At 7:35 p.m. the chairman, Prof. James Danehy, called the senate to order in Room 202 of the Center for Continuing Education and opened the meeting with a prayer. The new and returning senators introduced themselves; the Journal for April 19 was approved; and Prof. Sarah Daugherty, speaking for Prof. Bobby Farrow, reported that expenditures for the month had been $195.64, leaving $873 (46% of the budget) still in the treasury.

In his chairman's report, Danehy noted that he had received a letter (dated April 22) from Rev. Theodore Hesburgh, which stated that contrary to a motion passed by the senate on March 24, the Budget Priorities Committee did "not think it wise or advisable to publish faculty salaries detailed by mean in the four faculties, the four ranks and the colleges, schools, divisions, and departments." This letter, said Danehy, might be further discussed as an item of new business. He also announced the election of Profs. Sophie Korczyk and Albert LeMay to the Student Life Council and of Profs. Paul Conway, Danehy, and Thomas Swartz to the Faculty Affairs Committee of the Board of Trustees (FAC).

Prof. Irwin Press asked whether the FAC had recently met, to which Danehy replied that a meeting had been held just prior to the opening of the Campaign for Notre Dame. He added that Dr. Thomas Carney of Chicago would succeed Dr. Rosemary Park as committee chairman, and that Carney had expressed a strong desire to meet with the new members within the next month and to make the FAC a more active organization, one which would hold regular meetings and which would serve to convey the ideas of the faculty to the Board of Trustees. At its most recent session, said Danehy, the committee had discussed the tension between the faculty and the administration and had heard a report from two members of the Budget Priorities Committee, Profs. Timothy O'Meara and Herbert Sim.

There being no report from the Committee on Administration, Press announced that the senate Committee on Faculty Affairs had met to discuss two issues: that of retirement policies, concerning which further information would be collected during the summer; and that of appointments and promotions procedures for the Special Professional Faculty, which he said was currently conducting its own investigation of the subject. Later, however, Sr. Margaret Suerth stated that the report of this faculty had already been sent to the senate committee.

Prof. John Lyon asked for discussion of a letter from the provost (dated April 26) which announced that during the spring semester he had requested six faculty members to join the administration in advising him on appointments and promotions, and that next year he intended to repeat the process. Lyon added that he raised the issue primarily as a point of information, yet expressed concern that such review committees, whether elected or appointed, might infringe on the prerogatives of departmental CAPs.
Prof. Richard Lamanna inquired as to the date when the senate had authorized
the provost to choose his own advisors in the appointments process. Conway
replied that this had been done several years ago, adding that the original
purpose of the provision was to allow for the provost's consultation with the
Deans' Committee, not with a faculty committee.

In response to queries from Press, Prof. Lee Tavis, who had served on the
committee, stated that it had met only once, on April 18; that it had reviewed
all cases involving tenure, termination, or promotion to the ranks of associate
or full professor; that he could not comment on the number of cases reviewed
or on the three instances of disagreement between the faculty and the adminis-
trative members; that a new group of faculty would probably serve next year,
although no one had mentioned this subject; that the committee had spent "a
great deal of time" in reviewing the cases; and that on the basis of his
experience at other universities, he believed the procedure at Notre Dame to
be "fair and thorough."

Press, however, argued that because the faculty members had been chosen by
the provost rather than by their peers, the new procedure did not satisfy the
faculty's request for a review committee; that because there was no procedure
for overriding the decisions of the "macro-committee," it might have too much
power; and that because its members might not be competent to review cases
outside their particular fields, they might make unprofessional decisions.
This, he said, was why the provision passed by the senate had limited appeals
to cases in which the faculty member believed that insufficient consideration
had been given to his qualifications. He added that he now thought it might
be "safer and better" for there to be review committees at the college level.
Prof. Paul Bosco said that if anyone were denied tenure by those other than
his peers, he should be told the reasons for the decision; and Prof. Murty
Kanury stated that if there were to be a "macro-committee," he should prefer
to be judged by his colleagues in other disciplines rather than by administrators
alone.

Lyon argued that the main difficulty with the new process lay in "the proba-
ibility of extreme arbitrariness." This year, he said, the committee's chief
interest seemed to have been in research, a fact which might have been prejudicial
to those in Arts and Letters; next year it might have a different bias, but
in any case it could be "stacked the way the provost wants to stack it."
Tavis denied that this year's committee had been biased in favor of research.

Press, seconded by Lyon, moved that the matter be referred to the Faculty
Affairs Committee, and the motion was passed unanimously.

Speaking for the Student Affairs Committee, Pomerleau said that he had met
with Ms. Mary Clare McCabe, Director of Student Development, who had expressed
her desire to involve "role-free adults" in residence hall activities. In
response to a question from Prof. Arthur Quigley, Pomerleau explained that
"hall fellows" were invited to attend various social events but did not
currently live in the dormitories. He said that during the summer, his committee
would formulate a proposal on this subject.
The next item of business was the election of officers. Danehy announced that the Executive Committee had received no suggestions concerning possible nominees, and that although it had asked several persons to run for office, all of them had declined for valid reasons. Thus, he said, nominations from the floor would be invited. He stressed the need for perseverance in dealing with the administration and in overcoming apathy, reminding the senators that no one could be nominated unless he or she consented to serve.

The meeting was recessed at 8:17 p.m. and reconvened at 8:27 p.m.

For chairman, Prof. Thomas Patrick nominated Conway and Lyon nominated Prof. Kenneth Goodpaster. Both candidates spoke briefly on their qualifications and their views of the senate's goals; and Conway was elected.

For vice chairman, Lamanna nominated Daugherty and Lyon nominated Prof. Michael Francis. The candidates having spoken, Daugherty was elected.

For secretary, Conway nominated Goodpaster and Press nominated Francis. Goodpaster was elected.

For treasurer, Patrick nominated Farrow and Lyon nominated Prof. Norman Haaser. Profs. Sonia Gernes, Francis, and Patrick were also nominated but declined. Farrow was elected.

For chairman of the Committee on Administration, Daugherty nominated Prof. James Dougherty and Lyon nominated Francis. Prof. Rudolph Bottei nominated Haaser, who declined. Dougherty was elected.

For chairman of the Committee on Faculty Affairs, Daugherty nominated Ms. Katharina Blackstead and Prof. Edward Cronin nominated Lyon. Profs. Press and Barth Pollak were also nominated but declined. Blackstead was elected.

For chairman of the Committee on Student Affairs, Goodpaster nominated Pomerleau. Prof. Brian Crumlish nominated Bosco, who declined. There being no other nominees, Pomerleau was elected by acclamation.

Conway then assumed the chair and commended his predecessor, Danehy, for his outstanding service to the senate. He also announced that he would communicate further with those who had volunteered to serve on the standing committees, stating that he hoped these groups would continue to work during the summer. He then called for suggestions from the senators and emphasized that every viewpoint would be welcome.

The meeting was adjourned at 9:19 p.m.

Those absent but not excused: Roberta Chesnut, theology; John Connaughton, law; Thomas Cullinane, aerospace and mechanical engineering; Emerson Funk, physics; V. Paul Kenney, physics; Albert LeMay, modern and classical languages; Sheridan McCabe, psychology and counseling center; James McGrath, biology; James Robinson, English; Robert Rodes, law; Kerry Thomas, chemistry; Ronald Weber, American studies.

Respectfully submitted,

Sarah B. Daugherty
Secretary
At 7:35 p.m. the chairman, Prof. Paul Conway, called the meeting to order in Room 202 of the Center for Continuing Education and asked Prof. Kenneth Goodpaster to offer the prayer. The Journal for May 10, 1977 was approved with one minor change. A list of members on standing committees was passed around for the senators' information and possible modification.

In his Treasurer's report Prof. Bobby Farrow reported an overage of $259 on the previous budget due to late duplicating and processing bills. Expenditures from the current budget ($1900) have come to $21, he said.

Conway announced in the chairman's report that the senate was short two members and that the relevant deans had been notified regarding replacements. He also distributed a copy of a letter from Rev. James Burtchaell responding to a senate recommendation on widows. Communications had been received from James Roemer (requesting two senators to serve on the Traffic Appeals Board), Rev. Theodore Hesburgh (planning to meet with the Senate on Monday, October 10), and Dr. Thomas Carney, new chairman of the Faculty Affairs Committee of the Board of Trustees (expressing a desire to meet with the senate or its representatives in the near future).

Prof. James Dougherty, reporting for the Committee on Administration, expressed concern about the structural implications of two recent administrative vacancies: Provost and Director of Libraries. He said that his committee would be working on a faculty-generated "Job Description" to assist the committee which would be appointed to determine the next Provost. He wondered whether something similar might be done for the Director of Libraries position. Certain ambiguities, at least about the Provost's role, he suggested, might be resolved by such a move. Dougherty said that his committee would seek the views of both administrators and the faculty at large in this task. A report to the senate was anticipated for the November meeting.

Other topics under consideration by the Committee on Administration included: (1) whether the role of the Board of Trustees is changing given its recent, more active involvement with short-term university management and disciplinary affairs; (2) the status of the committee of deans advising the Provost on appointments and promotions; and (3) appeals procedures (both with respect to appointments and promotions and with respect to other decision-making areas).

Professor Irwin Press mentioned that with respect to appeals procedures, the senate had already passed several specific proposals to be forwarded to the Academic Council.

Ms. Katharina Blackstead reported for the Faculty Affairs Committee that a two-part retirement proposal was being worked out for presentation to the
senate in the near future. The first part will be dealing with age of retire­
ment, and the second part with benefits. Other topics before her committee
included (1) the status of the Special Professional Faculty as set out in the
Faculty Handbook, and (2) a carryover question about WNDU programming
policies. The latter topic, she mentioned, would be tabled unless more interest became
evident.

Professor Claude Pomerleau then reported for the Student Affairs Committee
on a recent meeting of that committee in which Dean of Students James Roemer
and Student Body President Dave Bender presented their respective views on a
new initiative to remove students from the judiciary process. Pomerleau
observed that the positions of both parties seemed to be in flux as the Board
of Trustees meeting in October approaches; but that further meetings of the
CSA would take up the issue again in an effort to determine the CSA's proper
role and/or interest. In addition, Pomerleau mentioned that the CSA would
continue its study of ways to promote faculty-student interaction outside the
classroom.

