouraging and monitoring the retention of graduate students?"

Professor Cohen: "Well, I feel sort of caught in a bind here, because I was amending someone else's wording. Is the issue specifically retention or recruitment as well as retention?"

Reply: "The issue is retention."

Professor Cohen: "I see. So your interest is why not just keep it at recruitment?"

Reply: "Well, I'm worried about the implications. I'm worried about the implications of Faculty committees monitoring and--it's just not clear to me what Faculty committees would do in influencing departmental

decisions--as to whether or not the quality of performance of a particular graduate student merited retention. I don't know what you have in mind here."

Associate Professor Isabel V. Hull, History: "I imagine that one didn't have in mind looking at the academic records of people, but I'm GFR in the History Department right now, and one thing that comes to mind would be monetary support for people who are otherwise equal where you don't have, as alas seems to be happening, enough money to cover everybody, that you make an effort to retain good graduate students."

Professor Michael Hannan, Sociology: "I was going to make the same point. Those of us who are Faculty Representatives well know that money available to recruit graduate students is often not available to support worthy graduate students mid-way through their program and it seems to me a reasonable goal to have a Faculty committee monitoring the availability of support for the people."

Mary Beth Norton, Mary Donlon Alger Professor of American History: "As a former GFR in History, I would also comment that it strikes me that something else that the committee could look at, a college committee, would be if a particular department seemed to be developing a certain pattern of a lot of minority graduate students not continuing, that is, not a particular graduate student, but if there was a pattern of either a particular department having perhaps success at recruiting graduate students from minority groups but not retaining them it strikes me the college committee might very well want to look into that pattern and see if there is any reason other than idiosyncracies of individuals that might be involved, which might have to do with availability of funds, which

might have to do with particular patterns of the way graduate students are treated in that department."

Henry L. Gates, Jr., W.E.B. DuBois Professor of Literature: "There's a certain kind of psychological net that can be created, psychological ethnic net that can be created, to retain our graduate students. It's when we face those moments of crisis and we think that it's an individual moment, we think that it's without precedent, and our vision, I think, Walter's here to say, is that a university-wide committee which could encourage a student in crisis to go see particularly minority faculty members who have survived that kind of crisis makes available to that department and to that student resources which might not be available in other ways. That is what I think is at least my intention behind it."

Professor Harris: "In number seven of our recommendations we're suggesting that the Graduate School guarantee tuition and fellowship support for at least three years for minority graduate students. We're also suggesting that we take, as our charge next year, to review what's taking place with minority graduate students at the University. We suggest that we should look at recruitment, enrollment, support, and that we might make some specific recommendations for expanding that opportunity. Again, we've not had the chance as a committee to look at these. If the members of the committee here agree, I think they might, I would be willing to accept as a friendly amendment a change in the wording here, especially where--I'm not suggesting that now, but maybe later--no friendly amendments, ok, I'm sorry [laughter]. Well, I'm open to the possibility of our changing the language later."

Speaker Martin: "Further discussion on amendment number two? All right, let's have number three."

Professor Cohen: "All right. This is the central one. This is page three, point five, and we'll read it in its entirety, which will take about three minutes, keeping in mind that the underlined passages are the ones that matter: 'The Cornell Faculty sets as its short-term goal a university faculty which includes at least 180 minority Faculty in tenure-track positions by Fall 1993. This figure will probably represent a net increase of roughly 70 over the number of minority Faculty members in such positions in Fall 1988, when the program begins.' Footnote two refers to there being 97 faculty. That report refers to the 1986-87 academic year. It seems reasonable to assume a net increase of three in 1987-88. This is the average annual increase during the present decade and of eleven in 1988-89, a year of relatively aggressive recruiting. This gives a total of 111 by Fall 1988. Back to the text: 'A net increase of this magnitude, that is, 70, is necessary if the University is to meet its goal for each targeted group within five years. An even more immediate goal is to employ at least 137 minority Faculty and tenure-track positions by Fall 1990. This goal reflects the estimated availability of minorities for academic appointments, and assumes that the size and departure rate of the Faculty remains constant and that aggregate minority availability stays at about nine per cent. In the appointment of new tenure-track Faculty each year the University should seek to hire a percentage of minority Faculty consistent with the availability for each position. If the availability data remain roughly as follows, Afro-American, 2.3%; Hispanic-American 1.6%; Native American, .4%, and Asian-American women 1.1 to 1.2%, the goals are at least thirty-five Afro-Americans, 24 Hispanic-Americans, 6 Native Americans, and 17 to 18 Asian-American women, by Fall 1993. These figures will probably represent

net increases of roughly 5 Afro-Americans, 15 Hispanic-Americans, 5 Native Americans, and 15 Asian-American women. The individual goals will not all take the same amount of time to reach. Reasonable estimates are one year for Afro-Americans, three to four years for Hispanic-Americans, and five years for both Native Americans and Asian-American women. For Afro-Americans and Hispanic-Americans, annual net increases through 1993 should remain at the same level before and after the goals attained. In addition, the number of Asian-American men on the Cornell Faculty is likely to continue to increase. The committee believes that departments should seek gender balance in employing minority faculty as well as in employing faculty in general. The FCR should review and update annually the goal of employing at Cornell at least the same percentage of minority faculty as represented by their availability pool. At the end of five years, the FCR Affirmative Action Committee shall recommend a new five-year plan.'"

Speaker Martin: "Professor Harris."

Professor Harris: "I'd just like to point out a couple of things. First, the figure that Professor Cohen has updated based on hiring over the past couple of years does not take in attrition, so it's difficult for us to tell whether we're at 111 or whether we're at 97."

Professor Cohen: "May I just go into detail on the number of years?"

Speaker Martin: "Sure, and then we'll go to Professor Ehrenberg."

Cohen: "All right. The plan begins, let's say, August 15, 1988, or whenever, July 1st, sometime like that, whatever. You have a hiring year 1988-89. That's the first year. The people appear on campus in Fall of 1989, all right, that's one. 89-90, the second year, they appear on campus in the Fall of 1990, that's two. 90-91 they appear on campus on

campus in Fall of 1991, that's three. 91-92, they appear on campus in Fall of 92, that's four. 92-93 they appear on campus Fall of 93, that's five. In the Fall of 93 the people who come for five years, that's when you do it. If you wait until the Fall of 94, you're waiting for them to have already taught for a year, and so it's a six-year plan."

Ronald G. Ehrenberg, Irving M. Ives Professor of Industrial and Labor Relations: "I would like to know the rationale for the insertion of the words 'at least' at the end of the paragraph where it says 'The FCR should review and update annually the goal of employing at Cornell at least the same percentage of minority faculty as is represented by the availability pool.'"

Professor Cohen: "Simply so as not to preclude the possibility that in some cases the University might get all excited and exceed them. That's all; it doesn't guarantee, it doesn't commit the University to exceeding it, that statement."

Professor Ehrenberg: "This, if I may say so, now seems to be getting definitely in the area of reverse discrimination. It's one thing to say that the goal of the University should strive to have all groups represented in terms of their availability. It's another thing to say that the goal that the University should strive for is to have groups represented at least in terms of their availability, because the obvious corollary of that is that the groups who are not included as protected groups will be responded very possibly at less than their availability, and that's the goal of the University. So I think equal to, which is the way the committee currently has it, is very, very different than greater than or equal to, which is the way that you currently are proposing. I see nothing wrong, as a matter of policy, that if we find attractive

candidates of any race, hiring them. If they turn out to be more than the proportion, that's wonderful. But stating that as a goal, that you're going to seek to do this, is very, very different."

Speaker Martin: "Further discussion on amendment number three? Now, before we proceed to vote, did you have an amendment to one of these amendments?:

Professor Lee: "I have three amendments that I would like to place in; one of them relates to what is in this amendment. I'm wondering if it's appropriate to do it now or wait."

Speaker Martin: "You can propose an amendment to an amendment, if you wish."

Professor Lee: "I don't know what the best strategy would be. Maybe I should wait."

Speaker Martin: "Is there further discussion on the three amendments of Professor Cohen which you have agreed to vote on as a package? Remember only FCR members are entitled to vote and I'd like to ask our Secretary and Dean to serve as tellers. Those in favor of these three amendments, please stand. Please be seated. All opposed, please stand. The amendments are defeated, 16 affirmative, 29 negative. Professor Lee, you had some amendments? Would you want to come down here; would it be easier for you?"

Professor Lee: "I feel like a broken record, because I again must speak to the issue of minority representation, and where Asian-Americans stand in this University. I think consistently the University has excluded Asian-Americans and their efforts. I find that in this document something that really saddens me, because on the second revision of the committee I found that even though I did not agree totally with the

amendment, with the changes it made from the first revision of the February revision, I was willing to vote for it, because I really felt for the good of progress in terms of minority improvement in this University, I should go with it. We cannot get all the candy we want to eat, even though we get some. That's adequate. In the first draft of your proposal, you named minority groups. However, it excluded, explicitly excluded, Asian-Americans. I spoke at the FCR and I followed it with a memo to the committee, and in fact the committee changed and included Asian-Americans in fields where they're underrepresented in that second draft. In this third draft, we again are excluded, and I really do wonder what Counsel Relihan's concerns were last month when he said that he approved the February draft of the FCR, but he was concerned about the names that were named, the identification of minority groups in the second draft, and now I see what he means, because Asian-Americans are essentially taken off, except for Asian-American women. Now, again the issue has to do with representation. Are we really overrepresented in this University, and that's one issue. The second issue is, are we minorities in this University? I thought that in 1983 the report of the Trustee Committee spoke to the definition of minority and included us as a minority group, and I thought that word essentially settled our inclusion/exclusion as minority members of this community, and now we find again that we're excluded, and I really find this rather displeasing, from my view. What I did then is to do a little study at this University, and I went to the Associate Provost's office to find out who the minority, Asian minority, members are at this University, and where they are represented in this University, and I would like to pass out this result. And lo and behold--by the way, the definition of the trustee report on

minorities was listed here in this final report as well, which essentially says, 'We understand the term minority in this instance refers specifically to racial and ethnic groups that have been historically discriminated against, and that are currently deprived of equal co-opportunities in this society.' And I think we, as Asian-Americans, qualify. So, as you can see in that handout, more than half of the departments (not all the departments are listed, by the way--the ones that are listed do not have Asian-Americans--I could only fit seventy-one of them on this page), so that there are fewer than half the departments that are represented with Asian-Americans, and if you go further, you would see that only fifteen Asian-American Faculty are represented in the fields of Humanities and Social Sciences combined. These fifteen individuals are represented in eleven different departments and the disciplinary breakdowns are as follows. Even in the Asian Studies Department, we only have one Asian-American represented in that department, so I don't think it could be argued that we're over-represented in certain fields, which I have argued previously that we are under-represented, if you really want to know. So, in that spirit, I had proposed three motions for consideration--amendments, excuse me."

Speaker Martin: "If there are no objections, we shall vote on the three as a package. There being no objections, we will proceed."

Professor Lee: "Ok. 1A is essentially what is listed in the report, and the substitute motion essentially is changing the underlined version, deleting 'as well as Asian-American women faculty' and substituting that as the original wording from the second version of your report, except explicitly--it was more generous in the second committee report--and this

particular part is really narrowing it down to Asian-American women faculty in the Humanities and the Social Sciences."

Speaker Martin: "Is there a second to this amendment?"

Floor: "Second."

Speaker Martin: "The floor is open for discussion. Professor Harris."

Professor Harris: "I think the problem with the recommendations that we brought to the last meeting was that we indicated in there that we defined minorities specifically as Afro-American, Asian-American, Hispanic-American, and Native American, and if we took those as the definition of minority, they would differ from the Department of Labor Office of Federal Contracts and Compliance definition. We put a footnote down that minority and minorities refer to groups identified by Cornell for Affirmative Action. That includes Asian or Pacific Islander. I don't see the need to change that. Also, we used the language that was in the report that Professor Lee referred to, the Board of Trustees Committee Report on the Status of Minorities at Cornell, and on page two the second full paragraph there, the middle of the sentence, 'we understand that the term minority in this instance to refer specifically to racial and ethnic groups that have been historically discriminated against and are currently deprived of equal opportunities in society.' The Cohen/Gates Report pointed to those groups that were more under-represented in the university, not saying that other groups were not under-represented, but that were more under-represented in the university, basically Afro-American, Hispanic-American, Native American, Faculty. We took into consideration Professor Lee's concern that she raised at the last meeting about Asian-American women, that if we look at the number of

Asian-Americans represented on the Faculty, they were overwhelmingly male, and that's why we specified Asian-American women. I think if we go back, and if we say each one of the groups, then the departments, if they hired Asian-American males, would be basically meeting the spirit of these recommendations."

Professor Lee: "You know, this is where I really have problems with the inconsistency of this committee report. On the one hand, you talk about Cornell's efforts, who they include; on the other hand, it says here, 'According to the'--in the first footnote, 'For purposes of these recommendations, the terms minority and minorities refer to groups identified by Cornell for Affirmative Action.' Now, does this committee really talk about these recommendations? I take this literally, so that essentially in this report, it does not. The recommendations do not coincide with the names, with the listings you had in the first footnote. That's one inconsistency. The second inconsistency, I have difficulty thinking that one of the goals you have is a nine percent minority pool and that includes Asian-Americans. Now, you tell me as a Faculty, unless us Asians, with Asian backgrounds, have different issues of ethics and honesty, is this honest to include Asian-Americans in the availability pool, but not include Asian-Americans in their effort?"

Professor Briggs: "I shouldn't get into this, but I agree with this committee and I know we share the common goal. The Cohen/Gates report was basically a targeted program, and the initial thing that attracted the attention of so many people on the Faculty and initiated the discussion on the report, was that there are some groups that have had or are experiencing much less representation than are other groups, and the merit of that report was to call that to our attention, and they called for it

in very strong terms. Now, our committee backed off. In many ways the Cohen/Gates Report, I've watched carefully what they say about it, because obviously we have backed off from the Cohen/Gates Report. We were under pressure from women, from other groups, have broadened this essentially to an Affirmative Action program, as I see it, a broad Affirmative Action program and backed off a little bit from the targets. On the other hand, we didn't back off entirely. We wanted to try to say, and I've gotten some letters in the last week or so explaining how the whole goal could be, of the whole program we put forth, could be accomplished by simply hiring Asian-American men, and the whole thing could be subterfuge. It's a no-win situation. We have tried to simply incorporate an affirmative action report. We are saying that at the same time that we pay homage to the spirit that the Cohen/Gates Report tried to say that there are some groups that are differentially affected. I don't know at the moment how many minority Faculty members we have right now, but seventy-two Asian-American Faculty, and that must be eighty percent of the minority faculty."

Professor Lee: "We have fifteen members in the Humanities and Social Sciences. We are narrowing it to Humanities and Social Science Faculty only."

Professor Briggs: We did try to say, as you pointed out so clearly to us before, that Asian-American women are chronically under-represented, and we tried to back up the targeted spirit"

Professor Lee: "Then I challenge you to change your goals. There's no way you're going to meet your goals if you exclude Asian-Americans here, and using that Asian-American within your goal, to calculate your

goals. I challenge you to do that. I mean, this is dishonest, as far as I'm concerned."

Professor Harris: "The question of honesty has been raised here, and I don't think that that's the point. I think we're all honorable persons at this meeting."

Professor Lee: "I don't think so."

Professor Harris: "Well, then, I cease to discuss anything on that matter."

Speaker Martin: "I think we should watch our terminology. The Chair would like to ask, at this point, since we are eighteen minutes away from mandatory adjournment, we have two more amendments here. Are there going to be other amendments out here? We want to bring this whole resolution to a vote before six o'clock. If there are, we're going to have to watch our time very carefully. Do you have some more amendments? All right, do you wish to speak to this one?"

An unidentified speaker: "Two months ago we just hired a woman Asian Faculty member, and on this list here it shows that as zero."

Professor Lee: "Ok, sorry. I apologize. In fact, the list is from last September. I'm glad you did point that out to me."

Speaker Martin: "Is there any further discussion on this first amendment before we move along? Would you like to open the second amendment?"

