













UNIVERSITY FACULTY and  
FACULTY COUNCIL OF REPRESENTATIVES

Minutes

September 23, 1970 - May 10, 1972



The President called the meeting to order at 4:35 p.m. in Bailey Hall. 205 members were present. He announced that the Minutes of the June meeting were approved by the Faculty Council with the inclusion of a correction by Professor Charles S. Levy.


1. NECROLOGY

The President announced the death of:

*Albert Hazen Wright*, Professor Emeritus of Zoology; *Clinton L. Rossiter, III*, John L. Senior University Professor of American Institutions and Professor of Government and History; *Roy E. Clark*, Professor Emeritus of Mechanical Engineering; *Theodore P. Wright*, former V. P. Research; *Lester Carl Peterson*, Professor of Plant Pathology; *Guy E. Grantham*, Professor Emeritus of Physics; *Martin E. Dominguez*, Professor of Design.

He then relinquished the chair to Professor Norman Penney, Law.

2. PRESIDENT'S ADDRESS

The President gave his views about two recent campus incidents and about the financial condition of the University. [The full text appears in the Chronicle for September 24]. 

The President reported that damage to the windows of the Campus Store on September 17 will cost the University \$1500 since the cost of vandalism must, under new insurance agreements, be borne by Cornell. Additional security measures undertaken after the incident involve additional costs. Most serious is the erosive effect upon the academic atmosphere. Recognizing the concern of Faculty members about the identification of vandals, he reported that additional advice would be sought concerning identification techniques but noted that the only effective solution depends upon witnesses who are willing to testify in judicial proceedings.

On the subject of the administration of campus security, the President reported that communication channels have been shortened by making the

security operation directly responsible to him. He reminded the Faculty that he has delegated authority to suspend students to the Judicial Administrator.

Concerning the Alternate Bookstore, the President noted financial implications for the University in view of last year's operating loss of \$70,000 at the Campus Store. He withheld judgment on the allegation that some Faculty members gave their booklists exclusively to the Alternate Bookstore, indicated his expectation that the Senate and Faculty, as well as the academic deans, will want to consider the issues involved, and expressed concern about political overtones of the matter.

The President spoke at length about the financial condition of the University. A deficit, which has been increasing over the past five years, was kept to \$1.9 million last year only because of the extraordinary generosity of the Alumni. A deficit of \$4.5 million is anticipated for 1971-72 unless fairly serious steps are taken. After describing the University's income position, he concluded that public support for private institutions must increase. However, he added, Federal aid is presently decreasing. At the State level it may be possible to obtain increases under the Bundy Plan and as the concept of State aid for education in socially-needed professions is broadened beyond recent legislation to foster medical education.

On the expense side of the ledger, the President said that while central Administration has been reorganized to increase its efficiency, educational programs must also participate in cost reduction. Program budgeting techniques will be used to identify priority areas in consultation with deans and department heads. Salaries in the Endowed and State divisions are now close to equitable; the policy of merit increases will be continued but for 1971-72 the average salary increase may be less than increases in

the cost of living. The possibilities for expanding the number of student hours that can be taught with a given faculty, salary recovery from grants, and the possibility of using restricted funds more effectively must be explored. Excess capacity must be identified and utilized. Opportunities for inter- and intra-institutional cooperation must be explored. In sum, the objective of the University must be one of selective excellence.

The Chair gave the Faculty an opportunity to ask questions. None were asked.

3. HENDERSON COMMISSION

Dean Miller announced that a representative of the State Study Commission on Campus Unrest would be in Willard Straight Hall on September 24 to talk with anyone wishing to call.

4. CURW

Dean Miller explained that after lengthy discussions a new administrative structure had been devised to replace CURW. The full text of the plan was published in the Chronicle last spring (March 12, 1970) and was placed before the Board of Trustees. At that meeting the Dean requested that no final action be taken on this proposal until the Faculty had heard it explained and had a chance to react. The report was scheduled for a Faculty meeting in late spring but was forced off the agenda by other business. The following officers of CURW have been invited to be present during the discussion: Co-Chairman, William Rogers, Student Vice-Chairman, George Lawrence, and Associate Director for Studies, John Lee Smith.

Jack Lewis, Director of CURW, reviewed the history of religious organizations on the Cornell campus, described how the proposal for restructuring CURW developed, and summarized that proposal.

In reviewing the pre-CURW period, Mr. Lewis cited the work of Alfred S. Barnes and John R. Mott. Following its establishment in 1929, CURW has been

a pioneering venture. Mr. Lewis noted that although over 150 state universities have recently established departments of religion and Cornell is the only Ivy institution that has neither a department of religion nor a theological seminary, the reorganization proposal does not envisage a department of religion.

In March, 1968, the Board of CURW set up a self-study committee. At that time a three-member committee from outside the University was invited by CURW to evaluate the work of the organization. In the same period President Perkins reactivated the CURW Council. The Council appointed a committee headed by Professor Milton Konvitz to examine the relationship between CURW and the University. Following the report of the Konvitz Committee in October, 1969, the Board of CURW, in an intensive five-month period, examined this report and the reports of the two other committees along with various position papers from CURW's constituent ministries. On March 9, 1970, the Board presented recommendations for reorganizing CURW to the CURW Council. On April 9, 1970, these recommendations were approved by the Council and forwarded to the Board of Trustees.

The proposal provides for a tripartite organization. The Council of Federated Ministries and the Center for Religion, Ethics and Social Policy would be independent entities housed in Anabel Taylor Hall. The Office for the Coordination of Religious Affairs would serve as a liaison between these two organizations and the University, and carry out religious policies in the name of the University. A summary prepared by Mr. Lewis follows:

1. It is proposed that the religious constituents of Cornell United Religious Work remain in their relatively autonomous positions, being responsible for the initiation and implementation of their ministries. These religious constituents are financed by local, regional and national religious bodies. Their combined annual budget is approximately \$200,000. It is proposed that these religious constituents form a self-governing Council of Federated Ministries and that the Council organize itself in whatever ~~way~~ <sup>way</sup> the constituents deem appropriate.

2. It is proposed that the Council of CURW request the Board of Trustees of Cornell University, (a) in consultation with interested and supportive religious bodies, to authorize the establishment of a Center for Religion, Ethics and Social Policy; (b) to authorize the Council to create a committee composed of interested persons and possible participants to present a plan of governance and implementation for the proposed Center for Religion, Ethics and Social Policy and to recommend proposals for its relationship to the University and the various participating religious bodies; further, that the Council devise a schedule to insure prompt action by the committee; and (c) that the Council of CURW submit recommendations to the Board of Trustees of Cornell University relative to the proposed Center's governance, funding and legal relationships to Cornell University.

The Center would be nonsectarian. It is suggested that it have as its general purpose the provision of a center on the Cornell campus where the resources of the many disciplines in higher education, and the ethical, moral and compassionate concerns of religion could be joined in analysis, inquiry and action toward the enhancement of human life.

This Center would be financially supported by the University and by the religious constituents and could be the legal successor of what is currently considered the "united" or "University employed and supported" segment of the present CURW.

In addition to funding from sources within the Cornell community, it is expected that religious bodies and philanthropic foundations would provide either general funding or funding for special projects initiated and implemented by the Center. This would require that the Center have explicit authority to receive and disperse such funds.

3. It is recommended that the Federated Ministries and the offices of the Center be located in Anabel Taylor Hall and that the administration of the building and the interpretation of the total program to the University be under an Office for the Coordination of Religious Affairs. This office would be constituted by an authorized representative of the Center for Religion, Ethics and Social Policy, and an executive officer. The executive officer would be nominated by a personnel committee representing both the Federation and the Center, and appointed by the proper University authorities. The executive officer would be employed by the University and provided with a University-funded staff for the operation of Anabel Taylor Hall.

The Office for the Coordination of Religious Affairs would determine policy regarding (1) patterns of communication and cooperation with the larger University community, (2) arbitration and settlement of possible disputes between participating groups, and (3) scheduling of office and building space.

The executive officer would implement and execute the policies of the Office for the Coordination of Religious Affairs.

(1) by means of the present CURW endowment

(2) Council of Federated Ministries, an authorized representative of the

Mr. Lewis reported that the Executive Committee of the Board of Trustees accepted these recommendations in principle with three provisos which he read from the minutes of the Executive Committee meeting held June 6, 1970. These provisos are:

- (i) That further support from unrestricted University funds to the proposed Center be phased out over a three-year period beginning July 1, 1971, with the University's CURW endowments continuing to be available to the Center for appropriate University purposes.
- (ii) That the charter for the proposed Center for Religion, Ethics and Social Policy be subject to approval by the Board of Trustees.
- (iii) That the executive officer of the Office for Coordination of Religious Affairs be clearly established as an officer of the University charged with administration of University policy.

Mr. Lewis added that the charter mentioned in proviso ii is now being prepared by Mr. David Hayter of the Office of the University Counsel with the expectation that it will be presented at the October meeting of the Board. .

Mr. Lewis then offered to answer questions. A member requested the date of the Chronicle containing the complete report on CURW. Mr. Lewis could not supply it. The Chair noted that resolutions can be submitted for the October meeting of the Faculty.

## 5. FACULTY-UNIVERSITY SENATE RELATIONSHIPS

Dean Miller moved the following resolution on behalf of the Faculty Council:

WHEREAS, the Cornell University Senate is empowered to exercise authority in certain areas of campus life that heretofore have been under the jurisdiction of the University Faculty or its committees and there is need to accomplish an orderly transition, be it

RESOLVED, That the Faculty Council be empowered to act as the Faculty's agent in negotiating such divisions or transfers of responsibilities as are appropriate, with the understanding that the Council will decide which questions should come to the Faculty for decision and which it will deal with on the Faculty's behalf.

Dean Miller stated that the Faculty Council anticipated some confusion between the University Faculty and the University Senate as the Senate proceeds to set up its committees. The Faculty Council seems to be an appropriate organization to work on problems of Faculty-Senate relationships in an orderly manner.

Professor Robert E. Habel, Veterinary Anatomy, urged the Faculty to reject the resolution in order to preserve the authority the Faculty still retains in support of its academic responsibilities. It is dangerous, he said, to grant plenipotentiary powers to a small group to negotiate as an agent of the Faculty. Its members may be subjected to pressures of fatigue as they are subjected to lengthy one-sided arguments in Day Hall. They may compromise the interests of the Faculty in order to obtain relief. The Faculty Council should investigate proposed changes in legislative procedure and present the case to the Faculty for consideration and possible action.

Professor Dalai Brenes, Romance Studies, said that if the Faculty still has some power left it must decide whether or not to surrender it. The decision should not be made by a committee.

Assistant Professor Charles E. Elliott, Linguistics, urged the Faculty to support the resolution. The Senate is not a foreign body. It contains representatives of the Faculty. It should be supported as it goes about its important business.

Associate Professor Gordon M. Messing, Classics, took the position that the issue before the Faculty is the erosion of Faculty power and its accretion in the Senate. He recalled that when the Faculty voted the Senate into power many speakers, including President Corson, noted that its functions were ill-defined. Professor Messing observed that the Senate and Faculty are on a collision course unless the structure of the Senate is corrected and its functions delimited. He noted the Senate's power

to veto Faculty legislation and the absence of any way to challenge the validity of Senate legislation. He suggested the need for Faculty referenda and of Presidential veto power over Senate decisions. He reported that he found the citizenship recess unsettling. If the present resolution will help to limit Senate functions, he favors it; if not, it is an excessive grant of power to a committee.

Professor Isadore Blumen, ILR, moved to amend the second paragraph of the resolution by placing a period after "appropriate" and deleting the remainder of the sentence. Professor Blumen said this amendment would allow the Faculty Council to negotiate on behalf of the Faculty without giving it a blank check.

Professor William F. Whyte, ILR, thought the resolution as initially presented facilitated matters for the Faculty. The Faculty Council remains in a position to refer policy matters back to the Faculty. He doesn't share the fears expressed by previous speakers.

Following a call for the question, debate was closed by a showing of hands. Professor Blumen's amendment was then defeated by a vote of 54 in favor, 71 opposed.

Professor Blumen noted that the resolution must obtain a two-thirds majority to pass since it delegates to the Faculty Council power to create and to destroy committees. Dean Miller accepted this interpretation. The resolution was defeated, 77 being in favor, 56 opposed.

Adjourned 6:00 p.m.

G. P. Colman, recorder

The President called the meeting to order in Ives 120 at 4:35 p.m. There were 115 members present. The President called attention to the following typographical errors in the minutes of the September meeting. The corrected minutes will list the deaths of Lester Carl Peterson, Professor of Plant Pathology, Guy Grantham, Professor Emeritus of Physics, and the correct spelling of the name of Professor Dominguez. In addition, three paragraphs of the summary of Mr. Lewis' statement will be omitted, namely, the two paragraphs preceding and the one following the heading "Reorganization of CURW". The remaining paragraphs will be relocated at a more appropriate place on page 4, with some minor rewording to improve the continuity. The minutes were then approved.

1. NECROLOGY

The President announced the death of:

*Dr. Lawrence W. Hanlon, Associate Professor and Associate Dean of the Medical College; Joseph F. Hodgson, Associate Professor of Soil Science; and Henry P. Weld, Emeritus Professor of Psychology.*

The President relinquished the Chair to Professor John H. Whitlock.

2. ANNOUNCEMENTS

Dean Miller read the following excerpt of minutes of the September 30 meeting of the Faculty Committee on Student Affairs:

*Whereas Trustee Legislation establishing the University Senate as the principle legislative body for non-academic matters of campus life has superseded Faculty Legislation establishing the Faculty Committee on Student Affairs, the FCSA reports to the Faculty its termination and dissolution as of this date. (September 30, 1970)*

He also reported that the Committee on University-ROTC Relationships, established by a Faculty Resolution of November 12, 1969, has been reconstituted, and that the Prize Committee had suggested that its work be handled by the office of the Dean of the Faculty and he was undertaking

to do this. With reference to S-U grades, Dean Miller noted that the Faculty had adopted a plan labelled "experimental" and five years having passed, had asked a committee to propose permanent legislation. He had also asked this committee to consider procedures that might be useful should the Faculty again be faced with a situation like that encountered near the end of the spring term in 1969 and again in 1970.

### 3. FACULTY REORGANIZATION

The Chair announced that this meeting is in accordance with the resolution authorizing the Temporary Committee on Organization and Procedures of the University Faculty. That resolution provided that the Dean would arrange a meeting of the Faculty, prior to final consideration of the proposal, where discussion of the Committee's proposal would be the sole order of business. The Chair then recognized Robert M. Pasley, Professor of Law and Chairman of the Temporary Committee.

Professor Pasley announced that three hearings on the report are planned with a view to having the report ready for submission to the Faculty on December 9. He pointed out that although members of the committee have changed and the number of members has decreased from seven to five, the report reflects the consensus of the present and former members.

After giving an overview of the reorganization proposal, he suggested that the following questions are fundamental and might therefore form the basis for discussion.

- A. Do you wish to create a smaller body to meet regularly?
- B. If so, do you wish to continue meeting regularly as a Faculty or only twice a year, with occasional special meetings?
- C. Do you wish to grant the smaller body legislative authority?
- D. If so, do you wish to retain the power to postpone or nullify its actions?
- E. Do you wish to provide a referendum procedure?

- F. If you wish to have a smaller body elected by constituencies, what proportion of the members do you wish to have elected at large?

Professor Pasley estimated that with a Faculty of approximately 1550 and a Council of 95, each Council member would represent approximately 17 members of the Faculty. He estimated that on a constituency basis, Agriculture would have 26 representatives, Architecture 3, Arts and Sciences 31, B & PA 2, the Clinic 1, Engineering 11, the Experiment Station at Geneva 4, Hotel 1, Human Ecology 6, I & LR 3, Law 1, and Veterinary Medicine 4. He added that the three schools having less than 17 faculty members could be combined for purposes of representation or added to other constituencies or allowed 1 representative each.

The Chair then presented the first question for discussion: Does the Faculty wish to have a smaller body to meet regularly? Professor Raymond Bowers, Physics, felt it would be appropriate to begin the discussion by considering the issues and principles underlying the reorganization plan. After commending the Temporary Committee for giving concrete form to what had been vague suggestions, he expressed apprehension about what is being proposed. After recognizing that meetings of the University Faculty have on occasion been marked by irresponsible behavior, he took the position that abolishing the monthly forum is too high a price to pay for orderly procedures. He urged the Faculty to preserve the monthly opportunity for its members to interact with each other across college lines. Challenging the idea of representation by constituencies, he urged the importance of preserving a forum where people can speak as members of the Faculty of the University. He urged an evolutionary approach to reorganization. As a first step he suggested that the Faculty Council be expanded and made more representative.

Assistant Professor Peter J. Sharfman, Government, supported the recommendations of the Committee. Attendance at Faculty meetings, he observed, tends to come from angry people. Those who speak tend to feel strongly, thereby suggesting a greater polarization than exists in the Faculty. Also, he noted, fatigue affects the positions which members take. The large Faculty meetings have been disastrous. He suggested that members of a smaller group would have a greater sense of responsibility. As to Professor Bowers' point regarding the opportunity of Faculty members to participate in meetings, he noted that the proposal provides that any Faculty member can attend Council meetings as a visitor.

He then asked Professor Pasley whether representation in large colleges would be at-large or by departments. Professor Pasley replied that the proposal is ambiguous on this subject. Either route would be possible, he said, within the concept of constituencies providing for election of representatives within a framework of procedures established by the Committee on Nominations and the Committee on Elections. He noted the possibility of making a separate constituency for the Division of Biological Sciences. Professor Sharfman said he would like a middle course between department and college. If representation is by departments, it might be parochial and would eliminate non-tenured representatives; if representation were at-large, people who had been at Cornell only a short time would not necessarily be acquainted with representatives.

Professor Richard D. O'Brien, Neurobiology and Behavior, supported the position of Professor Bowers. It is important, he said, to preserve the opportunity to speak, particularly for younger members of the Faculty. It is unlikely in disputatious situations that a council would reflect the range of Faculty opinion. Since it is possible to continue meeting as a Faculty, the right to participate in regular meetings should be preserved.

Professor William Tucker Dean, Law, wondered if the small attendance at this meeting didn't indicate a lack of interest in the business of the Faculty. He observed that the present Faculty Council is weak because it is not representative. A representative council, he concluded, would be less likely to have its recommendations rejected by the Faculty. It would have the additional virtue of reducing the loud voice of the Law School.

Professor Jay Orear, Physics, said that in arriving at positions in Faculty meetings he has been affected by the quality of debate. He suggested that the quality of debate would suffer in a council since busy people would be unlikely to run for election. Further, an opportunity would be lost in a council structure for Faculty members to question University officials. He asked Professor Pasley about the rights of a Faculty member visiting Council meetings. Professor Pasley replied that visitors could address the body with the consent of a majority of the council. Professor Orear said he would like the individual member to be able to create motions. Would he still have that opportunity? No, Professor Pasley replied, only if he could persuade a Council member to bring it up. Professor Orear asked whether an individual Faculty member would be able to speak to and defend his motion. Only with the consent of the majority of the Council, replied Professor Pasley.

Professor Robert H. Ferguson, I&LR, said that speakers critical of the reorganization plan were dealing with nostalgia, not reality. In point of fact, individual members have little opportunity to address meetings of the Faculty. Experience with up to 5 or 6 motions on the same subject during the course of a Faculty meeting indicates the need for an effective steering committee. The sheer size of the present Faculty is a compelling argument for reorganization.

Professor Norman Malcolm, Philosophy, commended the Committee for a good job and supported its proposals. He observed that at Faculty meetings debate is often confused because members are poorly informed about the issues. He contrasted the orderly parliamentary procedure of the University Senate with the disorderly procedures of the Faculty, especially when heated issues are involved, and noted that there would be less basis for the fear of Faculty members about their authority being eroded by the Senate if the Faculty were able to proceed effectively. He then asked why there is no provision for the Council to elect its speaker. Professor Pasley replied that this suggestion made sense and will be considered.

Associate Professor Gordon M. Messing, Classics, wondered if Professor Malcolm's conclusions concerning Senate-Faculty competition follow from his premises. He thinks the Faculty will turn out for important issues. He inquired about the success of senate schemes in other universities and whether these schemes provide for the discontinuation of Faculty meetings. Such information, he concluded, would be helpful in evaluating the reorganization proposal. Professor Pasley replied that he had sought such information without success and would welcome it.

Professor Urie Bronfenbrenner, Human Development and Family Studies, favored the direction of the Committee's proposals since issues coming before the Faculty are often complex and getting sufficiently informed is difficult. However, he would like to open the Council of Representatives to Faculty members concerned with the broad objectives of the University. To this end he urged that giving Faculty members the right to speak at Council meetings be explored. He believes there is a compromise possible which will preserve a sense of community.

Assistant Professor James H. Matlack, English, opposed the proposals. He is concerned about rule by experts and the loss of benefits which flow

from participation and communication. He is also concerned about the possibility that when volatile issues are involved, the large body would overrule the small body. Would Professor Pasley speak to the matter of the interaction of the Faculty and the Council of Representatives? Professor Pasley thought the possibility of conflict would be slight at regular meetings but might be larger at special meetings. He observed that it is unlikely that disagreement will be totally avoided.

Adjourned: 5:55 p.m.

G. P. Colman, recorder

The meeting was called to order by President Corson at 4:35 p.m. in 120 Ives Hall. There were 66 members present. The President announced that a spelling error in the previous minutes had been corrected, whereupon the minutes were approved.

The President relinquished the Chair to Professor William Tucker Dean.

1. REPORT, COMMITTEE ON NOMINATIONS

The Dean of the Faculty presented the following report on behalf of the Committee on Nominations. For the Faculty Council to replace Associate Professor Alan K. McAdams, who is on leave, Associate Professor Roger M. Battistella, B & PA, and Associate Professor Edward S. Flash, Jr., B & PA; to replace Professor Kurt Hanslow, who has resigned, Professor Robert H. Ferguson, ILR, and Professor John F. Wootton, Veterinary College.

For the Committee on Nominations, to replace Professor Paul Van Riper, who has resigned, Professor Thomas E. Lodahl, B & PA, and Professor and Associate Dean David A. Thomas, B & PA.

For the University Hearing Board, to replace Professor Michael Fisher, who is on leave, Assistant Professor Marshall W. Meyer, ILR, and Assistant Professor Dennis T. Regan, Department of Psychology.

The Chair invited additional nominations. There being none, Dean Miller moved adoption of the slate, which was done by voice vote with no opposition.

2. NEW PROFESSIONAL DEGREES

Dean Miller reported that the following resolution has been approved by the Graduate Faculty:

*RESOLVED, That the University Faculty approve the granting of two new professional degrees, the Master of Professional Studies (Hospital and Health Services Administration), [M.P.S. (H.H.S.A.)] and the Master of Professional Studies (African, Afro-American), [M.P.S. (A., A.A.)].*

He then moved the adoption of the resolution.

After transferring the Chair to Dean Miller, Professor Dean spoke in favor of the resolution. He observed that this meeting constitutes an historic occasion since it is the first time the Africana Program has come before the University Faculty. He then addressed the question of whether courses offered by the Program are open to white students. He said that after hearing rumors on the subject, he made extensive inquiries and learned recently from University administration that three white students were enrolled in a course in Swahili during the past spring semester. He lacks information about the enrollment of non-Blacks in undergraduate courses now being offered and noted in this connection that no courses were listed by the Africana Program at the time of registration. Because of his concern that enrollment in the graduate program now before the Faculty be open without regard to color, he reported that he had raised the issue at a meeting of the Graduate School and had been assured by Professor James Turner that the graduate program would be open without regard to color. He concluded by asking Professor Turner if he wished to comment. Professor Turner declined to do so.

The Chair having been returned to Professor Dean, a vote was taken on the resolution. By voice vote, the resolution was approved without opposition.

### 3. DISCUSSION OF FACULTY REORGANIZATION

After announcing that the Faculty Council had postponed action on reorganization proposals to a later date, the Chair introduced Professor Robert S. Pasley, Chairman of the Committee on the Reorganization of the Faculty.

Professor Pasley reported that since the discussion at the October meeting of the Faculty, his committee held three hearings and received a number of communications. It is now analyzing the information and points of view with the expectation that a revised proposal, with significant changes noted, will be distributed to the Faculty before the Christmas holidays.

Professor Raymond Bowers, Physics, stated that he, together with colleagues from various departments, has prepared a resolution which is an alternative to the recommendations of the Pasley Committee. It will be distributed by mail to the Faculty, together with a three-page justification. He indicated that the resolution will be co-sponsored by Professors Urie Bronfenbrenner, William Keeton, Martie Young, David Pimentel, Jay Orear, Richard O'Brien, and others. After inviting suggestions for modification he read the proposed resolutions as follows:

The Faculty requests the Dean to appoint a committee whose charge is to develop a plan for changing the procedures and organization of the University Faculty which meets the following conditions:

1. The powers of the University Faculty and the rights of individual Faculty members shall remain fundamentally unchanged.
2. The Faculty Council shall be reorganized and enlarged to make it more representative and a more effective instrument for clarifying issues, recommending actions to the University Faculty, and, in some circumstances, representing and speaking for the University Faculty.

Professor Bowers noted that this resolution recognizes the need for improved procedures but takes the position that the reorganization recommended by the Pasley Committee is too drastic a step to take at this time. He stressed the need for an intermediate step which would preserve the best feature of the existing situation - the Faculty meeting as a forum for debate and discussion where every faculty member can participate. Should this proposal for an enlarged and more representative Faculty Council prove unworkable, the Faculty could then move to the reorganization recommended by the Pasley report, a scheme which he recognized as reasonable. Much of the content of the Pasley Committee's recommendations, he noted, is compatible with his resolution.

Professor Pasley observed that Professor Bowers and his co-sponsors contemplate another committee, which would be the third on the subject. As

to the point about preservation of a forum, the forum simply has not functioned; recent meetings have been poorly attended. The move to a representative structure had been recommended because that seemed to be what the Faculty wanted. Professor Pasley agreed that although the Bowers resolution marks a 180 degree departure from the key provision of his report, much remains in his report which is compatible with that resolution.

Professor Bowers then clarified the function of the committee he has in mind. It will not have a broad charge like the Pasley Committee, but simply be a task force to reduce the mandate to specifics.

Professor John G.B. Hutchins, B & PA, observed that attendance at Faculty meetings varies with the interest in the issues at hand, and on some occasions is quite large. He then supported Professor Bowers' proposal because the individual faculty member will, in his opinion, feel lost if participation in both the Faculty and University Senate is only by representation. He finds that direct participation in the Faculty meeting is useful and healthy, particularly as a vehicle for education and acquaintanceship. He feels that the Cornell Faculty may get to a situation similar to that at Columbia, where faculty fragmentation was associated with the absence of meetings of the University Faculty. He concluded that the University Faculty meeting is an important vehicle for maintaining the unity of the University.

Associate Professor Elmer E. Ewing, Vegetable Crops, questioned the ability of the Faculty to come to a decision if the Pasley recommendations are adopted. Noting that the University Senate can ask for reconsideration of Faculty actions, he said that in the view of the Pasley Committee this would apply to decisions of the proposed Council of Representatives. Conceivably this Council might reverse itself. If this occurred members of the Faculty would probably petition, in accordance with provisions in the

Pasley Committee recommendations, to hold a general Faculty meeting. Regardless of the vote there, this situation could, by another petition, be brought to referendum. Conceivably, there could be additional reconsiderations; for example, should the Faculty change the motion in the process of reconsidering. To place the Faculty in a situation where it can't make decisions invites the escalation of critical situations.

Professor John D. Hartman, Vegetable Crops, said he understands that the Pasley Committee is thinking of revising the referendum process. He felt that a challenge by the University Senate could be handled more effectively by a referendum procedure than by calling special Faculty meetings.

Replying to Professor Hutchins, Professor Pasley reminded him that some Faculty meetings are being retained; probably three will be recommended. Although Faculty members may not attend these meetings if they have limited authority to act, he noted that they don't come now when they have authority. Speaking as an individual, he challenged a comment he had heard to the effect that since authority now resides in the Senate, why go to the trouble of reorganizing the Faculty. He observed that control over educational policy is an important power and particularly so if the Faculty moves away from making policy by ad hoc decisions to consider fundamental issues. Responding to Professor Ewing's point, he said that given the Senate's power to call for reconsideration of Faculty actions, it is possible that deliberations could be stretched out. In this connection, the concern of his committee has been to provide orderly procedures for these deliberations.

Professor Isadore Blumen, ILR, focused on the importance of creating a truly representative body. He said that present Faculty legislation calls for the Faculty Council to be representative but observed that it has nonetheless been quite unrepresentative. In the absence of a representative council there have been repudiations of the Faculty Council by the Faculty.

This can happen, but is less likely to happen with a representative body such as that recommended by the Pasley Committee. Professor Blumen went on to note an atmosphere of tension associated with a number of special Faculty meetings which he said were illegally called and which led, on occasion, to unwise decisions. He also noted pressures, sometimes artificially generated, to divide the University, as in the instance of an interview of a University Vice-President by a reporter of the Wall Street Journal. An atmosphere is needed conducive to calm deliberation, which, in effect, means a body of moderate size. The price paid is to eliminate a forum for the expression of views by every Faculty member and while regrettable, it is a necessary price because it is difficult to carry on calm and rational discussion in a large faculty meeting. He observed that in creating a Council of Representatives the Faculty is doing more than enlarging the present Faculty Council, which was set up to handle housekeeping chores but has arrogated to itself the right to speak for the Faculty. What is proposed by the Pasley Committee is a body that under legislation can speak for the Faculty. Being sufficiently representative, it is unlikely that its decisions would be overturned. The individual is not without power because of the appeals procedure, which is necessarily cumbersome, but given the atmosphere of suspicion, almost paranoia, that exists within the University Faculty, it is important to have a structure for appeals. While there are a variety of possible structures for rational decision making, no reform is adequate which does not provide for representation and appeal to the Faculty.

Professor Urie Bronfenbrenner, Human Development and Family Studies, questioned Professor Blumen's definition of the situation while granting his point that change is needed. Drawing on his experience as a member of the Faculty Council, he observed that the problem is not an arrogation of power

by members of the Council, who have worked long and hard to serve the interests of the University and of the Faculty. Rather, the problem is structural. The Faculty Council experiences pressures from interest groups, particularly the administration and students, but there is no mechanism to encourage its members to act as representatives of constituencies. The proposal offered by the Pasley Committee overlooks the possibility of a middle ground, such as that offered by Professor Bowers. The Bowers proposal makes it clear that members of the Faculty Council would have constituency relationships and provides for the creation of appropriate mechanisms. Establishing this intermediate model would not require the time invested in the more ambitious plan of the Pasley Committee. Professor Bronfenbrenner concluded that it is important to maintain the Faculty as a living entity for purposes of maintaining morale and as a vehicle for change. While polarization may occur in the process of change, it is far healthier when it occurs in Faculty meetings than when it occurs sub rosa.

Assistant Professor Peter J. Sharfman, Government, challenged the justification for searching for a middle ground by observing that a sufficiently representative Faculty Council would be similar to the proposed Council of Representatives and, should the Council of Representatives take a controversial action, it would return the issue to where it is now, the full Faculty meeting. He noted an inconsistency between both the low attendance at the present meeting and the large mass meetings in Bailey Hall and Professor Bronfenbrenner's concern about the preservation of the Faculty as a living entity. If the Faculty Council is made truly representative in accordance with the Bowers proposal, future meetings of the full Faculty will probably be poorly attended, witness the present meeting where the item for action had already been thoroughly considered by the Graduate Faculty. It makes little sense to create a more complicated

structure to preserve the symbol of the full deliberative Faculty because the symbol has become empty. In the last two years every meeting of the University Faculty has either not been representative or has not been deliberative, and this situation is likely to continue. Neither a small attendance at meetings or a large attendance where the opportunity for deliberation is missing will contribute to the dignity of the Faculty.

Adjourned 5:30 p.m.

G.P. Colman, Recorder

The President called the meeting to order at 4:40 p.m. 285 members were present. He reported the correction of a minor grammatical error in the Minutes of the last meeting, whereupon the Minutes were approved as distributed.

1. NECROLOGY

The President announced the death of *E. Laurence Palmer*, Professor Emeritus of Rural Education.

He then yielded the chair to Professor John H. Whitlock.

2. PRESIDENT CORSON'S REPORT

The President said that at a meeting of the University Senate on January 7 he had discussed Administration-Senate relationships in the context of the Senate report on access to the campus. While indicating essential agreement with most of the Senate recommendations, he reserved his authority to exclude someone from the campus should the situation warrant. He expressed satisfaction with the work of the Senate and thanked faculty members who have participated in its activities. Turning to the issue of academic freedom, the President described an incident in Willard Straight Hall on December 5 and reported subsequent actions he had taken. He noted that at a panel discussion on South African apartheid the South African representative was not allowed to speak, whereupon, together with the Malawi ambassador to the United Nations and a faculty member, he moved to another room to continue the discussion. The President sent letters of apology to these government officials, to which the Malawi ambassador replied he would be willing to reschedule a discussion if both sides could be heard. At the President's request, the Judicial Administrator investigated and concluded that a disruption occurred, but the situation was ambiguous.

Some misunderstandings occurred which have since been cleared up through direct contacts between the parties involved, and it was concluded that judicial proceedings against any individual would not be warranted. The President expressed grave concern about this matter and said he intended to achieve an atmosphere at Cornell where controversial discussions could occur. He asked the Faculty to help him reach this objective.

Professor William Tucker Dean, Law, reported that the Executive Committee of the University Senate has authorized a committee to investigate the event and recommend to the Senate steps that can be taken to prevent its repetition.

3. COMMITTEE ON ELECTIONS

Dean Miller, on behalf of the Committee on Elections, stated the results of the recent by-election. The Committee reported the following:

There were 579 ballots cast of which 561 were valid and the following were the results:

1. For a member of the Faculty Council for the remainder of the academic year (replacement for Alan McAdams, on leave), 522 ballots were cast, of which 350, a majority, were cast for the Associate Professor, Graduate School of Business and Public Administration, Edward S. Flash, Jr.
2. For another member of the Faculty Council to complete the term of Kurt Hanslowe (resigned), 527 ballots were cast, of which 297, a majority, were cast for the Professor of Physiology, Biochemistry and Pharmacology in the Veterinary College, John F. Wootton.
3. For a member of the Committee on Nominations to succeed Paul P. Van Riper (resigned), 521 ballots were cast, of which 287, a majority, were cast for the Professor and Associate Dean of the Graduate School of Business and Public Administration, David A. Thomas.
4. For a member of the University Hearing Board, 501 ballots were cast, of which 292, a majority, were cast for the Assistant Professor of Industrial and Labor Relations, Marshall W. Meyer.

4. FACULTY REORGANIZATION

Professor Whitlock began by referring to a statement (distributed at the door)\* containing his ruling for consideration of the Report of the Temporary Committee on the Organization and Procedures of the University

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\*attached

Faculty. He noted that the Faculty lacks a constitution and bylaws. It is bound only by Robert's Rules and the standing rules of the Faculty, the latter being subject to change by majority vote. He urged the Faculty to avoid a parliamentary hassle, gave members an opportunity to react, and then introduced Professor Robert S. Pasley, Law, Chairman of the Temporary Committee.

Professor Pasley called attention to the following correction (which was distributed at the door)\* to the revised proposals of the Temporary Committee, dated December 15, 1970. In Article A, XII-A-3-b, the wording which follows "Section A, hereof" should be "in which case it shall be placed on the agenda of an early meeting of the University Faculty. If necessary, a special meeting of the Council of Representatives or of the University Faculty shall be held for this purpose." Professor Pasley then moved as follows:

- 1. The Revised Proposals for Organization and Procedures of the University Faculty, dated December 15, 1970, submitted by the Temporary Committee on Organization and Procedures of the University Faculty, are approved;*
- 2. Said proposals shall be considered adopted if, but only if, they are further approved by a majority of those casting valid ballots in a referendum conducted in accordance with paragraph 3;*
- 3. The Committee on Elections, with the assistance of the Temporary Committee on Organization and Procedures of the University Faculty, is instructed to submit said proposals to the voting members of the University Faculty for their approval or disapproval in a referendum conducted by mail (or messenger envelope) ballot;*
- 4. Upon adoption, said proposals shall forthwith become effective, and the Dean and the appropriate committees of the University Faculty shall thereupon take all necessary steps to implement them.*

He also moved the adoption of the following procedure:

*RESOLVED, That this meeting consider the revised proposals of December 15 as a whole without the necessity of seriatim reading and discussion.*

The motion carried on a showing of hands.

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\*attached

The Chair then obtained unanimous consent to allowing thirty minutes for debates before bringing up Professor Bowers' motion to commit the question to a new committee.

After listing the occasions when the proposals of the Temporary Committee were discussed by the Faculty, Professor Pasley noted that questions posed by the Committee in its report to the Faculty dated October 5, 1970, (page 10) were answered affirmatively in the present proposals. He then read a statement which his predecessor, Professor Paul P. Van Riper, presented to the Faculty on September 15, 1969, which justified the creation of a representative system based upon school and college constituencies. After referring to and citing Faculty comment favoring the proposals of the Temporary Committee, he addressed the criticism which says, in effect, why bother with reorganizing the Faculty when power now resides in the University Senate. He then identified matters relating to educational policy which the Faculty might well consider, specifically ROTC, Africana Studies, institutional research, CAL, undergraduate teaching, graduate education, professional schools, role of the University in society, role of the humanities in the University, centers and interdisciplinary programs.

Professor Richard D. O'Brien, Neurobiology and Behavior, moved to amend paragraph 2 of Professor Pasley's motion as follows:

Said proposals shall be considered adopted if, but only if, they are approved by a two-thirds vote of the Faculty at this or any other Faculty meeting and further approved by a majority of those casting valid ballots in a referendum conducted in accordance with paragraph 3.

Professor O'Brien noted that information distributed prior to the meeting indicated that a two-thirds majority would be required to adopt the reorganization proposals. While not challenging the ruling of the Chair, he took the position that common sense suggests that the Faculty should

bind itself to a two-thirds majority in order to adopt the significant changes being proposed.

Professor Isadore Blumen, ILR, asked what the ordinary rule is for adopting a constitution and bylaws when they are initially presented. A majority vote, replied the Chair. Professor Blumen observed that advance notice and a referendum serve as devices for avoiding a hasty decision. To require a two-thirds majority as a third level of protection is to give undue consideration to an entrenched minority.

The previous question was moved. The amendment was defeated on a showing of hands.

Associate Professor Elmer E. Ewing, Vegetable Crops, opposed the Pasley proposals on the ground that the lengthy appeals procedure is inconsistent with efficient decision making. After noting that many Faculty members had either not read or studied the proposals, he pointed out how, under optimum conditions, 72 days might be required for the Faculty to reach a decision.

The Chair called a special order to permit Professor Ryamond Bowers, Physics, to move to commit the topic of Faculty reorganization to another committee. Professor Bowers then moved the following resolution:

The Faculty requests the Dean to appoint a committee whose charge is to develop a plan for changing the procedures and organization of the University Faculty which meets the following conditions:

1. The powers of the University Faculty and the rights of individual Faculty members shall remain fundamentally unchanged.
2. The Faculty Council shall be reorganized and enlarged to make it more representative and a more effective instrument for clarifying issues, recommending actions to the University Faculty, and, in some circumstances, representing and speaking for the University Faculty.

He noted that this motion reflects the point of view that some change is necessary but that the Pasley Committee's proposals are too drastic because

the Faculty meeting is lost as a forum and because Faculty members as individuals are disenfranchised. An evolutionary procedure is proposed to make the Faculty Council more representative and more efficient in its deliberations. The sponsors of this motion agree that should this reform prove inadequate, they are ready to adopt the solution of the Pasley Committee. For this reason, and because this motion is compatible with most of the Pasley Committee's proposals, there is nothing to be lost by an evolutionary approach. As a personal note he observed that the last two Faculty meetings indicate that the Faculty can conduct its business in reasonable fashion.

Assistant Professor David B. Wilson, Biochemistry and Molecular Biology, observed that trust is so scarce in the University Faculty that he could not recall when the report of a committee was accepted. While recognizing that the Bowers motion is, in a sense, an alternative approach to reorganization, he concluded that there is a real need for a smaller body which can handle large issues. Since the administration has not taken the lead in approaching such issues, the Faculty must get into a position to do so.

Professor William T. Keeton, Neurobiology and Behavior, challenged the view that adopting the Pasley Committee proposals will result in greater efficiency. To illustrate the superiority of the Bowers proposal, he urged the Faculty to consider what would have happened in the spring of 1969 had the Faculty been organized in accordance with the proposals of the Pasley Committee. No matter what the Council of Representatives decided at the Monday meeting following the occupation of Willard Straight Hall, there would surely have been 100 Faculty members who would have disagreed and signed a petition asking for reconsideration in a meeting of the full Faculty. At the ensuing Faculty meeting the inability to take

independent action would have led to even more intense feelings than the Faculty experienced at the time. Then, with students occupying Barton Hall, the Faculty would have moved through the additional steps required to reach a decision, perhaps 72 days later if Professor Ewing's calculations are correct. Again referring to those meetings in 1969, Professor Keeton stressed the informational function of faculty meetings. Many younger Faculty members who had access in those meetings to explanations offered by then-Provost Corson later undertook to explain Faculty actions to students. Lacking such information, they might have joined the students instead. Professor Keeton feared that the quality of faculty deliberations will suffer from the absence of people who don't wish to campaign for a place in what he called the new oligarchy. He further questioned the wisdom of departing from a tradition of a direct voice for faculty members in matters of importance.

Professor John D. Hartman, Vegetable Crops, observed with respect to Professor Keeton's historical references, that the matters considered at the Monday and Wednesday meetings in 1969 were executive rather than legislative matters. The proposed Council of Representatives could determine how such executive matters would be handled.

Professor John G.B. Hitchins, B & PA, recalled the time during the administration of President Day when Faculty debate was at a high level due to the participation of President Day and the initiatives of the Committee on University Policy, which met every week. He doubted the wisdom of determining the issue of reorganization by reference to crisis conditions, which the Faculty cannot handle effectively in any case. He sees the Pasley proposals as leading to greater fragmentation among the Faculty rather than contributing to a sense of individual responsibility that is needed. As to Professor Wilson's point about committees being reversed,

it is not confirmed by Professor Hutchins' experience. He favors the Bowers proposal with the hope that liaison between the Faculty Council and the Faculty will be improved.

Assistant Professor Peter J. Sharfman, Government, agreed with Professor Hutchins about the desirability of direct participation, given a smaller Faculty membership than at present. The virtue of the Pasley Committee's proposals is that they shift decision making to a body small enough to deliberate. While agreeing that procedures could be drawn out, he noted the lack of contrast with the lengthy and non-conclusive deliberations of the Faculty regarding the calendar, CAL, and ROTC. Also, the clarity of debate would be greatly enhanced by having a body composed of informed people alert to parliamentary procedure, a situation he expects to prevail in the elected body. In this connection, he contrasted debate on ROTC in the University Senate with the ROTC debate in the University Faculty. As further evidence of a lack of clarity associated with existing arrangements, he cited the spring, 1969, Monday meeting of the Faculty which Professor Keeton referred to in another connection.

Professor David Pimentel, Entomology and Limnology, said he had been in opposition to the Faculty Council both before and since his election to that body. He noted that about three years ago, in cooperation with Professor Faust F. Rossi, he had persuaded the Faculty to overturn a recommendation of the Faculty Council, but under the cumbersome procedures proposed by the Pasley Committee, overturning the Council while preserving the Faculty meeting as a place for communication and action. This would leave the way open to adopting about 98% of the Pasley proposals while preserving the right of Faculty members to participate directly.

Associate Professor Donald F. Solá, Linguistics, Modern Languages, said that the Faculty seeks responsible decisions made by a representative

group. Both in the present situation and under the Bowers proposal the group that deliberates on issues is different from that which makes the decision. The Pasley proposals do well to combine in one group deliberation and decision making. Professor Solá then questioned the relevance of Professor Keeton's point about proceedings which work during a crisis since nothing can be settled by the present or proposed procedures during a crisis. The Pasley proposals, he concluded, provide the opportunity to take the long view which makes possible the avoidance of crises.

Professor Ulric Neisser, Psychology, noted that the University Senate is a new element in helping to resolve crisis situations. Since the Faculty as a body has had little experience with the Senate, this is an inappropriate time to create another complicated superstructure. It would be better to work for several years through a more representative Faculty Council while determining if a representative structure is needed for Faculty governance.

At this point, the question was moved. Debate was closed on a showing of hands. After it was established that should both the Bowers and Pasley proposals be defeated, some version of the Bowers proposal could be submitted as new business, a vote was taken on the motion to commit. On a standing vote, the motion failed.

Professor Ewing moved the following amendment to the proposals of the Pasley Committee:

That Section F of Article XI (entitled Referendum by University Faculty) be deleted from the Pasley Committee's proposal, and that editorial corrections be made in other parts of the proposal to conform with this deletion.

Professor Ewing said the referendum should be eliminated because it is more important to have voters informed by debate than to have a larger number of poorly-informed voters. In the Pasley Committee's proposals,

the quorum requirement at Faculty meetings consequent to Council decisions and the power of the University Senate to require the proposed Council of Representatives to reconsider actions constitute adequate safeguards. The requirement for a referendum is not only an unnecessary luxury; it has the potential for critically extending the decision making process.

Professor Pasley clarified an observation by Professor Ewing by noting that should a decision of the Council be approved through failure to obtain a quorum at subsequent Faculty meetings, a referendum could still be held. Also, a referendum could be held on actions of the Faculty when exercising its full powers. Professor Pasley granted that the referendum procedure is cumbersome, said it is included to prevent the Council from functioning as an oligarchy, and noted that a survey by Professor Hartman containing 348 signatures indicates that the referendum has Faculty support.

The question was moved and debate was closed on a showing of hands. On a standing vote, the amendment was defeated. Following a call for division, the vote was 135 opposed; 111 in favor.

Professor Ewing then moved as follows:

That Section D-6 of Article IX (entitled Visitors at Meetings) be replaced with the following paragraph:

The provision of Article IV, Section B-7, relating to the presence of non-faculty visitors at meetings of the University Faculty shall apply to meetings of the Council of Representatives. Any member of the University Faculty who is not a member of the Council of Representatives shall be entitled to attend and participate in debate at any meeting of the Council, except that by a two-thirds vote of the Council members present and voting, debate on a particular question may be limited to Council members.

Professor Ewing said the intent is to place the burden of deciding whether visiting Faculty members can have the floor on the Council of Representatives rather than on the individual Faculty member.

Professor Pasley said it is not important whether the procedure of his Committee or that of Professor Ewing is adopted. He noted that the proposals of his Committee require visitors to sit in the gallery in order to expedite voting. Professor Ewing replied that in the University Senate there has been no problem in identifying members when they intermingle with guests. Professor Paul L. Hartman, Physics, corrected the latter statement. He observed that at University Senate meetings the Chair has sometimes required visitors to move to the designated section in order to expedite business.

Debate was closed on a showing of hands. On a further showing of hands, the amendment lost.

Associate Professor Richard M. Talman, Physics, moved the following amendment, which was circulated by Professor Orear to the Faculty on January 4 with slightly different wording: (correct wording attached)

In Section IV. A., insert after the original eight items:  
9. its present power to legislate. In addition, the Pasley Committee is instructed to make editorial corrections in other parts of the proposal, in particular, in Section XI, to specify the Faculty's power to amend action taken by the Council of Representatives.

Professor Talman urged the importance of preserving the Faculty meeting in order to educate and maintain a sense of individual responsibility. If business of substance is excluded, members won't attend meetings. Faculty meetings have been a reasonably efficient and enjoyable way to become involved in issues. Involvement and awareness can be more important than actions taken.

Professor Solá said that item 7 in IV. A. of the proposals is sufficient authority. To fail to distinguish between bodies on the basis of authority to act could lead to difficult situations should they take inconsistent actions.

Assistant Professor James H. Matlack, English, said the Faculty may find itself in a position of paralysis if it can only accept or reject actions of the Council. Retaining its full power to act when it chooses may be critical in a crisis situation. Professor Pasley replied that the Faculty can't have it both ways. To adopt the amendment would not destroy the proposals of his Committee but would introduce an element of inconsistency which would be difficult to work with.

Debate was closed on a showing of hands. The amendment was defeated on a showing of hands.

Debate was then closed on the main motion by a showing of hands. The motion carried on a showing of hands. Following a call for a division, the vote was 171 in favor, 60 opposed.

While the tellers were tabulating the vote, the Chair asked the consent of the Faculty to agree, by unanimous consent, to the following proposal by Professor William Tucker Dean, Law:

*RESOLVED, That in order to assure the largest possible participation, the Faculty suggests that the University Senate conduct the faculty vote for the Senate by university mail, using the mailing list of the Dean of the Faculty.*

There was no objection.

Adjourned: 6:40 p.m.

G. P. Colman, recorder

NOTE By a mail ballot the Faculty approved the Organization and Procedures of the University Faculty 682 to 205.

January 13, 1971

To: Members of the University Faculty

From: R. D. Miller

Re: The Parliamentary Situation with Respect to the Report of the Temporary Committee on the Organization and Procedures of the University Faculty

Professor John H. Whitlock has agreed to assume the chair in today's meeting of the University Faculty as it considers the report of the Pasley Committee. In preparation for this task, he has prepared the following statement:

*Faced with the practical problem of chairing a faculty meeting with a minimum of procedural problems, the undersigned has made the discovery that amending an unwritten constitution is exactly like trying to pin a tail on a non-existent donkey, and although he agreed in general with the sentiments of the letter sent out by the Dean of the Faculty on January 8, 1971, he (and his consultants) have had to change their minds. The basic fact is simply that the University Faculty has neither constitution nor bylaws and has (as far as can be determined) always carried on its administrative procedures by standing rules, i.e., "rules which can be adopted or changed upon the same conditions as any ordinary act of the society." (Robert's p. 15, 1970 ed.) In the absence of any special rule it is obvious that the faculty can adopt the report of the Temporary Committee by a simple majority vote. Whether the faculty wishes to adopt special procedures to implement, confirm or ratify the report will have to be worked out through the defining of the wishes of the assembly in accordance with relevant Robert's Rules. It also turns out that the report of the Temporary Committee since it deals with "(1) Name of the Organization; (2) Its Object; (3) Members; (4) Officers; (5) Meetings; (6) Executive Board; (7) Committees; (8) Parliamentary Authority and (9) Amendment" is essentially the report of a bylaws committee as defined by Robert's. In the absence of prior bylaws it is also subject to adoption by majority vote according to Robert's. The motion submitted by Professor Bowers and colleagues is clearly not a set of bylaws but a motion to commit. As long as it is not used to prevent debate (after 1/2 hour by rule of the chair) it too will take only a majority vote to pass.*

*Since the chair has only Robert's as a guide he will proceed to follow the procedure in that guide for the initial establishment of bylaws and the amendments proposed by Professors Orear and Ewing will be taken up as the assembly goes over the document seriatim.*

J. H. Whitlock

MEMORANDUM

TO: Members of the University Faculty

FROM: Elmer E. Ewing, Associate Professor, Department of Vegetable Crops

DATE: January 4, 1971

SUBJECT: Amendments to the Pasley Committee Report

At the next Faculty meeting I intend to propose the following two amendments to the Pasley Committee Report of December 15, 1970.

- (1) That Section F of Article XI (entitled 'Referendum by University Faculty') be deleted from the Pasley Committee's proposal, and that editorial corrections be made in other parts of the proposal to conform with this deletion.

Comments - This amendment removes the provision for referendum from the proposed legislation. I feel that the provision for referendum is undesirable for the following reasons:

- a) There would be no assurance that those voting in the referendum would avail themselves of the opportunity to hear the question debated before casting their votes.
  - b) The document already provides for one review of any action taken by the Council of Representatives. This review is by a Faculty Meeting with quorum requirement. A second review is unnecessary.
  - c) The provision for referendum, when added to the other review procedures, could be used to prevent the faculty from assuming a firm, final position on a question for a very long period of time, providing only that approximately 6% of the Faculty was willing to sign the needed petitions. This period of indecision would be 2½ months under the most optimistic circumstances. If the Senate called for reconsideration, if there was a failure to meet the 25% quorum requirement at the Faculty meeting, or if vacation periods intervened, then the delay could be much longer. Perhaps a delay would not matter greatly on many questions, but surely there will be time when the Faculty must have the ability to settle an issue both expeditiously and decisively.
- (2) That Section B-6 of Article IX (entitled 'Visitors at Meetings') be replaced with the following paragraph:

The provision of Article IV, Section B-7, relating to the presence of non-faculty visitors at meetings of the University Faculty, shall

apply to meetings of the Council of Representatives. Any member of the University Faculty who is not a member of the Council of Representatives shall be entitled to attend and participate in debate at any meeting of the Council, except that by a two-thirds vote of the Council members present and voting, debate on a particular question may be limited to Council members.

Comments - This amendment permits members of the Faculty who are not members of the Council to speak at Council meetings without obtaining prior permission from the Executive Committee. If the privilege is abused, or if time is pressing, then the Council retains the power to limit debate to Council members. The making of motions and voting would be reserved to Council members at all times.

January 13, 1971

RESOLVED THAT

1. The Revised Proposals for Organization and Procedures of the University Faculty, dated December 15, 1970, submitted by the Temporary Committee on Organization and Procedures of the University Faculty, are approved;
2. Said proposals shall be considered adopted if, but only if, they are further approved by a majority of those casting valid ballots in a referendum conducted in accordance with paragraph 3;
3. The Committee on Elections, with the assistance of the Temporary Committee on Organization and Procedures of the University Faculty, is instructed to submit said proposals to the voting members of the University Faculty for their approval or disapproval in a referendum conducted by mail (or messenger envelope) ballot;
4. Upon adoption, said proposals shall forthwith become effective, and the Dean and the appropriate committees of the University Faculty shall thereupon take all necessary steps to implement them.

RSP/bjd/700

January 4, 1971

To:               The University Faculty  
From:             Jay Orear, Professor of Physics  
Subject:          Amendment to the Pasley Committee Report

I propose the following amendment:

"In Section IV. A., insert the following item, with the original item 8 becoming item 9:

8. Its present power to legislate.

In addition, the Pasley Committee is instructed to make editorial corrections in other parts of the proposal which would allow both the University Faculty and the Council of Representatives to have the legislative powers of the present University Faculty. The changes in Section XI should specify that the University Faculty in a special meeting would not only have the power to nullify action taken by the Council of Representatives, but it could modify or amend the contested motion passed by the Council of Representatives."

DISCUSSION:

As the Pasley Committee report now stands, the University Faculty would no longer have power to legislate or even to modify or perfect legislation made by the Council of Representatives (it could only nullify such legislation).

Resolution to be Proposed at  
the January Meeting of  
the University Faculty

The Faculty requests the Dean to appoint a committee whose charge is to develop a plan for changing the procedures and organization of the University Faculty which meets the following conditions:

- 1) The powers of the University Faculty and the rights of individual faculty members shall remain fundamentally unchanged.
- 2) The Faculty Council shall be reorganized and enlarged to make it more representative and a more effective instrument for clarifying issues, recommending actions to the University Faculty and, in some circumstances, representing and speaking for the University Faculty.

R. Bowers  
U. Bronfenbrenner  
W. Keeton  
J. Orear  
R. O'Brien  
D. Pimentel  
M. Young

## JUSTIFICATION FOR THE PROPOSED RESOLUTION

The proposers of this motion accept the view that there is need for improvement in the procedures and organization of the University Faculty and its associated committees in order to make them more effective in meeting their responsibilities. However, we feel that the solution recommended by the Temporary Committee on the Organization and Procedures of the University Faculty, chaired by Professor Pasley, represents too drastic a step to be taken at this time. We do not question the fact that the plan proposed by the Pasley Committee, might, in some circumstances, lead to more efficient conduct of the business of the University Faculty. However, in order to achieve this, two very important changes will be made. First, the University Faculty meeting will no longer be held regularly once a month and provide a forum for exchange of views and discussion of problems effecting more than one college or school. Second, the change to a representative forum will deprive the individual faculty member of his right to vote on issues that concern him.

Before accepting such a major change in the organization of the University Faculty, it seems desirable to try to improve the present situation in an evolutionary manner. Our resolution provides for the maintenance of the present powers of the University Faculty, and the preservation of the Faculty meeting as a forum for debate and discussion. It retains the power of voting for any member of the faculty and his right to introduce motions and make proposals for legislation.

It has been suggested that some of our past difficulties within the University Faculty results from the fact that the faculty at large and the administration do not consider the Faculty Council as currently constituted to be a representative body of the Faculty. Our resolution is intended to improve that situation by reorganizing the Faculty Council. We envisage the Council being increased in size, perhaps to 30 members. While specific details are left to be worked out by the committee proposed in the resolution, we envisage a Faculty Council that has the majority of its members elected as representatives of constituencies and the remainder consisting of the chairman of some of the important faculty committees who have been elected at large throughout the University. It is presumed that the new Faculty Council will be large enough to have its own internal subcommittees and task forces that can bring persuasive analysis of proposed actions to the Faculty for consideration. It will not be possible to provide a fully representative council with only 30 members but there is reason to believe that significant improvements can be made over the present situation.

While this resolution does reject that part of the Pasley Report which calls for a representative organization, it is compatible with many of the other ideas contained within the committee report. For example, the clarification of the functions, duties and methods of the selection of the Dean of the Faculty contained in the Pasley Report can be accepted within the framework of the present resolution. Indeed, it is expected that the new committee proposed under this resolution would carefully examine the Pasley Committee report in order to see what ideas could be retained within the framework of this resolution.

The arguments in favor of our resolution may be summarized as follows. We recognize the need for improvement in the organization and procedures of the University Faculty but propose an evolutionary improvement which does not reduce the present powers of the University Faculty as a body nor eliminate the right of a faculty member to regularly attend the meetings, to discuss and to vote on any issue of concern to him.

It should be remembered that if the improvements suggested in this resolution do not prove to be effective, then the faculty can always decide, after a reasonable trial period, to change to a representative form of organization. Once we change to a representative organization, it does not seem likely that the faculty will have the chance to return to our present organization; there is an element of irreversibility in the plan proposed by the Pasley Committee. We are not persuaded that modifications of the representative organization such as making the meetings open or allowing members of the faculty to speak and even introduce legislation, represent practical or effective solutions to the problems that concern us. Nor are we persuaded that when issues of great concern emerge, that a representative organization will necessarily provide the degree of order that it's proposers seek. We do not believe that the confusion which frequently characterized some of the major debates, such as that on ROTC, can be blamed entirely on the organization of the faculty. Indeed, we ask all members of the faculty to reflect as to whether during the crisis periods of the last two springs, they would have preferred to see the business of the University Faculty conducted by a representative body.

RB:dlw

# APPENDIX F

REVISED PROPOSALS FOR  
ORGANIZATION AND PROCEDURES  
OF THE UNIVERSITY FACULTY

BY

The Temporary Committee on  
Organization and Procedures  
of the University Faculty

Cyril L. Comar  
Joan R. Egner  
David P. Mozingo  
John W. Reps  
Robert S. Pasley, Chairman

December 15, 1970

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PART ONE. INTRODUCTORY

- I. DEFINITIONS. As used herein, the following words and phrases shall have the meanings set forth below:
- A. University. The term "University" shall mean Cornell University.
  - B. President. The term "President" shall mean the President of Cornell University.
  - C. The University Faculty. The University Faculty (sometimes referred to herein as "the Faculty") shall mean the body defined as such in the Bylaws of Cornell University, as now in effect or as amended from time to time hereafter. At present, the Faculty comprises: (1) As voting members, the President, emeritus professors, University professors, and all professors, associate professors and assistant professors of the several colleges, schools and separate academic departments, divisions and centers at Ithaca and Geneva, exclusive of the several extension services; (2) As non-voting members, the professors, associate professors and assistant professors in (a) the Medical College, (b) the School of Nursing and (c) the extension services of the several colleges, schools and departments of the University; and (3) Such other persons as may have been, or may hereafter be, elected by the Board of Trustees, upon the recommendation of the Faculty, to voting or non-voting membership therein. (Bylaws of Cornell University, Art. XIII, Sec. 1).
  - D. Faculty Council of Representatives. The Faculty Council of Representatives (sometimes referred to herein as the "Council of Representatives") is the body established pursuant to Article VIII of this document.
  - E. Cornell University Senate. The Cornell University Senate (referred to herein as the "University Senate") is the body established under the "Cornell University Senate Constitution," approved by the Cornell University Community in the Spring of 1970, and under the "University Senate Resolution," adopted by the Board of Trustees in April, 1970.
  - F. Dean of the University Faculty. The Dean of the University Faculty (sometimes referred to herein as the "Dean of the Faculty" or the "Dean") is the chief administrative officer of the University Faculty, as provided for in Article XIII, Section 4, of the Bylaws of Cornell University.
  - G. Secretary. The term "Secretary" shall mean the Secretary of the University Faculty.
  - H. Constituency. The term "constituency" shall mean any one of the colleges, schools, or separate academic departments, divisions, or centers at Ithaca or Geneva, exclusive of the several extension services.
  - I. "This Document." The term "this document" shall refer to the organization and procedures set forth herein, or established hereby.

## II. FUNCTIONS AND RESPONSIBILITIES OF THE UNIVERSITY FACULTY.

Under the Bylaws of Cornell University (Article XIII, Sec. 3), as modified by the charter of the Cornell University Senate, the functions of the University Faculty are to consider questions of educational policy which concern more than one college, school or separate academic department, division or center, respectively, or are general in nature, and to recommend to the Board of Trustees, with the approval of the appropriate college or school faculty, the establishment, modification, or discontinuance of degrees.

The Bethe Committee Report, adopted by the Faculty on September 12, 1969, clarifies the academic responsibilities of the University Faculty as a whole and with respect to the separate faculties of the various units of the University, the Administration, and the student body.

It is not the function of this document to change in any way the functions or responsibilities of the University Faculty, but to provide for its organization and procedures.

## PART TWO. THE UNIVERSITY FACULTY

### III. ORGANIZATION OF THE UNIVERSITY FACULTY

The University Faculty shall consist of the following elements:

- A. The University Faculty (See Article I-C for definition and membership.)
- B. The President (See Article VI for powers and duties with respect to the University Faculty.)
- C. The Dean of the University Faculty (See Article V for functions, duties, and method of selection.)
- D. Other Officers (See Article VI for functions, duties, and method of selection.)

The other officers of the Faculty shall be

- 1. The Secretary
- 2. The Speaker
- 3. One or more Parliamentarians
- 4. The Recorder
- 5. Such other officers as may be provided for from time to time.

- E. Committees of the University Faculty (See Article VII)
- F. The Faculty Council of Representatives (See Article VIII for establishment and organization.)

#### IV. POWERS OF THE UNIVERSITY FACULTY; MEETINGS

A. Powers of the University Faculty. The University Faculty as a whole shall continue to have and exercise the following powers:

1. Its present power to determine its own membership, subject to Article XIII, Sec. 1, of the Bylaws of Cornell University (summarized in Article I-C hereof);
2. Its present power to nominate Faculty Trustees for election by the Board of Trustees pursuant to Article II, Sec. 2a.(4) (ii) of the Bylaws of Cornell University;
3. The power to participate in the selection of the Dean of the Faculty, in the manner set forth in Article V;
4. The power to select its officers, other than the President and the Dean, in the manner set forth in Article VI;
5. The power to postpone or nullify any action of the Faculty Council of Representatives, as set forth in Article XI;
6. The power to require or request reports from its officers and committees, from the Faculty Council of Representatives, and from others in the University community or elsewhere, as may be authorized or appropriate;
7. The power to express its views concerning any matter within its responsibilities or reasonably related thereto, either at a meeting of the Faculty or in such other manner as may be appropriate;
8. The power to amend this document in accordance with the procedures set forth in Article XIII.

B. Meetings of the University Faculty.

1. Interim Meetings. Pending the organization and first meeting of the Council of Representatives, the University Faculty shall continue to meet as usual.
2. Regular Meetings. After the organization and first meeting of the Council of Representatives, the University Faculty shall hold three regular meetings in each academic year. The dates and times of these regular meetings shall be set by the Dean. One such meeting shall be held at the beginning of each semester and one toward the end of each academic year.
3. Special Meetings. Special meetings of the University Faculty shall be called by the Dean:
  - a. Upon the request of the Board of Trustees, the Executive Committee of the Board of Trustees, or the President;

- b. Upon the request of the Council of Representatives;
  - c. Upon the request of the Review and Procedures Committee of the University Faculty;
  - d. Upon the written petition to the Dean of voting members of the Faculty, equal in number to or greater than the then membership of the Council of Representatives;
  - e. Upon call of the Dean, to consider a proposal to postpone or nullify an action of the Council of Representatives in accordance with the procedures set forth in Article XI;
  - f. Upon call of the Dean, to act upon a requirement of the University Senate for reconsideration of any vote taken by the University Faculty, or upon a suspension by the Senate of new legislation of the University Faculty, in accordance with the procedures set forth in Article XII;
  - g. Upon call of the Dean, to act in an emergency.
4. Agenda at Meetings.
- a. Regular Meetings. At a regular meeting of the Faculty, any matter may be brought forward which is properly the concern of the Faculty, but priority shall be given to the matters specified in the call of the meeting.
  - b. Special Meetings. At a special meeting of the Faculty, only those matters shall be considered which are specified in the call of the meeting, except as this rule may be waived by unanimous consent of the voting members present.
5. Quorum.
- a. Ordinary Business. Except as provided in paragraph b hereof, a quorum for regular or special meetings of the the Faculty shall be 10 per cent of the voting members of the Faculty.
  - b. Extraordinary Business. If a special meeting is called to consider postponing or nullifying an action of the Council of Representatives under Article XI, or if it is proposed to take such action at any regular meeting, a quorum shall be 25 per cent of the voting members of the Faculty.
  - c. Failure to Obtain Quorum. In the absence of a quorum, those present may receive reports, may discuss matters without voting on them, and may set the date and time for an adjourned meeting, but shall transact no other business.