The meeting was recessed at 8:10 p.m. and reconvened at 8:20 p.m.

There followed a report by Prof. John Lyon on behalf of the ad hoc
committee of the senate which was asked to inquire into "the structure,
functioning and future of the faculty review committee appointed by the Provost
to advise him on appointments, promotion and tenure." The committee consisted
of Lyon, Press, and two non-senators, Profs. Thomas Werge and Joseph Tihen.
Lyon reported that deans and the relevant faculty members were questioned both
on matters of fact about the review committee's origins as well as on matters
of interpretation about its operation. Recommendations were also sought
regarding its future. Lyon observed that, while the 1974-75 Faculty Handbook
specified that the Provost consult with the deans, the latest editions omit
this clause in favor of "such advisors as he may choose." Ironically, said
Lyon, this means that under the present arrangements the Provost need not even
consult the deans. The occasion for the change in the Handbook was a senate
recommendation (May 1, 1975) which was "eviscerated" in being passed by the
Academic Council. In any case, Lyon pointed out, the deans were not consulted
about the formation of the faculty review committee. Also, it appeared that
the review committee represented a toughening of criteria for appointments,
promotions and tenure. Figures from the Provost's Office (1974-75) and rumors
about the past year's decisions suggest, said Lyon, that "it will be harder
to get promotions and tenure" and that the crucial question was: "Who should
make the decisions?" Among the respondents to Lyon's survey were one adminis­
trator who thought that the faculty review committee amounted to "deck stacking,"
another who thought that it imposed too much form on an otherwise pluralistic
process, and a faculty member (on the review committee) who was concerned about
its accountability.

Lyon concluded by observing that one cannot recommend the dissolution of
a committee which does not formally exist, so that he saw little to be done
by the senate at this time.
At this point, Conway declared a recess so that the non-senators on Lyon's committee might address the senate.

Tihen emphasized the complexity and difficulty of policy decisions in these matters. He was asked by Conway about the Academic Council's actions in changing the relevant wording in the Handbook, since the senate's original motivation was to strengthen, not weaken, departmental CAP's. Tihen pointed out that one of the major advantages of previous Handbook revisions on this subject was a reduction of "secrecy" in the promotions process.

Werge then pointed out that the Handbook was "quite open" on the matter and that it would be precipitous to mount some sort of attack on the review committee, given its present indeterminate status. He suggested that the Acting Provost be asked to clarify his future plans for the use of such a committee.

Discussion from the floor commenced with an expression of concern by Prof. Sarah Daugherty about the confidentiality of faculty files and the right of the Provost to share such files with whomever he may choose. Prof. John Connaughton expressed uncertainty about the legal side of the confidentiality issue here.

Press then insisted that some action be taken in the present context in view of the fact that a clear precedent had been set for Fr. Brown to follow. The key weakness in the concept of such a faculty review committee, said Press, stems from the fact that none of us is a "generalist," competent to make cross-collegiate judgments about colleagues' qualifications. If review committees are needed, they should be college-level committees, Press urged, and a statement to Fr. Brown on this point should be made.

Lyon observed that the idea of college-level review committees might be viewed negatively by deans.

Conway expressed concern about the implications of faculty review committees for the role of departmental CAP's in the decision-making process. Lyon mentioned that he had heard of at least one case in which a departmental CAP member was also on the faculty review committee, thus having a double input into certain decisions.

Prof. A. Murty Kanury then remarked that we need to accept the fact that decisions in the future will be tougher in this area. He urged that in view of this fact the Faculty Affairs Committee should take the initiative to formulate preliminary policy suggestions with an eye to future tough decisions and future Handbook revisions.

Farrow observed that the "real concern" lay in the constitution of review committees, and he wondered whether "outside advisory committees" might not be desirable.
Dougherty pointed out that, in effect, the tenure and promotions process required such outside judgment now.

Prof. Richard Lamanna then asked Lyon why he thought, if he thought, that the Provost should consult with the deans in the final decision stages (re: appointments, promotions and tenure).

Lyon responded by reflecting on the value of tradition for the controlled use of authority and the danger that breaking tradition in favor of ad hoc review committees might encourage the abuse of authority.

Prof. Kerry Thomas then asked whether the faculty review committee move might not represent a more general philosophic shift in policy as against a mere tightening of decision criteria. Lyon expressed uncertainty about this while favoring the latter interpretation.

Dougherty then asked about the nature of the charter or task given to the faculty review committee by the Provost.

Prof. Lee Tavis, who was a member of the faculty review committee, responded by pointing out that the committee was not given a "philosophic" charter or special briefing by the Provost. He added that in his opinion the review committee did not represent changes in criteria so much as "added depth" in the decision process (beyond the deans' level). He emphasized both the difficulty and the necessity of "transdisciplinary" assessments in an institution like a university, which is essentially transdisciplinary in character.

Lyon then suggested that there were two things such a committee might do: (1) focus on supporting evidence case by case, and (2) try to adjudicate transcollegiate equity issues.

Tavis responded that he did not see the faculty review committee's function, given its temporary status, as including (2).

Lyon then compared the review committee to NSF referees, highlighting the similarities in terms of the dangers of "stacking" decisions.

Sr. Margaret Suerth observed that good administrators choose advisors with good judgment; they do not choose them to "stack decks."

Prof. Edward Cronin expressed agreement with Lyon and Press on the importance of centering power at the departmental level where the knowledge about the candidate is greatest.

Tavis insisted that, nevertheless, "somebody has to have a transdisciplinary perspective" and that it was clearly good to have faculty input at this level.

Prof. Paul Kenney pointed out that until the past year only deans had had input on this higher level of review and that he was delighted to see faculty
input now present there. He wondered whether faculty members were not exposing a "seamy side" of themselves in not trusting colleagues from other disciplines.

Lamanna observed in response that at least deans "are around for a while" and not appointed ad hoc for a year. He suggested that faculty review committees might have terms of office to build up experience.

Prof. Joan Aldous then asked Tavis whether he and his colleagues on the review committee had had an opportunity to ask for further information in specific cases. Tavis replied that no additional information was made available beyond questions to the group itself. Further information would have jeopardized the role of departmental CAP's. The model, he said, was that of staff to line (deans). "This is a solid promotional system," he added.

Lyon then distinguished between what he called "a faculty committee" and "a committee of faculty," drawing an analogy to the status of the representatives of the colonies to the British crown in the 18th century.

Blackstead asked Tavis whether each candidate was judged in accordance with a similar scheme. Tavis replied affirmatively.

Press reiterated his suggestion that Lyon talk to the acting Provost about his intentions with respect to the faculty review committee. Kanury observed that we have an opportunity at this point to initiate a cooperative (vs. antagonistic) relationship with the Provost's Office.

Lyon concluded by expressing doubt as to whether "we would get a better academician than Fr. Burtchaell" in the Provost's Office.

At this point Conway reconvened the meeting, which had been recessed for the duration of the discussion.

Under new business, Prof. William Eagan was nominated, seconded and unanimously elected to the Traffic Appeals Board.

Prof. Don Vogl then asked whether the senate might consider topics for discussion with Fr. Hesburgh at the next meeting. Daugherty moved (seconded by Lyon) that the Executive Committee of the senate be commissioned to formulate topics and questions for the Hesburgh meeting. The motion passed with one dissenting vote.

The meeting was adjourned at 9:40 p.m.

Those absent but not excused: John Lloyd, aerospace and mechanical engineering; Barth Pollack, mathematics; James Robinson, English; Robert Rodes, Law; Rufus Rauch, English (emeritus).

Respectfully submitted,

Kenneth E. Goodpaster
Secretary
At 7:35 p.m. the chairman, Prof. Paul Conway, called the meeting to order in Room 202 of the Center for Continuing Education and asked Capt. King Pfeiffer (ROTC) to offer the prayer. The Journal for September 13, 1977 was approved with no changes. After reading several nostalgic items from the Senate Journal of ten years ago (which dealt with a meeting also attended by Fr. Hesburgh), Conway recessed the meeting and introduced Rev. Theodore Hesburgh, C.S.C., president of the university.

It was explained to Fr. Hesburgh and the group that the dialogue would be structured by entertaining questions pertinent to the concerns of each of the three standing committees of the senate in turn.

Ms. Katharina Blackstead led off the questioning, after briefly outlining the concerns of the Faculty Affairs Committee, by asking about the activities of the University Budget Priorities Committee--with special reference to the access of the faculty to that committee. Fr. Hesburgh, in his reply, explained the complexity of the budget and the need for the faculty members on the BPC to become familiar with the whole and then to address themselves to specific parts. He said that the general acquaintance process had been the main activity over the past year and that this year he expected to be able to have meetings of the entire committee. Emphasizing that continuity was important for the BPC now that it had educated itself, he expressed the intention to "stay with the present group for a year" while allowing for the possibility of faculty elections to the committee in the future.

Blackstead then asked about the desirability of raising the retirement age to 70. Fr. Hesburgh expressed reluctance, indicating his concern about the implications of raising the age for the upward mobility of minorities, women and younger faculty generally. He also pointed out that there was talk of an amendment for universities with respect to the present legislation on this issue before Congress.

Prof. Rufus Rauch asked whether the university had been consistent on the age of retirement in recent years, suggesting the need for a clear policy. Fr. Hesburgh replied that the policy is retirement at 65. Sometimes departments will make special requests in special circumstances, he noted, highlighting a need to keep certain individuals on, but this is a matter of departmental initiative. He went on to discuss the importance of keeping retirement in perspective as part of one's life plan and not as "the end of the line." "Retirement is an opportunity, not a funeral," he said. Rauch agreed, but pointed out that a person couldn't easily make teaching part of that opportunity under the present system.
Prof. Paul Kenney then suggested that the problem lay mainly in the abruptness of the present retirement practice so that a gradualization of retirement between ages 60 and 70 might help.

Fr. Hesburgh added that he feared the Social Security Administration would be pressing for a higher retirement age largely to shore up its own impending bankruptcy. This would not solve its problems, he said, but would only create new ones.