Professor Lee: "The second one is on the same spirit, essentially. Taking out 'as well as Asian-American women faculty' with 'Asian-American faculty in the Humanities and Social Sciences,' because following that sentence, it talks about a balance, a gender balance, in that paragraph."

Speaker Martin: "Is there a second to this amendment? It has been seconded. The floor is open for debate. Do you wish to speak to it?"

Professor Lee: "No, I've said everything I have to say."

Speaker Martin: "Ok. Any further discussion of Amendment Number Two?"

Professor Lee: "Actually, if I could request that we take the vote on these two, before I make the third motion, because that's somewhat different."

Speaker Martin: "All right, we had unanimously agreed to vote on all three as a package. We're now requested to change that vote. All in favor of reconsidering our vote to treat them as a package of three and treat the first two. All in favor, say aye. Opposed no? It is carried; we will treat the first two. Is there further discussion on either one?"

Professor Lee read her amendments: "It's page two, replacing page two, recommendation one, line four to seven, deleting 'as well as Asian-American women faculty.' The amendment would be: 'The University should therefore target its affirmative action recruitment program to employ more Afro-American, Hispanic-American, and Native American Faculty. Among Asian-American Faculty, the University should target its affirmative action recruitment program to employ more Asian-American women generally, and more Asian-American Faculty in the Humanities and Social Sciences.' And the second one is on page three, recommendation five, line five to ten, which again, on line ten, deleting 'as well as Asian-American women faculty' and replacing it with 'Asian-American faculty in the Humanities and Social Sciences.'"

Speaker Martin: "Further discussion on one and two before we proceed to vote? Yes?"

An unidentified speaker: "I think the way it reads now--the way the second one reads now at the present time, it seems that as if we need more Afro-Americans and Hispanic-Americans, Native American faculty and Asian-American faculty in Humanities and Social Sciences only."

Professor Lee: "Well, I was going to--can one make a friendly amendment? Period. I don't want to start a new sentence, but I guess we'll have to. After Native American period, or comma, actually. How do you do it? I don't know English."

Speaker Martin: "Madam Secretary, can you help us out?"

Secretary Herman: "Yes. For Asian-American women in the faculty of Social Sciences."

Professor Lee: "And for Asian-American faculty--uhm."

Secretary Herman: "Women faculty."

Professor Lee: "No women."

Speaker Martin: "I don't think that's going to fly. Someone reword this for Professor Lee?"

Professor Lee: "Ok, I guess what we can do is just period. I beg your pardon?"

It was suggested to read: "Employ more Afro-Americans, Hispanic-Americans, Native Americans on the faculty, and more Asian-American faculty in the Humanities and Social Sciences."

Professor Lee: "Ok."

Speaker Martin: "If there are no more objections, we will make that, for the sake of time. Are you prepared to vote on amendments one and two? All right. All in favor of the two amendments, say aye. Opposed no. The Chair rules them defeated, unless you wish to ..."

Professor Lee: "I'd like to see a count; I'd like to see a count."

Speaker Martin: "All right, those in favor please stand. All right; please be seated. Those opposed, please stand."

Professor Lee: "I guess I will not present the third amendment then. However, I really would like the faculty to think about the honesty of having a nine percent pool which includes Asian-Americans in it, and then excluding Asian-Americans in your effort. Once again, Asian-Americans are excluded."

Speaker Martin: "Amendments one and two as a package were defeated by a vote of 24 negatives, 18 affirmatives, and you are not proposing the third one, is that correct?"

Speaker Martin: "All right. Then, Professor Harris?"

Professor Harris: "I'd just like to say that the availability pool that we used of nine percent includes all minorities. The figure that we give of 137 over a five-year period includes all minorities; it does not exclude anyone. We would expect that there would continue to be the hiring of Asian-American male Faculty within the University. We suggested that the University target its recruitment on Afro-American, Hispanic-American, Native American, as well as Asian-American women Faculty, so I don't think anyone's excluded."

Speaker Martin: "Yes?"

Professor Philip Lewis, Romance Studies: "Mr. Chairman, I would simply like to ask Professor Harris if some representative of the committee could give this body some explanation of the change in the figure in item five that has occurred since our last meeting, and might the change, I mean specifically the fact that we were previously dealing with the recommendation to increase the number by seventy over a period of five years and that would have been a very substantial increase in the

number of minority Faculty members whereas now it looks as if that number seventy has been cut back to something in the neighborhood of thirty to forty, and we're facing a relatively modest increase. I think we would be interested in having an explanation of that numerical change."

Professor Harris: "Yes. The figure's forty if we take ninety-seven and of course that figure could be different, depending upon the number of Faculty that had been hired for 88-89 as well as factoring in the attrition rate. I think one of the major issues that we faced is what can we set as a target, as a goal, and in our discussions I think we decided early on that it should be set to availability. If we take seventy based on the availability--I should back up for a moment--to the question of the consistency. Initially, we were looking at a figure when we suggested the number seventy--we were looking at a figure that gave us the number of targeted groups, and then we said, ok, let's bring that up to availability. In that figure, we did exclude Asian-American Faculty, because they were not in the targeted group, which then meant also that in the seventy that we were proposing we would basically be looking at the targeted groups but yet using an availability figure that included everyone. Now, to make it consistent, and I recognize, we recognized, we tried to look at what was the largest possible number that we could recommend? The Cohen/Gates Report recommended ninety; we were looking at recommending seventy; a lot depends upon the numbers, they're not precise, for availability. If we look at the number of Faculty that are employed at the University, they're not completely precise. We tried to limit this to those individuals in tenure-track positions, that is, tenured or tenure-track positions, so we had to modify it, to make it consistent with availability."

Professor H. Scott McMillin, Jr., English: "If I follow the reasoning, then, between the last meeting of the FCR and this meeting of the FCR, your definition of the availability pool must have changed and gone down, so that your figures have gone down a corresponding amount. Could you explain how that happened?"

Professor Harris: "Yes. It's not that availability changed; it was that the number of minority Faculty employed at the University--we were using a lower figure--and then suggesting that if we hired or employed seventy additional, we would come to the hundred and thirty-seven, but we weren't using consistent figures. On the one hand, we were looking just at the targeted groups and using availability representing everyone. You can't do that. Now, we're looking at all minority Faculty; we're looking at availability that includes all minorities, so we've made it consistent."

Assistant Professor Barbara Knuth, Natural Resources: "I propose an amendment, item four, page three. The wording on line three should be changed to: 'of minority and women faculty' instead 'of minority faculty and women'."

Speaker Martin: "Is there a second to the amendment? [Seconded] Further discussion? All in favor of the amendment, say aye. Opposed no. It is carried if there are no objections. We shall proceed to vote on the entire resolution. Yes?"

An unidentified speaker: "I have a question for Professor Harris, if I may. The scenario that I found myself worrying about in studying the figure of 137, and the way item five is, the worry is one that I indicated to you in the note that I sent you and that I know you've had time to think about and are able to respond to. I think the body should be

interested in that too. Given the disaggregation that is written into the proposals and the lack of targeting of specific groups, it does not seem clear to me that the goal of 137 couldn't be met the way the proposal is written now largely by hiring a substantial number of Asian-American men. What I'm wondering is what sort of safeguards do you believe are in there to cause that scenario not in fact to occur, because if that's the scenario we face, I would be inclined, were I an FCR member, to oppose this resolution as one that is indeed the kind of subterfuge that Professor Briggs was talking about a while ago."

Speaker Martin: "Before we run out of time, do you wish to respond? We have thirty seconds to go."

Professor Harris: "I'll just say that I would hope, we would hope, that as a part of recommendation five, where we ask that they bear in mind the targeted groups, that those would be the groups that the departments would place emphasis on."

Question: "Can't we suspend the rules?"

Speaker Martin: "No, we cannot. The only thing we can do is to adjourn this meeting and have the Dean immediately call a special meeting. Right now. That's the only way we can handle it, and please, FCR members, stick around; we're awfully close to that quorum line. All right. Second to the motion previous question? It has been seconded? All in favor of previous question, stopping debate, say aye. Opposed no. It is carried; we have the two-thirds affirmative vote. All in favor of this resolution, please stand. We have passed previous question. We are obligated to vote. Please be seated. Those opposed? The resolution (Recommendations, Appendix E, attached) carries, thirty-nine affirmative, four negative."

Adjourned: 6:00 p.m.

REPORT ON ELECTIONS

Spring 1988

SECRETARY OF THE UNIVERSITY FACULTY, 493 ballots cast

Mary A. Morrison, Nutritional Sciences

FACULTY TRUSTEE - 1 seat, 531 ballots cast

Jennie T. Farley, Industrial and Labor Relations

AT-LARGE MEMBER, FCR - 3 seats, 520 ballots cast

Donald J. Barr, Human Service Studies
June M. Fessenden-Raden, Biochemistry, Molecular and Cell Biology
Mary Beth Norton, History

COMMITTEE ON MEMBERSHIP OF THE UNIVERSITY FACULTY - 1 seat, 466 ballots cast

Donald F. Schwartz, Communication

NOMINATIONS AND ELECTIONS COMMITTEE - 3 seats, 455 ballots cast

David A. Allee, Agricultural Economics
George Gibian, Russian Literature
Virginia Utermohlen, Nutritional Sciences

REVIEW AND PROCEDURES COMMITTEE - 3 seats, 452 ballots cast

Arthur L. Berkey, Education
Royal D. Colle, Communication
Phil Schoggen, Human Development and Family Studies

UNIVERSITY-ROTC RELATIONSHIPS COMMITTEE - 2 seats, 430 ballots cast

Michel Y. Louge, Mechanical and Aerospace Engineering
Bettie Lee Yerka, Cooperative Extension

ADMISSIONS AND FINANCIAL AID COMMITTEE - 1 seat, 430 ballots cast

Jeanne Hogarth, Consumer Economics and Housing

MINORITY EDUCATION COMMITTEE - 2 seats, 481 ballots cast

Njoku Awa, Communication
Donald J. Barr, Human Service Studies

FACULTY ADVISORY COMMITTEE ON ATHLETICS AND PHYSICAL EDUCATION - 2 seats, 440 ballots cast

James R. Houck, Astronomy
Thomas W. Scott, Agronomy

RESEARCH POLICIES COMMITTEE - 2 seats, 446 ballots cast

David M. Bates, Bailey Hortorium
Larry F. Walker, Agricultural Engineering

UNIVERSITY ASSEMBLY - 4 seats, 346 ballots cast

Robert J. Babcock, Human Service Studies
Muriel S. Brink, Nutritional Sciences
Richard L. Liboff, Applied Physics and Electrical Engineering
Timothy C. Murray, English

ADVISORY COMMITTEE ON RESPONSIBLE SPEECH AND EXPRESSION 2 seats, 379 ballots cast

Jean Robinson, Consumer Economics and Housing, one-year term
Cushing Strout, English, two-year term

May 11, 1988

REPORT FROM THE COMMITTEE ON NOMINATIONS AND ELECTIONS

SLATE OF CANDIDATES FOR FCR SEATS ON COMMITTEES

(all terms commence July 1, 1988 unless otherwise indicated)

EXECUTIVE COMMITTEE OF THE FCR - 4 vacancies, 2-year term

Locksley G.E. Edmondson, Professor, Africana Studies and Research Center
June M. Fessenden-Raden, Associate Professor, Biochemistry, Molecular and Cell Biology
Gordon P. Fisher, Professor, Civil and Environmental Engineering
T. Richard Houpt, Professor, Veterinary Physiology
Keith H. Steinkraus, Professor, Food Science and Technology, Geneva

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

Robert J. Buchanan, Assistant Professor, Human Service Studies
Terry R. Smith, Assistant Professor, Animal Science

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

Elizabeth A. Oltenacu, Associate Professor, Animal Science
Val K. Warke, Associate Professor, Architecture

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

Amy E. Dietze, Assistant Professor, Clinical Sciences
David H. Holmberg, Assistant Professor, Anthropology and Asian Studies

ADMISSIONS AND FINANCIAL AID COMMITTEE - 1 vacancy, 3-year term

Ali S. Hadi, Assistant Professor, Industrial and Labor Relations
Ellis R. Loew, Associate Professor, Physiology

MINORITY EDUCATION COMMITTEE - 1 vacancy, 3-year term

Stephen F. Hamilton, Associate Professor, Human Development and Family Studies
Mark A. Turnquist, Professor, Civil and Environmental Engineering

FACULTY ADVISORY COMMITTEE ON ATHLETICS AND PHYSICAL EDUCATION - 1 vacancy, 3-year term

John M. Abowd, Associate Professor, Industrial and Labor Relations
Thomas F. Coleman, Associate Professor, Computer Science

Charter of the
National Nanofabrication Facility
at Cornell University

March 1988

Contents

1 Introduction 3

1.1 Background 3
1.2 Summary 5

2 Organization 7

2.1 Scientific Affiliation 7
2.2 Management 9
2.2.1 Policy Board 10
2.2.2 Executive Committee 11
2.2.3 Directors 12
2.3 Staff 13

3 Programs 14

3.1 User Research Program 14
3.1.1 Proposal Process 15
3.1.2 Facility Access 16
3.1.3 Reporting Requirements 18
3.1.4 Annual Reviews 18
3.1.5 Facility Use Charges 18
3.2 Industrial Affiliates Program 19
3.2.1 Membership 19
3.2.2 Member's Benefits 20
3.2.3 Facility Access 21

4 Policies 23

4.1 Patents and Licensing 23
4.2 Proprietary Information 23
4.3 Publications 23
4.4 Safety 24
4.5 Shared Equipment 24
4.6 Adoption and Amendments 25

1 Introduction

1.1 Background

The National Nanofabrication Facility (NNF) at Cornell University is a successor to the highly successful National Research and Resource Facility for Submicron Structures (NRRFSS). The National Science Foundation (NSF) took the initiative to establish a national center for microstructures research following three regional workshops and a Gordon Conference on this topic in 1976. Cornell University, under the leadership of Professor Joseph Ballantyne, successfully competed against eighteen other institutions to receive the award for the NRRFSS in 1977. This was the first national laboratory to originate from the electrical engineering activity of the NSF Engineering Division (now a Directorate). The NRRFSS was the first and only national user-facility for microstructures research. In 1978 a comprehensive workshop (known as the Airlie House workshop) was organized by the NRRFSS, chaired by Professor Ballantyne, to assess the research opportunities in microstructures science. In 1978 Professor Edward Wolf joined the Cornell faculty and was appointed director of the NRRFSS. The vision of the early proponents of the NRRFSS, both from Cornell and from other institutions, was validated during the ten years of operation of the NRRFSS. The facility established itself, and Cornell University, as an international leader in microstructures science and engineering.

From its inception, the NRRFSS provided a mixture of resident and non-resident research for scientists and engineers from universities, and industrial and federal laboratories. Furthermore, the capabilities of the facility, familiar to the microelectronics community, were made available to other fields of scientific research. Two of the NRRFSS' most long lasting accomplishments may have been establishing a model for engineering research centers and the fertilization of new cross-disciplinary research.

When the NRRFSS began in 1977 the term submicron, generally referring to dimensions down to one-quarter of a micrometer, was just coming into use. Fabrication of submicron structures, as well as their use, was in the realm

of academic and industrial research. Ten years later, submicron had become commonplace in the technical community. Various programs, both public and private, had pushed submicron dimensions in the microelectronics industry into at least some advanced, production circuits. Consequently, the time was right for the Cornell facility and faculty to once again take the lead into a new dimensional regime.

Building on the NRRFSS tradition, the National Nanofabrication Facility will establish Cornell as the international leader in research at nanometer dimensions. The nanometer regime can be loosely defined as dimensions less than one-tenth of a micrometer. This new research thrust will lead to advances in instrumentation for both fabrication and characterization. The exploration of materials and physical phenomena on a dimensional scale heretofore beyond state-of-the-art technology will become feasible. Revolutionary devices will exploit the quantum nature of the nanometer domain. Nanofabrication will, for example, allow the creation of highly concurrent arrays of basic functional elements. A minimum-feature-size of 10nm will provide systems with element counts as high as $10^{\blacksquare}$, a level of complexity approaching neural networks. Evolutionary as well as revolutionary advances are critically dependent upon coordinated research efforts made possible by a center such at the NNF in materials, processing, characterization and applications. The research activities of the NNF will, at a minimum, impact electrical engineering, physics, chemistry, biology and materials science.