6. Rules of Procedure.

Except as otherwise provided herein, or in special rules adopted by the Faculty, the rules set forth in the then current edition of Robert's Rules of Order, to the extent applicable, shall govern the debates, votes, and other actions at all meetings of the Faculty. Non-voting members of the Faculty may attend and participate in debates, but may not vote.

7. Visitors.

Ordinarily, visitors shall not be admitted to meetings of the Faculty. This rule may be waived by majority vote of the voting members present, either to admit accredited members of the press or other public media, without discrimination, or a limited number of other visitors, or both, for all or a portion of a meeting. If so admitted, visitors shall sit in the gallery, or otherwise apart from the main body of the meeting, and shall not be permitted to participate in debates but, if it is so authorized by the vote admitting them to the meeting, they may be permitted by the presiding officer to address the meeting.

V. THE DEAN OF THE UNIVERSITY FACULTY

- A. In General. The office of Dean of the University Faculty is one of outstanding importance for the proper conduct of University affairs, and in the formulation of policy and the maintenance of flexible communication and mutual understanding between the Faculty and the rest of the University community. Accordingly, special qualifications are required for the office, including an acknowledged position of leadership on the Faculty and wide experience in University affairs.
- B. Liaison and Administrative Functions. The Dean is the Faculty's chief administrative officer and its liaison on all matters in which the concerns of the Faculty relate to the President, the Trustees, or other segments of the University community. He is, however, not a member or agent of the University administration.
- C. While he is primarily the representative of and spokesman for the University Faculty, the Dean retains the right to express his own personal views, when described as such.
- D. Duties. Without limitation of the foregoing, the Dean shall have the following specific duties:
  - 1. He shall represent and advocate the interests, concerns, and needs of the Faculty to the President, the Trustees, and other segments of the University community, and to the public.
  - 2. He shall advise the President on matters of educational policy, and shall seek the President's advice on matters of concern to the Faculty.

3. He shall assist the Faculty and the Council of Representatives in formulating judgments on questions of educational policy.
4. He shall be available for consultation and advice to members of the Faculty, to students, and to other members of the University community on matters within the jurisdiction of the Faculty.
5. He shall use his good offices in helping to resolve problems which may arise for individual members of the Faculty in their relationships with other members of the Faculty, with academic or administrative officers of the University, with committees of the Faculty or University, with students, or with other segments of the University community.
6. He shall oversee and expedite the work of all committees of the University Faculty or the Council of Representatives and shall keep them informed of problems to which they should attend. He shall obtain annual or other periodic reports from such committees and shall be responsible for seeing that the reports, recommendations, and decisions of such committees are brought to the attention of all persons concerned therewith. Where necessary and appropriate, he will arrange for the timely publication of information meriting the attention of the Faculty, and of information concerning the Faculty meriting the attention of other segments of the University community or of the public.
7. He shall be responsible for the selection and appointment, where not otherwise provided for, of (i) members of committees of the University Faculty or of the Council of Representatives, (ii) Faculty representatives on other University committees or bodies, and (iii) temporary replacements to fill vacancies on any such committee or body. In exercising this responsibility, he will normally consult with the Committee on Nominations.
8. He shall be an ex officio, non-voting member of each committee of the University Faculty and each committee of the Council of Representatives.
9. He shall be responsible for the calling of meetings of the University Faculty and the Council of Representatives and for the preparation and distribution of the agenda for such meetings.
10. He shall be responsible for maintaining a file of (i) records of actions of the University Faculty and of the Council of Representatives, (ii) reports of committees of the University Faculty and of the Council of Representatives, and (iii) such other files and records as may be necessary or appropriate.
11. He shall prepare such reports as he, or the University Faculty or the Council of Representatives, shall deem appropriate.

12. He shall be available to sit with the Board of Trustees and its Executive Committee in discussions of questions of educational policy.
  13. He shall perform such other functions as are provided for herein, or as the University Faculty or the Council of Representatives shall determine.
- E. Assistants to the Dean; Acting Dean. As may be necessary to assist or represent him, the Dean may delegate any portion of the foregoing functions and duties to the Secretary of the Faculty, to members of his staff, or to other members of the Faculty. In the absence or inability to act of the Dean, the Secretary of the Faculty shall function as Acting Dean. In the absence or inability to act of both the Dean and the Secretary, the Review and Procedures Committee, in consultation with the President, shall designate an Acting Dean.
- F. Selection of Dean. The selection procedures for Dean of the Faculty shall be as follows:
1. At least three months before the deanship becomes vacant, or as promptly as possible if the office should become vacant without three months' notice, the Nominations Committee shall solicit nominations and canvass Faculty opinion, and shall prepare a slate of three or more candidates. The Nominations Committee may wish to consult with the President in this regard.
  2. The Committee on Elections shall conduct a mail ballot of the voting members of the University Faculty and shall promptly report the results to the President and the Faculty.
  3. Subject to ratification by the Board of Trustees, the candidate receiving a plurality of the votes cast shall be appointed Dean.
- G. Term of Office. The term of office for the Dean shall be three years. He may be reappointed by the Council of Representatives for a further period of not more than two years. So far as possible, the terms of office of the Dean and the Secretary shall be staggered so that not more than one of these officers shall be elected in any one year.
- H. Incumbent. The present Dean shall continue in office until expiration of his normal term, or his term as extended, without regard to the adoption of this document.

#### VI. THE PRESIDENT AND OTHER OFFICERS OF THE FACULTY.

The functions and duties of the other officers of the University Faculty shall be as follows:

- A. The President. The Bylaws of Cornell University (Article VI, Sec. 1; Article XII, Sec.1) provide that:

1. The President shall be the chief executive and educational officer of the University.
  2. Except as he may otherwise designate, he shall be the chairman and presiding officer of every faculty of the University; and
  3. He shall be a voting member and presiding officer of the University Faculty.
- B. The Secretary. The Secretary of the University Faculty shall be selected by the Faculty in accordance with present procedures, and shall continue with his present functions and duties. He shall also be Secretary of the Review and Procedures Committee of the University Faculty.
- C. The Speaker. The Speaker of the Council of Representatives or his alternate (see X-A-2) shall serve as Speaker of the University Faculty. By designation of the President he may, and normally will, moderate meetings of the University Faculty.
- D. Parliamentarians. There shall be one or more Parliamentarians, selected by the Speaker, to advise him on questions of parliamentary law and procedure arising in the course of faculty meetings.
- E. Recorder. The Recorder shall keep the minutes of the meetings and other proceedings of the Faculty. He shall be selected by, or in the manner provided by, the Review and Procedures Committee.
- F. Other Officers. There shall be such other officers of the Faculty, with such functions and duties, as may be provided for from time to time by the University Faculty.
- G. Incumbents. All the present officers of the Faculty (other than the President and the Dean who are not affected hereby) shall remain in office until the expiration of their normal terms of office, without regard to the adoption of this document.

## VII. COMMITTEES OF THE UNIVERSITY FACULTY.

- A. Standing and Ad Hoc Committees. The University Faculty shall have the following committees:
1. Committee on Membership. There shall be a standing Committee on Membership, with the functions and duties of the existing committee of that name.
  2. Review and Procedures Committee. There shall be a standing Review and Procedures Committee. In addition to any other duties assigned to it in this document, the Review and Procedures Committee (a) shall act as liaison between the University Faculty and the Council of Representatives,

(b) shall (in consultation with the Council of Representatives and the University Senate where appropriate) continuously review the organization, procedures, and committee structure of the University Faculty and the Council of Representatives and make appropriate recommendations thereon to the Faculty or the Council of Representatives, and (c) shall assist the Dean and the Secretary in the preparation of agenda for meetings of the University Faculty.

3. Committee on Nominations; Committee on Elections

- a. There shall be a standing Committee on Nominations and a standing Committee on Elections.
- b. The Committee on Nominations shall nominate candidates for Faculty Trustees, for Dean of the Faculty, for members at large of the Council of Representatives, and for elected committees and offices of the Faculty and of the Council of Representatives.
- c. The Committee on Elections shall prescribe procedures for, and shall supervise, all elections by the University Faculty, all elections by or to the Council of Representatives, and all elections to elected committees and elective offices of the University Faculty and the Council of Representatives; shall decide disputed questions concerning such elections; and shall perform such other functions as are assigned to it in this document or by the University Faculty or the Council of Representatives. In connection with elections to the Council of Representatives, the Committee on Elections shall prescribe or approve guidelines and procedures to govern the nomination of candidates and the conduct of elections, whether at large or within constituencies. Such guidelines and procedures shall be consistent with this document, shall be in accord with the one-man one-vote principle, and shall so far as practicable apply uniformly as among constituencies.
- d. In the discretion of the Review and Procedures Committee, the Committee on Nominations and the Committee on Elections may be combined into a single Committee on Nominations and Elections.

4. There shall be such other standing and ad hoc committees of the University Faculty as may be created by the Faculty.

B. Membership of Committees.

1. The Review and Procedures Committee shall consist of the Dean and the Secretary, ex officio, and nine members of the University Faculty elected at large by the Faculty. The composition of the other committees provided for under Section A above, and the manner of selecting members thereof, shall be as provided in the legislation or resolution creating such committees.

2. Any member of the University Faculty, whether or not a voting member, shall be eligible to serve as a voting member of a University Faculty committee.
3. Each committee of the University Faculty shall select its own chairman, except that the Secretary of the Faculty shall serve as chairman, ex officio, of the Committee on Membership, and the Dean shall serve as chairman, ex officio, of the Review and Procedures Committee.

C. Terms of Membership.

1. Except as otherwise provided in the legislation or resolution creating a committee, the term of each elected member of a standing committee shall be three years, provided that, so far as feasible, the Committee on Elections shall arrange staggered terms for the initial election to each such committee so as to provide continuity.
2. Except as otherwise provided in the legislation or resolution creating the same, or except as reappointed by the University Faculty, each ad hoc committee shall automatically expire at the end of the academic year.

D. Existing Committees.

1. Upon completion of the organization of the Council of Representatives and the holding of its first meeting, the existing Faculty Council shall be disestablished, and all its pending and unfinished business, not previously transferred to the University Senate, shall be transferred to the Council of Representatives.
2. Pending selection of a new Committee on Membership and a new Committee on Nominations, the existing committees of these names shall continue to function.
3. Pending selection of a new Committee on Elections, the existing ex officio Committee on Elections (comprising the Dean, the Secretary, and the Registrar), assisted by the Temporary Committee on the Organization and Procedures of the University Faculty, shall constitute an initial Committee on Elections to supervise elections to the Council of Representatives and any other elections by or within the University Faculty.
4. All other existing standing committees, appointed committees, and special commissions of the University Faculty or the existing Faculty Council (including student-faculty boards, committees, and conferences) shall continue to function as committees of the University Faculty, the Council of Representatives, or the University Senate (as assigned to one or the other by action duly taken by appropriate authority), until superseded by action duly taken by the University Faculty, the Council of Representatives, or the University Senate.

5. This document shall not affect existing administrative boards, committees, or special commissions of the University.
6. It shall be the responsibility of the Council of Representatives to cooperate with the Review and Procedures Committee and the University Senate in undertaking a prompt review of the existing committee structure of the University Faculty and to take appropriate action, or make appropriate recommendations, thereon. Such review may include the making of recommendations to the President concerning administrative boards, committees, and special commissions.

### PART THREE. THE FACULTY COUNCIL OF REPRESENTATIVES

#### VIII. ESTABLISHMENT AND ORGANIZATION OF FACULTY COUNCIL OF REPRESENTATIVES

- A. Establishment. There is hereby established a Faculty Council of Representatives (sometimes referred to herein as the "Council of Representatives") consisting of not less than 75 nor more than 150 members.
- B. Eligibility for Membership. Any member of the University Faculty, tenured or non-tenured, now eligible to serve on an elected University Faculty committee, shall be eligible for membership in the Council of Representatives. (See section E below for mandatory non-tenured membership). Membership in the University Senate shall not disqualify a faculty member from membership in the Council of Representatives.
- C. Initial and Subsequent Membership.
  1. The Council of Representatives shall consist initially of the following:
    - a. As voting members:
      - (i) The President of the University.
      - (ii) Ten members of the University Faculty elected at large by the University Faculty; and
      - (iii) From 90 to 95 (as determined by the Committee on Elections) members of the University Faculty elected by and within constituencies as specified in Section F below; and
    - b. As non-voting, ex officio members  
(unless elected as voting members under (a) above):
      - (i) The Faculty Trustees;
      - (ii) The Dean; and
      - (iii) The Secretary.

2. Within the limits specified in Section A above, and subject to the approval of the University Faculty, the Council of Representatives may designate its own future size.

D. Apportionment of Seats.

1. All membership seats on the Council of Representatives (other than memberships at large and ex officio memberships) shall be apportioned among the various colleges, schools and separate academic departments, divisions and centers (exclusive of extension services) at Ithaca and Geneva (hereafter called "constituencies") in proportion to the number of University Faculty members (voting and non-voting) belonging to each such constituency, but exclusive of emeritus professors. For this purpose, a member of the University Faculty shall be considered as belonging to that constituency from which the greater part of his base salary derives.
2. In the case of large constituencies, for example, the College of Agriculture and the College of Arts and Sciences, the Committee on Elections may, in consultation with the faculties of such constituencies, break them down into smaller units for purposes of apportionment, nominations, and elections.
3. Initially, each constituency, no matter how small, shall be entitled to at least one seat on the Council of Representatives. If thereafter any such constituency shall fall below five voting members, it may be combined by the Committee on Elections with one or more other constituencies.
4. A fractional quota, over and above the normal quota for one membership or any multiple thereof, shall entitle a constituency (including any combination of constituencies under paragraph 3 above) to one more seat if, but only if, such fractional quota constitutes a majority of the quota for one seat.
5. There shall be a reapportionment of seats at least every three years.
6. All decisions on apportionment shall be made, and all questions and disputes concerning the same shall be resolved, by the Committee on Elections.

- E. Mandatory Non-Tenured Membership. In the case of any constituency with four or more seats, one seat out of each set of four shall be reserved for a non-tenured member of the University Faculty. Should such a non-tenured member receive tenure during his incumbency, he may remain in office until the end of the academic year, when his position will automatically become vacant. If necessary, a special election will be held to fill such vacancy. Seats not reserved for non-tenured members of the Faculty may nevertheless be filled by non-tenured members, if duly elected.

F. Elections.

1. Members at large shall be elected by the University Faculty by mail ballot, in accordance with procedures established by the Committee on Elections, from among candidates nominated by the Committee on Nominations.
2. Other elected members shall be elected by each constituency to fill the number of seats assigned to that constituency. All persons eligible to vote in a University Faculty election shall be eligible to vote in a constituency election.
3. General elections to the Council of Representatives shall be held in the Spring and shall be conducted in accordance with procedures established or approved by the Committee on Elections. (See Article VII, Section A-3-c, above).
4. Special elections shall be held to fill vacancies, or for other sufficient reason as determined by the Committee on Elections.
5. Any question or dispute concerning general or special elections, eligibility to vote, assignment to a constituency, or other election procedures, shall be resolved by the Committee on Elections.

G. Terms of Office.

1. Except in the case of the initial Council of Representatives, elected members shall serve for a three-year term. A term of office shall begin on July 1.
2. In the case of the initial Council of Representatives the first general election shall be held as soon as reasonably possible after final approval of this document and members shall take their seats immediately upon announcement of the results of such election. In this election terms of membership shall be staggered, in the manner determined by the Committee on Elections, so that approximately one-third of the total membership of the Council of Representatives (exclusive of the ex officio members) shall be elected for one year, one-third for two years, and one-third for three years, or as near to such periods of time as is feasible, in the judgment of the Committee on Elections.

H. Vacancies and Leaves of Absence.

1. Any vacancy, arising from death, resignation, incapacity, or other reason, shall be filled by a special election, except that if the vacancy is for an unexpired term of 90 days or less, it shall be optional with the constituency concerned to leave the vacancy unfilled for the balance of such term.

2. If a member is granted leave for one or two semesters, an alternate shall be elected in a special election to take the absent member's seat for the period of the leave. If a member is granted leave for more than one year, his seat shall be declared vacant, beginning with the commencement of the leave.
  3. If any member (other than a member on leave) fails to attend any meeting of the Council of Representatives for a period of 120 days or more (exclusive of Summer vacation) his seat may be declared vacant, either by the constituency concerned, or by the Council of Representatives as a whole.
- I. Recall of Members. The Council of Representatives may, in its discretion, provide for recall procedures, which shall authorize a constituency to remove a member for reasons specified in such procedures and to declare his seat vacant, provided that any such removal must be initiated upon the petition of at least 10 per cent of the voting members of the constituency and must, to take effect, have the approval of at least 50 per cent of such membership.
- IX. POWERS, DUTIES, AND MEETINGS OF THE FACULTY COUNCIL OF REPRESENTATIVES
- A. Powers in General. Except for the powers reserved to the University Faculty under Article IV-A, and subject to the power of the University Faculty to postpone or nullify any action of the Council of Representatives pursuant to Article XI, all the powers and functions of the University Faculty are hereby delegated to the Council of Representatives.
- B. Specific Powers. Without limiting paragraph A above, or the other powers set forth in this document, the Council of Representatives shall have the following specific powers and responsibilities:
1. To select its officers;
  2. To provide for the appointment or election of its committees and subcommittees;
  3. To adopt, amend, or repeal bylaws or other procedures relating to the conduct of its business and the duties and functions of its officers and committees.
- C. Exercise of Powers. In exercising its powers it is anticipated that the Council of Representatives will take all reasonable measures to ascertain faculty opinion by means of the regular and special meetings of the University Faculty and other appropriate means, and will keep the University Faculty fully informed of the reasons for its decisions.

D. Meetings of Council of Representatives.

1. Regular Meetings. An organization meeting of the Council of Representatives shall be called by the Dean promptly after the election of its members. Thereafter, regular meetings of the Council of Representatives shall be held once a month during the academic year.
2. Special Meetings. Special meetings of the Council of Representatives shall be called by the Dean:
  - a. On the request of the President, the Board of Trustees, or the Executive Committee of the Board of Trustees;
  - b. On the request of the Review and Procedures Committee;
  - c. On the request in writing by members of the University Faculty equal in number to, or more than, the then membership of the Council of Representatives;
  - d. On the written request of a majority of the members of the Council of Representatives;
  - e. Whenever required by the procedures set forth in Article XII.
  - f. On the Dean's own motion, whenever it appears to him that such a meeting is necessary or appropriate.
3. Agenda at Meetings.
  - a. Regular Meetings. At a regular meeting of the Council of Representatives, any matter may be brought forward which is properly the concern of said Council, but priority shall be given to the matters specified in the call of the meeting.
  - b. Special Meetings. At a special meeting of the Council of Representatives only those matters shall be considered which are specified in the call of the meeting, except as this rule may be waived by unanimous consent of the members present.
  - c. The Dean shall make the necessary arrangements to distribute the agenda of regular and special meetings of the Council of Representatives to the members of the University Faculty in advance of such meetings.
4. Quorum. Except as otherwise provided herein, or in the bylaws or other procedures adopted pursuant to section B above, the quorum for the transaction of business of the Council of Representatives shall be one-half of its voting members. In the absence of a quorum, the Council may receive reports, may discuss matters without voting on them, and may set the date for an adjourned meeting, but shall transact no other business.

5. Procedure at Meetings. The rules contained in the then current edition of Robert's Rules of Order shall govern the deliberations and actions of the Council of Representatives in all cases in which they are applicable, to the extent they are not inconsistent with the provisions hereof or with the bylaws or other procedures adopted by the Senate pursuant to section B above.
6. Visitors at Meetings. The provision of Article IV, Section B-7, relating to the presence of visitors at meetings of the University Faculty, shall apply to meetings of the Council of Representatives, except that any member of the University Faculty who is not a member of said Council shall be entitled to attend any meeting of the Council as a visitor, and, if authorized by the Executive Committee (See X-B-1), to participate in debate, but not to make motions or vote. If the Executive Committee has not had the opportunity to pass upon a request to so participate (as where a matter is brought up which is not on the agenda) such participation by a Faculty visitor shall be within the discretion of the Speaker.

X. OFFICERS AND COMMITTEES OF THE FACULTY COUNCIL OF REPRESENTATIVES

- A. Officers. The officers of the Council of Representatives shall consist of the following:
  1. The President of the University, who will serve as ex officio President of the Council of Representatives.
  2. The Speaker, who will serve as an impartial moderator of Council meetings. The Speaker shall be selected by the Council of Representatives, which may also select an alternate Speaker to serve in the absence of the Speaker.
  3. One or more Parliamentarians to be appointed by the Speaker.
  4. The Recorder, who shall be in charge of the minutes and records of the Council and who shall assist the Dean at the Dean's discretion. He shall be selected by the Council of Representatives, by majority vote, from among the University Faculty. If not an elected member of the Council of Representatives, the Recorder shall have no vote nor shall he speak to matters other than those pertaining to the office and its duties. The minutes of each meeting shall be distributed to all members of the University Faculty.
  5. Such other officers as may be provided for from time to time by the Council of Representatives, to be selected in such manner as it may determine.
- B. Committees. The committees of the Council of Representatives shall be as follows:
  1. An executive Committee, of not more than 9 members, selected by the Council from among its own members in accordance with

procedures determined by it. The Committee shall select its own chairman. In addition to the other duties prescribed herein, the Executive Committee shall act for the Council of Representatives in emergencies, shall assist the Dean in preparing the agenda for regular and special meetings of said Council, and shall perform such other functions as may be prescribed by said Council.

2. A Committee on Nominations and a Committee on Elections (or a combined Committee on Nominations and Elections) which shall be the same committees or committee, with the same members, functions, and duties, as provided above in Article VII-A-3.
3. Such other standing and ad hoc committees and subcommittees, elective or appointed, as may be established by the Council of Representatives.
4. Except in the case of the Executive Committee, any member of the University Faculty, whether or not a voting member, and whether or not a member of the Council of Representatives, shall be eligible to serve on a committee or subcommittee of said Council.
5. The terms of office of members of the aforesaid committees shall be as prescribed by the Council of Representatives. In the case of standing committees the terms of office shall normally be staggered to permit a reasonable degree of continuity. In the case of ad hoc committees, the duration of such committees shall be as prescribed by the Council of Representatives, subject to extension if necessary. Any standing or ad hoc committee which fails to meet, and does not otherwise act or file a report, for a period of one academic year, shall be automatically discontinued.
6. Each such committee shall select its own chairman. Each such committee may appoint subcommittees from its own members or from among other members of the University Faculty.

PART FOUR. RELATIONSHIPS BETWEEN AND AMONG THE UNIVERSITY FACULTY, THE FACULTY COUNCIL OF REPRESENTATIVES, AND THE UNIVERSITY SENATE.

XI. RELATIONSHIPS BETWEEN UNIVERSITY FACULTY AND FACULTY COUNCIL OF REPRESENTATIVES.

A. In General. As stated above in Article IX, Sec. A, the Council of Representatives is hereby delegated all the powers and functions of the University Faculty not reserved to the Faculty under Article IV, Sec. A, subject to the power of the Faculty, reserved in Article IV, Sec. A-5, to postpone or nullify any action of the Council of Representatives.

B. Effect of Postponement or Nullification.

1. A postponement shall be for a specified period not to exceed 90 days.

2. A nullification may be in whole or in part with respect to any particular action of the Council of Representatives.

C. Initiation of Proposals. A proposal to suspend or nullify an action of the Council of Representatives must be initiated within 20 days of the date of such action. It may be initiated:

1. By the President, the Board of Trustees, or the Executive Committee of the Board; or
2. By written petition of members of the University Faculty equal in number to, or greater than, the then membership of the Council of Representatives; or
3. By two-thirds of the voting members of the Review and Procedures Committee.

D. Review and Presentation of Proposals. The Review and Procedures Committee shall review any such proposal made under Section C-1 or C-2 above. Prior to the meeting of the Faculty at which such proposal is submitted, said Committee shall make its views thereon known by communication to the University Faculty, in the call of the meeting or otherwise, and shall, whatever its views may be, assist the Secretary and the proposers in presenting the proposal to the meeting.

E. Action on Proposal. Any such proposal shall be promptly submitted to a special meeting of the Faculty or, if the timing permits, a regular meeting, provided notice of such proposal is set forth in the call of the meeting. Provided the necessary quorum is present (see Article IV, Sec. B-5-b above) adoption of such proposal shall require the affirmative vote of a majority of the voting members present. If the proposal is not adopted, the action of the Council of Representatives shall stand, subject to Section F below. If two successive meetings (including an adjourned meeting) have been called or set to consider any such proposal, and there is an absence of a quorum at each, the action of the Council of Representatives shall stand, subject to Section F below.

F. Referendum by University Faculty. A referendum by mail ballot of the University Faculty may be had on any action of the Council of Representatives which has been duly submitted to the University Faculty for proposed nullification under sections A through E above, whether or not such proposal to nullify has been approved under section E above. Such a referendum may also be had on any action of the University Faculty taken in the exercise of its reserved powers (Article IV-A) without any prior action of the Council of Representatives. The following procedures shall govern:

1. Any such referendum shall require a petition in writing from the President, the Trustees, or voting members of the Faculty equal to, or greater in number than, the then membership of the Council of Representatives, filed within 20 days of the last action, or failure to act, on the matter on which the referendum is sought;

2. The Dean shall, in cooperation with the Review and Procedures Committee, distribute suitable information concerning the issue to the Faculty;
3. Only voting members of the Faculty shall be eligible to vote in such referendum;
4. The mailing, balloting, and counting procedures shall be prescribed and supervised by the Committee on Elections, which shall decide any disputed questions in connection therewith;
5. Provided at least 25 per cent of the voting members of the Faculty cast valid ballots in such referendum, the majority of the votes cast, whether such majority is in favor of the original action or in favor of its nullification, shall decide the issue. If the vote is less than 25 per cent, the referendum shall be without effect.

G. Subsequent Action. Once a proposal to postpone or nullify an action of the Council of Representatives has been initiated, and has been finally approved or defeated by the University Faculty under the above procedures, or final action has been taken on a matter within the reserved powers of the University Faculty, the matter (or substantially the same matter as determined by the Review and Procedures Committee) shall not be brought up again before the University Faculty or the Council of Representatives until at least one year has passed from the date of such final approval, defeat, or other action.

## XII. RELATIONSHIPS BETWEEN THE UNIVERSITY SENATE AND THE UNIVERSITY FACULTY AND FACULTY COUNCIL OF REPRESENTATIVES

### A. In General.

1. The Cornell University Senate Constitution provides (Article I-3) that the University Senate shall have the power, by majority vote, to "require the reconsideration of any vote taken by the University Faculty and to suspend new University Faculty legislation unless and until a second affirmative vote on such legislation is obtained." The University Senate Resolution, adopted by the Board of Trustees in April, 1970, has a similar provision in Article II-3.
2. The University Senate Constitution further provides (Article I-6) that the University Senate may ~~Make~~ recommendations on matters it deems appropriate ~~including specific recommendations for changes in existing legislation~~

a. To the Faculty to be placed automatically on the agenda of an early meeting of the University Faculty."

A similar provision is contained in the Article II-3 of the University Senate Resolution adopted by the Board of Trustees.

3. In view of Article IX, Section A, of this document, delegating to the Council of Representatives all the powers and functions of the University Faculty, other than those reserved to the Faculty under Article IV, Section A:

- a. The powers of the University Senate set forth in paragraph 1 above shall be deemed to extend to any vote taken by the Council of Representatives and to any new legislation of said Council; and
- b. Any recommendation for a change in existing legislation, or otherwise, made by the University Senate to the University Faculty, as described in paragraph 2 above, shall be placed on the agenda of an early meeting of the Council of Representatives, unless it relates to a power or function reserved to the University Faculty under Article IV, Section A hereof, in which case it shall be placed on the agenda of an early meeting of the University Faculty. If necessary, a special meeting of the Council of Representatives or of the University Faculty shall be held for this purpose.

B. Priority of University Senate Action.

1. A requirement by the University Senate for reconsideration of any vote taken by the University Faculty or the Council of Representatives, or a suspension by the University Senate of any new legislation of the University Faculty or the Council of Representatives, shall take priority over:
  - a. Any proposal under Article XI for postponement or nullification by the University Faculty of an action of the Council of Representatives relating to the matter in question; and over
  - b. Any referendum of the University Faculty with reference to the same matter proposed or pending under Article XI, Section F.
2. If, upon such reconsideration, or second vote pursuant to a suspension of new legislation by the University Senate, the action of the University Faculty or of the Council of Representatives is sustained, the suspended proceeding to postpone, nullify, or submit to referendum shall be resumed. If the action is reversed or modified, the suspended proceeding to postpone, nullify, or submit to referendum shall be considered as having been rendered unnecessary, but without prejudice to any appropriate further action under Article XI above.
3. Any problem relating to the aforesaid priority of proceedings, or the details thereof, shall be resolved by agreement between the Review and Procedures Committee of the University Faculty and the Executive Committee of the University Senate.

C. Procedure.

1. University Faculty Action.

If the requirement to reconsider, or the suspension of new legislation, by the University Senate relates to a vote or legislation of the University Faculty:

- a. Only the University Faculty shall be authorized to act thereon;

- b. The action of the University Senate shall be reported promptly by the Dean to the University Faculty;
- c. The Dean, with the assistance of the Review and Procedures Committee, will bring the matter before a regular or special meeting of the Faculty as soon as possible and will, to the extent practicable, explain the issues involved in the call of the meeting or at the meeting itself;
- d. The 10 per cent quorum requirement (Article IV, Section B-5-a) shall apply. If a quorum does not attend:
  - (i) Action upon a requirement by the University Senate for reconsideration shall be postponed until the next meeting (including an adjourned meeting) at which a quorum is present;
  - (ii) Action upon a suspension by the University Senate of new legislation shall be postponed until an adjourned meeting, or the next meeting, is held. If a quorum fails to attend such adjourned or next meeting, the suspension by the University Senate shall be deemed final and the new legislation shall be deemed rescinded.

2. Action by the Faculty Council of Representatives.

- a. If the requirement for reconsideration, or the suspension of new legislation, by the University Senate relates to a vote or legislation of the Council of Representatives:
  - (a) The action of the University Senate shall be reported promptly by the Dean to the Council of Representatives;
  - (b) The Council of Representatives shall act thereon and its action shall be deemed the action of the University Faculty, subject to any further proceedings under Article XI;
  - (c) The Dean, with the assistance of the Executive Committee, will bring the matter before a regular or special meeting of the Council of Representatives as soon as possible and will, to the extent practicable, explain the issues involved in the call of the meeting or at the meeting itself;
  - (d) The regular quorum requirement (Article IX, Section C-4) shall apply. If a quorum does not attend for two successive meetings (including an adjourned meeting), the matter shall be brought before the University Faculty and the procedures set forth under paragraph (1) above shall apply.

D. Subsequent Action.

Once a requirement for reconsideration of a vote, or a suspension of new legislation, has been initiated by the University Senate, and has been finally acted on by the University Faculty or the Council of Representatives, under this Article XII, or by both if the procedures of Article XI are also invoked, the same matter (or substantially the same matter as determined by the Review and Procedures Committee) shall not be brought up again before the University Faculty or the Council of Representatives until at least one year has passed from the date of such final action.

PART FIVE. AMENDMENTS

XIII. AMENDMENTS

After this document has been approved and become effective, it may be amended in accordance with the following procedures:

- A. Initiation of Amendment. A proposal to amend this document may be initiated:
1. By majority vote of the Council of Representatives; or
  2. By majority vote of the Review and Procedures Committee; or
  3. By written petition of members of the University Faculty equal in number to, or greater than, the then membership of the Council of Representatives.
- B. Submission to the Faculty. Any such proposal to amend shall, unless initiated by the Review and Procedures Committee, be reviewed by that committee, which shall make its recommendation thereon. The Dean shall then promptly submit such proposal, together with the recommendation of the Review and Procedures Committee, to a regular or special meeting of the University Faculty. The 10 per cent quorum requirement shall apply. If the proposal fails to receive the approval of a majority of those present and voting, it shall be deemed to have failed. If it does receive such majority approval, it shall then be submitted to a referendum in accordance with the next section.
- C. Referendum. If the proposal to amend has been approved by a majority vote at a meeting of the Faculty under Section B above, it shall then be submitted promptly to all voting members of the University Faculty for a referendum by mail ballot. If approved by a majority of the valid ballots cast, the proposal shall be deemed adopted and this document amended accordingly.
- D. Such referendum shall be supervised by the Committee on Elections, which shall decide all questions and disputes arising in connection therewith. The Committee may call upon the Dean and the Review and Procedures Committee, if necessary, for assistance in conducting such election.
- E. Subsequent Action. If a proposal to amend this document is defeated, the same proposal (or substantially the same proposal, as determined by the Review and Procedures Committee) may not be initiated until at least one year has passed from the date of such defeat.

President Corson called the meeting to order at 4:35 p.m. in 110 Ives Hall. 71 members were present. Minutes of the meeting of the University Faculty on January 13, 1971 were approved as distributed.

1. NECROLOGY

The President announced the death of:

*Arthur J. Heinicke*, Professor Emeritus of Pomology.

2. ANNOUNCEMENTS BY DEAN MILLER

The roster of the Council is complete except for the College of Arts and Sciences. Representatives of that College who have apparently been elected were invited to this meeting. Eleven seats are still in doubt. In view of the incomplete roster, he asked the body to postpone organizational matters until the next meeting, to be held on the date of the scheduled faculty meeting. There was no objection.

The Dean announced the resignation of Professor William Keeton as Secretary of the Faculty, due to reasons of health. To identify an acting Dean should the need arise, normally the Secretary, Dean Miller reported that after consulting with the President, he had asked the former Dean, Professor Royse P. Murphy, to assume this contingency role for the time being. He then called attention to the need to elect two Faculty Trustees and a Review and Procedures Committee.

3. PRESIDENT'S ADDRESS

After reporting the establishment of an advisory committee to be composed of administrators, faculty members, and students, and charged with considering how best to marshal University resources, the President turned to three high-priority areas at Cornell, minority education, social and environmental studies, and the humanities. He proceeded to view these from the perspective of the present position of higher education in the United States.

A falling-off in the confidence the general public has in universities, together with the view that universities have been addressing the wrong problems, has created a political climate unfavorable for funding higher education. External support for graduate education has fallen sharply. At the same time, federal support for research is increasingly channeled through NSF to interdisciplinary programs focused on national needs and the problems of society. Among people controlling funds, there is a doubt that universities can organize themselves to work effectively in interdisciplinary programs. Federal policy seems to be widening the gap between university income and expenses in undergraduate as well as graduate education. Fortunately, Cornell is obtaining some relief at the state level through the Bundy Plan.

To help meet the problem of race, which the President identified as our greatest national problem, Cornell is providing for the continued growth of the COSEP Program. For the Humanities, a vigorous development effort is under way and in this connection he noted a recent grant from the Mellon Foundation.

Turning to the University's responses to these pressures, the President noted that the interdisciplinary projects are not inconsistent with disciplines based in strong departments. He observed that alumni and other donors have been generous and future support from these sources is likely if the University can tighten its belt while seeking to meet the challenges it faces. (The entire text appears in the Cornell Chronicle for March 25, 1971.)

#### 4. COMMITTEE ON ROTC RELATIONSHIPS

Associate Professor Peter H. Craig, Veterinary Science, presented a report of the Committee (which was distributed prior to the meeting) on behalf of the Chairman, Professor Robert J. Young. He noted that the Committee had emphasized the evaluation of professional military courses

and called attention to the conclusions and recommendations on page 2 and 3 of the report. After it was established that the report was for information only, President Corson noted that each of the major educational associations in the United States has appointed ROTC committees and that these committees recently met and adopted a set of recommendations similar to Cornell's Kennedy Commission and Ratner Committee. While regretting the vast investment of time required to present the ROTC matter in Washington, he expects real progress to result.

5. REPORT OF COMMITTEE ON ACADEMIC FREEDOM AND TENURE

Professor S. Cushing Strout, Acting Chairman of the Faculty Committee on Academic Freedom and Tenure, briefly summarized the report which was distributed before the meeting. The report contains the following recommendation, which was moved and seconded: (report attached)

*We therefore recommend that each college establish a grievance committee to which either a college faculty member [professor in the original wording] or a chairman, or both, may turn for a dispassionate review of a disputed assignment by professionally-qualified persons. We think such proceedings should be confidential, unless otherwise agreed to by all parties, including the Committee.*

Professor L. Pearce Williams, Representative-at-Large, asked whether a standing committee is necessary. Couldn't it be handled by the dean through informal consultation. Professor Strout pointed out that the Committee has received a case where a dean was involved; also Dean Kahn had indicated to him that such a committee would be helpful.

Professor Isador Blumen, Representative-at-Large, asked the Committee if it had anything to report about an extraordinary event at Bailey Hall on March 7. Professor Strout replied that the then Chairman of the Committee, Professor William F. Whyte, determined that the matter was being investigated by the Senate. The question then arose about the Committee's jurisdiction.

The Committee concluded that it could not act until it received a complaint.

Professor Blumen then moved as follows:

*The Faculty Council of Representatives requests the Faculty Committee on Academic Freedom and Tenure to inquire into and report on the events in Bailey Hall on Sunday evening, March 7, 1971. The Committee is also requested to inquire into the mechanisms which exist for promptly informing the Faculty when important incidents occur in which academic freedom may be seriously impaired. The Faculty Council of Representatives asks that at least a preliminary report be made to it by our next regular meeting.*

Professor Blumen observed that he did not know the details of what happened in Bailey Hall but he did know that the Cornell Chronicle, as a matter of policy, did not report what was witnessed by over 500 people and about which ugly rumors were spreading on campus. He noted a parallel to the South African Seminar incident with regard to the lack of information. Professor Strout interjected that he had referred to the latter incident and did not know to what Professor Blumen referred. Professor Blumen wondered why the Committee on Academic Freedom and Tenure was not informed about the event when he himself had been called about the matter by an assistant to the President. He observed on the basis of possibly incorrect information from the Chronicle and the President's office, that the incident involved discriminatory seating, pulling the cables on the WBR microphone, and physical harassment. Also, the meeting was alleged to have been paid for and sponsored at the highest level of administration. Professor Blumen added that a member of the faculty advisory committee of the group which presumably sponsored the meeting had no knowledge concerning the meeting. He concluded that since no official information has been forthcoming in the 17 days since the event, it is time for the Faculty to investigate.

Professor Strout took the position that his committee is concerned

with academic freedom rather than freedom of speech. Other channels carry the primary responsibility for the latter. President Corson observed that Professor Blumen had received rumors unknown to him. He noted that the Chronicle is not intended to be a newspaper. While he had heard of some pressure for discriminatory seating at the Stokely Carmichael speech, he was under the impression that what occurred was of a minor nature.

Professor Robin M. Williams, Representative-at-Large, supported the resolution. He had heard rumors and thought the proposed investigation would be reassuring to the Council of Representatives. Professor William Tucker Dean, Representative-at-Large, also supported the resolution. He had heard the rumors on WVBR, called them to the attention of the Executive Committee of the Senate, but had received no reply.

Professor Walter T. Federer, Agriculture, inquired about the breadth of the charge to the Committee on Academic Freedom and Tenure. Professor Strout said the charge to the Committee involves the rights of teachers and scholars as such. While issues of tolerance and free speech are often related to academic freedom, they are not always related. In response to a query from Professor John H. Whitlock, he said that he was unaware of the incident at issue and that the Committee would take on the investigation if the Council so directed.

Professor L. Pearce Williams said that it was important to separate rumor and fact, that this separation should not be too onerous a task for the Committee on Freedom and Tenure even though the Chairman is on leave, and that Committee is more appropriate for the purpose than an ad hoc committee. Associate Professor Elmer E. Ewing, Agriculture, asked whether the Senate is doing anything about the question. Hearing no reply, he said the Council might well find out what the Senate is doing before

proceeding. Professor F.M. Isenberg, Agriculture, took the position that since the Faculty is a separate body, it should proceed with its investigations.

The motion passed on a voice vote.

Discussion then returned to Professor Strout's motion. On a query from Professor Stuart W. Stein, Architecture, Art and Planning, about how the grievance committee would be constituted, Professor Strout said his committee understood it would be appointed by the dean of the college. Professor Whitlock moved to amend by inserting after "professor" the words "or other members of the college faculty," since some college faculties include other titles than professor. After a brief discussion, Professor Whitlock and the person who seconded the motion agreed to simply substitute "college faculty member" for "professor," whereupon the Chair ruled that this wording was substituted.

Professor John Doris, Human Ecology, moved to amend to provide that the committee would be elected by the college faculty. Professor L. Pearce Williams observed that the Council can only recommend, that colleges should have leeway in implementing the recommendation, and that it is inappropriate for the Council to legislate for the colleges. After Professor Doris replied that legislation is not involved, the Chair worded the amendment as follows:

We therefore recommend that each college faculty  
elect a grievance committee.

Professor Strout urged the Council to leave each dean free to select committee members having characteristics related to resolving the problem.

President Corson relinquished the Chair to Dean Miller. On a voice vote the motion to amend was defeated.

Responding to a question about whether disputed research assignments would come before the proposed committee, Professor Strout said his committee had only addressed teaching assignments.

The motion passed on a voice vote, whereupon Dean Miller relinquished the Chair to Professor Robin Williams.

## 6. SCHEDULING CLASSES AND EXAMS

Dean Miller moved the following resolution which was distributed prior to the meeting:

*RESOLVED, That the Faculty affirm the following interpretation of its legislation, previously announced by the Dean of the Faculty:*

- 1. No examinations may be scheduled during the study period immediately preceding the final examination period unless the Dean of the Faculty and the Registrar agree that certain final examinations must be scheduled during the last day(s) of the study period to prevent large scale conflicts.*
- 2. Examinations may be scheduled during the week of lectures immediately preceding the scheduled study period but such an examination will not be permitted in any course unless a final examination is also scheduled for that course during the regular period reserved for final examinations, after the study period.*
- 3. Classes missed on Thursday, March 4, 1971, may be rescheduled for make-up meetings at the corresponding hours on the first day of the study period, Monday, May 17, 1971. Classes missed on Friday morning, March 5, may be rescheduled similarly on May 17. These make-up periods may not be used to administer examinations.*

Asked if there had been problems about faculty members complying with exam schedules, Dean Miller said problems had come to him directly and through the Ombudsman, and all had been settled amicably with the possible exception of some problems under the old calendar. Only one person has objected to the interpretation before the Council and this on the ground of inconsistency with faculty legislation. Professor Bernard F. Stanton, Agriculture, objected to the resolution on the basis that it is inappropriate for the Council to affirm an interpretation in the absence of steps to see that faculty members comply. Dean Miller pointed out that his interpretation marks a change from legislation which prohibited prelims in the final week of lectures. Affirmation is desirable, he said,

because the interpretation is now only his opinion. He noted, in response to a question, that individual make-up exams could be scheduled in study week by mutual agreement.

The motion passed by voice vote.

7. AMENDMENT REGARDING UNIVERSITY SENATE

Dean Miller moved the following amendment which was distributed prior to the meeting:

Amendment to Increase Employee Representation

Amend Article II, Section 1, to read:

"The Senate shall contain 140 voting members apportioned as follows":

Amend Article II, Section 1c, to read:

"Two alumni elected by the alumni, the Provost, one Vice-President elected by the Vice-Presidents, three non-professorial academics who do not have faculty status (one librarian, one research associate and one at large who is neither a librarian nor a research associate) elected by their respective constituencies, four exempt employees elected at large by their constituency, and nine non-exempt employees (divided, in a manner proportional to the number of non-exempt employees in each, among the following five categories; (1) Statutory colleges, (2) Endowed colleges, (3) Housing and Dining, (4) Buildings and Properties, and (5) all other units) elected by their respective constituencies."

It was passed by voice vote without opposition.

8. BOOKLISTS

Professor William Tucker Dean said when listening to WVBR he heard that a faculty member had released his booklist only to the Alternate Bookstore. He asked Dean Miller for a report on the matter.

Dean Miller said he heard of the affair about February 26 when contacted by WVBR. He then contacted the faculty member in question who recognized that his action was unethical and sent apologies to any students who were aggrieved. At about this time the Dean said he referred two concerned members of the Senate to his letter on the Alternate Bookstore

which had been published in the Chronicle [see Chronicle September 24, 1970]. He then sent a memo to these Senators stating that in view of the circumstances and the services of the faculty member to the University, the apology should be accepted. He then considered the matter closed. Dean Miller added, in response to a question from the Chair, that the faculty member did not give the lists to other bookstores. Also relevant to the matter, said Dean Miller, is the fact that the faculty member involved is in his last term at the University.

Professor L. Pearce Williams said that the critical issue is whether the students who did not buy books at the Alternate Bookstore were penalized in the course. If so, the use of the booklists was unconscionable. A real question of academic freedom is involved. That, said Dean Miller, is the point expressed in his letter to the Chronicle. He added that no students registered in the course had complained to him directly or indirectly. Professor Strout noted that his Committee was prepared to receive complaints from students about discriminatory action by faculty members. Dean Miller then added that in his memo to the two concerned Senators, he had pointed out channels to follow if they were dissatisfied with his response.

Professor Blumen recalled that he had precipitated the Alternate Bookstore inquiry last fall when he made inquiries on behalf of an aggrieved advisee. He felt the two key issues are avoiding the diversion of University resources to political causes and avoiding situations where students are coerced into supporting political causes. The Alternate Bookstore, he reminded the Council, was a non-student venture which later obtained a student front. The result was that while no student suffered academically, students were required to support a political cause. Professor Blumen regretted that the Dean of the Faculty had acted as an administrative officer in the matter. Since the President refused to make

an ethical judgment on the matter of the Alternate Bookstore, the administrative position was presumably transmitted through the Dean of the Faculty. There is still no statement of policy from the Administration. As far as he knows, a faculty member is free to repeat the act, subject only to a rebuke from the Dean of the Faculty. Professor Blumen concluded by urging that future deans of the faculty leave administration to administrators.

Professor Whitlock noted that the Alternate Bookstore was under the jurisdiction of the Senate. Last fall the Senate took the position that the store was obligated to distribute any lists it received to the competition. Someone, he said, should find out whether the Alternate Bookstore disobeyed legislation of the Senate. (Dean Miller later noted that the Bookstore is now off campus and hence not under the jurisdiction of the Senate.)

Assistant Professor Jerry D. Stockdale, Agriculture, said the basic principle is that the student should be able to choose where he purchases his books. It becomes a political matter when he cannot purchase books where he wishes. Consequently, just as the Alternate Bookstore should make its lists available to other stores, so should these stores exchange lists with the Alternate Bookstore.

Professor L. Pearce Williams said the basic principle is that the booklists of a faculty member are not private property to be used to advance his interests. Consequently, the lists should be made public. He then introduced a motion to this effect. However, in the process of amendment, the wording became confused so the motion was tabled in order to give Professor Williams an opportunity to perfect the wording, with a view to considering the motion at the forthcoming meeting of the Council.

Adjourned: 5:50 p.m.

G.P. Colman, recorder

## A REPORT OF THE COMMITTEE ON ACADEMIC FREEDOM AND TENURE

We would like to call the faculty's attention to a type of case that we think calls for some procedural protections at both department and college levels.

Our Committee has the responsibility of trying to protect the freedom of any professor to teach and do research without the coercions or penalties of pressures for ideological conformity imposed from whatever quarter. But it also receives petitions in cases where the Committee's responsibility is much less clear and where currently available remedies seem to be haphazard or inappropriate. In such cases, where neither ideological intolerance nor jeopardy of tenure is at issue, it would seem to us appropriate to look for some locally established method of arbitration and accommodation to clarify the dispute and move it towards a settlement that protects the legitimate interests of all the parties. Such cases seem to call for a solution that lies somewhere between an appeal to the ombudsman and an investigation by the Committee on Academic Freedom and Tenure. At present we think this area lacks commonly recognized procedures.

During the last three years our Committee has been involved in grievances where the crucial question has been disagreements between individual faculty members and their department chairmen over teaching assignments. Ordinarily consensus is sought among colleagues whereby essential courses are taught by those who are able and willing to do them justice, while at the same time opportunity is afforded for each professor to teach courses particularly relevant to his own special interests. Yet consensus is not always achieved and difficulties begin.

Sometimes faculty members consider course assignments to be unfair, inappropriate, or even punitive. Sometimes they resent exclusion from teaching assignments which they had previously fulfilled. These problems may be complicated by student pressure for changes, reflecting grievances arising from ineffective teaching.

We have taken the position that a department chairman has the responsibility for overseeing what courses shall be taught in the department and for the quality of the instruction. At the same time we believe that a professor must be protected from arbitrary or capricious decisions by a department chairman. In our view a chairman's decision to remove or continue a particular teaching assignment, if made after thorough consultation and based only on academic consideration, does not violate academic freedom. Yet we recognize that in extreme cases a decision adverse to a teacher might make his teaching situation at Cornell untenable. Therefore we believe it is important to make available a possibility for appeal on the merits of the decision to a body of faculty and administrators capable of understanding and evaluating the specific professional context of the professor's work as a teacher.

We do not believe it would be desirable to establish a review committee on a university-wide basis. Cornell is heterogeneous, and it is very difficult for those outside the college where the dispute has arisen to make sound judgments regarding course requirements, teaching methods, or the special burdens of a particular assignment.

*We therefore recommend that each college establish a grievance committee to which either a professor or a chairman, or both, may turn for a dispassionate review of a disputed assignment by professionally qualified persons. We think such proceedings should be confidential, unless otherwise agreed to by all parties, including the committee.*

This proposal should in no way diminish the traditional responsibility of our Committee to hear grievances involving charges of political pressure whether from public officials, alumni,, administrators, colleagues, or students.

Sara Blackwell  
Bart J. Conta  
William T. Keeton, ex officio  
Raphael M. Littauer  
John E. Lowe  
Robert D. Miller, ex officio  
Norman Penney  
J. Thomas Reid  
S. Cushing Strout  
William F. Whyte

2/3/71

(Cornell Chronicle - March 25, 1971)

I want to take this occasion to talk for a few minutes about some of the problems I see facing higher education, and in particular, about problems facing us at Cornell, and to indicate how I see us going about dealing with these problems.

To begin with, I have appointed a committee of faculty and administration members under the chairmanship of Professor Cranch of Engineering to examine both short-range questions and long-range questions about how best to marshal our resources to make Cornell as effective as we can possibly make it within the present financial limitations. I have invited the Senate to name two students to be members of this group. The membership of the committee and its specific charge will be reported in tomorrow's *Chronicle*.

When I was first elected President, I stated three priority areas where I proposed to concentrate attention and resources at this particular period in our history. These are Minority Education, Social and Environmental Studies and the Humanities. A number of you have questioned these priorities and have questioned their effect on our already strong programs.

While the three stated priorities merit special attention, it must be obvious that they are not the exclusive objects of attention, and that consideration of needs in these three areas supplements and does not replace concern for the large array of strong and important programs to which the University is already committed. We must foster and promote these commitments along with the three special priorities I have identified. However, to put our problems in a broad perspective, I would like to say a few words about what I perceive the position of higher education in the United States to be today.

In my view, the public has, to a degree, lost confidence in the universities. When I say "public", I have three publics in mind —

the general public, whose views are diffuse and usually unstated but who form a climate of opinion to which the other two "publics" are responsive, the other two being the New York State Legislature and the United States Congress. This loss of confidence stems to some degree from the campus disruptions of the past few years, and what the general public has viewed as weak-kneed responses by university administrations. The public is also concerned about the rapid rise in educational costs.

The problem is much deeper than that, however. The real problem has to do with a general ill-defined malaise — a feeling that the universities have not been doing their job well, or that they have been doing the wrong job. I think there is a widely-held view that our big research and our scholarly work generally have been on the wrong problems, the view that we have been fiddling while Rome burned. There is a feeling that the structure of DNA does not matter much when crime in the cities has increased to the point where it is not safe to be on the streets at night, or even in the daytime; that the behavior of atomic nuclear particles is irrelevant when the air and the water is so polluted as to represent health hazards. There is the feeling that our present financial plight is our own doing — that our inefficiencies have finally caught up with us — a feeling that if we spent our time teaching students instead of spending so much of it on research or in building administrative bureaucracies, or that if we concentrated on undergraduate education and paid less attention to graduate education, our financial troubles would disappear.

These ill-defined diffuse attitudes, often based on what most of us would consider misconceptions about higher education, together with some real thinking by governmental agencies about the real problems

before the country have put us into the position where Albany and Washington are presenting us with some real troubles and some real challenges.

National policy is based at present on the assumption that we have an over-supply of skilled manpower and therefore there is no longer need to support students at the graduate level. Federal policy together with similar policies, perhaps based on different assumptions, by foundation and industrial sources of graduate student support has led us to the position where we will have lost 80% of our external fellowships for beginning graduate students in the three-year period from September 1968 to September 1971. This is a serious situation, but it is worth noting that Cornell is less drastically damaged than many of our sister institutions because we support a large number of our graduate students with internal funds, particularly teaching assistantships.

It is also federal policy to maintain a research capability in the country so that research funds will continue to be available — more and more from a single agency, the National Science Foundation, and more and more directed toward interdisciplinary research on the problems of society or research applied to national needs, as it is now called. This type of interdisciplinary research directed toward problems defined as national needs affords us the opportunity to organize ourselves to be effective in such research and in the related teaching program. I believe that universities can contribute in important and intellectually stimulating ways to dealing with problems of the environment, or the city, or poverty, or other such problems. Cornell's history of successful interdisciplinary study and research gave me

confidence in placing such effort directed toward social and environmental problems on my priority list well before national policy was so firmly cast in this direction.

I should point out, however, that there are people — people who control funds which have been directed in the past and which will be directed in the future toward these problems — who believe that universities are incapable of organizing themselves so that the engineers, the lawyers, the sociologists, the economists, the physical scientists, and the agriculturalists can work together to any useful end. The ultimate success of interdisciplinary programs will depend on the degree to which individual departments and individual colleges are willing to assign faculty time and other resources to the common effort. One of our problems, incidentally, is to find ways to reward the venturesome person who works at the interface between disciplines.

At this point I hasten to add that while we are moving toward more applied problems, universities are still the places where basic research in fundamental areas is best done and that such effort will continue to be of prime concern to us.

It is also national policy to provide financial assistance to undergraduate students through loan programs which will likely send increasing numbers of students to the colleges and universities in the country without providing institutional funds to accommodate the students. This policy, in my opinion, only compounds the financial plight the colleges and universities find themselves in.

I may, of course, be wrong, and I will follow with particular interest the experiments now being carried out at Yale and Duke with new types of student loan programs.

The recently completed Carnegie Commission Study on the financial crisis in higher education — "The New Depression in Higher Education", the study is called — concludes that no matter how hard the colleges and universities, both public and private, try, they cannot close the gap between the rapidly rising expenses and the less rapidly rising income, without increased State and Federal help. Federal policy at the moment appears to me to be widening the gap. New York State, however, has been the leader in public support for private higher education through the so-called Bundy Plan based on the number of degrees awarded. Fifty-five private institutions in the State share the \$26 million which New York State appropriated this year. Our share is about \$1.5 million and without it we would be in much more serious trouble than we are. The Regents have recommended a new formula whereby the \$26 million would increase to \$43 million but the mood of the Legislature is not one of increased appropriations. However, we have not given up on this year, and I do not want to minimize the significance of the major expansion proposed by the Regents. There is certainly reason to hope that should their recommendation fail this year, it may nonetheless be adopted in the future.

To turn to another priority area, it is my opinion that our greatest national problem is the race problem, and consequently education for minority groups has had a high place in my thinking. After long study and widespread discussion we have adopted a program of continued growth of the COSEP Program. The plan, which will be published tomorrow, calls for continued financial aid for freshmen at the same rate as for the current year

— aid which was sufficient to support about 240 entering students. In three years this will probably bring us to a minority representation of about 8% of the student population, still substantially short of the national minority population. The success of this plan hinges on the availability of funds, mainly scholarship funds. We will have a major fund-raising effort seeking help from public and private sources alike. Unfortunately, our past success in that effort has not been great. Of the some \$2 million per year presently going into our minority education program, about \$1.5 million comes from Cornell unrestricted sources. The required funds will more than double over the next three years.

One of the ironies of the present situation is the fact that support for graduate students is drying up just at the time when a pool of potential students from minority groups is becoming available and at a time when there is heavy demand for minority group professionals.

I will dwell only briefly on my third priority area, the Humanities. The availability of funds from all sources — from the National Foundation for the Humanities, for example — has been limited. The humanists play a major role by instilling in students a sense of the past so that they can better understand the present; an appreciation of the literature of other times and cultures to put our own in perspective; and a sense of values which is so important in today's turmoil. New approaches toward achieving these ends are under study and I shall do my best to help find support for such efforts.

I can report that we are making a vigorous development effort for the humanities. We have recently announced a substantial new gift from the Mellon Foundation to support the work of the Society for the Humanities. As you know, the Andrew D. White house has

been assigned for the use of the humanities after the new Art Museum is completed.

How will these priorities react on our already strong areas in the face of severe budgetary pressures? What will happen to our strong departments as the importance of interdisciplinary effort expands? There will be severe competition for funds, obviously. Our strong departments are going to remain strong, however. Interdisciplinary efforts can be effective only if the participants have a strong disciplinary base and if they maintain and strengthen their disciplinary base. New insights and new skills can grow effectively only through continued association with other specialists in the basic discipline. The interdisciplinary collaborator must maintain one foot in his home department.

Of course we are going to keep our strong departments strong, but they do not need new resources diverted to them to stay strong. Many of them are already large departments and they can withstand the financial squeeze, particularly during the period when the number of graduate students is likely to decrease.

Finally, let me comment briefly on the part of our support which comes from gifts. The response from our alumni has been magnificent, as you know. I have talked with many of our major donors — donors from whom we must look for continued large support in the future — and I think I understand their attitude. They believe in us and I am confident that they are going to continue to support us. Before they commit large sums of money, however, either for operating purposes or for capital purposes, they want to be sure that we are doing our part. To them this means primarily tightening our belts and doing everything we reasonably can toward eliminating the deficit operation at the same time we seek to find our proper role in meeting the new educational challenges.

All of you know already that we have taken major steps to meet our problems. The Trustees have adopted a three-year plan to end deficit financing by 1973-74. Cornell has the strength to go a long way toward solving its financial problems with its own resources and with the extraordinary help it is receiving from its friends and supporters.

Thank you for the opportunity to make these comments here. I hope they have served to put in perspective some of the problems facing us and some of the steps we have taken to deal with them.

I look forward to working closely with the new Council of Representatives to make Cornell a better educational institution.

CornellChronicle 9/24/70

Editor:

Last year, when I wrote to Cornell Chronicle to comment on the University's involvement with the military (and related matters). I was sharply criticized by a fellow faculty member for using the columns of the paper to express political opinions. I could accept such criticism were it directed at a letter, say, that had as its concern matters that involved the University in no direct or even seriously indirect way — which was not, as it happens, the case in the letter attacked. Again here I wish to raise some questions that are certainly political, and that just as certainly involve the University, clearly and directly. A major point of what I wish to say is that the very unclarity of principles of the University as to when they are and are not involving themselves in political dispute has been and remains a continuing source of trouble, on the campus, and to the University as such.

The current issue to which I shall speak is important in and of itself, for the way it has gone up to this point has already placed the careers of a few faculty members in some jeopardy; but the issue may be even more important for what it reveals of the difficulties of clear thinking about what is and is not political in the academic world.

The issue has to do with the so-called Alternate Book Store. Most faculty members know little or nothing of this agency. It was established in the early summer as part of the activities of the Ithaca Defense Committee, a recognized campus activity. The Store receives orders for books from faculty members, sells them at normal market prices using voluntary labor to run the store, and gives the profits (ranging from 20 to 40 per cent) to the Defense Committee, which in turn provides money for bail and legal defense to those whose activities against the war and the draft have placed them in legal trouble.

As one of perhaps 60 faculty members who have ordered their books through this store, I have received in the past two days two letters — one from my Dean and the other from the Dean of the Faculty — accusing me of "refusing" to let the Campus and Triangle stores know what books I am using in my courses, of creating a "monopoly", of "forcing" students to make purchases in accord with my political position, of "violating the basic principles of the University and bringing it one step closer to destruction", and, in all this, coming "dangerously close to malfeasance." Others have received similar or identical letters.

I should like to respond to each of those charges specifically, but go on to do something perhaps more important; namely, to explore what lies behind such charges and the language in which they are couched.

I placed my orders through one bookstore; but never refused to tell the others. In addition to the Alternate Book Store, there are three others that sell textbooks — Campus, Triangle, and the Ithaca Seed Company (in Collegetown). I have conversed with the manager of Triangle, and in doing so informed him that I had placed my order with Alternate, and would announce that to my classes. I refused nothing. I was called by Campus and asked which books I am using, and I told them. Ithaca Seed Company and I have had no conversations on the matter one way or another. One wishing to create a monopoly would find it impossible to do so, since it is book publishers who control supply, not book sellers; and of course any seller and any student can order any book from any publisher without let or hindrance; nor is it easy to believe that the other sellers could not find out which books are being used by whom rather easily. Years ago, as I recall, Triangle had to go through that indirect process, not being favored in the past as it has become in the present. Nor is it irrelevant that all faculty members were this year provided with official forms for

making out book requests, and that on those forms were listed Campus and Triangle, but not Ithaca Seed. As for forcing students to buy where they do not choose to do so, one student has complained to me that he did not wish to support the Defense Committee in any way, and I asked him why he did not then order his books elsewhere; and he has done so. (It would be interesting to know, incidentally, how many faculty members do all their ordering through one bookstore, or have done so until this year, when the forms were for the first time provided to make that somewhat less easy to do.)

The shibboleth of the "basic principles of the University" has been raised with increasing frequency in recent years, and not without reason. But those who cry havoc in instances such as the present one — without checking their facts, as all too frequently, and in an academic community shockingly, happens — are curiously blind to the violation of the University's principles when it comes to counter-insurgency programs, military training on campus (which was compulsory for decades, and only became voluntary at Cornell when the Defense Department indicated that it wouldn't mind that, some years ago), intimate links between numerous faculty members' work and the needs of specific interest groups in business, in agriculture, in labor, and in government, and, among other things, exclusive orders with one or another of the bookstores for reasons that know no telling.

In short, in these, as in so many instances, a double standard is at work. Matters affecting black students are judged differently from those affecting whites — as witness the wildly diverse reactions to the burning down of the Africana Center and the intermittent intimidation of black students in their living quarters when compared to lesser incidents affecting whites. On another level, a presumably very large percentage of the faculty has been horrified and angry on the few occasions when (mostly) students have attempted to

prevent war-related activities from transpiring on campus — even when their efforts have been peaceful. But I do not recall more than a tiny fraction of the faculty being bothered when, in 1966, the Selective Service Examination was given on this and hundreds of other campuses. One event is political, and the other not, one hears from the faculty. But both are; and if the University did not in so many different ways offer its facilities to self-seeking organizations — governmental or private — it would not suffer attempts to get rid of the use of those facilities. An initially political act is not thought to be so for the clear reason that it serves the status quo — and that is not, for most, political. But for those who find the status quo dangerous or offensive, it is.

The double standard way of life did not begin at Cornell, nor only recently. It has operated beyond the memory of man. In our lives, throughout the society, it has led the comfortable middle class white to remain aloof from the plight of others when that same plight would have caused outrage, had it been his. Insensitivity is not new, not at all; but in these days, when rising numbers of non-whites, poor, young, and women — to mention no others — are beginning to sense their own needs and problems and oppression strongly enough to build attempts to find a better way, insensitivity on the part of the entrenched and comfortable has become downright dangerous. It was always immoral.

What black students at Cornell began to call "institutionalized racism" in 1968 has its counterpart in institutionalized patriotism, and sexism, and whatever the words might be to refer to the same thing as regards age, standing, income. What is "institutionalized" in this connection is very simply the behavior pattern that stems from unconscious attitudes; and all this is all the more dangerous because it is unconscious. It is the kind of thing one would hope trained minds would be less subject to than the proverbial man in the street. I fear, on the contrary, that the training our minds have received has made it possible for academicis to find intricate rationalizations for their efforts to maintain a status quo.