Prof. Irwin Press then asked about compensation. "We're behind our peer institutions," he said, "How are we going to catch up?" Fr. Hesburgh acknowledged the problem and expressed a determination (on his own part and on the part of the Trustees) to get Notre Dame into the No. 1 classification in each of the AAUP's categories. He pointed out that the endowed chairs are central to the strategy here, freeing up money that can (and does) go directly into salary increases. He also noted that equity between colleges was important in this area, the Faculty of Arts and Letters being most in need of higher salaries.

Prof. Richard Lamanna then asked about the university policy on teaching load for faculty. Is there a move afoot to return to the old twelve hour-per-week rule and if so, is this compatible with aspirations to raise the quality of teaching and research? Fr. Hesburgh replied by emphasizing the importance of research and the need to help faculty in this regard, noting that the actual average figures were probably between seven and nine hours-per-week. He then went on to cite statistics on faculty size over the past seven years, indicating that the last two years show an increase of nearly 50 persons. The problem, he said, has to do with unpredictable changes in student interests and faculty availability to meet those interests: we end up adding faculty without subtracting. Press then asked whether the increase of 50 was due to new chairs, to which the answer was: not entirely. Kenney observed that the social security increases have eaten up virtually half of the university contributions to the retirement plan--creating the anomaly that at a time when faculty need more money to keep up with inflation, they are actually getting less. Fr. Hesburgh acknowledged the problem.

At this point, Conway called on Prof. James Dougherty to lead off for the standing committee on Administration. After summarizing his committee's concerns, Dougherty asked whether Fr. Hesburgh would react to the senate's plan to characterize the role of the Provost to aid the selection committee. Fr. Hesburgh responded approvingly and suggested several criteria that should be kept in mind: (1) that the trustees do not look at the Provost's office as equivalent to the office of the next President; (2) that good judgment, academic leadership, and compatibility with the President were important. He emphasized that 'compatibility' and 'agreement' were not the same thing, pointing out that "no one is infallible" and that "disagreement can be a good thing."
Dougherty then asked about the present mind of the administration on the use of a Faculty Review Committee for appointments and promotions. The discussion which followed was "off the record"—concluding with a general expression of favor on Fr. Hesburgh's part toward the idea of a university committee of faculty (e.g., one from each college) to advise the Provost. He said that Fr. Brown would have to make his own decision this year about such a committee. Dougherty asked whether such a committee should be informal vis-à-vis the Academic Manual. Fr. Hesburgh replied that it should probably be written into the manual in more detail.

A ten minute break for coffee followed (8:45 p.m.).

Calling the meeting back to order at 8:55 p.m., Conway asked Prof. Claude Pomerleau to lead-off for the senate committee on Student Affairs. Pomerleau mentioned two current areas of concern on the part of his committee: student-faculty contact outside the classroom (alternatives to the hall fellows program) and student participation in the judiciary process. He then went on to formulate two questions: (1) With respect to values seminars and the role of the faculty, what would Fr. Hesburgh like to see as an ideal? (2) With respect to coeducation, is it moving too slowly? Fr. Hesburgh focused his response on the first of the questions, pointing out that though no one can "teach values" directly, it is possible to teach about values as well as to exemplify values in one's interactions with students. He then sketched his ideas about a faculty development program which, if it could be funded, would involve twenty-five faculty members per summer for five summers. The purpose would be to work up cases in the process of self-education, cases dealing with moral issues under three broad headings: (I) personal values relating to marriage and family life; (II) global values relating to national and international justice; and (III) professional values relating to ethical aspects of medical practice, engineering, business, law, etc. The hope would be to produce both competent seminar facilitators and a casebook which could serve as a model for other universities to emulate.

Prof. Michael Francis then asked about the current state of the "Values Seminars." Fr. Hesburgh acknowledged that the project was not going well, insisting that it wouldn't and couldn't as long as the faculty did not feel easy with it. Hence the need for the development program mentioned above.

Prof. John Lyon read from the Bulletin of Information of the College of Arts and Letters (p. 24) concerning the University requirements in Theology and Philosophy. He asked Fr. Hesburgh why it would not be possible to accomplish whatever ends he had in view for the "Values Seminars" under the guidelines provided by the following description: "Together with Theology, it (the Philosophy requirement) offers the opportunity for the student to address, in a reflective, critical, and informed way, the most basic issues involved in the orientation of his life."
Lyon noted that there was no necessity for the Philosophy and Theology courses taken as University requirements to suffer from inadequate pedagogical techniques of the past. They might involve "case studies" and other features which are or might be proposed for the "Values Seminars."

Fr. Hesburgh replied by suggesting that from his experience, theoretical approaches were insufficient. Students need to confront concrete decision-contexts, asking "Is this right?" He added that in those cases where electives are available having this thrust, they are only electives and could easily be avoided, intentionally or not. What we need to do, he concluded, is to learn how to teach in this area--and not to think of it as simply a "Catholic" thing. "There's nothing peculiarly Catholic about justice and human rights."

Lyon then asked Fr. Hesburgh a question concerning the manner in which the Provost, the highest academic officer on the campus, was appointed and resigned. He noted that neither he nor any of the Senators at this time wished to violate the privacy which, by mutual consent between Fr. Hesburgh and Fr. Burtchaell, surrounded the Provost's recent resignation. Lyon asked Fr. Hesburgh what sort of values he thought were being communicated to the faculty by the manner in which Fr. Burtchaell had been appointed, and that in which his resignation had been announced to the faculty.

Fr. Hesburgh discussed the context of the appointment seven years ago in a time of crisis--a time when it was crucial to have a top level decision-maker constantly on top of every situation. With respect to the resignation, he declined comment, insisting that a person ought to have freedom and privacy in such matters.

Brother Francisco Drury, C.S.C. asked whether there was an implication in Pomerleau's remarks to the effect that no value education was going on in the halls. Pomerleau said no. Fr. Hesburgh then added that in his view a great deal was being done in the halls and that his own experience with hall discussions convinced him of the educative value of such interactions. He suggested that the "faculty fellows" idea needed to be pushed more, at least with respect to forums and discussions.

Conway then thanked Fr. Hesburgh on behalf of the senate, expressing the hope that a good precedent might now be set for future question-and-answer meetings with the president after his general address to the faculty each year. Fr. Hesburgh indicated approval of the idea. Conway then reconvened the meeting officially and invited new business.

Prof. Bobby Farrow reported as treasurer that $62,990 had been spent during September and that the balance in the budget was $1,316. Conway then raised as a topic for the senate to think about a recent change in the procedures for administering course evaluations. He said that he had heard (though he had not been notified explicitly) that in the future student administrators of the evaluations would have to sign a statement (on delivering them) to the effect that the faculty member involved had not seen or had access to them. Conway thought it legitimate for the
senate to inquire into (a) who decided that this should be the procedure? (b) why? (i.e., what are the implications to be drawn about attitudes toward faculty?), and (c) does this indicate that more importance is being placed on the results of the evaluations (for appointments and promotions) than had previously been thought?

Call for adjournment came shortly thereafter and the meeting concluded at 9:50 p.m.

Absent but not excused were: Joan Aldous, sociology; Francis Castellino, chemistry; John Connaughton, Law; Archie MacAlpin, emeritus earth sciences; Sheridan McCabe, psychology; James McGrath, C.S.C., biology; Robert Rodes, law; Raymond Schoen, freshman year; Ronald Weber, American Studies.

Respectfully submitted,

Kenneth E. Goodpaster
Secretary
At 7:35 p.m. the chairman, Prof. Paul Conway, called the meeting to order in Room 202 of the Center for Continuing Education and asked Brother Francisco Drury, C.S.C. to offer the prayer. The Journal for October 10, 1977 was approved with modest revisions suggested by Prof. Paul Kenney and Prof. John Lyon. In the Chairman's Report, Conway mentioned (1) sending a letter of thanks to Father Hesburgh for his participation in the October 10, 1977 senate meeting; (2) receiving a letter from Prof. James Danehy regarding a possible misinterpretation of the Academic Manual (to be discussed later in the meeting); (3) receiving a letter from Brother Just Paczesny, C.S.C., Vice-President for Student Affairs, informing him of the shift from the former Student Life Council to the present Campus Life Council and a consequent need for senate "appointment" of two representatives. Conway pointed out that five representatives had been nominated by the senate and elected by the faculty for the SLC last spring, and invited comment from the floor on the appropriate way to respond to the request. Prof. Sarah Daugherty, who has been the senate's ex officio representative on the SLC, remarked that there were conflicting reports on precisely what the faculty's role on the Campus Life Council would be and how the transition should be made. She had heard both that the present five SLC representatives would be retained for the year and that only one faculty member would be attending the new CLC meetings—and that only every third time. In the discussion which followed, a motion was considered to declare the senate's intention to retain the five representatives for the year unless directed otherwise. The motion was withdrawn, however, when all agreed that it would be better simply to send a letter to Brother Just requesting clarification and indicating some desire to keep the five elected representatives on unless there were objections.

Conway then reported that he had been in touch with Charles McCollester regarding the course evaluation procedures mentioned at the last meeting. Besides indicating that he had no information that the evaluations would be used any differently now than in the past, McCollester also clarified the "student signature" issue, Conway said. Students administering the evaluations will be asked to sign the envelopes certifying that they have followed the prescribed (unchanged) guidelines and students delivering the evaluations (if different) will be asked to sign as well. McCollester also expressed sympathy, Conway said, for the faculty's understandable and guarded indignation over the issue—inviting a letter to this effect for use in future discussions of the evaluation procedures. Apparently the change in question had come directly from the Provost's Office.

Conway then asked Daugherty to report to the senate on the recent meeting of the Faculty Affairs Committee of the Board of Trustees (Oct. 20, 1977). In her remarks, Daugherty emphasized the responsiveness and seriousness of the Trustees' attitudes. She said that they seemed anxious to address constructively such substantive issues as faculty desires for consultation by the provost, meaningful participation in budget priorities decisions, economic parity with peer institutions, etc. Dr. Thomas Carney, chairman of the committee, has been most enthusiastic and has suggested two or three further meetings this year. "We need to take advantage of this
opportunity," Daugherty said, for input on key issues at the top decision-making level, "but cogent argument, not vagueness" is demanded.

Conway added that there is senate access to the agenda of the Trustees' committee and that he is its secretary. He then asked for questions from the floor. Prof. Richard Lamanna asked whether the senate might not look into having Carney appear at one of its future meetings for a dialogue (as had been suggested last spring). Conway said he would follow up on the suggestion.