As the search for new dimensions, new devices and new physical phenomena moves into the progressively smaller nanometer realm, the creation of new fields, hybrid technologies, novel materials and revolutionary applications will expand the horizons of advanced electronics engineering research. Clearly, advances in the field of nanoelectronics will be essential to the establishment of the knowledge base that American industry will require to remain competitive during the remainder of this century. Drawing on the combined resources of academia, government and industry, the NNF will be at the forefront of nanometer research.

1.2 Summary

The National Nanofabrication Facility is an interdisciplinary center for advanced research and graduate education in the fabrication and application of structures whose dimensions are in the nanometer regime. In general the nanometer regime, as used here, refers to dimensions less than one-tenth of a micrometer (100nm). One of the unique aspects of the NNF is that the resources, both instrumentation and technical personnel, are available to qualified researchers from any U.S. institution, be it a university, federal laboratory or industrial organization. In a spirit similar to Cornell's founder Ezra Cornell, who stated the goals for Cornell as, "I would found an institution where any person can find instruction in any subject", the NNF is the only research center in the country where anyone from any field whose research can be benefited by nanometer dimensions is openly welcome. Not only does the NNF directly benefit the scholarly activities at Cornell by providing advanced instrumentation resources, it also focuses national attention on the university. Through the members of the NNF advisory boards, the user community and the industrial affiliates program, the National Nanofabrication Facility serves a national leadership role in the field of nanostructures science and technology.

The goals of the NNF, as formally stated in the proposal to the National Science Foundation, are:

1. Develop state-of-the-art instrumentation and processes for fabrication and characterization of structures at dimensions below 100nm;

2. Provide a national facility for both nanofabrication and microfabrication which is available to any qualified researcher from U.S. universities, industry and federal laboratories;

3. Aggressively pursue the applications of nanofabrication capabilities to a broad spectrum of engineering and scientific disciplines;

4. Train students, scientists and engineers in the areas of nanofabrication and microfabrication and their applications;

5. Provide nanofabrication technology/information transfer to the research and development communities.

The experience with the submicron facility (NRRFSS) clearly demonstrates that the NNF is an organization in the true spirit of a Cornell center. The research programs utilizing the NNF represent faculty from thirteen Cornell departments spanning both endowed and statutory colleges. Approximately two hundred Cornell graduate students utilize the facility for some or all of their research activities. The facility brings together Cornell students and visiting researchers from other universities and industry. The NNF also brings a broad spectrum of disciplines together in the laboratory. These two aspects of the center provide an invaluable environment for stimulating Cornell students to develop interdisciplinary approaches and a breadth of experience.

Financial support for the NNF is currently obtained from the National Science Foundation, Cornell University, industrial affiliates and fees charged to the users of the facility. The facility will continue to seek new partners, such as New York state, to provide the level of funding required for operation and expansion of this resource.

2 Organization

The National Nanofabrication Facility is a Cornell University center. As a center, administrative responsibility for the NNF rests with the Office of Vice President for Research and Advanced Studies. The facility has two advisory boards, the Policy Board and the Executive Committee. In addition to being a Cornell center the NNF is also a national resource. Approximately fifty percent of the utilization of the facility is by non-Cornell organizations. Consequently, the composition of both advisory boards is such that Cornell and non-Cornell interests are equitably represented. The director of the facility is a Cornell faculty member while the remainder of the facility management are full-time employees of Cornell University.

2.1 Scientific Affiliation

Anyone holding an academic appointment at Cornell, or any qualified researcher from another institution, may signify to the Director his/her desire for scientific affiliation with the National Nanofabrication Facility. Approval by the Executive Committee is required for membership. Approval will only be withheld in situations where the applicant's professional and research interests are not within the scope of the facility's scientific program as defined by the Policy Board and Executive Committee.

All principal investigators on approved user research projects utilizing the facility are automatically qualified for membership while that project is in an approved and active state.

To be considered active, a member is expected to show a positive interest in the facility and contribute to its programs. Members who are utilizing the resources of the facility must follow the guidelines for user research projects as detailed in that section of this charter. Failure to comply with these expectations can result in termination of the project and revocation of membership by action of the Executive Committee.

The benefits provided to scientific affiliates of the NNF will be reviewed by the advisory boards and modified from time to time as circumstances warrant. Currently, active members (from Cornell and non-Cornell institutions, expect as noted) have the following privileges:

(a) Each member has one vote in electing representatives to the Executive Committee and is eligible to be chosen and to serve as such a representative;

(b) Each member shall receive a copy of NNF publications such as the annual report, periodic newsletters, publication lists and promotional material;

(c) Members may submit research results involving the use of the facility to the facility for dissemination in reports, promotional material, news releases and the like. The results of all member's user research projects shall be included in annual reports to the NNF funding agencies;

(d) (Cornell members only) The facility from time to time is able to obtain funding, usually from industrial sources, that is unrestricted and in excess of that required for NNF operational expenses. Members may submit requests for NNF funding, in the form of a research proposal, to the Director. If the proposed research is in accord with facility objectives, sufficient funds are available, and the priorities established by the advisory boards permit it, the Executive Committee may recommend allocation of facility funds for special individual principal investigator grants;

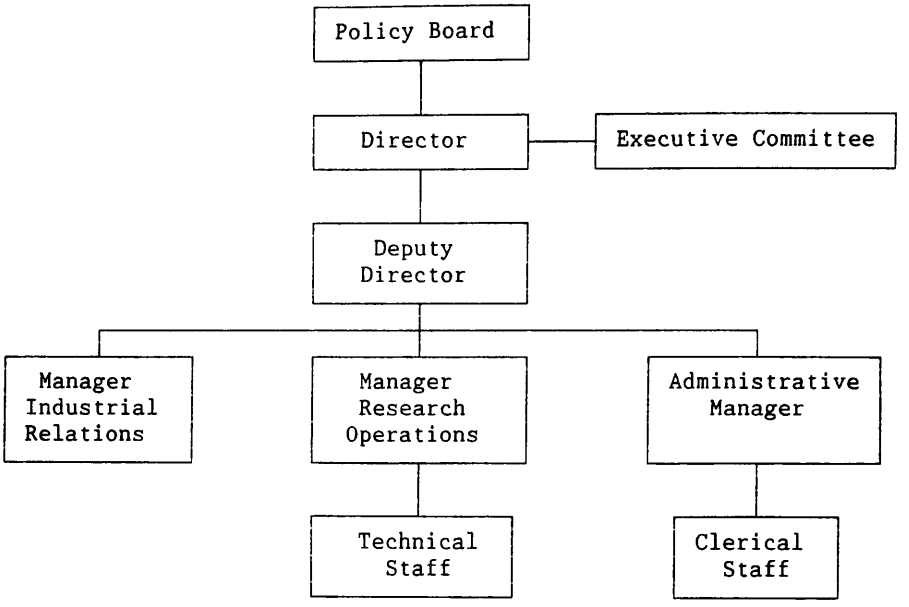
(e) (Cornell members only) Members may apply for annual research initiation grants. These are one-time, small (typically $5,000) grants made possible by the industrial affiliates membership fees. Typically eight to ten such grants will be made each year; and

(f) Members may request statements of support (non-financial) from the facility for their individual research proposals when such research falls within the scope of NNF activity.

Each year there shall be at least one general meeting chaired by the NNF Director and the chairman of the Executive Committee to which all members are invited. The management of the facility will brief all present at this meeting on the current status and plans of the facility. At this meeting any member may raise for consideration any matter related to the objectives or operations of the NNF.

2.2 Management

An organizational chart for the NNF is shown below. Some of the positions indicated in the organizational chart are not currently required and will be filled as warranted by expansion of NNF activities.



National Nanofabrication Facility
Organizational Chart

2.2.1 Policy Board

The Policy Board of the NNF serves as the general advisory body on the welfare and progress of the facility. Through its oversight, the Policy Board strives to ensure that the NNF is serving the national interest and that the funds are being expended in keeping with the objectives of the facility and its sponsors: the National Science Foundation, the industrial affiliates and Cornell University. The board advises on overall objectives, long-term strategies, general policies, operating plans and funding levels. The Policy Board advises the Vice President for Research on the selection of the NNF Director. The board reviews facility budgets and spending priorities for staff, capital equipment and operations. The NNF management shall present an operating plan to the board for review on an annual basis.

A meeting of the Policy Board is to be held at least once per year. More frequent meetings may be called if deemed necessary by the board.

The chairman of the Policy Board is the Cornell Vice President for Research or his designate. The NNF Director and the Dean of the College of Engineering are ex-officio members of the Policy Board. The Deputy Director of the NNF serves as the secretary to the board and attends board meetings, however, has no voting rights. The remainder of the board consists of no less than seven distinguished leaders representing the NNF constituency: industry, academia and federal laboratories.

Members of the board are appointed by the Vice President for Research and Advanced Studies with the advice of NSF. Each member serves a renewable three year term. When a vacancy occurs, the Director will solicit nominations for replacement from the Policy Board, the Executive Committee and members of the NNF.

2.2.2 Executive Committee

The principal function of the Executive Committee is to provide guidance to the director: to review the research activities utilizing the facility; and to provide guidance to the facility management on short-term, operational issues. Specific responsibilities of the Executive Committee include review and final approval or rejection of all proposals to utilize the facility; approval of requests for membership in the facility; advise on staffing, resource utilization and priorities, equipment acquisition, research expenditures and educational programs. The Executive Committee also recommends candidates for membership on the Policy Board. The committee may also be called on by the facility management or the users to advise in disputes over facility use.

The NNF management will present the status of each user research project to the Executive Committee on an annual basis. The committee will review the accomplishments and activity on each project and make recommendations as to whether that project be allowed to continue, be re-directed, be phased out over the next year, or be terminated. Access to the facility will be prioritized by the committee in terms of continuing scientific accomplishments, mutually beneficial technology exchange, novelty of approach, multidisciplinary aspects and impact on facility resources.

Two meetings of the Executive Committee are to be held each year. More frequent meetings may be called if deemed necessary by the committee. A simple majority vote of those present at a meeting will constitute passage of a motion. In the event of a tie vote, the Chairman has the authority to cast the deciding vote. The Cornell subset of the committee may meet more frequently to handle issues of immediate local concern.

The chairman of the Executive Committee is a Cornell faculty member appointed by the Vice President for Research and Advanced Studies. The Chairman does not vote on committee decisions except to break a tie. Three Cornell faculty elected by the Cornell user-community, the NNF Director and four non-Cornell members elected by the non-Cornell user-community, comprise the voting members of the Executive Committee. Ex-officio, non-voting members of the committee are the NNF Deputy Director and the cognizant NSF Program Director. Elected members serve renewable three-year terms. When a vacancy occurs, the committee shall draft a slate of nominations, including the option for write-in candidates, and hold an election by the appropriate user community.

2.2.3 Directors

The National Nanofabrication Facility has a Director, appointed by the Vice President for Research and Advanced Studies with advice from the Policy Board and NSF. The director is the chief executive officer of the facility with administrative responsibility for all aspects of facility operations within the policies established by the Policy Board and the Executive Committee and the NSF requirements. The Director serves a renewable, five-year term. The director's position should be a part-time appointment, normally not to exceed seventy-five percent of the faculty member's time. The Director must be a faculty member (associate professor or higher rank) of Cornell.

A Deputy Director, appointed by the Director with the advice and consent of the Policy Board and the Executive Committee, serves as the chief operating officer of the facility. The deputy director's position is normally a full-time, non-faculty appointment. The Deputy Director's two principal

responsibilities are the user research program and the industrial relations program. In addition, the Deputy Director has responsibility for facility operations, staff, financial affairs, reporting, educational programs and any other tasks delegated by the Director. The Deputy Director reports to the Director. The Deputy Director also serves as the executive secretary of the Policy Board.

2.3 Staff

The facility requires a staff to maintain the instrumentation and train the users of the facility on that instrumentation and provide administrative support for the facility. In addition to their principal service role, the staff is encouraged to perform research and development activities in support of the NNF goals. The level of staff, both technical and clerical, is determined by the Director and Deputy Director within the limits set by the budget and the advisory boards. Staff members of the NNF are employees of Cornell University eligible for standard Cornell University benefits and subject to the university's policies and procedures for employees. The staff report to the Deputy Director. As the facility's activities expand, there may arise the need to introduce sectional managers between the staff and the Deputy Director (see organization chart).

3 Programs

The functions of the NNF can be divided into two broad categories, the user research program and the industrial affiliates program. Through the user research program, the resources of the NNF are made available to a wide spectrum of researchers from across the country. The industrial affiliates program promotes technology transfer and information exchange with U.S. industries.

3.1 User Research Program

The principal function of the NNF is to provide resources for fabricating structures at nanometer dimensions to qualified researchers from universities, industry and federal laboratories. The NSF, in establishing NRRFSS ten years ago, recognized the need for a center approach to research in this field. The expense of the capital equipment, the required support staff, the need for a national focal point to attract researchers from non-microelectronic disciplines, and the desire to foster technology exchange all dictate a center approach.

Through the user research program, any scientist or engineer from a U.S. academic, industrial or federal laboratory can propose to utilize NNF resources in pursuit of their research. All proposals to use the NNF are reviewed and approval is based on the scientific merit of the proposed research and the appropriateness of that work in terms of the goals and objectives of the nanofabrication facility.

The NNF is expected to take a proactive role in soliciting research programs in non-microelectronic disciplines and in novel, emerging fields. The Policy Board and Executive Committee shall advise on general directions for research, shall identify specific opportunities which the NNF should encourage, and shall advise on the criteria for proposal review and approval.

The results of all research utilizing the NNF shall be documented and reported to the advisory boards, sponsoring institutions and user community on an annual basis.

3.1.1 Proposal Process

A person wishing to use the NNF must first consult with the facility management to verify that their proposed work fits with the objectives established by the NNF advisory boards and is technically within the facility's capabilities. Following that discussion the prospective user must submit a written proposal detailing the research to be performed, including: the scientific merit of that work; the necessity of NNF resources to accomplish this work; the approach which will be taken; and the anticipated technology or information exchange which will transpire during or as a result of this project. Although the proposal should be brief and informal, it must address all of the above points and contain sufficient detail such that a credible review can be performed and such that the technical feasibility of the work can be established.

The exact format, contents and review criteria for user research proposals are determined by the Executive Committee and will be evaluated periodically by that committee as circumstances dictate.

In the interest of minimizing administrative overhead and encouraging technology exchange and novel, innovative research, the NNF Director is given reasonable latitude in reviewing proposals. In general, all proposals to the NNF will be sent to two or more established members of the research community, familiar with the proposed field of research, for review. This process is intended to follow in the spirit of the NSF peer review process. In cases where the proposed utilization of the facility is very minimal, the research would be difficult to review due to its novelty or interdisciplinary nature, or other extenuating circumstances, the NNF Director has the authority to grant approval to a proposal without following the standard review process. Such actions are, however, subject to review by the Executive Committee and must be presented to that committee in a timely manner.

The Executive Committee shall establish review criteria and a procedure for handling the results of reviews. In general, the review criteria shall emphasize the degree to which the proposed research advances the goals of the NNF, is a reasonable utilization of the available resources, is work which cannot or would be very difficult to perform elsewhere, and will result in technology transfer between the researchers and the facility. The review procedure established by the Executive Committee should take into consideration favorable and unfavorable reviews, and split decisions.

Upon favorable review and subject to the availability of resources, the Director may grant tentative approval for a project to begin. This approval, as well as approvals given to projects without formal review, is subject to final action by the Executive Committee. All user research proposals shall be presented to the Executive Committee for review in a timely manner.

In the event he/she so desires, a proposer may request an appearance before the Executive Committee to appeal the committee's decision on his/her proposal.