There may be other ways, indeed simpler and better ways, to explain the events surrounding the Alternate Book Store. But there remains a good deal to be explained. Those of us who have ordered our books through that store have received some rather severe accusations for having done so. I should like to see those accusations placed in the form of an official charge, to be contested through due process; or I should like the appropriate officials to apologize and have the complaints removed from the official files of those so accused.

D. F. Dowd  
Professor of Economics

## Miller Replies

Editor:

In a recent letter to me, Professor (Douglas F.) Dowd suggested that you would allow me to see the text of his letter to Cornell Chronicle in advance of its publication. Having seen his letter, I am aware that it could reasonably be interpreted as reporting the substance of a personal letter I wrote to him on September 15. Since the content of my letter was not what the reader of Professor Dowd's letter might suppose, I take the liberty of divulging the full text:

"Dear Professor Dowd:

"I have become aware of allegations that you have entered into an agreement with the Resistance Book Distributors, which has the effect of placing any of your students who do not purchase required texts for your course from the Resistance Book Distributors at an academic disadvantage.

"There can be no objection to your informing the Resistance Book Distributors (or any other supplier) of the names of textbooks to be required by students in your courses. Nor are you obligated to respond to every request that might come from those who wish to sell textbooks. It would appear to be questionable ethics to deliberately enter into an agreement that utilizes academic disadvantage to bestow an effective monopoly on one selected business enterprise. This question has not arisen with respect to other bookstores since they routinely exchange information obtained from professors on required or recommended texts, whereas it is asserted that the Resistance Book Distributors does not.

"If the allegations are substantially correct, I urge you to withdraw from the agreement to the extent that it effectively forces students to patronize a book retailer of your choice."

Robert D. Miller,  
Dean of the University Faculty

President Corson called the meeting to order at 4:35 p.m. in Ives 110. Eighty members were present. He announced that in the minutes for the March 24 meeting, in remarks attributed to Professor Blumen, the word "incident" has been replaced by "meeting" to make the sentence involved on the middle of page 3 read: "Also the meeting was alleged to have been paid for and sponsored at the highest level of administration." With that correction, the minutes were approved as distributed. The President then obtained unanimous consent to following a revised order of business, which was listed on the blackboard.

1.           REPORTS BY DEAN MILLER

On behalf of the Committee on Elections, he reported the following results in the election for Dean of the Faculty: Associate Professor Jean Parrish, 216; Professor Norman Penney, 481; Professor David Pimentel, 231. On long-term logistics, he indicated that the visitors gallery will begin with Row K. On short-term logistics he regretted that, due to a misunderstanding with the printer, a membership roster was not distributed before the meeting.

2.           ELECTION OF SPEAKER

Professor John H. Whitlock, Representative-at-Large, was nominated by Professor David L. Call, Representative-at-Large. Following a motion from Professor Francis M. Isenberg, Agriculture, the nominations were closed by voice vote with a single "no." Assistant Professor Jerry Stockdale, Agriculture, raised a point of order. He understood the meeting was to adopt procedures for organization; he regretted proceeding with the election without a roster. Professor Whitlock was elected by voice vote with a single "no."

## 3. PROCEDURES FOR ORGANIZATION

Professor Whitlock took the chair. After it was determined that the election of an assistant speaker is optional, Dean Miller offered three resolutions. In introducing the first, he stated that after consulting with faculty members he concluded that perhaps chairmen of faculty committees should be members of the Executive Committee. Since these committees do not yet exist, he is offering an interim arrangement to permit consideration of an appropriate formula for the Executive Committee.

*RESOLVED, That an Interim Executive Committee of seven members shall be formed, to serve until the Faculty Council of Representatives shall have approved and implemented a permanent plan for a continuing Executive Committee. The Interim Executive Committee shall be dissolved upon the first convening of the (continuing) Executive Committee, but until that time it shall exercise all the powers, and perform all the duties assigned to the Executive Committee by the Organization and Procedures of the University Faculty.*

The motion carried by voice vote without opposition.

*RESOLVED, That in addition to its other duties, the Interim Executive Committee is specifically charged, in consultation with the Review and Procedures Committee, to develop an integrated plan for committee structures of the Faculty Council of Representatives and of the University Faculty. This plan must include the (continuing) Executive Committee and should be in the form of legislation, a standing rule, or a Bylaw as the Executive Committee shall deem appropriate, and shall specify, for Committees of the Council, the name, function, membership and method of selection applicable to each. The Interim Executive Committee is authorized to form, in accordance with its own judgment, an ad hoc committee on committees to assist it in this task.*

The motion carried by voice vote without opposition.

*RESOLVED, That five members of the Interim Executive Committee shall be elected from among those members-at-large who are willing and able to serve, together with members who may be nominated from the floor, voting to be by ballot with the five leading candidates on the first ballot to be declared elected, and be it further*

*RESOLVED, That two members of the Interim Executive Committee shall be elected from among non-tenured members of the Council, nominated from the floor, with the two leading candidates on the first ballot being declared elected.*

Speaking to this resolution, Dean Miller said the provision concerning members-at-large was to obtain candidates representing the broadest possible constituency. He reported that eight at-large members had agreed to stand for this election. Discussion then turned to how many candidates each elector would vote for. When Dean Miller said his intent was one (1), a motion was offered to amend the Dean's intent to require a vote for five.

Professor Peter C. Stein, Science and Mathematics, questioned giving at-large members a preference in a body of equals, objected to proceeding with the election without a roster, and wondered why the ballot could not be taken by mail at a later date. Dean Miller replied that while the procedure he proposed was less than ideal, it had the merit of enabling the Faculty to organize within the short time remaining in the term. The provision for at-large nominees was intended to provide some candidates who are widely known. He suggested that since the function of the committee is not controversial, mistrust should not become a relevant consideration.

Professor Albert Silverman, Science and Mathematics, said mistrust was not his concern but rather a loss of sense of direction due to the absence of a roster. He wondered if time could be so crucial that the election could not be postponed. At this point the Chair interpreted the situation to be that the Dean would list the at-large candidates on the board, after which the floor would be open for other nominations. Replying to Professor Silverman's question, Dean Miller said he needed a faculty body with which to interact. He, along with the Chair, then

disagreed with a point of order to the effect that passage of his first two resolutions required the body to proceed with the election at this time.

Professor Urie Bronfenbrenner, Faculty Trustee, urged the Council to proceed with the election, even though the arrangements were cumbersome, in view of the importance of having a body with which the Administration and Dean of the Faculty could consult in the event of a crisis situation.

Professor Isenberg inquired about the possibility of holding the election at a special meeting during the following week. Professor Stein moved to effect this situation by offering to substitute for the Dean's third resolution:

The Dean shall call a special meeting of this body as soon as practicable for the sole purpose of electing the Interim Executive Committee.

After a member pointed out that there is no procedure for obtaining nominees for that meeting, Assistant Professor Stockdale asked why the permanent Executive Committee could not be elected at that meeting. In reply, Dean Miller referred to his rationale for his first resolution.

Professor Meyer H. Abrams, Representative-at-Large, observed that the Council is becoming unnecessarily entangled in procedural matters. He reminded Council members that the committee at issue is interim rather than permanent. Council members know enough other members to go ahead with the election. Assistant Professor Arthur L. Berkey, Agriculture, asked whether it is probable that the interim committee will represent the Faculty until September. When Dean Miller said this is probable, Professor Berkey observed that the election is important. By voice vote, the substitute motion was defeated.

Discussion returned to the amendment requiring a vote for five candidates. Assistant Professor Stockdale opposed the amendment on the basis that it could result in a loss of minority representation. Pro-

fessor Bronfenbrenner asked why the body could not go back to voting for a single candidate in order to expedite the counting of ballots. After a moment of confusion about what motion was before the body, a vote was taken on the motion to amend. On a showing of hands, the motion carried.

Discussion returned to Dean Miller's third resolution as amended. After it was established that the five candidates with the highest vote would be considered elected, the motion was carried on voice vote. Dean Miller then listed the following member-at-large candidates on the board: I. Blumen, D. Call, B. Conta, W. Dean, H. Everett, L.P. Williams, R. Williams (the eighth candidate, having been elected Speaker, was omitted.) The following were nominated from the floor: J. Gaylor, P. Stein, D. Sisler, S. Smidt, G. Staller. Nominations were closed by voice vote without opposition. After each candidate stood briefly for the purpose of identification, a paper ballot was distributed.

The following were nominated in accordance with the second part of Dean Miller's third resolution: H. Alker, A. Bernstein, B. Wilkins, D. Wilson, J. Stockdale, M. Brown, E. Kramer. After each nominee stood briefly and it was established that each elector would vote for two candidates, a paper ballot was distributed.

#### 4. ANNOUNCEMENTS BY DEAN MILLER

Minutes of future meetings will be identified as draft minutes and distributed to the entire Faculty as soon as they are available. Any corrections will be reported in the minutes of the following meeting, thereby making the previous minutes official.

The University Senate's Statement of Student Rights, which was to have been distributed with the call to this meeting, will be distributed in the near future.

The Dean summarized a statement which he prepared for publication

in the Cornell Chronicle for April 15, 1971. The statement describes the origin of the John L. Senior chair and the title of University Professor and outlines the steps which have been taken to fill the John L. Senior chair following the untimely death of Professor Rossiter.

6. REPORT OF THE COMMITTEE ON ACADEMIC FREEDOM AND TENURE

Professor Cushing Strout presented a report in response to a resolution of the Faculty Council of Representatives on March 24, 1971, with regard to a public address given by Stokely Carmichael in Bailey Hall on March 7, 1971.

After listing sources of information consulted in preparing the report, Professor Strout concluded that the main facts about the event are clear. It was sponsored by the BLF, COSEP, and the Africana Studies and Research Center. COSEP students and members of various black organizations were admitted for 75¢; others paid \$1.25, a condition which was printed on announcements for the event. While these charges are considered a donation rather than a fee by Mr. Delridge Hunter, Director of COSEP, it is clear that these payments were required to gain admission. Members of black organizations were seated in the center section of the hall; others were directed elsewhere, although this division was not absolute in the audience of 700-1000. Although sponsors of the event operated tape recorders, steps were taken to prevent WHCU or WVBR from recording or broadcasting the event. Also, whites seated in areas adjacent to the center section were asked to remove their outer coats, a procedure said to be for security and to prevent use of tape recorders. According to Lowell T. George, Director of the Safety Division, the event proceeded without disruption.

Professor Strout noted that the charge to his Committee extends only to actions which interfere with teaching and research. It is not

clear what group, if any, has jurisdiction over the conditions of public events involving outside speakers. On behalf of the Committee, he urged the Council to consider meeting with the Senate to consider this problem. He also noted that the relationship between the Senate, Council, and Administration is far from clear in situations where a violation of freedom is suspected. [The entire report appears in the Cornell Chronicle for April 15, 1971]. Attached.

Professor Blumen, Representative-at-Large, said he observed no reference in the report to the Council's request that the Committee "inquire into the mechanisms which exist for promptly informing the Faculty when important incidents occur in which academic freedom may be seriously impaired." Professor Strout replied that the answer is implicit in his report. It is a serious matter to determine what academic freedom is and in what issues it is at stake. He concluded that the Committee was asked to determine facts, not whether a violation of academic freedom had occurred.

Professor William Tucker Dean, Representative-at-Large, observed that the Senate Committee on Organizations and Public Events may have a greater interest in the matter than the Council. He then moved as follows:

*The Council requests the Interim Executive Committee to take up the report with the Executive Committee of the Senate with a view to arriving at some consensus with respect to the problem, possibly with a view to a report back to the Council.*

Professor Robin Williams, Jr., Representative-at-Large, supported the motion, observing that at present there is a serious void on campus with regard to mechanisms for identifying possible infringements on freedom of intellectual discourse.

The motion passed on voice vote without opposition.

## 7. BOOKLISTS

On a voice vote the Council removed the topic from the table. Pro-

fessor L. Pearce Williams, Representative-at-Large, then moved as follows:

The Faculty Council of Representatives reminds all faculty, staff and students that it is not ethical for an instructor to use his course booklist for non-academic private purposes. In particular, no student should be required to support a political party or cause or contribute to the private gain of an instructor because of the restricted distribution of a booklist by the instructor. Booklists should be freely available to all members of the Cornell community.

Professor Williams said the resolution was intended to prevent a repetition of an actual situation. He interpreted the reference to the Cornell community to mean that the instructor would make the list available to interested parties at Cornell, including the Campus Store, without creating cumbersome administrative machinery. Assistant Professor Alker, Social Sciences, asked if the resolution meant that a booklist would be available to any book store in town which wanted it. Professor Williams replied that this would be at the discretion of the Campus Store or of the individual professor.

Professor William Tucker Dean moved the following substitute resolution:

The Faculty Council of Representatives deems it misfeasance for Faculty to restrict the distribution of a booklist for a course. Booklists should be freely available in sufficient time for each book store in the community to have an opportunity to stock the books in question.

He said he shared Professor Williams' objective but sought to strengthen the resolution. He observed that an ethical justification, namely opposition to the Viet Nam war, was involved in the case which precipitated the resolution.

Professor Silverman took the position that since misfeasance is grounds for dismissal, this is a harsh judgment for what could be oversight. Professor Dean replied that formal procedures exist for

distinguishing whether such an act is deliberate or unintentional. Professor Stein asked Professor Dean whether it could be misfeasance to refuse to respond to a request for a booklist from the Alternate Book Store. That, replied Professor Dean, depends on the interpretation of "Cornell community." Professor Stein said the Council is contemplating overkill by using misfeasance to treat a problem the Senate solved when it required stores using campus facilities to exchange booklists. Professor Dean replied that since the passage of the relevant Senate legislation, the Alternate Book Store moved off campus, thereby leaving the Senate with only recommendatory authority.

Assistant Professor Stockdale wondered whether Professor Williams' motion would meet the intent of the Council to enable a student to buy his books where he wishes. Furthermore, he said the resolution is unnecessary since the matter has been resolved. He reported having visited the three book stores. He found that the Alternate Book Store and Campus Store have worked out arrangements to exchange lists and consider the Senate legislation to be binding. Finally, he said he is reluctant to infringe on the jurisdiction of the Senate twice during this meeting. Since the Senate has already acted on the booklist matter, it would be proper for the Council to do nothing or, in lieu of that, pass a resolution stating that booklists are not the property of members of the Faculty. Professor L.P. Williams responded that he does not want the Senate to expand into Faculty concerns. The release of booklists is a Faculty concern since it involves a matter of professional ethics. An informal agreement among the book stores does not solve the problem because other book stores may appear in the future. He concluded by reminding the Council that it has no control over book stores, but should have over the Faculty.

At this point, Professor Dean accepted as a friendly amendment

substituting the words "not ethical" for "misfeasance."

After Hendrik Edelman, University Libraries, pointed out that there is no practical way to implement a requirement that faculty members give booklists to all interested book stores, Professor Dean, at the request of Professor L.P. Williams, accepted as a friendly amendment the insertion of the words "freely available to members of the Cornell community" whereupon Professor Williams accepted Professor Dean's resolution in place of the one he offered.

Assistant Professor Stockdale then offered as a friendly amendment replacing the words "to the Cornell community" with "to all book stores from which students may be reasonably expected to purchase textbooks." This was not accepted as friendly. Professor Blumen moved the previous question. Debate was closed on a showing of hands. On a voice vote the amendment was defeated.

Professor Stein objected to the motion. While he accepted the principle that it is unethical for a professor to treat booklists as his personal property, he objected to using the serious concept of ethics in such a way that it becomes a matter of ethics to put the Campus Store in an economically advantageous position. Professor L.P. Williams replied that the resolution before the body is not discriminatory since faculty members are free to send their booklists to the Alternate Book Store or elsewhere. The Chair then read the amended motion as follows:

*The Faculty Council of Representatives deems it not ethical for faculty to restrict distribution of a booklist for a course. Booklists should be freely available to members of the Cornell community in sufficient time for each book store in the community to have an opportunity to stock the books in question.*

By voice vote debate was closed and the motion was passed.

A number of questions were raised about the interpretation of the resolution, especially the phrase "Cornell community." The Chair's

interpretation was that the lists must be made freely available to a member of the Cornell community as that community is defined in a Senate document. To Professor Silverman's question about procedures for making the lists available, Professor L.P. Williams replied that the faculty member could use any means he wished. Professor Stein then asked Professor L.P. Williams for an answer to this specific question: Should a student representing the Alternate Book Store write to all professors requesting their booklists, would it be unethical for any professor to refuse to reply to that request? Professor Williams said that if a student writes for a list, the professor is bound to give it to him. Professor Blumen called attention to the use of students as fronts for the Alternate Book Store. He termed the use of student fronts a dangerous practice and said he was under obligation only to do what is reasonable under particular circumstances. He said he is prepared to supply his lists in his office to any student registered in his course or to any faculty member.

In response to inquiries about the parliamentary situation, the Chair pointed out that the main motion had been passed since Professor Williams accepted Professor Dean's substitute resolution as amended.

Professor Silverman called attention to differences in Professor Williams' and Professor Blumen's interpretation and asked who is right. Professor Williams replied that they are both right. He agreed with Professor Blumen that if a faculty member has reason to believe that his booklists would be used for non-academic purposes, he is under no obligation to respond by mail.

8. AMENDMENT - SENATE CONSTITUTION

Dean Miller moved the following amendment:

The following language in Article VII, Section 3,

*"This Board shall consist of ... the Vice President for Campus Affairs. ...The Senate shall allocate funds for the Health Services in a lump sum, and the Board of Student Health shall determine the detailed budgets."*

shall be changed to read as follows:

*"This Board shall consist of ... an administrative officer of the University appointed by the President. The Vice President for Campus Affairs shall serve ex-officio and without a vote. ... The Senate shall allocate funds for the Health Services in a lump sum, and the categorical budget shall be prepared by the director of the University Health Services with the consultation and approval of the Board of Student Health."*

The motion passed on voice vote without opposition.

Adjourned 6:00 p.m.

G.P. Colman, recorder

### **Report of the Committee on Academic Freedom and Tenure**

At its first meeting the Council voted that the Committee on Academic Freedom and Tenure make a factual report on the public event of Stokley Carmichael's address on March 7th in Bailey Hall.

The Chairman of the Committee made inquiries of Jackson O. Hall, Assistant to the President, William D. Jones, Assistant to the Provost, Lowell T. George, Director of the Safety Division, Delridge L. Hunter, Director of COSEP, Dennis A. Williams, COSEP member and reporter for the Sun, and a few other students known to the Chairman. Mr. Hunter was at first reluctant to reply because he heard of the inquiry from Mr. Jones without learning that it was an official inquiry, initiated by the Council itself. When this was explained, Mr. Hunter offered to speak to the Council if it wished. Mr. Hall was already in the process of preparing a report on the event for the President when the Council gave this assignment to the Committee.

There is no dispute about the main facts of the event. It was sponsored by the Black Liberation Front, COSEP, and the Africana Studies and Research Center as one of a continuing series of events of special interest to members of the black community. All COSEP students and members of various black organizations were admitted for \$.75. All others paid \$1.25. This condition was printed on the announcements for the event, a copy of which was supplied to the Committee by Mr. George. It is not clear if these conditions were stated in WVBR announcements of the event. No documentation exists to settle the point. In any case some students who heard

the announcements do not remember any statement about admission fees. Mr. Hunter maintains that it was a "donation" not a fee. Admission, however, did depend on payment of at least these sums and access to the hall was restricted to a single point so as to control admission.

Ushers at the event seated members of black organizations in the center section. Others were directed to the surrounding areas. The balcony was closed. This division was not absolute. According to Mr. Jones, an eyewitness, a few black persons sat outside the center section, a few white persons sat inside the center section, which was not filled. About 700-1,000 persons were present. The Safety Division sent a small detail.

Mr. Carmichael's address was preceded by performances of black music. Sponsors of the event operated tape recorders. Professor James Turner announced that WVBR, however, would not be able to broadcast or tape for future broadcast any of the events. An announcer from WHCU was asked to open his jacket in order to provide assurance that he was not carrying a concealed cassette. Professor Turner removed a telephone jack from the outlet in the stage. He also expressed some dissatisfaction with WVBR's management of two musical programs designed for black listeners.

Ushers requested only white admittees, seated in the areas surrounding the center section, to remove their outer coats. Questioning this practice later, Mr. Jones says that he was told ushers were originally instructed to ask ALL entrants to remove their outer coats. The procedure was said to be for security and to prevent use of tape recorders. It was requested by the speaker.

Mr. George reports that the spectators were orderly and no disruptions took place.

As Chairman of the Committee on Academic Freedom and Tenure, I would like to end this report by reminding the Council again that the present charge of our committee is very specific and does not make reference to events involving outside speakers or to actions that do not interfere with teaching and research. Having checked with a member of the Senate's Executive Committee, I find that it is not clear what group, if any, has jurisdiction over the conditions of public events involving outside speakers. We agreed that a meeting between the Senate and the Council would be useful to settle this problem. On behalf of our committee I urge the Council to consider this step.

We think that the concern for maintaining the conditions for reasoned speech and controversy on public issues in public forums on campus should be an abiding interest of the Administration, the Senate, and the Faculty. If it is not, we have a major educational problem that no committee can resolve. But we also think that committees should operate within their specific charges as a matter of good procedure. At present the relationship between the responsibilities of the Administration, the Senate, and this Council are far from clear, particularly in areas where it is alleged that some violation of freedom has taken place. It is also not always clear enough to many people that often things which may be unwise or undesirable are not necessarily violations of academic freedom in the historic sense of that idea. Clarification is always on the agenda. It needs to be faced directly by action.

**Professor Cushing Strout  
Chairman, Committee on  
Academic Freedom and Tenure**

## From the Dean's Desk

### *The John L. Senior Chair*

In 1950 and '51, after consideration of recommendations by the University Faculty, the Board of Trustees created the title, **University Professor**. While the context of this action was receipt of an endowment from the John L. Senior family and a related anonymous gift, the title **University Professor** was not limited to occupants of the newly created John L. Senior chair, but conversely, it was provided that this chair would be held by a **University Professor**.

The title **University Professor** has been conferred on two individuals since 1951, both of whom were appointed to the John L. Senior chair. On at least one other occasion, in the mid-'60's, consideration was given to naming another individual to the title **University Professor**. The individual was not eligible for the Senior chair which was occupied at the time in any case. It turned out that the appointment was not made, but the related discussion produced a revised faculty view of the procedure to be followed in recommending an appointment to the title **University Professor**. The procedure recommended in 1965 differed slightly from that accepted by the Trustees in 1951. Interestingly, the revised procedure was more like that which the Trustees apparently favored in '51, but which they had modified at the insistence of the Faculty. If the Board acted on the Faculty recommendations of '65, there seems to be no record of that action.

It should be noted that the context of the Faculty resolution of 1965 was the prospect of elevating a resident professor to the title, rather than a search to fill a vacancy. Language describing procedure reads:

Nominations will be made to the Board of Trustees by the President, with the advice of the Vice-President for Academic Affairs (read Provost, in 1971) and a committee of five members chosen from within the areas of the candidate's principal interests, and with the approval of the Faculty Council.

When the untimely death of Professor Clinton Rossiter left the John L. Senior chair vacant, it became necessary to think about refilling it. On November 18, the Provost sought the advice of the Faculty Council on how best to proceed since several departments were advocating candidates for the chair. The problem was that until a candidate was identified, and his principal interests known, it would be hard to choose the committee called for in the '65 resolution. It was the problem of the chicken and the egg.

The result of this consultation was that the Provost invented a new advisory committee to be appointed by the President. This committee was chaired by Professor Robert S. Morison, and included distinguished senior members of the Faculty who were not members of the departments that wished to propose candidates. This committee then received documentation of nominees and gave its judgement as to their respective strengths in a report to the President.

After considering this report, the President appointed a committee of five as described in the '65 resolution to review the credentials of a principal contender as seen by the Morison Committee. The Faculty Council having been dissolved in the meantime, the Dean of the Faculty presumed to play the role of the Council in "approving" the committee. After some discussion, a list of five, plus two alternates was agreed to by the Provost and the Dean. It was also agreed that because his office could conveniently provide certain services, and the Dean could play a certain ceremonial role, he would preside over the committee's affairs, not as a sixth member but as a chairman.

The committee met for the first time on March 18, and on learning that the candidate they were to consider would be able to visit the campus on April 5 and 6, invited him to come, and began to plan how his visit would be employed. The visit took place according to this plan.

It is now generally known that the candidate involved was Professor Daniel P. Moynihan of Harvard. In the brief period he was on the Cornell campus, Professor Moynihan met with five groups centered on academic units and one interdepartmental group. He sat with the committee, alone, on two occasions. He presented a seminar attended by members of four academic divisions and by members of the committee. The committee itself was constituted of members from five academic divisions.

The groups involved in these meetings ranged from as few as ten to some dozens; some were entirely faculty; others included graduate and undergraduate students. As a consequence, the candidate was exposed to persons from Government, Sociology, History, Business and Public Administration, Human Development and Family Studies, Africana Studies and Research, Urban Research and Law and perhaps others. The most intensive contacts were with the Departments of Government, Sociology, Human Development and Family Studies, the Center for Urban Research and the Society for the Humanities.

The committee considered asking the candidate to make a public address during his brief visit, instead of the scheduled seminar, but decided against it on the grounds that Professor Moynihan's stage presence was not at issue. The University Committee on Lecture, on learning of the impending visit, invited Professor Moynihan to extend his visit in order to present a University Lecture, despite the short notice involved. Professor Moynihan demurred.

No date has been set, as yet, for the committee to complete its deliberations and forward its findings to the President. In the meantime, any who desire to place relevant information before the committee may do so by sending it, without undue delay, to the Dean of the Faculty for the committee's attention.

Robert D. Miller  
Dean of Faculty

The meeting was called to order in 110 Ives Hall at 4:35 p.m. by the Speaker, Professor Whitlock. After noting that the Dean-elect, Professor Norman Penney, is temporarily serving as Secretary\* the Speaker allowed Professor L.P. Williams to clarify the record with regard to the booklist resolution passed at the April 21st meeting of the Council. Professor Williams said his clarifying remarks are in response to a request from a member. His resolution, he said, is to be taken literally, with common sense indicating what is meant by "available to all members of the Cornell community." He denied any intent to discriminate against any bookstore. Thereupon the minutes of the April 21st meeting were approved as distributed.

1. NECROLOGY

The Speaker reported the deaths of *Gad P. Scoville*, Emeritus Professor of Farm Management; *John J. Natti*, Professor of Plant Pathology at Geneva; and *Bennett A. Dominick, Jr.*, Professor of Marketing.

2. PARLIAMENTARY PROCEDURES

The Speaker obtained unanimous consent to enter the following upon the minutes:

"By the authority of Article VI, Sec. D and Article X Sec. A, par. 3 of the Organization and Procedures of the University Faculty the Speaker has requested the Professor of Communication Arts, Russell D. Martin, and the Assistant Professor of Government, Peter J. Sharfman, to act as parliamentarians for the Faculty Council of Representatives and for the University Faculty. They have agreed to serve for this spring, but they are both going on leaves in the fall. Believing that it is important to involve as many faculty members as possible in a meaningful way in the new

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\* The Speaker ought to have said that until a new Secretary can be elected, Dean-elect Penney had been duly designated to assume the role of the Secretary to the extent of serving as Acting Dean if the Dean should be absent or otherwise unable to perform necessary duties.

organization of the faculty, the Speaker would appreciate suggestions as to the availability of other skilled parliamentarians for next year's session who are not elected faculty representatives.

The Speaker further reports that he can find no justification for the use of the so-called 'friendly' amendment in Robert's Rules and that he will not accept such in the future except in the circumstance that the Faculty Council of Representatives convenes 'as though they were in committee of the whole.' Finally, the Speaker suggests that a member who wishes to stop debate first be recognized by the Chair and then make formal motion 'to close debate' or move the 'previous question.'"

### 3. INTERIM EXECUTIVE COMMITTEE

Professor Isadore Blumen, Representative-at-Large and Chairman of the Interim Executive Committee, reported that the following were elected to the Committee: Assistant Professor Alvin Bernstein and Assistant Professor Bruce T. Wilkins from the non-tenured Faculty; also Professors Blumen, W.T. Dean, H.L. Everett, L.P. Williams and R. Williams, Jr. Professor Blumen reported that, at her request, the Ombudsman has been invited to attend Council meetings; the invitation will be extended to her successor. Unanimous consent was then obtained to appointing Gould Colman recorder pro tem (to provide an opportunity to amend the Bylaw requirement that the Recorder be a member of the Faculty). Professor Blumen also reported the following developments: In view of its limited powers the Committee plans to rely on the Review and Procedures Committee for liaison with the University Senate. In response to concerns expressed by some Faculty members about possible disruptions on or about May 5, the President invited members of the Committee, as individuals, to meet with himself and the Provost, at which time a full and frank discussion ensued. In implementing the resolution of the Council regarding the Stokely Carmichael incident at Barton Hall, the Committee sought to arrange a meeting with the Senate Executive Committee, but thus far that Committee has been occupied with other matters. Regarding its principal charge, the Committee is nearing a final draft

for the structure of the Executive Committee and will proceed to structure the other committees. The Committee expects to submit tentative plans to the Review and Procedures Committee no later than October. The Committee is proposing that all members of the Executive Committee be elected and that the body serve a coordinating rather than a policy-making function. Professor Blumen then offered the following special rule (which had been previously distributed) on behalf of the Interim Executive Committee.

*The Cornell University Faculty Council of Representatives shall be considered to be continuously in regular session during the academic school year. The session is to extend from the first day of student registration in the fall until commencement day. Special meetings held between spring commencement and fall registration are each to be considered individual special sessions. Regular meetings of each session shall be held the second Wednesday of each month at 4:30 p.m. at a place designated by the Dean and the time of adjournment shall be fixed at 6:00 p.m. If substantial items of unfinished business remain on the agenda following either regular or special meetings in a session the Dean may call one or more special meetings until the business is finished. Each call to a special meeting shall specify the time and place of meeting, and the time of adjournment, as well as the matters to be considered.*

Professor Blumen observed that the effect of the resolution would be to make it harder for the body to reverse itself; he added that there is no intent to include a hooker in the resolution. The Chair and Professor Blumen then responded to a number of questions by referring to Robert's Rules or the Bylaws, the Organization and Procedures of the University Faculty. According to Robert's Rules the main disability attaching to prolonged sessions is the fact that the same question cannot be brought up again during the same session "after it is too late to reconsider a vote that has finally disposed of a motion without adopting it" (i.e. a negative action.) However, so many agencies and individuals can force reconsideration by the FCR of a rejected issue through the Bylaws and procedures that the alleged disability does not seem likely to be troublesome. One tremendous advantage of the prolonged session is that it

enables the FCR to restore the tabling motion to its proper purpose,, which is assigning priorities to topics for study and debate.

Professor Blumen moved the previous question. On a showing of hands, over two-thirds favored closing debate. On a showing of hands, over two-thirds favored the special rule.

Professor Blumen then moved a second special rule.

*In establishing a quorum of members in the Faculty Council of Representatives a printed register of duly qualified members shall be provided by the recorder at each regular and special meeting. Each member in attendance at each meeting shall sign the register and such signature shall attest to the accumulation of a quorum necessary for the transaction of business. The base of the quorum shall be determined by the list of duly elected members suitably adjusted for death, resignation, recall or expulsion.*

It having been established that the rule would not restrict the use of a quorum call, debate was closed on a showing of hands. On a further showing of hands, the motion passed with one member in opposition.

#### 4. VOTING STATUS, UNIVERSITY FACULTY

Professor Gwen J. Bymers, Human Ecology, presented the following motion on behalf of the College of Human Ecology:

*RESOLVED, That the Faculty Council of Representatives recommends to the University Faculty that the non-voting status be eliminated for faculty members who hold professorial ranks who are resident on the Ithaca and Geneva campus.*

Professor Bymers called attention to the rationale for the motion contained in a memorandum from representatives of the College of Human Ecology to the Council dated May 3, 1971. She noted that the issue is not one of faculty membership, that at present the voting status of faculty members may change from year to year depending on the proportion of time assigned to extension activities, that Faculty engaged in extension activities have qualifications and responsibilities equivalent to those of other faculty members, and that a faculty member with a full-time

extension service assignment can gain voting rights on retirement by being elected professor emeritus.

The motion carried on a voice vote without opposition.

5. CALENDAR

In introducing the following resolution, Dean Miller read excerpts from a letter from Irene Brown, Chairman of the Calendar Committee of the University Senate, addressed to Professor Whitlock, Speaker. The letter noted that the Calendar Committee was mandated to bring to the Senate a proposal for a quarterly calendar system. In view of the calendar's academic implications, the Calendar Committee suggested that the Council consider creation of a task force to work with the Calendar Committee.

The motion reads:

*RESOLVED, That the Faculty Committee on the Calendar be instructed to represent the University Faculty in its relationships with the University Senate Calendar Committee with the expectation that the Faculty Committee will keep the Council of Representatives informed of any matters that, in the opinion of the Committee, require the attention of the Council together with any resolutions that seem to be called for.*

In response to a question, Dean Miller noted that some positions on the Faculty Committee on the Calendar have fallen vacant, and this resolution would provide an incentive to fill the gaps. As to why not let the Senate proposal come before the Council, Dean Miller said a committee would be better adapted to negotiate in the formative stages. As to why not create an ad hoc committee for this purpose since the Faculty Committee on the Calendar is responsible to the University Faculty rather than the Council, Dean Miller said he had no strong preference but preferred to use an existing channel which had the additional virtue of experienced members. Professor L. P. Williams, Representative-at-Large, proposed to divide the functions of the proposed committee, the old

Calendar Committee would serve both as a channel of communication and, if necessary, to represent the Council in negotiations. Professor Norman Penney suggested that if this route were followed, an observer could handle the communication function.

Debate was closed on a showing of hands. By voice vote the motion carried with a single "no."

6. SENATE STATEMENT OF STUDENT RIGHTS

The Speaker noted that while the Faculty Council of Representatives might well have an interest in the entire document as previously distributed, only the parts marked by asterisks, namely, Article I, Section 3 and 4, and Article II, Section 4, were deemed by the Senate to require the approval of the Council to become operative; placement of the asterisks indicated the Senate's judgment about what provisions come within the Faculty's powers and what provisions do not. Attention then focused on the academic implications of Article I, Section 1, and after some discussion, Associate Professor Marvin A. Carlson, Arts and Sciences, moved to add an asterisk to that section.

Professor Penney took the position that while criteria for admissions are of concern to the Faculty, in view of the negative wording of the provision he questioned the appropriateness of the motion. Professor Robin Williams, Representative-at-Large, suggested that as it concerns the Council the provision at issue is procedural rather than substantive. Professor Robert E. Habel, Veterinary Science, observed that Article VI, Sections 2 and 3, are in conflict with Article I, Section 2 since a provision for enforcing quiet in the dormitories is needed to secure for students their right to study. An unidentified member called attention to the need to examine Article V, Section 2. He felt that the record should so report if a student is dropped for cheating on an examination.

Professor L. P. Williams said that following the logic of Professor Robin Williams, every provision involves student-faculty relationships. He then moved to amend the original motion to read: Every section of this document shall be marked with an asterisk as properly the concern of the Faculty Council of Representatives. Professor Peter C. Stein, Arts and Sciences, said he understood the meaning of the asterisks to be the identification of sections which could not be implemented without Faculty approval. He doubted that Faculty power was so sweeping.

Professor Blumen moved the previous question. By voice vote, debate was continued.

Responding to Professor Stein's objection, Professor L.P. Williams clarified his position by indicating that his amendment was in response to the logic of the original motion. If it is appropriate to place an asterisk beside Article I, Section 1, it is appropriate to do so throughout the document. Thus, his amendment would expedite the Faculty's response to the Senate statement. Professor Robert S. Pasley, Law, urged the Council to proceed with caution, thereby avoiding decisions which might be misunderstood by the Senate. He recommended further study before taking any action. Associate Professor Robert C. Fay, Arts and Sciences, observed that Article III, Section 3, has nothing to do with academic matters and urged the Council to consider with care the identification of its particular interests. Professor Penney said that as a member of the Senate he was sensitive to Professor Pasley's concern about Senate reaction. He suggested referring the statement to a committee for study.

Professor Walter Federer, Agriculture, moved to table the discussion. On a showing of hands the motion was lost.

Dean Miller reminded the Council that the call to the last two meetings stated that no action was expected on the Statement of Student Rights.

He reported having advised representatives of the Senate that he did not anticipate Faculty action as long as the provisions for penalties and judicial procedures were missing. He urged the Council not to take action on the substance of the document, but to take advantage of the opportunity to discuss it.

Professor Peter Stein moved to table the amendment. On a voice vote the amendment was tabled. Professor Pasley then moved to table the main motion calling for placing an asterisk by Article I, Section 1. The tabling motion passed on a voice vote.

Questions were raised about when the provisions for adjudication would be drafted. Dean Miller's judgment was by fall. Professor L. P. Williams observed that Article II, Section 4, is obscure since it is not clear what is being academically evaluated. Professor W. T. Dean, Representative-at-Large, speaking as a member of the Code Committee of the Senate, said the intent was to avoid situations where disagreement with a faculty member adversely affected the student's grade. That provision, he added, was not intended to apply to a test situation. Assistant Professor Henry Alker, Arts and Sciences, observed that Article II, Section 4, is dangerously vague. Professor Dean responded that students feel they have been penalized in their grades for disagreeing with professors. Professor Penney suggested that at the proper time the Code Committee be asked to reformulate the wording of provisions directed to that situation. Professor Peter Stein said that those provisions involve an important ethical principle, and the place for the Council to be concerned is in the adjudication provisions. On this point, Dean Miller noted that the missing sections have been referred to a Senate Committee and until they are adopted the document is considered by the Senate to be in abeyance.

Adjourned: 6:00 p.m.

G.P. Colman, recorder pro tem

## CORNELL UNIVERSITY SENATE

## Statement of Student Rights

February 18, 1971

A-193  
as amended

## ARTICLE I: THE RIGHT TO STUDY

- §1: No student shall be denied admission to any school, department, center or class within the University on the basis of race, religion, age, sex, sexual preference, ethnic background, or political persuasion; however, the physical education department shall be allowed to select on the basis of sex, but only in so far as such selection is necessary to provide for orderly use of dressing facilities.
- § 2: No student shall be denied enjoyment of the benefits of University programs and facilities to which he would normally be entitled without due process. No member of the Cornell Community shall by his conduct obstruct this right.
- § 3:\* Students shall receive the full amount of instruction for which they contract by paying tuition and fees.
- (a) In the event of an instructor's inability to meet class for reasonable cause, compliance with this section may be achieved through the instructor's or the University's bona fide effort to re-schedule missed classes or to arrange for a substitute teacher.
  - (b) A cancellation of a class or classes by the University for reasonable cause shall not be a violation of this section unless the sum of such cancellations is greater than three class days per term. In the event that such cancellations exceed the three day limit, compliance with this section may be achieved by reasonable re-scheduling of missed classes in excess of the herein defined limit.
  - (c) No part of this section is intended to limit flexibility or educational innovation; classes need not be bound to a given number of hours per week so long as all students are apprised of such intention in timely fashion, and the number of actual class hours taught per term meets with reasonable departmental standards.
- §4:\* A student shall have the right to see any material submitted by him or her for a grade after it is corrected and graded. This right shall not be waived so long as the student submits, within one month after notice of the grade is given, a request to see the material.

\* These sections shall become operative only after acceptance by Faculty Council of Representatives.

## ARTICLE II: THE RIGHT TO SPEAK

- §1: A student's right to free speech shall not be limited as to subject. For instance all facets of University Administration, policy and life, and all faculty, student and employee activities shall be proper objects of free discussion and criticism.
- §2: Students shall have the right to publish and distribute written and other audio-visual material without prior approval, provided the method of distribution does not unreasonably disrupt or burden the University. This section applies neither to scholarly research where the work of one or more additional persons is involved and all have not given consent for publication, nor to confidential information within the meaning of Article V.
- §3: The fact of institutional subsidy and liability does not warrant censorship of editorial policy or content in any broad sense. The University may provide for advisory review, however, solely as a reasonable precaution against the publication of matter which would expose the institution to liability.
- §4:\* Inasmuch as the free expression of ideas is central to the educational process, academic evaluations shall be neither unprofessionally prejudiced nor capricious in such a way as to intimidate students and deter them from offering different opinions than those of the person making the evaluation.
- §5: The student's right of self-expression shall not extend to protect words, noise, or action intended to prevent free self-expression by others. Picketing and other forms of protest action shall be completely acceptable within the intent of this section so long as they are expressions of dissent which do not prevent self-expression by others, deny access or mobility, or otherwise cause injury to life, liberty, or property.

## ARTICLE III: THE RIGHT OF ASSOCIATION

- §1: Students shall be free to organize and join associations to promote their common interests, and they shall be free to make reasonable use of University facilities for such purposes. The University may, however, withhold use of its facilities where the use intended will impinge on the rights of other members of the Cornell Community by obstructing their study or their self-expression or otherwise subjecting them to harrassment.
- §2: No student organization or official University activity financed in whole or in part by University funds shall discriminate in its membership policies on the basis of race, religion, age, sex, sexual preference, political persuasion, or ethnic background, except where sex and age are bona fide qualifications for membership.\*\*
- §3: No organization shall be required to submit a membership list.
- §4: A student organization may properly be required to identify officers handling University funds or to designate a person to receive University communications.

\*These sections shall become operative only after acceptance of Faculty Council of Representatives.

\*\*Underlined portion was amended at 3/25/71 Senate meeting.

#### ARTICLE IV: THE RIGHT TO LISTEN

- §1: Free inquiry is central to the function of the University; therefore, student groups shall have the right to invite any person of their own choosing to speak on campus for the purpose of hearing his ideas and opinions. The University shall, however, retain its legal prerogatives in order to protect itself from liability.
- §2: Institutional control of campus facilities shall not be used as a device of censorship.
- §3: Routine procedures may be required by the University before any guest speaker is invited and scheduled to appear on campus, but these procedures shall be designed only to insure that there is orderly scheduling of facilities and adequate preparation for the event. Reasonable charges for services may be made by the University to the sponsoring group.
- §4: It is not sufficient reason for University suppression of the peaceful expression of ideas that they are so outrageous to others that there is a risk of misconduct by those offended.
- §5: The right to listen shall not be abridged by any member of the Cornell Community. Conduct by any member of the Cornell Community intended to or having the effect of preventing a speaker from speaking shall be a violation of this article and may also be a violation of Article I, Section 2.

#### ARTICLE V: THE RIGHT TO PRIVATE RECORDS

- §1: Academic, disciplinary, medical, financial and counseling records shall be kept separately from each other.
- §2: Transcripts of academic records shall contain only information about academic status of the student during his period of study at the University and shall not be available to unauthorized persons within the University or to any person outside the University without the express consent of the student involved.
- §3: Information from which an individual can be identified that is contained in disciplinary, medical, counseling and financial files shall not be available to unauthorized persons within the University or to any person outside the University without the express consent of the student involved except under legal compulsion or in cases where the safety of persons or property is in grave danger.
- §4: A student shall have the right to see his own academic and disciplinary records.
- §5: No records shall be kept which reflect the political activities or beliefs of students unless the student specifically submits such information.

## ARTICLE VI: THE RIGHT TO PRIVATE QUARTERS

- §1: The University, if approached, shall not permit or consent to searches by the police or other law enforcement officers of quarters within University owned or operated facilities in which students live unless the officers possess a warrant properly obtained from the appropriate civil official, or the student whose quarters are to be searched consents to such search.
- §2: Routine inspections of student quarters within University owned or operated living facilities may be made by University personnel in accordance with a normal maintenance schedule established, authorized, and published by the appropriate University official. Such inspections shall be limited in object to
- (a) assuring compliance with state, local and University promulgated fire and health safety regulations and
  - (b) detecting any deterioration which may require maintenance attention.
- Routine inspections may be made of student quarters within University related living facilities, but only for the purpose of assuring compliance with state, local and University promulgated fire and health safety regulations.
- §3: Any non-routine inspection of student quarters within University owned or operated living facilities beyond inspections provided in section two (2) of this article may be made by University personnel only where there is reasonable cause to believe that the condition or contents of the student's quarters constitute a threat to the health, safety or welfare of other persons in the same living facility. Such inspections may be undertaken only with the direct written authorization of the Dean of Students, and such authorization shall narrowly define and limit the object or objects of such inspections.
- §4: Entry of student quarters within University owned or operated living facilities for the purpose of necessary maintenance work shall be allowed. Where such work is to be done in a student's room, the student shall be notified in advance, except in the case of emergencies where no advance notice shall be necessary. If the student is not present when such emergency entry is made, prompt written notice that the entry was made should be given.
- §5: It is preferable but not mandatory that any inspections made be done in the presence of the student whose quarters are being inspected. In cases where the student is not present when such an inspection is made, the student shall be given prompt written notification that an inspection was made.
- §6: The signing of a lease or contract between a student and the University for living quarters shall not confer such consent to inspection as would operate as a waiver of safeguards to student privacy herein provided.

## ARTICLE VII: THE RIGHT TO PROCEDURAL DUE PROCESS

(title to be enacted; specifics to be considered and eventually enacted after establishment of a new or revised judiciary by the Judiciary Committee and the Senate)

## ARTICLE VIII: THE RIGHT TO REDRESS OF GRIEVANCES

§1: No judicial body or mechanism empowered to adjudicate cases and controversies arising from alleged violations of the provisions of this document shall have jurisdiction over any person beyond those fitting within the following groups: students of Cornell University, student organizations and associations supported in whole or in part by Cornell University, members of the faculty of Cornell University, employees of Cornell University, and Cornell University itself.

§2: Cases and controversies arising from alleged violations of the provisions of this document shall be heard by the appropriate judicial body or mechanism only where brought by a student who complains of a violation of any of the rights within this Statement of Student Rights.

The Dean of Students shall not be prevented from joining in an action brought by injured students.

§3:\* The judicial body empowered to hear cases and controversies arising under this Statement of Student Rights shall have power to grant reasonable monetary damages or other remedies where requested by the injured party or parties as well as impose reasonable punitive sanctions where appropriate.

§4: A student who believes his rights under this Statement of Student Rights have been violated shall have thirty (30) calendar days or ten (10) Senate days, whichever is longer, after the cause of action accrues to present formally a written complaint to the appropriate judicial body; this complaint shall clearly allege the injurious action of the defendant, clearly state the time, nature and extent of the injury, and cite the articles and sections of this Statement of Student Rights which the plaintiff alleges to have been violated to his detriment. Failure to comply with the provisions of this section shall result in the loss of the plaintiff's cause of action under this Statement of Student Rights.

\* Recommended to Codes Committee

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This legislation shall become effective upon

- a) Senate acceptance of a judicial mechanism to process actions arising from it, and
- b) Senate approval of a statement defining reasonable penalties more clearly and setting maximum limits on penalties where appropriate.

President Corson called the meeting to order in 120 Ives Hall at 4:35 p.m. 105 members were present. He introduced and then relinquished the Chair to the Speaker of the Faculty Council of Representatives, Professor John H. Whitlock.

Professor Whitlock noted the absence of a quorum. Asked what constitutes a quorum, he replied ten percent for this meeting, twenty-five percent for meetings to review an action of the FC of R. His answer also included the following statement.

"The University Faculty is meeting for the first time under a quorum rule. Pending definitive determination by the still-to-be-elected Review and Procedures Committee, the chair rules that for purposes of quorum counts and any other percentage votes of the voting University Faculty that the base shall be estimated by the office of the Dean of the University Faculty as being those members of the voting University Faculty that are living and working close enough to the Ithaca and Geneva campuses that they may be reasonably considered to be part of the resident Cornell Community. (There are, for instance, Emeritus Professors who maintain an Ithaca address but who are essentially non-resident most of the academic year.) It should be understood that it is not the purpose of this rule to deprive any member of the University Faculty of his rightful vote but simply to estimate a realistic base for purposes of quorum consisting of those who would be available in case of a call for a meeting or likely to be able to return a ballot within the time limit set for the residents of the Ithaca-Geneva campuses. Dean Miller estimates 1400 such voting members of the University Faculty at the present time."

1. COMMITTEE ON NOMINATIONS

The slate for nominees for Faculty Trustees was presented by Dean Miller. The nominees for a five-year term are: Professors Meyer H. Abrams, George H. Hildebrand, William N. McFarland, David Pimentel, John H. Whitlock and Robin M. Williams, Jr. For two-year terms, the following Professors were nominated from the non-tenured Faculty: Henry A. Alker, Philip L. Bereano, Paul P. Feeny, William P. Fisher, John E. Kinsella and Bruce T. Wilkins. There were no nominations from the floor.

2. REPORT, COMMITTEE ON THE ECONOMIC STATUS OF THE FACULTY

Professor David Call, Chairman of the Committee, noted that the Committee is departing from the custom of a written annual report because it recently published two reports in the Chronicle. He reminded the members of the conclusion to the first report, which concerned the economic status of the Faculty, namely, to protect its economic interests the Faculty must play a larger part in the economic system and budgeting process at Cornell. In this connection he noted that the Cranch Committee plans to establish a sub-committee to study the reward system in the University. He anticipates that this sub-committee will be reporting to the Faculty in the fall. He reported excellent progress in developing a group automobile insurance plan and a deferred compensation plan, observed that the latter is superior to TIAA-CREF, and anticipated that both plans will be ready for submission this fall. Assistant Professor Henry A. Alker, Psychology and Sociology, asked why the sub-committee of the Cranch Committee is being appointed by Administration rather than by the Council. Professor Edmund E. Cranch replied that it will be a joint Administration-Faculty committee. He would be glad, he added, to discuss Faculty appointments with the Executive Committee of the Council.

3. REPORT, SPECIAL COMMITTEE ON THE GRADING SYSTEM

The Registrar, R. Peter Jackson, Chairman of a special committee on the grading system, reported the committee's findings and recommendations and indicated that the entire report will be published in the Chronicle before the recommendations are placed before the Faculty Council of Representatives next fall. He noted that these recommendations (which are attached to these Minutes) have been reviewed by the educational policy committees of the various schools and colleges. He noted that the Committee originated in response to a request from the former Faculty Council for evaluation of the S-U grading system, initiated as an experiment under prescribed conditions in 1965. The Committee, he said, includes a faculty

member and student from each school and college.

Noting that grading systems go in cycles of approximately 75 to 100 years, he observed that studying these systems is now popular. S-U grading systems, he continued, have the advantages of getting students into courses they would not otherwise take, reducing student anxiety over grades, shifting concern from the pursuit of grades to other dimensions of learning, and giving the student greater control over the distribution of his academic effort. Objections, he noted, include the complaints from graduate and professional schools when large numbers of S-U grades appear on a transcript and a low level of performance that may be recorded as "S."

After listing the sources of information used by the Committee, which included contact with all Deans' offices, a questionnaire, and a public hearing, he commented on the Committee's recommendations. Then, turning to a charge to the Committee regarding the stability of the grading system, he called attention to memoranda of the New York State Commissioner of Education dated August 17 and September 2, 1970, which provide that the administrative responsibility for graduate and undergraduate curricula shall be clearly established, that credit shall be earned only upon completion of course requirements, and that clearly established academic policies shall be announced at the beginning of the academic term and maintained throughout the term.

The Registrar then responded to two questions. He said that using the symbol "E" for excellent was considered at length and that the intent of the Committee was to limit use of "Incomplete" to failure to complete a course because of conditions beyond the student's control.

#### 4. MEMBERSHIP IN THE FACULTY

Dean Miller reported that the following resolution was passed at the Faculty Council of Representatives on May 12 without dissent:

RESOLVED, That the Faculty Council of Representatives recommend to the University Faculty that the non-voting status be eliminated for Faculty members who hold professorial ranks and who are resident on the Ithaca and Geneva campuses.

He noted that at present thirty-four members have non-voting status. Lacking a quorum, the Dean asked if there were any objection to his forwarding the resolution to the Trustees. No one objected.

5. FRESHMAN ORIENTATION

Reverend W. Jack Lewis, Coordinator of Religious Affairs, invited faculty members to participate in a freshman convocation scheduled for September first at 4:00 p.m. in Barton Hall. Noting that traditional rites of passage are going out of style, he observed that treating matriculation at Cornell as a rite of passage could nevertheless serve a useful function. He urged faculty members to join in the rite and indicated that their suggestions for the convocation would be welcomed.

6. QUESTION PERIOD

The Chair noted that this session is intended to implement Article IV, A, 6 and 7 of the By-laws developed by the Pasley Committee. After Dean Miller reported the presence of a representative of the Office of Public Information the Chair recognized Assistant Professor David B. Wilson, Biochemistry and Molecular Biology, to ask a question which he had submitted earlier. He asked what percentage of the University budget is spent on administrative matters.

After observing that administrative costs are difficult to define and measure, the President, using Budget Office categories, reported that general administrative costs are about 3% of the total operational costs of the University. Another 3% is spent on general institutional expenses, a category which includes the purchasing office, campus security, and the telephone system. Operating the various Deans' offices costs another 1.3%. These figures, the President noted, do not include faculty time

spent on committees and the operation of departmental offices. Commenting on administrative costs, the President cited studies which indicate that universities tend to be under-administered and that at Cornell costs of administering research and fund-raising are low in comparison with other universities. Asked by Professor Wilson for a rough breakdown of the remaining 93% of the University budget, the President observed that there are significant items in addition to faculty salaries. Here he cited \$15,000,000 for scholarship aid. Vice-Provost W.K. Kennedy also noted the costs of maintaining the physical plant and library costs.

The Chair then recognized Professor Lawrence S. Hamilton, Conservation, to ask a question concerning the role of students in course innovation. He further stated that Dean Miller and David Connor, Assistant Dean of Arts and Sciences, would respond. Professor Hamilton was not present. The Chair recognized Professor Duncan M. MacIntyre, ILR, to ask a question. He was not present. The Chair then invited questions from the floor. Assistant Professor Alvin Bernstein, History, referring to a recent article in the Ithaca Journal, asked for the rationale for information attributed to the Provost to the effect that non-academic employees would receive a 7% salary increase, administrative employees 5%, and academic employees 3%. In replying, the Provost noted that non-academic salaries as a group are lower than other salaries and that a rising cost of living and a high level of interaction between Endowed and State employees in this group reduced the options available to the University. The increase for administrative salaries was determined in order to retain particular employees and to maintain a competitive position with other universities.

## 7. JUDICIAL PROCESS

Dean Miller read the following Senate resolution at the request of the Speaker of the Senate, Assistant Professor J. Robert Cooke:

## RECOMMENDATORY RESOLUTION ON FREEDOM OF INQUIRY

The Cornell University Senate adopts the recommendations of the Special Committee to Investigate the Incident of December 5, 1970:

- (1) That the leaders of our University community be more prompt and outspoken in condemning such disruptions and in seeing to it that disrupters are properly held accountable, through the established machinery, for violations of the community's freedom;
- (2) That the administration publicly reiterate its intention to tolerate no such disruption and to see that disrupters are prosecuted in the future;
- (3) That the Office of the Judicial Administrator be more vigorous and thorough in investigating and prosecuting such disruptions in the future, and that the office take the initiative itself, where unwillingness or fear prevents an individual from filing a formal complaint;
- (4) That all members of the community develop a greater consciousness of their responsibility to support the preservation of free expression and free inquiry within the University, including their responsibility to step forward and bear witness against those who would deny the community its right to hear unpopular views;
- (5) That in order to create a greater community consciousness of the necessity of free inquiry and free expression to the University, steps be taken by the administration, the Senate, and any other appropriate University bodies to sponsor symposia and other discussions of the role of freedom of expression and freedom of inquiry in a University community; and
- (6) That all individual members of the community be encouraged to discuss freedom of expression and freedom of inquiry and show their support for these concepts in whatever personal ways they can.

Further, we request President Corson to inform the Senate of the steps he considers appropriate to implement these recommendations.

The Dean then offered a personal observation that the community is insufficiently aware of the role of the Judicial Administrator and the problems faced by that officer. One problem is that of special knowledge; upon investigation, an incident may seem considerably less serious than members of the community with less information believe it to be. Another is that witnesses to violations of campus order will tell others what they witnessed but will not testify before judicial bodies. Another problem

is the lack of knowledge about actions by the Judicial Administrator, for when persons do testify the proceedings are confidential. The Dean observed that under these circumstances righteous rhetoric about the work of the Judicial Administrator overlooks requirements for due process. He concluded by noting that the effectiveness of the Judicial Administrator depends upon the willingness of witnesses to offer testimony.

Professor Isadore Blumen, ILR, commended the Senate resolution and joined the Dean in his plea to help identify those who disrupt campus order. He regretted that some officers of Administration, particularly in the office of the Dean of Students, do not contribute to the judicial process in this way. He urged the Office of Public Information to use its facilities to call the community's attention to campus disruptions rather than failing to report, as was the case with Chronicle treatment of two incidents.

President Corson called attention to a factual error in the Senate committee report on the investigation of the South African Seminar incident. [That report appears in the Chronicle for May 20, 1971.] He noted that it was Vice-President Barlow who called the Office of the Judicial Administrator to order the investigation and, on doing this, learned that Mr. Kisker had already begun to investigate. Regarding the role of the Judicial Administrator, President Corson read a letter he received on May 19 from Professor Joseph Bugliari, the outgoing Administrator. Professor Bugliari stressed what he regarded as a disturbing trend away from the judicial-information collecting role originally intended for the Judicial Administrator toward a prosecutor role under pressures which followed the handling of the South African Seminar incident. Professor Bugliari noted that there are unusual circumstances associated with that investigation, including an unwillingness of the sponsoring organization to cooperate, and stated that

most of the daily business of the Office could best be handled from a neutral position. Where an extensive investigation is indicated, the Safety Division might well be used more extensively, although the capabilities of this office are limited where a tenuous matter, such as academic freedom, is involved. A workable solution would be for the Office of the Judicial Administrator to appoint, with the advice of the Dean of the Faculty, a special investigator who after investigating, would recommend appropriate action to the Judicial Administrator. This would preserve the neutral stance necessary for the Office to be accepted and effective.

8. OVATION FOR DEAN MILLER

Professor Urie Bronfenbrenner called attention to the conclusion of Professor Miller's term as Dean and commended his service during strenuous times. Thereupon the Faculty gave the Dean a standing ovation.

Adjourned: 6:00 p.m.

G. P. Colman, recorder pro tem

(See partial results of the spring elections - Appendix D.)

RECOMMENDATIONS TO THE FACULTY

By the AD HOC Committee on Grading

1. That the S/U grading option be replaced by a system of (S) satisfactory, (L) low pass but credit given, and (U) failure.
2. That the S-L-U system have symbol equivalents which are uniform within the University: S = at least C- or above; L = D+, D, D-; U = failure. Exceptions should be approved by the college or school and the Faculty Council of Representatives. Further clarification should be made in the course announcements.
3. That S-L-U options be chosen by the student during the first three weeks of the term.
4. That the announcements and/or supplementary course registration material describing each course include a description of the course grading options, particularly if the course is graded with an exclusive S-L-U. Any additional options must be announced by the instructor within the first two weeks of the term.
5. That colleges and schools may require a minimum number of credit hours graded by the letter system (A-F) for graduation from a particular program of study, and/or for particular courses within that program of study, but the student may take as many S-L-U graded credit hours each term as he wishes, provided he meets at least the minimum college or school requirements.
6. That course requirements be the same for all students regardless of the grading option chosen.
7. That a course which is canceled not appear on the permanent record. (Elimination of the symbol cancel (CNC)).
8. That the uniform use of Incomplete (INC) be strongly enforced throughout the University.
9. That the symbol 'R' be instituted to represent year length courses which are not graded at the end of one term.

May 7, 1971

Cornell Chronicle 5/13/71

Relatively little was known about the economic status of instructors and lecturers at Cornell, and at the request of the Faculty Council, our committee has reviewed their current status. This report emphasizes problem identification. To obtain information, a questionnaire was prepared and distributed to lecturers and instructors. Sixty-seven were returned—27 from instructors, 40 from lecturers. In addition, we obtained information on aggregate compensation from reports prepared by Cornell for the AAUP.<sup>1</sup> The problems identified include (1) a slow growth rate in compensation relative to professorial ranks, (2) very low salaries for part-time lecturers in selected departments relative to duties performed, (3) lack of fringe benefits for part-time individuals in the endowed colleges, and (4) substantial inconsistencies between the endowed and statutory colleges' treatment of the instructorship and lectureship.

**Inconsistencies among colleges.** In the statutory units, full-time lecturers receive on the average about \$2650 more compensation per (9 month) year than instructors, whereas in the endowed units lecturers received about \$800 less compensation than instructors. Lecturers in the statutory units average about \$2500 higher compensation than those in the endowed units (Table 1).

**Slow growth rate.** The relatively slow growth rate in compensation for instructors is also evidenced by the material in Table 1, and while comparable information is not available for lecturers, we believe that the same problem exists for this rank. According to information in our survey, some departments are reluctant to pay more than \$9000 per (9 month) year for full-time lecturers and instructors. At the same time, some lecturers appear to be performing duties equivalent to the position of assistant professor.

Instructors are part of the academic ladder (below the rank of assistant professor); lecturers are not. More new Ph.D.s may be starting as assistant professors (rather than as instructors) today than 5 years ago. Thus, the widening disparity between the salaries of

instructors and assistant professors may be explained, in part, by changes in the levels of experience and education in the 2 ranks. Nonetheless, Cornell's substantial drop in the AAUP rating at the instructor level is cause for major concern.

**Low salaries.** Evidence from the survey suggests large inequities in the treatment of part-time positions. For instance, one individual has 10 classroom contact hours per week in a position defined as half time and receives \$2750 per year; another person receives \$2700 per year for teaching 2 courses (1 per term); a part-time instructor teaches 4

courses a year for less than \$5400; still another person with a Ph.D. teaches 3 courses per year, including one at the 400-level, for \$4500.<sup>2</sup> In contrast, a half-time lecturer receives about \$6500 per year; this person holds the M.S. degree. Departments clearly have different definitions of "full time," and some departments are paying totally inadequate salaries for the level of service rendered.

**Fringe benefits.** Full-time instructors and lecturers as well as part-time persons in the statutory units working 20 or more hours per week are eligible for fringe benefits. These benefits include health insurance and state or TIAA-CREF retirement plans. Part-time lecturers and instructors in the endowed units are not in general eligible for fringe benefits, and numerous part-time individuals would, according to our survey, like to participate in a retirement plan.

**Additional observations.** Salaries varied widely among the individuals returning the questionnaire. Of course, this is partly explained by variation in experience and by whether the person was part- or full-time. In addition, individuals with 11-12 month appointments tend to receive smaller salaries per month than those on 9-10 month appointments; instructors and lecturers with primary responsibilities as undergraduate teachers receive lower salaries than individuals with principal responsibilities in other areas; and persons in the endowed units tend to receive smaller salaries than persons with similar responsibilities in

the statutory units. Much of the existing dissatisfaction among lecturers and instructors is related to lack of a university-wide policy on teaching loads and related abuses of part-time positions. Also, no clear policy exists on timing of renewals (or non-renewals) of appointments for lecturers; very late notice of reappointments are given in some cases.

The results indicate little, if any, discrimination by sex with respect to salary within a rank. Female instructors, for example, have average salaries equal to those received by male instructors (Table 2). However, more females than males hold these ranks, especially at part-time levels, relative to professorial positions. Apparently, if discrimination by sex exists, it is in terms of the rank to which women are appointed (i.e., lecturer rather than assistant professor) rather than in terms of salary paid within a rank.<sup>3</sup> No clear evidence of discrimination against spouses of Cornell Faculty in terms of salary was ascertained from our survey.<sup>4</sup> However, spouses holding advanced degrees and seeking academic employment in the Ithaca area seem to be in a poor bargaining position, and they may be discriminated against in terms of the rank to which they are appointed.

**Conclusions.** The ranks of lecturer and instructor receive inconsistent treatment by the various colleges and departments, and no clear definition of "full time" exists on which to base part-time appointments. Some individuals, particularly those in part-time positions, are receiving unconscionably low compensation relative to service rendered. Moreover, the evidence indicates that salaries of instructors and lecturers are growing at a slower rate than the salaries of the professional ranks. Part-time lecturers and instructors in the endowed units should be able to receive fringe benefits on a pro-rated basis.

1. According to records available to our committee, the endowed units had 100 instructors and 97 lecturers in Fall 1970, the state units 13 instructors and 26

lecturers. These numbers include both part- and full-time individuals. The report prepared by Cornell for the AAUP was based on 14 instructors and 22 lecturers in the endowed units and 16 instructors and 16 lecturers in the statutory units—all full-time positions. No effort was made to reconcile the two sources of information. The results presented in this report include persons in regular academic departments and exclude athletic coaches.

2. These illustrations are not atypical in the context of our survey results.

3. Comments on our questionnaire indicate that some women prefer appointments as lecturers; as a consequent, they are not under the pressures inherent in moving up the academic ladder. Thus, a rank without the "up or out" feature seems desirable. Other women are obviously unhappy with the appointments they hold. This apparently occurs when they are appointed as lecturers but preferred appointment as an assistant professor.