Reporting for the Committee on Administration, Prof. James Dougherty then opened discussion on the statement which his committee had sent out with the agenda. The statement provided two motions for consideration (as opposed to passage)—one of which was positive, the other negative, toward the concept of the provost-level review committee on appointments and promotions. He mentioned that a third possibility might be a re-endorsement of the senate's call (last spring) for a faculty appeals committee on appointments and promotions. Dougherty also suggested that the senate decide on an appropriate degree of "majority" without which the passage of a motion would be pointless. The consensus was that two-thirds was appropriate. After a brief, preliminary discussion among Profs. Lyon, Press, Haaser and Goodpaster noting the difference between the senate's call last spring for an appeals committee and the issue at hand—a review committee—Prof. Sheridan McCabe invited comments pro and con. Dougherty responded by saying that on the "pro" side one could see the faculty review committee as providing a useful counterpoint to the purely administrative perspective at higher levels in the tenure and promotions process. On the "con" side, he said, there is the problem of the validity of cross-disciplinary judgments by faculty. Prof. Joan Aldous spoke for the "pro" view, urging that promotions and tenure decisions be "jealously guarded" by the faculty. Pointing out that the provost could be a scholar or a manager, she said that the faculty "can't have it both ways—either we want participation or we don't." Prof. Karl Kronstein agreed, insisting that we either let things go as in the past or decide to "supplement the wisdom of the deans." He said he would prefer to be judged by fellow faculty members.

Lyon then suggested that the "mechanism" of participation by faculty on the review committee be spelled out, since if we were dealing with an election he might be in favor of a higher faculty review but if we were dealing with appointment of the committee by the provost he might not. Sr. Margaret Suerth remarked that in either case the ultimate decisions were not and would never be in the hands of the faculty.

Press then asked to what extent a precedent had already been set—to which Lyon replied that Fr. Brown had said that the matter was being considered and he (Brown) would let us know. Press then expressed ambivalence about the review committee, confessing to being moved both pro and con (though more "pro" at the moment). Prof. Don Vogt then suggested that at the very least certain guidelines should be set having to do with fairness, elimination of prejudice and favoritism, etc.

Conway replied that we first must decide whether we want the review committee or not before guidelines could be discussed.
Daugherty said that she agreed with Press and came down "pro"—though insisting that the review committee (a) not be secret, (b) should avoid double-representation with respect to departmental A and P committees, and perhaps (c) have limited power to overturn departmental recommendations.

Press then said that the function of the committee was or should be to determine whether "a case is well made for an individual," and that guidelines might be provided for making a case even to the point of allowing the individual candidate to make it. Conway again suggested that discussion of guidelines should wait until after the basic idea of a review committee was discussed. Prof. Richard Lamanna disagreed, pointing out that the senate needed to know what sort of thing it was approving or disapproving. He had, for example, reservations about the review committee in its secret and 'ad hoc' form.

McCabe then said that it might be better to try a vote on the negative motion rather than the positive one. A complicated discussion followed in which several motions were made and subsequently withdrawn. The upshot was a motion by Prof. Sonia Gernes (seconded by Prof. Thomas Patrick):

That the Chairman appoint a joint (Faculty Affairs/Administration) Committee to study the principle of faculty representation in the provost-level review of promotions and tenure.

The motion passed with no dissent.

At this point Conway called on Ms. Katharina Blackstead to report for the Faculty Affairs Committee. Blackstead introduced her committee's proposal for a triple-option retirement policy for the faculty:

Option I: Early Retirement (ages 62- )

Option II: Half-time Appointment (ages 65-70 at faculty member's discretion)

Option III: Full-time Appointment (ages 65-70 at discretion of departmental CAP)

Mandatory Retirement at age 70, subject to Congressional override.

She added that the Executive Committee of the senate had suggested including the departmental CAP's discretion under Option II.

The discussion which followed immediately involved some confusion as to the last-mentioned suggestion as well as the desirability of voting on the proposal without time to consider it carefully. But Prof. Haaser was assured that a vote would not be taken at this meeting and Prof. Rauch was assured that the Executive Committee had not overstepped its authority in changing a committee proposal but had only suggested a modification. No change had been made in the wording of the proposal.
Discussion of the substance of the proposal followed: Lamanna pointed out that since a faculty member could not stay on beyond 65 simply with his departmental CAP's approval, Options II and III would be significant departures from current practice even if the Executive Committee's suggestion on II were included. Dougherty asked to whom the proposal, if passed, was addressed. Blackstead said that it would go to the Academic Council for inclusion in the Academic Manual. McCabe remarked that he understood present policy to involve a year-by-year consideration of faculty past 65 anyway. Blackstead acknowledged this but pointed out that her committee's proposal would allow for a 5 year contract.

Lyon then asked how realistic it was to suggest that the CAP recommendation (under II or III) be final. Haaser added that he couldn't imagine the approval of a 5 year contract under Option III. Press observed that there was nothing wrong with considering the possibilities. Lamanna suggested "sweetening" Option I. Daugherty pointed out that Options II and III were more substantial than one might think in view of the fact that some departmental CAPs refuse to consider faculty at 65. The present proposal would make that consideration a requirement at the discretion of the faculty member. Prof. Paul Bosco agreed.

Lyon then emphasized that "we be honest with ourselves--if we want CAPs to regularly consider such matters we are in effect encouraging older over younger faculty positions. Prof. Albert LeMay added that he thought 70 was too high an age to satisfy the administration and Prof. Emerson Funk pointed out that 27 out of 81 have stayed on beyond 65 in recent years.

Aldous commended the Faculty Affairs Committee for its work on the proposal and expressed interest in further study of the age-structure of the faculty in terms of post-World War II appointments and retirement trends through the 1980s. Blackstead said that she would be able to get the relevant data on this from the Personnel Office.

Lyon then mentioned that data would be helpful on the number of half-time faculty as well. He said he had checked on the increase of 50 faculty alluded to by Fr. Hesburgh at the last meeting and had found that most of it came in this category. Lamanna added that he was glad Lyon had checked on this matter and said the teaching load figures should also be looked at. Lyon observed that with respect to the part-time faculty increases, the cost to the university was doubtless much less (in terms of fringe-benefits, for example) than for full-time faculty.

At this point, Conway thanked Blackstead for her report and took up under "New Business" a letter from Prof. James Danehy asking that the senate address his being removed from the Faculty Committee on University Libraries (FCUL). He asked Press to report for the senate's Academic Manual Compliance Committee, which had looked into Danehy's complaint. Press said that his committee had found no strict grounds for non-compliance with the Manual due to an explicit restriction to "teaching and research faculty" in the FCUL's description. He added that this restrictiveness was apparently not deliberate in any strong sense and that the Manual was not consistent in its treatment of retiring faculty participation on committees. He and his committee thought that retiring faculty should be allowed to serve out (e.g. 3-year) terms at the discretion of the other members of the committees in question as well as the provost. Conway pointed out, in support, that Danehy was continuing
on the Faculty Affairs Committee of the Board of Trustees (without challenge) and that this made the handling of the FCUL matter rather inconsistent. Daugherty added that Prof. Paul McLane had served out his term in the senate after retiring, and that especially in view of Danehy's pending legal suit, the university should keep him on the FCUL until the end of his term.

Rauch then remarked that the intent of the writers of the Manual seemed to be (Article 3, Section 10) that emeriti continue to use university facilities and teaching and research amenities. Why should they not continue to participate in the human resources of the university as well as such physical resources? Press agreed, adding that it was clear that the restrictive clause in the Manual was more accidental than deliberate--to which Conway replied that the senate might want to propose changes to the Manual to set things straight.

Daugherty then moved, seconded by Rauch, that

The Senate takes note that the provisions in the Academic Manual are inconsistent (with respect to eligibility to serve on University Committees), and that in the interest of equity, Professor Danehy should continue to be eligible to serve on the Faculty Committee on University Libraries. This information is to be directed to the Acting Provost.

In discussion, Lyon pointed out that the administration could easily take the "equity" challenge in precisely the opposite direction (removing other emeriti). He also said that he couldn't imagine "how this could be useful given the pending legal case." Patrick called the question. The motion carried with five votes in opposition.

Press then suggested that the whole matter of emeriti rights of participation be remanded to the Faculty Affairs Committee for study.

LeMay asked whether the senate might not try to take some positive action on the subject of campus lighting in view of the attacks on two girls the night before. Daugherty pointed out that an administration committee was already working on this and that senate involvement might be redundant. Prof. Archie MacAlpin said that if movement on this issue is needed, redundancy may not be a problem. McCabe added that security director Pears had talked with the senate some years ago and that this might be a good idea again--suggesting further that the matter be taken up by the Student Affairs Committee.

The meeting adjourned at 10:10 p.m.

Budget report: expenditures for October were $54,18; total expenditures for this fiscal year have been $138.00, leaving a balance of $1761.00 (92.7%).

Absent but not excused were: Donald Barrett, sociology and anthropology; Francis Castellino, chemistry; John Connaughton, Law; Moira Geoffrion, art; Arthur Quigley, electrical engineering; James Robinson, English; Robert Rodes, law; Raymond Schoen, freshman year of studies; Kerry Thomas, chemistry; Ronald Weber, American studies.

Respectfully submitted,

Kenneth E. Goodpaster
Secretary
At 7:35 p.m. the chairman, Prof. Paul Conway, called the meeting to order in Room 202 of the Center for Continuing Education and asked Prof. Archie MacAlpin to offer the prayer. The Journal for November 9, 1977 was approved with no revisions. In the Chairman's Report, Conway mentioned (1) sending a letter to Brother Just Paczesny, C.S.C. suggesting that the current five SLC senators be retained for the year on the new CLC; (2) receiving a letter from Bro. Just agreeing to this arrangement and soliciting senate nomination of 12 faculty members to serve on the new Judicial Board; (3) sending a letter to the Acting Provost, Rev. Ferdinand Brown, C.S.C. detailing the senate's appeal for equity on the question of Prof. James Danehy's position on the FCUL (no reply); (4) receiving a copy of a letter from Prof. Robert Kerby to Fr. Brown expressing indignation over the suggested teacher course evaluation procedures—and a reply by Fr. Brown indicating that the new procedures need not be followed this term and would be withdrawn in the future. Conway also said that he would, following past practice, send out a form to the faculty at large to enable persons to express their willingness or unwillingness to serve on various university bodies and committees.