3.1.2 Facility Access

The NNF management has responsibility, subject to the guidelines recommended by the Executive Committee, for allocating facility resources to user research projects in an equitable manner. Recognizing the disparity in ease of access to the NNF between local, Cornell-based users and non-local users, the non-local users may be given priority during the conventional (9am - 5pm) work-week. Whereas, local users shall have priority at all other times. Scheduling of facility resources shall be done in a manner which grants equal opportunity for use to each approved project, independent of institution.

The role of the NNF in user research projects is to provide the equipment and technical resources required for that research. The facility is not to be a "job shop", performing other people's research for them. To the limit

of their abilities and within the time constraints imposed by travel to/from the NNF, users are expected to carry out their research themselves at the NNF.

Frequent users of the NNF, independent of institution, will be trained by the facility staff on the operation of the NNF resources required to accomplish their research. All users are required to be familiar with the general cleanroom procedures and safety procedures of the facility prior to being granted access to the laboratory. Frequent users may submit a request for keys to the facility and upon approval by the Deputy Director and successful completion of a user orientation course, such access will be granted. The NNF management has the authority to revoke access privileges to any users found guilty of violating facility procedures or safety guidelines. If a user feels that they have been unfairly denied access, they may present their case to the Executive Committee. If such an appeal involves a Cornell person then only the Cornell members of the Executive Committee need act on the appeal.

The NNF shall in general be available to approved users with key access, twenty-four hours per day, every day of the year. For maintenance, equipment installation or other special circumstances the facility management may close the facility for short periods of time. Facility closures shall be announced to users in as timely a manner as is possible.

Access to NNF resources may not be granted to someone who does not have an approved project as described in the preceding section except as provided for under special circumstances in the industrial affiliates program (see section 3.2.3).

3.1.3 Reporting Requirements

Annual written reports are required from all user research projects. These reports are the primary documentation of accomplishments at the NNF, they are provided to the NNF sponsors and are a critical component of the facility's technology and information transfer activities. Failure to submit an annual report may result in termination of the user's research program.

The NNF management, in compliance with the facility's goal of providing information to the research community, will take all reasonable approaches to disseminate NNF accomplishments. An annual technical report, including all submitted user research reports, shall be prepared and distributed to all facility sponsors, users and other interested parties.

3.1.4 Annual Reviews

The Executive Committee shall review each research project in the facility on an annual basis. The review will be based on the written annual report and any other documentation provided by the NNF staff or the principal investigator. Based on its review, the committee will recommend that the project be continued, re-directed, phased out, or terminated. The priorities for access to the NNF will also be recommended by the Executive Committee and will include the continued scientific accomplishments, mutually beneficial technology transfer, novelty of approach, multidisciplinary contributions and impact on facility resources. Projects consuming disproportionate amounts of facility resources may be curtailed or terminated if they are limiting other program's access to the facility. On-going projects that are providing decreasing levels of new accomplishment may be terminated in favor of new programs.

3.1.5 Facility Use Charges

Users of the NNF will be charged for the resources they utilize as a method of partially recovering the operating costs of the facility. The specific charging mechanisms and rates will be determined by facility management and

reviewed by the Executive Committee on an annual basis.

So as not to present unfair competition to commercial vendors of micro- or nanofabrication services, the NNF shall establish rates for industrial or federal users of the facility which are equivalent or higher than those of commercial vendors. Where no such vendors exist, reasonable judgment shall be used in determining what a commercial vendor of that service would charge.

3.2 Industrial Affiliates Program

The second major component of the NNF is its industrial affiliates program. This program serves two important functions. The first is to provide a mechanism for technology exchange between U.S. industry and the facility such that the accomplishments at the NNF can be utilized where beneficial to industry in an expeditions manner and such that the needs of industry can to some degree, influence the directions of NNF research. The second function of the affiliates program is to provide equipment and financial support for the facility.

The NNF management, specifically the Deputy Director, has the responsibility for pursuing all possible avenues for maintaining the viability of the affiliates program and maximizing the contributions of this program to both its members and the facility. The Policy Board and Executive Committee shall review the progress of this program at least annually.

3.2.1 Membership

Any U.S. industrial corporation whose business activity is in some way related to the research activities of the NNF may become a member of the affiliates program. Membership is predicated on either payment of an annual cash fee or by providing tangible support to the facility through donations, discounts or services. The level of the annual membership fee shall be reviewed by the Policy Board on an annual basis. To qualify for membership, the support, cash or otherwise, must be for general support of NNF

activities. Research support provided for a particular faculty member or equipment donations to faculty or schools, will normally not qualify the contributor for membership in the NNF affiliates program.

A company's membership applies to all employees of that company whose job function is related to the activities of the NNF independent of their department, division or location. However, a company's membership does not extend to subsidiary companies or parent companies of the member company.

3.2.2 Member's Benefits

The benefits available to the members of the affiliates program will be reviewed and modified by the Policy Board as warranted to maintain the viability of the program. At this time each member of the industrial affiliates program shall receive the following benefits:

(a) A periodic newsletter describing activities at the NNF, an annual technical report documenting research accomplishments at the NNF, and other publications as they arise (publication lists, special technical reports, news releases, etc.). These publications shall be provided to all representatives of the member company so designated by the company.

(b) The opportunity to send representatives to an affiliates meeting at which NNF faculty, students, staff and invited speakers will present the current status of NNF research and other topics of relevance to the facility and its affiliates. This meeting shall be held annually on the Cornell campus. Additional meetings shall be scheduled as deemed necessary by the facility and the affiliates.

The length, breadth, format and scheduling of these meetings will be determined by the NNF with advice from the members.

(c) The NNF shall designate a contact person at Cornell to assist members in interacting with the facility and Cornell in general. Such interactions may include, but are not limited to, campus visits, discussions with faculty, faculty visits to member's locations, student recruiting and information referral.

(d) Members will be provided with a list of graduate students involved with the facility documenting their research area, faculty advisor, anticipated graduation and career plans and other pertinent information.

(e) Members shall be given priority in attending workshops and short courses sponsored by the facility. From time to time, as appropriate, the facility may sponsor workshops or short courses for affiliate members only. Additional fees may be charged to attendees of such courses.

(f) The staff of the NNF shall provide, advice and consultation to members on technologies or instrumentation in the facility. The extent to which this service is provided must not compromise the staff's primary obligations to the user community and may have to be limited or negotiated as a special arrangement under certain circumstances.

(g) Member's affiliation with the NNF shall be periodically identified in NNF publications and displayed at the facility.

3.2.3 Facility Access

The principal objective of the NNF is to serve the research community by providing advanced resources to that community. The mechanisms for utilizing these resources are detailed in the preceding section of this

charter. Circumstances will arise in which the facility can provide services to U.S. industry which fall outside of the guidelines for user research. The facility management shall have the discretion to make arrangements with affiliate members to provide services outside of the user research program where such arrangements are of mutual value to the facility and the industrial organization. Under no circumstances, however, may the facility enter into an arrangement which compromises the principal objective of advancing research. The Executive Committee, and when warranted the Policy Board, shall review all such arrangements.

4 Policies

The National Nanofabrication Facility as a Cornell University Center is subject to all of the policies and administrative procedures of Cornell University presently in place or later enacted, including but not limited to the following.

4.1 Patents and Licensing

The National Nanofabrication Facility is subject to the standard Cornell University policies on patents and licensing.

4.2 Proprietary Information

The National Nanofabrication Facility is subject to the Cornell University policies on sensitive and proprietary research and the use of university facilities.

4.3 Publications

The National Nanofabrication Facility is subject to the Cornell University publication policies contained in the statement on sensitive and proprietary research. It encourages the dissemination of research accomplishments resulting from use of the facility. However, the facility must be properly acknowledged in any such publications and copies of such publications must be provided to the facility in a timely manner. All users of the facility are to be informed of the publication policy and provided with the appropriate format for acknowledging the NNF.

4.4 Safety

The safety of persons utilizing the National Nanofabrication Facility is of primary concern to the facility. Every effort will be made to establish procedures and safeguards to provide as safe an environment as reasonably possible. Particular concern must be given to toxic chemicals utilized in semiconductor processing. All users of the facility must be provided with safety guidelines through written material and/or orientation courses prior to using the facility. Any violations of safety procedures will be considered serious offenses and may result in loss of access to the facility.

A responsible, qualified staff member shall be designated the facility safety officer and shall have responsibility, under supervision of the NNF management, for establishing and enforcing safety procedures. All chemicals used in the facility and any equipment to be installed in the facility must be approved by the safety officer and, if deemed necessary by that officer, by the facility management.

Reviews of facility safety procedures, equipment and programs will be conducted by the Director, Deputy Director and Safety Officer. When necessary, the facility will utilize the services of independent experts in the field to augment local and Cornell abilities in safety issues. The Policy Board and the Executive Committee shall be presented with a report on safety issues at the NNF on an annual basis.

4.5 Shared Equipment

On occasions it may be desirable, to both the facility and an individual faculty member, for an instrument assigned to the faculty member's research program to be placed in the facility. In general this "shared" equipment is discouraged as it is not in harmony with the user facility concept of the NNF. Any request to enter into a shared equipment agreement must be submitted in writing and reviewed by the Executive Committee. The specific terms and conditions of the agreements may vary, but the agreement must at

the minimum provide conditions for access to that instrument by all users of the facility with legitimate need for its capabilities. A staff member of the facility must be identified and trained in the use of that instrument and will provide the interface between the instrument and the general facility users.

The Executive Committee shall periodically review shared equipment in the facility to determine if these instruments are of value to the users of the facility and are not consuming a disproportionate amount of NNF resources, such as physical space or staff time. If such a review warrants it, the committee may request that the equipment be removed from the facility.

4.6 Adoption and Amendments

This Charter may be amended in a manner consistent with the general purposes and power contained herein by action of the NNF Policy Board and with the approval of the President of Cornell University. The Vice President for Research shall obtain the recommendations of the Faculty Council of Representatives on Academic Programs and Policies on proposed amendments and forward this recommendation to the President along with any requests for approval of amendments.

Proposal for a

CORNELL PROGRAM IN REAL ESTATE

March 1988

William G. McMinn, Dean
Stuart W. Stein, Associate Dean

College of Architecture, Art, and Planning
129 Sibley Hall
255-4912

Summary

Approval is being sought for the establishment of a comprehensive program at Cornell addressing all aspects of real estate (including finance, law, regulation, marketing, management, design, land development, etc.). This program would include teaching, research and outreach activities. Initially, it would offer students the opportunity to take a minor in the Graduate School, but would rapidly move towards the establishment of a new graduate degree program. Some courses would be open to upper-level undergraduate students. The program will be located, for administrative purposes, in the College of Architecture, Art, and Planning. However, it will be an interdisciplinary program drawing upon the coursework and involving faculty in several of the colleges and schools at Cornell. An advisory committee composed of faculty members from these colleges will be formed. The program will be financially self-supporting, drawing its funds from student tuitions, donors, research grants, and other sources; no funds from existing university program will be diverted to the proposed real estate program.

I. PROGRAM CONCEPT

The field of real estate has developed rapidly as an important industry in today's world. Practitioners in the field play an important role in shaping the character and quality of the environment where people live, work, shop, play, learn and otherwise carry out the diverse functions of life. Decisions about development of land and the design and construction of space for the many functions of everyday life are strongly influenced by individuals and organizations who practice in the broadly defined profession of real estate. In the past, many of these decisions and decision-makers were associated primarily with private enterprise activities. Within the recent past, however, government and non-profit groups have begun to play an increasingly important role in real estate development activities.

Private decisions about use of land greatly impact social and economic aspects of community life. Real estate investments create jobs and increase the tax income necessary to support public services. They also place costly demands on the public infrastructure and expand the need for community service programs. Thus, the interplay of public and private decision-making in real estate demands an understanding of the relationship between private enterprise and government. A new public-private partnership relationship is being formed to protect and promote the public interest while enhancing opportunities for financially successful quality private investment in land and buildings.

These rapidly changing conditions affecting how decisions are made about our built-environment call for a significantly greater understanding of the complexity of all phases of real estate. A clearer understanding of basic concepts of development, the tools and techniques of the development and management process, the needs of individuals, group and communities, and especially the concept of ethics, quality and public benefits are all subjects which must be addressed. Individuals need to be educated about this important activity. While much can be learned on-the-job, as in the past, most current practitioners in the field now recognize the need for high-quality university-based teaching and research programs to improve the quality of the profession. Consequently, major universities have established programs in real estate to educate the next generation of leaders in the field. Within the past five years, for example,

M.I.T., Columbia, University of Pennsylvania, University of North Carolina, N.Y.U. and U.S.C., among others, have set up new degree programs. These add to the list of important programs already operating at major universities such as Berkeley and Wisconsin. Cornell now has an opportunity to establish a first-rate program in real estate. We can become a leader in the field because our two-year program will offer a greater opportunity to deal with real estate issues in depth. It is intended that it be a program that is comprehensive in scope and draws upon the special and unique resources of this university.

II. NEED

Despite the up and down fortunes of the real estate market, the need for well-educated professionals continues to be great in both the short and long-term. Evidence of this is provided by the sponsorship and encouragement of university programs by the Urban Land Institute, the respected professional organization for real estate practitioners and researchers. The head of the University Education Division of U.L.I. states that: "Good land use and development is becoming more difficult, not easier for a number of reasons, including national legislation, local regulations, no-growth sentiments prevalent in many areas, rising costs, and the like. At the same time, the need for shelter, transportation, environmental preservation and management, creative public financing, etc. is growing, not diminishing. These factors call for more, better-trained professionals, not fewer." The U.L. I. has been supporting, with financial grants, start-up programs at several institutions and has been assisting in the organization of basic teaching and library resources. This backing from such a prestigious organization is hard evidence of the need for more university programs.

In addition, various studies of the teaching job market show that faculty positions in real estate programs (in management and related schools) have the largest number of openings with the fewest number of applicants. With the growing number of teaching programs, the need for teachers is likely to continue to be great in the coming decade. Cornell's program intends, eventually, to provide advanced education in the field, to meet this demand.

Other indicators of student demand for real estate coursework are evident. Courses related to real estate in the Hotel School consistently are oversubscribed and each year attract ever-growing number of students. When the City and Regional Planning Department recently offered a new course in real estate, it attracted five times the capacity of the class. Faculty teaching in this field all over the country report rapidly growing interest in real estate coursework and programs.

III. PROGRAM DEVELOPMENT HISTORY

Discussions about the possibility of development of a Cornell program in real estate began some four years ago among some members of the faculty in City and Regional Planning. Similarly, the Hotel School developed coursework in the subject area focusssed on the hospitality industry. Individual faculty members in other colleges (e.g. Human Ecology and Agriculture and Life Sciences) also showed interest. These interests became focussed by the Cornell Real Estate Council, an organization of Cornell Alumni. The idea of a Cornell Real Estate Program was discussed during meetings of the Council that are held on campus each fall. From these discussions, the initiative to explore a new program was undertaken by faculty in the College of Architecture, Art, and Planning, which saw this program as a logical adjunct to existing programs in the College. This relationship is similar to the pattern in other peer institutions where similar programs recently have been established (M.I.T., Columbia, North Carolina).

Following several yerars of study of programs at other universities, discussions with

Cornell faculty, deans and administrators and members of the Real Estate Council, it appeared logical, desirable and feasible that steps be taken to establish such a program at Cornell. To facilitate the process, Dean McMinn of the Architecture, Art, and Planning College established a faculty advisory committee composed of representatives from seven of Cornell's colleges (AAP, ALS, JGSM, Law, Hum Ec, Hotel, Eng). This committee met regularly during the fall term 1987 and reached a consensus on the characteristics of a Cornell program. This outline of program characteristics was reviewed and tentatively approved by the University Provost and discussed with the Cornell Real Estate Council in the latter part of 1987. It was agreed by all that the next step was to seek approval by appropriate Cornell academic and administrative organizations. Following this, a search would be undertaken to recruit a director for the program. The above-noted approvals would be sought in the spring term 1988 and a director search would be initiated by summer 1988.