4. The statistical technique used in describing the data attempts to hold other important variables constant. Hence, we are saying that spouses do not receive lower salaries than non-spouses after taking account of experience, college, rank, and other variables that "explain" the variation in salaries among individuals.

Jean F. Blackall  
David L. Call  
Jean Robinson  
William G. Tomek

Table 1.

Average Salary and Compensation for Assistant Professors, Lecturers, and Instructors, 1966-67 and 1970-71, 9-month basis

Rank	Year	Salary	% change	Total comp. <sup>a/</sup>	% change	AAUP rating <sup>b/</sup>
<u>Endowed Units</u>						
Asst. Prof.	1966-7	9609		11035		A
	1970-1	11298	17.6	14091	27.7	3
Instructor	1966-7	7737		8957		AA
	1970-1	8775	13.4	10587	18.2	4
Lecturer	1970-1	8023	--	9752	--	--
<u>Statutory Units</u>						
Asst. Prof.	1966-7	9577		11262		AA
	1970-1	12747	33.1	16358	45.2	1
Instructor	1966-7	6595		7780		A
	1970-1	7376	11.8	9605	23.4	9
Lecturer	1970-1	9499	--	12262	--	--

<sup>a/</sup> Compensation includes the value of fringe benefits paid for by Cornell.

<sup>b/</sup> Current scale 1 (top) to 10; old rank AA to F. Rating based on level of total compensation, not on salary.

Source: AAUP reports

Average Monthly Salary for Selected Categories of Lecturers and Instructors, Cornell, Fall 1970

Categories	sample size	mean salary
All instructors	27	\$ 751
Full-time	19	849
male	8	848
female	11	849
Part-time	8	519
male	2	435
female	6	547
All lecturers	40	701
Full-time	27	780
male	12	788
female	15	774
Part-time	13	536
male	3	583
female	10	523
Grand mean	67	\$ 721

Source: survey of instructors and lecturers, Cornell Faculty.

Cornell Chronicle 5/20/71

In order to develop a greater awareness of Cornell University's grading philosophy and to further standardize grading throughout the University, the Registrar's office has prepared a report on the guidelines for grading.

Edward C. Maynard, assistant University registrar, explained that "while grading is and should be largely a matter of individual judgment, it is hoped that the report will contribute to a common understanding of grades and grading at Cornell.

If grades are to be just to the student, and useful to both the University and other groups, they must be interpretable to those who use them, they must be comparable throughout the University over a period of years, and they must differentiate among the levels of student performance."

#### *The Uniform Grading System*

In May, 1965, the University faculty established an A-plus to F, 13 step grading scale for undergraduate and graduate grades reported to the Registrar. The lowest passing grade is D-

Most colleges and universities use a letter system similar to that used at Cornell. Descriptive equivalents of the letter grades are as follows:

Grade	Description	Knowledge & Understanding of Subject Matter	Perception and/or Originality
A+, A, A-	Excellent to Very Good	Comprehensive	Marked
B+, B, B-	Good	Moderately Broad	Noticeable
C+, C, C-	Satisfactory	Reasonable	Some
D+, D, D-	Marginal	Minimum	Limited
F	Failure	Unacceptable	Severely Limited

"S" (satisfactory) and "U" (unsatisfactory) may be given as final grades, in physical education, for events such as field trips or colloquia, or in courses deemed by the school or college to require no greater precision in grading.

At mid-term, either A-plus to F or S-U grades may be used. A U grade at this time signifies that unless the student's performance improves, he is in danger of failing the course. Each division determines what action, if any, should be taken when a student receives either a U or F grade at mid-term.

As a final grade, S entitles the student to the number of credit hours stipulated for the course. No credit is received for a U grade.

Students in S-U courses, or with individual options for S-U should receive the appropriate grade. End of term grades will be edited to assure the proper type of grade was assigned.

#### *Reporting of Grades*

Grade cards for each student in each course are sent to the division offices prior to the mid-term marking period and prior to final examinations. Each division office distributes the cards to the departments or instructors.

Grade cards should be marked only with electrographic pencils, which are available in division offices.

Only one grade designation or not attending (NA) should be marked on a card. Cards "double marked" edit out and result in missing grades.

If the card requires special attention, the "discrepancy" oval should be marked. This is the only way the card can be spotted for individual attention.

The grade card of a student no longer attending should be marked NA. If the course has officially been cancelled, the

record card, although the make-up grade is added later.

Some divisions have special rules governing incompletes. The Registrar's office recommends instructors grant "INC" for only a limited number of clearly valid reasons, and only to students with a substantial equity in the course after reaching a firm and definite agreement on the conditions for make-up.

Graded cards should be returned to the division offices as soon as possible after completion but not later than the final return date set by the division. They should not be stapled, clipped, or folded.

If an instructor finds he has a student for whom he received no grade card, he should fill out an Instructor's Report of Missing Grade Card and return it to the division office with his completed grade cards.

#### *Late Grades*

Once the deadline for returning grade cards is past, all late cards plus a completed Grade Report Form should be submitted by the instructor to the office of the division giving the course.

Grades reported late will not appear on the grade report received by the student.

It is paramount that instructors submit grades on time. Failure to meet the deadline necessitates

manual processing and recording of all late grades. Students who need accurate and prompt transcripts are also inconvenienced.

#### *Changing a Grade*

Grade changes should be made on the Grad Report Form signed by the instructor giving the grade, and then sent to the office of the division offering the course. The change is posted on the student's record in the Registrar's office, and a copy is sent to the student's division office.

Registrar's office will note this on the student's record. Otherwise the NA will convert to an F grade. Students are responsible for following through on any F they think may be incorrect.

"Incomplete" should be used only to indicate that a student's course work is not complete. It should not be used where a grade simply has not been determined. The makeup of an "INC" (incomplete) does not result in removal of the incomplete from the student's

### Make-up Grades

An undergraduate desiring to make-up a grade for which an incomplete (INC) was originally given should obtain a Special Registration Form from his division for permission to make up the grade.

Permission is not required for graduate students.

The charging of a fee (if any) is determined by the student's division of registry. After paying the appropriate fee to the cashier in the Treasurer's Office the student submits the Registrar's copy of the Special Registration Form to the instructor and returns the receipted division copy to his division office. When the make-up work is completed the instructor gives a grade on a Grade Report Form, attaches the permission slip presented by the student and submits both to the office of the division offering the course. One copy is retained by that office and the remainder of the form (including the Special Registration Form) is forwarded to the Registrar's office, which sends a copy to the division in which the student is enrolled.

### SYMBOLS USED ON GRADE CARDS

SYMBOL	DEFINITION OF SYMBOL
A+ to D-	Passing grades, A highest, D- lowest.
F	Failing grade: did not complete course satisfactorily. F is also given when NA (not attending) is marked on grade card but no official cancellation of course has been made.
S or U	Satisfactory, Unsatisfactory. Given only in courses offering S-U grading exclusively or to individual student permitted S-U option.
NA	Not attending; no record of enrollment or student has discontinued attendance. Converted to F if official cancellation has not been made.
INC	Incomplete; student in good standing but course not completed for reasons acceptable to instructor; rules for make-up at option of division offering course.
NMG	No mid-term grade; student enrolled and attending but not practical to give grade.
OTHER	To be used when other category does not apply; explanation given in appropriate space on front of card.

CORNELL UNIVERSITY OFFICE OF THE REGISTRAR					
GRADE REPORT FORM					
COURSE TITLE <b>Primitive Art</b>	DEPARTMENT <b>Art History</b>	COURSE NO. <b>314</b>	CREDIT HOURS <b>4</b>	TERM TO WHICH REPORT PERTAINS <b>Spring</b>	YEAR <b>1971</b>
Check Type of Report →	Make-up of Incomplete only	Grade change	Former mark report—enter grade or incomplete status	Regular Report	
<small>Note: The removal of an incomplete does not result in substitution of a grade for the "INC" symbol on the student's record. A second entry to show the disposition of the original "INC" symbol is required. See Grades and Grading.</small>					
NAMES OF STUDENTS	STUDENTS' COLLEGE	GRADE	NAMES OF STUDENTS	STUDENTS' COLLEGE	GRADE
Patrick J. Caldwell	Arts	B+			
Thomas M. Jones	Agr.	C			
Cynthia Roberts	HuEc	A			
INSTRUCTOR IN CHARGE		DATE OF REPORT	INSTRUCTOR'S SIGNATURE		COLLEGE OR DIVISION SIGNATURE
Philip J. Cory		6/10/71	<i>Philip J. Cory</i>		<i>W. Williams</i>

COURSE AND GRADE CARD			
STUDENT NAME	COLLEGE & CODES	DEPARTMENT	COURSE NO. SECTION
USE ELECTROGRAPHIC PENCIL ONLY. DRAW A DEFINITE LINE END TO END IN THE PROPER OVAL IF THERE IS ANY DISCREPANCY OF INFORMATION OR "OTHER" REMARKS. EXPLAIN BELOW, MARK THE PROPER GRADE AND ALSO MARK HERE.			
EXPLANATION OF DISCREPANCY AND/OR GRADE SYMBOL "OTHER"		ADJECTIVE EQUIVALENTS FOR EVALUATING ACADEMIC ACHIEVEMENT AND SYMBOL USAGE EXPLAINED ON BACK OF CARD.	
AT MID-TERM ONLY NO MID-TERM GRADE		GRADE A+ B+ C+ D+ F S U INC NA OTHER	
STUDENT NAME	STUDENT NUMBER	STUDENT NUMBER	STUDENT NUMBER

# CORNELL UNIVERSITY

## SPECIAL REGISTRATION

William K. Lockwood

MAY UPON PAYING TO THE TREASURER'S OFFICE

THE SUM OF \$ 5

☐ REGISTER LATE

☒ COMPLETE COURSE WORK IN Bio Sci 201

☐ FILE STUDY CARD AFTER DATE SPECIFIED BY DIVISION

☐ CHANGE SCHEDULE

DATE 10/21/71

TREASURER'S COPY

*Alan P. Reed*

DEAN

# CORNELL UNIVERSITY

## SPECIAL REGISTRATION

William K. Lockwood

MAY UPON PAYING TO THE TREASURER'S OFFICE

THE SUM OF \$ 5

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DEAN

# CORNELL UNIVERSITY

ITHACA, NEW YORK

## SPECIAL REGISTRATION

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2. FOR LATE UNIVERSITY REGISTRATION, RETURN APPROPRIATE RECEIPTED COPIES TO REGISTRAR'S OFFICE WITH REGISTRATION MATERIAL. A STUDENT WHO BELIEVES HE IS LATE FOR REASONS BEYOND HIS CONTROL MAY PETITION THE REGISTRAR'S OFFICE FOR A REFUND OF THE FEE. (FORM MAY BE OBTAINED AT THE REGISTRAR'S OFFICE.)
3. FOR COMPLETION OF COURSE WORK (MAKE-UP OF INCOMPLETE GRADE), SUBMIT RECEIPTED REGISTRAR'S COPY TO INSTRUCTOR FOR INCLUSION WITH GRADE REPORT AND DELIVER THE RECEIPTED DIVISION COPY TO YOUR SCHOOL OR COLLEGE OFFICE.
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NOTHING IN THE ABOVE SHALL PREVENT A COLLEGE OR SCHOOL FROM IMPOSING ADDITIONAL ACADEMIC PENALTIES AND REGULATIONS.

CORNELL CHRONICLE

June 3, 1971

Partial results of the spring elections:

**Secretary of the Faculty.** 612 valid ballots were cast, of which 322, a majority, favored Robert M. Cotts, Professor of Physics.

**Standing Committees.** 665 valid ballots were cast, and the following professors were elected to the various committees:

**Academic Integrity**

Wolfgang Fuchs, Mathematics  
Marjorie Devine, Human Nutrition and Food

Thomas W. Scott, Soil Science  
**Academic Integrity Appeals Board**

Robert J. Young, Poultry Science

Mary Purchase, Design and Environmental Analysis

**Economic Status of the Faculty**  
Elizabeth Wiegand, Consumer Economics and Public Policy

**Student-Faculty Boards on Student Conduct**

Joseph A. Burns, Theoretical and Applied Mechanics

Le Roy Coggins, Virology

**University Hearing Board**

Marshall W. Meyer, ILR

Charlotte M. Young, Nutrition

Fred Slavick, ILR

William C. Dilger, Biological Sciences

**University Review Board**

Roger A. Morse, Agriculture

Richard G. Warner, Animal Science

**University-ROTC Relationships**

Vance A. Christian, Hotel Administration

Kyle T. Alfrend, Theoretical and Applied Mathematics

Results of other elections (Faculty Trustees and Review and Procedures Committee) will be announced soon.

After announcing the presence of a quorum at 4:30 p.m., President Corson relinquished the chair to Speaker Whitlock. Seventy members were present. The Speaker reviewed the provisions in the Bylaws which distinguish between voting and non-voting membership in the body and noted the absence of any provision for substitution. He announced that the Minutes of the previous meeting had been approved by the Interim Executive Committee, no corrections having been submitted to the Dean by July 1. The agenda was then approved as distributed.

1. REPORT, INTERIM EXECUTIVE COMMITTEE

Professor Isadore Blumen, Chairman of the Committee, stated that as soon as it was established the IEC proceeded to draft legislation for a committee structure. Since the Review and Procedures Committee was established, it has cooperated with that Committee in accordance with the Bylaws. Drafts for the following committees have been prepared: Academic Priorities and Planning, Professional and Economic Status of the Faculty, Freedom of Academic Teaching and Learning, Financial Aids and Admissions, Research Policies, University-ROTC Relationships, and Academic Integrity and Appeals Boards. These drafts were given wide distribution in the University in order to provide interested parties with an opportunity to comment. The IEC has not concerned itself with structuring committees which are under the control of the University Faculty, namely Review and Procedures, Membership, Nominations, and Elections. Drafts for non-elected committees, such as Music, and Lectures have been considered by the IEC; tentative plans call for turning over some responsibility to Administration. Draft legislation has been prepared for the Executive Committee, the draft has been approved by the R & P Committee, enabling legislation prepared

by the IEC, and nominees for a permanent Executive Committee solicited. The way is open to move to the election.

Referring to the rules and procedures of standing committees, which will come before the FC of R for adoption, he reminded the members that the standing committees have no power beyond that of the FC of R which, in turn, is determined by the Bylaws of the Trustees and of the Faculty. Within that framework, all policy-making authority rests with the FC of R. The committees are merely to facilitate its efforts.

Regarding the FC of R's request that the Interim Executive Committee work with the Senate in investigating segregation at a Bailey Hall event featuring Stokely Carmichael, he reported that a Senate Committee is now considering the matter. He also reported the outcome of a request from Professor Joel Silbey, Chairman of the University Committee on Financial Aids, to report to the IEC. Pending the complete report, which Professor Silbey indicates will soon become available, Professor Blumen read a short summary which stressed the hardship many students will experience due to a University policy to hold total aid to the current amount in dollars.

## 2. COSEP HANDBOOK

Professor Blumen reviewed in some detail the development of a COSEP Handbook, the IEC's response to the procedures which were followed, and the IEC's concern about the substance of the handbook. Quoting from a letter from the IEC to the Provost dated June 25, 1971, he noted an invitation from the Provost to the Committee to attend a COSEP workshop beginning on June 17. Fearing that such attendance might later serve as a basis for claiming support of the University Faculty for what ensued at the workshop, some members of the IEC decided to attend as individuals only when assured that the workshop was not a decision-making meeting. However,

despite these assurances, a vote was taken on resolutions at the last meeting of the workshop.

Soon thereafter the IEC asked that the recommendations of the workshop be deferred until the FC of R can have an opportunity to consider them, not only because there may be Faculty objections but in order that there may be no misunderstanding about the legitimacy and base of support for programs like COSEP. Specifically, the IEC asked that distribution of the handbook be held in abeyance until the content is reviewed by the University Faculty and the separate college faculties. Professor Blumen then read three resolutions coming out of the COSEP workshop, briefly described the proposed handbook and its intended distribution, and contrasted it with other official Cornell handbooks, noting that, in the judgment of many, its content is in conflict with official University policy.

Within the month after the letter of June 25, the handbook had been revised by a committee appointed by the Provost. Professor Blumen noted that only one of its members was without administrative responsibilities and that member, Professor Duncan MacIntyre, dissented from the revision. After quoting from that dissent, Professor Blumen noted that the Provost, and reportedly the Council of Deans, did not feel the content of the proposed handbook involved matters of academic policy which required consultation with the Faculty.

After an exchange of views, the IEC and the Provost agreed that the Dean of the Faculty would appoint an ad hoc Committee to examine the revised handbook with a view to identifying academic policy questions which should come to the attention of the Faculty, the report of the committee to go to the Provost and the COSEP task force. That committee, which consisted of Professors William W. Lambert, Peter Harriott, Glenn W. Hedlund, Richard Polenberg, Associate Professor James A. Gross, and Associate Dean John P. Hill, concluded that statements in the handbook placed COSEP in an

unauthorized educational policy-making role and contradicted University educational policy and that of individual colleges. The ad hoc committee made detailed findings in four areas: academic advising, academic standards, financial aids, and instruction. Professor Blumen did not request action at this time but noted the possibility that action may be requested at the next meeting.

Associate Professor George Rinehart, Sciences and Mathematics, hoped in view of the complexities involved, that the FC of R would receive written materials well in advance of a call for action.

3. REPORT, REVIEW AND PROCEDURES COMMITTEE

Dean Penney, its Chairman, reported that the Committee has had about four meetings, at which it has responded to IEC drafts of legislation for standing committees. It has approved drafts for the Executive Committee and the Committee on University-ROTC Relationships. Three other drafts have been worked over - Academic Integrity Hearing and Appeals Boards, Research Policies, and Academic Priorities and Policies. Yet to be considered are Professional and Economic Status of the Faculty, Freedom of Teaching and Learning, Financial Aids and Admissions. These drafts have been distributed to interested parties in order to obtain reactions. Resulting comments will lead to the preparation of second drafts by the IEC. These will be distributed widely, perhaps by publication in the *Chronicle* and hearings will be scheduled. Only then will the proposed legislation be brought to the FC of R for enactment. Three committees, Membership, Nominations, and Elections, are responsible to the University Faculty and consequently drafts for these committees will come before that body.

Professor Albert Silverman, Sciences and Mathematics, asked whether there is a stage when the University Faculty can decide whether it is the

appropriate body to act on the draft legislation. Dean Penney said this could come in the hearing process by making a case for this routing. If the FC of R nevertheless proceeds to act without referring the legislation to the Faculty, the University Faculty can call to itself legislation of the FC of R in accordance with the Bylaws.

Professor Urie Bronfenbrenner, Faculty Trustee, noted the absence in the Dean's report of any mention of a draft concerning rules and procedures. The Dean replied that this omission was inadvertent; the draft contains a set of rules applicable to all committees.

After describing a resolution and appendix for the purpose of creating an executive committee (distributed with the call to the meeting), Professor Isadore Blumen, Member-At-Large, moved their adoption. The resolution and appendix are attached.

Professor Blumen listed the possibilities for Council action: 1) if approved, the FC of R could proceed to elect the permanent Executive Committee; 2) if modified, it could postpone the election; 3) if rejected, the FC of R would be left with the present Executive Committee; 4) recommit the resolution to the IEC to be rewritten.

Professor Norman Kretzmann, Humanities, questioned the wording in item 6, Appendix A. He contrasted the "it may" which introduces item 6 with the "it shall" which introduces items 1-5. Investigations, he said, should be initiated by the FC of R rather than by the Executive Committee. He then moved to amend Appendix A by deleting item 6.

Professor L. Pearce Williams, Member-At-Large, spoke in support of item 6. He said the Executive Committee needed this authority in order to do its job.

Associate Professor George Rinehart, Science and Mathematics, observed that in the process of setting the agenda for Council meetings, the Executive

Committee is, in effect, making policy. The Committee, he added, should keep house, not make policy. Professor Blumen responded that item 6 is a conventional charge for executive committees and is similar to the charge to the former Faculty Council. Professor Albert Silverman supported the amendment, stating that the full FC of R replaced the Faculty Council, not the Executive Committee.

Paul Olum, student-elected Faculty Trustee, asked for a clearer definition of power. He asked whether the Executive Committee will have power to subpoena witnesses and interrogate members of administration. Professor Robin Williams, Member-At-Large, took the position that item 6 is an ordinary clause of simple necessity. If it is removed, the Executive Committee cannot function effectively. Professor Bronfenbrenner called attention to two issues involved in the discussion: 1) will the permanent Executive Committee have power to conduct investigations; 2) concern about possible misuses of that power. Professor Peter Stein, Science and Mathematics, observed that while the authority to conduct investigations may be implied, the Executive Committee's view of its functions will be limited by making this authority implicit. Professor Richard Polenbergl, Humanities, asked Professors Kretzmann and L.P. Williams if they would be satisfied by inserting the phrase "with the approval of the FC of R" after "It may" in item 6. The chair interpreted this suggestion as a friendly amendment.\* The amendment was not accepted by Professor Blumen.

Professor Kretzmann pointed out it had been stated that if item 6 were deleted the Committee could not function. However, he found sufficient power in item 8; witness the recent action on COSEP. Professor L.P. Williams

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\**Roberts Rules* does not recognize friendly amendments but Prof. Blumen's rejection of the offer rendered the matter moot. [J.F.W.]

argued that actions of the IEC during the summer did not make policy nor were they actions taken in an emergency. Rather, the IEC saw a need for investigation and investigated. Professor Bernard F. Stanton, Agriculture and Life Sciences, favored the amendment saying that this charge to the Committee would be better implicit than explicit. Associate Professor Elmer Ewing, Agriculture and Life Sciences, asked whether item 6 isn't already covered by item 3. Professor L.P. Williams replied that item 3 is more limited in scope. Assistant Professor David B. Wilson, Science and Mathematics, moved the previous question. This motion passed on a showing of hands. On a further showing of hands, the amendment failed.

Professor Bronfenbrenner expressed appreciation to the IEC for an arduous job done with thought and care. He then challenged the view of the Executive Committee as a house-keeping activity. After listing its powers, he concluded that it is a very important committee for the Faculty as a whole as well as for the FC of R. He suggested that it would be appropriate for the entire Faculty to vote on the nominees from the FC of R. Turning to the relationship between the Faculty and the Trustees, he read Article XIII of the Bylaws which provides a vehicle for the presentation of Faculty views to the Trustees through seven of its members, a situation he contrasted with the proposed nine-member Executive Committee. As a Faculty Trustee, he reported finding himself placed in some confusion by the proposed Executive Committee structure. On the one hand, the Faculty has substantially enhanced its power and prestige on the Board of Trustees through the participation of six members on regular committees. On the other hand, these Trustees will not be members of the Faculty Executive Committee. He contrasted this situation with the former Faculty Council, a body which performed the functions proposed for the new body, where the Faculty Trustees were ex

officio members. For purposes of communication, he suggested that Trustees who are faculty members should attend the Executive Committee on a rotating, non-voting basis.

Professor Olum noted that the first paragraph of the resolution deals with Appendix A and asked to discuss that paragraph. He then moved:

*The resolution shall be treated seriatim.*

The motion passed on a showing of hands. When Professor Olum proceeded to discuss item 7 in Appendix A, there was a moment of confusion about what the motion just passed applied to. Professor Olum argued that since the motion applied to paragraph 1 of the resolution, he could therefore discuss any item in the Appendix. Others clearly thought the seriatim rule applied to the items in Appendix A. The Speaker then gave Professor Olum permission to discuss whatever he wished. Professor Olum took the position that policy is most often made by those having access to the Trustees. The proper way to handle negotiations with the Trustees and Administration is for the Dean to call for assistance upon whoever is appropriate in that instance. This, he noted, may not always be the Executive Committee. He then moved to effect this situation by striking item 7.

Points of order were again raised about the reference of the seriatim rule. The Speaker ruled that he would go down Appendix A item by item. This he did. There being no objection to the first six items, the Olum motion was then in order.

Professor Robin Williams opposed the motion, stating that the power involved is reasonable and necessary and the people involved would be duly elected representatives of their peers. Professor Blumen thanked members for the vote of confidence, observing that delay in forming the Executive Committee extends the life of the Interim Committee. He then noted that if the powers listed in item 7 are withdrawn from the Executive Committee, it will be necessary to create another committee to do the job of speaking

for the Faculty in negotiations. He then made some observations about the negotiating process. As the clock approached 6:00, Professor L.P. Williams disagreed with Professor Olum's interpretation of item 7.

Adjourned: 6:00 p.m.

G.P. Colman, recorder pro tem

DRAFT

RESOLVED, That the Interim Executive Committee's proposed legislation (attached as Appendix A) for a permanent Executive Committee of the Faculty Council of Representatives is approved;

That members of the Executive Committee shall be chosen by ballot of the Faculty Council of Representatives from among candidates nominated by the University Faculty Committee on Nominations and from the floor. Those nominees receiving the largest number of votes will be declared to be elected. The members who are being selected for the mandatory, non-tenured seats shall be selected by a separate ballot;

Upon adoption, the proposed Executive Committee legislation shall immediately become effective and the Dean and the appropriate committees, at the earliest possible time, shall conduct an election to constitute the membership of the Executive Committee and bring it into being;

That at the initial election the four tenured and one non-tenured nominees receiving the largest number of votes shall be elected for two-year terms, and the three and one, respectively, receiving the next largest number shall serve for one year, and the first year of service will extend only until the next regular election;

That, as provided by the resolution passed by this body on April 14, 1971, the Interim Executive Committee, as such, shall be dissolved upon the first convening of the (continuing) Executive Committee, but that after that time the former members of the Interim Executive Committee shall serve as members of an ad hoc drafting committee to carry out the charge of the Interim Executive Committee in presenting and obtaining approval of "an integrated plan for committee structures of the Faculty Council of Representatives and of the University," as further provided in a resolution of this body adopted April 14, 1971.

THE EXECUTIVE COMMITTEE

The Executive Committee of the Faculty Council of Representatives 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 meeting of said (Faculty) Council" of Representatives.
2. It shall assist the Dean in coordinating operations of all committees of the University Faculty and of the Faculty Council of Representatives. A standing item on the agenda of the Executive Committee shall be reports from committees of the Council.
3. It shall consult with committees of the University Faculty, members and committees of the Faculty Council of Representatives, and on occasion others, in the preparation of specific proposals for policies and actions by the Council.
4. It shall bring these proposals as well as legislative matters arising from University Senate actions (see Article XII of Organization and Procedures of the University Faculty) to the Council for action.
5. It shall assist the Dean in informing members of the Faculty on University matters lying within their concern.
6. It may initiate investigations of questions of general policy and of any other questions falling within the purview of the University Faculty.
7. It shall assist the Dean in representing the University Faculty in discussions and negotiations with Trustees,\* administration, college faculties, other organized University bodies, and such others as the Faculty Council of Representatives may, on occasion, determine.

8. It "shall act for the Council of Representatives in emergencies."

The Executive Committee shall consist of nine Faculty members elected from among members of the Faculty Council of Representatives. 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.

\* Article XIII, Section 3, Bylaws of Cornell University

8/31/71

The Speaker, Professor John H. Whitlock, opened the meeting at 4:35 p.m. in 110 Ives Hall. 74 members and 12 visitors were present.

After noting that some members seem unsure about the powers of the body and the functions of the Review and Procedures Committee, the Speaker called upon Dean Penney for an explanation. The Dean cited and read excerpts from the University Bylaws, Article XIII, Section 3, which give the Faculty responsibility for educational policy matters, and observed that at the previous meeting discussion wandered from this area of authority. Referring to recent suggestions inconsistent with the Faculty Bylaws, such as the University Faculty electing the Executive Committee, he reminded members that the Faculty now operates under the Pasley Committee Report, which now constitutes part of the Faculty Bylaws; he recommended a careful reading of that document. He also noted that the Review and Procedures Committee, which is elected by the University Faculty, serves as a controlling mechanism on the FC of R, has a liaison role in relations between the FC of R and the University Senate, and is intended to reflect about possible revisions of the Pasley document.

1.               STRUCTURING THE EXECUTIVE COMMITTEE

In accordance with the seriatim rule adopted at the last meeting, the Speaker moved to item 7 of Appendix A. He reported that the Interim Executive Committee had accepted alternative wording offered by Professor Paul Olum, student-elected Faculty Trustee; to provide a procedure for bringing this wording to the floor, the Chair recognized Professor Isadore Blumen, Member-At-Large. Professor Blumen moved to delete the present item 7 and substitute the wording to be offered by Professor Olum. That wording, as read by Professor Olum, follows:

*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, and such others as the Faculty Council of Representatives may, on occasion, determine.*

He then called attention to a written commentary on the motion which was distributed at the door. After a mild disavowal by Professor Robin Williams, Member-At-Large, of Professor Olum's interpretation of his remarks at the previous meeting (see Olum commentary - attached), a vote was taken. On voice vote, the motion carried.

Dean Penney then moved to amend the new item 7 as follows:

*Insert an asterisk after "negotiations" and attach a footnote to read: "With respect to those matters set forth in Article XIII, Section 3, of the University Bylaws."*

He said the amendment is to indicate that the negotiating function is limited to matters of educational policy and is not related to collective bargaining, as some members seemed to think in the previous meeting. The motion passed on voice vote without opposition.

Professor Urie Bronfenbrenner, Faculty Trustee, moved to add to item 7 as amended: "A decision on whether or when the University Faculty wishes to avail itself of the right to present its views directly to the Board of Trustees should be made either by the University Faculty itself or by the Faculty Council of Representatives." Professor Robin Williams, in opposing the motion, hoped the members would trust their colleagues on the Executive Committee sufficiently to put decision-making powers in their hands. On a showing of hands, the motion lost.

With reference to item 8 of the Appendix, Professor Albert Silverman, Sciences and Mathematics, moved as follows:

*Add to the present wording, "Any emergency action taken by the Executive Committee shall be submitted to the Council of Representatives for its approval. The Dean shall call a meeting of the Council of Representatives as soon as possible for this purpose."*

Professor Silverman anticipated far-reaching consequences from the amendment by virtue of broadening the decision-making base. After the mean-

ing of the amendment was clarified to establish that the submission would occur after the emergency, Professor Blumen pointed out that what was sought in the amendment is in any case implicit in *Robert's Rules*. On a showing of hands, the amendment carried.

Professor Bronfenbrenner moved to amend item 8 by adding the following definition of emergency:

"An emergency is defined as any issue which would normally be brought for action to the Faculty Council but which occurs under circumstances requiring immediate action before a quorum meeting of the Council of Representatives can be assembled."

Professor Blumen opposed the amendment as inconsistent with the principle of tidiness. The proposed amendment, he said, has the effect of explaining the Bylaws. The charge to the Executive Committee should not carry that burden. On a showing of hands, the motion lost. On a call for a division, 31 members were in favor, 33 opposed.

The first paragraph of the draft having now been approved, the Chair moved to paragraph 2. On behalf of the Interim Executive Committee, Professor Blumen moved to substitute for the second sentence of paragraph 2 the words "election shall be by a majority of those voting" with these words footnoted, "*Robert's Rules*, p. 370-371."

The intent, he added, is consistency with *Robert's Rules*. In response to a question about whether members would vote only for nominees in their tenure category, Dean Penney explained that the entire body would vote on all candidates. He then outlined in detail how the balloting would proceed under the plans initially offered and now offered by the Interim Executive Committee. Professor Olum asked whether the proposed amendment would rule out the Nominating Committee's practice of pairing nominees. Professor Blumen replied that the IEC had discussed the matter and did not favor the pairing of nominees. The scheme now offered, he said, has the

virtue of simplicity.

The Chair briefly summarized the strengths and limitations of pairing, the electoral schemes offered by the IEC, and the Hare system. He called on Professor Peter Stein to explain the latter. After a brief interchange between the Chair and Professor Stein about the procedure for the discussion and vote, Professor Stein moved to amend the second paragraph as follows:

*Substitute "Voting will be by the Hare system of proportional representation" for "Those nominees receiving the largest number of votes will be declared to be elected."*

Professor Stein said he regarded the method of voting as a fundamental issue. Under the method proposed by Professor Blumen, he noted that every member of the Executive Committee will represent a majority of the FC of R; minorities will not be represented. This is undesirable because the Executive Committee has powers that go well beyond housekeeping and the Faculty clearly is not of one mind on matters which come before it. Views of the minority should be available to the Executive Committee in a systematic way. The Hare system, he pointed out, provides such a way; it gives minorities representation in proportion to their strength. On the working of the system, he called attention to a one-page explanation (distributed at the door) which he had prepared under the title: "The Hare System of Proportional Representation."

Professor Blumen agreed with Professor Stein that the Faculty was divided on many matters, but these differences, he argued, were not relevant to the method of voting since the work of the body involves educational policy; on this matter, he doubted the existence of divisions. He noted that the Hare system assumes the existence of political parties, a situation he hopes would not exist in the FC of R. Professor Blumen doubted that the method of voting is as fundamental as Professor Stein claimed and noted that the first method provided by Robert's would provide efficiency and an

Executive Committee which could represent the FC of R with a united voice. Turning to operational matters, he noted allegations on campus that serious errors exist in the operation of the Hare system. He called it a very complicated system and observed that Professor Stein had avoided explaining its operation. To make it work, Professor Blumen observed that members must trust those who program the computer and punch the cards. In at least part of the University, he said, this trust is lacking.

Professor Stein then rose to a point of personal privilege on the ground that he had been insulted by Professor Blumen. After Professor Blumen apologized with the observation that he considered Professor Stein an excellent programmer, the Chair ruled the matter closed.

Given the privilege of the floor, Dean Penney cited his considerable stake in the method of election by noting functions of the Executive Committee which involve assistance to the Dean. He favored the Hare system for two reasons, satisfaction about its procedural effectiveness and a concern expressed by many faculty members for having this method adopted. He said he would feel comfortable working with an Executive Committee elected by the Hare system since it would have the confidence of the FC of R. Regarding the machinery for operating the Hare system, he noted that Dean Miller used this method to elect the at-large members of the present body; it required some three hours and a small amount of assistance. Dean Penney vowed to conduct the count in his office with appropriate observers to assure the validity of the count.

Professor L. Pearce Williams, Humanities, opposed the Hare system on the basis that it is an ill-suited vehicle for the execution of majority policy in normal times because it results in the election of standing roadblocks. Observing that the Interim Executive Committee worked hard to create an Executive Committee which would represent the majority, he concluded that

the Hare system frustrates the principle of parliamentary democracy.

Professor Seymour Smidt, B & PA, shared Professor Blumen's hope that the body will not be divided and feared that under the Hare system situations might arise where the minority would become the majority.

After citing the limits of his experience with voting systems and noting his debt to Professor Blumen for information about the Hare system, Professor Peter Stein suggested that Professor Blumen had served the Hare system badly by stressing its relevance to political parties. He said it works well where the concern is to create a body proportionate to concentrations of strength in a larger body. He reported having tried in a series of mock elections conducted entirely on the computer to experimentally "manipulate" the voting to reach biased outcomes without success. The computer program to operate the system, he concluded, is simple. Professor Walter T. Federer, Agriculture and Life Sciences, opposed the Hare system, arguing that it would accentuate differences within the FC of R. Professor Silverman took the position that in a choice between efficient operation and effective representation, he would prefer the latter. Professor Robert E. Habel, Veterinary Science, moved to close debate. This was accomplished without opposition on a showing of hands. After it was determined that other voting systems could still be considered, a vote was taken between the two systems under discussion. On a showing of hands, the Hare system carried.

Professor David L. Call, Member-At-Large, moved to add a sentence following "Voting will be according to the Hare system of Proportional Representation" to read as follows:

*Voting will be by mail ballot of the members of the  
Faculty Council of Representatives.*

The motion carried on a showing of hands. Professor Blumen said he understood that at least 50% of the members of the FC of R must vote in

order to have a valid election by the Hare system.

In view of the relationship between paragraph 2 and paragraph 4 of the draft, the Chair obtained unanimous consent to revise paragraph 4 to read as follows:

*That at the initial election, the four tenured and one non-tenured nominees elected first shall be elected for two-year terms, that the three and one, respectively, elected subsequently shall serve for one year, and the first year of service will extend only until the next regular election;*

There being no revisions in the last paragraph of the draft, the Chair declared the document to be perfected. (Professor Peter Stein observed that the Dean may have taken on more than he realized when he offered to count the ballots by hand. The Dean said he would consult with the Committee on Elections.) The document was then approved by voice vote without opposition.

In response to a call for nominations to the Executive Committee, Professor Albert Silverman nominated Professor Bart Conta. Professor Vernon Jensen, Chairman of the Committee on Nominations, noted for the information of members that Professor Robin Williams, Jr., and Assistant Professor Arthur L. Berkey had now been contacted and are willing to run. (See NOMINEES FOR EXECUTIVE COMMITTEE, dated 9/1/71). He also noted that nominee, Professor George Hildebrand, who holds a joint appointment in Economics and I & LR, serves in the Council as a member of the Economics Department and he should be so listed on the ballot. Professor David L. Call, who also had been nominated by the Nominations Committee but not contacted, said he would be willing to run. Professor James A. Krumhansl nominated Assistant Professor David B. Wilson. Professor Jensen noted that the slate submitted by his committee would stand unless individuals on it declined the nomination.

The Chair declared nominations closed.

Adjourned: 6:00 p.m.

G. P. Colman, recorder pro tem

COPY

To: Members of the Interim Executive Committee

From: Paul Olum

I would propose that number 7 of Appendix A be changed to read as follows:

7. 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, and such others as the Faculty Council of Representatives may, on occasion, determine.

Comments:

- (a) It seems to me the last part "as the...may determine" clearly (because of the "such") modified "such others". I would want it this way, at least in my version. I don't think you should have to want every time an FCR action to have a discussion of some significant matter with, say, the Provost.
- (b) I am concerned about Robin Williams' statement that my argument sounded as though I am unwilling to trust our elected committee but am willing on the other hand to trust a single individual, the Dean. I don't think this states it fairly and I would like to respond briefly:
  - (i) What we are comparing is the Dean's role in choosing individuals for various discussions and negotiations versus the Executive Committee's being in all cases itself the discussing and negotiating group. It is the latter which seems to me clearly implied by the present proposal and which I think is a mistake.
  - (ii) In my view the Dean now plays a central and very significant role as the principal representative and spokesman of the Faculty - rather than as a member of the Administration. He is chosen by the whole Faculty in a separate ballot and I want to encourage and enhance that role, and to give him maximum freedom in choosing members of the Faculty to assist and accompany him in exercising it.

9/13/71

## The Hare System of Proportional Representation

The Hare system of proportional representation is a voting system which is designed to produce an elected body which is as representative of the electorate as possible. It is based on the premise that a faction, whether a majority or a minority, should have a representation proportional to its numbers.

Let us assume that a committee of ten is to be elected by an assembly of one hundred voters, and that there are twenty candidates for these ten seats. Each voter votes by listing as many candidates as he wishes in order of preference; i.e., he lists the candidate who represents him best as his first choice, the candidate who represents him second best as his second choice, etc.

Votes are counted by looking only at the first preference. If a candidate receives ten first preference votes, he is elected. The reasoning is that ten voters who can agree on a representative deserve one representative. If a candidate receives twenty first preference votes, again he is elected. However, twenty persons deserve two representatives. Therefore, a voting strength of  $1/2$  is assigned to each voter's second choice. If they all agree on a second choice, they will elect another representative, since one-half times twenty equals ten. If they do not agree, their half-votes will be distributed to their individual second choices.

If seats remain unfilled, then the candidate with the least support is eliminated, and the votes for him are distributed to each voter's second choice with full strength. This process is repeated until all seats are filled.

The Hare system is closely analagous to the following model. Suppose in the previous example there were twenty stations in the room, each corresponding to a particular candidate. The voters vote by entering the room, and going to a particular station. When a candidate has received ten votes, he is elected, and so subsequent voters favoring that candidate will vote for their second choice. When all voters have voted, the candidate having the fewest voters is eliminated, and his supporters find their favorite candidate amongst those remaining. This process repeats until ten candidates are elected. At the end, there are ten winning candidates, each with ten votes, and each voter has participated in the selection of a representative.

The Hare system is used for elections to the city council of Cincinnati, the parliament of Eire, the Cornell University Senate, and the Cornell University Faculty Council of Representative.

Proposed Amendment to Paragraph 8 of the Duties  
of the Executive Committee

Paragraph 8 presently reads: It "shall act for the Council of Representatives in emergencies."

We propose to amend this by adding:

Any emergency action taken by the Executive Committee shall be submitted to the Council of Representatives for its approval. The Dean shall call a meeting of the Council of Representatives as soon as possible for this purpose.

James A. Krumhansl  
Albert Silverman

NOMINEES FOR EXECUTIVE COMMITTEE  
of Faculty Council of Representatives

Tenured

Prof. Isadore Blumen	Industrial and Labor Relations	
Assoc. Prof. K. Bingham Cady	Applied Physics	Engineering
* Prof. David L. Call		Nutrition
Assoc. Prof. Marvin A. Carlson		Theatre Arts
Prof. William Tucker Dean		Law
Prof. Howard E. Evans	Vet. Anatomy	Veterinary
Assoc. Prof. Robert C. Fay	Chemistry	Arts & Sciences
* Prof. Walter Federer	Plant Breeding	Agriculture
Assoc. Prof. Edward S. Flash, Jr.	Business & Public Administration	
Prof. George Hildebrand	Industrial and Labor Relations	
Prof. Herbert H. Johnson	Materials Science	Engineering
Prof. James McConkey	English	Arts & Sciences
Professor Robert S. Pasley		Law
* Assoc. Prof. George S. Rinehart	Mathematics	Arts & Sciences
Assoc. Prof. Jerry M. Rivers	Human Nutrition & Food	Human Ecology
Assoc. Prof. Thomas W. Scott	Soil Science	Agriculture
Prof. Peter C. Stein	Physics-Nuclear Studies	Arts & Sciences
Prof. Stuart W. Stein	Urban Planning & Develop.	Architecture
Prof. L. Pearce Williams	History	Arts & Sciences
* Prof. Robin Williams, Jr.	Sociology	Arts & Sciences

Non-tenured

* Asst. Prof. Arthur L. Berkey	Agr. Education	Agriculture
* Asst. Prof. Mark Brown	Operations Research	Engineering
Asst. Prof. Esther Dotson	History of Art	Arts & Sciences
Assoc. Prof. Paul M. Hohenberg	Economics	Arts & Sciences
Asst. Prof. Bruce Wilkins	Natural Resources	Agriculture

\* Could not be contacted to determine willingness to run

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 meeting of said (Faculty) Council" of Representatives.
2. 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.
3. 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.
4. It shall bring these proposals as well as legislative matters arising from University Senate actions (see Article XII of Organization and Procedures of the University Faculty) to the FCR for action.
5. It shall assist the Dean in informing members of the Faculty on University matters lying within their concern.
6. It may initiate investigations of questions of general policy and of any other questions falling within the purview of the University Faculty.
7. 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, and such others as the FCR may, on occasion, determine.
8. 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.

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 XIII, Section 3, Bylaws of Cornell University.

DRAFT

RESOLVED, That the Interim Executive Committee's proposed legislation (attached as Appendix A) for a permanent Executive Committee of the Faculty Council of Representatives is approved;

That members of the Executive Committee shall be chosen by ballot of the Faculty Council of Representatives from among candidates nominated by the University Faculty Committee on Nominations and from the floor. Those <sup>Voting</sup> ~~nominees receiving the largest number of votes~~ <sup>will be by the same system of proportionate representation</sup> will be declared to be elected.

The members who are being selected for the mandatory, non-tenured seats shall be selected by a separate ballot;

Upon adoption, the proposed Executive Committee legislation shall immediately become effective and the Dean and the appropriate committees, at the earliest possible time, shall conduct an election to constitute the membership of the Executive Committee and bring it into being;

That at the initial election the four tenured and one non-tenured <sup>electd first</sup> ~~nominees receiving the largest number of votes~~ shall be elected for two-year terms, <sup>that</sup> ~~and the three and one, respectively, receiving the next largest number~~ <sup>electd subsequent</sup> shall serve for one year, and the first year of service will extend only until the next regular election;

That, as provided by the resolution passed by this body on April 14, 1971, the Interim Executive Committee, as such, shall be dissolved upon the first convening of the (continuing) Executive Committee, but that after that time the former members of the Interim Executive Committee shall serve as members of an ad hoc drafting committee to carry out the charge of the Interim Executive Committee in presenting and obtaining approval of "an integrated plan for committee structures of the Faculty Council of Representatives and of the University," as further provided in a resolution of this body adopted April 14, 1971.

President Corson called the meeting to order at 4:35 p.m. in Olin M. 180 members were present. He announced that since no corrections were submitted to the Minutes of the May 19 meeting, these Minutes were approved as distributed in accordance with procedures adopted by the Interim Executive Committee.

1. NECROLOGY

The President announced the death of: Frank Rosenblatt, Associate Professor of Neurobiology and Behavior; Dr. Samuel Z. Levine, Professor Emeritus of Pediatrics in the Medical College; Ralph N. Campbell, Professor Emeritus of Industrial and Labor Relations; Roy Glenn Wiggans, Professor Emeritus of Plant Breeding; Howard W. Riley, Professor Emeritus of Agricultural Engineering. He then relinquished the Chair to the Speaker, Professor John H. Whitlock.

2. TIME OF ADJOURNMENT

The Speaker obtained unanimous consent to adjourn at 6:00 p.m.

3. PRESIDENT'S ADDRESS

Addressing the general position of higher education in the United States the President noted a continuing lack of confidence as reflected in appropriations by legislative bodies. Of necessity, the austerity program at Cornell will be continued for several years. Turning to the demand for problem-oriented education, he noted the development at Cornell of programs and centers which cut across disciplinary lines.

Turning to the evolution of COSEP and the issue over the release of the COSEP Handbook, the President identified the race problem as the major problem facing this country and noted the essential role of education in working any solution. He reported that increased resources were assigned to the management of the COSEP program during the past year and that, in the spring term, the grade-point average of COSEP students had significantly

increased over that of the fall term. The President then recounted in considerable detail the steps through which the COSEP Handbook evolved and took the position that the matter was handled properly.

The President concluded by inviting the Faculty to join with him as the chief executive and chief educational officer of the University, and with the Provost as his chief deputy, to find a satisfactory way to develop new programs, to identify other major problems facing the University, and to work toward their solution. [The complete text appears in the *Chronicle* for September 30; a copy of the text containing a correction is on file in the Office of the Dean of the Faculty.] *APPENDIX B*

4. REMARKS BY THE DEAN OF THE FACULTY

Turning immediately to the charge in a campus newspaper that the Provost lied about releasing the COSEP Handbook, the Dean spoke as a party to the dealings between the Faculty and the Provost and declared that the Provost did not lie. He went on to regret the unfortunate charges and reflected that feelings carried over from difficulties of the past several years, together with pressures of the present and the heat of the summer, may have contributed to a series of grievous misunderstandings. Noting that there were academic policy issues involved in various drafts of the Handbook, he suggested that rehearsing who said what to whom at this time would serve no useful purpose. Two situations remain to be resolved, he said: to develop adequate machinery for making faculty policy and to work out the problem of minority education. He concluded with the observation that it is his function to speak for the Faculty, even though recent reports in the press may have suggested the function lay elsewhere. [The complete text appears in the *Chronicle* for September 30.] *APPENDIX A*

5. DISCUSSION OF COSEP HANDBOOK SITUATION

Having determined that a statement would be in order, Professor L. Pearce

Williams, History, explained his recent statement in the *Sun*. He regretted that the principal issue, namely, the failure of the Provost to consult the Faculty about matters which the University Bylaws make its proper concern, had become confused with the vehicle for raising that issue, namely, the COSEP Handbook. Outlining the history of the dispute, he said the IEC almost had to force its consultation about the Handbook upon the Provost after he had made assurances that the Handbook contained no violations of academic policy. Subsequent to those assurances, an ad hoc committee [the Gross Committee], totally independently of the IEC, found such violations. A letter in which the Provost took the position that he would not withhold the Handbook indefinitely was written after a meeting at which the speaker clearly understood the Provost would not release the Handbook until the Faculty had an opportunity to pass upon it. The Provost, added Professor Williams, had such an opportunity last Monday, the day after the speaker gave his remarks to the *Sun*. All the Provost had to do was to bring the document, which Professor Williams now found quite innocuous, before the Gross Committee, which according to Professor Williams would presumably approve it. The speaker would then have called the *Sun* to withdraw his remarks. The issue, he concluded, was one of faculty prerogatives. His concern as a faculty representative was to prevent their loss in the absence of a decision by the Faculty.

Professor Raymond Bowers, Physics, urged the Faculty to profit from mistakes of the past. To this end, he hoped the FCR and the new Executive Committee would work out guidelines for communicating with the press. After suggesting that members of these bodies have a special responsibility in communicating with the press, he asked the Dean to place this matter on the FCR agenda. Professor Isadore Blumen, ILR, said the FCR had already addressed the matter. The Executive Committee, he said, is now charged with assisting

the Dean in communicating to members of the University Faculty.

6. ROTC REPORT

Dean Penney cited the appearance of this item on the agenda as an example of transitional difficulty; the Review and Procedures Committee put the item on the agenda without realizing that a written report had been circulated and an oral report made by Professor Craig to the FCR. He added that since the item appeared on the agenda, he had asked Professor Robert Young, Chairman of the ROTC Relations Committee, to come and respond to questions. There were no questions.

7. QUESTIONS AND ANSWERS

Professor John Wilkins, Physics, asked whether the Cornell Administration and Board of Trustees are still committed to selling CAL as the Faculty requested over three and one-half years ago. Further, he asked, would the President promise not to accept or renew research projects involving secrecy, government classification, or counterinsurgency studies? Should the President not give such a promise, would he explain why secrecy is in order? Finally, would the President give a deadline for the sale of CAL? The President replied that since the Curtiss Committee recommended the sale of CAL, the matter has not been debated. He traced the proposed sale of the Laboratory, the subsequent litigation, followed by a court victory for the University, but loss of the sale through failure of the buyer to meet the contracted price. The President saw no possibility of reconsidering the decision to sell. He stated that he had urged the Board's Chairman not to modify its earlier intention to sell and the Board Chairman had agreed. Although CAL has tried to shift to other work, a large portion of its activities remains classified. After a period of financial difficulty, the Lab is now doing better financially. Laboratory staff morale is good. While no deadline for

sale can be set, the President hoped to resolve the matter during this academic year. After noting that CAL is now working closely with the Board of Trustees, he concluded that there is no counterinsurgency work; neither is there any work on chemical warfare.

Dean Alfred E. Kahn asked for an exposition from Dean Penney of what is happening to the faculty standing committees. He noted receipt of a document which suggested that the following committees are intended to be elected by the FCR: Academic Integrity Hearing and Appeals Boards, Committee on Research Policies, Committee on Freedom of Academic Teaching and Learning, Committee on ROTC Relationships, Committee on Financial Aids and Admissions, Committee on Academic Priorities and Policies, Committee on the Professional and Economic Status of the Faculty. He wondered about the relationship of these committees to those formerly elected by the faculty at large, by whose authority the new committee structure would be instituted, and would the University Faculty have an opportunity to pass on the changes. Dean Penney responded by urging members to scrutinize the Pasley document ["Revised Proposals for Organization and Procedures of the University Faculty," dated December 15, 1970] since he is under the impression that many faculty members are unaware of what they did by adopting it; namely, place faculty operations under a new set of Bylaws. To those who have expressed concern that the FCR is affected by the fact that its members are elected by constituencies, he noted the provision for ten at-large members. For those concerned about a "runaway" FCR, he noted that the Review and Procedures Committee serves as the Faculty's check on its Council. He reported that an executive committee is now being selected by the Hare System and drafts for structuring the committees read by Dean Kahn are now being perfected. The Dean called particular attention to three committees, Academic Priorities and Policies, which provides a home

for policy questions not falling within the scope of other committees, the Committee on Freedom of Academic Teaching and Learning, which would replace an existing committee, and Financial Aids and Admissions, which brings related functions within a single committee. It is now being proposed that these be committees of the FCR and be created by the FCR unless the University Faculty, in accordance with the Pasley document, brings the matter before it or, alternatively, that the FCR decides on the basis of opinions expressed at hearings after the drafts are published in the *Chronicle* to place the matter before the University Faculty. The Dean added that it is now proposed that the FCR elect the committees, but this matter is also subject to the foregoing processes. He concluded by hoping that members would use the hearings to register their feelings. In response to further questions from Dean Kahn, he noted that the Review and Procedures Committee is elected by the University Faculty and, except for some enumerated items, every faculty function is now delegated to the FCR. However, in its wisdom the FCR may choose to submit committee structures and committee membership to the Faculty and, in the event it should not do so, there is a control mechanism provided in the Pasley document by which 100 petitioning Faculty members can bring it to the Faculty.

Assistant Professor Henry Alker, Psychology, asked whether it is in the jurisdiction of the University Faculty to approve the academic aspects of the Africana Studies and the Female Studies programs. In response, President Corson read from the University Bylaws, Article XIII, Section 3, a sentence beginning, "It shall be the function of the University Faculty to consider educational policies which concern more than one college..." After observing that "considering" is not equivalent to "approving," he noted that some inter-college units, like the Department of Computer Science and the Africana

Studies Center, never came before the Faculty for approval, while others, like the Division of Biological Sciences, were debated at great length. The establishment and discontinuance of degrees, he noted, are the prerogative of the University Faculty. Dean Penney answered "yes," to Professor Alker's question and then observed that the Faculty clearly has a recommendatory role in the matters referred to by President Corson although the ultimate decision-making authority rests with the Board of Trustees. The new Committee on Academic Priorities and Policies, he said, is intended to serve as a mechanism for this recommendatory role. President Corson then quoted from the Bethe Committee report [dated July 15, 1969, Section 4] which addresses the academic responsibilities of the Faculty.

8. RESOLUTION CONCERNING THE PROVOST

Assistant Professor Rukūdzō Murapa, Africana Studies, asked whether, in view of statements by the President and the Dean of the Faculty, it would be appropriate to introduce a resolution expressing confidence in the Provost. The Chair found a sense-of-the-body resolution in order and wrote the motion on the blackboard as follows:

The Faculty expresses its approval of the procedures of the Provost on the matters concerning the COSEP Handbook.

Associate Professor Mack Walker, History, sought and received advice from the Chair for procedures to determine if the Faculty wished to vote on the motion. After learning that the Chair would not accept a motion to table, Professor Walker offered as a substitute motion:

The Faculty shall determine whether it wishes to vote on the resolution before it.

The Chair found this unacceptable as a substitute motion, whereupon Professor Walker moved to postpone the matter indefinitely. On a showing of hands, this motion lost.

Professor Max Black, Philosophy, asked whether the Chair would interpret the motion before the body as constituting a vote of confidence. On determining that it would, Professor Black moved the following substitution:

*The Faculty wishes to reaffirm its confidence in the Provost of the University.*

Asked why this motion wasn't in order in the first place, the Chair replied that it was now clear that the motion is an expression of views, a vote of confidence being illegal under *Robert's Rules*. Associate Professor Peter H. Craig, Veterinary Pathology, supported the substitute motion. On a showing of hands, debate was closed. On a further showing of hands, the motion was substituted.

Asked why confidence is being reaffirmed rather than affirmed, Professor Black said that confidence is an attitude, in this instance one which he feels is widely shared. He then suggested, somewhat facetiously, that the Faculty consider establishing a contempt clinic which would publish each day a box score of contempt calls received from faculty members. Professor Robin Williams, Sociology, said that while he had confidence in the Provost, he found it inappropriate for the Faculty to spend its time affirming or reaffirming its confidence in administration. Professor David Call, Agricultural Economics, said the motion is not complete. The Chair replied the the motion now ends: "Provost of the University," not "COSEP Handbook."

Assistant Professor Henry Alker opposed the motion because of questions the Provost raised during the past several years in handling parking, tenure, and the COSEP Handbook. Assistant Professor Jerry Stöckdale, Rural Sociology, said it is important to vote on the motion since a diversionary solution could be misinterpreted. He supported the motion. The Chair provided for registering absentions in response to Professor Brian Tierney, History, who

objected to voting on the issue. Assistant Professor Alker moved to postpone indefinitely. A voice vote proving inconclusive, on a showing of hands this motion was defeated. Debate was closed on a showing of hands. On a further showing of hands, the substitute motion was adopted. Professor Isadore Blumen, ILR, called for a division. The vote was 100 in favor, 12 opposed, 38 abstaining.

Adjourned: 6:00 p.m.

G. P. Colman, recorder pro tem

**Text of remarks by Norman Penney, Dean of the University Faculty, as delivered at the meeting of the University Faculty on September 23, 1971.**

I'm going to be brief.

This has been a very unhappy and unsettling day for a number of people because what had begun as an effort to work out a complicated problem has been exacerbated to the point where the Provost has been accused in a campus newspaper of lying. I believe that I have been a party to all the dealings between the Provost and the Faculty involved in the COSEP Handbook discussions, and I wish to state flatly that the Provost did not lie to the Faculty as to his intentions. He made it clear to me and I, in turn, made it clear in writing to the IEC chairman, that his only commitment was to satisfy himself that the specific objections to the so-called Gross Committee had been met.

It is one thing to be critical of the Provost for not continuing to withhold the Handbook until some Faculty review of the revised draft could be made;\* it is quite a different matter to accuse him of failing to honor a commitment or not tell the truth, and I regret very much the misreading of the situation by whoever it was that lead him to make this unfortunate charge.

There appear to be a number of factors which contributed to the present situation. Most important, we were trying to work out a very complicated question of minority education and, tangled up with it, we are trying to work out how the Faculty can properly involve itself in educational policy. The difficulty was that we were trying to do both things at the same time in the heat of the summer. This was further aggravated by the fact that there was a great deal of pressure put

on everybody to try and get that book ready for publication in the fall. And I think, that not without its effect were some unhappy carry over feelings which stemmed from our difficulties of the last few years. As is true in so many of these matters there appears to have been a series of grievous misunderstandings, some of which may have been fostered by mistrust and apprehension.

You might well ask, why all this fuss about a Handbook? Simply stated, there were a number of educational policy statements in various drafts of the book as perceived by a number of Faculty individuals and committees whose judgement I think we all could respect. I think an examination of these criticisms will satisfy most of you in this room that that was indeed the case. I see absolutely no mileage, however, in this meeting in rehearsing who said what to whom which might have led to this unhappy state of affairs that we now face. There are two remaining problems, however, with which we have to deal. We are still engaged in a very complicated restructuring enterprise and we still have the very, very pressing problem of minority education to further work out.

Maybe this sad story will serve as an object lesson to the importance of developing a structure and means whereby Faculty involvement in educational policy decisions can be put through regular and efficient machinery. A problem uppermost on my mind in the last few days has been "who speaks for the Faculty?" I thought I did. I'm not sure that's the way everybody has viewed the situation and I'm not sure everybody thinks that is the way it ought to be, but I do think we need to have an understanding as to how faculty sentiment, in the press or elsewhere, is to be voiced, particularly when sensitive matters are being dealt with.

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\*—It may seem needless to point out, but some have remonstrated with me for not saying that there were, indeed, some very strong criticisms from some of the Faculty involved as to how the Provost handled this matter, particularly in reference to "the Faculty."

**Remarks by Cornell University President Dale R. Corson  
Prepared for Delivery to University Faculty Meeting of  
Sept. 23, 1971**

In past years, it has been customary for the President to make a statement concerning the state of the University at the first University Faculty meeting of the school year. This year Dean Penney asked if I would answer questions at this first University-wide faculty meeting and I agreed. However, after the controversy over the COSEP Handbook I asked if I might also be permitted to make a statement and Dean Penney complied. I shall of course be pleased to answer questions as well.

Let me speak briefly about the general position in which higher education finds itself at the present time. I've spoken previously about the loss of confidence on the part of the public. This loss in confidence continues and is evidenced by legislative action; or by lack of legislative action in both Albany and Washington. The public's concerns extend beyond education but education has become a major target. We saw the taxpayer revolt in New York State last year in which the Governor's budget was cut by some \$700 million with education taking its share of the cuts.

So far in this session of Congress no major legislation has been enacted regarding higher education outside the health professions, although just before the summer recess the Senate passed a significant bill. Whether or not any legislation at all will finally be produced is problematical.

In the meantime the financial problems of higher education both public and private continue apace, with more and more institutions finding themselves in financial difficulty. A big issue before legislative bodies is the question of institutional support as opposed to individual student support. One of the fundamental issues under debate is the question of who pays for higher education - whether it is the individual who receives the direct benefit or society which receives a more generalized benefit.

Federal policy at the present time appears to be based on the assumption that we have an over-production of highly skilled manpower and consequently federal support for graduate

students has been significantly withdrawn. I've cited the fact before that in the last three years we've lost 80 per cent of our outside fellowship support for entering graduate students. At the same time there has been a rearranging and reordering of research support from federal agencies. So far we have done reasonably well in maintaining our research base but we can not be complacent about the future.

At Cornell we survived the last year in a somewhat better fiscal position than we had anticipated at the beginning of the year. Through an unrelenting effort to restrict expenses and through an all-out effort to increase income we ended the year with a deficit of about \$1.8 million. We cannot continue long even at this rate and the same programs of relative austerity will necessarily have to be continued over the next few years.

The biggest problems facing us concern the nature of the educational opportunity we make available to our students. The large fraction of the age group which now seeks some form of higher education is having serious impact on colleges and universities everywhere and has raised serious questions about the adequacy of traditional academic programs.

We have the whole area of social sensitivity which the growing social problems of the times have raised along with questions about how a university such as Cornell adjusts its teaching and study programs in response. Along with these questions has been the growing emphasis on problem-centered education, where teaching and research efforts are focused on a particular problem area whether it is international studies or quality of the environment or any one of a dozen other areas. Out of this concern has grown our various centers and programs which cut across traditional disciplinary lines.

In the forefront of the problems facing higher education in this country is the problem of education for minority students. In my own view the major problem this country has to solve is the race problem and education is an

absolute essential in any solution to the problem. Great strides have been made in recent years in improving the opportunities available to minority groups but there is still a long way to go. This is an area of national concern as evidence, for example, in the support provisions of the Pell Bill on higher education which passed the Senate immediately before the summer recess. What the provisions will be in any final legislation is impossible to say.

Everyone on the campus is familiar with the evolution of the COSEP program here - a program which has been paralleled in one way or another on most other major university campuses in the country. As the program has evolved it has become evident that a great deal more attention was needed in the management of the program than was thought necessary in the beginning. These problems were recognized in a particularly significant way last year when Mr. Hunter was appointed Director of the Program and a skilled counseling staff was added to the COSEP Office. Today's Chronicle outlines many of the factors which have developed during the past year and, in particular, the circumstances which led up to the decision to pull together in one place a set of policies applicable to the Program - that is, in the COSEP Handbook which is published in full in today's Chronicle.

The need for the Handbook, and for an intensified counseling and tutorial program became evident when the COSEP staff learned that the performance of the COSEP students in the first semester last year was substantially below the generally good record which the COSEP students had in the first few years of the program. As reported in today's Chronicle, the grade point average for the group as a whole was only 1.9 for the fall term last year. Mr. Hunter's goal has been to maximize the number of students who complete Cornell degrees and he has acted accordingly to arrange tutorial

and related programs. The group grade point average for the spring term was 2.9.

Early in the second term last year Mr. Hunter presented a draft of a proposed Handbook to the COSEP Committee of which Professor Everett of the College of Agriculture was Chairman—a Committee which has a faculty member from each undergraduate college. This draft stipulated that a student must maintain a 2.0 grade point average if his financial aid package was not to be jeopardized. While in the past all Cornell financial aid was awarded on a somewhat similar basis, such as academic performance requirement was abandoned many years ago and this fact was made clear to the COSEP staff.

As a result of these discussions a COSEP Workshop was organized for the early summer. This Workshop met on June 17, 18, and 19 in Willard Straight Hall under sponsorship of the Provost. It was open to everyone but specific invitations went to the Deans asking them to invite staff and faculty in their colleges who worked with the Program, to the COSEP Committee members, to the Dean of the Faculty, to the Dean of Students, to faculty trustees, to the Director of Willard Straight, to the Dean of Admissions, to the Director of Financial Aids, to the Director of the Africana Center, to the Vice President for Campus Affairs, and to the Interim Executive Committee of the Faculty Council of Representatives. Some eighty people attended, including representation from all colleges. Some students also attended.

The Workshop asked Messrs. Plane and Hunter to appoint a drafting committee to revise the Handbook and Provost Plane announced that his policy was to see that any Handbook published was in conformity with existing University policy. The Handbook, however, was the COSEP staff's Handbook.

On July 8, a drafting committee, consisting of deans, faculty members and COSEP staff produced the draft Handbook which was identified as a final draft.

This draft was given to the Dean of the Faculty for his comments and on July 23 he stated in writing that he had some questions about the appropriateness of financial aid provisions which tied continued financial aid to academic performance more stringent than just "good standing." He

then stated "there is nothing else in the draft which, to me, raises a question of University faculty policy." He pointed out two other areas having to do with drug policy and with on-campus living requirements which he thought might be of possible Senate concern.