Moving to the Committee on Administration Report, Conway yielded to Prof. James Dougherty. Dougherty made the following motion:

That the Faculty Senate endorse the following description of the Provostship, and send it to the Provost Search Committee, to the President of the University, and to the Board of Trustees.

(The text of the description appears as Appendix I below.) After a few clarificatory questions about the destination of the text, the vote was unanimous in favor of the motion and the committee was commended for its good work.

Next, Ms. Katharina Blackstead reported for the Faculty Affairs Committee. After presenting significant statistics comparing Notre Dame's retirement practices to those of other relevant institutions (see Appendix II below), Blackstead suggested that a retirement age of 70 was not beyond the realm of possibility and that we are in a position to "put the ball in the Administration's court" through a motion to the Academic Council. The motion:

That the Academic Manual be revised to include a triple-option retirement policy for the faculty of the University of Notre Dame—

Option I: Early Retirement (Ages 62 - )

Option II*: Half time Appointment (Ages 65-70; at faculty member's discretion)

Option III**: Full-time Appointment (Ages 65-70; at the discretion of faculty member's Committee on Appointments and Promotions).
Mandatory Retirement at age 70, subject to Congressional override.

*Option II would, if passed, constitute any faculty member's guaranteed right.

**At age 65, any faculty member would have the right to petition his/her departmental CAP for up to a five-year extension of his/her contract.

The motion was seconded by Prof. Rufus Rauch.

In the discussion which followed, Prof. Sarah Daugherty suggested as a friendly amendment that the phrase "at the discretion of" under Option III be changed to "on the recommendation of." This was accepted.

Daugherty then asked whether the impact of the motion on junior faculty had been adequately considered. Blackstead replied affirmatively, noting that though the FAC was divided, Option II provided a compromise. Under this option, which few would (probably) elect, half-time appointments would be at half-salary and thus not necessarily undermine new appointments or tenure for younger faculty. Prof. Arthur Quigley insisted that it was not so clear that Option II would be elected by only a few.

Prof. Michael Francis asked whether if a faculty member tried Option III and failed, he could then take Option II. Blackstead said yes. Prof. John Lyon raised again the issue of the impact of Options II and III on hopeful young faculty whose appointments and promotions are tied to expectable retirements. He also suggested that half-time appointments beyond 65 would cause social security problems. Blackstead replied that all of these issues would have to be addressed by the departmental CAP in deciding on individual cases.

Daugherty then observed that "impaction" was not the real issue since presumably faculty taking advantage of Options II or III would have the status of 'Emeritus.' Money was the issue, he said, not tenure quotas. But Lyon asked for clarification on the 'Emeritus' point—to which Blackstead replied that as she read the motion, Options II and III would not involve 'Emeritus' status for those taking them.

At this point Daugherty remarked that though she thought Option III equitable, she was disturbed by Option II. Since Option II involves no university input and makes extension beyond 65 automatic for those who wish it, "it tips the balance in the wrong direction." She then moved, seconded by Lyon, that Option II be amended to include the same condition of CAP recommendation as Option III.

Rauch objected that this amendment would leave the present university retirement policy virtually unchanged. But Daugherty replied that this was not so, since Option II would still require that formal consideration be given by CAP's to faculty members desiring it. The present "automatic" retirement practice would no longer obtain.
Conway then observed that the present policy is really not much more than an "unwritten custom" and that Option II, if amended, would at least involve rendering explicit the current practice. Rauch acknowledged this, but insisted that no substantial change would be made if the amendment passed. Blackstead then observed that there would at least be the opportunity for a faculty member to petition his CAP at 65 (or any year thereafter until 70) for appointment—even for more than a one-year appointment.

Lyon then asked whether Option I wasn't already in the Academic Manual, and pointed out the need for clear specifications and language if the present proposal was intended as a Manual revision.

Prof. Norman Haaser remarked that he simply couldn't imagine a CAP appointing someone for five years at age 65.

Prof. Irwin Press then spoke against the proposed amendment to Option II. If amended, he said, it would mean that the senate proposed a policy not much different from the present policy, "emasculating" the FAC's original motion.

Lyon disagreed, insisting that it was "odd to allow a faculty member at age 65 discretionary power over his appointment which he has never had at any other juncture in his career." Press replied that he saw nothing odd in this.

Rauch pointed out that Option II was actually a compromise in its unamended form—an alternative being straight retirement at age 70. Many first-rate universities, he said, have such a policy. He added that a "humiliating and demeaning reappointment process" should not be required at 65—a "Bismarckian" age stipulation in any case.

Daugherty responded by expressing her concern for "civility, politeness and humaneness," but asked why it was more "humiliating at age 65 than at age 30" to be subjected to the reappointment process—adding that younger faculty do not have the power to reappoint themselves.

Prof. Paul Kenney then observed that the debate over Option II really crystallizes a concern of all of us—both for faculty welfare and for the broader academic welfare of our departments (in terms of turning out and hiring young scholars). Bro. Francisco Drury added that the librarians should not be overlooked in the discussion, three-year contracts being all that they have access to. Kenney replied that if tenure is looked at as a "welfare item" then Drury is right—whereas if it has to do with civil liberties and academic freedom, "the story is different."

Quigley spoke against the amendment claiming that, as he saw it, it was unconstitutional to discriminate against a person on the basis of age by forced retirement (or even half-retirement) at age 65. Lyon replied that "if age is to go as a criterion, some sort of competitive examination would surely have to replace it"—amounting, if failed, to a public proclamation of senility in the eyes of some. Kenney asked Lyon if he (Lyon) was advocating periodic candidacy examinations of faculty to which Lyon responded in the negative. Kenney suggested that such exams might not be such a bad idea after all.
At this point the question was called and the vote taken. The motion to amend Option II carried with 10 in favor, 9 opposed, and 4 abstaining.

Rauch asked whether it was in order to have a roll-call vote. Conway said that it was, but didn't at the moment know the required majority to honor such a motion. The meeting was recessed to inquire and for the regular coffee break at 8:35 p.m.

At 8:40 p.m. Conway called the meeting back to order and a vote was taken on whether to record a roll-call on the previous motion to amend. Since only two persons voted in favor, no roll-call was taken and discussion opened on the retirement policy motion as amended.

Kenney asked Blackstead whether Option I in the proposal amounted to a resignation at age 62. Blackstead referred him to the handout of the previous meeting where this question is answered (negatively) in the section on "implications." She added that all of the options are really tied to the "total compensation package" in important ways, a topic which the FAC will be addressing in the months ahead.

Press then urged the defeat of the motion as amended, claiming that since it was no more than the present retirement policy, it "demeaned the senate" and was "an insult to the faculty."

Quigley insisted that there was a genuine difference in the provision for multiple-year appointments beyond 65, and Dougherty added that the regular (vs. emeritus) status of those beyond 65 was also a significant difference from present policy.

Press replied that the senate had an obligation to push for bold changes in policy (whether they were ultimately accepted or not) and that "vague, mild proposals do no good."

Daugherty disagreed about the "mildness" of the proposal, recalling Fr. Hesburgh's interpretation of present retirement policy. On this interpretation, persons retire at 65 except in extraordinary cases and at the request of their CAPs. The amended proposal would force CAPs to consider each person who wished to be considered--extraordinary or not--and this, she said, is a substantial difference.

Lyon added that "if we're concerned with credibility, we should worry about what happens at the other end," referring to the impact of retirement extensions on younger faculty.

The question was called and the vote taken. The retirement proposal motion (as amended) was defeated with 9 in favor, 11 opposed, and one abstention.

Under Old Business, Press moved the following, after several friendly amendments having to do with appropriate wording:

In cases in which an elected faculty member of a University Committee is retired before the expiration of his or her elected term, the faculty member continues to serve until the completion of that term.
The motion was seconded by Prof. John Lloyd and with 19 in favor and 2 opposed, it carried.

Under New Business, Conway invited nominations for the twelve faculty members requested by Brother Just Paczesny for service on the Judiciary Board. It was understood that the nominees need not be on the senate and need not have given previous consent (though those consenting would be chosen in order of consent in the event of a surplus). The term would extend only until April, 1978 at which time the senate would be asked to suggest more names.

The result of the nomination process is as follows:

Edward J. Cronin (General Program)
Charles F. Crutchfield (Law)
(Bro.) Wm. Francisco Drury, C.S.C. (Library)
(Rev.) Robert L. Kerby (History)
Albert LeMay (Modern and Classical Languages)
(Rev.) Ernan McMullin, C.S.C. (Philosophy)
Kenneth W. Milani (Accountancy)
Morris Pollard (Microbiology)
(Rev.) Claude Pomerleau, C.S.C. (Gov't. & Int'l. Studies)
Robert E. Rodes (Law)
Phyllis M. Webb (Microbiology)
Thomas Werge (English)

The meeting was adjourned at 9:20 p.m. Those absent but not excused will not be recorded because of the severity of the weather on the evening of the meeting.

Respectfully submitted,

Kenneth E. Goodpaster
Secretary
APPENDIX I

Approved Text of Senate Committee
On Administration Provost Description

Created in 1970 with a revision of the Academic Manual, the position of Provost united in one office several administrative jurisdictions that hitherto were distinct. The Manual further designates the Provost as first in succession as acting president during the absence of the President. Because the President is frequently summoned to duties off campus, the Provost assumes responsibility for the University's day-to-day operation. This prominence, together with his manifold responsibilities, makes the Provostship a position better described as a role than as a job. A job description of the Provostship can be prepared by extracting from the Academic Manual those passages in which one of its jurisdictional powers is defined; but a description of the Provost's role must account for unstated assumptions about the significance of those powers, and about the position of the person invested with them.

The national advertisement for a new Provost at Notre Dame describes him (or her) as "the first ranking academic officer under the president." On the one hand, the Provost is first vice president of the University. In the President's absence, he must act as the on-campus instrument of the President's policies: the President must know that the Provost's decisions will not be at variance with his own. On the other hand, the Provost is the University's chief academic officer. He represents the academic interests of students and faculty, at that administrative level where educational policies are formulated for the entire University. In view of the many functions, activities and interests now gathered in his domain, it is necessary to assert that the Provost is primarily the University's chief academic officer, and that his competences and concerns are in those areas that distinguish a university from other corporate enterprises. Though he may frequently act as the President's proxy, his role is not that of the President, and the concerns of the two offices are distinct. The Provost provides the University with leadership in its intellectual endeavors, while the President offers a more general leadership, which might be called moral, or ideological, or even spiritual. The Provost should be chosen for his qualifications as Provost, rather than for his promise as a President.