At the same time as these faculty discussions were going on, the Real Estate Council agreed to raise the necessary seed money to initiate the program. (It was understood from the beginning of this effort that a Real Estate Program would be established at Cornell only if it could attract new funds from outside the regular budget. No money would be diverted from existing academic programs.) A target amount of $500,000 was set as the amount needed for seed money. The Real Estate Council has now secured commitments to assure that the seed money will be available to launch the program if all university approvals are received. Additional fund-raising activities are planned.

IV. CHARACTERISTICS OF THE PROGRAM

The following outline lists the basic characteristics of the program as approved by the faculty advisory committee. It is expected that the director of the program would use this outline as a guideline for putting the program into operation.

Administrative Structure

- Separate structure, possibly a center or institute
- Not tied to any one college or department
- Housed and administered in AAP
- Academic Advisory Committee - Faculty drawn from several colleges and programs
- Industry Advisory Committee - drawn from Cornell Real Estate Council

Scope of Program

- Comprehensive, not just one aspect of field (e.g. Real Estate not Real Estate Development, or Real Estate Finance)

Degree

- Masters degree level program
- Best to have specific degree title (e.g. Master of Real Estate) rather than generic degree title (MPS RE)
- Possible joint degree programs at graduate level (MRE/MBA, MRE/MRP MRE/MARCH etc.) in addition to basic degree
- Possible linked degrees, undergraduate/graduate (BS/MRE)- Can add PHD later, if appropriate

Length of Program

- Four semesters (total of 60 credit hours)
- Thesis project required as part of two-year program, minimum of 8 credit hours; thesis project can be done on or off-campus

Size of Class

- Keep small, 25 incoming students per class; total for two years would be 50 majors
- Joint-degree students would be in addition (i.e. Hotel students who wish to take degree program would be counted in addition to majors)

Prerequisite for Admission/Character of Student Body

- Strong academic background, good references, clear interest in field
- Diversity of backgrounds and disciplines
- Diversity of geographic areas
- Attract minorities and women
- Experience in field useful
- Reserve some space in each class for exceptionally promising student with little or no experience

Curriculum

- Specified set of core courses probably including:
  - Finance
  - Marketing
  - Law (contract and land use)
  - Design and Construction
  - Urban Development
  - Land Use, Site Planning and Housing
  - Demographics
  - Management (Project and Asset)
  - Negotiation and Decision-Making Processes
  - Entrepreneurship
  - Ethics and Social Issues
- Electives
- Most of the above would be new courses developed specifically for the program
- Some would be taught by new faculty members; others by existing faculty that are "bought" from various departments.

Faculty

- Will require several new faculty positions
- One of these would act as director as well as teacher
- Probable number of new positions FTE of 3, possibly 4

Other

- Research, short courses, and other ancillary activities would be part of a program. Will be developed by director at later time
- Space: Will need to find between 2,000 and 3,000 square feet for program

V. CROSS-COLLEGE INVOLVEMENT

It is recognized that the course work for a real estate program necessarily deals with subject matter taught in a number of the colleges at Cornell. For that reason, members of the Advisory Committee were drawn from faculty across the university. Also, for that reason, organization of a curriculum logically will reflect teaching and research strength in these other colleges. The following list provides a picture of how each college may be able to contribute to a real estate curriculum.

TRACK	TOPICS	COLLEGE/SCHOOL
Theory Philosophy Ethics History	Urban Theory, Planning Theory, Decision Theory, Organization Theory, Urban Economics, Ethics, Entrepreneurship, Housing Economics, Role of Government Housing, Urban Development History	AAP: CRP JGSM IL&R HUM EC; CEH
Finance	Mortgage Markets, Quantitative Methods, Info Systems, Financial Market & Institutions, Pro-Formas, Valuation, Syndication, Taxation, Appraising, Accounting, Public Finance, Forms of Ownership	JGSM HOTEL LAW
Law	Land Use Controls, Housing Controls, Environmental Law, Tax Law, Contract Law, Labor Law, Design Controls	LAW AAP: CRP JGSM
Marketing Management and Purchasing	Market Research, Analysis, Demographic Analysis, Marketing Organizations, Construction Management, Advertising, Building & Property Management, Investment Management	HOTEL HGSM AAP: CRP & ARCH ENG
Building Technology & Building Systems	Structural Systems, HVAC Systems Facilities Planning and Design, Utilities and Energy Systems	AAP: ARCH HUM EC: DEA HOTEL ENG
Design, Land Planning and Housing	Urban Design, Building Design, Site Planning, Land Use Planning, Housing Design, Historic Preservation	AAP: ARCH CRP, L. ARCH, HIST. PRESV. HOTEL; ALS
Government Processes & The Develop't Process	Urban Government Organization & Procedures, Development Processes & Programs, Community Organization, Citizen Participation, Case Studies, Visitors, Workshops	AAP: CRP JGSM HOTEL HUM EC

VI. FIELDS, DEGREES AND JOINT PROGRAMS

Eventually, a degree of Master of Science in Real Estate will be offered, but approval of this new degree will require more than a year and possibly much longer. The new director of the program will take on the responsibility of securing approvals for this degree. As part of this process, a new major field of real estate will be organized and approval sought from the Graduate Committee. The establishments of a major field will not be sought until it is known when a new degree will be approved by the state. It is assumed that this will be sometime in the 1989-90 academic year. The major opportunity to make Cornell's real estate program stand out is to link it to other existing degree programs which have relevance to the industry. Such a joint degree program would require completion of core courses for both degrees but would overlap the elective requirements. This would allow completion of both programs in less time than would be necessary if each degree program were taken separately. In general, only one additional year would be needed. This would present an MBA student, for example, the opportunity to earn both the MBA and RE degree in a total of three years. One of the responsibilities of the program director will be to establish these joint programs. It is anticipated that this wil take place during the 1988-89 academic year.

Students who apply to the progam from outside of Cornell, who already have earned an avanced degree in a related field (e.g. law, business, architecture, planning) may be able to complete the program in one additional year plus a thesis. Arrangements may also be possible for students who do not have such advanced degrees, but do have a considerable amount of experience in real estate or related fields. Thus, the program for such advanced students would be similar, and competitive to M.I.T.'s and Columbia's. But the Cornell program also will bring in exceptional students without these degrees or experience who can be immersed deeply in the subject matter over a more extended period of time.

The first step will be to establish a minor field in Real Estate. This will require approval of the Graduate School Committee and will be sought during the spring term 1988. The minor in Real Estate will require students to focus on some aspect of real estate (land use, finance, marketing, etc.). A list of courses that will fulfill these requirements will be identified. In addition, new courses will be developed by the new faculty members who will be recruited especially for this program. A survey of existing courses shows that there are more than fifty that are somewhat related to the field. A sample of these are the following:

CRP 654	Real Estate Development
CRP 652	The Urban Development Process
CRP 653	Legal Aspects of Land Use Planning
CRP 664	Economics and Financing of Neighborhood Conservation and Preservation
CRP 552	Urban Land Use Planning
DEA 654	Facility Planning and Management
HOTEL 751	Project Development and Construction
HOTEL 300	Personal Real Estate Investments
HOTEL 306	Hospitability - Industry Real Estate
CEH 640	Fundamentals of Housing

LAW 636	Environmental Law
LAW 660	Land Use Planning
LAW 512	Property
JGSM	NBA 560 Business Law (Ag Ec. 320)
JGSM	NBA 565 Law of Business Associations (Ag Ec 321)
ARCH 614	Low Cost Housing (Eng 678)
ARCH 641	Urban Housing

VII. ADMINISTRATION AND STAFFING

The program would be based in the College of Architecture, Art and Planning, but as the previous table shows, faculty and coursework would be spread across the campus. There would be a core group of faculty members identified with the program. These would be appointed to existing departments, but eventually they would be associated directly with and appointed to a new Graduate Field of Real Estate. Depending on the subject matter specialties of these faculty members (both existing and recruited especially for this program), each would be placed in the department and college appropriate to their interests. Therefore, a new professor may be recruited for the real estate program that is based in the AAP College but would be appointed to the faculty in Hotel or the JGSM. This pattern fits into Cornell's way of operation.

The primary administrative structure will be an Institute for Real Estate. During the academic year 1988-89, the structure for this institute will be developed and submitted to the appropriate bodies at the University for approval. While based in the AAP College, as noted above, an institute structure is needed to provide a mechanism to budget the colleges, but also to allow for a broad range of activities to develop: research, training programs, internships, community service, etc.

VIII. BUDGET
Proposed Cornell Real Estate Program

A. INCOME (Annual)

1. Tuitions 50 at 13,100	$ 655,000
2. Accessory Instruction (assumes prior agreement between deans, or balance in student course enrollments in various colleges)	- 0 -
3. Research Overhead (Net)	50,000
4. Gifts (Annual Giving)	100,000
5. Endowment (Assumes approx. $2M principal)	100,000
TOTAL	**$ 905,000**

Notes on Income: Not included in Income or Expenses is work-study student support. In any event, this would be a "wash".
Other income can include summer session programs and short-courses offered during the year. Also possible is income from applications

B. Expenses (Annual)

1. Faculty Lines (includes fringe benefits)		
Director	100,000	
3 Faculty Lines	200,000	$ 300,000
2. Visitors (Faculty Lecturers & Stipends)		25,000
3. Faculty Travel and other Expenses		15,000
4. Financial Aid		
Fellowships (Primarily minority)		100,000
5. Administrative Costs (includes fringe benefits)		
a. Direct		
Administrative Assistant		30,000
Secretary		20,000
TA's (4)		80,000
Miscellaneous staff		10,000
b. Indirect		
College (to be negotiated with AAP Dean's Office)		?
University (50 students @ 1/2 fees)		64,000
6. Publications		20,000
7. Supplies, Xerox, Telephone, etc.		20,000
8. Accessory Instruction (assumes prior agreement between deans, or balance in student course enrollments in various colleges)		- 0 -
9. Physical Space 3,000 ft^2 (assumes annual rental)		30,000
TOTAL		**$ 714,000**

FCR MINORITY EDUCATION COMMITTEE

Recommendations Based on the Cohen/Gates Report of March, 1987 "The Crisis of Minority Faculty at Cornell"

The Minority Education Committee has made an intensive review of the Cohen/Gates report "The Crisis of Minority Faculty at Cornell" since receiving our charge from the November 11, 1987 Faculty Council of Representatives meeting. We have met twice with the authors of the report and have consulted Provost Robert Barker, the Deans' Council, Associate Vice President for Human Relations Joycelyn Hart, Associate University Counsel Patricia McClary, and Assistant Director for the Office of Equal Opportunity Lillie McLaughlin. The committee presented draft recommendations to the February 10, 1988 FCR meeting for discussion and has received written comments from several concerned faculty. We applaud the work of Professors Walter Cohen and Henry Louis Gates, Jr. together with the Humanities Council of the College of Arts and Sciences and the Faculty and Staff against Apartheid for bringing this issue before the faculty in such a comprehensive and persuasive manner.

The Cohen/Gates report focuses attention on one aspect of affirmative action at Cornell, i.e. the employment of minority faculty.[1] The report does not examine affirmative action policy in general nor does it address the university workforce as a whole. The Cohen/Gates report analyzes a particular problem, i.e. the small number of Afro-American, Hispanic American, and Native American members of the faculty, and offers short-term and long range solutions to that problem. The committee and Professors Cohen and Gates agree that as a first step, the university in general and the colleges and their departments in particular should increase the number of minority faculty at Cornell consistent with their availability. Based on current availability statistics and the number of minority faculty at Cornell, the university needs to make a concerted effort to employ Afro-American, Hispanic American, and Native American scholars. The university must also act to increase the number of potential minority faculty in those disciplines with low or nonexistent availability pools.

These recommendations propose mechanisms based on the Cohen/Gates report and our deliberations to increase the number of underrepresented minority faculty to the level of their availability over a five year period. With the appropriate procedures in place, there will be a better means to measure progress toward our goals and to determine further steps to realize and to maintain them. We recognize that faculty play the primary role in hiring and in training scholars. The committee has therefore proposed that each college establish a faculty affirmative action committee to review annually the number of minority faculty employed in each department in relationship to their availability. In those areas of low availability, the affirmative action committees will assess efforts to recruit, admit, and support minority graduate students. In concert with the office of Associate Vice President for Human Relations, the affirmative action committees will encourage departments to consider minority scholars for faculty positions. Departments without routine faculty openings should use mortgages when the opportunity arises to hire minority scholars. Mortgages, which have traditionally been used to

[1] For purposes of these recommendations the terms "minority" and "minorities" refer to groups identified by Cornell for affirmative action. Such groups currently include: American Indian or Alaskan Native; Asian or Pacific Islander; Black, not of Hispanic Origin; Hispanic.

augment faculty positions, should be used more creatively to employ larger numbers of minority scholars. Mortgages can be used to supplement faculty positions or to replace faculty prior to retirements and normal attrition. Given the growing number of anticipated retirements over the next decade, the university should act now to employ minority scholars before the competition becomes even keener.

We suggest a five year plan to put procedures in place and to develop a means of accountability, whereby faculty assume responsibility for increasing the pool of minority scholars and employing more minority faculty. The proposed FCR Committee on Affirmative Action will assess progress in each college annually and will report to the FCR on accomplishments or shortcomings in increasing the pool and employing minority faculty. At the end of five years, the FCR Committee on Affirmative Action will reexamine these recommendations in light of the status of minority faculty at that time.

The college faculty affirmative action committees should also encourage the employment of more women faculty at the university. Our recommendations are not intended in any way to alter the university's affirmative action objective to "ultimately bring the total number of female and minority employees into parity with their availability within the labor market." We have not reviewed the issue of gender except as it relates to minority faculty. We note, for example, the small number of Asian American women faculty employed at Cornell and suggest that more vigorous steps be taken to increase the number of Asian American women faculty. The Minority Education Committee's charge is to "provide continuing oversight of minority education, including not only review of proposed and ongoing special programs but also monitoring of the experience of minority students in other programs and the representation of minorities on the faculty at large." We understand the term minority in this instance to refer specifically to racial and ethnic groups that have been historically discriminated against and that are currently deprived of equal opportunities in the society. Our recommendations can not automatically be transferred to affect women in general without a document on which to base judgment and suggestion similar to the Cohen/Gates report. We believe that the FCR should establish a standing committee on affirmative action to review the work of college faculty affirmative action committees and progress toward achieving the university's faculty affirmative action goals. After the establishment of such a committee, the Minority Education Committee will redirect its attention to issues relating specifically to minority education.

1. The Minority Education Committee supports Cornell's affirmative action goal to "ultimately bring the total number of female and minority employees into parity with their availability within the labor market." In its efforts to accomplish this objective, there has been differential progress made to date. The University should therefore target its affirmative action recruitment program to employ more Afro-American, Hispanic American and Native American faculty as well as Asian American women faculty.

2. The university legally can not and as a matter of policy should not distinguish among native born, naturalized citizens, or permanent residents in employment decisions.

3. The FCR should appoint a standing committee on affirmative action to review the work of college faculty affirmative action committees and progress toward achieving the university's faculty affirmative action goals in employing women and minorities.

4. Each college should establish a faculty affirmative action committee. The college faculty affirmative action committees should encourage and monitor employment of minority and women faculty and recruitment of minority graduate students. Departments in each college are expected to participate in these employment and recruitment efforts and to report their progress to the college faculty affirmative action committees annually. The college faculty affirmative action committees should compile those results in reports to the FCR Committee on Affirmative Action by April of each academic year.

5. The Cornell faculty sets as its goal a University faculty which inlcudes at least 137 minority faculty in tenure track positions by Fall 1994. This goal reflects the estimated availability of minorities for academic appointments and assumes that the size and departure rate of the faculty remains constant and that aggregate minority availability stays at about 9%.[2] In the appointment of new tenure track faculty each year, the University should seek to hire a percentage of minority faculty consistent with the availability for each positon, bearing in mind the recommendation found in paragraph 1 that efforts be focused on employing more Afro-American, Hispanic American and Native American faculty as well as Asian American women faculty. The committee believes that departments should seek gender balance in employing minority faculty as well as in employing faculty in general. The FCR should review and update annually the goal of employing at Cornell the same percentage of minority faculty as represented by their availability pool. At the end of five years, the FCR affirmative action committee shall recommend a new five year plan.