On July 23 Provost Plane and Dean Penney met with Professor Silbey, chairman of the University Committee on Financial Aid and discussed the questions raised. On July 27, Provost Plane met with the whole Committee on Financial Aid who suggested a revised financial aid policy. The Provost asked the COSEP staff for concurrence with this revised policy and they agreed.

The Provost discussed the matter further with Dean Penney and on the Dean's advice met with the Faculty Council Executive Committee on August 3rd. Mr. Plane told the committee that he would transmit to the COSEP staff any suggestions for changing the Handbook and he would see that the Handbook did not violate existing University policy. The Committee asked that the Handbook be delayed until there could be a faculty meeting in the fall. Mr. Plane did not agree to this request, stressing that the questions to be determined had to do with whether the various provisions of the Handbook were or were not in violation of existing policy. Furthermore, the original intent had been to have the Handbook ready for the beginning of the fall semester.

Dean Penney appointed a faculty committee under the chairmanship of Professor Gross of I&LR and charged it to read the Handbook and point out violations, if any, with existing University policy. Provost Plane met with the Gross committee and they explained that their task was merely to point out the concerns they had and to leave to someone else the decision regarding resolution of the concerns.

The Gross Committee sent copies of the report to the Provost and to the Dean who transmitted it to the Interim Executive Committee. In accordance with the Provost's understanding of his meeting with the Gross Committee he stated that it would be his responsibility to see that their concerns were properly reflected in the final Handbook if and when it was released. The Provost noted that an agreement had been worked out between the Deans of the undergraduate

colleges and the COSEP staff concerning working relations for the upcoming year and that Mr. Hunter might therefore feel that the Handbook was no longer needed.

The Provost's position that he would not authorize release of the Handbook until after incorporation of suggestions deriving from the Gross Committee report was communicated to the Interim Executive Committee on September 10 by the Dean and the Provost passed the Gross Committee concerns on to the COSEP staff. The staff changed the Handbook to meet these concerns.

After these and other changes were made the Provost ruled that no violation of existing University policy remained and so informed Mr. Hunter who still wanted to release the Handbook and who did so on September 17.

I believe that what I have said is a fair representation of the evolution of the COSEP Handbook and I believe that the matter was handled properly. If anyone believes that I would have handled the situation differently he is mistaken. The Provost acted properly in my opinion and he has my complete support.

I consider the issue of the COSEP Handbook an important issue, but not the major one at stake. The major issues involve educational problems growing out of some of the educational matters before us and to which I alluded earlier. These issues have to do with my responsibility and that of the faculty dealing with these matters.

Over the past 10 or 15 years we have evolved a whole series of programs at Cornell that cut across traditional disciplinary lines. These are programs that "fall between the usual academic slates." These include the centers such as the Center for International Studies and the Materials Science Center. They include the Biological Sciences program, and the Africana Center, and many others. These have been dealt with in a variety of ways and as yet we have evolved no satisfactory manner for developing new programs taking all factors into consideration.

I must point out that the President is the chief executive and chief educational officer of the University. This is a responsibility that he cannot escape even if he wanted to. It is a responsibility assigned to him

The Speaker called the meeting to order at 4:30 p.m. in Ives 110.  
80 members and 3 visitors were present.

1. CORRECTION, MINUTES SEPTEMBER 8 AND SEPTEMBER 15

On page 4 of the Minutes for September 8, insert after "friendly amendment" the following footnote: "*Robert's Rules* does not recognize friendly amendments but Professor Blumen's rejection of the offer rendered the matter moot." On the Minutes of September 15, the Bronfenbrenner motion at the bottom of page 2 should not be in italics. In the following paragraph a duplication of the sentence "On a showing of hands the motion lost" should be deleted. On page 5, "at" should be inserted in the motion after "that". Following these corrections, the Minutes were approved.

2. ADOPTION OF AGENDA

The Speaker obtained unanimous consent to adopt the agenda as distributed.

3. REPORT, COMMITTEE ON ELECTIONS

Dean Penney, the Chairman, reported 93 ballots were cast of an eligible 99 in the election of the Executive Committee. In tabulating the votes, a program following the Hare System was checked for validity by Assistant Professor Ellis Horowitz and Mr. Henry G. Vaughan, Director, Division of Management Systems and Analysis. This was confirmed by the Elections Committee by sorting ballots by hand. Elected on the tenured ballot for two-year terms were Professors Isadore Blumen, David L. Call, Peter C. Stein, and Robin M. Williams, Jr.; on the non-tenured ballot, Assistant Professor Bruce T. Wilkins. For the one-year term on the tenured ballot, Professors George H. Hildebrand, Stuart W. Stein, and L. Pearce Williams were elected; for the non-tenured one-year term, Associate Professor Paul H. Hohenberg was elected. The Dean noted that faculty members may come to his office to inspect the computer program and print-out which shows the ballot on which each person was elected.

since it was not clear when those elected were to take office, the Dean said he had planned to call both the IEC and the newly-elected committee in the event of emergency. However, in the future he would prefer to follow Robert's practice that persons take office as soon as elected. There were no objections to this position.

Professor Wesley W. Gunkel, Agriculture and Life Sciences, asked whether a comparison had been made between who ~~was~~<sup>were</sup> elected under the Hare System and who would have been elected under a plurality system. The Dean said the Hare System produced a significantly different body. He urged those curious about the matter to examine the ballots.

4. RESOLUTION, FREEDOM OF INQUIRY

Professor William Tucker Dean, Member-at-Large, introduced the following resolution which was distributed to the FCR earlier:

*The FCR joins whole-heartedly in the Recommendatory Resolution on Freedom of Inquiry adopted by the University Senate. The Faculty continues to be vitally interested in the preservation of freedom of teaching and learning on the Cornell campus and stands ready to cooperate with the other segments of the community to maintain these freedoms.*

Professor Dean noted that the resolution is in response to the Recommendatory Resolution on Freedom of Inquiry passed by the University Senate after it investigated the disruption of a seminar on South Africa held December 5, 1970. He observed that the resolution may seem mild and added that the appropriate committee now being formed by the Faculty may wish to make a more detailed response. The motion passed on voice vote without opposition.

5. REPORT, PROVOST'S MEMO ON FACULTY APPOINTMENTS

Dean Penney presented the report in the absence of Professor Strout, Chairman of the Committee on Academic Freedom and Tenure. This report, he noted, was initiated by a request from the Interim Executive Committee to

Professor Strout's committee that it meet with the Provost to discuss his memorandum dated March 1, 1971. After calling attention to the report of the Committee, (see *Chronicle*, September 23, 1971, page 10), he noted that the Committee's conversations with the Provost focused on two points in the Provost's memorandum; an apparent inconsistency between an AAUP request for one year's notice prior to termination and the Provost's memo providing one term's notice, and a question whether the AAUP standard of counting service elsewhere up to three years would be followed here. On the first point, the Provost agreed that his memo should be interpreted to provide a year and a half's notice. On the second point, the Committee wished to follow the current practice of treating cases on an ad hoc basis.

The Dean then moved to institute a procedure whereby faculty committees would not have to speak for the Faculty on matters of substance. To obtain the Faculty voice, the Dean suggested that committee reports, as appropriate, be submitted to the FCR for ratification. He then invited a motion for ratification of the Strout Committee's report. The motion was offered by Professor Francis M. Isenberg, Agriculture and Life Sciences.

Assistant Professor Henry Alker, Social Sciences, asked whether acceptance of the motion would be construed as endorsement of other provisions in the Provost's memorandum. Absolutely not, said the Dean. The Strout report makes its parameters clear. Professor Urie Bronfenbrenner, Faculty Trustee, asked whether the action proposed to the body is the last to come before it with regard to the memorandum and, if so, are there mechanisms for considering other aspects of the memorandum. The Dean replied that the present motion deals with two rather mechanical matters; the FCR or one of its committee might appropriately act on other parts of the memorandum. Peter C. Stein, Sciences and Mathematics, observed that since the procedures of the body make it difficult to reverse decisions, where important matters are

involved he would like the printed report to be circulated and the agenda to indicate that a vote will be requested. The Dean agreed with the principle stated by Professor Stein and said he would not be troubled were the matter postponed.

After inquiring about the charge to the Strout Committee, Professor David L. Call, Member-at-Large, suggested that since the Strout Committee had chosen to focus only on two points, approving the motion before the body would, in effect, constitute approval of the Provost's memorandum. The Dean replied that the Faculty's remaining concerns may come within the charge of other committees. However, he observed that if the matter were put off he would be left with the problem of firming up an open-ended arrangement with the Provost. Professor Call then asked to limit the motion to approval of the two points considered by the Committee. The Chair proposed to treat Professor Call's concern as a declaration of intent. Professor Paul Olum, student-elected Faculty Trustee, took the position that since the press is likely to treat action by the FCR as acceptance of the total memorandum, he would prefer the record to reflect that the Provost improved his memo after talking with the Faculty committee, period. Professor L. Pearce Williams, Member-at-Large, took the position that the action proposed is improper since the Committee on Freedom and Tenure is a committee of the Faculty rather than the FCR. He proposed to table the motion to enable the new Committee on Professional Status of the Faculty to review the Provost's memo. In the meantime, he suggested, the Faculty could rely on the Provost's verbal commitment. The Chair reminded the body that all committees not especially designated as committees of the entire Faculty are proposed to be committees of this body. The Academic Freedom and Tenure Committee, he added, had been given other charges by this body and had reported its findings back to it. At this point, the Dean requested Professor Isenberg to

withdraw his motion. This he did.

6. DISTRIBUTE GROSS COMMITTEE REPORT?

Professor Isadore Blumen, speaking on behalf of the Interim Executive Committee, reported that the complete report and committee resource material of the Ad Hoc Committee on the COSEP Handbook may be examined by faculty members in the Dean's office. The only items new to the FCR are the detailed findings of the Committee and two versions of the Handbook, one of June, the other of July 30, 1971. After noting that a summary of the report appears in the FCR Minutes for September 8, he asked the body if it wished to distribute the report, particularly the section of detailed findings. If so, he added, the July 30 draft, which differs considerably from the published version, is a necessary reference. He suggested that if the FCR wishes to circulate the detailed findings that these findings be accompanied by excerpts from the July 30 draft. He pointed out that circulation of the July 30 draft would pose problems since it was someone else's draft.

After stating that he saw no benefits to be derived from distribution, Professor M. H. Abrams, Member-at-Large, moved:

*The COSEP Handbook issue is concluded.*

The Chair interpreted this motion to mean that the report will not be distributed. The motion carried on voice vote without opposition.

7. REPORT, AD HOC COMMITTEE ON COMMITTEES

Professor Isadore Blumen, as Chairman, presented the report. The Review and Procedures Committee has approved drafts for four committees and is close to a final vote on two others. One draft remains to be discussed, as does the set of procedures which will apply to all committees. It is hoped to go to open hearings in October. It is further hoped that documents will be presented to the FCR in November.

## 8. TO WHAT BODY DO EXISTING COMMITTEES REPORT?

Using the Chair's interpretation\* during the debate on the Provost's memorandum as a point of departure, Professor Olum asked who determines when a new committee replaces an existing committee and when an existing committee is abandoned by the University Faculty. Dean Penney quoted VIII, D, 4 of the Pasley Report and indicated that this provision, together with the FCR's power to deal with all matters within the purview of the Faculty which are not specifically excluded in his interpretation of the documents gives the FCR authority by fiat to make the committees responsible to it. Professor Robert Pasley, Law, said he would rely on VIII, D, 4 to provide continuity in committees until affirmative action is taken. He added that the transfer of authority to the FCR was not intended to transfer committees, although this could be accomplished, as the Dean said, by resolution of the FCR. He hoped that the existing committees would function as best they could, meeting as necessary the question of to what body they report. Professor Call, as Chairman of the Committee on Economic Status of the Faculty, stated that he found the matter thoroughly confusing. He expressed a reluctance to report via the *Chronicle* and expressed the need for a reporting mechanism. The Dean noted a difference of opinion among faculty members about what bodies should control committees and expressed a reluctance to foreclose these differences by immediate action. Associate Professor Elmer E. Ewing, Agriculture and Life Sciences, asked if it is possible for a committee to report to more than one body. Professor Abrams, taking the position that the problem is one of short term, and of practicality rather than of power, moved as follows: "The FCR requests faculty committees to continue their work but report to the FCR." He then accepted a suggestion from Professor Blumen to give the Executive Committee authority to assign matters to

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\*The Chair has prepared a memorandum on the matter which will be published in the *Chronicle*.

existing committees. Professor Abrams and the Chair, with a few suggestions from others, then developed the following wording:

*Pending the establishment of committees appropriately assigned to the FCR, current committees of the University Faculty are requested to report to the FCR. The FCR, the Dean, and the Executive Committee may assign problems to appropriate committees.*

The motion passed on voice vote without opposition.

Adjourned: 5:30 p.m.

G. P. Colman, recorder pro tem

CORNELL UNIVERSITY SENATE

B-98 Amended  
5/18/71

RECOMMENDATORY RESOLUTION ON FREEDOM OF INQUIRY

1 The Cornell University Senate adopts the recommendations of  
2 the Special Committee to Investigate the Incident of December 5,  
3 1970:

- 4 (1) That the leaders of our University community be more  
5 prompt and outspoken in condemning such disruptions  
6 and in seeing to it that disrupters are properly held  
7 accountable, through the established machinery, for  
8 violations of the community's freedom;
- 9 (2) That the administration publicly reiterate its intention  
10 to tolerate no such disruption and to see that disrupters  
11 are prosecuted in the future;
- 12 (3) That the Office of the Judicial Administrator be more  
13 vigorous and thorough in investigating and prosecuting  
14 such disruptions in the future, and that the office  
15 take the initiative itself, where unwillingness or  
16 fear prevents an individual from filing a formal com-  
17 plaint;
- 18 (4) That all members of the community develop a greater con-  
19 sciousness of their responsibility to support the preser-  
20 vation of free expression and free inquiry within the  
21 University, including their responsibility to step forward  
22 and bear witness against those who would deny the community  
23 its right to hear unpopular views;
- 24 (5) That in order to create a greater community consciousness  
25 of the necessity of free inquiry and free expression to the  
26 University, steps be taken by the administration, the Senate,  
27 and any other appropriate University bodies to sponsor sym-  
28 posia and other discussions of the role of freedom of expres-  
29 sion and freedom of inquiry in a University community; and
- 30 (6) That all individual members of the community be encouraged  
31 to discuss freedom of expression and freedom of inquiry  
32 and show their support for these concepts in whatever  
33 personal ways they can.

34 Further, we request President Corson to inform the Senate of the  
35 steps he considers appropriate to implement these recommendations.

36 This resolution and the Special Committee report received by  
37 the Senate shall be submitted to the Chronicle for publication as  
38 soon as possible.

Submitted for the EXECUTIVE COMMITTEE by vote of (9-0) on May 17, 1971  
by Peter Heywood, Chairman in response to the Special Committee composed  
of David Fritchey, W. Jack Lewis, J.C. Mbata, Karen Sipher, and Clifford  
Earle, Chairman.

PASSED BY THE SENATE 5/18/71

**To: Interim Executive  
Committee of the Faculty  
Council of Representatives**  
**From: Committee on  
Academic Freedom and Tenure**  
**Subject: Provost Plane's  
Memorandum on Faculty  
Appointments dated March 1,  
1971**

We have examined the Provost's memorandum from the particular point of view of the special concerns of our committee without passing on its wisdom as a matter of policy.

The most important item in our consideration is the procedure for notification of denial of tenure. We note that if the proposal did not refer to the possibility of extending the appointment of an assistant professor to the seventh year in the event of non-employment elsewhere, it would conflict with the A.A.U.P. requirement of one year's notice. Given that extension, however, the policy represents notification at least a year and a half in advance of separation from Cornell. This policy is even fairer than the A.A.U.P. rule, particularly at a time of great difficulty in finding employment. We recommended to the Provost that it should be made unambiguously clear that extension to the seventh year, but no longer, is automatic in the case of non-employment. The Provost was quite willing to have the policy so understood, if it is also made clear that the extended notice period was not to be viewed as affording an

opportunity for reconsideration of the decision.

The memorandum departs from the A.A.U.P. requirement of counting service elsewhere (up to three years) in measuring the time for a tenure judgment. Some people have pointed out to us that a hard and fast rule in this matter might inhibit the opportunity for individuals to make adequate preparation of their case for being granted tenure. We do not find such a clear element of fairness in the A.A.U.P. rule that we would criticize the more flexible practice of Cornell.

The proposal to encourage the termination "at the earliest possible date" of those who are "not likely to receive favorable consideration for tenure" has been the subject of much discussion. We find it pertinent to note only that the institution of a systematic review for reappointments at the non-tenured level is not a new policy. It was set forth in November 24, 1969 by the Vice President for Academic Affairs in a memorandum on appointments and promotions sent to Deans, Directors, and Department Heads. Presumably, the Provost's memorandum follows up this direction by emphasizing the seriousness of such a judgment.

In summation, we recommend only that the procedure for notification, as discussed above in paragraph two, be made unambiguously clear.

**S. Cushing Strout, Chairman**

## CORNELL UNIVERSITY

300 DAY HALL

ITHACA, N. Y. 14850

Office of the Provost

March 1, 1971

TO: Deans and Academic Department Chairmen

FROM: R. A. Plane

RE: Faculty Appointments, Promotions, and Extension of Appointments beyond age 65

Over the past decade the size of the University faculty has increased steadily at all levels. Faced with stringent budgets and the probable limited growth in faculty over the next decade, the University must modify current employment and promotion practices and policies. The alternative is the prospect of having most of its faculty at the tenured level with little opportunity to bring in assistant professors because few non-tenured positions will exist.

The quality of the University will surely decline if it does not continue to recruit highly qualified young scholars with the determination to select only the truly outstanding for promotion to tenure. Future quality can be assured if the University takes immediate steps to modify its practices and policies regarding initial appointments, promotions to tenure, promotions from associate professor to professor, and time of retirements so that the greatest possible number of non-tenure positions will be available on a continuing basis.

Initial Appointments

Faculty positions are college or school positions -- not departmental positions. Whenever a position becomes vacant the dean of the college or school has the responsibility of reviewing his priorities and then assigning the position to the area where the need is greatest.

Once the use of a new or vacant position has been approved, every possible effort should be made to recruit at the assistant professor level except where a more senior appointment can be justified by the department and supported by the dean. No appointment at the tenure level can be made on grant funds or released salary funds unless written approval is obtained from the dean and the provost. Such written approval should include a plan for the long-term support of the position. If a department recommends a non-tenure appointment against grant or released

funds, the chairman should notify the appointee that the position is on temporary funds and promotion to tenure cannot be considered unless long-term support is obtained or a vacancy occurs.

### Promotion to Tenure

Current University rules specify that assistant professors may be appointed for a three-year term (a shorter term is permissible) and may be reappointed for a second three-year or shorter term.\* Normally a decision regarding tenure is reached by no later than the beginning of the sixth year in order to provide one year of notice if the appointee is not to be promoted to tenure. AAUP guidelines permit seven years instead of six years at the non-tenured level but encourage the counting of service at other institutions. In general, Cornell has considered service at other universities but it has not been bound by the AAUP recommendation to give full (or any) credit for faculty appointments at other institutions.....

Rate of promotion to tenure varies among departments and colleges with some promoting as early as three years and others waiting until the end of six. Some departments are highly selective and only promote those assistant professors who rank among the top nationally while other departments recommend all whose performance is deemed worthy. In a period of little or no growth in the size of faculty and a limited number of resignations and retirements, the latter policy could lead to a number of departments with all or nearly all tenured professors -- a situation which should be avoided whenever possible.

Effective immediately only the most able assistant professors should be reappointed after three years and except for truly outstanding individuals the final decision to grant tenure should be delayed until after the beginning of the sixth year. The detailed review of those to be considered for tenure should be initiated early in the fall semester with the department reaching its decision by November 15 in order that the ad hoc committee, the dean, and the University administration can complete their respective reviews by the end of the calendar year. If the decision is to grant tenure the promotion will be effective the following July 1. If the decision is to deny tenure the department chairman should inform the dean of the action taken and the vote of the faculty. The individual should be told and the action confirmed in writing at the earliest possible date, and by no later than January 1, that he will not be appointed to tenure.

The proposed time schedule for reaching a final decision has two objectives: (1.) to delay the granting of tenure as long as possible to permit the accumulation and evaluation of all available evidence that the individual is the best candidate and (2.) to make the final decision

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\* The normal maximum of six years as assistant professor is for full-time faculty members and is not applicable to part-time appointments. The latter may be continued beyond six years.

early enough in the sixth year to permit those not granted tenure to seek other employment for the succeeding (seventh) academic year. If necessary the University will extend the appointment of an assistant professor for the seventh year if other employment is not secured. Promotion of an assistant professor to associate professor without tenure is discouraged and normally will not be approved.

It is important that the dean of each school or college take steps to ensure that present and future faculty members, especially those with non-tenured appointments, are fully apprised of the University's policy regarding promotion to tenure. Furthermore, the dean must be sure that the chairman of each department reviews annually the individual's performance with each assistant professor and with each associate professor who has not yet been considered for promotion. Center director(s) should participate in the review if the faculty member is participating in the program of a center(s). The review should include a realistic appraisal of the individual's chances for promotion to tenure or in case of the associate professor to professor. The department is encouraged to terminate at the earliest possible date and not continue for six years the appointments of those members who are not likely to receive favorable consideration for tenure. Those who show great promise should receive appropriate encouragement but as mentioned above the final decision should be deferred as long as possible to permit a thorough and comprehensive evaluation of the candidate's contributions and future potential as compared with all other possible candidates.

#### Promotion from Associate Professor to Professor

Promotion from associate professor to professor is recognition of distinguished service to the University. To be promoted to professor, the candidate must continue to meet the criteria applicable to his promotion to associate professor and the awarding of tenure. The candidate must have made or clearly demonstrated the ability to make a significant contribution to the stature of the University. He must have achieved a distinguished reputation either as an outstanding teacher or as a productive scholar in his field.

A recommendation for promotion to professor will be initiated by the chairman of the department after determining the vote of the professors of the department. When the dean receives a fully documented recommendation for such a promotion he should appoint a special review committee or submit it to a standing review committee for its evaluation of the evidence supporting promotion. The committee should be free to seek additional evidence if it is not satisfied with the thoroughness of the documentation.

The review committee will submit its report to the dean and if he supports the recommendation for promotion to professor he will forward to the president or his representative his appraisal of the candidate, the report of the review committee and the letter from the department chairman initiating the recommendation. The president or his representative will review the recommendation for promotion and if he concurs it will be submitted to the Trustees for approval.

It is anticipated that an individual normally will not be considered for promotion to professor until he has completed at least six years of service as an associate professor.

#### Extension of Appointment Beyond Age 65

Retirement age is 65 with provision to extend appointments on a year by year basis to age 68. Extension beyond age 65 must be approved by the dean at the request of the department. Any reappointment (part or full-time) beyond age 68 must be with the written approval of the provost. Reappointments after age 68 will not be granted unless salary and related support are provided from grant or other restricted funds.

The extension of an appointment beyond age 65 is discouraged unless all efforts to recruit a qualified replacement have been exhausted or unless the services of the individual are extremely important to the department.

Frequently the interests of the individual and the University can best be served by arranging for a reduced teaching load with a corresponding adjustment from a full-time to part-time appointment several years prior to reaching age 65. Such arrangements should be explored with interested individuals.

#### Summary

In this period of stringent budgets every possible step must be taken to ensure continued growth of the University. One of the most important steps in ensuring continued quality is the recruitment and retention of outstanding young faculty. Budget restrictions require that we use all available positions as wisely as possible. Encouragement of retirement at age 65 will increase the limited number of permanent positions available for the appointment of promising assistant professors. Promotion to tenure should be on a highly selective basis and should not be made earlier than necessary.

The Speaker, Professor Whitlock, called the meeting to order at 4:30 p.m. in 110 Ives Hall. 79 members and 13 visitors were present.

1. ACTING PRESIDENT'S ROLE

The Chair obtained unanimous consent to accord an acting President the same privileges in the body which now obtain to the President.

2. MINUTES FOR MEETING OF OCTOBER 13

Approved as distributed.

3. AGENDA

The Chair noted two additions of an emergency nature (made known to the FCR by memo from the Dean dated November 8), a report by the Chairman of the Executive Committee, and a resolution on appointment procedures for the John L. Senior chair. After these matters were handled (see Items 4 through 6 below), the agenda was approved as distributed.

4. REPORT, CHAIRMAN EXECUTIVE COMMITTEE

Professor Robin Williams reported that on October 27 the Executive Committee discussed procedures for dealing with mass media, problems related to courses offered outside departments, agenda for this FCR meeting, and draft legislation regarding standing committees. At that time the Committee also learned of new rulings by New York State regarding tuition scholarships. On November 8 the Ad Hoc Committee on Committees and the Review and Procedures Committee met jointly with regard to draft legislation for standing committees. On November 9 the Executive Committees of the FCR and the University Senate and the Calendar Committees of both bodies met in joint session. Professor Williams noted that the Executive Committee in all instances regarded itself as the servant of the legislature; substantive matters will be presented to the FCR.

5. MEETING OF EXECUTIVE COMMITTEE WITH THE PRESIDENT AND PROVOST

Dean Penney reported on a meeting held November 5 at the request of the President in order to discuss means for communication between the Executive Committee and the President and procedures for filling the John L. Senior chair. At the President's request, the Executive Committee will meet with him on a monthly basis for discussion and the exchange of information and ideas. Regarding selection procedures for the John L. Senior chair, the need was noted for new legislation since the legislation governing the University professorship became outdated because of faculty reorganization. Furthermore, that legislation required a mandatory review in May, 1970, and this review had not taken place.

6. JOHN L. SENIOR CHAIR

After explaining the proposed legislation (previously distributed to the FCR) and noting that it had been approved by the Executive Committee, Dean Penney moved as follows:

*Nominations for the John L. Senior chair will be made to the Board of Trustees by the President, with the advice of the Provost, acting as Chairman, and a search committee of nine to eleven members of the Faculty appointed by the President and approved by the Faculty Council of Representatives in accordance with the following procedures. The President will invite appropriate departments, schools, colleges, or centers (the units in which a prospective John L. Senior might reasonably have a membership) to submit two names from its faculty and approved by them to serve on the search committee. The President will then appoint a search committee of nine to eleven members of the University Faculty which will include at least six members from the names so submitted, but no more than one from each pair of nominees. The balance of the membership of the search committee will be filled by the President, in consultation with the Dean of the Faculty, in a manner best calculated to achieve the broadest representation and best judgment of the University Faculty. After its membership is approved by the Faculty Council of Representatives, the search committee will set its own procedures for conducting the search and selection, except that, as one measure to assure that a candidate will have the extraordinary breadth of scholarly achievement and academic experience appropriate to this chair, provision will be made in the search committee's procedures to obtain the approval of at least two departments to receive the candidate as a voting member prior to the President's nomination to the Board of Trustees. Upon*

appointment, the John L. Senior Professor may select one of the two or more Departments as his or her primary affiliation and the Department selected shall provide necessary space and services. He shall be free to choose his own forms of academic work and will be expected to participate in teaching. He shall have freedom to explore new patterns of scholarship and teaching. His status for budgetary purposes will be determined by the President, independently of the remainder of the departmental budget.

The motion passed on voice vote without opposition.

## 7. REVIEW AND PROCEDURES COMMITTEE

Dean Penney traced the development of draft legislation for standing committees. He noted that the Review and Procedures Committee had carefully reviewed and revised each draft after initial preparation by the Interim Executive Committee. After this review, the revised drafts were published in the *Chronicle* on October 28. At subsequent hearings on November 3 and 4, seven people spoke. At a meeting on November 8 of the Review and Procedures Committee and the Committee on Committees (formerly the I.E.C.), criticisms of the drafts submitted by mail or voiced at the hearings were considered. In that joint meeting the draft legislation was emended. These changes, which were distributed at the door, are as follows:

### CHANGES IN PROPOSED COMMITTEE LEGISLATION

(References are to the draft legislation as printed in the 10/28/71 *Chronicle*)

#### I. Rules and Procedures for Governing Standing Committees (p. 5, col. 1)

1. The word "Academic" is stricken from the fourth committee listed. The committee should be "Committee on Freedom of Teaching and Learning."
2. In the third paragraph (numbered 1.) line 3, insert "by and" between the words "elected from..."
3. In the same paragraph, line 6, insert "by and" between the words "elected from..."

#### II. Academic Integrity Hearing and Appeals Boards (p. 5, col. 1)

1. Third paragraph (numbered 1.a, having to do with responsibilities of the Academic Hearing Board.) On line 6, the word "shall" is struck out and the word "may" is substituted.
2. Two lines down, same paragraph, the word "any" is struck out and the word "change" which follows becomes "changes".

III. Committee on University Research Policies (p. 5, col. 4, top)

no change

IV. Committee on Freedom of Teaching and Learning (p. 5, col. 4, middle)

no change

V. Committee on ROTC Relationships (p. 8, col. 2, top)

1. Second column which appears on page 8, the first paragraph (numbered 1) is struck out and the following substituted:

"1. In nominating Faculty members, attention should be given to distributing the membership among the colleges of the University and especially to representing colleges and schools with large numbers of ROTC students."

VI. Committee on Admissions and Financial Aids (p. 8, col. 1 & 2)

1. In line 1 of the second paragraph the word "recognizes" is struck out and the word "reaffirms" is substituted.
2. In line 3 of the same paragraph, insert before the word "individual" the words "faculties of the"
3. In the last two lines of the same paragraph, the order of the words is shifted so that the last two lines read:

"affecting admissions and university-wide financial aids."

4. In the next paragraph, delete the words "Except as restricted by the Trustees" so the paragraph begins "The Committee on..."
5. In the next column in the second paragraph (numbered 3) third line, the order is changed to read "...concerning admissions and university-wide financial aids..."

VII. Committee on Academic Priorities and Policies (p. 8, col, 1 & 2)

A revised draft of this committee legislation is being prepared by a drafting joint subcommittee of the R&P Committee and the FCR Ad Hoc Drafting Committee.

VIII. Committee on the Professional and Economic Status of the Faculty (p. 8, col. 1 & 2 bottom)

1. In the first paragraph insert a period after the word "established." and strike the last phrase "...by the Faculty Council of Representatives."
2. In the second paragraph (numbered 1, 8th line from top of page, col. 3) delete "/or" at end of line.

3. Insert a new paragraph 2. as follows:

"2. The Committee shall consider all matters of academic freedom and tenure not elsewhere provided for."

4. Renumber paragraph 2., to 3. and make the following changes:

The first sentence in the paragraph beginning (toward the top of col. 4) "It is expected..." is modified to read: "It is expected that established grievance procedures in colleges or other academic units shall be first utilized; in such cases this committee or subcommittee shall act as an appeal body."

5. In the final paragraph (col. 5) beginning with the words "The committee or subcommittee..." in line 7, the word "preclude" is changed to read "precludes".

IX. University Faculty Committee on Nominations and Elections

1. In the second paragraph, 18th line, insert the following phrase after the words "fair representation" "among the various schools and colleges."
2. In the last paragraph, which appears in col. 5, in the 12th line after the word "appointed" insert the word "by".

In explaining these changes the Dean noted that providing that the four members of standing committees from the University Faculty shall be elected by the University Faculty was to accommodate a point of view advanced most notably by Professor Bronfenbrenner. After going over the procedures to be proposed for creating the standing committees, he noted that the first order of business would then be to set up a new Nominations and Elections Committee to canvas the Faculty for nominees. Then, at the FCR meeting at which the Committee reports, faculty members can be invited to make nominations from the floor. Then, both bodies will vote to elect their respective members. Finally, repealer legislation will be in order to abolish the present faculty committees. In response to a question about whether, in view of the absence of a draft for the Committee on Academic Priorities and Policies, it is necessary to create the committees at this meeting, the Dean replied that he wanted to get the draft legislation before the body with dispatch. By doing this, he observed, the attention of the

members would become focused on this matter.

8. ENABLING LEGISLATION

Professor Isadore Blumen, Chairman of the Ad Hoc Committee on Committees, moved the following:

RESOLVED, That

1. The draft legislation for the:

Rules and Procedures for Governing Standing Committees  
of the Faculty Council of Representatives

Academic Integrity Hearing and Appeals Boards

Committee on Research Policies

Committee on Freedom of Teaching and Learning

Committee on University-ROTC Relationships

Committee on Admissions and Financial Aids

Committee on the Professional and Economic Status of  
the Faculty

and the

Committee on Nominations and Elections

published in the *Chronicle* on October 28, 1971, as  
modified by the Review and Procedures Committee and  
the FCR Ad Hoc Drafting Committee as set forth in  
the minutes of their joint meeting of November 8,  
1971, is approved.

2. Upon adoption said legislation shall forthwith become  
effective, and the Dean and the appropriate committees  
shall thereupon take all necessary steps to implement  
it; but the existing standing and appointed committees  
of the University Faculty shall continue to function  
until advised by the Dean of the Faculty and the  
Nominations and Elections Committee that new committees  
intended to supersede them have been elected and  
appointed.

Following a second, he also moved the following:

RESOLVED, That this meeting consider as a whole without  
the necessity of seriatim reading and discussion the  
legislation for the Standing Committees of the Faculty  
Council of Representatives drafted by the Ad Hoc  
Drafting Committee and modified by it in consultation  
with the Review and Procedures Committee.

With regard to the concern about the absence of the draft on Academic Priorities and Policies, Professor Blumen said he expected it to be substantially the same as the draft which appeared in the October 28 *Chronicle*.

Discussion then turned to the procedural motion. Professor Paul Olum, student-elected Faculty Trustee, invited a strong hand on the part of the Chairman since the resolution permitted unsystematic discussion. The Chair observed in defense of the motion that procedures governing Faculty adoption of the Pasley Report was the model for the resolution. Professor Urie Bronfenbrenner, Faculty Trustee, suggested separating the discussion of the rules and procedures governing standing committees from the rest of the draft legislation. Professor Peter Stein then moved as follows:

*The document shall be considered seriatim, committee by committee.*

Professor L. Pearce Williams, Member-at-Large, **raised** a point of order. The motion, he said, is contrary to the original motion. The Chair ruled that it is simply an alternative procedure. Asked if many objections to the draft legislation were anticipated, Dean Penney said he knew of two amendments to be proposed. A question to the body from the Chair did not indicate that other amendments were anticipated. On voice vote the Stein amendment was adopted.

#### 9. RULES AND PROCEDURES FOR GOVERNING STANDING COMMITTEES

Professor Bronfenbrenner moved the following substitute for paragraph 1 as amended:

Each committee shall consist of nine faculty members, two of whom shall be non-tenured, elected from and by the University Faculty.

Speaking to his motion, Professor Bronfenbrenner stressed that an effective legislative body must stay in close communication with the people it is expected to serve. Although the Faculty has been reorganized, the

problems before it are if anything more pressing due to the scarcity of University resources. To meet these problems it is essential to maintain lines of communication and sustain a sense of community. To this end any action separating the FCR from the University Faculty should be avoided. Also, the best talent should be tapped for the committees, a principal recognized in organizing the Review and Procedures Committee and the Nominations and Elections Committee and in obtaining four members for each committee from the general Faculty. Taking account of the concern that under his amendment there might be committees where no member would be in the FCR, he observed that this difficulty could be surmounted by allowing committee chairmen to speak before the body. On this matter of liaison he would not object, however, to a further amendment providing for one member of the Executive Committee serving on each standing committee. Furthermore, he said, the amendment had implications for the quality of education at Cornell. Courses need to be carefully scrutinized. While the speaker entertained no fears about the present membership of the FCR providing adequate scrutiny, he felt less assured about future membership. In conclusion, he urged members to consider the amendment from the perspective of time and that of faculty members who are not within the FCR.

Professor William Tucker Dean, Member-at-Large, observed that the Faculty played a paltry role in the important events of the past several years because its structure wasn't up to the demands placed upon it. The function of FCR members is to implement the new structure. He observed that the amendment would return the Faculty to the situation where the voters did not know the candidates. In contrast, in the FCR members know each other and know who is effective. Professor Walter T. Federer, Agriculture and Life Sciences, opposed the amendment because all members of a committee might be from the FCR. Professor Stuart Stein, Architecture, Art, and Planning, stressed the importance

of the principle of representation. He said his constituency had met and asked him to report that it stood firmly and unanimously behind the Bronfenbrenner amendment. Professor L. Pearce Williams said the amendment would lead to an erosion of confidence in the FCR. He observed that Professor Bronfenbrenner confused this body with the old Faculty Council, which was not representative. For committees to function effectively, it is necessary for their members to be present in the FCR on a regular basis since the functions of committees interlock. To do this would greatly increase the size of the body. Further, dividing committee membership between the FCR and the general faculty serves the function of communication. To adopt the amendment, he concluded, would be a return to moribund committees. Professor Albert Silverman, Science and Mathematics, doubted that committee effectiveness would suffer should the amendment be adopted; he also questioned Professor Williams' statement that committee members would need to attend the FCR regularly.

Professor Isadore Blumen, Member-at-Large, drew on experience in opposing the amendment. He noted that the proposed legislation passed both the drafting committee and the Review and Procedures Committee. Focusing on the long-moribund Committee on Academic Affairs, which had been appointed by the Faculty Council, he reported that in surveying its membership in connection with drafting legislation for the Committee on Academic Priorities and Policies, he found a unanimous view that the Committee failed because of its inability to interact with a decision-making body. Professor Blumen also observed that effective committees have members who work, a characteristic he attributed to members of the FCR. He concluded by noting that Professor Bronfenbrenner erred in suggesting that committees have decision-making power.

Assistant Professor Arthur L. Berkey, Agriculture and Life Sciences, said, on the basis of informal consultation, that his constituents favor the Bronfenbrenner amendment. Considerations of efficiency, he added, will be irrelevant in the event a gulf develops between the FCR and its constituents. Professor David L. Call, Member-at-Large, opposed the amendment saying that the work of the FCR will get done through committees. The key to effective committee work is a built-in reporting mechanism; hence, the need for an effective structure. Professor Peter Stein, Sciences and Mathematics, challenged Professor Blumen's point about the power of committees. They have, he said, enormous de facto power. He challenged the efficiency argument by wondering how much legislation would actually come before the FCR and pointing to the speed the FCR was presently achieving. He concluded by objecting to the argument that we - members of the FCR - are more effective than they - faculty members who are not members. He said he doesn't feel that way. Professor Bernard F. Stanton, Agriculture and Life Sciences, asked why the entire Faculty could not elect these committee members from the FCR. Professor Blumen replied that members of the FCR have the advantage of knowing each other.

A motion to close debate passed on a showing of hands. In a vote on the Bronfenbrenner amendment 26 members were in favor, 43 opposed.

The Dean announced a special meeting for November 17.

Adjourned: 6:00 p.m.

G. P. Colman, recorder pro tem

DRAFT RESOLUTION  
11-8-71

Nominations for the John L. Senior chair will be made to the Board of Trustees by the President, with the advice of the Provost, acting as Chairman, and a search committee of nine to eleven members of the Faculty appointed by the President and approved by the Faculty Council of Representatives in accordance with the following procedures. The President will invite appropriate departments, schools, colleges, or centers (the units in which a prospective John L. Senior<sup>Professor</sup> might reasonably have a membership) to submit two names from its faculty and approved by them to serve on the search committee. The President will then appoint a search committee of nine to eleven members of the University Faculty which will include at least six members from the names so submitted, but no more than one from each pair of nominees. The balance of the membership of the search committee will be filled by the President, in consultation with the Dean of the Faculty, in a manner best calculated to achieve the broadest representation and best judgment of the University Faculty. After its membership is approved by the Faculty Council of Representatives, the search committee will set its own procedures for conducting the search and selection, except that, as one measure to assure that a candidate will have the extraordinary breadth of scholarly achievement and academic experience appropriate to this chair, provision will be made in the search committee's procedures to obtain the approval of at least two departments to receive the candidate as a voting member prior to the President's nomination to the Board of Trustees. Upon appointment, the John L. Senior Professor may select one of the two or more Departments as his or her primary affiliation and the Department selected shall provide necessary space and services. He shall be free to choose his own forms of academic work and will be expected to participate in teaching. He shall have freedom to explore new patterns of scholarship and teaching. His status for budgetary purposes will be determined by the President, independently of the remainder of the departmental budget.

Speaker Whitlock called the meeting to order at 4:37 p.m. in Ives 110.  
70 members and 5 visitors were present.

1. CALENDAR

After the Speaker obtained unanimous consent for the Co-Chairman of the Calendar Committee to speak for 5 minutes, Assistant Professor Anne McIntyre reported on recent developments. The impetus has come from the Senate for changing to a semester of three 10-week sessions plus a fourth session similar to the present summer session. The Faculty Calendar Committee met with the Senate Calendar Committee at the latter's request; with regard to the discussions of a quarter system, the Faculty Committee limited itself to exchanging information. The Committee did recommend to the Senate on the basis of a recent survey not to reduce the number of semester weeks and not to abolish Saturday classes in the calendar for 1972-73. The Senate committee chose not to recommend a quarter system for 1973-74, in part because the Faculty position was unknown. The matter has not yet come to a vote on the Senate floor. Consequently, the Calendar Committee does not wish the FCR to address itself at this time to the statement on Faculty prerogatives distributed with the call to the meeting. Professor McIntyre concluded by reporting the results of a Faculty survey concerning interest in a quarter system (432 responses, 158 in favor, 58 neutral, 200 opposed) and noted that the Committee is collecting further information about the academic implications of a quarter system.

2. SCHOOL OF HOTEL ADMINISTRATION S/U GRADE OPTIONS

The Speaker obtained unanimous consent to adopt the following motion from the School's faculty, which was distributed with the call to the meeting:

S/U OPTIONS SCHOOL OF HOTEL ADMINISTRATION

1. *S/U Options will be limited to free electives only with the following exceptions:*
  - a. *Hotel electives may be taken on an S/U basis, at the option of the instructor.*
  - b. *Hotel Administration 120 - Introductory Management could be offered on an S/U basis.*
  - c. *Hotel Administration 125 - Management Lectures could be offered on an S/U basis.*
2. *The number of credit hours taken S/U may not exceed 3 credit hours per semester.*
3. *In order that our Faculty may handle the S/U option in a consistent manner, grading is as follows:*

*S = C or better*

*U = C- or below*

3. ATTENDANCE AT FCR MEETINGS

Dean Penney reported, on the basis of the inspection of the sign-in sheets, that 6 members have not attended FCR meetings this Fall. He urged members to make sure to sign in and reminded them that anyone failing to attend for 120 days, exclusive of summer vacation, may be recalled by his or her constituency.

4. RULES AND PROCEDURES FOR GOVERNING STANDING COMMITTEES

After obtaining unanimous consent for bringing the new draft for the Committee on Academic Programs and Policies within the seriatim rule, discussion turned to the above matter, which was under discussion at the end of the last meeting.

Associate Professor John F. Booker, Engineering, moved to amend paragraph 6 by striking "until the next regular election of committee members" and substitute "until the term of office to which he was elected." Professor Booker said he offered his amendment in the interest of continuity in committees. Professor Isadore Blumen, Member-at-Large, reported that both

the Ad Hoc Drafting Committee and the Review and Procedures Committee had considered and rejected the substance of this suggestion. Assistant Professor Henry Alker, Social Sciences, opposed the amendment since it would further reduce the representation of non-tenured Faculty on committees. On voice vote, the motion failed.

Professor Francis M. Isenberg, Agriculture and Life Sciences, moved to adopt the draft. This was done by voice vote.

5. COMMITTEE ON ACADEMIC PROGRAMS AND POLICIES

Discussion turned to the following draft:

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 extend beyond the jurisdiction of a single school or college, independent academic programs and the relationships among the various schools and colleges on academic matters, 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 review of proposals from all sources for new academic programs or policies and for the modification or discontinuance of existing programs or policies.
3. I shall keep itself informed about policies governing the use of, and plans for, University-wide academic facilities and services, such as libraries, classrooms and computers.
4. If, after an initial review of a policy, program or degree, 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.

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.

Professor Kathleen Rhodes, Human Ecology, moved to amend the second paragraph to read as follows:

*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.*

The purpose, said Professor Rhodes, is to exempt joint programs from paragraph 2 under the Committee's responsibility. She explained that joint jurisdiction refers to arrangements under which more than one school or college faculty is concerned with a program. Professor William Tucker Dean, Member-at-Large, opposed the amendment since University Faculty jurisdiction applies to academic matters extending beyond a single unit of the University. Professor Karl Berkelman, Science and Mathematics, asked whether, under the original wording of the draft the Division of Biological Sciences would come within the jurisdiction of a single college. The Speaker said that under the By-Laws the Division is under the jurisdiction of the provisions for University Faculty concern. Professor Isadore Blumen then compared the content of paragraphs 2 and 3. The first, he said, is intended to limit the area of concern of the Committee. These limits, he noted, are much narrower than those of the old Committee on Academic Affairs of the University Faculty. The next paragraph states what the Committee can do within that framework. Here the intent is to deal only with matters of policy. Associate Professor Paul M. Hohenberg, Social Sciences, said that since anything new is likely to involve policy he favored the more restrictive language in the amendment. Professor Peter W. Stein, Science and Mathematics, supported the amendment on the basis that the charge to the Committee is so wide-ranging that, in the absence of the amendment, he questioned creating the Committee. He found no reason why programs jointly established between

colleges should have to pass through an additional structure.

Professor L. Pearce Williams, Member-at-Large, reminded members that since the University By-Laws give the Faculty responsibility for academic matters extending beyond a single school or college, the only question is whether the Faculty is to work through a standing committee or ad hoc committees. He preferred the former. Assistant Professor Henry Alker supported the amendment because of the desirability of bringing psychologists and sociologists throughout campus into joint programs. He suggested that creating the Committee would delay this development. He would be happier still if the Committee would undertake the proposed review only when so instructed by the FCR. Professor Robin Williams, Member-at-Large, observed that misunderstanding exists concerning the functions of the Committee. Since its only authority is to gather information for transmittal to the FCR, he did not understand the need to provide further restrictions. Professor Robert E. Habel, Veterinary Science, said the issue is whether to have the Committee; with the amendment, the Committee becomes pointless. Professor Gwen Bymers, Human Ecology, supported the amendment. Referring to Professor Robin Williams' comment, she said she distrusted innocuous committees and felt that the Faculty should be free to develop innovative programs between colleges without the handicap of consulting with the Committee. Professor Booker observed that the Committee's functions are being misunderstood; the original draft does not say the Committee would function as a filter. Professor Blumen added that the intent is for the Committee to play a reviewing rather than an administrative role.

Professor Paul Olum, student-elected Faculty Trustee, using the proposed transfer of the Division of Biological Sciences to Agriculture and Life Sciences as an example, asked if the Faculty wished to become a party to this struggle. Professor Dean replied that as a member of the drafting

committee he supposed the Arts College would welcome Faculty involvement. Professor Urie Bronfenbrenner, Faculty Trustee, took the position that there should be Faculty input into all programs and policies academic in nature. He challenged the view that if the amendment is passed the Committee will have nothing to do. He is not concerned about joint efforts among colleges where Faculty are involved but situations in which they are not. He favored the amendment since, in the case of efforts among colleges, the proposed committee would delay the process. Professor M. H. Abrams, Member-at-Large, pointed to the distinction between joint programs between colleges, of which there are a large number, and more free-floating academic programs. He supported the amendment on the basis that reviewing joint programs would be an impossibly heavy burden. Assistant Professor Jerry D. Stockdale, Agriculture and Life Sciences, supported the amendment on the ground that if colleges agree about joint programs the Committee review is not needed and if they disagree the problems are likely to be beyond the capacity of the Committee. Debate was closed on a showing of hands. On the amendment, 36 were in favor, 24 opposed.

Professor Abrams asked the drafting committee about the meaning of "all sources" in Item 2 and whether Item 4 is intended to follow from Item 2. Professor Blumen said "All sources" is to be taken literally, citing as an example a course initiated directly by the National Science Foundation. Item 4, he said, does refer to Item 2 but also to Item 3. The intent is to restrain the Committee while enabling it to make the initial inquiry. Professor Olum, concerned about Professor Blumen's response, which suggested to him that the Committee structure is being used to describe what the FCR can do, observed that under the proposed amendment the Committee could not look at moving the Division of Biological Sciences. He expressed concern that the committee structure not restrict the jurisdiction of the FCR. Dean

Penney then read paragraph 17 of the By-Laws of the University on the function of the Faculty; he found there authorization to bring the Biological Sciences matter directly to the FCR. The Chair added the observation that under the new Faculty By-Laws the Dean has a significant ombudsman role.

Professor Abrams then moved as follows:

Amend Item 2 to read, "It shall provide an initial review of formal proposals for new academic programs or policies. It shall also, when directed by the FCR, provide an initial review of formal proposals for a substantial modification or discontinuance of existing programs or policies." Amend Item 4 to read, "If, after such an initial review..." and add the entire content of this item directly to Item 2.

Professor Abrams said that while the Faculty has an important interest in academic activities outside the jurisdiction of colleges, he feared that this Committee might create more problems than it was designed to cope with. He has no reservations about review of new programs; hence the period which he placed after "policies." He is both concerned and unclear about the Faculty's role in "investigating" centers and other bodies. Under the draft legislation, he noted, a disgruntled student or committee member could initiate a review, thereby providing, in effect, a "hunting license." He would prefer to have the limitations of the Committee on paper rather than trust to its good judgment. By having already been viewed as a proposal for a surveillance committee, the initial draft has produced distrust. Greater distrust Professor Abrams expected to follow establishing the Committee with the present charge. Calling for the safeguard of guidelines by the FCR, he concluded by noting the Committee's capacity for damage since committee investigations cannot be kept secret.

Professor Tucker Dean assured the body that the concerns of Professor Abrams had been considered by the drafting committee; indeed, the step of initial review by the Committee was designed to meet these concerns. It

would be far better, said Professor Dean, for a small committee to study sensitive matters than to have such matters come before the FCR directly. Professor Blumen said that the proposed committee has much narrower power than the previous Committee on Academic Affairs. Noting his experience with a Faculty Council which ran away from faculty concerns, he said he did not intend to repeat that experience. As to functions, he said the committee might well look into the possibility that programs had outlived their usefulness. He challenged the view that the Committee could not be discreet and observed that the Committee has no subpoena power.

6.                   NEXT MEETING

The Chair set the date of December 1.

Adjourned: 6:00 p.m.

G. P. Colman, recorder pro tem

The 1971 Survey of the University Faculty  
Semester and Quarter Calendars

A Report of the Faculty Committee on Calendar to the FCR. Prepared by Anne McIntyre, Co-chairman, Faculty Committee on Calendar, November 1972.

The University Faculty was surveyed in November 1971 about the academic implications of a number of potential aspects of semester and quarter calendars for Cornell. This survey was undertaken by the Faculty Committee on Calendar which needed immediate information to answer questions being raised by the University Senate. At the same time, the committee's review of available literature on academic calendars and of a number of statements that had been addressed to us had led us to the conclusion that the best calendar for any institution depends on the collective needs of that particular institution. Therefore, any recommendations about an academic calendar for Cornell should be made on the basis of our University's particular needs rather than on the decisions that have been made elsewhere.

The Survey

The survey included 29 statements that have been made about semester and quarter calendars. A "quarter" calendar was considered to be one that divides the common academic year into three equal segments; no substantial change in Cornell's summer program was being considered. The semester calendar under consideration was that in which the academic year is divided into two equal segments with holidays occurring during the course of each semester and a break of at least several days occurring between semesters. The survey questionnaire was distributed to all members of the University Faculty through campus mail.

Faculty were asked to consider each of the 29 statements and judge whether each appeared to be "true" for their academic functioning or that of their students. They were then asked to judge whether each item appeared to be an academic asset or liability, and how important the item appeared to be in terms of the academic process.

The final item on the questionnaire asked whether the individual was in favor of a quarter calendar for Cornell, felt "neutral" about it, or

rejected a quarter calendar. The committee felt that this question was of primary importance since the acceptability of any calendar to the community that uses it is probably an important determinant of its success. This question was placed last because of its importance; we hoped that by first evaluating the list of statements, each respondent would be able to make a carefully considered judgment of this final question.

### Survey Results

Over 25% of the faculty responded to the survey. The following figures are based on the 416 questionnaires that were returned within the stated time limit. Five appended tables show the results for the 29 statements. In Table 1 the items are ranked according to the percentage of respondents who felt the statements represented something "true" for them. Table 2 ranks the items in order of the percentage of respondents checking the item "true" who judged the items to represent an asset. Table 3 ranks the items in terms of the mean importance it was given by all respondents who had checked the statement "true."

About half of the items were judged by the faculty as having at least "some importance" for them (a mean rating of 2.00 or greater). Table 4 shows those that were judged to be academic assets, and Table 5 shows those that were judged to be liabilities. In both tables 4 and 5, items were again ranked according to how important they appear to be. The response of the faculty suggests that these items represent the issues that need to be considered in weighing the academic aspects of a calendar for Cornell.

The results for the final question are as follows:

% of respondents FAVORING a quarter system.....	35.5
% of respondents NEUTRAL re quarter system.....	16.3
% of respondents REJECTING a quarter system.....	48.2

Table 1  
Calendar Items in order of % of Respondents  
for whom they are "true"

Items	% for whom "True"	% for whom "Asset"	"Importance" Mean Rating
29 Changing calendar would encourage reevaluation and restructuring of courses and programs.	94.8	81.1	2.40
20 Changing calendars would cost money. (Check only if you think this has academic implications.)	87.5	5.8	2.13
9 Shorter between-term vacations lessen time for uninterrupted research/writing.	84.8	16.8	2.07
6 Vacations between academic terms, rather than in the midst of them, promote continuity in academic endeavor.	79.6	98.1	2.30
22 A Quarter System allows courses to be planned according to the seasons; e.g., courses requiring nature study field trips can be planned for snowless seasons.	79.5	95.2	1.11
19 Transfer from one calendar system to another necessitates a reorientation of work and study habits.	78.1	30.3	1.87
13 Vacation periods falling during the final $\frac{1}{4}$ of a semester (term) isolate the terminal instructional weeks from the bulk of the semester.	73.0	15.6	1.98
21 A Quarter System creates three exam periods and three dead-lines instead of two.	72.9	32.8	2.10
3 There are more frequent evaluations of student performance in a Quarter System.	72.1	66.3	1.75
12 Vacation periods falling during the first $\frac{1}{4}$ of a semester (term) isolate the beginning instructional weeks from the bulk of the semester.	71.2	12.0	1.98
14 Several uninterrupted instructional weeks at the beginning of a term are necessary for the development of basic concepts.	70.5	97.8	2.35
8 Shorter between-term vacations lessen time for course preparation.	69.8	7.8	2.01
11 Between-term vacations facilitate "rest & recuperation" because there is no unfinished academic business to mar the vacation.	65.6	93.6	1.87
1 A Quarter System is more flexible; makes it easier to arrange sequences and to meet prerequisites.	61.9	100.0	2.26
16 Carrying fewer courses at a time (Quarter System) facilitates mastery and depth understanding.	56.1	90.9	2.27
2 A Quarter System permits students to sample areas before making major time commitments to them.	54.0	88.9	1.73

Table 1  
Calendar Items in order of % of Respondents  
for whom they are "true"

Items	% for whom "True"	% for whom "Asset"	"Importance" Mean Rating
15 Several uninterrupted instructional weeks at the beginning of a term are necessary for the development of enthusiasm for the material.	53.0	96.9	2.16
10 Shorter between-term vacations interfere with effective "rest & recuperation".	50.8	14.8	1.89
24 More frequent class meetings per week (common in a Quarter System) facilitates learning of material.	45.0	100.0	2.26
26 Available teaching materials (texts, reserve readings, manuals) are more effectively used in a Semester System because they are geared to a 15-week format.	43.3	70.8	2.06
5 Registering for a full year prohibits the "course sampling" custom whereby students may take a course for a week or so before making a commitment to it.	42.7	28.6	1.96
23 Quarter System vacations are more consistent with those of public schools used for field placements, student teaching, research, etc.	42.6	95.1	1.80
25 Shorter term duration precludes integration and understanding of material.	38.2	8.3	2.55
17 Carrying more courses at a time (Semester System) facilitates integration of ideas across substantive boundaries.	37.1	84.4	1.78
4 Registering for a full year (Quarter System) promotes serious decision making and greater commitment on the part of students.	34.6	59.1	2.02
7 Vacations between terms eliminate the "incubation period" for mastering new material.	33.6	32.4	1.95
28 Teaching staff needs to be increased to meet the needs of a Quarter System.	33.3	22.8	2.53
27 Laboratory spaces are not sufficient for the needs of a Quarter System.	31.4	18.5	2.65
18 Transfer from a Quarter System to a Semester System may result in loss of credit hours.	22.8	7.7	1.64

Table 2  
Calendar Items in order of % of Respondents  
for whom they represented an Asset (if true)

Items	% for whom "Asset"	"Importance" Mean Rating	% for whom "True"
1 A Quarter System is more flexible; makes it easier to arrange sequences and to meet prerequisites.	100.0	2.26	61.9
24 More frequent class meetings per week (common in a Quarter System) facilitates learning of material.	100.0	2.26	45.0
6 Vacations between academic terms, rather than in the midst of them, promote continuity in academic endeavor.	98.1	2.30	79.6
14 Several uninterrupted instructional weeks at the beginning of a term are necessary for the development of basic concepts.	97.8	2.35	70.5
15 Several uninterrupted instructional weeks at the beginning of a term are necessary for the development of enthusiasm for the material.	96.9	2.16	53.0
22 A Quarter System allows courses to be planned according to the seasons; e.g., courses requiring nature study field trips can be planned for snowless seasons.	95.2	1.11	79.5
23 Quarter System vacations are more consistent with those of public schools used for field placements, student teaching, research, etc.	95.1	1.80	42.6
11 Between-term vacations facilitate "rest & recuperation" because there is no unfinished academic business to mar the vacation.	93.6	1.87	65.6
16 Carrying fewer courses at a time (Quarter System) facilitates mastery and depth understanding.	90.9	2.27	56.1
2 A Quarter System permits students to sample areas before making major time commitments to them.	88.9	1.73	54.0
17 Carrying more courses at a time (Semester System) facilitates integration of ideas across substantive boundaries.	84.4	1.78	37.1
29 Changing calendar would encourage reevaluation and restructuring of courses and programs.	81.1	2.40	94.8
26 Available teaching materials (texts, reserve readings, manuals) are more effectively used in a Semester System because they are geared to a 15-week format.	70.8	2.06	43.3
3 There are more frequent evaluations of student performance in a Quarter System.	66.3	1.75	72.1
4 Registering for a full year (Quarter System) promotes serious decision making and greater commitment on the part of students.	59.1	2.02	34.6

Table 2  
Calendar Items in order of % of Respondents  
for whom they represented an Asset (if true)

Items	% for whom "Asset"	"Importance" Mean Rating	% for whom "True"
21 A Quarter System creates three exam periods and three dead-lines instead of two.	32.8	2.10	72.9
7 Vacations between terms eliminate the "incubation period" for mastering new material.	32.4	1.95	33.6
19 Transfer from one calendar system to another necessitates a reorientation of work and study habits.	30.3	1.87	78.1
5 Registering for a full year prohibits the "course sampling" custom whereby students may take a course for a week or so before making a commitment to it.	28.6	1.96	42.7
28 Teaching staff needs to be increased to meet the needs of a Quarter System.	22.8	2.53	33.3
27 Laboratory spaces are not sufficient for the needs of a Quarter System.	18.5	2.65	31.4
9 Shorter between-term vacations lessen time for uninterrupted research/writing.	16.8	2.07	84.8
13 Vacation periods falling during the final $\frac{1}{4}$ of a semester (term) isolate the terminal instructional weeks from the bulk of the semester.	15.6	1.98	73.0
10 Shorter between-term vacations interfere with effective "rest & recuperation".	14.8	1.89	50.8
12 Vacation periods falling during the first $\frac{1}{4}$ of a semester (term) isolate the beginning instructional weeks from the bulk of the semester.	12.0	1.98	71.2
25 Shorter term duration precludes integration and understanding of material.	8.3	2.55	38.2
8 Shorter between-term vacations lessen time for course preparation.	7.8	2.01	69.8
18 Transfer from a Quarter System to a Semester System may result in loss of credit hours.	7.7	1.64	22.8
20 Changing calendars would cost money. (Check only if you think this has academic implications.)	5.8	2.13	87.5

Table 3  
Calendar Items in order of Importance (Mean Ratings  
from respondents for whom items were judged "True")

Items	"Importance"	% for whom "Asset"	% for whom "True"
27 Laboratory spaces are not sufficient for the needs of a Quarter System.	2.65	18.5	31.4
25 Shorter term duration precludes integration and understanding of material.	2.55	8.3	38.2
28 Teaching staff needs to be increased to meet the needs of a Quarter System.	2.53	22.8	33.3
29 Changing calendar would encourage reevaluation and restructuring of courses and programs.	2.40	81.1	94.8
14 Several uninterrupted instructional weeks at the beginning of a term are necessary for the development of basic concepts.	2.35	97.8	70.5
6 Vacations between academic terms, rather than in the midst of them, promote continuity in academic endeavor.	2.30	98.1	79.6
16 Carrying fewer courses at a time (Quarter System) facilitates mastery and depth understanding.	2.27	90.9	56.1
24 More frequent class meetings per week (common in a Quarter System) facilitates learning of material.	2.26	100.0	45.0
1 A Quarter System is more flexible; makes it easier to arrange sequences and to meet prerequisites.	2.26	100.0	61.9
15 Several uninterrupted instructional weeks at the beginning of a term are necessary for the development of enthusiasm for the material.	2.16	96.9	53.0
20 Changing calendars would cost money. (Check only if you think this has academic implications.)	2.13	5.8	87.5
21 A Quarter System creates three exam periods and three dead-lines instead of two.	2.10	32.8	72.9
9 Shorter between-term vacations lessen time for uninterrupted research/writing.	2.07	16.8	84.8
26 Available teaching materials (texts, reserve readings, manuals) are more effectively used in a Semester System because they are geared to a 15-week format.	2.06	70.8	43.3
4 Registering for a full year (Quarter System) promotes serious decision making and greater commitment on the part of students.	2.02	59.1	34.6
8 Shorter between-term vacations lessen time for course preparation.	2.01	7.8	69.8

Table 3  
Calendar Items in order of Importance (Mean Ratings  
from respondents for whom items were judged "True")

Items	"Importance"	% for whom "Asset"	% for whom "True"
12 Vacation periods falling during the first ¼ of a semester (term) isolate the begin- ning instructional weeks from the bulk of the semester.	1.98	12.0	71.2
13 Vacation periods falling during the final ¼ of a semester (term) isolate the terminal instructional weeks from the bulk of the semester.	1.98	15.6	73.0
5 Registering for a full year prohibits the "course sampling" custom whereby students may take a course for a week or so before making a commitment to it.	1.96	28.6	42.7
7 Vacations between terms eliminate the "incubation period" for mastering new material.	1.95	32.4	33.6
10 Shorter between-term vacations interfere with effective "rest & recuperation".	1.89	14.8	50.8
11 Between-term vacations facilitate "rest & recuperation" because there is no unfinished academic business to mar the vacation.	1.87	93.6	65.6
19 Transfer from one calendar system to another necessitates a reorientation of work and study habits.	1.87	30.3	78.1
23 Quarter System vacations are more consis- tent with those of public schools used for field placements, student teaching, research, etc.	1.80	95.1	42.6
17 Carrying more courses at a time (Semester System) facilitates integration of ideas across substantive boundaries.	1.78	84.4	37.1
3 There are more frequent evaluations of student performance in a Quarter System.	1.75	66.3	72.1
2 A Quarter System permits students to sample areas before making major time commitments to them.	1.73	88.9	54.0
18 Transfer from a Quarter System to a Semester System may result in loss of credit hours.	1.64	7.7	22.8
22 A Quarter System allows courses to be plan- ned according to the seasons; e.g., courses requiring nature study field trips can be planned for snowless seasons.	1.11	95.2	79.5

Table 4  
Important Assets

Items	% for whom "Asset"	% for whom "True"
29 Changing calendar would encourage reevaluation and restructuring of courses and programs.	81.1	94.8
14 Several uninterrupted instructional weeks at the beginning of a term are necessary for the development of basic concepts.	97.8	70.5
6 Vacations between academic terms, rather than in the midst of them, promote continuity in academic endeavor.	98.1	79.6
16 Carrying fewer courses at a time (Quarter System) facilitates mastery and depth understanding.	90.9	56.1
24 More frequent class meetings per week (common in a Quarter System) facilitates learning of material.	100.0	45.0
1 A Quarter System is more flexible; makes it easier to arrange sequences and to meet prerequisites.	100.0	61.9
15 Several uninterrupted instructional weeks at beginning of a term are necessary for the development of enthusiasm for the material.	96.9	53.0
26 Available teaching materials (texts, reserve readings, manuals) are more effectively used in a Semester System because they are geared to a 15-week format.	70.8	43.3
4 Registering for a full year (Quarter System) promotes serious decision making and greater commitment on the part of students.	59.1	34.6

Table 5  
Important Liabilities

Items	% for whom "Liability"	% for whom "True"
27 Laboratory spaces are not sufficient for the needs of a Quarter System.	81.5	31.4
25 Shorter term duration precludes integration and understanding of material.	91.7	38.2
28 Teaching staff needs to be increased to meet the needs of a Quarter System.	77.2	33.3
20 Changing calendars would cost money. (Check only if you think this has academic implications.)	94.2	87.5
21 A Quarter System creates three exam periods and three dead-lines instead of two.	67.2	72.9
9 Shorter between-term vacations lessen time for uninterrupted research/writing.	83.2	84.8
8 Shorter between-term vacations lessen time for course preparation.	92.2	69.8

The Speaker called the meeting to order in 110 Ives at 4:35 p.m.  
71 members and 5 visitors were present.