While the Provost's first responsibilities are found on the University campus, he (like every officer of the University) must also address constituencies beyond the campus: the Trustees, the alumni, government officials, and the general public. In this capacity he acts as spokesman for the entire University and thus usually as the deputy of the President. To burden the Provost with many such extramural responsibilities, however, must lessen the effectiveness of his intramural stewardship as leader and administrator of his two on-campus constituencies, the faculty and the students. Further, his overextension as University spokesman can lead to a confusion of his role with that of the President, and this confusion may weaken the effectiveness with which he is heard by any of those constituencies, off-campus or on-campus.

The advertisement carefully avoids pronouns, with their discriminations of gender. A more extended description cannot. Please understand "he," "his," and "him" as pronouns of indefinite gender.
As chief academic officer, the Provost must be himself dedicated to academic excellence. To faculty and students he should represent the intellectual life, distinguished by a career of teaching, research and scholarly publication. His presence should remind the off-campus constituencies that a university's claim to excellence must be first of all a claim to scholarly attainment. Charged with "the administration, coordination, and development of all the academic functions of the university," he is expected not only to safeguard but to further the school's academic quality. He must bring creative leadership to planning, implementing and evaluating academic policies and programs; to the administration, development and evaluation of faculty; and to the administration of the academic budget. In the working of the Executive Administration of the University, he represents the interests of faculty and students; he insists that decisions affecting the University's programs of teaching and research must be made on sound academic grounds, rather than on grounds of budgetary necessity or other extraneous considerations such as "public image" or pressure from government or from alumni.

The Provost must have proven skills as an administrator and manager. These are particularly important because of the vast responsibilities, even within the University, which fall within the Provost's scope. So extensive are these duties that they may restrict candidacy for the Provostship to only those persons willing to devote their every energy to the position. The University should not make such sacrifice a prerequisite for this appointment. Therefore, the Provost should be free to shape the position to his own talents and energies. He must be free to minimize his role outside the University as spokesman and proxy for the President. He must be encouraged to delegate on-campus authority to other academic officers such as the Vice President for Student Affairs and the Deans of the several colleges and programs. He should strengthen and encourage the effectiveness of representative bodies within the University such as the Academic Council, the councils of the colleges, the Graduate Council, the Faculty Senate, and other elected groups that might share in the deliberative or decision-making power of University governance. The President should look for a Provost who offers a capacity for creative disagreement in the councils of the Academic Administration; a Provost who has shown that he in turn can be receptive to creative disagreement from his own subordinate officers. Failing such a delegation of power, the Provost will be hampered both by the unwieldy mass of functions he must perform, and by the indeterminacy of a role which overlaps both those of his subordinates and that of the man to whom he himself is subordinate, the President of the University. The Provost's role—the one function he cannot delegate—is that of leader of the University as an intellectual community. It is in this sense that he is its chief academic officer.
**APPENDIX II**

Comparative Data on Retirement  
(Compiled by Senate Faculty Affairs Committee)

(A) Projected retirements from N.D. faculty (1978-1987)

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
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<td>7</td>
</tr>
<tr>
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<td>6</td>
</tr>
<tr>
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</tr>
<tr>
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<td>13</td>
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</tr>
<tr>
<td>1984</td>
<td>8</td>
</tr>
<tr>
<td>1985</td>
<td>8</td>
</tr>
<tr>
<td>1986</td>
<td>14</td>
</tr>
<tr>
<td>1987</td>
<td>14</td>
</tr>
</tbody>
</table>

Average per year: 10

(B) Retirement Ages

<table>
<thead>
<tr>
<th>&quot;Peer Group&quot; Institutions</th>
<th>Normal</th>
<th>Limit</th>
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</thead>
<tbody>
<tr>
<td>Northwestern</td>
<td>65</td>
<td>no limit</td>
</tr>
<tr>
<td>Cornell</td>
<td>65</td>
<td>70</td>
</tr>
<tr>
<td>Duke</td>
<td>65</td>
<td>70 (part-time)</td>
</tr>
<tr>
<td>Indiana</td>
<td>70</td>
<td>no limit (usually part-time)</td>
</tr>
<tr>
<td>Vanderbilt</td>
<td>65</td>
<td>no limit</td>
</tr>
<tr>
<td>Pittsburgh</td>
<td>70</td>
<td>no extension</td>
</tr>
<tr>
<td>So. California</td>
<td>65</td>
<td>70</td>
</tr>
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<td>Iowa</td>
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<tr>
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"Big 10 Schools"

<table>
<thead>
<tr>
<th>Institution</th>
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<tr>
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<tr>
<td>Michigan State</td>
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<tr>
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<td>Purdue</td>
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<tr>
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<tr>
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<td>Iowa</td>
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### APPENDIX II (cont.)

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<tr>
<td>Loyola University</td>
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<td>Boston College</td>
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<tr>
<td>University of Detroit</td>
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<td>Seton Hall University</td>
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<td>Fordham University</td>
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<tr>
<td>St. John's University</td>
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<td>University of Dayton</td>
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<tr>
<td>Marquette University</td>
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</table>
At 7:35 p.m. the chairman, Prof. Paul Conway, called the meeting to order in Room 202 of the Center for Continuing Education and asked Prof. Edward Cronin to offer the prayer. The Journal for December 6, 1977 was approved unanimously with no revisions. Conway then declared a recess of the meeting so that Dr. Thomas Carney, Chairman of the Academic and Faculty Affairs Committee of the Board of Trustees, could address the senate and respond to questions. After several brief remarks expressing his interest in and concern for faculty problems, Dr. Carney invited questions from the floor. Following past practice, Conway asked each of the chairmen of the standing committees to lead off in turn with a summary of his/her committee's current agenda and related questions.

Prof. James Dougherty began by citing his committee's work on (1) the provost role description recently approved by the senate and (2) the provost-level faculty review committee (for appointments and promotions). He asked Carney to comment on each of these topics. Carney began by endorsing and complimenting the role-description. He said that the main issue in the appointment discussion for the office of provost was the "successor to the president" question. Under present bylaws, the president must be a member of the Congregation of Holy Cross, so that if the provost were thought of as next in line, he too would have to be a member of the Congregation. Carney said that in his view, the successor assumption should not be made one way or the other. Asked whether the trustees would themselves be involved in the search for provost candidates, Carney said no—that they would approve or disapprove from whatever set of candidates was presented by the Search Committee.

Prof. John Lyon asked whether, by contrast to the previous provost's appointment (and departure), the candidate(s) might be expected to meet with the faculty in advance for discussion and reaction. Carney said that he did not know.

With respect to the provost-level faculty review committee, Carney declined comment, observing that the faculty had to educate the trustees here—not the other way around. Lyon then asked whether what many perceived to be a recent toughening of promotion/tenure criteria toward the end of a higher quality university was approved by the trustees as an active concern of their own. Carney replied that though the trustees did see themselves as more active of late in terms of knowledge and interest, they did not see their role as directing administrative decisions on such matters. The trustees, he said, must elect the officers of the university and must concern themselves with the policies of the university. He added that talk of making Notre Dame a "Harvard of the midwest" is not an aspiration of the trustees—if anything the hope is to make the university unique.
Prof. Paul Kenney asked whether, when Fr. Hesburgh eventually stepped down, there would be a problem "if no qualified C.S.C.'s were available to replace him." Carney, expressing doubt about whether finding a replacement would be impossible, replied that the Fellows would have to change the bylaws in such a circumstance.

Prof. Donald Barrett then asked about the trustees' attitude toward Fr. Hesburgh's recent pledge to put the Notre Dame faculty in the "number one" categories of the AAUP's compensation ratings. Carney responded by saying that the trustees were as enthusiastic as Fr. Hesburgh on this point and that he thought the endowed chairs would be the most direct route to this goal.

Ms. Katharina Blackstead followed up by asking whether there was any time frame attached to the achievement of this goal, to which Carney replied that there was not--and shouldn't be--since it was a matter of first importance to be accomplished as soon as possible.

Blackstead then spoke for the Faculty Affairs Committee and summarized their concerns about (1) changes in university retirement policy; (2) the status of the special professional faculty; and (3) the total compensation package. She asked Carney to give his views about extending the retirement age upward from 65.

Carney said that, in his view, retirement should be compulsory at age 65 since the university "needs a turnover." If we reject 65, he insisted, then it seems that no other age will be satisfactory either and this would be intolerable for the tenure situation. Exceptions would continue to be made for special cases, he noted, but the rule should be retirement at 65.

Prof. Richard Lamanna returned to the salary issue by asking about "the other side" of the question: teaching loads or faculty productivity. Can we have a first rate university and press for larger teaching responsibilities on the part of the faculty? Carney replied by affirming the trustees' interest in excellence by whatever measure, but suggested that the teaching load question was mainly a collegiate issue. Lamanna disagreed, saying that he thought there was a policy issue here higher up than the collegiate level--and Carney said that though he doubted this, he would inquire and get back to Lamanna soon.

Compiled by Prof. Sarah Daugherty

Prof. Irwin Press then presented recent figures on median salaries at "Big Ten," and "peer" institutions by comparison to Notre Dame:

<table>
<thead>
<tr>
<th></th>
<th>1974-75</th>
<th>1975-76</th>
<th>1976-77</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Big 10</strong></td>
<td>$17.7 thousand</td>
<td>19.0</td>
<td>20.0</td>
</tr>
<tr>
<td>&quot;Peer&quot;</td>
<td>(+$1400)</td>
<td>(+$1600)</td>
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</tr>
<tr>
<td>ND</td>
<td>(+$600)</td>
<td>(+$800)</td>
<td>(+$800)</td>
</tr>
</tbody>
</table>

He then pointed out that at this rate of increase, Notre Dame would never attain similar median salaries.
Carney asked how many persons were involved in the Notre Dame figures, to which Press answered about 500. Carney then observed that this meant $700,000—a figure well within the value of the projected 40 endowed chairs (at $28,700 each). Press added that this would be true only if the endowed chairs were, as a matter of policy, given to persons already on the faculty in each department.