6. As a faculty, we commit ourselves to increasing the pool from which minority faculty may be drawn. As one means to achieve this, each department should actively recruit minority graduate students and should consider hiring its own advanced degree recipients.

7. To increase the availability pool, especially in those disciplines with few minority scholars, the Graduate School should guarantee tuition and fellowship support for at least three years for minority graduate students. The university should seek additional funds to increase significantly the number of minority graduate students. The Minority Education Committee will review recruitment, enrollment, and support for minority graduate students to recommend specific targets for expanding opportunity for graduate study for minority students.

---

[2]According to the May, 1987 report "Status of Women and Minorities, Cornell University," there were 97 minority tenure track faculty out of a total tenure track faculty of 1,518.

8. The university's Office of Equal Employment Opportunity should provide the college committees in September of each academic year with the most current statistics on minority faculty availability within the various disciplines and the percentage of minority faculty within each department of the respective colleges. This information should be disaggregated by rank, gender, and ethnicity.

9. The university through its office of Associate Vice President for Human Relations should identify potential minority faculty and maintain a data bank on minority scholars in the different disciplines.

10. College affirmative action committees should assist departments in identifying potential minority faculty in cooperation with the office of the Associate Vice President for Human Relations. Departments should actively recruit minority faculty rather than wait for them to respond to advertised positions.

11. College Deans should encourage the use of mortgages to employ minority faculty, especially in departments with little normal attrition. The length and terms of such mortgages will vary depending on department size and budgetary conditions. Mortgages might be used to supplement faculty where there is an opportunity to hire minority scholars or to replace faculty prior to retirements or resignations.

12. The university should initiate a major fund-raising campaign for the specific purpose of facilitating the use of mortgages in employing minority faculty.

Submitted by:

Marvin I. Adleman, College of Agriculture and Life Sciences
Vernon M. Briggs, Jr., School of Industrial and Labor Relations
Peter Chi, College of Human Ecology
Roger A. Morse, College of Agriculture and Life Sciences
Robert L. Harris, Jr., Africana Studies and Research Center (Chairman)
Bertha A. (Betty) Lewis, College of Human Ecology
Carolyn A. (Biddy) Martin, College of Arts & Sciences

Joseph B. Bugliari, Dean of Faculty, ex officio

4/28/88

MINUTES OF A MEETING OF THE UNIVERSITY FACULTY

MAY 18, 1988

120 Ives Hall

The meeting was called to order at 4:30 p.m. by the Speaker, Professor Emeritus Russell D. Martin, Communication. He thanked the body for coming to the most important meeting of the year and then called on Dean of the Faculty, Joseph B. Bugliari, for remarks.

1. REMARKS

Dean Bugliari: "Just a couple of very brief remarks. I don't think we have got all the cast of people here that we need yet. I would remind you about commencement a week from Sunday. I hope as many of you as can will participate. Regalia is available in Barton Hall. You all got a notice in the call to the meeting about how to get it, and I would hope that as many of you that can, can come.

"In addition to this being a retirement for you people, it is also my, I guess, last official function as Dean of the University Faculty, and I would just like to say that I am truly honored to have served as the Dean of the Faculty for the past five years. Someone asked me what I enjoyed most about being Dean of the Faculty - I'm glad they didn't ask me what I didn't enjoy. Seriously, though, I have really enjoyed it, and what I really enjoyed most is sort of interesting as I think back on it, and that is that it has provided me with an opportunity to meet so many different members of the faculty, who I don't believe I really would have had an opportunity to meet if I had not been the Dean, and I want to thank all of you for your service to the University, service to the University Faculty, and the contributions that you have made in

so many ways to make Cornell a better place. Again, thank you for all of the help and assistance that you have given to me."

Speaker Martin: "We are waiting for the President, so we are all filling in with comments. I was going to save my comments until the end, but perhaps it would be appropriate to do it at this time.

"A few of you here have heard these comments at an earlier gathering, but during my terms as Speaker of the Faculty and the FCR, it has been my pleasure to have worked with four Deans - Norman Penney, Byron Saunders, Ken Greisen and Joe Bugliari. Each one of these men had particular qualities that made them a good Dean, but it wasn't until Joe Bugliari came on the scene that I realized that it is possible for one individual to combine the top qualities of these other three men to be a fellow that it has been a great pleasure to have worked with during these past five years. Joe, we are going to miss you."

There was applause for Dean Bugliari.

Speaker Martin then called on Dean Bugliari to announce faculty deaths since the last meeting.

2. ANNOUNCEMENT OF DEATHS

The following members of the University Faculty have died since the last meeting:

H. Hugh Dukes, Professor Emeritus, Veterinary Physiology, June 8, 1987

Felix Reichmann, Professor Emeritus of Bibliography, July 24, 1987

Deborah Rabinowitz, Professor, Ecology and Systematics, August 18, 1987

Carl S. Pederson, Professor Emeritus, Bacteriology, Geneva, September 2, 1987

Edward A. Lutz, Professor Emeritus of Public Administration, October 9, 1987

John M. Rathmell, Professor of Marketing, Emeritus, October 9, 1987

James O. Mahoney, Emeritus Professor of Art, October 19, 1987

Gerald W. Olson, Associate Professor, Agronomy, October 31, 1987

Ta Liang, Professor of Civil and Environmental Engineering, Emeritus, November 1, 1987

Bertram F. Willcox, William G. McRoberts Research Professor in the Administration of the Law, Emeritus, April 30, 1987

Mary K. Bloetjes, Professor Emeritus, Institutional Management, November 21, 1987

Walter H. Stainton, Professor Emeritus, Speech and Drama, December 9, 1987

Gerald B. Kelley, Professor, Modern Languages and Linguistics, December 7, 1987

Arthur M. Mizener, Old Dominion Foundation Professor of Humanities, February 11, 1988

Edward W. Foss, Professor Emeritus, Agricultural Engineering, January 28, 1988

Arthur B. Burrell, Professor (retired), Plant Pathology, May 5, 1987

Melvin B. Hoffman, Professor Emeritus, Pomology, February 21, 1988

J. Saunders Redding, Ernest I. White Professor of American Studies and Humane Letters, Emeritus, March 2, 1988

J. Alfred Adams, Emeritus Professor of Entomology, Geneva, March 1, 1988

Alice M. Briant, Emeritus Professor of Food and Nutrition, March 14, 1988

Lawrence A. Burckmyer, Professor Emeritus, Electrical Engineering, April 7, 1988

Harold Feldman, Professor Emeritus, Human Development and Family Studies, May 11, 1988

Dean Bugliari then asked the group to stand for a moment in their memory.

Speaker Martin: "I would also be remiss were I not to mention the fact that our Secretary, Fran Herman, will be completing her term as Secretary today, and our newly elected one who is also going to be retiring, Mary Morrison. Welcome, and thanks to both of you. [applause]

The Chair next called on President Frank H. T. Rhodes for remarks.

3. REMARKS BY PRESIDENT RHODES

President Rhodes: "Mr. Speaker, Mr. Dean and Colleagues, my remarks are very brief. First, an apology that I am at two gatherings at the same time today, and I must leave after I have spoken, to attend the other one. I ask your indulgence for that.

"The second thing I want to do is to add my thanks to the thanks that have already been given. First, to Joe Bugliari, who has been an outstanding Dean. I have had the privilege of working with three Deans of the Faculty, and I have come to appreciate first-hand the leadership that Joe has given you and given us and the rest of the University during his five splendid years as Dean. Those have not been easy years for a variety of different reasons and whenever there has been the need, Joe has been there with thoughtful, wise, consistent counsel, and Joe, I want to tell you how much that meant to those of us who are your friends on the third floor to have the views of the Faculty, the balance that you have brought in the sense of fairness and integrity that have marked all that you have done.

"I want, also, to say thank you to Fran and to wish her very well and also, Russ, as he begins his second or third retirement from the Faculty. It has been a remarkable service, and we are grateful for that.

"I want also to salute the 41 members of the Faculty who retire this year. Your total service so I am told amounts to 1,121 years and I calculate that as 27.34 years on average service to the University. We are the beneficiaries of

that kind of devotion, and I don't take lightly the kind of career-long commitment that that represents.

"One of the difficulties we face in finding new people is that we can never replace the kind of breadth and perspective that you provide. Newcomers will be outstanding in all sorts of varieties but won't have the kind of long-term commitment and institutional understanding that you will have. I have two hopes. One is the short-term hope, and that is that all of you will be able to join us at the Trustee dinner to be held on Commencement eve in the Plantations. A large canopy will be provided, in case it is a day like this, where we shall have an opportunity to salute you and to thank you. The Board of Trustees will want to share in that, and I also hope that you will be in the Baccalaureate service where we honor your service and your participation.

"The second hope is a longer term one and that is that increasingly we can find ways of keeping you involved with the Cornell community. We need you; we don't want you to retire in any formal sense, and we want to know in what ways we can keep you actively involved in ways that are meaningful to you as well as useful to those of us in the community. I hope you will help us to do that.

"For all your service, for all the professional distinction that you brought to the University, for all the countless small ways in which we are the better for your lives here, I want to say thank you very much. We salute you tonight." [applause]

Speaker Martin: "And now for a salute to the retirees, it is a pleasure to introduce the Hangovers."

After the Hangovers had entertained the Faculty with their very enjoyable presentation, Dean Bugliari said: "Fran and I have made a lot of decisions over the years as Dean and Secretary, but I think the best one we ever made was to ask you gentlemen to appear at these retirement sessions. This is the

fourth year now and you have become a tradition. I can't tell you how much it has meant to all of the retirees and how much it has meant to me to have you come and entertain us. I really want to thank you."

4. HONORING THE RETIRING FACULTY

The Speaker called upon Dean Ziegler since he had to leave the meeting early to attend a meeting in Binghamton.

Dean Jerome Ziegler, Human Ecology: "Thank you, Mr. Speaker, Mr. Dean, Colleagues. We have two stalwarts of the College of Human Ecology and the University to recognize today.

"First is Professor Mary Morrison. Mary came to us as an assistant professor of food and nutrition in 1960, having a distinguished career as a faculty member in almost every college and university in the State of Washington that you could possibly imagine, and before that, had been in the Women's Division of the Royal Canadian Air Force during World War II. She was educated at the University of Alberta, the Washington State College and received her Ph.D in nutrition and biochemestry at the University of Wisconsin. Her professional affiliations are legion; I will just mention a few: the American Institute of Nutrition; the American Dietetic Association; the AHEA; the Institute of Food Technologists; the Canadian Society for Nutritional Sciences; the Sigma Chi; and the American Association for the Advancement of Science. Mary has taught in our summer institute - the Nutrition Institute - several times. Her research is on the utilization of amino acids from proteins with an emphasis on plant proteins - you didn't know I knew that much about you, did you Mary? - and protein energy interrelationships, alcohol stress and nutritional imbalance have all been very important in the nutrition program of our college and of the University. Mary, as our next retiree, is an exemplar of what President Rhodes just mentioned; namely, that they will find a way of

continuing their service to the University and Professor Morrison, as the Dean mentioned a few minutes ago, is going to be the Secretary of the Faculty for the next three years. Congratulations, Mary, and we look forward to your continued presence among us.

"Our second professor is Henry Ricciuti, the distinguished Professor of Human Development and Family Studies educated in math and chemistry at Fordham University, an M.A. in psychology and a Ph.D in Psychology from Fordham, was assistant professor in the Department of Psychology at the University of Connecticut, a research associate at Educational Testing Service, a research psychologist for the Child Research Council of the University of Colorado Medical School and came to us in 1958. Henry's best known for research on low birth weight babies, cognitive development in early childhood, work on the infant center here at Cornell and in Ithaca and has a long string of distinguished memberships in the National Advisory Council, the National Institute of Child Health and Human Development, the Publications Committee for the Society for Research in Child Development - which is a very important research organization - a consultant for all major foundations in the area of child development, and a great personal interest and a great help to me as Dean in the area of international affairs and international programs. In fact, Henry is going to continue working for the College and in about two weeks, I think, will depart on a trip to Bogota and Caracas to visit with universities there on the development of exchange programs of students and faculty with those universities and the College of Human Ecology. So, both of our professors are going to remain with us for a very considerable period of time.

"Thank you both for the wonderful service that you have given to our college and to the University. [applause]

Dean Ziegler: "Thank you, Mr. Speaker. My visit to Binghamton is not meant with any disrespect or disinterest to the retiring colleagues. I have always found this in the years I've been here a very interesting and moving ceremony, and I'm sorry that I have another board meeting that I have to go to."

Speaker Martin: "Thank you and drive carefully. Next, representing the great College of Agriculture and Life Sciences, Dean David Call."

Dean Call: "I think we're going to have to change gears, because approximately half of the Faculty is retiring from the College of Agriculture and Life Sciences. I have nineteen, and if I follow my esteemed colleague and take three minutes each, that's an hour lecture. That may be a bit much, so I'm going to go through these pretty quickly, and in no way am I playing down the tremendous contributions. I added them up, and it's over five hundred years of service, which makes this a momentous occasion, because obviously we won't have their sage advice in the future. The first one on the list though is interesting, because I know where he is this afternoon. I'm sure that Ron Anderson is at Amherst, Massachusetts, at the lacrosse game; I'm sure he's not in the Mayor's office in Cayuga Heights. As you know, Ron Anderson was recently elected Mayor of the Village of Cayuga Heights and recently retired from our Department of Plant Breeding and Biometry. Ron has been on our faculty for thirty-four years. George Broadwell, Professor of Extension Administration, was director of our 4-H program for many years, retired. Mr. Peregrine, Tom Cade, from Ecology and Systematics, has been professor since 1967; he's retiring. Lee Day, who was only with us from 1974 as Director of the Northeast Regional Center for Rural Development, has retired. Bernie Dethier--Bernie's here--I would ask you to hold your applause for those who are here, to speed this up. Bernie was educated at the California Institute of

Technology and at Johns Hopkins--he's a professor of climatology, which means that in a lot of cases he isn't really sure what he's talking about, as you know, but he's also been Director of the Northeast Center for Climatology, an outstanding teacher in our meteorology program, and he's going to be dearly missed, and Bernie is here. Ray Fox is here. Ray, according to this, you started forty-one years ago, as an instructor in 1947, in our Department of Floriculture and Ornamental Horticulture. Ray's an outstanding teacher. He's just been an outstanding teacher, but the thing that behind the scenes has made him famous, he's also been responsible for most of the flower arrangements that have appeared at most of the major university events, and for that, he deserves a tremendous vote of thanks, as well. Marty Harrison, from Plant Pathology, Nematology, retired in January. Elizabeth Keller, Biochemistry, Molecular and Cell Biology. Professor Keller's not here; I'm sure she isn't even aware she's retiring. I expect she's going to go right on; she recently received another NSF or NIH grant. She's probably in the lab right now, and she's had a great career with us. Bob Miller used to stand up here as Dean of the Faculty. Professor of Soil Physics, joined us in the 40's, retired the past year at the end of September. I always thought the greatest thing about Bob Miller was that the Russians asked him to come to Russia and consult on the physics of tundra soils. He got his training in northern New York, but that's ...[laughter]. We're going to really miss Bob; he's a great professor and made great contributions to the university. Art Muka is here. Art, please stand. Art Muka is in the Department of Entomology; he's been with us for thirty-two years. He's not retiring, actually, for a little while yet. We're going to work him over some more. Art has been responsible for Vegetable Entomology and for perfecting all those great vegetables that you eat at the Farmer's Market and elsewhere to make sure they're produced without pesticides, etc. Right,