1. PROGRESS REPORT

Addressing the concern of some FCR members that the Drafting Committee had given new and unusual powers to the proposed committees, the Dean called attention to copies of earlier faculty legislation which were distributed at the door. He specifically noted the broad charge of the former Committee on Academic Affairs and the Committee on Research Policy and Personnel as well as the present Committee on Financial Aids, the Committee on Academic Freedom and Tenure, and the Committee on the Economic Status of the Faculty. Observing that faith is fundamental to an expeditious restructuring of the committees, he urged members to have faith.

2. CONTINUATION: CONSIDERATION OF COMMITTEE ON ACADEMIC  
PROGRAMS AND POLICIES

After the Chair obtained unanimous consent to enable Professor Abrams to withdraw his motion and to enable Professor Dean to offer a motion having their mutual support, Professor Dean moved to substitute the attached draft.

Professor Dean said his purpose is to make explicit what he felt the Drafting Committee had intended to make implicit, namely to keep the committees under control. Professor Abrams said he strongly supported this draft; it eliminates ambiguities which previously troubled him. The motion to substitute carried on voice vote without opposition, as did a motion to adopt the draft.

3. ACADEMIC INTEGRITY HEARING AND APPEALS BOARDS

On motion by Associate Professor Hohenberg, the draft was adopted on voice vote without opposition. (See attached copy.)

4. COMMITTEE ON RESEARCH POLICIES

On motion of Professor L. P. Williams, the draft was adopted on voice vote without opposition. (See attached copy.)

5. COMMITTEE ON FREEDOM OF TEACHING AND LEARNING

Associate Professor Elmer E. Ewing, Agriculture and Life Sciences, moved the following amendment which was distributed at the previous meeting:

That the name of the committee be changed to the Committee on Academic Freedom and Tenure; that the last five paragraphs (items 2 and 3) under the Committee on the Professional and Economic Status of the Faculty be incorporated under the responsibilities of this committee; and that appropriate editorial corrections be made consistent with these changes.

Professor Ewing focused on Item 2 under the proposed Committee on the Professional and Economic Status of the Faculty, whereby, he noted, that committee considers all matters of academic freedom not elsewhere provided for. However, Item 2 and the following four paragraphs involve individual complaints which will often carry allegations of violation of academic freedom. Subsequent investigations would, under the amendment, most properly occur under the committee he would designate Academic Freedom and Tenure, leaving the Committee on Economic Status to make recommendations on general matters. His grouping, he added, is more logical by bringing together quasi-judicial functions while separating the making of rules for tenure from investigating violations of these rules. He found a difference in personality characteristics appropriate for staffing each committee an additional justification for his grouping.

Professor L. P. Williams said the problem raised by Professor Ewing was considered by the Drafting Committee. He observed that the Committee on Freedom of Teaching and Learning avoids the terminology of academic freedom, thereby leaving it as a watchdog committee to preserve decorum on

campus and to provide students who feel freedom to learn has been violated a channel to pursue grievances. Since academic freedom has professional implications, it is best, he said, to meet questions of violation in the overall context of professional status. To adopt Professor Ewing's amendment, he concluded, would make it impossible for either committee to handle many questions which will arise. Professor Call opposed the amendment. As Chairman of the Committee on Economic Status of the Faculty, he favored a committee which would view status in the realistic context which includes matters of tenure. Professor Ewing's amendment, he observed, would make sense only if complaints or grievances were limited to questions of academic freedom. The purpose of the amendment, he concluded, could be accomplished through subcommittees of the Committee on Professional and Economic Status.

Professor Peter Stein favored the amendment. He expressed deep concern about the absence of a committee on academic freedom since it is primarily academic freedom which distinguishes universities from other professional academic organizations. He viewed it as a great mistake to omit a committee with academic freedom as a primary rather than as a secondary function. Professor Robert Pasley shared Professor Stein's concern. He called attention to the broad charges given to the old Committee on Academic Freedom and Tenure (see Item IV-4 distributed at door) in 1957 and regretted the diminished emphasis upon academic freedom. Noting that the old committee was broad in scope but limited to an advisory function, he concluded by favoring it over the proposed draft. Professor Walter Federer suggested that Professor Stein's concern could be met by changing the name of the Committee on Professional and Economic Status to the Committee on Academic Freedom and on the Professional and Economic Status of the Faculty. Professor Urie Bronfenbrenner responded to the last speaker by saying that it

is the committee's function, not its name, which is critical. On the latter point, Professor Albert Silverman suggested the body consider returning the draft to the committee for revision. Dean Penney noted that the language of the draft for the proposed Committee on Professional and Economic Status of the Faculty incorporates the operative language of the old Committee on Academic Freedom and Tenure except for the name of that committee. He concluded that there are two problems: 1) how to relate personality characteristics to committee functions, and 2) whether serious considerations of academic freedom now fall between the proposed committees.

Associate Professor K. Bingham Cady, Engineering, offered a solution: approve the draft for the Committee on Freedom of Teaching and Learning and separate the other committee into a committee on professional and economic status and a committee on academic freedom and tenure. Professor Blumen defended the Drafting Committee's division of responsibilities. He noted that in addition to the concerns already raised, academic freedom involves the matter of research and publication which is the delegated concern of the Research Policies Committee. Defining academic freedom as the right to exercise certain professional responsibilities, he stressed the difference between this and civil liberty. Since academic freedom involves professional problems, it comes most properly within the scope of the Committee on the Professional and Economic Status of the Faculty. Civil liberties, on the other hand, is in the purview of the University Senate. As to an earlier observation by Professor Stein that Item 2 in the draft for the Committee on Professional and Economic Status is an afterthought, he said it was added not because it adds substance but as a matter of clarity. Professor Paul Olum said the process of handling the mixed function of the Committee on Professional and Economic Status had not been explained sufficiently to

square with his experience as a former member of the Committee on Academic Freedom and Tenure. Meanwhile, he favored passing the draft of the Committee on Freedom of Teaching and Learning.

Responding to Professor Call's concern, Professor Ewing said that stressing academic freedom in the title of the committee would not preclude other functions. He saw no inconsistency between his amendment and Professor Blumen's point about academic freedom in research since grievances in this area would also come before his proposed committee. This committee, he thought, could also handle the matter of classroom disruptions, for he anticipated that disruptions would not be frequent enough in the future to require a separate committee. Professor Pasley noted that academic freedom is defined in the 1957 legislation on the Committee on Academic Freedom and Tenure, part of which was distributed by the Dean. He hoped that statement of principle would not be recinded. A call to close debate passed on voice vote without opposition. On a showing of hands, the amendment was defeated. The draft was then adopted by voice vote without opposition. (See attached copy.)

6. COMMITTEE ON UNIVERSITY-ROTC RELATIONSHIPS

On motion by Professor Abrams, the draft was adopted by voice vote without opposition. (See attached copy.)

7. COMMITTEE ON ADMISSIONS AND FINANCIAL AIDS

Professor Olum said it is not clear to him who is in charge of financial aids. He asked the Dean to comment on whether the FCR can make policies and procedures to govern financial aids. The Dean said that the allocation of financial aid, other than to COSEP students, has been in accordance with the policies of the Committee on Financial Aids. He added that in recent years the Committee, after a period of inactivity, has concentrated

on particular situations and on obtaining information. To further clarify matters, Professor Olum asked whether the proposed committee could make recommendations to the FCR regarding the amount of aid which goes to COSEP. The Dean replied that if the FCR thought that COSEP received a **disproportionate** allocation it could make its views known to the Trustees. Following a motion by Blumen, the draft was adopted by voice vote without opposition. (See attached copy.)

8. COMMITTEE ON PROFESSIONAL AND ECONOMIC STATUS OF THE FACULTY

Professor Peter Stein moved as follows:

*Refer the draft back to the Drafting Committee with instructions to return to the house with two committees, one concerning itself with academic freedom and tenure, the other with the professional and **economic** status of the Faculty.*

Professor L. P. Williams opposed the motion. He questioned the point about relating personality characteristics to committee functions and said that the committee would handle matters of professional status, academic freedom, and economic status perfectly well. Professor David Call also opposed the motion. The committee is workable, he said, noting that in grievance proceedings the committee will function only as an appeal committee. Professor Albert Silverman said that there is room to think that the draftsmen may not have given sufficient attention to the charge to the committee and its function concerning questions of academic freedom. Professor Urie Bronfenbrenner considered the issue before the body important and urged members to view academic freedom from broad perspectives of time and geography. He praised the definition of academic freedom in the 1957 legislation. On a showing of hands the motion passed.

9. UNIVERSITY FACULTY COMMITTEE ON NOMINATIONS AND ELECTIONS

The draft was adopted on voice vote without opposition. (See attached copy.)

10. ACCEPTANCE OF LEGISLATION

Professor Call moved as follows:

*RESOLVED, That*

*1. The draft legislation for the:*

*Rules and Procedures for Governing Standing  
Committees of the Faculty Council of  
Representatives*

*Academic Integrity Hearing and Appeals Boards*

*Committee on Research Policies*

*Committee on Freedom of Teaching and Learning*

*Committee on University-ROTC Relationships*

*Committee on Admissions and Financial Aids*

*and the*

*Committee on Nominations and Elections*

*published in the CHRONICLE on October 28, 1971,  
as modified by the Review and Procedures Committee  
and the FCR ad hoc Drafting Committee as set  
forth in the minutes of their joint meeting of  
November 8, 1971, and the substitute draft for  
the Committee on Academic Programs and Policies  
incorporated on December 1, 1971, is approved.*

*2. Upon adoption said legislation shall forthwith  
become effective, and the Dean and the appropriate  
committees shall thereupon take all necessary  
steps to implement it; but the existing standing  
and appointed committees of the University  
Faculty shall continue to function until advised  
by the Dean of the Faculty and the Nominations and  
Elections Committee that new committees intended  
to supersede them have been elected and appointed.*

The motion passed on voice vote without opposition.

11. STAFFING COMMITTEES

Dean Penney moved as follows:

*RESOLVED, That the existing University Faculty Committee  
on Nominations will nominate a slate of candidates*

*for election to membership in the Nominations and Elections Committee. In preparing the slate of candidates and in its choice of procedures for voting, the Committee on Nominations will be governed by the present legislation respecting that committee, but due account will be taken of the proposed legislation to govern the combined committee as published in the CHRONICLE on October 28, 1971. No member of the existing Committee on Nominations shall be eligible to be a candidate for membership on the combined committee in the initial election to that committee.*

The motion passed on voice vote without opposition.

12.                   NEXT MEETING

The Dean said the next meeting will be called when the new legislation is formulated, hopefully by February 16. Meanwhile, the election process for the new committees will go forward.

Adjourned: 5:55 p.m.

G. P. Colman, recorder pro tem

## Functions of the University Faculty

The following are the general principles governing the functions of the University Faculty:

1. Vigorous and effective operation of the University Faculty is of paramount importance for the welfare of the University.
2. The functions of the University Faculty should be construed positively, as arising from the educational aspects of the University as a whole, and the proper interrelations of its parts. The University Faculty does not merely supplement or complement the various college faculties.
3. The University Faculty has a responsibility for initiating, considering and making recommendations on questions of educational policy or problems arising therefrom, whether concerning (i) current operations of the University, or (ii) long-range policy (such as admission policies, proposals for new degrees, establishment of new educational and research units, the size of the University, auxiliary cultural agencies, and questions concerning the status and privileges of the Faculty).
4. A question is one of educational policy to the extent that it bears upon (i) specific conditions facilitating instruction, study, research, publication, and other scholarly or cultural activities of faculty members and students or (ii) the general welfare of the academic community in which these scholarly and cultural activities are pursued. Consequently, any aspect of the University's operations may raise questions of educational policy that concern the University Faculty. The Administration and the Faculty have joint responsibility in settling many such questions.
5. Responsibilities of the University Faculty include but are not limited to the following:
  - a. Examination and appraisal of existing programs and policies, and recommendations for their revision or modification;
  - b. Proposals for new developments;
  - c. Initiation of studies to be made by special committees;
  - c. Review of proposals for new programs of concern to more than one college, school, or other separate academic unit.

6. Questions may be brought to the whole Faculty by its own members or committees, by college faculties, or by the Administration. Proposals should be so presented as to provide ample opportunity for discussion. Administration views on such matters should be made available to the committees and the general Faculty.

7. Committees of the University Faculty represent the faculty at large, and committee members should consider themselves as spokesmen for the entire faculty.

8. While much preliminary discussion and investigation of questions before the faculty will normally be undertaken by the Faculty Council and other committees of the University Faculty, final responsibility for decisions resides in the University Faculty as a whole, acting in general assembly.

--Adopted by the University Faculty, May 8, 1957,  
Records, p. 2864.

Faculty Council Committee on Academic Affairs:

- (1) The Committee on Academic Affairs shall consist of 9\* members of the University Faculty and the Vice-President for Academic Affairs.
- (2) Each of the Faculty members shall be appointed for a three\*year term, but they may be re-appointed for successive terms. Initially, four members shall be designated for a one-year term and four for a two-year term. Two of the Committee members shall be members of the Faculty Council, and the Chairman shall be designated each year by the Dean of the University Faculty from among this group.
- (3) The Faculty members of the Committee shall be nominated by the Dean of the University Faculty and appointed by the Faculty Council.
- (4) The Committee on Academic Affairs shall consider matters which concern:
  - (a) University policies and practices that have a bearing on the academic work of the University, and
  - (b) proposals which the Vice-President for Academic Affairs wishes to have considered, and
  - (c) proposals which the Faculty wishes to have considered by the Administration.
- (5) This Committee shall make a written report to the Faculty Council at least once each term.

--Adopted by the Committee on Committees, January 28, 1964,  
Implemented by the Faculty Council Minutes, January 29, 1964  
and November 15, 1967.

\*Increased to nine and a three-year term by the Dean of the Faculty, July 1968 to facilitate notation on three-year basis.

Faculty Council Committee on Research Policy and Personnel

- (1) The Committee on Research Policy and Personnel shall consist of 9\* members of the University Faculty and the Vice-President for Research.
- (2) Each of the Faculty members shall be appointed for a three\*year term, but they may be re-appointed for successive terms. Initially, four members shall be designated for a one-year term and four for a two-year term. Two of the Committee members shall be members of the Faculty Council, and the Chairman shall be designated each year by the Dean of the University Faculty from among this group.
- (3) The Faculty members of the Committee shall be nominated by the Dean of the University Faculty and appointed by the Faculty Council.
- (4) The Committee on Research Policy and Personnel shall consider matters which concern:
  - (a) policies concerning research and research personnel at the University, and
  - (b) proposals which the Vice-President for Research wishes to have considered, and
  - (c) proposals which the Faculty wishes to have considered by the Administration.
- (5) This Committee shall make a written report to the Faculty Council at least once each term.

--Adopted by the Committee on Committees, January 28, 1964,  
Implemented by the Faculty Council Minutes January 29, 1964  
and November 15, 1967.

\*Increased to nine and a three-year term by the Dean of the Faculty, July 1968 to facilitate notation on three-year basis.

Committee on Financial Aids

Resolution to abolish the Committee on Undergraduate Scholarships and the Committee on Student Aid and to create and appoint a University Committee on Financial Aids.

RESOLVED, That

1. The President be requested to create and appoint a University Committee on Financial Aids which shall have the following powers and membership:

- a. The University Committee on Financial Aids shall set policy and establish procedures for the administration of funds by the Office of Financial Aids.
- b. The University Committee on Financial Aids shall consist of five Faculty members, one of whom shall be designated by the President as Chairman, and the following ex officio members: The Director of the Office of Financial Aids, an Assistant Treasurer of the University, a representative of the Admissions Office, and an Assistant Dean of Students. The Faculty members shall serve terms of five years, except that initial appointments shall be for terms of one, two, three, four, and five years.
- c. The Office of Financial Aids shall administer all general University financial aid presently designated to be administered by the Office of Financial Aids, the Committee on Student Aid, or the Faculty Committee on Undergraduate Scholarships. It is understood that this includes loans, part-time jobs, and all grants-in-aid and scholarships presently designated to be administered by those bodies.
- d. Subject to the general supervision of the Treasurer of the University for the proper application of funds held by the University for restricted purposes, the Office of Financial Aids shall be responsible to the University Committee on Financial Aids for the proper administration of funds by the Office of Financial Aids.
- e. The University Committee on Financial Aids

shall become operative at the beginning of the Spring Term 1962.

2. The legislation of December 10, 1930, May 9, 1945, and May 5, 1948 relating to the Committee on Undergraduate Scholarships is hereby rescinded coincident with the creation of the University Committee on Financial Aids.

3. The President be requested to abolish the Committee on Student Aid coincident with the creation of the University Committee on Financial Aids.

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--Adopted by the University Faculty, January 17, 1962, Records, pp. 2984-85; March 14, 1962, Records, pp. 2989-90.

Committee on the Economic Status of the Faculty

The Committee on the Economic Status of the Faculty concerns itself with the economic status of the Faculty as a significant part of the economic and academic problems of the University as a whole. The following resolutions apply:

The Committee shall consist of five members elected by the Faculty at the same time and in the same manner as members of the other elected Committees of the Faculty are chosen, and of the Dean of the University Faculty ex officio, except that the Dean may designate a member of the Faculty Council to serve in his place.

Whenever an elected member of the Committee shall take leave of absence the Committee may send to the President nominations for a temporary replacement.

The Committee shall elect its own chairman.

--Adopted by the University Faculty, April 19, 1950, Records, pp. 2581-82-a & b; May 10, 1950, Records, p. 2589.

### Committee on Academic Freedom and Tenure

The Committee on Academic Freedom and Tenure is governed by the following regulations:

1. The functions of this committee shall be to consider, investigate and report upon any questions of academic freedom or tenure referred to it, including such as concern (i) terms and conditions of appointment or promotion of faculty members, (ii) terms and conditions governing leaves, retirement, and dismissal of faculty members, (iii) complaints brought against any faculty member that might adversely affect his professional reputation or lead to dismissal, (iv) actions interfering or tending to interfere with the freedom of faculty members in their teaching, research, publication, or other educational activities. The committee shall also from time to time formulate policies and procedures governing such questions of academic freedom and tenure, and present them to the Faculty Council and the University Faculty for adoption.
2. General or specific questions falling within the committee's jurisdiction may be referred to it at any time by the University Faculty or members thereof, by its committees, by college faculties, by the administration, or by the trustees.
3. Such questions shall be in writing, and shall be accompanied by a statement of the relevant facts and a statement of the action desired.
4. Upon receiving a question falling within its jurisdiction, the committee shall decide what action, if any, it contemplates. If the committee decides that no action on its part is called for, it shall so report.
5. The committee's report shall take the form of a written opinion, addressed to the Faculty Council. The report may be designated as confidential, if the committee so desires, but copies of the full report must in any case be sent to the person or persons originally raising the question, and to any person or persons whose activities are brought into question.

6. The committee's activities shall be advisory and not judicial or legislative. The committee's procedures shall not conflict with or supersede any procedures concerning questions of academic freedom or tenure specified in the University By-Laws or in Faculty or Trustee legislation.

7. The committee shall consist of the Dean of the Faculty and the Secretary of the Faculty ex officio, and eight elected members.

8. The elected members shall be elected by the University Faculty by mail ballot, from slates provided by the Committee on Nominations.

9. Elected members of the committee shall serve for staggered terms of four years. They may serve for more than one term, but not consecutively.

10. The committee shall elect its own chairman annually.

11. The committee shall be responsible to the University Faculty, and shall report to that Faculty at least once in every academic year.

#### Statement of Principles of Academic Freedom

(1) 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 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

Amendment for Committee on  
Freedom of Teaching and Learning.

I shall move the following:

That the name of the committee be changed to the Committee on Academic Freedom and Tenure; that the last five paragraphs (items 2 and 3) under the Committee on the Professional and Economic Status of the Faculty be incorporated under the responsibilities of this committee; and that appropriate editorial corrections be made consistent with these changes.

E. E. Ewing

## 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.*

## ACADEMIC INTEGRITY HEARING AND APPEALS BOARDS

The Faculty Council of Representatives (FCR) accepts responsibility, formerly exercised by the University Faculty, to establish policies and procedures to maintain standards of academic integrity.

To this end the FCR creates\* two committees:

### 1. The Academic Integrity Hearing Board.

a. *Responsibilities.* The Academic Integrity Hearing Board shall interpret and implement the Code of Academic Integrity, adopted by the Faculty, and may propose to the FCR changes in the Code.

(1) The Board shall develop policies and procedures for encouraging and maintaining a climate of academic integrity in the University community.

(2) The Board shall hear charges against students accused of Code violations, and shall hear the defense offered by the accused. It shall decide upon the guilt or innocence of those charged and shall be empowered to impose penalties. Violations of the Code shall be considered grounds for expulsion, suspension or such lesser penalties as the Board may decide.

(3) The Dean of the Faculty shall appoint a person to serve as a non-voting Executive Secretary of the Board.

(4) The Board shall determine its own procedures whenever provisions of the Code of Academic Integrity are not applicable.

b. *Membership.* The Board shall consist of five Faculty members with two alternates, and five students with two alternates.

(1) Faculty members and alternates shall be elected for three-year terms by the University Faculty without regard to membership in the FCR.

(2) Student members and alternates shall be chosen for one or two-year terms in a manner acceptable to the Faculty Committee on Nominations and Elections.

### 2. The Academic Integrity Appeals Board.

a. *Responsibilities.* In accordance with procedures set forth in the Code of Academic Integrity, the Appeals Board will provide an avenue by which a student found guilty by the Hearing Board may appeal its decision on the basis that due process was not accorded or procedural errors were committed. The penalty fixed by the Hearing Board will be deemed presumptively reasonable and

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\* The FCR recognizes members of existing committees with the same functions as the initial members of the boards hereby created.

may be reduced only if the Appeals Board finds it grossly severe. The Appeals Board may not increase a penalty. New evidence will call for a new hearing by the Hearing Board.

b. *Membership.* The Academic Integrity Appeals Board shall consist of three Faculty members with one alternate and three student members with one alternate.

(1) Members and alternates, other than the chairman, shall be chosen in the same manner and for the same terms as members of the Hearing Board.\*\*

(2) The Dean of the Faculty shall appoint a person to serve as a non-voting Executive Secretary of the Board.

(3) No member of the Appeals Board shall also be a member of the Hearing Board.

c. *Chairman.* The Chairman shall be elected from and by the membership for a one-year term and be subject to re-election. The Chairman shall have the right to vote.

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\*\* At least one member of the Appeals Board should have served as a member of the Hearing Board.

## UNIVERSITY FACULTY COMMITTEE ON NOMINATIONS AND ELECTIONS

The University Faculty Committee on Nominations and Elections is hereby established. Its first duty shall be to nominate candidates for the offices of Faculty Trustee, Dean of the Faculty, and Secretary of the Faculty, as well as for membership-at-large on the Faculty Council of Representatives (FCR) and for membership on the Committee on Nominations and Elections, the Standing Committees of the FCR, and any other committees of the University Faculty and of the FCR.

In making nominations, the Committee shall canvass the University Faculty and the FCR for names of possible candidates for nominations for positions to be filled by University Faculty and FCR members, respectively. When it makes such canvasses, it shall provide a list of the present and past members of each committee, the school or college faculties of which they are members, and their disciplines. When it prepares its slate of nominees, it shall adhere as closely as possible to the principle of fair representation among the various schools and colleges. It shall nominate at least two candidates for every office and for vacancies on committees, more candidates than there are vacancies. It shall present its slates at a meeting of the University Faculty (or of the FCR in the case of the Executive Committee), at which time it shall accept additional nominations from the floor.

Its second duty shall be to supervise all elections for which it has nominated the candidates and to prescribe or approve guidelines and procedures to govern the nomination and election of those FCR members who are elected to represent the constituencies of the several schools and colleges. Such guidelines and procedures shall be consistent with the procedures of the Committee itself as outlined in this act, with the principle of "one member, one vote," and with the legislation describing the membership of the FCR.

In supervising elections, the Committee shall prepare a mail ballot indicating those nominations made by the Committee, and it shall prepare and mail to every eligible voter a ballot, together with a biographical sketch of each nominee. It shall be responsible for counting the ballots and publishing the results. Candidates for the mandatory, non-tenured seats shall be elected on a separate ballot.

When there are more than two candidates for an office or when the Faculty or FCR is asked to vote for more than one candidate for vacancies on the FCR or on a committee, voting will be by the Hare System of proportional representation except where otherwise provided or determined by the Committee to be inappropriate.

The Committee shall decide disputed questions concerning such nominations and elections.

The Committee shall consist of the Secretary of the Faculty, ex officio, and nine other members of the Faculty, elected for staggered three-year terms. No more than two members of any school or college (except the Graduate School) shall serve simultaneously on the Committee. There shall also be an ex officio voting member appointed by and from the Executive Committee of the FCR for a one-year term. No member of the Committee shall be eligible for reelection for a period of five years after the expiration of his term. The Committee shall elect its chairman annually from among its three senior members.

## 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 provision that, in addition, the Dean of University Admissions and Financial Aid and the Director of Scholarships and Financial Aid shall be invited to serve as ex officio, voting members of the Committee.

## 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 six 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. Two of the students shall be nominated from, and elected by, students actively enrolled in ROTC programs at the University. 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.

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\* 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.

## 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 work-shops, 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.

## 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.

RULES AND PROCEDURES FOR GOVERNING STANDING COMMITTEES  
OF THE FACULTY COUNCIL OF REPRESENTATIVES

The standing committees of the Faculty Council of Representatives (hereafter referred to as FCR) shall be:

Academic Integrity Hearing and Appeals Boards  
The Executive Committee  
Committee on Research Policies  
Committee on Freedom of Teaching and Learning  
Committee on University-ROTC Relationships  
Committee on Admissions and Financial Aids  
Committee on Academic Programs and Policies  
Committee on the Professional and Economic Status of the Faculty  
Academic Freedom and Responsibility

Unless legislation for individual committees provides otherwise, the rules and procedures set forth below shall govern the above named committees and any additional standing committees of the FCR which may be established in the future.

1. Each committee shall consist of nine Faculty members, four elected by and from the FCR, one of whom shall be non-tenured, four who are not FCR members elected by and from the University Faculty, one of whom shall be non-tenured, and one appointed by and from the Executive Committee of the FCR for a one-year term.
2. Unless otherwise specified, all committee members are voting members and a simple majority of the voting membership shall constitute a quorum.
3. Each committee shall elect its own chairman annually. The chairman shall serve for a one-year term and may be re-elected. Each committee may appoint subcommittees from among its own members or from among other members of the University Faculty.
4. The Dean of the Faculty and the Secretary of the Faculty are ex officio, non-voting members of each committee, in addition to all elected or appointed members.
5. Regular elections shall take place at the beginning of the fall term. Special elections to fill vacancies caused by death, incapacity, resignations or leave of absence for an academic year or more shall be held with reasonable promptness following the determination by the Dean that such a vacancy exists. Such special elections shall be conducted in accordance with procedures specified by the Nominations and Elections Committee.
6. When a non-tenured committee member becomes tenured, or when a committee member holding an FCR seat ceases to be a member of the FCR, or when a committee member holding a University Faculty seat is elected to the FCR, the member shall continue to serve on the committee only until the next regular election of committee members.

7. Temporary replacements for members unable to serve for periods of <sup>a year or\*</sup> less <sup>^</sup> ~~than a year~~ may be appointed by the Dean of the Faculty.

8. The terms of elected members shall be three years (two years in the case of the Executive Committee). In the initial elections two tenured nominees shall be elected for one-year terms; two tenured and one non-tenured nominees shall be elected for two-year terms, and two tenured and one non-tenured nominees shall be elected for three-year terms.

9. Committees shall report in writing to the FCR at least once a year.

10. Where required, staff assistance will be furnished committee chairmen by the office of the Dean of the Faculty.

\*passed by the FCR, September 6, 1972, Records pg-

The President called the meeting to order at 4:42 p.m. in Bache Auditorium, Malott Hall. 56 members and 3 visitors were present. He then relinquished the Chair to the Speaker.

1. SEARCH COMMITTEE, SENIOR CHAIR

Dean Penney reviewed the content of legislation passed November 10, 1971, which provides a procedure for selecting a search committee. After calling attention to a memo from the President to him dated November 7, 1971, which was distributed with the call to the meeting, he noted that the President selected one member from the pair of nominees submitted by each of the ten departments canvassed. Those selected are Professor Alice Cook, Professor George Hildebrand, Professor Richard Polenberg, Professor Saunders Redding, Professor Richard Rosecrance, Associate Professor Sidney Saltzman, Professor J. M. Stycos, Professor Robert Summers, Director James Turner, and Associate Professor Thomas Willett. The Dean then moved on behalf of the Executive Committee:

*That the FCR give its approval to that membership.*

The motion was adopted on voice vote without opposition.

2. REVISED DRAFTS, COMMITTEE ON ACADEMIC FREEDOM AND RESPONSIBILITY AND COMMITTEE ON THE PROFESSIONAL AND ECONOMIC STATUS OF THE FACULTY

Professor Isadore Blumen, Chairman of the Committee on Committees, moved as follows:

*That the FCR adopt the drafts as they appear in the CHRONICLE for December 9, 1971, and that these committees be incorporated into the enabling legislation passed at the last meeting.*

The motion passed on voice vote without opposition.

3. NOMINEES, COMMITTEE ON NOMINATIONS AND ELECTIONS

After noting legislation passed at the last meeting which provided

that the present Nominations Committee would nominate members for the combined Nominations and Elections Committee, and reporting the receipt of a substantial number of returns from a canvas of the Faculty for recommendations, Dean Penney described the system for conducting the election. Nominees will be voted upon by the entire University Faculty and will not be paired. Those nominees on the ballot receiving the largest number of votes will be elected except that no more than two may be elected from any one school or college. Staggered terms will be assigned on the basis of votes received among the nine elected. The Dean then offered the following slate on behalf of the Committee on Nominations:

M. H. Abrams, Frederic J. Whiton Professor of English  
 Vance A. Christian, Associate Professor, Hotel Administration  
 Thomas R. Dyckman, Professor, B & PA  
 Frederick Jelinek, Associate Professor, Electrical Engineering  
 William T. Keeton, Professor and Chairman, Neurobiology and  
 Behavior  
 Robert W. Kirk, Professor and Chairman, Small Animal Medicine  
 and Surgery  
 Duncan M. MacIntyre, Professor, ILR  
 Robert McGinnis, Professor, Sociology  
 Robert S. Pasley, Professor, Law  
 Richard M. Phelan, Professor, Mechanical Engineering, Mechanical  
 Systems and Design  
 Robert L. Plaisted, Professor and Head, Plant Breeding and  
 Biometry  
 Henry N. Ricciuti, Professor and Chairman, Human Development and  
 Family Studies  
 Jerry Margaret Rivers, Associate Professor, Human Nutrition and  
 Food  
 Edwin E. Salpeter, Professor, Physics, Astrophysics, Nuclear  
 Studies  
 Sidney Saltzman, Associate Professor, City and Regional Planning  
 Daniel G. Sisler, Professor, Agricultural Economics

Dean Penney noted that the call to the meeting included an invitation to faculty members to make nominations from the floor. There were no nominations from non-FCR members. Assistant Professor Henry Alker nominated three assistant professors, Lee C. Lee, Human Ecology, Howard Aldrich, ILR, and Neil Henry, Arts and Sciences. Nominations were closed on voice vote without

opposition. Professor Howard E. Evans asked if the body could challenge the provision that only two members could be elected from any college. The Dean replied that this provision is in accord with the legislation creating the Committee on Nominations and Elections. The slate was approved.

#### 4. CALENDAR COMMITTEE

The Co-Chairman of the Committee, Assistant Professor Anne McIntyre, asked the FCR whether the Faculty Committee on the Calendar has authority to give the Committee's opinion on calendar issues when that opinion is sought by persons or groups other than the FCR. She also presented three recommendations on behalf of the Committee. These recommendations and associated rationale are reproduced below as distributed at the door.

I. That the FCR take whatever steps are necessary to review the educational effectiveness of the preliminary exam period, study period, and final exam period as they are currently scheduled.

The current procedure of scheduling mid-term exams, mandating a study week between the end of class meetings and finals, and then scheduling exams over a seven day period was established when the semester calendar was materially different than it is now. There may be modifications of our current schedule that would better facilitate learning and instruction, given the incessant character of semesters under our new calendar. For example, with a Fall semester lacking a significant break between start and finish, a pre-finals study week may facilitate learning less effectively than would an extended exam period (permitting students more time between exams).

II. That the FCR take whatever steps are necessary to achieve a new schedule for classes which would permit all formal class and laboratory meetings to take place during the regular week, except where the nature of the material being studied demands a Saturday class or laboratory. Exceptions might be granted at the discretion of an appropriate committee or by authorized individuals after reviewing petitions for exemption from the ruling.

Saturday classes seem to be an unpopular anachronism, being inconsistent with contemporary life styles for faculty, students, and staff alike. Because of the unpopularity of schedules including Saturday classes, Tuesdays and Thursdays appear to be less effectively employed than they could be. Moreover, holding classes on Saturdays where not substantively required unnecessarily restricts the educational opportunities available to a minority group in our university community.

III. That the faculty require of itself whatever procedures are necessary on its part to provide early notification of required final exams.

Many people feel that a decision to give a final exam that is made after the course is in progress represents an increase in the requirements of that course, and is an unfair increase if the decision occurs after the deadline for registration changes. Late decisions also delay the publication of final exam schedules, which in turn works a hardship on students and faculty who must make travel reservations. The committee is not aware of any compelling reason why the decision of whether or not to give a final exam could not be made in time for registration each semester.

Professor Paul Olum asked if the Committee surveyed the campus sufficiently to determine whether recommendation II is feasible. Professor McIntyre replied that a recent survey of the colleges indicated that it is possible by utilizing 75-minute classes. Dean Penney added that the Registrar is now conducting a more intensive survey directed toward maximizing use of the Monday-through-Friday period. Professor Robin Williams stressed the reality of the problem, noting that he finds it difficult to obtain class attendance on Saturday.

With regard to recommendation III, an inconclusive discussion focused on what assumption is normal with regard to holding a final exam in the absence of a specific announcement that such an exam will be held. Then a lengthy discussion ensued regarding the regulation of the N.Y.S. Commissioner of Education which prohibits faculty members from changing rules governing grading during the course of the term.\* Professor Olum found a rigid course structure inconsistent with good education and expressed a desire to retain options about grading well into the course. Other matters raised regarding final exams were the difficulty of finding enough rooms for exams, the need to provide the Registrar with time to de-bug the

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\*52.2 Standards for the registration of undergraduate and graduate curricula

...

(b) Administration

...

(6) Academic policies, including curricular objectives and grading practices, shall be clearly established and announced at the beginning of an academic term and maintained throughout the term. ... (Commissioner's Regulations 47 ED 8-31-70).

exam schedule, and the need for clarifying the ruling of the Commissioner of Education. Professor Peter Stein then moved as follows:

*That the Dean refer this matter, Item III, to an appropriate committee with instructions that it return to this body with a recommendation during the first month of the second term.*

The motion passed on voice vote without opposition. Dean Penney said he would endeavor to clarify the ruling of the Commissioner of Education.

With regard to the question which the Calendar Committee asked the FCR, and after a brief discussion, Professor L. Pearce Williams moved as follows:

*That the FCR empower the Committee on the Calendar to let its opinions be known to whomever wants to know them, with the understanding that no committee can commit this body.*

The motion passed on voice vote without opposition.

With reference to the first recommendation of the Committee, the Dean noted the increasing misuse of the evening before block week for exams, the absence of enough time in block week to relocate exams, and the number of effects of the calendar which have implications extending beyond the calendar. In accordance with Professor Robin Williams' suggestion to refer the matter to a committee, Professor Peter Stein moved as follows:

*That the FCR refer recommendations I and II to the Academic Policies and Priorities (Programs and Policies) Committee.*

The motion passed on voice vote without opposition.

Associate Professor E. M. Raffensperger described the adverse effects of an early ending of the spring term upon the educational quality of courses which involve the use of living materials. Concluding that neither the survey conducted by the Senate nor the Calendar Committee of the Faculty adequately addressed the problem of incompatibility between the natural and the University calendar, he reported having surveyed 22 people who teach

courses involving natural materials. Of these, 18 thought there was an adverse educational effect to having classes end before the middle of May. Noting further that 1927 students and some 5000 credit hours are involved in these courses, he moved to refer the matter to the Committee on Academic Programs and Policies. Upon objection by Associate Professor Paul Hohenberg that this Committee will become overloaded, Professor L. Pearce Williams moved to substitute the following:

*That the FCR refer the matter to the Committee on  
the Calendar.*

The motion to substitute passed on voice vote without opposition. So did the main motion.

Adjourned: 5:55 p.m.

G. P. Colman, recorder pro tem

# Committee on Academic Freedom and Responsibility

Draft — Dec. 3, 1971

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 of actions against him 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 of the Committee on University Research Policies.

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.

After reviewing a complaint, the Committee or subcommittee shall recommend a course of action to the Executive Committee of the FCR and to the Dean of the Faculty.

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.

When dealing with any question of a personal nature the

Committee or subcommittee shall at all times maintain strict confidence. The confidential nature of the discussions precludes dissemination or reports except as noted above without the written approval of the individuals involved and the concurrence of the Dean of the Faculty.

## Appendix Statement of Principles of Academic Freedom

(1) 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 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 be accurate in expression, and to give consideration to the opinions of others;

—to make it clear that utterances made on one's own responsibility are not those of an institutional spokesman.

(Adopted by the University Faculty, May 11, 1960. Records, pp. 2927-2932.)

## Committee on the Professional and Economic Status of the Faculty

Draft — Dec. 6, 1971

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.

After calling the meeting to order in Room 110 Ives Hall at 4:35 p.m. the President relinquished the Chair to the Speaker. 72 members and 6 visitors were present.

1. APPROVAL OF MINUTES

The Speaker obtained unanimous consent to approving the Minutes for November 10 and 17 and December 1 and 16, 1971.

2. PUBLICATION OF EXAM SCHEDULE

Prof. Cotts, as acting Dean, reported efforts to move forward publication of the exam schedule. After referring to the motion at the December FCR meeting which mandated this effort, he noted that the Dean had referred the matter to the Registration and Schedules Committee of the Registrar and indicated that R. Peter Jackson would report later in the meeting on behalf of the Committee on Grading.

3. SENATE BILL AGAINST DISCRIMINATION RE RELIGIOUS HOLIDAYS

Prof. Robin Williams reported that the Executive Committee has discussed Senate Bill SA-42(A-133) and concluded that although most of the bill duplicates New York State Law 224-a, differences in Section 6, which involve the judicial system of the University, make more detailed study of the bill desirable. Prof. Williams, on behalf of the Executive Committee moved the following:

*That this bill be referred to the Committee on Freedom of Teaching and Learning with a request to report its recommendations to the body at the earliest feasible date.*

On voice vote the motion passed without opposition.

4. REPORT, NOMINATIONS AND ELECTIONS COMMITTEE

Assistant Prof. Bruce Wilkins presented the report, which was distributed with the call to the meeting. He noted these changes: since Assistant Prof. Arthur L. Berkey and Henry A. Alker, both FCR non-tenured, agreed with the consent of the Committee to switch candidacies, the former should now be

listed under Academic Freedom and Responsibility and the latter under Professional and Economic Status of the Faculty. Under the Academic Integrity Appeals Board the \*\* should be removed from the name of Prof. J. Murray Elliot and the name of Prof. Thomas A. Ryan, Psychology, added with \*\*. Noting the Committee's concern about the limited choices being offered, he urged FCR members to nominate from the floor. The following were nominated: by Prof. Gwen J. Bymers - Prof. Jean Failing, Human Ecology, for a tenured, non-FCR position on Academic Programs and Policies; by Prof. J. Murray Elliot - Prof. Wesley W. Gunkel, Agriculture and Life Sciences for a tenured, FCR position on the University-ROTC Relationships Committee; by Assoc. Prof. Jerry Rivers - Prof. John Doris, Human Ecology, for a tenured, FCR position on the Academic Freedom and Responsibility Committee; and by Prof. Wesley Gunkel - Prof. Francis M. Isenberg, Agriculture and Life Sciences, for a tenured, FCR position on Academic Freedom and Responsibility.

By unanimous consent the FCR accepted the report.

5. REPORT OF GRADING COMMITTEE

After reporting that preparing the exam schedule had been cut from ten to eight weeks, R. Peter Jackson, Director of Student Records and Finance, reported as follows: After reviewing the charge to the Committee, noting that the Committee has a faculty and student member from each college, and observing that, historically, grading systems are cyclical, he concluded that the S-U grading concept is invaluable and should be applied in the future. Turning to the limitations of the concept, he noted that S-U symbols are virtually meaningless to graduate and professional schools, that students perform less adequately in S-U courses than in courses graded by letter, and that students do not do better in letter-graded courses when they take some S-U courses. The Committee concluded: 1) that uniform expectations for S and U performance are needed; 2) that an exclusively S-U system limits

students' course options because of college degree requirements; 3) that grading options have been changed during the course of the term; 4) that policing of S-U guidelines has been lax; and 5) work expectations tend to differ between students registered S-U and those registered for letter grades. A key recommendation of the Committee, the adoption of a three-letter system, S-L-U, he attributed to a compromise within the Committee between students interested in flexibility and faculty members interested in quality. The recommendations follow:

1. That the S/U grading option be replaced by a system of (S) satisfactory, (L) low pass but credit given, and (U) failure.
2. That the S-L-U system have symbol equivalents which are uniform within the University: S = at least C- or above; L = D+, D, D-; U = failure. Exceptions should be approved by the college or school and the Faculty Council of Representatives. Further clarification should be made in the course announcements.
3. That S-L-U options be chosen by the student during the first three weeks of the term.
4. That the announcements and/or supplementary course registration material describing each course include a description of the course grading options, particularly if the course is graded with an exclusive S-L-U. Any additional options must be announced by the instructor within the first two weeks of the term.
5. That colleges and schools may require a minimum number of credit hours graded by the letter system (A-F) for graduation from a particular program of study, and/or for particular courses within that program of study, but the student may take as many S-L-U graded credit hours each term as he wishes, provided he meets at least the minimum college or school requirements.
6. That course requirements be the same for all students regardless of the grading option chosen.
7. That a course which is canceled not appear on the permanent record. (Elimination of the symbol cancel (CNC).)
8. That the uniform use of Incomplete (INC) be strongly enforced throughout the University under these guidelines: that when a student has substantial equity and when conditions for make up are firmly established he be enabled to complete his course requirements when otherwise, because of circumstances beyond his control, he could not do so. Whatever the reasons for awarding an incomplete, they must ultimately be acceptable to the instructor. Each college shall prescribe the "make up" conditions.

9. That the symbol "R" be instituted to represent year length courses which are not graded at the end of one term.

Prof. Robin M. Williams, on behalf of the Executive Committee moved as follows:

*That the FCR receive the report with appreciation to members of the Committee for their work.*

The motion passed on voice vote without opposition.

Prof. Robin M. Williams then moved as follows:

*That the FCR consider Items 1 to 6 as one group, then items 7, 8, and 9 individually.*

The motion passed on voice vote without opposition.

Members then asked the following questions. Mr. Jackson's answers are in parentheses. Where does the practice of treating the C- as the lower limit of S come from? (There are wide variations in the University, but use of C- as a lower limit is widespread). Why choose S-L-U rather than S-D-F? (To avoid confusion with D in the letter grading system). Why would the S-L-U system lead to better student motivation and performance? (He doubts that the system will do much more than give students flexibility). If latitude is the objective, why not go to Pass-Fail. (Faculty members on the Committee objected). Did the Committee consider H (high)-S-U? (Yes). Asking whether a non-grading system should become a grading system, Professor Karl Berkelman said no one in his constituency, Physics, favored transforming the S-U system into S-L-U. Prof. Gwen Bymers objected to keeping minute records for the few cases where an L would apply. Mr. Jackson concluded that while the Committee knew from its survey of the Faculty that 60% to 70% favored an S-U system, his Committee also tried to listen to the students while being concerned about stability. Prof. L. Pearce Williams observed that the arguments of the Committee contradicted its conclusions. He saw nothing to be gained by going to three symbols and objected to anyone other than the instructor determining what constitutes satisfactory work.

Prof. Norman Kretzmann then moved as follows:

*That the FCR reject recommendations 1 through 6.*

Debate was closed by voice vote. The motion carried on a showing of hands.

Associate Prof. Paul M. Hohenberg moved as follows:

*Refer to the Committee on Academic Programs and Policies items 1 through 6 with instructions to reformulate the non-S-L-U content thereof for submission to this body.*

The Chair ruled on the basis of the debate that the S-U system is different from the S-L-U system so it is appropriate for the Committee to bring back recommendations attached to an S-U system. The motion passed on a showing of hands without opposition.

Associate Prof. Elmer E. Ewing wondered, in view of the legitimate reasons for withdrawal from a course late in the term, whether the Committee had considered cancel-pass and cancel-failing. Mr. Jackson said the Committee had done so at some length and concluded that adopting this would have the effect of putting faculty members in a difficult position. Prof. Robin Williams, on the rationale that the faculty should not be unnecessarily involved with bleeding hearts, moved as follows:

*That the FCR adopt recommendation No. 7.*

*"That a course which is canceled not appear on the permanent record. (Elimination of the symbol cancel (CNC).)"*

Mrs. Barbara Hirshfeld, a member of the Committee, opposed the motion on the basis that the transcript should show the experience of students with a course. Some students, she said, may cancel the same course two or three times. Prof. James C. White said that in the College of Agriculture and Life Sciences it is inconceivable for a petitions committee to allow a student to cancel the same course twice.

The motion passed on a showing of hands.

Associate Prof. Paul M. Hohenberg moved as follows:

*That the FCR adopt recommendation No. 8.*

*"That the uniform use of Incomplete (INC) be strongly enforced throughout the University under these guidelines: that when a student has substantial equity and when conditions for make up are firmly established he be enabled to complete his course requirements when otherwise, because of circumstances beyond his control, he could not do so. Whatever the reasons for awarding an incomplete, they must ultimately be acceptable to the instructor. Each college shall prescribe the 'make up' conditions."*

As chairman of what is, in effect, a petitions committee in the Arts College, he referred to the INC (Incomplete) as the worst of bleeding hearts situations and concluded that tightening up is indicated. Observing that the INC is enormously misused, Prof. Paul Olum favored adoption while noting that the motion is just words. To a question from Associate Prof. Ewing about how colleges are to handle make up conditions, Mr. Jackson replied that it is an administrative procedure which may vary from college to college. He observed that the number of Incompletes has increased vastly in recent years and that stricter enforcement is indicated.

The motion passed on a showing of hands without opposition.

Prof. Robin M. Williams moved as follows:

*That the FCR adopt recommendation No. 9.*

*"That the symbol 'R' be instituted to represent year length courses which are not graded at the end of one term."*

Prof. Olum asked if the recommendation would apply to one-term courses which go beyond the end of the term. When Mr. Jackson said yes, with the qualification that the Committee had not considered this situation, Prof. Olum offered the additional information that in Math 111 students can proceed at their own rate to complete the course. Until they do so, non-completion is indicated by an asterisk. Prof. Isadore Blumen found no

difference between this and an Incomplete. He understood the recommendation applies to situations where students register for an additional term. After Prof. Robin M. Williams observed that the discussion is not relevant to the motion, the Chair obtained unanimous consent to close debate. The motion carried on voice vote.

6. RESTRUCTURING THE JUDICIAL SYSTEM

Prof. W. Tucker Dean urged FCR members, at the suggestion of Dean Penney, to consult their constituents about the new judicial system now before the Senate. Its implications include the right of a student to bring charges against a faculty member with regard to academic matters and to bring a faculty member before a student-staff-faculty committee for discipline.

Adjourned: 5:45 p.m.

G. P. Colman, recorder pro tem

CORNELL UNIVERSITY SENATE

Statement of Student Rights

February 18, 1971

A-193  
as amended

ARTICLE I: THE RIGHT TO STUDY

- §1: No student shall be denied admission to any school, department, center or class within the University on the basis of race, religion, age, sex, sexual preference, ethnic background, or political persuasion; however, the physical education department shall be allowed to select on the basis of sex, but only in so far as such selection is necessary to provide for orderly use of dressing facilities.
- § 2: No student shall be denied enjoyment of the benefits of University programs and facilities to which he would normally be entitled without due process. No member of the Cornell Community shall by his conduct obstruct this right.
- § 3:\* Students shall receive the full amount of instruction for which they contract by paying tuition and fees.
- (a) In the event of an instructor's inability to meet class for reasonable cause, compliance with this section may be achieved through the instructor's or the University's bona fide effort to re-schedule missed classes or to arrange for a substitute teacher.
  - (b) A cancellation of a class or classes by the University for reasonable cause shall not be a violation of this section unless the sum of such cancellations is greater than three class days per term. In the event that such cancellations exceed the three day limit, compliance with this section may be achieved by reasonable re-scheduling of missed classes in excess of the herein defined limit.
  - (c) No part of this section is intended to limit flexibility or educational innovation; classes need not be bound to a given number of hours per week so long as all students are apprised of such intention in timely fashion, and the number of actual class hours taught per term meets with reasonable departmental standards.
- §4:\* A student shall have the right to see any material submitted by him or her for a grade after it is corrected and graded. This right shall not be waived so long as the student submits, within one month after notice of the grade is given, a request to see the material.

\* These sections shall become operative only after acceptance by Faculty Council of Representatives.

## ARTICLE II: THE RIGHT TO SPEAK

- §1: A student's right to free speech shall not be limited as to subject. For instance all facets of University Administration, policy and life, and all faculty, student and employee activities shall be proper objects of free discussion and criticism.
- §2: Students shall have the right to publish and distribute written and other audio-visual material without prior approval, provided the method of distribution does not unreasonably disrupt or burden the University. This section applies neither to scholarly research where the work of one or more additional persons is involved and all have not given consent for publication, nor to confidential information within the meaning of Article V.
- §3: The fact of institutional subsidy and liability does not warrant censorship of editorial policy or content in any broad sense. The University may provide for advisory review, however, solely as a reasonable precaution against the publication of matter which would expose the institution to liability.
- §4:\* Inasmuch as the free expression of ideas is central to the educational process, academic evaluations shall be neither unprofessionally prejudiced nor capricious in such a way as to intimidate students and deter them from offering different opinions than those of the person making the evaluation.
- §5: The student's right of self-expression shall not extend to protect words, noise, or action intended to prevent free self-expression by others. Picketing and other forms of protest action shall be completely acceptable within the intent of this section so long as they are expressions of dissent which do not prevent self-expression by others, deny access or mobility, or otherwise cause injury to life, liberty, or property.

## ARTICLE III: THE RIGHT OF ASSOCIATION

- §1: Students shall be free to organize and join associations to promote their common interests, and they shall be free to make reasonable use of University facilities for such purposes. The University may, however, withhold use of its facilities where the use intended will impinge on the rights of other members of the Cornell Community by obstructing their study or their self-expression or otherwise subjecting them to harrassment.
- §2: No student organization or official University activity financed in whole or in part by University funds shall discriminate in its membership policies on the basis of race, religion, age, sex, sexual preference, political persuasion, or ethnic background, except where sex and age are bona fide qualifications for membership.\*\*
- §3: No organization shall be required to submit a membership list.
- §4: A student organization may properly be required to identify officers handling University funds or to designate a person to receive University communications.

\*These sections shall become operative only after acceptance of Faculty Council of Representatives.

\*\*Underlined portion was amended at 3/25/71 Senate meeting.

#### ARTICLE IV: THE RIGHT TO LISTEN

- §1: Free inquiry is central to the function of the University; therefore, student groups shall have the right to invite any person of their own choosing to speak on campus for the purpose of hearing his ideas and opinions. The University shall, however, retain its legal prerogatives in order to protect itself from liability.
- §2: Institutional control of campus facilities shall not be used as a device of censorship.
- §3: Routine procedures may be required by the University before any guest speaker is invited and scheduled to appear on campus, but these procedures shall be designed only to insure that there is orderly scheduling of facilities and adequate preparation for the event. Reasonable charges for services may be made by the University to the sponsoring group.
- §4: It is not sufficient reason for University suppression of the peaceful expression of ideas that they are so outrageous to others that there is a risk of misconduct by those offended.
- §5: The right to listen shall not be abridged by any member of the Cornell Community. Conduct by any member of the Cornell Community intended to or having the effect of preventing a speaker from speaking shall be a violation of this article and may also be a violation of Article I, Section 2.

#### ARTICLE V: THE RIGHT TO PRIVATE RECORDS

- §1: Academic, disciplinary, medical, financial and counseling records shall be kept separately from each other.
- §2: Transcripts of academic records shall contain only information about academic status of the student during his period of study at the University and shall not be available to unauthorized persons within the University or to any person outside the University without the express consent of the student involved.
- §3: Information from which an individual can be identified that is contained in disciplinary, medical, counseling and financial files shall not be available to unauthorized persons within the University or to any person outside the University without the express consent of the student involved except under legal compulsion or in cases where the safety of persons or property is in grave danger.
- §4: A student shall have the right to see his own academic and disciplinary records.
- §5: No records shall be kept which reflect the political activities or beliefs of students unless the student specifically submits such information.

## ARTICLE VI: THE RIGHT TO PRIVATE QUARTERS

§1: The University, if approached, shall not permit or consent to searches by the police or other law enforcement officers of quarters within University owned or operated facilities in which students live unless the officers possess a warrant properly obtained from the appropriate civil official, or the student whose quarters are to be searched consents to such search.

§2: Routine inspections of student quarters within University owned or operated living facilities may be made by University personnel in accordance with a normal maintenance schedule established, authorized, and published by the appropriate University official. Such inspections shall be limited in object to

- (a) assuring compliance with state, local and University promulgated fire and health safety regulations and
- (b) detecting any deterioration which may require maintenance attention.

Routine inspections may be made of student quarters within University related living facilities, but only for the purpose of assuring compliance with state, local and University promulgated fire and health safety regulations.

§3: Any non-routine inspection of student quarters within University owned or operated living facilities beyond inspections provided in section two (2) of this article may be made by University personnel only where there is reasonable cause to believe that the condition or contents of the student's quarters constitute a threat to the health, safety or welfare of other persons in the same living facility. Such inspections may be undertaken only with the direct written authorization of the Dean of Students, and such authorization shall narrowly define and limit the object or objects of such inspections.

§4: Entry of student quarters within University owned or operated living facilities for the purpose of necessary maintenance work shall be allowed. Where such work is to be done in a student's room, the student shall be notified in advance, except in the case of emergencies where no advance notice shall be necessary. If the student is not present when such emergency entry is made, prompt written notice that the entry was made should be given.

§5: It is preferable but not mandatory that any inspections made be done in the presence of the student whose quarters are being inspected. In cases where the student is not present when such an inspection is made, the student shall be given prompt written notification that an inspection was made.

§6: The signing of a lease or contract between a student and the University for living quarters shall not confer such consent to inspection as would operate as a waiver of safeguards to student privacy herein provided.

## ARTICLE VII: THE RIGHT TO PROCEDURAL DUE PROCESS

(title to be enacted; specifics to be considered and eventually enacted after establishment of a new or revised judiciary by the Judiciary Committee and the Senate)

## ARTICLE VIII: THE RIGHT TO REDRESS OF GRIEVANCES

§1: No judicial body or mechanism empowered to adjudicate cases and controversies arising from alleged violations of the provisions of this document shall have jurisdiction over any person beyond those fitting within the following groups: students of Cornell University, student organizations and associations supported in whole or in part by Cornell University, members of the faculty of Cornell University, employees of Cornell University, and Cornell University itself.

§2: Cases and controversies arising from alleged violations of the provisions of this document shall be heard by the appropriate judicial body or mechanism only where brought by a student who complains of a violation of any of the rights within this Statement of Student Rights.

The Dean of Students shall not be prevented from joining in an action brought by injured students.

§3:\* The judicial body empowered to hear cases and controversies arising under this Statement of Student Rights shall have power to grant reasonable monetary damages or other remedies where requested by the injured party or parties as well as impose reasonable punitive sanctions where appropriate.

§4: A student who believes his rights under this Statement of Student Rights have been violated shall have thirty (30) calendar days or ten (10) Senate days, whichever is longer, after the cause of action accrues to present formally a written complaint to the appropriate judicial body; this complaint shall clearly allege the injurious action of the defendant, clearly state the time, nature and extent of the injury, and cite the articles and sections of this Statement of Student Rights which the plaintiff alleges to have been violated to his detriment. Failure to comply with the provisions of this section shall result in the loss of the plaintiff's cause of action under this Statement of Student Rights.

\* Recommended to Codes Committee

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This legislation shall become effective upon

- a) Senate acceptance of a judicial mechanism to process actions arising from it, and
- b) Senate approval of a statement defining reasonable penalties more clearly and setting maximum limits on penalties where appropriate.

## Consideration of S/U Grading Change

The following report which recommends changes in the S/U grading system was described at the May 19, 1971 University Faculty meeting. It is anticipated the report will be placed on the agenda of the Feb. 9, 1972 Faculty Council of

Representatives meeting.

The Tables I and II and the Exhibits A and B are on file in the Dean's office, 315 Day Hall and are available. Exhibit C has appeared in the minutes to the May 19, 1971 Faculty meeting.

### S/U Grading - Reviewed A Report to the Cornell University Faculty May 7, 1971

#### Committee on Grading

Faculty and Staff: Arthur Aronson, Donald Dietrich, David Dunn, Peter Harriott, Barbara Hirshfeld, Ross MacIntyre, Paul Moore, Mary Morrison, Stuart Stein, L. J. Thomas, Charles Toomajian, Ernest Warren, R. Peter Jackson - Chairman.

Students: David Ackerman, Robert Covin, Craig Ewing, Robert Ferish, Joyce Kornbluh, Stephen Lloyd, Peter McCue, Jeffrey Marston, Lynne Roth.

#### Introduction

The Cornell University Faculty, in May 1965, voted to change the legislation on grading; what was essentially a numerical system became an alphabetic, A through F, system. At the same time a resolution was passed stating: "that the Faculties of the several colleges and schools be encouraged to develop plans, on an experimental basis, for offering their students the option of being graded S (Satisfactory) or U (Unsatisfactory) for a limited number of courses, under prescribed conditions. Any such plans should be submitted to the Faculty for approval."

The University Faculty Council wishes to close out the "experimental" stage of S-U grading and to establish clear guidelines for future use. At the same time the Council has expressed a desire to clarify other problems within the grading system, including the use of Audit, Cancel and Incomplete. A Committee, composed of one faculty member and one student from each college, was appointed and subsequently reviewed the history of grading (particularly S-U), University legislation, and various plans adopted by the schools and colleges, and conducted studies and reviewed the several analyses which have been done during the last few years. This report contains the issues which seem to center around S-U grading; the findings; the opinions which have evolved from discussions and, finally, the Committee recommendations to the Faculty.

Prior to bringing the recommendations to the Faculty they were modified slightly after being reviewed by the respective educational policy committees of the several schools and colleges.

#### History

Grading systems over the past century have exhibited cyclical trends. The use of some form of grading scale was not present in American colleges until the late 1700's and early 1800's; grading systems were preceded by oral examinations. From 1840 to 1900 numerical grades with wide ranges were used frequently but since the 1900's many institutions have settled on the letter system (A through F). The Pass-Fail concept is not new; several colleges experimented with it prior to the turn of the century. Harvard and the University of Michigan, for example, both went through cycles, going from the simple Pass-Fail to a wide range numeric scale and back again. The one conclusive observation of the grading systems of higher education in the United States that can be made is that there have been definite cycles and we are currently in the process of going through a stage in one of these cycles.

Although the Pass-Fail concept has existed in isolation for the last one hundred and twenty years it now appears to Quann, that Pass-Fail has become institutionalized as a "... promising alternative to traditional grading", and will continue to play a prominent part in the grading systems of higher education.

#### Cornell's Grading History

The first grading system used at Cornell University, legislated on September 23, 1868, established a method for marking student performance in examinations: 5 - very good, 4 - good, 3 - fair, 2 - bad, and 1 - very bad. The University soon departed from this system and for many years used numerical, plus-minus symbols, and letters, with little direction. In 1933, the Faculty adopted a single 1-100 numeric system (with 60 the

lowest possible passing grade) along with certain alphabetic letters (S - satisfactory and U - unsatisfactory) for special laboratory or field courses. In 1965, the University Faculty adopted the letter system and also instituted the use of the option S/U for a "limited number of courses, under prescribed conditions."

#### Pass/Fail Today

In a recent survey of one hundred and fifty institutions Quann concludes that Pass-Fail grading "... is designed to reduce academic pressures and competition while encouraging students to explore course work outside the major without fear of jeopardizing their grade point average".

This Committee examined ten grading systems, seven of which were of direct interest to the Committee because of their use of S-U. Of the seven, two, Brandeis and Wayne State, expressed satisfaction with their system, while Dartmouth and Cortland were disappointed because students received lower grades when they selected the P-F option. (Grades were kept on all students and converted to P-F at the conclusion of the term.)

Brandeis reported lower grades in all but the senior year, while Knox reported more failures among second year students who took the P-F option. Princeton's 1968 graduates did not rank P-F as a factor influencing intellectual and personal growth. Several other studies note that students rarely take more than half the number of P-F courses they are allowed to take.

The field is void of definitive research but survey studies do indicate definite trends toward greater use of letter grades, combined with some version of limited Pass-Fail options.

Quann reports that the Pass-Fail concept is the more prominent trend in new grading techniques; however, the credit/non-credit option with the complete elimination of the concept of "failure" is the most recent grading pattern to emerge in higher education.

Several graduate schools and associations have expressed reservations about Pass-Fail grades. Rossman concluded after a study of thirty "name" graduate schools and fifteen professional schools, that "There is practically no enthusiastic support among graduate school administrators and chairmen of academic departments for trends toward S-U grading in undergraduate courses". There was a divergent opinion among the respondents

on the effect of a high percentage of S-U grades on the student's application but the general observation was that it would force greater reliance on other criteria (particularly standardized tests) which contribute to the decision.

Perhaps one of the best reviews of grading trends has been written by Jonathan Warren. He observes that the effect of Pass-Fail courses has been to give students greater discretion in allocating their study time among their courses. He also concludes that pass-Fail courses have been slighted without showing an increase in grades in other courses. However, students tend to favor the expanded use of Pass-Fail grading so that they may have greater options open to them in allocating their study time. Warren also raises the previously cited concern of graduate and professional schools that P-F grades furnish an inadequate basis for admission and mentions the even greater concern of a possible loss of fellowships to persons with numerous P-F grades. He briefly describes the several trials of the Pass/No Fail concept in grading which has been introduced. Essentially the thrust of this concept is to eliminate the fear of failure, particularly when Pass-Fail courses establish "pass" as C- or better.

Warren concludes his review by saying that grades "... can be neither damned or praised with any confidence". In order to achieve the generally accepted purpose of grading he advocates creating a more flexible and complex system, called multi-dimensional grading, which would grade students on a variety of forms of academic performance.

Reviewing grading systems is a popular pastime in higher education these days. Unfortunately there are too many reviews and not enough in-depth studies to determine what is truly gained or lost through the use of Pass-Fail related grading options.

#### S/U Grading at Cornell

Cornell University made its transition from a numerical grading system to a uniform letter grading system through legislation passed in May 1965. The report indicates that grading symbols of "S" and "U" were:

"... admissible as final course grades only in physical education or in events such as field trips, colloquia, non-resident lectures,

etc., or in courses deemed by the college to require no greater precision of grading."

However, during the Faculty deliberations a resolution was introduced, which subsequently passed, encouraging colleges and schools to:

"... develop plans on an experimental basis for offering their students the option of being graded 'S' (satisfactory) or 'U' (unsatisfactory) for a limited number of courses under prescribed conditions. Any plan should be submitted to the Faculty for approval."

The purpose of the legislation advocating this experimentation was "... To recognize that there could be too much emphasis on grades, that students might be given more freedom and that this might help the academic environment."

In the years following the 1965 legislation, nearly every school submitted plans to the Faculty for S-U grading, all of which were approved. Exhibit A shows the various parameters which have been placed on the use of S-U as adopted by the colleges and schools.