Carney then said that it was not, in his view, the place of the trustees to dictate such policies to the administration or to the departments.

Kenney suggested that it might be appropriate for the trustees to raise such questions to the administration if the latter were putting forward the endowed chairs as a solution to the parity problem. Lyon added that if a department lost a position when it got an endowed chair, the question of "inside vs. outside appointment" to the chair was not clearly relevant. He then went on to ask whether there was an administrative policy to hire a larger percentage of part-time faculty as some recent figures seem to indicate. Carney promised to inquire on this point, adding that he thought it was proper for trustees to get information for faculty on issues which the faculty consider problematic.

Lamanna expressed doubt that there was such a policy on part-time faculty, suggesting that probably the recent increases in faculty fell mostly into the category of "special professional faculty." Sr. Margaret Suerth confirmed this, pointing out that it was related to an increase in those areas where they had previously occupied positions as well as to their introduction into new areas and particularly to the setting up of new research centers during recent years.

Prof. Claude Pomerleau then spoke for the Student Affairs Committee, summarizing its concern to promote more faculty-student interaction outside the classroom as well as a clearer relationship between his committee and the Office of Student Affairs. He asked whether Carney thought that the former point deserved attention, to which Carney replied enthusiastically in the affirmative. He said further that he hoped to facilitate a dialogue among faculty, students, alumni and administration on the implications of the COUP report as a step in this direction.

Prof. Joan Aldous then asked Carney to comment on the issues of human rights in the hiring of women and minorities and the recent report on co-education at Notre Dame which suggested that more women be admitted as students. To the first issue, Carney remarked that the trustees continued to consider it very important (though he didn't think women were a minority). With respect to the second issue, he said that the proportion of women students eventually should be allowed to rise, through open applications, to its natural level (about 50-50).

Lyon concluded the questioning by asking Carney for his views on faculty unionization. In his response, Carney affirmed his respect for the unionization movement in the United States generally and locally on the groundskeeper issue. But he disapproved strongly of faculty unionization, insisting that besides involving an unprofessional "categorization" of independent intellectuals, it would seriously hurt relations between administration and faculty.
At this point, Conway thanked Carney on behalf of the senate and expressed the hope that such dialogues might take place regularly.

After a ten minute break, the meeting was reconvened and Conway, in his chairman's report, announced correspondence: (1) from Fr. Brown on the matter of retirees' completion of elected terms on university committees (no agreement but referral of the senate's motion to Fr. Blantz for Academic Council consideration); (2) from Fr. Brown again on the proposals for Manual revision submitted by the senate last March on the subject of appeals procedures for faculty (suggesting that certain clarifications be worked out with Fr. Blantz); (3) from Fr. Hesburgh complimenting the senate's statement on the role of the provost; and (4) from Prof. O'Meara, of the Provost Search Committee, also complimenting the statement. Conway also mentioned that he had transmitted the 12 nominees for the Judicial Review Board (all of whom had agreed to serve) to Brother Just Paczesny.

Blackstead then reported, for the FAC, that at the February meeting her committee would suggest Manual revisions having to do with the status and contracts of the special professional faculty.

Press then presented a motion to clarify the senate's proposals (of last March) to the Academic Council. After several friendly amendments, the vote was unanimous in favor of the following:

Change proposed amendment (4) of the March 24, 1977 list of proposed amendments to read as follows:

Amendment (4) in Article III, section 4, subsection (A)

The following replaces the existing 4th paragraph:

If, upon receiving a negative decision, the faculty member believes that (a) inadequate procedures were applied; (b) inadequate criteria were used; or (c) his academic freedom was violated in the decision process for reappointment, tenure, or promotion, he may petition for a hearing by an Ad Hoc Review Committee of his College. Upon receipt of a written request from the faculty member, the College Council shall elect a Review Committee of five tenured members of the College teaching and research faculty to consider the appeal. No member of the petitioner's Department may serve, nor may any person who participated on the original decision. The petition shall set forth in detail the nature of the grievance, and shall contain any factual or other data which the petitioner deems pertinent to his case.

If the Review Committee decides that the Petitioner's case is insufficiently supported, it shall proceed no further, and so notify the petitioner, his Departmental Chairman and Committee on Appointments and Promotions, along with the Dean and Provost, and provide an explanation for its decision. If the Review Committee judges
the strength of the Petitioner's case to be such as to warrant further investigation, it shall proceed to collect any information deemed necessary, including evidence in support of their action from those who made the decision under dispute. The Committee then delivers an opinion and rationale to the petitioner, his Chairman and Departmental Committee on Appointments and Promotions, the Dean, Provost, and President. The President shall make a determination of the case and deliver his decision in writing to all of the aforementioned individuals and bodies.

And add a new proposed amendment to read as follows:

In Article III, section 4, subsection (a),

the following paragraph is to be inserted between the present first and second paragraphs:

The procedure for reappointment is the same as for appointment.

The meeting was adjourned at 9:50 p.m.

Budget report ending December 31, 1977:

Monthly expenditures:

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<td><strong>Total</strong></td>
<td><strong>$164.1</strong></td>
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</tbody>
</table>

Uncommitted balance = $1641 (or 86.4%).

Those absent but not excused: Francis Castellino, chemistry; Brian Crumlish, architecture; A. Murty Kanury, aerospace and mechanical engineering; Thomas M. Patrick, finance; Robert E. Rodes, law; Lee A. Tavis, finance and business economics; Kerry J. Thomas, chemistry; James L. Wittenbach, accountancy.

Respectfully submitted,

Kenneth E. Goodpaster
Secretary
At 7:40 p.m. the chairman, Prof. Paul Conway, called the meeting to order in Room 202 of the Center for Continuing Education and asked Sr. Margaret Suerth to offer the prayer. The Journal for January 19, 1978 was approved with minor revisions. In the Chairman's Report, Conway said that he had received word from Dr. Thomas Carney on certain matters which Carney had promised to look into with the acting Provost: there is no formal administrative policy on either teaching loads or hiring of part-time faculty. Conway also mentioned that, contrary to earlier plans, there would be no special meeting (before May) of the Academic and Faculty Affairs Committee of the Board of Trustees (of which Carney is the chairman). A letter of thanks was sent to Dr. Carney, Conway reported, as well as a letter advising Fr. Brown of the Senate's most recent proposals for the Academic Council (see January Journal). He also said that he had received and responded to a letter from Brother Just Paczesny regarding cooperation between the Student Affairs office and the Senate Committee on Student Affairs.

Conway then reported for the Committee on Administration (in the absence of Prof. James Dougherty, chairman) that that committee would be continuing its joint efforts (with the Faculty Affairs committee) on the subject of the Provost's Faculty Review Committee on Promotions and Tenure.

Ms. Katharina Blackstead then introduced, for the Faculty Affairs Committee, a motion to change the Academic Manual on the subject of Special Professional Faculty (see Appendix for background statement and text of motion). There followed some initial clarificatory discussion in which it was pointed out that (a) there are about 55 persons in the SPF category; (b) appointments and promotions procedures for persons in this category vary widely depending on the part of the university involved; and (c) there is no "up or out" constraint on promotions in this category since tenure is not a consideration. The substantive discussion, which centered around the second paragraph of the proposed revision, began when Prof. Paul Kenney expressed doubts about how such a proposal could deal adequately with cases in which government contracts were continued but cuts were made in project personnel. Prof. Donald Barrett suggested that three-month extensions be provided for in such cases, but Kenney said that the government would not honor such provisions. He (Kenney) then described the historical background and present (heterogeneous) character of the SPF. He emphasized the problems which, in his view, the proposal under discussion would create vis a vis outside funding agencies. He also questioned the wisdom (and fairness) of treating the SPF uniformly (with a four-rank system), excluding groups such as the Computing Center staff.

Blackstead responded by pointing out that the proposal had come from the SPF itself, as a group, and that proposals from other groups could be entertained as they arose. Sr. Margaret Suerth added that the present year-to-year status of the SPF was clearly a matter of concern to them. Kenney replied that both businesses and other universities followed a one-year contract policy in similar circumstances.
Prof. Raymond Schoen remarked that the margin of support for the proposal among the SPF indicated significant complaint about the present system and added that the university could probably finance guarantees in the proposal for temporary continuance of SPF (in cases of grant cuts) through extra funds received under "indirect costs." Kenney responded by suggesting that there was a "misapprehension" about the university's income under this heading and that there were no "extra" funds received.

Prof. Irwin Press spoke in favor of the proposal, noting that the SPF had met on its own and had come to the senate for assistance. The senate should at least pass the proposal on to the Academic Council.

Prof. Sarah Daugherty observed that since the main issue seemed to center around the minority of SPF whose positions were sustained by outside funding, an amendment to deal specifically with this group might be desirable. Barrett added that a special protective clause in the university's contracts with outside agencies might be the appropriate way to solve the problem.

Prof. Robert Irvine then said that the university could stand behind temporary continuance of SPF, "the question is whether the university will."

Prof. John Lyon asked whether it was reasonable to approve the proposal on the status of SPF and not expect "all sorts of other systemic changes" to accompany it. He suggested it would be better to leave matters as they stand (vague) than to invite a "new layer of administrative rigamarole." Schoen replied that the senate could leave the administrative issues for the Academic Council to decide.

A ten minute coffee break followed, and the meeting reconvened at 9:15 p.m.

Kenney moved to table the proposal in order to allow the Faculty Affairs Committee to revise its wording "which opens up more problems than it resolves." The motion to table carried with only two dissenting votes.

Prof. Claude Pomerleau, C.S.C. reported for the Student Affairs Committee that he had met with the Hall Presidents' Council on the subject of improved faculty-student interaction outside the classroom. He said that the topic received a very positive response from the students involved. The students emphasized the need for more contact with faculty, he said, though not "formal" or contrived meetings. Asked what they had in mind, Pomerleau replied that the College of Business had been mentioned by the students as a model (regular "smoker" type events on "neutral turf").