Art? Not quite, but don't we wish. Now this next one is interesting, Ed Oyer. Is Ed here? Yeah, there's Ed. Ed sort of comes and goes. He came first in '55 in the Department of Vegetable Crops from Purdue University and became Professor and Head of that department in 1966 to 1971, then he left for a while, but then he came back as Director of International Agriculture Programs for several years, and then he left again, and he went to Indonesia, and I went through Indonesia in about 1980-81; I found Ed over there; he was lonely and he wanted to get back to Ithaca, and so, lo and behold, in 1982 we brought him back to be Director of International Agriculture again, and Ed's just stepped down, so Ed's done a fantastic job in both Veg Crops and International Agriculture. Jim Preston--Jim's here. Hi, Jim. Professor in the Department of Rural Sociology. He retired actually at the first of the year. I first met Jim as a County Agent on the home farm back in Genesee County, but that wasn't good enough. He worked his way up the ladder and became a professor, a Director of the Northeast Center for Rural Development, and then last year chaired, for the last two years, really formulated and directed an extremely successful program--the Empire State Leadership Development Institute. Jim will be sorely missed. The next person probably has spent less time on this campus than any professor--Maurie Semel is a Professor of Entomology and he's located at the Riverhead Laboratory on Long Island, so he has spent less time on this campus than probably anybody who's been a professor for thirty-four years at Cornell University, but Maurie has done a great job getting the bugs out of the Hamptons, and other places as well. Bob Shallenberger, from our Geneva Agricultural Experiment Station. Bob, Professor of Carbohydrate Chemistry. I remember him well--he was one of my TA's my freshman year, and Bob is retiring. Now, with us today from the Geneva Experiment Station is Keith Steinkraus. Keith, a world-renowned Professor of Food Science and

Technology, and particularly in the area of fermented foods. He taught at Los Banos, when we had our project in the Philippines, and he's known throughout the world for his work in food preservation and fermented foods. Keith is going to be sorely missed in that unit. Natalie Uhl, Bailey Hortorium, retired in September. She was with us for twenty-five years. Paul Van Demark has almost got it on you, Ray. He joined us in '47 as well. Paul is an outstanding teacher in the area of Microbiology; he received the top teaching award of the national microbiology organization, and has been honored many times for his outstanding teaching. He's not with us today. Dale Van Vleck from the Department of Animal Science, in the area of Animal Genetics, came to us from the University of Nebraska, and decided after approximately thirty years at Cornell he would finish his career at the University of Nebraska. I don't think that's very fair, but we congratulate Dale. He's made a tremendous contribution. And then, the last person, Professor William Ward. I saw Bill here; there's Bill, ok. Bill has a lot of distinctions. One of them is he came here as a professor; one, he didn't fool around, bang! He was a department head for twenty-seven years. Twenty-seven years as a department head, in the Department of, well it ended up as Communication Arts and now it's the Department of Communication, but Bill contributed greatly to our college over the years. He reduced his level of activity a few years ago and has been working with some of the international agricultural centers in helping them with their communication problems and publications, etc., and he's made major contributions, both to the university and to the international agricultural research institutions. I would now ask you to join me in thanking the Faculty who are here. [applause] And I don't know why you had to retire again, either, because now we have a class in parliamentary procedures which has been

taught so extraordinarily well all these years, and now we've got to find somebody else to teach it. I don't like to make that motion!"

Speaker Martin: "They'll do it much better."

Dean Call: "No, no they won't."

Speaker Martin: "Thank you. You know, the last name on that list is very meaningful to me--William B. Ward. It was Bill Ward who hired me thirty-nine years ago. He doesn't look that old, does he? Next, Dean Geoffrey Chester, Arts and Sciences."

Dean Chester: "It is with some considerable envy that I hear that there's been a chair somewhere in the university for twenty-seven years, because indeed if I can get someone to do five years, I'm congratulating myself. When twenty-seven was mentioned, I saw another dean in front of me look with surprise and envy at the number. There are five faculty members retiring from the College of Arts and Sciences this year. Three of them, I think, are not here, I'll make my opening remarks about those three, and then the two who are here, I'll make slightly longer remarks. Perhaps following Dave Call's precedent, we can have a larger round of applause right at the end for everybody.

"The first three are Ted Brown, History of Art, Professor van Coetsem in Modern Languages, and Peggy Lawler in Theatre Arts. A word about each of them, briefly. Ted Brown came to us twenty-one years ago, in 1967, and had a remarkable interest in two aspects of the world around us, which is rather unique, at least in our college. He was in fact profoundly interested in technology, particularly in architecture and related matters. Ted, however, had an abiding interest that really overwhelmed everything else that he did, and that was undergraduates. Again, as a dean I find it increasingly difficult at times to get Faculty to play a role in the admissions process. One Faculty

member who was always there, helping to select the class of a thousand freshmen or thereabouts, was Ted Brown. He would work endlessly at it, and he was in fact extremely skilled at it. He was also Director of Undergraduate Studies in his department for many years. He in fact joined the department at a time when it was growing very rapidly and was very important as a key anchor figure during that very rapid growth. That was in the last 60's and early 70's. His relationship to the junior faculty was special in the encouragement he offered them to hold to the highest academic standards and academic integrity. He left a lasting legacy in that respect in the department, and we are honoring him today for something which is not often recognized, that advice he gave to junior faculty. I expect that Ted will be around in the college, for no other reason than that his advice on admitting students is invaluable and I suppose we can't claim that all our thousand students are the quality they are because of Ted Brown, but a good number of them each year are of that quality."

"Turning now to Professor van Coetsem: he came to us twenty years ago. These numbers aren't quite as spectacular as in the College of Agriculture, but twenty years is a lot of service. Franz was a member of the Department of Modern Languages and Linguistics and head of the German language teaching program of that department for many years. He was a very distinguished scholar in linguistics of German, and he in fact again played a major role with junior Faculty. He would endlessly in fact share his ideas, his research ideas, with them; he would actually stimulate them with his own ideas, completely unselfishly, and many of his junior colleagues remember him for this.

"Finally, the last member who's not here, an entirely different personality again; she's probably somewhere on the road, dancing, and that's Peggy Lawler, who was our leading light as a choreographer, dancer, and teacher in the Department of Theatre Arts. She single-handedly essentially put the

dance program together, and I remember as a much younger Faculty member, the intense debate in the Arts College Faculty in which she managed to win the day and convince the Faculty that we could have a dance major, and that was a very important step for the department. She, like others in this list of retirees, won a major award for teaching excellence, the Clark Award in Teaching, and she has inspired many students to go on and dance, and many others to make it part of their lives. She was an excellent mentor in this; she was not only a dedicated professional, helping young people to develop professionally, but she also taught them how in fact to carry dance into their lives as something that they could continue for many years. In recent years, Peggy has been a half-time member in the department, wishing to devote more of her time professionally to her solo work, which she has taken across the country.

"We have two members of our Faculty who are retiring who are with us today--George Kahin and Walter Slatoff. Let me now turn to those two. George Kahin came to us thirty-seven years ago, in 1951, after in fact gaining a Ph.D. at Johns Hopkins University. Quite rapidly he became a full professor. George Kahin is remembered in the college, and I hope in the University, for the major role he played in founding the Southeast Asia Program. He was a major administrator of that program for many, many years, roughly twenty years, in fact, from the early 1950's to 1970, and that program is now, I think, widely recognized as the finest area program on Southeast Asia in the world, and under George's prodding, even though no longer director, he was in my office last summer reminding me how important it was that we have appropriate Faculty to make sure it remains like that. And I hope George is very well pleased, perhaps not entirely by my response, but at least at the leadership that other people have played in that program since 1970. It is still a superb program. I suppose I have a private view of George which might surprise him. Many

interventions in the world by various countries seem to me to be in fact quite unwise, bordering occasionally on folly, and I have also thought of George as our resident expert on folly in international affairs. Two major books, 1952, Nationalism and Revolution in Indonesia, and in 1986, many years later, Intervention: How America Became Involved in Viet Nam, a major work which many of you must have seen reviewed in the press. These are classic works, and George has in fact given, I think, the national and the world, placed them in very great debt by publishing such important books. He's provided much testimony to committees in Congress on international affairs, and I suppose that is one of the more arduous things you have to do from time to time, George. I also have got to know George moderately well, partly directly but partly by simple reputation. He is a very quiet and in a way self-effacing person, who when he comes to an office like the Dean's office, you're very seldom in doubt about what George wants, and he makes it clear in a very gentle fashion. I hope we will see George on the campus around for many years to come.

"Now I'll turn to Walter Slatoff. I think I may have overlooked the fact that George won the Clark Award as well, as did Walter. We have three Clark awardees retiring this year. We do award about three a year, so roughly we're in balance. I don't know what the older awardees think of the younger ones, but each year we award three Clark awards.

"Walter Slatoff arrived at Cornell in 1955, with a doctorate from the University of Michigan. I have got to know Walter I think fairly well over the years. I think my first contacts with Walter were some of the very large meetings we used to have in this University in 1968 and 1969. Most of you in the audience will know what I'm referring to. His major role in the English Department has been of course in teaching, the teaching of literature, and also

a very important role in the Creative Writing Program. The Creative Writing Program is quite large, and is extremely popular and each year we cannot possibly in fact teach the number of students who would like to be taught creative writing. He's played a major role in that for many years. He's also been an editor of what I call 'our magazine', Epoch Magazine, for a long time. In his role as a teacher of creative writing I have a word of wisdom for another dean here, Mr. Streett. You may not know it, Bill, but Thomas Pinchon came to Cornell to study engineering, and with Walter's help he left to do other things, which some might think showed great wisdom. I don't know how Walter thinks about this, but most of you know the name, Thomas Pinchon, as an extremely important novelist today. I think finally I would say of Walter that whenever I have talked with him off and on over the years, I have found him, like George Kahin, a deeply thoughtful and caring colleague. They both care a great deal about academic life, they care a great deal about their fellow colleagues in the Faculty, and they care a great deal about the students, and I ask you now to applaud the two who are here, and the three who are absent." [applause]

Speaker Martin: "Thank you, Dean Chester. The College of Engineering, Dean William Streett."

Dean Streett: "I always approach these affairs with some trepidation, because it's just not possible in the few minutes allowed to do justice to the long and distinguished careers which our Faculty members have had. And besides, as someone once said, 'Seeing ourselves as others see us often confirms our worst suspicions about men.' Four of our six retirees are here today. The first of those is Professor Myunghwam Kim, Electrical Engineering. Myunghwam Kim was born and raised in Seoul, Korea, and upon completing his secondary education was drafted into the Korean Army, and served and fought in

the Korean War from 1950 to 1954. Then, as a result of some friendships he had formed with American soldiers in Korea, he came to this country to pursue his higher education, and he told me once, ended up in Tuscaloosa, Alabama, with precisely $70 in his pocket in 1954. But through hard work and diligence, he earned a Bachelor's Degree there in 1958, and fellowships to Yale University, where he earned Master of Engineering and Ph.D degrees in 1959 and 1962. He came to Cornell in 1962 as an Assistant Professor in the School of Electrical Engineering, and became Associate Professor in 1967 and Professor in 1976. He is a member of the National Nanofabrication Facility, the Theory Center, and the Center for Applied Mathematics. He is also an Adjunct Professor of Electrical Engineering at the Korea Advanced Institute of Science and Technology in Seoul. He received the National Science Research Council's Senior Postdoctoral Associateship in 1968, and the National Institutes of Health Special Research Fellowship in 1970. During a sabbatical leave in 1968-69 he was a postdoctoral associate at the Jet Propulsion Laboratory and a Visiting Associate in Biology at the California Institute of Technology, and in 1969-70 he was a Special Research Fellow in the Section of Neurobiology and Behavior at Cornell. In 1982 he worked at the National Center for Health Care Technology and conducted seminars at Korea University in Seoul among others. During more recent leaves in Korea he has worked on VLSI digital design in the Korean Advanced Institute of Science and Technology and served as a consultant to educational and industrial groups in Korea. He is a member of the Institute of Electrical and Electronic Engineers, the New York Academy of Sciences, the American Association for the Advancement of Science, Eta Kappa Nu, Tau Beta Pi, and Sigma Xi. Following his retirement, Professor Kim is going to take up a post as a special assistant to the president of the Korea Institute of Technology, where he will work with us in promoting educational and research

between Cornell and various institutions in Korea, both educational and industrial. Professor Kim. [applause].

"Next is Benjamin Nichols, Professor of Electrical Engineering. I'm sure just about everybody here knows Ben, and Ben knows everybody else, but I'll go through all this anyway. Ben probably holds the record here for longevity, having entered Cornell as a freshman in 1937. He took out four years to serve in the army during World War II, returning to Cornell in 1945, and he earned a BSEE degree in '46 and the MSEE degree in '49, and a Ph.D. in Geophysics from the University of Alaska in 1957. He joined the Faculty as an instructor in 1946, and was promoted to Assistant Professor in 1949, Associate Professor in 1953, and Full Professor in 1959. He began his research in studies of radio waves in the ionosphere in the 1950's in collaboration with Professor Henry Booker and continued various research projects in that area until 1963, and he served as a delegate to the 11th and 12th international meetings of the International Radio Scientific Union, and also represented Cornell in other associations and organizations in that area of research. After 1963, he turned his attention more to education. In 64-65 he directed the National Science Foundation sponsored program called 'The Elementary Science Study' in Watertown, Massachusetts, and he edited a series of textbooks and has served on many scientific panels, working on science and engineering education. He was appointed Acting Director of the Cornell Program in Research and Education, Director of the Human Affairs Program, and Director of the Office of Teacher Preparation. As a Faculty member in Electrical Engineering, he has been Chair of the Radio and Communications Area, Coordinator of Curriculum and Instruction, Graduate Field Representative, and most recently, Associate Director of the School. He has taught courses in electronic circuits, communications, radio wave propagation, and the introductory course in

electrical systems, and he's the co-author, with one of his colleagues, Professor Michael Kelley, of a textbook, A First Course in Electrical and Electronic Systems. In the College of Engineering, Ben has served as Chair of the Policy Committee and the Common Curriculum Governing Board. For two years he was an Assistant Dean, the only blot on his record, and Director of the Division of Basic Studies. At the University level, he was a member of the Faculty Council before the creation of the Faculty Council of Representatives. He has served on committees of the University Faculty, including chairing the Committee on the Economic Status of the Faculty, the Committee on Minority Education, and the Committee on Admissions and Financial Aid. During the existence of the University Senate, he served as Chair of its Executive Committee and later as Speaker. He took part in several special commissions, including the original COSEP Committee and the recent Commission on Financial Aid. He also served as Chair of the Cornell section of the AAUP. Ben is well known for his conservative political views, and he'll probably run for office on a Republican ticket after he leaves here.

"Dick Phelan retired on 1 January of this year. Dick is a native of Missouri, and received his BS degree from the University of Missouri in 1943. He came to Cornell because one of his professors at Missouri eventually was the head of the Mechanical Engineering Department here and hired him as a member of the Faculty. He came as an instructor in 1947, and a graduate student in Mechanical Engineering, and received his Master of Mechanical Engineering degree in 1950. His interests have been focussed on the design of machines and machine systems, and his professional and research activities have ranged from the experimental study of squeeze-film lubrication to experimental stress analysis of steel truck rims and the design and development of large shop-testing equipment. He's been a consultant with the National Cash Register

Company, General Electric, Lawrence Livermore Laboratory, Honeywell, Xerox, General Motors, and a dozen or more other companies. He's the author of three books, 'Fundamentals of Machine Design,' which went through three editions, 'Dynamics of Machinery' and 'Automatic Control Systems', and of numerous papers and reports. Among his many students who have distinguished themselves are Jack Booker, one of his colleagues, a Professor of Mechanical Engineering who is here today, and John Bollinger, Dean of Engineering at Wisconsin and a member of the National Academy of Engineering. Dick is a member of the American Society of Mechanical Engineers, the American Society for Engineering Education, the Society of Experimental Stress Analysis, the American Gear Manufacturers' Association, the American Association of University Professors, the American Association for the Advancement of Science, and the New York Academy of Science. His biography has appeared in American Men and Women of Science since 1973, and since the early '80's in Who's Who in America, Who's Who in Engineering, Who's Who in Technology Today, International Who's Who in Engineering, and Who's Who in Frontier Science and Technology. He's really a member of Who's Who.