There are several uniform practices which deserve mentioning. S-U grades are not included in the academic average but the course credits are counted toward graduation. Generally any undergraduate student may take an S-U course if it is outside his major field, and in most units the student must have his adviser's consent to take an S-U option. Some units restrict the number of S-U courses taken on a term basis while other units place restrictions only on the total number of S-U hours or courses in the total degree program.

Most, but not all, colleges assume that the interpretations of S and U grades is up to the individual instructor. One division, however, reports that an S is equal to a C+ or better, while another division reports that the S is equal to a D- or better. In short, variation exists in a broad sense in the use and interpretation of S-U throughout the University.

#### Evaluation of S/U Made at Cornell

Several efforts in the past two years have been made at Cornell to evaluate the use of S-U grading and to experiment with grading systems closely akin to S U.

The most complete college-wide report is "S-U In The College of Agriculture," February, 1970. The Committee

drew several conclusions which pertain only to this College but which, when viewed in a broader context, apply to the University.

1. There is no adequate basis for evaluating the possible advantages and disadvantages of the S-U system to determine whether the overall effect is desirable or undesirable.

2. Students generally desire greater liberalization in the use of S-U grading. They also recognize the lack of consistency in what is meant by "Satisfactory."

3. Faculty are generally satisfied with the current S-U policy but many would favor bringing about changes which would make the S-U system less restrictive.

4. There are generally problems of administering the system which stem from: (1) some faculty not accepting responsibility for evaluation of student performance; (2) general ignorance of the policies governing S-U grades.

5. The University should "... essentially review and encourage uniformity in S-U policies among the different college faculties". Specifically, it encourages the College to define the S-U in terms of performance level.

The College of Arts and Sciences, after investigation and deliberation, adjusted the initial restrictions placed on S-U grading to enable students to take more courses on an S-U basis and to allow students to take S-U in their major, although this practice was not recommended.

The School of Business and Public Administration tried a one-year program of allowing students to receive three grades in lieu of the usual letter grades; "A" (Honors), "S", or "U". A review of the one-year experience showed that the overall average grade was lower in 1969-70 and that the difference was of the same magnitude as the difference due to A-S-U option. The evidence from this experiment seemed to show that many students choose A-S-U to hide poor performance and to allow for less work.

An Ad Hoc Committee on S-U grading in the College of Human Ecology recommended that instead of students being permitted to take one S-U course per term in the junior and senior years, they be allowed to take a total of four S-U courses at any time during these years. These recommendations were made because: (1) students who are

currently attempting to complete requirements in the junior year miss the opportunity to take a course for an S-U grade; (2) at times courses in which they would normally desire an S-U grade are given only in Spring or Fall and this would give them greater flexibility in choice, and (3) no increase has been suggested because only 25 per cent are currently using the S-U option.

The School of Law, after a year-long deliberation involving students and Faculty, decided to retain their policy of no S-U grades awarded by the Law Faculty to students registered in the school.

The Veterinary College is unofficially using only three grades for the student to see: 'S', 'W' (warning), and 'U'. Their objective is to relieve the pressure of competition for grades yet give the student enough feedback so that he can gauge his performance. Regular letter grades are submitted for official purposes, but the grades are converted by the College to the S-W-U symbols for direct distribution to the student. There are no conclusions to date.

Other units have assessed their S/ grading policies and have made appropriate modification during the past five years.

#### Findings of the committee

The Committee polled the University Faculty with a survey questionnaire in December, 1970. Fifty-two per cent (747) responded and several general conclusions can be drawn from the responses.

The Faculty wants limits placed on the extent of S-U grades and a majority favor limits established by the colleges. In general the respondents did not feel that the option should be used for required courses and/or those courses within the major. Clearly, the consensus was that they should be used outside the major and in elective courses. There is general agreement that students should be allowed to choose S-U options in upperclass and graduate level courses and over 50 per cent would allow S-U selection in underclass courses.

Several questions were aimed at the distinction between S-U with a minimum equivalent grade level and the possible use of Pass-Fail with "P" equal to D- or above, and "F" equal to letter grade F. Seventy-three per cent of the respondents equate Satisfactory with C- or above, and seventy-three per cent feel there should be a minimum

grade equivalency throughout the University. When asked to choose between an S-U system which connotes "S" as something greater than what is represented by the lowest passing grade, (D-), sixty-three per cent of the respondents said P-F was not a better option to choose. Apparently some (10 per cent) who feel that S-U should have a minimum of C- or better would prefer to operate under a system of P-F.

It is commonly believed that less work is required of students taking a course for an S-U grade than for a letter grade. Fifty-seven per cent of the sixty-one per cent of Faculty who frequently award S-U grades require the same amount of work of students who enroll for an S-U as those who enroll for a letter grade. This belief is therefore largely unfounded, as only four per cent of the responding Faculty have lower expectations for S-U graded students.

Respondents were asked to make free unrestricted comments. Twenty-six stressed that the S-U system would be strengthened if the range of performance which corresponds to S or U was explicit throughout the University.

A large body of opinion felt that appropriateness of S-U depended upon course level and size, but in general that introductory courses were not suitable for S-U grading. A number also felt that the S-U option should not be limited by a priori decisions but rather by the total number which an undergraduate may take.

There was sentiment toward spreading from two levels of grading to three in an effort to recognize excellence in scholarship, while another group did not feel strongly disposed toward S-U but spoke up for using the current letter system without the plus or minus.

Some who were critical of the S-U system felt that S-U was elected so that a minimum amount of work might be taken to gain credit for a course. Others felt that S-U grading did not furnish sufficient incentive for students to demonstrate their intellectual abilities. A large number mentioned the dilemma in which the system places graduate and professional schools and admissions and fellowship committees.

In general, the observations and responses of the Cornell

Faculty do not appear to be different from those that have been reported in numerous articles. They see basically the same potentials and weaknesses in this type of grading.

#### Background for

#### Recommendations

##### To the Faculty

**Introduction:** In addition to conducting its own survey the Committee membership reviewed other studies from within and without the University, collected information and opinions from personnel in the respective college and University offices, sought out advice from associates, and held a public hearing. From these sources various recommendations were formulated which were then taken to the Educational Policy Committees of the several schools and colleges. This limited background gives some of the basic reasons for the Committee's final recommendations.

**S-U Grading:** No definitive study is known which reveals all of the assets and liabilities of S-U (or Pass-Fail) grades. However, Cornell has experienced five years of using S-U on an experimental basis and several studies have been conducted and variations of S-U grading have been tried. (See Table I.)

Two forces are at work on the S-U or P-F concept of grading. On the one hand there are those who want a pure P-F grade so that the fear of failure is minimal. One of the proposals was to allow a student to take any course on a Pass-Fail basis. The one additional step which would be favored by some proponents of Pass-Fail would be to have only "Pass" with no failure ever registered; "Pass/No Credit" is a common description of this concept. One commonly identifies these positions as being held by students but not in a mutually exclusive way. The other feeling is that the standard for completion of a course on a satisfactory level is by definition C- or above. This persuasion seems to be held by a majority of the Faculty who answered the questionnaire administered by the Committee.

The alternative to S-U selected by the Committee is to recommend a three-level symbolism:

- (1) S - Satisfactory equals C- or above.
- (2) L Low Pass equals D plus, D, D- with credit.
- (3) U - Failure and no credit.

This alternative offers the standard of performance which the Faculty apparently does not wish to compromise and yet allows credit for the borderline performance, relieving the threat of failure.

There is another complication in the present use of S-U grades. Some courses are given S-U exclusive. Students are generally restricted in the number of S-U courses they may take in one term. One answer to this problem is to establish a University guideline to be followed by all colleges and schools to the effect that a student should not be restricted from taking a course simply because the course is given on an S-U basis and that the student be given the flexibility to take several S-U courses in one term providing he is still able to obtain the total number of letter grades required for his degree, distributed according to school and college requirements.

Some instructors place certain grading parameters on a course, such as giving S-U exclusively or assigning a value to "S" other than what is described in the grading manual. These differences must be explained clearly in the course description and explained to all students who enroll.

The S-U method of grading was not intended to offer a means for establishing a lower level of course work requirements. The Committee wishes to stress this point through the recommendation that similar amounts of work be required in a course regardless of the grading option.

Upon reviewing and studying the grading system at Cornell and putting it in perspective with the general grading trends at other colleges and universities, it becomes very apparent that there is no right or wrong, good or bad, grading system. The systems in effect reflect the educational thrusts and spirit of the times. Keeping this general background in mind, the Committee makes these recommendations to improve the present Satisfactory-Unsatisfactory system in the general belief that the present framework of grading is basically sound but needs strengthening in order to be a more effective symbol of academic assessment.

**Incomplete:** the symbol "incomplete" is a privilege which an instructor may make available for a limited number of clearly valid reasons. An instructor may grant an incomplete if the student has

substantial equity in the course and when firm agreement has been reached on the conditions under which the course may be made up. The purpose of the symbol is to give additional opportunity to those who cannot complete their course work for reasons beyond their control. If granted without restriction, the privilege enables students to finish course requirements which were incomplete because of tardiness, or excessive perfectionism.

In recent years this symbol has been subjected to many abuses. The number of incompletes has increased over 60 per cent within the past three years (see Table II), while a closely related increase in missing grades has been markedly evident.

The use of incomplete is subject to several criticisms. First, the symbol always remains on the permanent record and the second entry of the grade is entered on the permanent record in the term in which the incomplete "removal" takes place. Secondly, the instructor has the final say in awarding incompletes whereas the student has only his power of persuasion to support him when requesting its use. Although aware of the possible abuse, the Committee recognizes the value of the symbol and recommends that incomplete be used uniformly throughout the University under the following guidelines: that when a student has substantial equity and when conditions for make up are firmly established he be enabled to complete his course requirements when otherwise, because of circumstances beyond his control, he could not do so. Whatever the reasons for awarding an incomplete, they must ultimately be acceptable to the instructor. Each college shall prescribe the "make up" conditions.

**Cancel:** The symbol of cancel (CNC) has lost its original meaning. At one point, cancel was used to identify courses which were dropped after nine weeks of instruction, primarily for the purpose of accounting for accessory instruction. However, accessory instruction no longer counts courses which have been canceled and a major *raison d'être* has disappeared. As a grade symbol CNC has little or no value, and the Committee recommends that it be abolished.

One principal difficulty still exists with regard to cancellation of courses. The process, after a certain point in

time (usually eight weeks), requires a student to petition his school or college if he wishes to drop a course. This action is an administrative burden and several Deans and Educational Policy Committees have recommended the use of the symbols "withdraw-pass" and "withdraw-fail", thus essentially eliminating the process petitioning the College to drop a course and placing the burden of the decision directly with the student and Faculty member. The Committee, however, did not pass this recommendation.

**Audit:** Faculty legislation allowing audits for graduate students (an audited course being designated by the symbol "V" on the transcript) has recently been rescinded. Undergraduates have never been given formal recognition for audits.

The Faculty Council, in response to a plea from the Dean of the Division of Summer Session and Extramural Courses, has allowed the use of audit by persons in Summer Session and Extramural Courses who are not registered in the Graduate School. This practice is still useful in a limited number of cases and it is recommended that it be continued on a limited scale, to be examined again in another year.

**Year Length Courses:** Several courses have been instituted which, for a variety of reasons, run longer than one term and for which there is no basis for grading at the end of one term. (For example, an Honors essay tutorial.) These courses are difficult to handle administratively and are sufficiently burdensome that the approval of the College must be obtained before a "year length course" can be offered.

To provide for these courses the institution of a grading symbol of "R" is recommended, which simply indicates that a student is "registered in good standing" at the end of a term.

**Stability For A Grading System:** In the spring terms of 1969 and 1970 the University Grading System was temporarily modified by Faculty legislation to assist in relieving unusual pressures on the academic community. The Committee was asked to address the question of the stability of the grading system.

The Committee would like to draw to the attention of the Academic Community the August 17, 1970 Rules of the Board of Regents and

**Regulations of the Commissioner of Education** which imply that a grading system may not be altered once the academic term has begun (Exhibit C).

**Recommendations to the Faculty**

1. That the S-U grading option be replaced by a system of (S) satisfactory, (L) low pass but credit given, and (U) failure.
2. That the S-L-U system have symbol equivalents which are uniform within the University: S equals at least C- or above; L equals D plus, D, D-; U equals failure. Exceptions should be approved by the college or school and the Faculty Council of Representatives. Further clarification should be made in the course announcements.
3. That S-L-U options be chosen by the student during the first three weeks of the term.
4. That the announcements and/or supplementary course registration material describing each course include a description of the course grading options, particularly if the course is graded with an exclusive S-L-U. Any additional options must be announced by the instructor within the first two weeks of the term.
5. That colleges and schools may require a minimum number of credit hours graded by the letter system (A-F) for graduation from a particular program of study, and/or for particular courses within that program of study, but the student may take as many S-L-U graded credit hours each term as he wishes, provided he meets at least the minimum college or school requirements.
6. That course requirements be the same for all students regardless of the grading option chosen.
7. That a course which is canceled not appear on the permanent record. (Elimination of the symbol cancel (CNC).)
8. That the uniform use of Incomplete (INC) be strongly enforced throughout the University under these guidelines: that when a student has substantial equity and when conditions for make up are firmly established he be enabled to complete his course requirements when otherwise, because of circumstances beyond his control, he could not do so. Whatever the reasons for awarding an incomplete, they must ultimately be acceptable to the instructor. Each college shall prescribe the "make up" conditions.

9. That the symbol "It" be instituted to represent year length courses which are not graded at the end of one term.

(1) Smallwood, Mary L. *An Historical Study of Examinations and Grading Systems in Early American Universities*. Cambridge: Harvard University Press, 1935, pp. 114-115.

(2) Quann, Charles J. "Pass-Fail Grading: What Are The Trends?" April, 1970, p. 2. (Mimeographed.)

(3) *Explanation of Grading Systems*. Office of the Registrar, Cornell University, 1970.

(4) *Minutes of the Meetings of the University Faculty*. Cornell University, Ithaca. September, 1964 - June, 1967, pp. 3170-3173 and 3174-3180.

(5) Sgan, M. R. "Letter Grade Achievement in Pass-Fail Courses", *Journal of Higher Education*, 41 (November, 1970), pp. 638-644.

(6) Tragesser, E. F. et al. "Are New Developments in Achievement Testing An Answer to Pass-Fail Grading Systems?" *College and University*, XLIII (Summer, 1968), p. 565.

(7) Stuart, William. *Report of the President's Committee for the Pilot Study in Student Education at Princeton*. Princeton: Princeton University, Office of College Operations, 1968, p. 6.

(8) Rossman, Jack K. "Graduate School Attitudes to S/U Grades," *Educational Record*, 51 (1970), pp. 310-313.

(9) Warren, Jonathan R. "Current Grading Practices", *American Association of Higher Education, Research Report Number 3*, January 15, 1971.

(10) *S/U Grading in the College of Agriculture*. Conducted by the College of Agriculture, Cornell University, Ithaca, February, 1970.

The Provost called the meeting to order at 4:35 p.m. in 120 Ives Hall. 50 members were present.

1. NECROLOGY

The Provost announced the following deaths: *Thomas W. Silk*, Professor Emeritus Hotel Administration; *George H. Healey*, Professor of English and Curator of Rare Books, University Libraries; *Alice M. Burgoin*, Emeritus Professor of Institution Management, College of Human Ecology; *William L. Hewitt*, Associate Professor of Civil and Environmental Engineering, joint with Agricultural Engineering; *James Frederick Mason*, Emeritus Professor of Romance Languages and Literature; *Donald Stuart Welch*, Emeritus Professor of Plant Pathology. He then relinquished the Chair to the Speaker.

2. MINUTES FOR SEPTEMBER 3, 1971

Noting the absence of a quorum the Chair, in his office, approved the Minutes of the previous meeting subject to ratification by the FCR.

3. PRINTING ERROR

The Speaker announced a printing error in the 1970-71 issue of the General Legislation of the University Faculty and noted that he would report this error to the FCR for approval.

4. DEAN'S ANNOUNCEMENT

The Dean announced that the report of the Committee on the Economic Status of the Faculty would appear in the *Chronicle* for February 17, 1972. He then introduced its chairman, Professor David Call. Professor Call reported that an abbreviated version of the report would appear later in the day in the *Ithaca Journal*. After listing the people and groups who had seen the report, he apologized for the unintentional leak to the press preceding Faculty receipt of the report.

Dean Penney said he had intended to propose new legislation for the

Committee on Membership of the University Faculty. There being no quorum, he said he would consider at a later time whether it would be appropriate to present this legislation to the FCR.

Turning to the Committee on Nominations and Elections, he spoke as its representative, the committee not having elected a chairman. Calling attention to the report of the committee which appeared in the *Chronicle* for February 10, 1972, page 8, he noted additional nominations on page 5 of the same issue which were made at the February 10 FCR meeting.

Due to the inability of a nominee to serve, the Chair made an editorial correction in the list of nominees. He substituted the name of R. Kenneth Braun, L.A.M.O.S., for that of Professor Robert Whitlock, Veterinary Pathology, as a non-tenured, non-FCR candidate for the Committee on Admissions and Financial Aids. He then invited nominations from the floor. There being none, he declared the slate of nominees perfected.

5. STATEMENT OF THE PROVOST

In introducing Dean Cranch, the Provost reminded the Faculty of the three-year program mandated by the Trustees to balance the budget in the endowed division of the University. Indicating that the mid-point in this program had been reached, he announced that the goal will be achieved. He added that a balanced budget will not solve the overall problem since techniques are being used to balance the budget which cannot be extrapolated indefinitely; i.e. cutting programs, increasing faculty salaries less than the cost of living, and increasing tuition faster than the inflation rate. Noting a body of opinion on campus which anticipates that life will return to normal at the end of the three-year period, he said this cannot happen and have Cornell survive as a great university. With a view to taking advantage of the three years to undertake long-range planning, the President appointed a committee under Dean Cranch in the spring of 1971 to investigate alternatives,

this constituting part one of a planning exercise. The report, expected in the spring of 1972, can serve, after suitable examination and discussion, as a guideline for budget-making in the future.

The Provost also noted that in 1971 the New York State Legislature required universities in the state to participate in a state-wide planning exercise for higher education. Cornell received its forms in November, 1971, returnable in March, 1972, with instructions to plan for four years and extrapolate to 1980. In view of the limited time available for responding, Cornell will extrapolate the status quo, recognizing that in practice this would bankrupt the University educationally or financially. Consequently, the University will seek permission to amend its report as planning proceeds. In concluding, the Provost assured the Faculty that Cornell will continue to be a first-rate university.

6. PRELIMINARY REPORT, COMMITTEE ON LONG-RANGE  
FINANCING FOR THE UNIVERSITY

Dean Cranch began by anticipating that the report of his committee will contribute to a stronger university wherein planning will contribute to vitality. After reviewing the charge to the committee, which is to advise the President how, in the next five to ten years the University can maintain financial and educational vitality, he observed that the purpose of reporting at this meeting of the Faculty is to provide the Faculty with an opportunity to contact committee members if they feel something of importance has been missed. Listing the members of the committee and noting that its work is being supplemented by subcommittees, he observed that the combination of faculty, non-academic employees, graduate, and undergraduate students provides contact with the real world.

In presenting statistics, he noted that much detail has been eliminated for purposes of the presentation and, in some cases, information in different

categories has been combined. He observed that for the period being examined by the committee, 1969-1972, rapid growth was the outstanding characteristic. Then, using an overhead projector, he presented graphs and tables which showed student enrollment, number of faculty, student-faculty ration, distribution of faculty by rank in each school and college, deficit and anticipated deficit in endowed colleges, (1966-1974), source of funds used to cover deficits, growth and amount of endowment and similar funds, summary of operating expenses of endowed colleges at Ithaca supported by unrestricted funds, summary of income to support operations.

Professor Cranch then listed the subcommittees, their membership, and their main areas of activity. These committees are: Educational Goals and Priorities chaired by Professor Arch T. Dotson, concerned with appropriate size of university, what makes Cornell distinctive, what can Cornell do best; Academic Affairs chaired by Professor Donald F. Holcomb, extracting academic prarmeters from growth curves, identifying constraints upon academic development, investigating how to maintain flexibility in a nongrowth situation, considering financial aids; Non-Academic Affairs chaired by Mrs. Elizabeth V. Corrigan, considering constraints upon supporting personnel; Tenure and Rewards chaired by David Call, looking at problems in tenure system, selection process for tenure, information regarding tenure given to new faculty members, the possibility of separating tenure and rank, considering what to do about the unproductive faculty member; Academic Productivity chaired by Professor H. Justin Davidson, concern with innovative techniques and technology in teaching, relationship of productivity and tenure, productivity and research. Professor Cranch also noted two special studies, one on capital projects, the other on University income. He encouraged faculty members to address their concerns to members of the committee and subcommittee. As to what happens next, he concluded that planning is here

to stay and that planning will change the style of life at the University.

A number of questions were asked. Professor Cranch's responses follow in parentheses. Have student-faculty ratio been computed on the basis of teaching faculty or total faculty? (The figures used are closer to the teaching faculty than to the total faculty.) Is the subcommittee addressing the question of reducing the costs of administration? (This is being left to the main committee.) Aren't student-faculty ratios for endowed colleges and state colleges misleading when computed on the basis of student enrollment in these divisions since, in many classes, enrollment is mixed? (This is correct. To have these statistics meaningful it is necessary to look for data within colleges. The attempt today is only to present a general picture.) Why are so few assistant professors on the committee? (Through involvement in subcommittees, their voice is not being lost.) Where will follow-up action to the report occur? In the FCR, here, or where? (The report is being made to the President. This meeting could well encourage discussion about what procedures might be followed after the President and administration examine the report. There are various possibilities for faculty involvement. He anticipates the appointment of task forces involving different interests in the University.) The questioner did not recall a quorum question in many years of attending faculty meetings. He asked what a quorum is and how it is to be obtained in the absence of an exciting issue. Dean Penney replied that it is 10% of the eligible faculty members, which comes to about 148 members. As to how to turn them out, his only suggestion was to use the media in order to create a sense of urgency which, he added, he is reluctant to do. Professor Paul Olum observed that many faculty members thought the notice to the meeting concerned the monthly FCR meeting since it took the same form. Dean Penney agreed that something is needed to get the Faculty to take note of particular notices. He also observed that

the Faculty Bulletin in the *Chronicle* seems to be less effective than when the *Chronicle* was initiated.

Adjourned: 5:45 p.m.

G.P. Colman, recorder pro tem

## A Report on Cornell Faculty Compensation for 1971-72

With all the discussion of Cornell's deficits and New York State's fiscal problems it is not surprising to find that the growth in average compensation for full-time faculty was small in 1971-

72 (table 1). The average increase of \$544 in endowed and \$595 in statutory compares with a four year average increase of \$856 and \$1,135 respectively. Unfortunately average compensation did not even keep pace with inflation during the past year (table 2a). Comparisons of changes in compensation to change in the Consumer Price Index over a 5 year period are more favorable for the Statutory Divisions and Endowed assistant professors but indicate no gain in real incomes for Endowed associate and full professors.

At the time of this report the status of the 6% across-the-board increase granted but not funded for other SUNY academic personnel is still in doubt. For the Statutory Divisions therefore this report covers only the fixed across-the-board increments in annual salary which were made of \$350, \$400, and \$500 respectively for assistant, associate, and full professors. These increases, of course, differ from the reported changes in average salary by rank (table 2b); such changes are influenced by retirements, promotions, and new appointments. For instance, if "senior" assistant professors are promoted to associate professor and if new assistant professors are appointed at salaries which are relatively low, the average compensation for assistant

professors can decline (even though those who remain in the assistant professor rank receive salary increases). It appears this actually happened in the Statutory Divisions where average compensation for assistant professors did decline slightly. Actual salary increases for those remaining on the faculty both years are shown in table 3. These salary increases in the Endowed Divisions averaged somewhat more than the 3.5 percent increase in the cost of living. In the Statutory Divisions the picture thus far is quite bleak for it indicates an average decrease in real income of 0.8%.

We publish for the first time some information on the distribution of faculty by salary intervals (table 4). These data supplement the averages reported in table 2b. Full professors clearly receive lower salaries, on the average, in the Statutory Divisions than in the Endowed Divisions while salaries at the associate and assistant professor levels are roughly comparable. For example, 24.6% of the full professors in Endowed Divisions have salaries over \$25,000 compared with 7.3% in the Statutory Divisions. In interpreting results, however, the reader must remember that the data cover a variety of colleges within each division. Each college or school faces different competitive pressures, and consequently average salaries and the distribution of salaries, no doubt, varies greatly for the various colleges within each division. In addition the Statutory Divisions operate under the salary levels of SUNY with a top professorial salary of \$28,200 for nine months (\$33,850 for twelve). The Endowed Divisions do not have a fixed upper level.

In line with this problem of aggregation the Committee feels it would be highly desirable to provide information every three or five years on average salaries by rank by colleges where there are 5 or more professors in each subgroup. It is obvious salaries vary widely by colleges and we feel each professor is entitled to this general information so he can better determine where he stands. Instead of conducting a survey, which was done about 10 years ago, we have attempted in the past year to gather the information from each college without success. We recommend that the FCR explore this question of what types of economic information should be available to the faculty.

Rather than including the AAUP Salary Ratings, which are undergoing revision, we have provided in Table 6 direct comparisons of Cornell compensations with a number of other institutions. The selection is somewhat arbitrary but does provide some basis of comparison. For the Endowed Divisions the average compensation

for assistant and associate professors compares favorably with the other 10 private universities. For full professors 8 of the 10 have higher levels of compensation. For the Statutory Divisions the comparison with the three SUNY centers is most striking.

It is fairly obvious that the University anticipates a continuation of the severe economic pressures which will obviously affect salary levels in the foreseeable future. With this thought in mind we cannot express our thoughts any better than the following.

"If current efforts to curb inflation prove to be ineffective, there is every reason to fear that real compensations in higher education will be eroded even more drastically. The intensifying financial crisis of institutions of higher education, the cutback in federal spending, and the collapse of the academic market for those seeking faculty positions all mean that it will be difficult to secure the increases in remuneration necessary to offset the effects of rapid inflation. *This makes it even more crucial to impress on administrators, boards, legislatures, and Congress the magnitude of the problem and the unwillingness of faculties to be the main source of subsidy to higher education through reduced rates of growth in compensation.*

If the preceding paragraph has a familiar ring, be not surprised. It is taken verbatim from last year's report. Recognizing a problem and solving it are unfortunately not equivalent."

—The compensation figures for the Statutory Divisions for 1970-71 have been revised downward from last year's report. The method for computing retirement benefits has been changed at the request of the AAUP. Since faculty in the Statutory Units may elect state or TIAA-CREF retirement plans, the computation of benefits is necessarily more complicated than in the Endowed Units, where the Cornell contribution is 10 percent of salary. The old formula for the state units probably overstated Cornell's contribution to retirement; the new method is more conservative.

—AAUP Bulletin, p. 224, Summer, 1971, "At the Brink Report on Economic Status of the Profession 1970-71."

*Prepared for the Committee on the Economic Status of the Faculty by:*

*David Call*

*William Tomack*

Table 1. Cornell Average Compensation (Salary and Fringe Benefits), Full-Time Faculty, 9-Month Basis

Academic Year	Endowed Divisions	Annual Change	Statutory Divisions	Annual Change
1966-67	15,762	633	14,969	1,187
1967-68	16,395	930	16,136	539
1968-69	17,325	815	16,695	1,600
1969-70	18,140	1,045	18,295	1,212 B/
1970-71	19,135	544	19,507 B/	595
1971-72	19,729		20,102	

B/ Fringe benefits include Cornell's or N. Y. State's outlay for social security, retirement, medical insurance, and tuition for faculty children, 12-month salaries (11 months + one month vacation) are reduced with a conversion factor of 9/11 or 81.8%.

B/ Revised from last year's report; see text.

Table 2a. Average Compensation by Rank and by Division, 1966-67, 1970-71, 1971-72, 9-Month Basis

Division and Rank	1966-67	1970-71	1971-72	Percent Change 5 yr.	Percent Change 1 yr.
Endowed					
Professor	20,808	25,077	25,695	23.5	2.5
Assoc. Prof.	14,527	17,763	18,245	25.6	2.7
Asst. Prof.	11,035	14,091	14,472	31.1	2.7
Instructor	8,957	10,587	11,550	28.9	9.1
Statutory					
Professor	17,907	23,266 B/	24,146	34.8	3.8
Assoc. Prof.	13,497	18,458 B/	18,679	38.4	1.2
Asst. Prof.	11,562	15,328 B/	15,304	35.9	0.2
Instructor	7,780	8,768 B/	11,610	49.2	32.4
CPI B/ (1957-59 = 100)	114.6	137.8	142.6	24.4	3.5

B/ Consumer Price Index U.S. average figure for November of indicated year.

B/ Revised; see text.

Table 2b. Average Salary by Rank and by Division, 1966-67, 1970-71, and 1971-72, 9-Month Basis

Division and Rank	1966-67	1970-71	1971-72	Percent Change 5 yr.	Percent Change 1 yr.
Endowed					
Professor	17,937	21,509	22,117	23.0	2.8
Assoc. Prof.	12,644	15,026	15,577	23.2	3.2
Asst. Prof.	9,669	11,298	12,367	28.1	3.2
Instructor	7,737	8,775	9,683	25.2	10.3
Lecturer	--	8,023	8,574		6.9

Statutory	14,996	19,278	20,100	34.6	4.7
Professor	11,411	14,951	15,498	35.8	3.7
Assoc. Prof.	9,577	12,747	13,625	31.8	-1.0
Instructor	6,595	7,016	9,485	43.8	35.2
Lecturer	--	10,426	10,415		0.9

Table 3. Average Salary Increases for Faculty on Staff Both Years 1970-71 and 1971-72, 9-Month Basis

	Endowed Units	Statutory Units
Percent change		
Professor	3.7	2.6
Assoc. Prof.	5.6	3.1
Asst. Prof.	6.1	2.0
Instructor	4.0	2.2
All Combined	4.6	2.7

Table 4. Distribution of Faculty by 1971-72 Academic-Year Salaries, 9-Month Basis, in Percent

Salary Intervals (dollars)	Endowed	Statutory
over 30,000	5.6	7.3
25,000-29,999	19.0	39.7
20,000-24,999	42.3	50.3
15,000-19,999	32.2	2.6
below 15,000	0.8	
Associate Professor		
over 20,000	3.2	3.9
17,500-19,999	11.4	6.5
15,000-17,499	42.7	44.2
12,500-14,999	42.7	41.6
below 12,500	0	3.9
Assistant Professor		
over 15,000	3.9	5.7
12,500-14,999	41.9	47.1
10,000-12,499	48.4	45.7
below 10,000	5.8	1.4
Full-time Instructors and Lecturers		
over 10,000	38.2	42.9
7,500-10,000	38.2	57.1
below 7,500	23.6	0

Table 5. Number of Full Time Faculty by Rank, 1971-72

Rank	Endowed Divisions		Statutory Divisions	
	Number	%	Change from 1970-71	Number
Professor	357	41.8	+17	151
Assoc. Prof.	185	21.6	+17	77
Asst. Prof.	258	30.2	-24	70
Instructor	15	1.8	+1	9
Lecturer	40	4.7	NA	12
	895			319

B/ At the request of the AAUP, for the last two years the Statutory Units have included only faculty who devote half-time or more to instruction. A comparison last year indicated no significant differences between the figures as reported and the figures for the total faculty as previously defined. A similar check was not requested this year. Since the number of faculty included can change due to relatively arbitrary means of classification with respect to amount of time devoted to instruction, changes in number of faculty are not comparable.

Table 6. Comparisons of Cornell Average Compensations 9-Month Basis - 1970-71\*

	Average Compensation By Rank	
	Professor	Assistant Professor
Cornell Endowed Divisions	25.1	17.8
Princeton University	25.5	16.6
Barnmouth College	23.2	17.4
Columbia University	23.8	17.3
Harvard University	27.2	18.6
M.I.T.	25.9	17.1
Stanford	25.0	17.9
Cal Tech	26.0	17.0
Yale University	28.5	17.4
University of Chicago	26.6	13.5
University of Rochester	25.5	14.1
Cornell Statutory Divisions	23.5	18.1
SUNY at Binghamton	26.0	19.4
SUNY at Buffalo	26.9	18.4
SUNY at Stony Brook	27.5	18.2
University of Minnesota	20.9	16.5
Michigan State University	22.3	16.6
Purdue University	23.5	17.3
North Carolina State	19.3	15.1
Iowa State University	21.6	16.7
CUNY - Brooklyn College	33.4	20.3

\* Source: AAUP Bulletin, Summer 1971.

The President called the meeting to order in Ives 110 at 4:30 p.m.  
He then relinquished the chair to the Speaker. *69 members Present*

1. COURSE OFFERINGS BY CENTERS

Dean Penney reported having received a letter from the Soviet Studies Committee dated October 13, 1971, which raised a number of questions concerning course offerings by centers on the Cornell campus. When he presented the matter to the Executive Committee on December 7 there was vigorous discussion about whether the particular questions raised should be investigated by the Executive Committee or some ad hoc committee to be created, or whether some other machinery should be employed to deal with this inquiry as part of the overall problem of course offerings by centers. The committee referred the matter to the Dean with a request that "he suggest a procedure to resolve the problem of center courses and report his findings to the Executive Committee". At the January 25, 1972 meeting of the Executive Committee, the Dean suggested that the question of course offerings by centers be referred to the new Committee on Academic Programs and Policies as an early item of business. The Executive Committee passed a motion instructing the Dean to refer the matter to that committee and to so inform the FCR. The Dean concluded that he would implement the Executive Committee's instructions as soon as the new committee is formed.

2. MASTER PLAN

With reference to the report appearing in the *Chronicle* of February 24, 1972, the Dean reported that Professor Thomas Mackesey, Vice President for Planning, met with the Executive Committee on February 23, presented background material, and sought to allay concerns regarding the Faculty's role in making educational policy. For their part, members of the Committee said they wanted to be sure that the report made the appropriate educational policy disclaimers. The following week Vice President Mackesey

met with several Faculty Trustees, who offered detailed changes, almost all of which were accepted by the Vice President. The Dean said he had just seen the revised master plan. In his opinion, it met concerns expressed by the Faculty.

3. JUDICIAL RESTRUCTURING ACT

The Dean noted that passage of this act at the last Senate meeting completed the new judiciary system with one exception: the portions of the Statement of Student Rights (the three items marked with asterisks) discussed in the May, 1971, FCR meeting. Senate Speaker J. Robert Cooke has asked the Faculty to take up these three items. The Dean concluded by reminding the body that all members of the Cornell community are now governed by the new judicial system, which is to be described in forthcoming issues of the *Chronicle*. He also called attention to matters relating to campus conduct in the *Chronicle* for February 17 and 24. Professor Robin Williams, noting that very few faculty members seem to be aware of the implications of the new judicial system as they relate to mixed boards, also urged a careful reading of the material cited by the Dean.

4. RESOLUTION ON FREEDOM OF SPEECH AND INQUIRY

Professor Robin Williams reported that the Executive Committee, anticipating a possible challenge to freedom of speech and inquiry at a recent campus event, passed the following resolution by unanimous vote after considerable discussion. The resolution follows:

*"The Executive Committee of the FCR reaffirms the position of the FCR in support of freedom of speech and inquiry and endorses the participation of faculty at public events as a responsible presence for the maintenance of such freedom of speech and inquiry."*

5. COMMITTEE ON MEMBERSHIP OF THE UNIVERSITY FACULTY

Dean Penney, chairman of the Review and Procedures Committee, after noting the absence of a quorum at the last meeting of the University Faculty,

moved, with the approval of the Executive Committee, the following legislation on the Committee on Membership of the University Faculty, as published in the *Chronicle* for February 10, 1972.

*The Committee on the Membership of the University Faculty is hereby established as a Committee of the University Faculty. The responsibilities of the Committee on the Membership of the University Faculty shall be:*

- 1. To establish and to keep up to date, pursuant to the Bylaws of Cornell University, a correct list of all the voting and nonvoting members of the University Faculty.*
- 2. To scrutinize requests for additions to the voting or nonvoting membership of the University Faculty not already covered by Faculty or Trustee legislation, and to recommend action on such requests to the Faculty.*
- 3. To formulate, as needed and warranted, policies and procedures concerning membership of the University Faculty, and to make appropriate recommendations to the Faculty.*

*The Committee shall be comprised of the Secretary of the Faculty, as ex officio chairman, and three members elected from the voting membership of the University Faculty. The elected members shall serve for staggered terms of three years. They may serve for more than one term, but not consecutively.*

*The Committee shall be responsible to the University Faculty and shall report to that Faculty at least once in every academic year.*

The Dean noted that this legislation is both innocuous and necessary, problems having arisen through administrative reorganization and changes in title. The motion passed on voice vote without opposition.

#### 6. CHANGE OF DEGREE DATE

The Dean moved the following resolutions on behalf of the Committee on Registration and Schedules.

*"Resolved that degrees granted at the end of the fall (or first) term of any year be given as of the day before the start of registration for the next term.*

*Resolved that degrees granted in the fall of each year (at the conclusion of the summer term) be conferred as of the day before the start of registration for the fall (or first) term.*

*Resolved that degrees granted at the end of the spring term of any year be given as of date of the last day of that term (i.e. date of commencement)."*

The motion passed on voice vote without opposition.

7. S/U TRANSCRIPT NOTATION

On behalf of the Committee on Registration and Schedules, the Dean moved as follows:

*Resolved, that a transcript notation be used to designate courses which are offered exclusively on an S/U basis.*

The motion passed on voice vote without opposition.

8. QUESTION OF PRIVILEGE

1. A question of privilege was raised by Professor Isadore Blumen with respect to two paragraphs in a speech made by Professor Robert B. McKersie, Dean of ILR, which was printed in the *Chronicle* March 2, 1972.

These paragraphs follow:

Lifting of race up to a very explicit level has also meant that the white population tends to keep a scorecard on blacks. Living in Ithaca has been quite a revelation where, when the first bank robbery was executed several months ago, you could hear the mental calculators going when it was revealed that the agent of this re-distribution of income was black. In this sense, white racism means that whites think about the function of race and keep track of individual behavior as part of a collective scorecard. Perhaps this is inevitable when black cohesion and black pride force whites to think about blacks in group or stereotype terms rather than as individuals.

An interesting example of this group conscious reaction can be seen on the Cornell campus. Recently, the leadership of the special program for black students put out a handbook in which they asked black students to really do a good job and maintain high academic standards. The faculty objected to this as the setting of academic policy and asking blacks to adhere to a higher standard than was generally the case. At the same time, a group of trade union students in one of our courses in New York City was asking students not to miss any classes and, if they missed two, they would flunk the course. They were setting academic policy, but in the case of the trade unionists, no one raised any objection because they were not in the "field of selective preception".

2. The statement of Professor Blumen raising the question of privilege follows:

To: Dean McKersie

Date: March 6, 1972

From: I. Blumen

Subject: FCR Meeting

In your speech reproduced in the March 2 *Chronicle* you say that faculty reaction to the original version of the COSEP Handbook was "an example of group conscious reaction", "white racism", part of keeping a "collective scoreboard", "thinking about blacks in group or stereotype terms", and a matter of "selective perception".

These remarks are a misrepresentation of the events surrounding the development of the final version of the Handbook. They do serious injustice to the many honorable members of the faculty who labored to improve that document. The remarks are an affront to the faculty, individually and collectively.

The publication of this distorted view of the Cornell Faculty by one who is himself a member of the body and an officer of the administration is a grave threat to reasonable conduct of University Faculty affairs. Accordingly, I intend to raise the issue of this improper and unwarranted attack on our integrity at the meeting of the Faculty Council of Representatives this Wednesday, March 8.

I hope that you will attend and join the discussion.

cc: Dean Norman Penney  
Professor Robin Williams

3. Dean of the Faculty Norman Penney will use his good offices to determine whether a question of privilege is involved and will report back to the FCR.

## 9. DISTRIBUTION OF MINUTES

The Speaker obtained unanimous consent to refer to the Review and Procedures Committee for a recommendation the paragraph in the Bylaws mandating the distribution of FCR Minutes to the University Faculty.

10. RESCHEDULING MAY MEETING

Dean Penney asked permission to move the date of the FCR meeting to May 3 in order to schedule a meeting of the Faculty on May 10. There were no objections.

Adjourned: 6:00 p.m.

G.P. Colman, recorder pro tem

CORNELL UNIVERSITY SENATE

Statement of Student Rights

February 18, 1971

A-193  
as amended

ARTICLE I: THE RIGHT TO STUDY

- §1: No student shall be denied admission to any school, department, center or class within the University on the basis of race, religion, age, sex, sexual preference, ethnic background, or political persuasion; however, the physical education department shall be allowed to select on the basis of sex, but only in so far as such selection is necessary to provide for orderly use of dressing facilities.
- § 2: No student shall be denied enjoyment of the benefits of University programs and facilities to which he would normally be entitled without due process. No member of the Cornell Community shall by his conduct obstruct this right.
- § 3:\* Students shall receive the full amount of instruction for which they contract by paying tuition and fees.
- (a) In the event of an instructor's inability to meet class for reasonable cause, compliance with this section may be achieved through the instructor's or the University's bona fide effort to re-schedule missed classes or to arrange for a substitute teacher.
  - (b) A cancellation of a class or classes by the University for reasonable cause shall not be a violation of this section unless the sum of such cancellations is greater than three class days per term. In the event that such cancellations exceed the three day limit, compliance with this section may be achieved by reasonable re-scheduling of missed classes in excess of the herein defined limit.
  - (c) No part of this section is intended to limit flexibility or educational innovation; classes need not be bound to a given number of hours per week so long as all students are apprised of such intention in timely fashion, and the number of actual class hours taught per term meets with reasonable departmental standards.
- §4:\* A student shall have the right to see any material submitted by him or her for a grade after it is corrected and graded. This right shall not be waived so long as the student submits, within one month after notice of the grade is given, a request to see the material.

\* These sections shall become operative only after acceptance by Faculty Council of Representatives.

## ARTICLE II: THE RIGHT TO SPEAK

- <sup>s</sup>1: A student's right to free speech shall not be limited as to subject. For instance all facets of University Administration, policy and life, and all faculty, student and employee activities shall be proper objects of free discussion and criticism.
- <sup>s</sup>2: Students shall have the right to publish and distribute written and other audio-visual material without prior approval, provided the method of distribution does not unreasonably disrupt or burden the University. This section applies neither to scholarly research where the work of one or more additional persons is involved and all have not given consent for publication, nor to confidential information within the meaning of Article V.
- <sup>s</sup>3: The fact of institutional subsidy and liability does not warrant censorship of editorial policy or content in any broad sense. The University may provide for advisory review, however, solely as a reasonable precaution against the publication of matter which would expose the institution to liability.
- <sup>s</sup>4:\* Inasmuch as the free expression of ideas is central to the educational process, academic evaluations shall be neither unprofessionally prejudiced nor capricious in such a way as to intimidate students and deter them from offering different opinions than those of the person making the evaluation.
- <sup>s</sup>5: The student's right of self-expression shall not extend to protect words, noise, or action intended to prevent free self-expression by others. Picketing and other forms of protest action shall be completely acceptable within the intent of this section so long as they are expressions of dissent which do not prevent self-expression by others, deny access or mobility, or otherwise cause injury to life, liberty, or property.

## ARTICLE III: THE RIGHT OF ASSOCIATION

- <sup>s</sup>1: Students shall be free to organize and join associations to promote their common interests, and they shall be free to make reasonable use of University facilities for such purposes. The University may, however, withhold use of its facilities where the use intended will impinge on the rights of other members of the Cornell Community by obstructing their study or their self-expression or otherwise subjecting them to harrassment.
- <sup>s</sup>2: No student organization or official University activity financed in whole or in part by University funds shall discriminate in its membership policies on the basis of race, religion, age, sex, sexual preference, political persuasion, or ethnic background, except where sex and age are bona fide qualifications for membership.\*\*
- <sup>s</sup>3: No organization shall be required to submit a membership list.
- <sup>s</sup>4: A student organization may properly be required to identify officers handling University funds or to designate a person to receive University communications.

\*These sections shall become operative only after acceptance of Faculty Council of Representatives.

\*\*Underlined portion was amended at 3/25/71 Senate meeting.

#### ARTICLE IV: THE RIGHT TO LISTEN

- §1: Free inquiry is central to the function of the University; therefore, student groups shall have the right to invite any person of their own choosing to speak on campus for the purpose of hearing his ideas and opinions. The University shall, however, retain its legal prerogatives in order to protect itself from liability.
- §2: Institutional control of campus facilities shall not be used as a device of censorship.
- §3: Routine procedures may be required by the University before any guest speaker is invited and scheduled to appear on campus, but these procedures shall be designed only to insure that there is orderly scheduling of facilities and adequate preparation for the event. Reasonable charges for services may be made by the University to the sponsoring group.
- §4: It is not sufficient reason for University suppression of the peaceful expression of ideas that they are so outrageous to others that there is a risk of misconduct by those offended.
- §5: The right to listen shall not be abridged by any member of the Cornell Community. Conduct by any member of the Cornell Community intended to or having the effect of preventing a speaker from speaking shall be a violation of this article and may also be a violation of Article I, Section 2.

#### ARTICLE V: THE RIGHT TO PRIVATE RECORDS

- §1: Academic, disciplinary, medical, financial and counseling records shall be kept separately from each other.
- §2: Transcripts of academic records shall contain only information about academic status of the student during his period of study at the University and shall not be available to unauthorized persons within the University or to any person outside the University without the express consent of the student involved.
- §3: Information from which an individual can be identified that is contained in disciplinary, medical, counseling and financial files shall not be available to unauthorized persons within the University or to any person outside the University without the express consent of the student involved except under legal compulsion or in cases where the safety of persons or property is in grave danger.
- §4: A student shall have the right to see his own academic and disciplinary records.
- §5: No records shall be kept which reflect the political activities or beliefs of students unless the student specifically submits such information.

## ARTICLE VI: THE RIGHT TO PRIVATE QUARTERS

§1: The University, if approached, shall not permit or consent to searches by the police or other law enforcement officers of quarters within University owned or operated facilities in which students live unless the officers possess a warrant properly obtained from the appropriate civil official, or the student whose quarters are to be searched consents to such search.

§2: Routine inspections of student quarters within University owned or operated living facilities may be made by University personnel in accordance with a normal maintenance schedule established, authorized, and published by the appropriate University official. Such inspections shall be limited in object to

- (a) assuring compliance with state, local and University promulgated fire and health safety regulations and
- (b) detecting any deterioration which may require maintenance attention.

Routine inspections may be made of student quarters within University related living facilities, but only for the purpose of assuring compliance with state, local and University promulgated fire and health safety regulations.

§3: Any non-routine inspection of student quarters within University owned or operated living facilities beyond inspections provided in section two (2) of this article may be made by University personnel only where there is reasonable cause to believe that the condition or contents of the student's quarters constitute a threat to the health, safety or welfare of other persons in the same living facility. Such inspections may be undertaken only with the direct written authorization of the Dean of Students, and such authorization shall narrowly define and limit the object or objects of such inspections.

§4: Entry of student quarters within University owned or operated living facilities for the purpose of necessary maintenance work shall be allowed. Where such work is to be done in a student's room, the student shall be notified in advance, except in the case of emergencies where no advance notice shall be necessary. If the student is not present when such emergency entry is made, prompt written notice that the entry was made should be given.

§5: It is preferable but not mandatory that any inspections made be done in the presence of the student whose quarters are being inspected. In cases where the student is not present when such an inspection is made, the student shall be given prompt written notification that an inspection was made.

§6: The signing of a lease or contract between a student and the University for living quarters shall not confer such consent to inspection as would operate as a waiver of safeguards to student privacy herein provided.

## ARTICLE VII: THE RIGHT TO PROCEDURAL DUE PROCESS

(title to be enacted; specifics to be considered and eventually enacted after establishment of a new or revised judiciary by the Judiciary Committee and the Senate)

## ARTICLE VIII: THE RIGHT TO REDRESS OF GRIEVANCES

§1: No judicial body or mechanism empowered to adjudicate cases and controversies arising from alleged violations of the provisions of this document shall have jurisdiction over any person beyond those fitting within the following groups: students of Cornell University, student organizations and associations supported in whole or in part by Cornell University, members of the faculty of Cornell University, employees of Cornell University, and Cornell University itself.

§2: Cases and controversies arising from alleged violations of the provisions of this document shall be heard by the appropriate judicial body or mechanism only where brought by a student who complains of a violation of any of the rights within this Statement of Student Rights.

The Dean of Students shall not be prevented from joining in an action brought by injured students.

§3:\* The judicial body empowered to hear cases and controversies arising under this Statement of Student Rights shall have power to grant reasonable monetary damages or other remedies where requested by the injured party or parties as well as impose reasonable punitive sanctions where appropriate.

§4: A student who believes his rights under this Statement of Student Rights have been violated shall have thirty (30) calendar days or ten (10) Senate days, whichever is longer, after the cause of action accrues to present formally a written complaint to the appropriate judicial body; this complaint shall clearly allege the injurious action of the defendant, clearly state the time, nature and extent of the injury, and cite the articles and sections of this Statement of Student Rights which the plaintiff alleges to have been violated to his detriment. Failure to comply with the provisions of this section shall result in the loss of the plaintiff's cause of action under this Statement of Student Rights.

\* Recommended to Codes Committee

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This legislation shall become effective upon

- a) Senate acceptance of a judicial mechanism to process actions arising from it, and
- b) Senate approval of a statement defining reasonable penalties more clearly and setting maximum limits on penalties where appropriate.

The Speaker called the meeting to order in 110 Ives at 4:30 p.m. 73 members and 5 visitors were present.

1. MINUTES FOR A MEETING OF MARCH 8

The Minutes should note that the President relinquished the Chair to the Speaker after opening the meeting. With that correction, the Minutes were approved.

2. A QUESTION OF PRIVILEGE

Observing that the situation is unique and that the remedy should be appropriate for the cause, the Chair made the following ruling on the basis of *Robert's* after expressing a hope that the matter would not become the subject of debate:

"The Speaker ruled that the question of privilege raised by Professor Blumen at the last meeting is admitted and he classifies the question as a breach of decorum. Although the Chair has no power to impose a penalty, he will 'suggest the case will be sufficiently resolved by an apology or withdrawal of remarks' by Dean McKersie. As far as the Chair is concerned, the case is adequately disposed of and closed."

Professor Peter Stein asked the Chair how he could go about establishing for the record that the body had not concluded that a breach of decorum in fact occurred. The Speaker replied that he had chosen a course of action which placed responsibility for the remedy on him and granted that in the long run it was possible to conclude that silence lent assent. Professor Stein then asked for further guidance about how to introduce a motion to put the body on record to the effect that a breach of decorum had not taken place. The Chair replied that in the event his ruling was appealed, he would, in accordance with *Robert's*, proceed without debate to give a detailed explanation of why he made the ruling, after which he would call for a vote. In response to further questions directed toward Professor Stein's concern, the Chair took the position that while motions could be introduced later at an appropriate time, he would endeavor to get

the body not to debate the issue.

Assistant Professor Henry Alker appealed the ruling of the Chair.

Professor Paul Olum spoke to clarify the issue being appealed. He noted that the Chair has asserted that something had occurred in the course of debate, while some members wished to appeal whether something in fact occurred in the course of debate. In replying, the Chair took the position that there is in the matter a large segment which is not in the best interests of the body to debate. The Chair granted that the major issue in the forthcoming vote is whether a breach of decorum did in fact occur. After noting his own emotional detachment, the Chair indicated that the effect of sustaining an appeal would be to transfer responsibility for the matter to the body.

Professor Olum asked if the issue being appealed is whether a breach of decorum occurred in debate within this body. The Speaker said that is correct. He then read into the record the following statement, which had been previously distributed to FCR members under the date April 3, 1972.

April 3, 1972

To: The Faculty Council of Representatives

From: The Speaker

A question of personal privilege merely assigns a parliamentary (i.e. procedural) priority to certain types of questions and is not of itself a question. The disposition of the problem has to follow the regular rules. When the FCR next convenes, the question before the assembly is a point of personal privilege raised as a group action by Professor Blumen because of certain remarks made by the Dean of Industrial and Labor Relations, Robert B. McKersie, which were reported under a byline in the *Cornell Chronicle* for Thursday, March 2, 1972. Since the *Cornell Chronicle* is "the official weekly of record for Cornell University", this is not merely a controversy in a "letters" column, but is a document which must be considered as opening formal debate on certain academic matters which are properly considered by the Faculty Council of Representatives. Therefore, debate in an official journal should be subject to rules of decorum appropriate to debate in the University Faculty meetings.

Unfortunately, Dean McKersie's document contains certain ambiguities. Two paragraphs in the speech could conceivably be understood as implying in context that faculty members were guilty of white racism because they objected to a handbook prepared by the COSEP Staff. The good offices of both the Dean of the Faculty and the Chairman of the Executive Committee have been extended in an effort to dispel the ambiguity. One simple way to resolve the impasse should have been for Dean McKersie to state that he had not intended his remarks to convey the meaning which is the source of the difficulty. Dean McKersie has had ample opportunity to retract or explain this troublesome statement but has chosen not to do so. The Speaker, thereby, has been forced to believe that Dean McKersie really meant, in *Robert's* words, to "attack or question the motives of" those members of the faculty who had not been willing to accept the COSEP handbook proposal as presented by the COSEP staff. This is clearly a violation of the principles of decorum in debate.

The facts are that the copy of the COSEP handbook drafted by the COSEP staff came to the attention of the university community at a workshop held on June 17-19, 1971. This proposed handbook raised so many complicated problems that a considerable proportion of the workshop time was assigned to discussing **them**. The consensus that emerged from the workshop was that the handbook had to be done over, and an ad hoc committee (containing a number of faculty members) was volunteered for the task. The second draft was revised a third time individually by a distinguished member of the University Faculty.

The Interim Executive Committee of the FCR was not content with the third draft and, thereupon, requested the Dean of the Faculty to appoint still another committee to study the third draft and (if necessary) recommend changes. Your Speaker sat as observer in the COSEP workshop and as a visitor to the IEC meetings, and as far as he could tell racism just wasn't ever a problem.

One of the ideals of western civilization which seems to be worth preserving is the concept of the essential dignity of a person. The concept suggests that every person should be treated with courtesy and respect. Nevertheless the practical fact is that the works of man are often not endowed with any special dignity. There are such things as bad laws, stupid decisions, and inadequate theories. This dilemma has been effectively solved by parliamentary rules of decorum which the 1951 edition of *Robert's* defines, "It is not allowable to arraign the motives of a member but the nature of consequences of a measure may be condemned in strong terms. It is not the man but the measure that is the subject of debate." Great scholars and great legislators have demonstrated again and again that it is possible to carry on rational, lucid debate on every conceivable topic without sacrificing the essential dignity of human beings in the process. The argument ad hominem which is addressed not to the merits of the case, but to the character, principles or conduct of an opponent, is usually classed as a distraction from the main issue and thereby a fallacy. With some reason, the use of the argument ad hominem is traditionally a sign of a case which is weak on its merits. Certainly, if one rejects a logically fallacious argument, this is improbably an infringement of academic freedom.

I suggest that one reason the universities have fallen in repute in the eyes of the citizens of today is that the quality of debate in universities cannot be distinguished from that in any other segment of society. Therefore, I propose, that the official documents of a great university should bear the hallmarks of the great Western tradition; sincere respect for the rights and dignity of all human beings counterbalanced by the depth of learning and vigor with which the debators marshal their chosen arguments. The Chair simply proposes that debate by members of the faculty dealing with topics in the jurisdiction of the University Faculty which is reported in detail in "the official weekly of record for Cornell University" should be carried on with the same preservation of decorum as that required in the actual meetings of the faculty.

The Speaker noted that the issue, as correctly identified by Professor Olum, is whether faculty debate extends to all columns of the *Chronicle*. Professor Albert Silverman reminded the body that another issue is also involved: whether or not a breach of decorum actually occurred. Professor L. Pearce Williams called for a roll call vote. On a showing of hands, the request was denied. The Chair then restated the question. There were 46 votes to sustain the Chair, 19 to override.

### 3. NOMINATIONS AND ELECTIONS COMMITTEE

The Speaker called attention to the Report of the Nominations and Elections Committee as published in the March 16 and April 6 *Chronicle* and asked for nominations from the floor from either the FCR or the Faculty. Professor Walter T. Federer nominated Professor Isadore Blumen, ILR for Member-at-Large, FCR. Professor Paul Olum nominated Professor Robert Elias, English, for Member-at-Large, FCR. ~~APPENDIX~~ B

### 4. NEW PROFESSIONAL DEGREES

Dean Penney offered the following motion on behalf of the Graduate School:

*RESOLVED, That the Faculty Council of Representatives approves the granting of three new professional degrees, the Master of Professional Studies (Hotel Administration), [M.P.S., (H. Ad.)], the Master of Professional Studies (Human Ecology), [M.P.S. (H. Ec.)], and the Master of Engineering (Engineering Mechanics), [M. Eng. (E.M.)].*

J. Paul Leurgans, Associate Dean of the Graduate School, indicated that these degrees are more appropriate for the studies they represent than

are previous degrees. He also noted that the proposed degrees have been approved by the Graduate Faculty and the General Committee. In the absence of opposition, the Chair ordered the degrees to be accepted.

5. REPORT, UNIVERSITY ROTC COMMITTEE

Professor Peter Craig presented the report and offered to answer questions. The report was received on a showing of hands. No objection was offered to Dean Penney's request to publish the report in the *Chronicle*. ~~AD:K C~~

6. DISTRIBUTION OF MINUTES

Dean Penney reported that the Review and Procedures Committee recommended, in response to the FCR's request of March 8, 1972, that "the prescribed procedure for the distribution of FCR Minutes to the entire University Faculty, as outlined by Dean Miller in April 14, 1971, FCR Meeting, be followed." Professor L. Pearce Williams moved as follows:

*Minutes of future meetings will be identified as draft minutes and distributed to the entire Faculty as soon as they are available. Any corrections will be reported in the minutes of the following meeting, thereby making the previous minutes official.*

*RESOLVED, That the FCR follow the above recommendation.*

Following a brief discussion of alternative means of distributing the Minutes and an observation by Professor Robert Pasley that the recommendation of the Review and Procedures Committee reflected the intent of those who drafted the present Bylaws, Associate Professor Paul M. Hohenberg moved to refer the report back to the Review and Procedures Committee with the observation that 1,500 copies is too much. Professor L. Pearce Williams challenged the economy argument on the ground that much is wasted at the University and defended the proposed distribution of the Minutes on the basis that a representative body has a responsibility to report to its constituents. Responding to a question about the cost of distribution, Professor Williams estimated it to be \$65 per meeting. The *Congressional*

*Record* was then suggested to be a model for distribution of the official record; another member observed that it is not an appropriate model for accuracy. Discussion then focused on the possibility of making copies of the FCR Minutes available upon request. Debate was closed on a showing of hands. The motion to refer back to committee lost on a showing of hands. Debate was closed on the main motion by a show of hands. Again on a show of hands, the motion carried.

7. SNOW DAYS

Professor L. Pearce Williams moved the following sense-of-the-body resolution:

*The Faculty Council of Representatives, while recognizing the ultimate responsibility of the central Administration for deciding whether classes should be cancelled because of snow, nevertheless wishes to urge upon the Administration the desirability of holding classes except under the most unusual conditions. It, therefore, recommends that classes not be cancelled unless the local roads are placed in a state of snow emergency.*

The above motion was perfected after debating the wording of the last line. Professor Williams originally concluded the motion with "unless the county is placed in a state of snow emergency". Following the observation that the city might be placed in a snow emergency independently of the county, the designated area was made to read, "city and/or county". The motion to strike the last sentence was then defeated on a show of hands. Various wordings were then suggested to describe the roads at issue. The phrase "local roads" being adopted as an amendment by a show of hands. Then, by further show of hands, the main motion was adopted.

Adjourned 5:10 p.m.

G. P. Colman, recorder pro tem

*Text of McKersie speech:*

I would like to concentrate most of my remarks on a topical issue, namely, affirmative action, and discuss this issue in relation to the broader question of the employment position of minorities.

No doubt you have read of the government's action in starting proceedings against Columbia University. To briefly review the situation, Columbia University has been in the process of developing an affirmative action plan for the past thirty months. As a part of this plan, the University is required to prepare basic data for the breakdown of its employees by race and sex. Recently, it asked for an additional extension in the preparation of its plan and the U.S. Department of Health, Education and Welfare (HEW) compliance officers, feeling that this was "unreasonable," asked their attorneys to start proceedings. The end result of this action could be the debarment of Columbia from future government work.

The importance of this development for Columbia can be measured by the fact that its budget of \$154 million is made up of \$14 million in federal contracts. Columbia employs approximately 11,000 persons; thus, we are talking about a large and significant setting for the testing of the meaning of affirmative action.

What is affirmative action? The best answer to this question can be found in Order No. 4 of the Office of Federal Contract Compliance:

An affirmative action program is a set of specific and result-oriented procedures to which a contractor commits himself to apply every good faith effort. The objective of those procedures plus such efforts is equal opportunity. Procedures without effort to make them work are meaningless; and effort, undirected by specific and meaningful procedures, is inadequate. An acceptable affirmative action program must include an analysis of areas within which the contractor is deficient in the utilization of minority groups and women, and further, goals and timetables to which the contractor's good faith efforts must be directed to correct the deficiencies and, thus to increase materially the utilization of minorities and women, at all levels and in all segments of his work force where deficiencies exist.

The emphasis, then, in affirmative action is on *results* and these are built into the plan in terms of *goals* and *timetables*. Measures of where a company intends to be at a given point in time are determined after a company has analyzed its own situation in the light of its relevant labor market. I will not go into all of the elements of this analysis, but there are several factors which are important: the percentage of the firm's work force which is composed of minority members compared with the total minority population in the immediate labor area and the general availability of minorities having requisite skills in the immediate labor area. The term *requisite skills* refers to the level of achievement necessary to be

accepted into occupational entry jobs with minor training and orientation. Note the emphasis on entrance into entry jobs and the emphasis on acceptable rather than the maximum level of achievement.

It is an important principle of the Office of Federal Contract Compliance and the respective government contracting agencies to allow each employer to develop its own affirmative action plan. While the government does not attempt to say what proportion of the work force should be composed of minority members at any point in time, it is interested in change and progress. To this end, the government has developed a fairly elaborate system of statistical measures for keeping track of the minority utilization profile of a firm over time. Basically, the profile is divided into two dimensions: (1) the penetration or participation rate in the firm for the given minority compared to the local labor market; and (2) the overall occupational position of the minority group compared to the general occupational position existing in the firm. These two measures are combined into a utilization measure which states the relative position of minorities in the establishment, taking into account both participation and occupational positions. These measures for a given establishment can be linked over time and a profile developed of progress or lack of progress.

So far, my discussion has been descriptive. Let me now get to the critical issue involved in affirmative action, one discussed by Sidney Hook in the same issue of *The New York Times* that described the government's intention to proceed with debarment hearings against Columbia University. Professor Hook feels that by requiring a university to have an affirmative action plan that takes into account the proportion of minorities in the local area, the government is forcing universities and other employers to discriminate against the qualified.

It is true that an affirmative action program requires an organization to give some attention to the factor of race, and in this sense it is not free to hire the most qualified. The presumption is that as long as the applicants are qualified the firm must strive to bring its work force into greater parity with the local population picture.

What is the rationale for this special obligation placed on government contractors? One could argue that the government, as a purchaser of supplies and services, has the right to impose certain social obligations on corporations and entities that choose to do business with the federal government. In other words, if a firm wants to become a government contractor, then it must accept certain obligations which the government has decided to impose.

But this does not get to the heart of the issue: are these obligations, aside from the government having the power as a purchaser to impose them, proper in a public policy sense?

My own feeling is that they are definitely proper.

I would base the argument in support of placing a special obligation on government contractors on the Constitution itself and the guarantee for all citizens to participate equally in the benefits provided by government. I am referring to Article 14 of the Constitution. Under this interpretation, companies that choose to receive funds from the government must make those funds equally accessible to all citizens. If it is the

case that government contractors have provided less opportunities for minority group members than employers generally, there is a strong reason for holding government contractors to a special obligation. In the city of Chicago where I examined some Equal Employment Opportunities Commission data, for example, government contractors used blacks less frequently — specifically, in clerical work — than did non-government contractors, to the extent of a 20 per cent deficiency.

The fact that blacks or any other ethnic group may not have equal access to benefits of government may not be the fault of the individual employer. Their exclusion from the particular employment situation may not reflect any overt employment discrimination. Nevertheless, they have been excluded and it is the purpose of an affirmative action program to bring them within the opportunity structure of the society.

Another way of making the point is that there is a distinct difference between what we mean by discrimination and disadvantage (the latter being the accumulation of earlier discrimination, but not involving an overt act by any employer against any particular individual). In summary, then, it can be said that all companies have an obligation to eliminate employment discrimination, but government contractors have a special obligation to eliminate *disadvantage* in order that minorities might realize equal employment.

The type of disadvantage that I have in mind can be referred to as the cultural perpetuation of exclusion. In some research work that has been done on the employment patterns of blacks in the Chicago labor market, it is clear that the distribution is far from random. As of 1966, almost one-third of the establishments had no blacks generally; and when one looks at certain crucial occupations, such as clerical, the figure rises to over 60 per cent without blacks.