"Robert L. Von Berg, Professor of Chemical Engineering. Bob was born in Wheeling, West Virginia, got his BS in 1940 and his MS in 1941 from West Virginia University, and a Doctor of Science in 1944 from MIT. From '44 to '46 he worked for DuPont in the Industrial Engineering Department, and in 1946 he was appointed Assistant Professor in the School of Chemical and Metallurgical Engineering at Cornell. He's conducted research in liquid extraction and the use of gamma radiation to promote chemical reactions, including the synthesis of ammonia. He collaborated with his colleague, Professor Wiegandt, on the development of the Cornell process for desalting of sea water by direct-contact freezing. He's held visiting appointments at Dow, DuPont, Oak Ridge, and

Brookhaven. He held a NATO fellowship at the Delft Technological Institute in Holland, and visiting professorships in Australia and New Zealand. In recent years his broad practical background has been of particular importance in teaching the design course in the undergraduate and graduate programs in Chemical Engineering. He's been a member of the Graduate Professional Programs Committee and the Nuclear Safety Committee in the College of Engineering, and at the University level a member of the Faculty Council of Representatives and several of its committees. After retiring in June he will go to the University of Canterbury, Christchurch, New Zealand, for six months to help teach a senior process design course. As he put it, he's going from winter in Ithaca to winter in New Zealand and back to winter in Ithaca. Bob, thanks very much. I have a special fondness for Bob because when I came here ten years ago as a Senior Research Associate I was assigned to the office across the hall from him and he gave me a lot of good advice which in the early days helped me not to make a fool of myself, which I only did after I became the Dean.

"The two retirees who are not here today are Harry D. Conway, Professor of Theoretical and Applied Mechanics, and Edward W. Hart, who holds a joint appointment in Theoretical and Applied Mechanics and Materials Science and Engineering. Harry Conway was born and raised in England, and received a Bachelor of Science, Ph.D., and Doctor of Science degrees from the University of London, and Master of Arts and Doctor of Science degrees from Cambridge. He probably holds more earned degrees than anybody on our Faculty. He came to Cornell in 1947. He was a Guggenheim Fellow at Imperial College, London, in 1953-54, and a National Science Foundation Senior Postdoctoral Fellow at the same institution in 1960-61. He was also Julius F. Stone Visiting Professor at Ohio State University in 1958-59. One of the great things about Don Conway is that last year in the penultimate year of his long career at Cornell he won the

Tau Beta Pi Excellence in Teaching Award, which is the most prestigious and the most competitive teaching award in the College of Engineering.

Ed Hart, Professor of Materials Science and Engineering, was educated at the City College of New York and at Berkeley, and Cornell was really his second career. He was a member of the research staff at the General Electric Research Laboratory in Schenectady for twenty-five years before joining the Cornell Faculty in 1976, and he's carried out research in several areas of material science and the mechanics of materials. He's a Fellow of the American Physical Society and a member of the Metallurgical Society, the American Institute of Mining, Metallurgical and Petroleum Engineers, and the American Society of Mechanical Engineers. He has received the U.S. Navy's Meritorious Civilian Service Award and the Alexander Von Humboldt Foundation's 1982 Humboldt Prize. He has been the Battelle Visiting Professor at Ohio State University and a visiting professor at the Technical University of Braunschweig in West Germany. Between them, these six retiring Faculty members from the College of Engineering have given 204 years of service to Cornell, and I thought I should find some profound remarks about the meaning of life or of academic life to use on this occasion, and this is what I came up with. Russell Green once said that the great advantage of an academic life is that it enables you to despise the wealth that it prevents you from achieving. In commenting on life Aldous Huxley once wrote, 'At any given moment, life is completely senseless, but viewed over a period it seems to reveal itself as an organism existing in time, having a purpose and tending in a certain direction.' But Robert Frost put that better when he said, 'In three words I can sum up everything I've learned about life--it goes on.' But the best quotation I've found was an observation of William James, who said, 'The great use of life is to spend it for something that will outlast it,' and I would only like to say that those who we are

honoring today have certainly devoted their lives to something that will outlast us all, that is, to the education and training of many generations of students. Thank you." [applause]

Speaker Martin: "Thank you, Dean Streett. The School of Industrial and Labor Relations, Dean Robert Doherty."

Dean Doherty: "We are honoring one person from our School today, Philip McCarthy. Phil McCarthy graduated from Cornell years back; he received his Ph.D. from Princeton, and joined the Cornell Faculty in 1947, initially in the Department of Sociology and Anthropology, of all places, but came to the I&LR School in 1948. He has had a distinguished career as a scholar and as a teacher. His book and work on sampling is preeminent in the United States. He is certainly one of the nation's leading authorities in that field, and his book on the industrial mobility studies forms the core of much of the work in the field of industrial and labor relations. That work, coupled with a large number of articles in the field of statistics, particularly economic and social statistics, marks him as one of the very, very distinguished people in our field. He has also been a very important teacher in our School. He has taught for over forty years in our Statistics Department. He has also served as chairman of that department for many years. Phil was chairman in 1961, when I came here, which adds up to 27 years, and I don't know how many years he served as chair before that. Phil will be returning to us to teach one course in the fall. We prevailed upon him to do that, and in the following spring he will be in Washington, having received a grant from the National Science Foundation, administered by the American Statistical Association, and his place of work will be at the Bureau of Labor Statistics. I'd like to honor Phil McCarthy, our retiree." [applause]

Speaker Martin: "Thank you, Dean Doherty. The College of Veterinary Medicine, Professor Alexander deLahunta."

Professor Alexander deLahunta, Clinical Sciences: "Thank you. Dean Phemister couldn't be here today and gave me the opportunity to speak for the three people that are retiring from the College of Veterinary Medicine. Two of them are here. One of them is Dr. Kyu Lee, who has been Professor of Veterinary Microbiology for the past twenty-five years, and whose research has been primarily in virological diseases of animals. The second one, I don't believe--is Fred Lengemann here?--is Dr. Frederick Lengemann, who has been a Faculty member in the Department of Physiology as a Professor of Physical Biology for the past twenty-nine years; his major research has been in the use of radioisotopes in biological research. The third individual, who I'm delighted to be able to make some comments about, is Dr. George Poppensiek, who is here with us today. Dr. Poppensiek has had an academic appointment at this University for thirty-five years, which includes fifteen years as Dean of the College of Veterinary Medicine. His illustrious career began with graduation from the School of Veterinary Medicine of the University of Pennsylvania in 1942. I believe he spent a year as Instructor in Veterinary Medicine at that University, and another year on the Faculty of the University of Maryland. Following that, he accepted a position as department head of a unit in the Lederle Laboratory Divison of American Cyanamid Company, where he was responsible for the research and production of animal vaccines and antisera. In 1949 he received an appointment here as the Director of the Diagnostic Laboratory of the New York State College of Veterinary Medicine which was located right here on the campus at that particular time. He also enrolled in the Graduate School in 1951, and received a Master's degree in Veterinary Microbiology. He then accepted a position as Research Associate in the

Department of Microbiology and served out at the Veterinary Virus Research Laboratory for the next four years. He then accepted an appointment as veterinarian at Plum Island Animal Disease Center, where they study exotic animal diseases under the guidance of the United States Department of Agriculture. He served there for five years, and in 1959 became appointed as the Dean of the College of Veterinary Medicine here at Cornell University. He served in that position for fifteen years, and in that time the College grew tremendously under his guidance. He had very high standards for the scholarly activity of the Faculty, and his career as dean sort of culminated in the first major piece of construction at the new College of Veterinary Medicine which had been there since 1957, in the form of the Research Tower, which exists at the end of Tower Road up here. In 1974 he resigned as the Dean of the College of Veterinary Medicine and accepted appointment as the James Law Professor of Comparative Medicine, a position he holds up until today or the period of his retirement. Since 1976 he has been active in the organization and teaching of a course in epidemiology and infectious diseases in the core curriculum to the veterinary students. Dr. Poppensiek has a national and international reputation really in two fields, one in the field of veterinary microbiology, and the other in the field of veterinary education. If you look at his curriculum vitae, it goes page after page of the committees and chairmanships and consultant positions that he has had at the national and international levels. There's hardly an organization in Washington that has something to do with medicine, veterinary medicine, that he hasn't been a part of. There's a long list of these: the United States Public Health Service, the National Research Council, the World Health Organization, the Bureau of Veterinary Medicine, the National Institutes of Health, one organization after another, including President Kennedy's scientific advisory committee. Through all of

these he has gained tremendous stature for himself, and gained tremendous stature for the College of Veterinary Medicine and Cornell University. He has spent many productive years at the University, and we are extremely indebted to him for these years, and hope that he has many very rewarding years in retirement. Dr. Poppensiek."

Speaker Martin: "Thank you, Sandy. I never knew that a professor of anatomy could be so eloquent. Very fine. The last category I have is called 'Miscellaneous.' Dean Bugliari."

Dean Bugliari: "I have the pleasure of calling to your attention the fact that there are three members of the College of Architecture, Art and Planning who are retiring or have retired, and none of whom, as I understand it, are with us today. Stan Czamanski from City and Regional Planning, Arnold Singer from Art, and Oswald M. Ungers from Architecture. It is also my pleasure, and I guess really a pleasure as sort of my last act as Dean, to indicate that there's also one other retiree today. Actually, this person is already retired. That is Francine A. Herman from the School of Hotel Administration. I'd like a hand for Fran. [applause] Now, Fran came to Cornell in 1973, having previously served as a broadcast writer in the field of communication. In addition to her teaching and other activities at the School of Hotel Administration, Fran has been one of our best University citizens, having served on numerous University committees, including the Provost's Advisory Council on the Status of Women, the University Judiciary Review Board, the University Commencement Committee, the Executive Committee of the FCR, the Ad Hoc Committee to Review the Appeals Procedures, and as a member of the University Appeals Panel, and of course, she has been the Secretary of our Faculty for the last five years. It also says in something that I set down that she is an 'active neutral.' Is that an oxymoron? How can you be an

active neutral? Anyway, she's an active neutral serving on both the Mediation and Factfinding Panels for the New York State Public Employment Relations Board, and a member of the I&LR Extension Teachers' Panel. At the School of Hotel Administration, she worked on graduate admissions, the curriculum committee, among many other assignments. Fran retired on January 1, 1988, and immediately got herself some sort of a job out in Hawaii for the winter. I think that's also rather clever. She also tells me that she is now writing a mystery novel, I guess it's a novel, the title of which is Poison Ivy, and it takes place on a college campus. You're all advised that you'd better buy it when it comes out, to see if you're in it! Fran, we love you; we know we're not going to really miss you, because you'll be around, but we want you to have the greatest pleasure in your retirement and we want to thank you for your service to the University, especially to this Faculty." [applause]

Speaker Martin: "That completes our list (complete list attached as Appendix A). Our congratulations and very best wishes and thanks to all of you. Is there anything further to come before the faculty? If not, we are adjourned. Have a good summer."

The meeting adjourned at 6 p.m.

RETIRED OR RETIRING PROFESSORS

1987-88

Ronald E. Anderson, Associate Professor, Plant Breeding and Biometry

George J. Broadwell, Associate Professor, Cooperative Extension

Theodore M. Brown, Professor, History of Art

Thomas J. Cade, Professor, Ecology and Systematics

Harry D. Conway, Professor, Theoretical and Applied Mechanics

Stan Czamanski, Professor, City and Regional Planning

Lee M. Day, Professor, Agricultural Economics

Bernard E. Dethier, Professor, Agronomy

Raymond T. Fox, Professor, Floriculture and Ornamental Horticulture

Martin B. Harrison, Associate Professor, Plant Pathology

Edward W. Hart, Professor, Mechanics and Materials Science

Martin O. Harwit, Professor, Astronomy

Francine A. Herman, Associate Professor, Hotel Administration

George McT. Kahin, Binenkorb Professor of International Studies

Elizabeth B. Keller, Professor, Biochemistry, Molecular and Cell Biology

Myunghwam Kim, Professor, Electrical Engineering

Margaret Lawler, Associate Professor, Theatre Arts

Kyu Myung Lee, Professor, Microbiology, Immunology and Parasitology

Frederick W. Lengemann, Professor, Veterinary Physiology

Philip J. McCarthy, Professor, Industrial and Labor Relations

Robert D. Miller, Professor, Agronomy

Mary A. Morrison, Professor, Nutritional Sciences

Arthur A. Muka, Professor, Entomology

(over)

Benjamin Nichols, Professor, Electrical Engineering

Edwin B. Oyer, Professor, Vegetable Crops

Richard M. Phelan, Professor, Mechanical and Aerospace Engineering

George C. Poppensiek, James Law Professor of Comparative Medicine

James C. Preston, Professor, Rural Sociology

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

Maurie B. Semel, Professor, Entomology

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

Arnold Singer, Professor, Art

Walter J. Slatoff, Professor, English

Keith H. Steinkraus, Professor, Food Science and Technology, Geneva

Natalie W. Uhl, Associate Professor, Bailey Hortorium

Oswald M. Ungers, Professor, Architecture

Frans van Coetsem, Professor, Modern Languages and Linguistics

Paul J. Van Demark, Professor, Microbiology

Lloyd D. Van Vleck, Professor, Animal Science

Robert L. Von Berg, Professor, Chemical Engineering

William B. Ward, Professor, Communication

INDEX

FACULTY AND FACULTY COUNCIL OF REPRESENTATIVES MINUTES 1986-1988

Academic Integrity Handbook	6279C
Academic Records and Instruction Committee, Amendment	6319-21C
American Indian Program	6546-49C
Asian American Studies Program	6524-30C
Biotechnology Program	6481-82C
Campus Rules of Conduct	6333-38C
Center for High Energy Synchrotron Studies (CHESS)	6402-03C, Appendix E
Committee Revisions	6492C, 6530-44C, Appendices A-C
Construction and Parking	6279-95C, 6403-15C, 6448-60F
Copyright Policy	6387-6402C, Appendices C-D
Cornell Club	6444-6448F
Cornell Institute for Public Affairs	6375-6383C, Appendix B, 6386-6387C, Appendix A
Dean of Faculty, Election of	6568C, 6600C
Deaths of Faculty	6297-98F, 6417-19F, 6437-38F, 6633-34F
Elections	
Speaker	6278C, 6437C
Faculty Results, Spring 1986	6278C, Appendix A
FCR Results, Spring 1986	6278C, Appendix B
Slate of Faculty Candidates, Spring 1987	6374-75C, Appendix A
Slate of FCR Candidates, Spring 1987	6387C, Appendix B
Faculty Results, Spring 1987	6437C, Appendix A
FCR Results, Spring 1987	6437C, Appendix B
Dean of Faculty	6568C, 6600C
Slate of Faculty Candidates, Spring 1988	6569C, Appendix C
Faculty Results, Spring 1988	6600C, Appendix A
Secretary of University Faculty	6600C
Slate of FCR Candidates, Spring 1988	6602C, Appendix B

Free Speech, Report on Presidential Commission Freedom of Teaching and Learning Committee	6312-16C, 6338-45C 6317-18C, Appendix A
Hispanic American Studies Program	6522-24C
Investment in Venture Funds and Companies	6482-84C, Appendix C
Library Board, State of	6295-97F, Appendix C, 6484-91C
Minority Faculty Cohen-Gates Report	6461C, 6493-6520C, Appendix A, 6521C
Minority Education Committee Recommendations	6549-67C, Appendix A, 6572-99C, Appendices E, F, 6604-31C, Appendix E
Nanofabrication Facility	6602-03C, Appendix C,
Parking President Frank H.T. Rhodes Address	6279-95C, 6403-15C 6298-6311F, 6371-74C, 6462-77C, 6635-37F
Public Safety, Complaints Against	6323-31C
Racial Prejudice Real Estate Program Religious Holidays Residential Program House Retiring Faculty	6477-80C, Appendix B 6603-04C, Appendix D 6321-23C, Appendix C 6318-19C, Appendix B 6419-36F, 6637-58F, Appendix A
Secretary of Faculty Extension of Election of	6383-84C 6600C

Sexual Harassment	6345-62C, Appendix A, 6477-80C, Appendix B
Statler Club	6438-44C
Teaching Awards, Distinguished	6298F, Appendix D 6461C, Appendix A
Technology Transfer	6482-84C, Appendix E
Textbook and Computer Software Conflict of Interest	6568C, Appendix A
Writing Program	6363-71C