We know from our studies of labor market behavior and the communication information that individuals often learn about employment opportunities informally from friends and relatives. Consequently, if blacks are not in positions where they can know what is going on, their cultural colleagues will never get into the system.

In this sense, affirmative action means an employer must search in order to overcome the information gap that exists because of the unnatural distribution of blacks across firms. This affirmative search is especially important when unemployment is high when the search activity normally takes place on the supply side of the market rather than on the demand side. What government contractors are being asked to do in the current period is to search as actively for new employees as they would do during a period of a tight labor market. In other words, the burden of unemployment, combined with the information gap, should not serve to penalize blacks from learning about employment opportunities.

The important point to remember about affirmative action and the long run need for a more representative distribution of blacks across firms is that integration per se is an important objective. We have made this point with respect to the field of education, but also suggest

that all firms need to be integrated. This is the thrust of affirmative action for government contractors. And we know that once the first black is present in a firm, many others will follow. The social dynamics of the situation and the realities of information transmission are such that others from the same ethnic group will learn about employment and the flow of applicants will be representative of the ethnic population.

A number of practical problems are being encountered in the field of affirmative action. One of the real difficulties comes in the area of upgrading. Unlike affirmative action with respect to recruiting, where the employees who are not affirmatively treated are never specifically known, vested interests appear in firms in the area of upgrading. If one group of employees is affirmatively treated, another group feels cheated. There is no easy answer to this predicament. The solution appears to be one of working out the program of upgrading of minorities on some basis that all of the parties can live with. It is analogous to a collective bargaining agreement that does not represent an optimum for any side, but does represent a workable solution. This may mean that the firm establishes some type of dual list system and people are taken off the top on the basis of some stated ratio.

The emphasis on race as a factor to be considered in employment decisions is analogous to the emphasis on seniority and perhaps a parallel can be drawn even further. The development of unions in collective bargaining has brought seniority into the employment picture with considerable importance. The same emphasis is being placed on the factor of race as a result of developments in the civil rights field. The practice of seniority may cost a firm money since it might not be possible to promote the most qualified, and perhaps in the short run emphasizing race as a factor also costs a firm money. In both cases, however, over the long run important institutional and social relations are fostered.

Another problem that immediately develops with any system that seeks results in improving the position of blacks is that while it makes sense in the aggregate, it is uncomfortable for any individual black to be the one who is being affirmatively advanced.

And there is plenty of role conflict for the black who is the focus of today's attention on race relations and black economic development. I have been involved with minority enterprise, and it has been quite revealing to see the great tension that many black businessmen experience. On the one hand, they want to succeed as businessmen and this requires tremendous dedication and making decisions on an economic basis. On the other hand, the black community and, to some extent, the white community expect them to be socially conscious and to exhibit an altruism that has never been expected of white businessmen, especially the small, struggling white businessman.

Lifting of race up to a very explicit level has also meant that the white population tends to keep a scorecard on blacks. Living in Ithaca has been quite a revelation where, when the first bank robbery was executed several months ago, you could hear the mental calculators going when it

was revealed that the agent of this re-distribution of income was black. In this sense, white racism means that whites think about the function of race and keep track of individual behavior as part of a collective scorecard. Perhaps this is inevitable when black cohesion and black pride force whites to think about blacks in group or stereotype terms rather than as individuals.

An interesting example of this group conscious reaction can be seen on the Cornell campus. Recently, the leadership of the special program for black students put out a handbook in which they asked black students to really do a good job and maintain high academic standards. The faculty objected to this as the setting of academic policy and asking blacks to adhere to a higher standard than was generally the case. At the same time, a group of trade union students in one of our courses in New York City was asking students not to miss any classes and, if they missed two, they would flunk the course. They were setting academic policy, but in the case of the trade unionists, no one raised any objection because they were not in the "field of selective preception."

Despite these problems, progress is being made and I would like to examine some of the trends and long-term rate of progress. George Travers of the Office of Federal Contract Compliance has been doing some very interesting research on the movement of penetration and occupational positions over time. This is what he has found.

We can use the rate of progress to date to project when parity would be reached in both areas. Based on progress from 1967 to 1969 three of the twelve areas would never reach parity in penetration, three would take over 10 years and six would reach parity in five years. Progress has been made in all areas in occupation placement and upgrading. Based on the 1967 to 1969 rate of progress, two areas would reach parity within ten years, seven more areas would reach parity within twenty years, and the remaining areas would reach parity by 1992. This progress may be a result of changes in attitude and educational opportunity as well as the effects of Government equal employment laws and commissions.

One industry, banking, will reach parity in penetration and occupation distribution within ten years. At the 1967-1969 rate of progress, five industries would reach parity in penetration in 11-28 years; the two remaining industries would reach parity in 45-52 years. At the rate of progress in occupation distribution, six industries would reach parity in 13-36 years, three would take 43-51 years, and shipbuilding would take 103 years.

So how do we sum up? Progress is being made, the important principles are established, and it is now the long and difficult task of bringing about change on a case-by-case basis. Employers have been forced to develop the same kind of sophistication and emphasis on planning in the field of minority relations that has characterized their work in the collective bargaining area. Whether it is the development of better search procedures, better training devices or new selection methods, management has had to develop personnel policies that achieve specific objectives with respect to race.

What we have then is an approach that distributes the costs of solving a national economic problem among many employers. It is a typically American approach to solve problems at the local level. The approach may appear to be on an ad hoc basis and progress may seem uneven, but progress is taking place.

## APPENDIX B

### CORNELL UNIVERSITY: THE UNIVERSITY FACULTY

VALIDATE YOUR BALLOT by signing your name on the envelope which is addressed to the SECRETARY OF THE UNIVERSITY FACULTY. SEND it to him either by University Messenger (without further cover) or by U.S. Mail.

THE POLLS WILL CLOSE AT 12 Noon on Monday, May 1, 1972

AT-LARGE MEMBER - FACULTY COUNCIL OF REPRESENTATIVES  
4 to be elected for a 3-year term, beginning July 1, 1972

In the FIRST BOX (below) enter the CODE NUMBER (two-digit figure to left of name) of your FIRST CHOICE. In the second box enter your second choice, and so on.

--	--	--	--	--	--	--	--	--

- ✓ \*\* 11. Isadore Blumen, Professor, Industrial and Labor Relations
- ✓ \*\* 12. Robert H. Elias, Goldwin Smith Professor of English Literature and American Studies
- ✓ \* 13. Douglas E. Hogue, Associate Professor, Animal Science
- \* 14. Jack W. Hudson, Professor, Zoology, Chairman, Ecology and Systematics
- \* 15. Sander Kelman, Assistant Professor, Business and Public Administration
- ✓ \* 16. Walter R. Lynn, Professor and Director, Civil and Environmental Engineering
- \* 17. Gordon M. Messing, Professor, Classics and Linguistics
- \* 18. Mary Morrison, Professor, Human Nutrition and Food
- \* 19. Peter L. Steponkus, Assistant Professor, Ornamental Horticulture
- \* Nominees of the Committee on Nominations and Elections
- \*\* Nominated from the floor.

Committee on MEMBERSHIP OF THE UNIVERSITY FACULTY  
1 to be elected for a 3-year term, ending June 30, 1975  
1 to be elected for a 2-year term, ending June 30, 1974  
1 to be elected for a 1-year term, ending June 30, 1973

In the FIRST BOX (below) enter the CODE NUMBER (two-digit figure to left of name) of your FIRST CHOICE. In the second box enter your second choice, and so on.

--	--	--	--	--	--

- ✓ 11. Arthur L. Bloom, Associate Professor, Geological Sciences
- 12. Nancy B. Conklyn, Associate Professor, Design and Environmental Analysis
- ✓ 13. James L. Gaylor, Professor and Chairman, Biochemistry and Molecular Biology
- 14. Douglas J. Lathwell, Professor, Soil Science, Agronomy
- 15. Dorothy M. Mermin, Assistant Professor, English
- ✓ 16. Lucinda Noble, Associate Professor, Community Service Education and Associate Dean, Public Service and Continuing Education

(over)

FRP

Committee on REVIEW AND PROCEDURES

3 to be elected for a 3-year term, beginning July 1, 1972

In the FIRST BOX (below) enter the CODE NUMBER (two-digit figure to left of name) of your FIRST CHOICE. In the second box enter your second choice, and so on.

--	--	--	--	--	--

- ✓ 11. M. Gardner Clark, Professor, Industrial and Labor Relations
- 12. Paul R. Eberts, Associate Professor, Rural Sociology
- 13. Richard T. Houpt, Professor, Veterinary Physiology
- ✓ 14. Henry M. Munger, Professor, Plant Breeding and Vegetable Crops
- ✓ 15. Mary E. Purchase, Associate Professor, Design and Environmental Analysis
- 16. Bernard C. Rosen, Professor, Sociology

PEA

Board on PHYSICAL EDUCATION AND ATHLETICS

1 to be elected for a 3-year term, ending June 30, 1975

1 to be elected for a 2-year term, ending June 30, 1974

In the FIRST BOX (below) enter the CODE NUMBER (two-digit figure to left of name) of your FIRST CHOICE. In the second box enter your second choice, and so on.

--	--	--	--

- 11. Alexander de Lahunta, Associate Professor, Veterinary Anatomy
- ✓ 12. Scott B. Elledge, Professor, English
- 13. Harold Feldman, Professor, Human Development and Family Studies
- ✓ 14. Wilson G. Pond, Professor, Animal Science

APPENDIX C

MEMO TO: The Faculty Council of Representatives  
FROM: University-ROTC Relationships Committee  
DATE: April 4, 1972

I am pleased to submit the 1972 Annual Report of the University-ROTC Relationships Committee. The first meeting of the Committee this year was held in October of 1971 followed by monthly meetings with the final meeting scheduled for the first part of April, 1972. The primary activities of the Committee were centered around the review of the ROTC program which will begin September of 1972 for the 1972-73 academic year and a review of disenrollment procedures of the three services. In addition, various members of the Committee participated in a number of activities related to ROTC such as participation on committees for the review of credentials of new junior officers, participation on disenrollment boards, and advising the administration on various activities related to the ROTC.

The Annual Report is primarily the University-ROTC Relationships Committee's review of the military programs for the 1972-73 academic year. The Committee's report is attached.

One meeting of the Committee was devoted to a review of the disenrollment procedures of the three services. A description of the procedures of each of the three services are on file as follows:

File Document No. 5 - Enrollment and Disenrollment in Army  
ROTC

File Document No. 6 - NROTC Probation and Disenrollment  
Procedures

File Document No. 7 - AFROTC Disenrollment Policy and  
Procedures

The University-ROTC Committee's review of the disenrollment procedures for each of the three services is summarized as follows:

Although the procedures for disenrollment vary somewhat for each of the three services, the procedures have general similarities. Each student is advised in writing of his commitment and of the disenrollment procedures of that particular service when he enters the program as a freshman and again before he enlists in the service at the beginning of his junior year.

The review of disenrollment procedures indicates that there is a good communication to each student to make sure that he understands the procedures of disenrollment for his particular service. He must acknowledge in writing that he understands these procedures. When a student requests disenrollment, attempts are made to resolve his problem through counseling. If this fails, then the student can go before a Board of officers not associated with the local ROTC Program or the student involved plus a faculty member. The student has the option of requesting legal counsel before this Board.

The recommendations of the Board go to the Commanding Officers of each service. The Army ROTC authority for disenrollment is invested in the Commanding Officer for all but conscientious objectors and for cases of willful evasion. However, the Commanding Officers of both the Navy and the Air Force must submit a recommendation of the Board to either the Navy Department or the Air University, respectively.

There appears to be good communication between the Navy, Air Force and Army ROTC Headquarters and the University-ROTC units concerning disenrollment. There also appears to be adequate mechanisms for the resolution of disagreement and the disenrollment procedures appear to be structured in favor of the student who has a legitimate reason to request disenrollment.

Another item reviewed by the Committee was a request by the Physical Education Department that the Army ROTC staff assist in the instruction of a new two semester Physical Education option for Cornell sophomores and freshmen students called Mountaineering and Survival Training. This course will be offered in the fall term of 1972. The syllabus is on file as File Document No. 8.

The Committee feels it is appropriate that the Army ROTC staff participate as instructors in this Physical Education course.

#### Election of a Chairman for 1972-73

Professor C. D. Gates was elected Chairman of the University-ROTC Relationships Committee and will assume office September 1, 1972.

This report is submitted by the members of the University-ROTC Relationships Committee. The members are as follows:

Mr. G. N. Dunetz	Vice President W. D. Gurowitz
Mr. P. T. Manzo	Vice Provost R. F. Risley
Miss M. J. McNamara	Professor K. T. Alfriend
Mr. L. W. Mills	Professor V. A. Christian
Mr. S. Needle	Professor P. H. Craig
Mr. A. M. Petsonk	Professor C. D. Gates
Colonel R. L. Chamberlain	Professor A. W. Rovine
Lt. Colonel E. J. Heberling	Professor R. J. Young (Chairman)
Captain R. F. Jackson	

Faculty Committee  
on  
ROTC Relationships  
(January 24, 1972)

- I. Introduction
- II. Criteria for Evaluation
- III. Description and General Review of Present Curricula
- IV. Description and Specific Review of Proposed Changes
- V. Summary of Committee Actions

Appendices

- |                  |  |
|------------------|--|
| 1A, 1AF, 1N, 1M: | Curricula for '71 - '72 (EN Bloc)          |
| 2A, 2AF, 2N:     | Approved Curricula for '72 - '73 (EN Bloc) |

File Documents

- 1. Mr. Christian's report of class visitation
- 2. Army ROTC Proposal for '72 - '73 (6 December 71)
- 3. Air Force Proposal for '72 - '73 (6 December 71)
- 4. Navy Proposal for '72 - '73 (8 December 71)

# FACULTY COMMITTEE ON ROTC RELATIONSHIPS

December 14, 1971

## I. Introduction

The Faculty Committee on ROTC Relationships since its inception as a Faculty Standing Committee in November 1969 has, among other things, acted as the Education Policy Committee for the Military Departments. Now constituted by the Faculty Council of Representatives, the Committee on ROTC Relationships is explicitly charged with this function.

The first Committee report was presented to the Faculty Council in March of 1971, having been printed in summary form in the Cornell Chronicle of March 25, 1971. Therein were described the three primary criteria utilized in the evaluation of military courses. These are repeated in part II of this report. A second report was tendered on the 28th of May, dealing with the 1971-72 curriculum.

Consonant with usual EPC practice, attention in this report is directed primarily to proposed changes in courses or curriculum. Previously accredited courses are reviewed only in general terms, or as specific circumstances might dictate. In the case of AS 200B, "Elements of U. S. Defense Policy", which will be taught in the spring of 1972 a class visitation and specific review of a topical outline were mandated in the May 28 report.

## II. Criteria for Evaluation

- A. "In terms of University standards that, according to standards of instruction applicable to all Cornell courses, (a) course content be relevant to the overall educational program of which the course is a part and be appropriately developed in descriptive and analytical content; (b) course conduct be suitably rigorous and demanding regarding work required, student participation, experimentation, flexibility, and counseling; (c) material presented be of suitable

currency, breadth, depth, and relevance; and (d) instruction be by qualified personnel.

B. "In terms of academic freedom, that free discussion and inquiry be preserved, access to and presentation of various points of view be assured, and that there be local discretion in determining course content and conduct.

C. "In terms of appropriateness for military instruction, that the body of knowledge taught by military officers be significant primarily in terms of the military operations aspects of national security affairs and primarily within the teaching competence of qualified military personnel.

(From Report of the Committee on University-ROTC Relations on ROTC Course Taught by the Military Services, March 1971,)

### III. Description and General Review of Current Military Curricula

A. Military Curricula for '71-'72 are listed in block form in Appendices 1A, 1AF, 1M, 1N of this report. Requirements include military professional courses, a joint-taught military civilian course (MS J301), various university courses, and certain non-credit activities.

Of the military-taught courses, requirements include:

Army	16 credit hours
Air Force	13 credit hours
Navy	10 credit hours
Marines	10 credit hours

#### B. MS J301

Three members of the subcommittee (one faculty, two students) independently visited three sessions of the MS J301 course. One member attended during a discussion of Guerrilla Warfare; he observed effective teaching, evidence of independent thought on the parts of

both teacher and students, and citation of a variety of civilian and military reference sources. Students participated and free exchange appeared to be the rule (See File Document 1, Committee files).

The second member felt that the instructor's preparation was excellent, but that he had presented a somewhat biased view of certain items (for example, Communist countries). Student interviews elicited the generally-held opinion that the course was worthwhile and rewarding.

The third member detected one 'prejudicial statement' during his visit but agreed specifically with the conclusions of the first member.

All visitors concluded that the course was well within Cornell standards, and easily met Criteria A, B and C above.

#### C. AS 200B

A topical outline of AS 200B, Elements of Defense Policy, File Document 3, was reviewed by the entire committee. The material is clearly relevant and appropriate for the professional Air Force officer trainee. Major Raroha, the primary instructor, intends to utilize two civilian guest lecturers although specific arrangements have not yet been made for these. The Committee continues approval of AS 200B at the one credit level, subject to class visitation during the spring term of the current academic year.

#### IV. Specific Review of Proposed Changes

- A. Army: Changes in the proposed curriculum are described in detail in Army Memorandum of 6 December 71, from Col. R. L. Chamberlain, File Document 2 in the Committee files. The new curriculum block is appended hereto as 2A.

Briefly, the changes concern a resequencing of previous courses, the introduction of a new 1 credit course "Small Unit Tactics" (MS II B-1), and a reduction of credit level for MS J301, Anatomy of Warfare. The purpose of the changes are to remedy certain deficiencies in prior presentations (unnecessary repetition, excessive separation between acquisition and application of information), to enhance continuity and to serve as a transition to a further alteration in 1973-74.

It is the judgement of the Committee that the resequenced courses are not greatly changed in a qualitative sense, and that they will continue to meet the established criteria.

A topical outline of MS II B-1, Small Unit Tactics, was reviewed by the Committee as a whole, File Document 2. The course is intended as a one hour unit which presents basic and introductory material preparatory to a two credit course of the same name offered in the spring term of the third year. Based upon available information, it is the judgement of the committee that the course will meet the criteria for creditation and that it be approved at the 1 credit level pending class visitation in the spring of 1973.

Approval of a credit reduction for MS J301 was withheld by unanimous vote of the Committee, pending a more detailed examination of the rationale for and effects of the reduction.

B. Air Force: The air Force presentation for '72-'73 is maintained as File Document 3. Changes include a resequencing of third and fourth year courses, and the introduction of a new AS 300B, "Growth and Development of Astronautics and Space Operations". A descriptive curriculum block is appended to this report as 2AF.

The Committee approves the altered sequence, as it results in few

or no qualitative changes in the military taught courses.

The outline and description of the new course AS 300B was reviewed. The Committee offers provisional approval of the topical outline. The subject matter is clearly within the sphere of professional interest, the subject material is logically outlined, and it appears to present a complexity and rigor worthy of 3 credits. Further, there is a great likelihood of teaching competence within the department for such material.

- C. Navy/Marines: No specific curriculum changes in accredited courses are contemplated in the NROTC Department, as of the date of this report. There will be an additional requirement, a 1-hour non-credit element entitled Fundamentals of Naval Science (see curriculum block 2N). It is likely that accreditation of MS 202 (Seapower/Maritime Affairs Seminar) will be requested in the future.

#### V. Summary of Committee Actions

- A. Approval of courses certified earlier is continued.
- B. JMS J301, "Anatomy of Warfare", is maintained at the 4 credit level at this time.
- C. Provisional approval of AS 200B (1 credit), "Elements of U. S. Defense Policy", is continued pending class visitation during the spring term.
- D. AS 300B (3 credits), "Astronautics and Space Operations", is approved on a provisional basis, pending class visits and examination of a course syllabus.
- E. MS II B (1 credit), Small Unit Tactics, is given provisional approval, pending class visits.
- F. Resequencing of Army and Air Force courses, as indicated in appended documents, is approved.

ACADEMIC YEAR 1971-1972	FRESHMEN	SOPHOMORES	JUNIORS	SENIORS
FALL TERM	<div data-bbox="328 1625 663 2013"> MS 1A Leadership &amp; Management I 1 Credit Hour </div>	<div data-bbox="328 1131 663 1519"> MS 2A Leadership &amp; Management II 2 Credit Hours </div>	<div data-bbox="310 578 645 1037"> MS J301 Anatomy of Warfare 4 Credit Hours </div>	<div data-bbox="328 108 645 531"> MS 4A Command &amp; Staff Procedures Military &amp; Civilian Staff Organizations 2 Credit Hours </div>
SPRING TERM	<div data-bbox="760 1601 1051 2001"> MS 1B Leadership &amp; Management I 1 Credit Hour </div>	<div data-bbox="760 1072 1068 1531"> MS 2B Military Teaching Principles Map &amp; Aerial Photograph Reading 2 Credit Hours </div>	<div data-bbox="751 602 1060 1025"> MS 3B Small Unit Tactics 2 Credit Hours </div>	<div data-bbox="751 96 1068 555"> MS 4B Practical Application of Military Staff Situations Military Law &amp; US in World Affairs 2 Credit Hours </div>
OTHER REQUIREMENTS	<div data-bbox="1113 1554 1439 2036"> Freshman Humanities Alternatives or Effective Communications 3 Credit Hours </div>	<div data-bbox="1113 1072 1439 1531"> Creative Writing or Effective Communications 3 Credit Hours </div>	<div data-bbox="1113 602 1439 1048"> Advanced Level Courses Outside Field 3 Credit Hours * </div>	<div data-bbox="1113 96 1439 555"> Advanced Level Courses Outside Field 3 Credit Hours * </div>

MILITARY TAUGHT COURSES

\* Advanced level subjects must be in a field outside the cadet's major academic discipline and of particular value to the military service. Political science and military history are particularly desirable. Specific course selected jointly by cadet and Military Science Dept.

ACADEMIC YEAR	FRESHMEN	SOPHOMORES	JUNIORS	SENIORS
1971-1972	<div>MS 1A Leadership &amp; Management I 1 Credit Hour</div>	<div>MS 2A Leadership &amp; Management II 2 Credit Hours</div>	<div>MS J301 Anatomy of Warfare 4 Credit Hours</div>	<div>MS 4A Command &amp; Staff Procedures Military &amp; Civilian Staff Organizations 2 Credit Hours</div>
	<div>MS 1B Leadership &amp; Management I 1 Credit Hour</div>	<div>MS 2B Military Teaching Principles Map &amp; Aerial Photograph Reading 2 Credit Hours</div>	<div>MS 3B Small Unit Tactics 2 Credit Hours</div>	<div>MS 4B Practical Application of Military Staff Situations Military Law &amp; US in World Affairs 2 Credit Hours</div>
OTHER REQUIREMENTS	<div>Freshman Humanities Alternatives or Effective Communications 3 Credit Hours</div>	<div>Creative Writing or Effective Communications 3 Credit Hours</div>	<div>Advanced Level Courses Outside Field 3 Credit Hours *</div>	<div>Advanced Level Courses Outside Field 3 Credit Hours *</div>

\* Advanced level subjects must be in a field outside the cadet's major academic discipline and of particular value to the military service. Political science and military history are particularly desirable. Specific course selected jointly by cadet and Military Science Dept.

Army ROTC Courses -----  
Joint Courses -----  
University Courses -----

	FRESHMEN	SOPHOMORES	JUNIORS	SENIORS
MILITARY-TEAUGHT COURSES	FALL TERM	AS 100A US Military Forces 1 Credit Hour	MSJ 301 Anatomy of Warfare 4 credit hours	AS 300A Nuclear Age Aerosp Forces 3 credit hours
	SPRING TERM	AS 100B US Military Forces 1 Credit Hour	AS200B Elements of US Def Policy 1 credit hour	AS 400B The Professional Officer 3 credit hours
OTHER REQUIRE- MENTS			<div> Aero Eng 7002 Intro to Aerosp Syst 3 credit hours or Computer Sci 201 Survey of Comp. Sci 3 credit hours </div>	<div> BPA 121 Pers. Admin &amp; Human Relations 3 credit hours or ILR 360 Manpower &amp; Org. Mgt. 3 credit hours or ILR 450 Personnel Admin. in Supervision- 3 cr hr or H Adm 113-Per. Adm. 3 crhr </div>

NROTC EDUCATION PROGRAM

ACADEMIC YEAR 1971-1972	FRESHMEN (Class of 1975)	SOPHOMORES (Class of 1974)	JUNIORS (Class of 1973)	SENIORS (Class of 1972)
FALL TERM		<div>JMS 301 Anatomy of Warfare Credit 4 hours</div>	<div>CE 2453 Principles of Nav. Credit 4 hours</div>	<div>NS 401 Naval Weapons Systems Credit 3 hours</div>
SPRING TERM	<div>ME 3301 Naval Ship Systems 3 credit hours</div>	<div>NS 202 Seapower/Maritime Affairs Seminar 1-hr. wk. No credit</div>	<div>NS 302 Naval Ops. Analysis 3 credit hours</div>	<div>NS 402 Nav. Org./Mgt. Seminar 1-hr. wk. No credit</div>
Other Requirements	<div>Mathematics Alternatives 6-8 credit hours</div> <div>Science Alternatives 6-8 credit hours</div>	<div>History and/or Government Alternatives 3-4 credit hours</div>	<div>Computer Sci. Alternatives 3 credit hours</div>	<div>Management Alternatives 3 credit hours</div>

Navy courses \_\_\_\_\_  
 Tri-service course \_\_\_\_\_  
 University courses \_\_\_\_\_

## NROTC EDUCATION PROGRAM (For Marine Corps Option Students)

ACADEMIC YEAR 1971-1972	FRESHMEN and SOPHOMORES	JUNIORS (Class of 1973)	SENIORS (Class of 1972)
Fall Term	(Same for all NROTC students)	<div> JMS 301  Anatomy of Warfare  Credit 4 hours </div>	<div> NS 401M  Amphibious Warfare  Credit 3 hours </div>
Spring Term	(Same for all NROTC students)	<div> Selected Field  Alternatives  3 credit hours </div>	<div> Selected Field  Alternatives  3 credit hours </div>

Navy courses \_\_\_\_\_  
Tri-service course \_\_\_\_\_  
University courses \_\_\_\_\_

ACADEMIC YEAR 1972-1973	FRESHMEN	SOPHOMORES	JUNIORS	SENIORS
FALL TERM  Military Taught Courses	<div data-bbox="331 1625 628 2008"> MS 1A Leadership &amp; Management I 1 Credit Hour </div>	<div data-bbox="297 1114 611 1507"> MS J301 Anatomy of Warfare 4 Credit Hours </div>	<div data-bbox="297 620 611 1013"> MS J301 Anatomy of Warfare 4 Credit Hours </div>	<div data-bbox="321 103 618 536"> MS 4A Command &amp; Staff Procedures Military &amp; Civilian Staff Organizations 2 Credit Hours </div>
	<div data-bbox="724 1618 1031 2001"> MS 1B Leadership &amp; Management I 1 Credit Hour </div>	<div data-bbox="724 1114 884 1524"> MS 2B (1) Small Unit Tactics 1 Credit Hour </div> <div data-bbox="922 1114 1058 1524"> MS 2B (2) Military Topography 1 Credit Hour </div>	<div data-bbox="724 620 1004 1037"> MS 3B Small Unit Tactics 2 Credit Hours </div>	<div data-bbox="717 79 1021 550"> MS 4B Practical Application of Military/Civilian Staff Situations Military Law &amp; US in World Affairs 2 Credit Hours </div>
OTHER REQUIREMENTS	<div data-bbox="1117 1571 1424 2032"> Freshman Humanities Alternatives or Effective Communications 3 Credit Hours </div>	<div data-bbox="1117 1084 1414 1538"> Creative Writing or Effective Communications 3 Credit Hours </div>	<div data-bbox="1110 597 1407 1053"> Advanced Level Courses Outside Field 3 Credit Hours * </div>	<div data-bbox="1110 103 1407 559"> Advanced Level Courses Outside Field 3 Credit Hours * </div>

Army ROTC Courses \_\_\_\_\_ \* Advanced level subjects must be in a field outside the cadet's major academic discipline  
 Joint Courses .----.----- and of particular value to the military service. Political science and military history are  
 University Courses ----- particularly desirable. Specific course selected jointly by cadet and Military Science Dept.

	FRESHMEN		SOPHOMORES		JUNIORS		SENIORS
	FALL TERM	SPRING TERM	MILITARY-FAUGHT COURSES				
	AS 100A US Military Forces 1 credit hour	AS 100B US Military Forces 1 credit hour	MSJ 301 Anatomy of Warfare 4 credit hours	AS 200B Elements of US Def Policy 1 credit hour	AS 400B The Professional Officer 3 credit hours	AS 300A Nuclear Age Aerosp Forces 3 credit hours	AS 300B Astronautics & Space Operations 3 credit hours
OTHER REQUIREMENTS					EPA 121 Pers. Admin & Human Relations 3 credit hours or ILR 360 Manpower & Org. Mgt. 3 credit hours or ILR 450 Personnel Admin in Supervision-3 cr hr or H Adm 113 Pers. Admin-3 cr hr.		

## NROTC EDUCATION PROGRAM

ACADEMIC YEAR 1972-1973	FRESHMEN (Class of 1976)	SOPHOMORES (Class of 1975)	JUNIORS (Class of 1974)	SENIORS (Class of 1973)
FALL TERM	<div>NS 101</div> <div>Fundamentals of</div> <div>Naval Science</div> <div>1-hr. wk. No credit</div>	<div>JMS 301</div> <div>Anatomy of Warfare</div> <div>Credit 4 hours</div>	<div>CE 2453</div> <div>Principles of Nav.</div> <div>Credit 4 hours</div>	<div>NS 401</div> <div>Naval Weapons Systems</div> <div>Credit 3 hours</div>
SPRING TERM	<div>ME 3301</div> <div>Naval Ship Systems</div> <div>3 credit hours</div>	<div>NS 202</div> <div>Seapower/Maritime</div> <div>Affairs Seminar</div> <div>1-hr. wk. No credit</div>	<div>NS 302</div> <div>Naval Ops. Analysis</div> <div>3 credit hours</div>	<div>NS 402</div> <div>Nav. Org./Mgt.</div> <div>Seminar</div> <div>1-hr. wk. No credit</div>
Other Requirements	<div>Mathematics</div> <div>Alternatives</div> <div>6-8 credit hours</div> <div>Science</div> <div>Alternatives</div> <div>6-8 credit hours</div>	<div>History and/or</div> <div>Government</div> <div>Alternatives</div> <div>3-4 credit hours</div>	<div>Computer Sci.</div> <div>Alternatives</div> <div>3 credit hours</div>	<div>Management</div> <div>Alternatives</div> <div>3 credit hours</div>

Navy courses \_\_\_\_\_

Tri-service course \_\_\_\_\_

University courses \_\_\_\_\_

After calling the meeting to order at 4:35 p.m. in Ives 110, the President relinquished the Chair to the Speaker.

1. MINUTES FOR THE MEETING OF APRIL 12, 1972

The Minutes were approved as distributed.

2. PRESIDENT CORSON'S STATEMENT

After observing that the Carpenter Hall occupation seriously abridged rights throughout the campus, President Corson noted that his actions were guided by seven principles, the first being that no one should get hurt, another being to rely on the campus security force insofar as possible. Regarding a question posed early in the occupation of whether to remove people by force, he recalled an experience at Commencement two years ago when it proved difficult to transport only three people to the downtown authorities. As for legal procedures, he noted that the civil rather than the criminal route was elected and, in this connection, a temporary injunction was obtained. In following the campus judicial route, unauthorized occupants were suspended.

At this point Prof. Charlotte Young reported listening to a news broadcast to the effect that President Corson had terminated campus judicial proceedings in response to the ending of the occupation. President Corson replied that both the civil and campus judicial procedures will be followed to their end and expressed his intention to avoid any interference in those processes. To clear up the question about what he had actually said, the President borrowed from Dean Penney a release from his press conference concerning the occupation and read it in its entirety.

In a question period discussion initially focused on the possibility that a room in the new social science building had been occupied only a short time before the FCR meeting. Then a question about double jeopardy,

answered by Dean Penney, led to a question about whether hearings will be scheduled before student members of the Hearing Board leave campus. President Corson observed that the Judicial Administrator has scheduled hearings prior to final exams. *See APPENDIX E*

3. EMERGENCY MEETING OF EXECUTIVE COMMITTEE

Dean Penney reported that immediately after the take over of Carpenter Hall he was asked by Provost Plane if he could assemble a group to provide a faculty presence at the site in order to serve a cooling function. In response to this request, he called members of the FCR Executive Committee, Faculty Trustees, and others, a total of about 24. About 15 of this number met at 4:00 p.m. that day to consider how to achieve a faculty presence at the site. While doing so the group was asked by the administration for advice on the question of whether to forcibly remove people occupying Carpenter Hall. The advice of this ad hoc group was not to use force. In considering its function, members of the group were uneasy about an observer status which appeared to lack legitimacy. After considering the use of the faculty presence at the Strom Thurmond lecture as a precedent, a solution was found in the following resolution of the Executive Committee, a majority of its members having been present at the meeting.

"The Executive Committee of the Faculty Council of Representatives supports the principle in the current emergency at Carpenter Hall that the presence of members of the Cornell Faculty at or near Carpenter Hall may have a calming effect and is therefore desirable. Therefore, the Dean is urged to request members of the Faculty to be present."

The Dean observed that members of the group served at the scene during most of the occupation.

As to public statements by the Dean, there were only two, one endorsing a statement by President Corson, the other a statement over WVBR.

4. ANNOUNCEMENTS BY THE DEAN

Dean Penney reported that the question of University policy on the cancellation of classes for such occasions as the April 21 Moratorium had been referred to the Committee on Freedom of Teaching and Learning. He also called attention to the report of the Review and Procedures Committee dealing with the limits of FCR debate, which appeared in the April 27 *Chronicle*. <sup>APPENDIX "D"</sup> Noting that the report was published, rather than distributed to FCR members, because of the great interest in the matter within the faculty at large he concluded by observing that the report requires faculty action. Hendrik Edelman, University Libraries, raised the issue of faculty credibility in future crises because faculty members who helped cool a situation were then asked to identify participants. Observing that the matter is one of individual conscience, the Dean said he was confident that in this case most faculty members had participated in order to calm the situation.

5. REPORT, COMMITTEE ON FREEDOM OF TEACHING AND LEARNING <sup>APPENDIX</sup>

Addressing a concern about the faculty role during the crisis, Dean Penney called attention to a report of the Committee on Teaching and Learning (distributed at the door) labeled "Minutes of the First Meeting of the Committee on Freedom of Teaching and Learning". After providing members with an opportunity to read the report, Dean Penney reviewed its content and noted with reference to Point 4 that no one had suggested calling an emergency meeting of the FCR.

In response to the Dean's invitation for comments, Professor Charlotte Young suggested electing a committee other than the Executive Committee which the President could turn to for advice. Assistant Professor Henry Alker said he would like to see more active committee and FCR involvement than occurred in this instance. Associate Professor Paul M. Hohenberg

observed that a kitchen cabinet is a bad thing, regardless of who is in it.

Professor David Call then moved as follows:

*That the FCR accept Item 4\*.*

The motion passed on voice vote with a single "no".

With reference to Item 2 in the report Professor Albert Silverman moved as follows:

- a. The FCR requests the Dean of the Faculty to reconvene the Faculty Committee on Relations between Cornell University and the Cornell Aeronautical Laboratory and authorizes him to fill vacancies at his discretion.

The Committee shall report to the FCR its recommendations on the future relations between the two institutions, and shall specifically examine the feasibility of the conversion of the Laboratory to non-war related research.

- b. The FCR requests the Dean of the Faculty to obtain from appropriate committees the facts surrounding the University's handling of the Gulf Oil proxy situation and any other information generally relating to the propriety of University investment in Gulf and other corporations having investments in South African countries.
- c. Relevant information concerning the University's policy relationship and committee structure in respect of ROTC.
- d. The facts and the University's policy in respect of faculty members performing defense research.

The Chair expressed unease about the provision in this motion relating to CAL since the Chairman of the Board of Trustees stated that CAL served no educational function. Professor L. Pearce Williams asked Professor Silverman if he would agree to have an ad hoc committee appointed, to be composed, as far as possible, of former members of the CAL Committee. Professor Silverman agreed. The Chair then asked the body to rule whether it would accept the ruling of the Board of Trustees, i.e., CAL is in the hands of the Board. Pro-

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*\*4 Finally, the Committee was concerned to have examined the question of whether there should be some small representative faculty group to which the President or the Dean can turn for advice, sentiment, or statements during the course of a crisis such as the Carpenter Hall seizure. It consequently is recommending that this matter be reviewed by the Review and Procedures Committee.*

fessor Paul Olum asked for information. How, then, could the Chair justify classifying the Gulf Oil proxy matter as educational? On the basis of the Faculty's decision several years ago regarding GM proxies, the Chair replied. Professor L. Pearce Williams said the appropriate question is not whether CAL has educational value but rather, whether Cornell-CAL relationships affect the educational atmosphere at Cornell. Only information, he said, is wanted from the Trustees. The Chair then ruled out of order the creation of any faculty committee on CAL. At the suggestion of Professor Olum, the foregoing remarks by Professor Williams were interpreted as an appeal of that ruling. On a showing of hands, the Chair was overruled.

The Chair then restated the motion, the first sentence now reading, "The FCR requests the Dean of the Faculty to form an ad hoc committee made up, insofar as possible, of members of the Faculty Committee on Relations between Cornell University and the Cornell Aeronautical Laboratory and authorizes him to fill vacancies at his discretion." Assistant Professor Harrison W. Ambrose opposed the motion as being excessively complicated. The focus, he said, should be on why Cornell hasn't sold CAL. Professor David Call then moved to strike the paragraph in Professor Silverman's motion relating to CAL and substitute the language initially proposed by the Committee on Freedom of Teaching and Learning, i.e., that the following be reported on by an appropriate committee: "a. The specific organizational arrangements between Cornell and CAL Lab and other related information that bears upon CAL Lab's operations and the prospects of its sale or conversion to more benign research activities." Defending his motion, Professor Call said that the major investigation which Professor Silverman proposes is completely out of order. Professor Peter Stein opposed the Committee wording, arguing that a recommendation to the FCR is in order because the sale of CAL has proceeded with great slowness since being recommended by the Faculty

in March, 1967. Professor M.H. Abrams favored the intent of Professors Silverman and Stein but questioned whether the motion could be implemented in a reasonable time. He then asked Professor Stein what he meant by "feasible". Not full detail, replied Professor Stein, only the depth usually achieved by faculty committees. Debate was closed on a show of hands. On voice vote the motion to amend was adopted.

Associate Professor Paul Hohenberg opposed the motion on the basis that provisions relating to CAL and Gulf Oil are properly the business of the Senate. Professor James C. White, speaking as a member of the Committee on Freedom of Teaching and Learning, said it was unfortunate that in preparing the Committee's report Dean Penney had introduced the word "investigate". The Committee's purpose, said Professor White, was limited to obtaining information. Dean Penney agreed, whereupon, on voice vote, "investigate" was dropped. The entire motion then read as follows:

*The Committee calls attention to the lack of information and widespread community ignorance about most of the issues that were involved in the demands made by the demonstrators. If a similar incident occurs in the future, the Committee urges that available information bearing upon the demonstrator's demands be released to the community as soon as possible after the demonstration begins. The foregoing notwithstanding, a number of questions still linger from the Carpenter Hall seizure which the Committee urges be reported on by the appropriate FCR committee:*

- a. The specific organizational arrangements between Cornell and CAL Lab and other related information that bears upon CAL Lab's operations and the prospects of its sale or conversion to more benign research activities.*
- b. The facts surrounding the University's handling of the Gulf Oil proxy situation and any other information generally relating to the propriety of University investment in Gulf and other corporations having investments in Southern African countries.*
- c. Relevant information concerning the University's policy, relationship, and committee structure in respect of ROTC.*

- d. *The facts and the University's policy in respect of faculty members performing defense research.*

The motion passed on a show of hands.

6. REPORT, ACADEMIC INTEGRITY HEARING BOARD

Professor Isadore Blumen moved to publish the report in the *Chronicle* as distributed with the call to the meeting. The motion passed on voice vote without opposition.

7. STATEMENT, COMMITTEE ON FREEDOM OF TEACHING AND LEARNING

The Dean obtained unanimous consent to allow the Committee to promulgate the statement distributed at the meeting.

With regard to provisions 1 and 3 of the Committee's report, Assistant Professor Alker asked whether it would be possible to assemble the FCR to take up the matter prior to the next meeting. Professor Isadore Blumen objected, there being no emergency. Professor L. Pearce Williams pointed out that no action is needed on these items.

On motion of Professor Blumen, the body adjourned.

Adjourned: 6:00 p.m.

G. P. Colman, recorder pro tem

MINUTES OF THE FIRST MEETING OF THE COMMITTEE ON FREEDOM OF TEACHING AND LEARNING

Tuesday, May 2, 1972, 10:00 a.m., 315 Day Hall

Present: H. Ambrose; H. Banks; W. Federer; J. McConkey; A. Sorenson; J. White;  
L.P. Williams; N. Penney, ex officio

Absent: J. Blackall; L. Lutwak; R. Cotts, ex officio

The Committee discussed various courses of action and then resolved to issue the attached statement through the campus media - *Cornell Chronicle*, *Cornell Sun*, WVBR. The statement is to be reviewed by such members of the FCR as attend the FCR meeting on May 3.

The Committee resolved to present the following report to the FCR at its May 3 meeting:

1. It seems clear to the Committee that the Carpenter Library was closed and unavailable to students and faculty for a substantial period after its "take over" on Wednesday afternoon, April 26. The Committee believes that this take over clearly violated the Rules of Public Order and the Student Bill of Rights and involves a clear case of abridgement of freedom of teaching and learning, the area of its primary concern.

In such a situation students, faculty and other members of the University community had and have the right to expect that their rights would and will be restored as quickly as possible.

It is the understanding of the Committee that the processes for dealing with the violators of the community's rights have already begun. On the assumption that suspensions will continue and are appropriate to be continued, the Committee urges the most rapid disposition of the cases pending against the violators consistent with due process.

2. The Committee calls attention to the lack of information and widespread community ignorance about most of the issues that were involved in the demands made by the demonstrators. If a similar incident occurs in the future, the Committee urges that available information bearing upon the demonstrator's demands be released to the community as soon as possible after the demonstration begins. The foregoing notwithstanding, a number of questions still linger from the Carpenter Hall seizure which the Committee urges be investigated and reported on by the appropriate FCR committee:

a. The specific organizational arrangements between Cornell and CAL Lab and other related information that bears upon CAL Lab's operations and the prospects of its sale or conversion to more benign research activities.

b. The facts surrounding the University's handling of the Gulf Oil proxy situation and any other information generally relating to the propriety of University investment in Gulf and other corporations having investments in Southern African countries.

c. Relevant information concerning the University's policy, relationship, and committee structure in respect of ROTC.

d. The facts and the University's policy in respect of faculty members performing defense research.

3. The Committee members resolved to be personally present, insofar as possible, at any future demonstrations, etc. involving the alleged abridgement of freedom of teaching and learning so as to better perform their charge.

4. Finally, the Committee was concerned to have examined the question of whether there should be some small representative faculty group to which the President or the Dean can turn for advice, sentiment, or statements during the course of a crisis such as the Carpenter Hall seizure. It consequently is recommending that this matter be reviewed by the Review and Procedures Committee.

Statement to be issued by the Committee on Freedom of Teaching and Learning

The legislation creating the Faculty Council of Representatives' Committee on Freedom of Teaching and Learning was adopted by the FCR on December 1, 1971.

The members of the Committee are:

Harrison W. Ambrose, nT-FCR	Neurobiology and Behavior, Agr. & Life Sci.
Harlan P. Banks, T-nFCR	Botany, Agr. & Life Sci.
Jean F. Blackall, T-nFCR	English, A&S
Walter T. Federer, T-FCR	Pl. Breeding & Biometry, Agr. & Life Sci.
Leo Lutwak, T-nFCR	Clinical Nutrition, Nutrition
James R. McConkey, T-FCR	English, A&S
Andrew A. Sorensen, nT-nFCR	Community Serv. Education, Human Ecology
James C. White, T-FCR	Food Science, Agr. & Life Sci.
L. Pearce Williams, Ex. Comm. FCR	History, A&S
R.M. Cotts, Sec. of Univ. Faculty	ex officio
Norman Penney, Dean of Univ. Faculty	ex officio

The Committee has, as its charge, the reflection of faculty concern that teaching and learning at Cornell be carried on freely and without disruption or interference. It is the Committee's interpretation that the denial of the use of Carpenter Hall to students and faculty wishing to use the library and other facilities was such an interference. The Committee urges that any students and faculty who feel their rights to teach or learn have been violated bring their case to the Judicial Administrator. While the Committee in no way intends to usurp the function of the Judicial Administrator, the Committee stands ready as a supplementary channel to receive complaints if for any reason a complainant feels that his or her claim has not been handled properly. This follows from the charge to the Committee in its enabling legislation mandating it to "be concerned to assure that there are, and continue to be, effective means" to bring charges where a community member's right to "teach and learn has been violated..." The legislation also authorizes the Committee to present cases within its area of concern "to the appropriate University authorities and report that action and the ultimate disposition of the case to the FCR."

REPORT OF THE ACADEMIC INTEGRITY HEARING BOARD  
1971-72

The Academic Integrity Hearing Board consists of 5 faculty members and 5 undergraduate students. Its responsibilities are to implement the Code of Academic Integrity which is found in the *Policy Notebook for Students*, pages 24-30.

In carrying out these responsibilities the Board met seventeen times since September. Members were faithful in attendance; often all were present. Only once was a quorum lacking.

The Board heard 23 cases, eight of which involved two people, one involved three people. In four cases plagiarism was charged; the four students involved were found guilty. The penalty was a notation on the transcript and letters to the students' advisors. Six cases involved unauthorized assistance on examinations (using crib sheets and the like). Here, two were found guilty, 3 not guilty, and one case was dismissed for inability to develop the evidence. The penalty in one case was a warning, in another a notation on the transcript and in the third a letter was sent to the student's advisor. Three cases concerned petitions to remove notations from the transcript. One was denied and two were approved. Five cases involved collaboration in computer programs between two people. In 4 cases the students were found guilty and one not guilty. The penalties were some combination of a notation on the transcript, a letter to the advisor, and a letter to the students' current professors. In a similar case involving 3 people all were found not guilty. A student accused of stealing a computer program was found guilty and penalized by a notation on his transcript, a letter to his advisor, and letters to the student's current professors. Although the incident was regarded as very serious, the absence of adequate security provisions at the Computer Center at that time was seen as a mitigating circumstance.

Only two cases were appealed. In one, the Appeals Board upheld the decision of the Hearing Board and in the other they reduced the penalty because of information unknown to the Hearing Board.

In each case the Hearing Board tried to find a meaningful penalty for the particular circumstances. The Board did not believe that any of the cases justified suspension or expulsion. The most common penalty was a notation placed on the transcript stating that the student had been found guilty of violating the Code of Academic Integrity. In every instance the student was permitted to petition for removal of that notation at some future date.

The Board engaged in an extended search for suitable penalties. The penalties available in a given case are limited to those listed on a form. This standardization follows from the student's right to know what penalties he can expect from his appearance before the Hearing Board. While the standardized list permits some flexibility, particularly in regard to the time a penalty will apply, changes in the list of

(over)

penalties are largely a matter of afterthought. During the past year the list has been revised on four occasions in an effort to find penalties with a deterrent effect consistent with due process for the accused. The first three revisions prepared the way for a systematic revision wherein the Board developed penalties with knowledge of penalties used in the past and with reference to the present procedures of the Board. That penalty sheet is appended to this report.

Another matter having considerable import for the faculty is the procedure of the Hearing Board whereby the instructor who brings charges may consider himself cast into the role of prosecutor at the hearing. This role is not formally designated in the Code or Board procedures; rather, it is a consequence of designating no one else to do the job. Besides the obvious demands of time and energy, the role appears to require behavior inconsistent with the style of many faculty members. Consequently, faculty members often arrange "out of court" settlements when they suspect violations of the Code of Academic Integrity. Such settlements are inconsistent with the Code's requirement that faculty members must report an Incomplete to the Registrar in cases of suspected violations of the Code. Some "out of court" settlements may be avoided if the instructor is not put in the position of prosecutor. The Hearing Board has discussed several alternatives which would enable faculty members to avoid this role one of which is for a member of the Hearing Board to act as prosecutor, this role to rotate among the members. In considering these alternatives the Board assumed the present staffing (secretary - 12 hours per week; executive secretary - 6 hours per week). However, no alternative proved satisfactory within the scope of the present staffing. The possibility of creating an administrator for the Code of Academic Integrity, perhaps on a half time basis, has also been considered.

In revising its procedures, the Board has given particular attention to systematizing procedures for appeal. Henceforth, those found guilty by the Hearing Board will be handed an outline of appeal procedures by its Chairman.

In addition to hearing cases, the Hearing Board is charged with improving the climate for academic integrity on campus. On the assumption that better knowledge of its activities would contribute to this end the Board recently decided to call attention to its purposes in the *Sun and Chronicle* at the beginning of each academic year, to occasionally release summaries of its activities to the media, and to publish individual case summaries consistent with the principle of confidentiality of proceedings, and finally to send a letter to all instructors each fall calling attention to their responsibilities under the Code of Academic Integrity.

The Board's case experience this year suggests that, while faculty members may be knowledgeable about their responsibilities under the Code, some do a less than adequate job in informing teaching assistants of their responsibilities. Each student should know what his instructor expects

of him with respect to matters of academic integrity, such as collaborating on term papers or class work. If faculty members expect their T.A.s to exercise no discretionary authority in these respects they should make that clear. If T.A.s do have discretionary authority they should know the limits of that discretion.

The Board's experience this year also suggests that, while some students are vaguely aware of the Code of Academic Integrity, they have little appreciation of its content and their own responsibility for personal integrity which the Code prescribes. The Hearing Board can help this situation somewhat through greater publicity of its existence and operation, but the Board cannot be a substitute for the student's own responsibility for his conduct in matters of academic integrity.

In connection with improving the climate of academic integrity the Board investigated several local writing services which advertise to Cornell students. Using the good offices of the Ombudsman, the Board sought to determine how other universities are responding to this matter. These services pose a serious threat to academic integrity, in most cases they appear not to be illegal. Both students and faculty would seem to have some responsibility for developing the best protection against such services, namely, the development of a desire to do one's own research.

Respectfully submitted,

Marjorie Devine  
Michael Fedak  
Wolfgang Fuchs  
Sharon Kern  
James O. Morris  
Robert Plaisted  
David Reed, Chairman  
Jeffrey Ross  
Alice Rubin  
Thomas Scott

ACTION SHEET

ACADEMIC INTEGRITY HEARING BOARD

CORNELL UNIVERSITY

To: \_\_\_\_\_

Date: \_\_\_\_\_

The Academic Integrity Hearing Board has found you guilty of \_\_\_\_\_. In view of this breach of the University's Code of Academic Integrity, the Board has voted the following actions:

- \_\_\_\_\_ (1) You are expelled from the University.
- \_\_\_\_\_ (2) You are suspended from the University for:
  - \_\_\_\_\_ (a) an indefinite period and you must petition the Board when you seek readmission.
  - \_\_\_\_\_ (b) the period \_\_\_\_\_.
- \_\_\_\_\_ (3) The Board recommends to the appropriate party that:
  - \_\_\_\_\_ (a) the student receive a grade of F (or U) for the course in which the infraction occurred.
  - \_\_\_\_\_ (b) the student receive a grade of F for the paper or test.
  - \_\_\_\_\_ (c) a new test or paper be assigned and submitted for grading.
- \_\_\_\_\_ (4) A record, "Declared guilty of \_\_\_\_\_ by the Academic Integrity Hearing Board" is placed on the back of the academic record card and will appear on any and all transcripts until:
  - \_\_\_\_\_ (a) your graduation or withdrawal from the University
  - \_\_\_\_\_ (b) your graduation, withdrawal, or successful petition to have this record removed from your record card.
  - \_\_\_\_\_ (c) \_\_\_\_\_ after graduation.
- \_\_\_\_\_ (5) A letter will be sent to:
  - \_\_\_\_\_ (a) your professors for the \_\_\_\_\_ term stating that you were found guilty by the Board and requesting that they report any further breaches of the Code to the Board.
  - \_\_\_\_\_ (b) your faculty advisor stating the Board's decision and the reasons why it was made.
- \_\_\_\_\_ (6) During the period \_\_\_\_\_ you are to arrange for counseling with a member of the University staff who has been (approved) (appointed) by the Board, and any petition made to the Board must be accompanied by a letter from said counselor.
- \_\_\_\_\_ (7) You are issued a serious warning and informed that any future violations of the Code will result in a severe action by the Board.
- \_\_\_\_\_ (8) The following combination and/or adaptations of the above penalties \_\_\_\_\_.

THE CORNELL CHRONICLE

April 27, 1972

## Memorandum From the Review and Procedures Committee

*As the opening lines suggest, the Speaker of the FCR asked the Review and Procedures Committee to study the boundaries of jurisdiction of the FCR. This memorandum is in response to that request. Because the Review and Procedures Committee is a Committee of the University Faculty and because the matter is of wide and current concern, the Review and Procedures Committee has asked to have the memorandum published in the Chronicle's Bulletin of the Faculty.*

April 26, 1972

TO: The Speaker of FCR  
FROM: The Review and Procedures Committee of the University Faculty  
SUBJECT: The limits of debate in the FCR

This is a response to your request of April 14, 1972, that we "undertake a study aimed at setting the boundaries of jurisdiction of the FCR" in order to clear up the ambiguities that led to your recent ruling that certain statements made by the Dean of the School of Industrial and Labor Relations, and objected to by Professor Isadore Blumen, et al., constituted a breach of decorum and that the appropriate remedy would be the Dean's apology or withdrawal of his statement. We have gone over in detail

the series of unfortunate events that revealed these ambiguities, have reviewed all the appropriate bylaws governing the procedures of the Faculty and the FCR, and have concluded that the FCR should in the future be guided by the following principles:

1. The FCR should not have jurisdiction over debate conducted anywhere other than on the floor of its own assembly. Any statement bearing on University Policy, no matter where it is published, may be introduced for debate in the FCR by the usual means of bringing questions before the body. But it should not be considered a subject of FCR debate until it is so introduced.

2. It should not be the function of the FCR to characterize, by motion or resolution, or by a ruling of the Speaker, the behavior of anyone who is not a member of the FCR. The just-elected Committee on Academic Freedom and Responsibility has responsibility for such matters. Faculty members, in or out of the FCR, who feel they have been improperly treated by other members of the Faculty or by members of the University Administration, should, as the "bylaws" indicate (V. D. 5), seek the good offices of the Dean of the Faculty. If the offended members are not satisfied by the efforts of the Dean, their recourse must be to the President or the Ombudsman.

3. When a question is raised of personal privilege involving an alleged breach of decorum in the course of debate in the FCR, the Speaker may admit the question and rule that the offending member be given an opportunity to retract the offending remarks or apologize for the offending behavior; but the Speaker may not rule in a form that implies any judgment other than that implied by his admission of the point. If the offending member fails to retract the remarks or to apologize, and if the member who raised the point still seeks satisfaction, the Speaker may, following "Robert's Rules," admit a motion to reprimand, which must, of course, be open to debate. Generally speaking, a motion to commend or censure should be considered "outside the object" of the FCR, and should not, therefore, be considered unless two-thirds of the body votes to consider it ("Robert's Rules," p. 292).

To this memorandum we wish to add

our conclusions about the nature of the Cornell Chronicle. We agree with you that when, for example, the Chronicle publishes a statement about personnel policy by the Director of Personnel, readers are right to assume it to be official. Except for the clearly marked "letters" column, the Chronicle is not a journal of opinion, but "The Official Weekly Record for Cornell University." A careful reading of the introduction to Dean McKersie's Washington speech and of the speech itself should have made clear that it was not a statement of official policy, even though it was endorsed by the Director of Affirmative Action; nevertheless, whoever was responsible for publishing the Dean's speech might have anticipated that some faculty members would assume that the Dean's speech, including the two troublesome paragraphs, had been sanctioned by the Administration. We hope that in the future the editor will attempt to make very clear the difference between expressions of individual opinion and expressions of official policy.

Finally, we wish to applaud the conscientiousness of your efforts to resolve this delicate problem with justice and tact, and with as little harm as possible to our common enterprise. As you can see, if guidelines such as those we have suggested had been in effect, you would have ruled differently. But we admire the high ideas of civilized and scholarly debate expressed in the rationale for your ruling, and we believe that in the future members of the FCR, in the spirit of those ideals, will refrain from introducing those points of personal privilege which, by their very introduction, are likely to "constitute a grave threat to reasonable conduct of University Faculty affairs."

5:30 p.m.

April 27, 1972

ITHACA, NEW YORK -- Here is a statement from Cornell University President Dale R. Corson: "Because of the continued refusal of the individuals occupying the Carpenter Hall library to leave that building, the University faces a serious dilemma. The occupation of the Library denies its use to students and others who have a right to use it. At the same time it is uppermost in my mind that we refrain from the use of force, if at all possible, because this will greatly increase the potential for personal injury and property damage. For this reason I request that the campus continue to endure the current situation for the time being even though it includes the limitation of freedom and, in particular, abridges the rights of the Engineering students and others who are being denied the use of their library. This request is in line with the recommendations which the members of the Senate Executive Committee expressed to me this afternoon. They urged, 'both the Administration and the rest of the University Community to attempt to avoid violence and the possibility of physical harm at the situation at Carpenter Hall.' I have also kept in close touch with the Dean of the Faculty, Professor Norman Penney, and for the time being he continues to support these views."

-end-

The Provost called the meeting to order at 4:30 p.m. in Ives 110.  
135 members were present.

1. APPROVAL OF MINUTES

The Minutes for the meeting of February 16, 1972, were approved as distributed.

2. NECROLOGY

The Provost announced the death of: *Eugene F. Bradford*, Registrar Emeritus; *Wilbur T. Schroeder*, Professor of Plant Pathology, Geneva; *Frederick G. Munding*, Emeritus Professor of Entomology, Geneva; *Henri S. Sack*, Walter S. Carpenter, Jr. Professor of Engineering and Professor of Applied Physics; *Alexander M. Meek*, Associate Professor of Animal Science; *Faith Fenton*, Emeritus Professor of Food and Nutrition; *A. Watson Dimock*, Professor of Plant Pathology.

The Provost yielded the Chair to the Speaker, Professor Whitlock.

3. REMARKS BY THE PROVOST

With regard to the occupation of Carpenter Library, the Provost noted that University Administration was guided by principles developed in advance of the occupation by President Corson. He thanked members of the community for supporting Administration in its emphasis on judicial procedures.

Turning to the subject of planning, the Provost said that in the coming year decisions will be made about the nature of Cornell in the future. After inviting advice from all quarters, he reported that the Executive Committee of the FCR would coordinate faculty input. He reported having asked the deans to initiate long range planning in their colleges and noted that the University Senate is also engaged in a planning exercise. Calling attention to the planning projections which Cornell filed with the Board of Regents, he invited comments from members. With regard to the Cranch Committee, its report is expected by June, after which it will be given wide distribution at Cornell and analyzed during the summer by

Administration. Recommendations from community interest groups will be solicited.

On the subject of financial stability, he noted that the budget will be balanced one year hence as a result of cutting the academic program by 10% and the non-academic program by 15%, this over a three-year period. The methods used to achieve financial balance cannot be continued indefinitely. While promising that in the period beyond 1973 the content of the academic program will not be determined strictly by financial considerations, he noted that projects involving innovation can be funded outside the University. Speaking to the need to present the quality of education at Cornell from deteriorating, he announced a grant from the Mellon Foundation for \$1,250,000 to prevent the erosion of the greatness of the University. \$200,000 of this grant, he said, has been earmarked for Library acquisitions, half of which will be in the humanities.

#### 4. RECOGNITION OF RETIRING FACULTY MEMBERS

Dean Penney thanked thirty members retiring from the Faculty this academic year. He then announced their names. They are:

James A. Adams, Associate Professor, Entomology, (Geneva),  
Ag. & Life Sciences

H. Darkes Albright, Professor, Theatre Arts, Arts and Sciences

Knight Biggerstaff, Professor, Chinese History, Arts and Sciences

Dalai Brenes, Professor, Romance Studies, Arts and Sciences

Dorsey W. Bruner, Professor, Veterinary Microbiology, Veterinary

Helen J. Cady, Associate Professor, Design & Environmental Analysis,  
Human Ecology

Charles E. Cladel, Professor, Hotel Administration, Hotel

Alice H. Cook, Professor, Industrial and Labor Relations

J. Milton Cowan, Professor, Linguistics, Modern Languages,  
Arts and Sciences

Trevor R. Cuykendall, Spencer T. Olin Professor of Applied and  
Engineering Physics, Engineering

Robert H. Dalton, Professor, Human Development and Family Studies  
Human Ecology

Howard N. Fairchild, Professor, Thermal Engineering, Engineering

James J. Gibson, Professor, Psychology, Arts and Sciences

John P. Hertel, Professor, Personnel Administration, Ag. & Life Sciences

Oliver H. Hewitt, Professor, Wildlife Management, Ag. & Life Sciences

Harry A. Kerr, Professor, Soil Conservation, Ag. & Life Sciences

Robert B. MacLeod, Susan Linn Sage Professor of Psychology,  
Arts and Sciences

Frances McCormick, Assistant Professor, Counseling (Clinic), University  
Health Services

Elsie F. McMurry, Associate Professor, Design and Environmental Analysis,  
Human Ecology

A. Gordon Nelson, Professor, Counseling Psychology, Education,  
Ag. & Life Sciences

Isabel J. Peard, Professor, Education, Ag. & Life Sciences

Edward C. Raney, Professor, Zoology, Section of Ecology & Systematics

William A. Rawlins, Professor, Entomology, Ag. & Life Sciences

Stephen J. Roberts, Professor, L.A.M.O.S., Veterinary

S. Reuben Shapley, Professor, Personnel Administration, Ag. & Life Sciences

Laura Lee Smith, Professor, Hotel Administration, Hotel

Frederick C. Steward, Charles A. Alexander Professor of Biological Sciences,  
Ag. & Life Sciences

Howard S. Tyler, Professor, Personnel Administration, Ag. & Life Sciences

Frederick O. Waage, Professor, History of Art, Arts and Sciences

Stanley W. Warren, Professor, Farm Management, Ag. & Life Sciences

At the conclusion of this announcement, those in attendance received a generous round of applause.

##### 5. REPORT BY THE DEAN

After noting arrangements for the Commencement exercises, the Dean reported on the activities of the FCR during the past year. It met eleven

times, the bulk of its activities being to structure nine standing committees: Executive Committee, Committee on Academic Programs and Policies, Academic Integrity Hearing and Appeals Boards, Committee on Freedom of Teaching and Learning, Committee on Admissions and Financial Aids, Committee on University-ROTC Relationships, Committee on University Research Policies, Committee on Academic Freedom and Responsibility, and Committee on Professional and Economic Status of the Faculty. Due to the absence of a quorum at the last faculty meeting, the FCR also took up and approved legislation creating a Committee on Membership of the University Faculty. The FCR also created a Committee on Nominations and Elections. Still under discussion is the Board on Physical Education and Athletics; meanwhile, the existing Board continues to function. Also under discussion is a Committee on Records and Instruction which will succeed to the functions of the Committee on Registration and Schedules, the Committee on Requirements for Graduation, and the Committee on Grading. The FCR also passed a resolution on Freedom of Inquiry, investigated the COSEP Handbook, considered the academic calendar, authorized an S/U option in Hotel Administration, set up procedures for selecting the occupant of the John L. Senior Chair, referred a Senate bill regarding religious holidays, acted upon a report of a special grading committee, changed the degree date legislation, changed grading practices with respect to transcript notations for S/U courses, considered a question of privilege, established three new Masters degrees, heard the report of the ROTC Committee, and passed a resolution on snow day policy.

The Review and Procedures Committee, an elected committee of the Faculty charged with watch-dogging the FCR and planning faculty meetings, has participated in structuring the faculty committees. The Review and Procedures Committee has also issued a memorandum on the limits of faculty debate and is now considering the role of the Faculty in times of crisis.

Observing that attendance at faculty meetings has been small since the establishment of the FCR the Dean reported that this is a matter of concern to some. He invited suggestions in person or by mail.

Regarding the election of a Speaker, the Dean reported that in the absence of a bylaw specifying the term of office, the one year indicated in *Robert's* would apply. He then announced that the present Speaker, Professor John Whitlock, is not willing to serve again and that the Review and Procedures Committee has ruled that the Speaker can come from the general faculty. He invited nominations, which can be sent to him prior to the next meeting of the FCR.

Adjourned: 5:10 p.m.

G.P. Colman, recorder pro tem

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