Prof. Ed Cronin expressed doubts about trying to force faculty-student encounters, saying that from his experience such matters are better left to departmental activities or spontaneous gatherings. Pomerleau agreed, but stressed that imaginative "settings" for interaction might still be made available. Prof. James McGrath, C.S.C. remarked that the Biology Department has had only limited success with its student-faculty dinner program, as well as with attempts to have noon discussions. Prof. Rufus Rauch observed that the popularity of student-faculty interaction tended to "go in cycles."
Conway then mentioned, under New Business, that the senate might want to consider at future meetings a suggestion made to him about possibly instituting a form of "adjunct status" to the university and its facilities for local researchers and scholars who might not otherwise have (and could use) an academic affiliation. Daugherty wondered where whatever excess space might be involved would come from.

Motion to adjourn carried unanimously at 9:45 p.m.

Budget report. Balance: $1,568 (82.5%)

January expenses:
- Duplicating: $42.60
- Entertainment: $17.70
- Postage: $.52
- Telephone: $12.00

Total: $72.82

Those absent but not excused: Joan Aldous, sociology; Francis J. Castellino, chemistry; John Connaughton, Law; Brian J. Crumlish, architecture; David J. Cohn, electrical engineering; Norman B. Haaser, mathematics; A. Murty Kanury, aerospace and mechanical engineering; Karl M. Kronstein, mathematics; John R. Lloyd, aerospace and mechanical engineering; Arthur J. Quigley, electrical engineering; James E. Robinson, English; Robert E. Rodes, Law.

Respectfully submitted,

Kenneth E. Goodpaster, Secretary
APPENDIX
Senate Committee on Faculty Affairs

Background and rationale for motion:

The category of Special Professional Faculty was established by the University in the late 1960's. Its apparent purpose was to fill the void between full time teaching positions and those positions which appropriately fit into a staff classification. Most persons in the Special Professional Faculty possess advanced degrees and their work is directly involved with or closely related to academic concerns, many of whom work directly with students. From its modest beginning of only several Special Professional Faculty, this category has grown each year and now numbers 55 faculty.

With the increase in numbers, and the diversity of positions and locations of the Special Professional Faculty, a number of inconsistencies have arisen in the use of this classification, particularly in regard to appointments and promotions. These inconsistencies seem to be due in part to the vague and indirect statements of Article III, Section 3, subsection (d) of the Faculty Handbook. One part of the statement in the present subsection (d) makes an "analogy to analogy," referring to the subsection on the Special Research Faculty which in turn makes reference to the Teaching and Research subsection. Yet the comparisons made are not at times perfectly clear nor applicable, leaving room for misinterpretations and inconsistencies in its use.

In order to eliminate the above stated problems on the use of this faculty classification, the Special Research Faculty has drawn up a proposed revision of Article III, Section 3, subsection (d) of the Faculty Manual. In addition to the more specific delineation of the appointment and promotion qualifications, the revision includes provisions for eventual multi-year contracts, which will serve to enhance the status and stability of this faculty group. This revision has been presented to our entire faculty, and more than 75% (42 of 55) have indicated their approval. It is therefore the intention of the Special Professional Faculty to present their revision of Section III, Article 3, subsection (d) to the Faculty Senate for approval, permitting it to be placed before the Academic Council.
Article III, The Faculty

Section 3/Qualifications for Appointment and Promotion

Subsection (d) Special Professional Faculty

The requirements for the rank of Staff Professional Specialist are the same as those for Assistant Professional Specialist except that the Staff appointee may not have yet completed the necessary degree or training qualifications for his position. The appointment is for a one-year period, and may be renewed twice. Rank and salary are reviewed at the end of each year. If a Staff Professional Specialist's appointment is not to be renewed, he will be given three month's notice by the University. Should a Staff Professional Specialist elect to terminate his services, he should give the University three months notice of his intention.

The Assistant Professional Specialist shall possess at least a bachelor's degree or, in certain fields, the appropriate professional degree and/or experience. He should have demonstrated ability or promise in his professional area. The initial appointment is normally for a one year period. Subsequent appointments or promotions from the Staff level are ordinarily made for two years. In the case of positions completely dependent on outside funding, a two year contract would revert to a one year contract should the outside funding cease. Rank and salary are reviewed each year. Promotion to Associate Professional Specialist is ordinarily considered after three years at the Assistant level. Continuation at the Assistant level should not ordinarily exceed six years. If the appointment is to be terminated at the end of the contract period the University will give six months notice. If the Assistant Professional Specialist elects to terminate his services, he should give the University three months notice of his intention.

The Associate Professional Specialist should possess at least a bachelor's degree or in certain fields the appropriate professional degree and/or experience. The appointee should have demonstrated outstanding service in his particular field as evidenced by his growth and increased expertise. Appointments for an Associate Professional Specialist are normally for a three year period. In the case of positions completely dependent on outside funding, a three year contract would revert to a one year contract should the outside funding cease. The rank and salary of an Associate Professional Specialist are reviewed each year. If the appointment is to be terminated at the end of the contract period the University will give twelve months notice. If the Associate Professional Specialist elects to terminate his services, he should give the University three months notice of his intention.

The Professional Specialist should possess the qualifications required for appointment as an Associate Professional Specialist and beyond these should have gained recognition for extraordinary professional ability and service. Principles regarding review of salary, length of contract and discontinuance of service are the same for this rank as for that of the Associate Professional Specialist.
At 7:40 p.m., the chairman, Prof. Paul Conway, called the meeting to order in Room 202 of the Center for Continuing Education and asked Prof. Claude Pomerleau, C.S.C. to offer the prayer. The Journal for February 16, 1978 was approved unanimously with no revisions. In the Chairman's Report, Conway first explained that the Executive Committee had looked at senate seat allocations and had made provision for the seating of one more senator (from the College of Business Administration) in order to maintain the appropriate representation proportion from the several constituencies. He also reported on communications with

(a) the deans, regarding elections of new members to the senate (by April 15) to fill seats which will be vacated by expiring terms;

(b) the Provost, informing the senate that he has decided not to employ a Faculty Review Committee this year in the promotions and tenure decision-process;

(c) Joseph McGlynn of the Alumni Association, regarding future joint sessions between the Alumni Association and Faculty Senate executive committees on matters of mutual interest;

(d) the Provost Selection Committee, interviewing the several candidates for the office of Provost.

Conway also mentioned that in April the senate would be nominating persons for service on the Judicial Review Board and the Campus Life Council. Senators were asked to come prepared (with nominees' consent) for this task at the next meeting.

To accommodate a special motion, Conway then skipped to item 6 on the agenda and asked Prof. Claude Pomerleau to report for the Student Affairs Committee. After describing briefly that committee's recent efforts on the faculty-student relations front and its meetings with the Campus Life Council and Hall Presidents' Council, Pomerleau introduced Mark Huard (of the CLC) and Chris Edelen (of the HPC). A temporary recess was declared so that Mr. Huard could address the senate. After expressing concern about and enthusiasm for improving faculty-student contacts outside the classroom, Mr. Huard suggested a plan which would allow and encourage such contacts through free meal-tickets for interested faculty. For the duration of the current semester, the university could be asked to provide (4) lunch or dinner tickets to each faculty member at an estimated maximum total cost (to the university) of $3500. It was hoped that this move might encourage faculty and students to relate more frequently and more informally—and if the plan is successful, something more systematic for the future could be worked out. After officially reconvening the meeting, Conway recognized Prof. Albert LeMay who moved (seconded by Prof. Donald Barrett):
That the Senate go on record approving the resolution that some arrangement be found allowing faculty to take a certain number of meals in the student cafeteria without charge. The Student Affairs Committee is asked to pursue this proposal through the necessary channels reporting back to the senate.

The motion passed unanimously.

Next, Prof. James Dougherty took the floor for the Joint Administration/Faculty Affairs Committee which had been formed to study the issue of faculty representation on the Provost-level review of promotions and tenure. He explained the background of the issue, documenting manual revisions and the Provost's procedures over the past several years. Then, noting that the Joint Committee had met only twice and had not come to a clear consensus, he made the following proposal (seconded by Prof. Sarah Daugherty):

That the Academic Manual, Article III Section 4, subsection (a) be amended as follows:

The sentence reading "The Provost, after consultation with such advisors as he may choose, submits all recommendations, both positive and negative, and including his own, to the President for final action."

--be changed to read: "The Provost formulates his own recommendations on the advice of a Council composed of: the Deans of the Colleges, of the Law School, and of the Freshman Year of Studies; the Vice President for Advanced Studies; the Associate Provost; and five tenured faculty members, one appointed annually by the Provost from each College, with the approval of the Council of that college. He then submits all recommendations, both positive and negative, to the President for final action."

After adding two considerations to a one-page rationale for the motion (distributed in advance of the meeting), Dougherty invited discussion.

Prof. Irwin Press questioned the inclusion of the Dean of the Freshman Year in the list of advisors and moved, seconded by Prof. Thomas Patrick, that the senate strike this reference. After a brief discussion, in which Daugherty argued that the Dean of the Freshman Year represents a clear academic constituency (like the Dean of the Law School and the Dean of Advanced Studies) the question was called and the amendment motion was defeated 4-18 (with 7 abstentions).

Conway then recessed the meeting for a ten-minute coffee-break, reconvening at 8:35 p.m.
Professor Kenneth Goodpaster expressed reservations about the motion on the 
floor, suggesting that the institutionalization of faculty input at the Provost 
level might ultimately weaken the influence of departmental A and P committees. 
Prof. Sheridan McCabe agreed, observing that new powers to overturn local de-
cisions would tend to make those local decisions less significant. LeMay added 
that such a move seemed premature in any case, since Fr. Brown has announced 
that he intends not to use a faculty review committee this year. Dougherty 
replied that the senate should act now lest it be forced to re-act later, 
whatever Fr. Brown's intentions for the current year.

Prof. John Lyon then expressed agreement with Goodpaster and McCabe, insisting 
that another group for candidates to pass--especially one which, unlike the 
deans, involved no formal accountability to the candidates--would not be a good 
idea. Dougherty disagreed, suggesting that avenues of accountability would be 
provided for via the proposed appeals procedures now pending before the Academic 
Council.

Dougherty then expressed doubts about the motion, noting that it "does not really 
get at the criterial problems" and that in general, local CAP's should be upheld. 
She added that administrators are usually in the best position to judge the 
performance of local CAP's, while faculty perspectives here might interfere 
more than they would help. Dougherty replied that, on the contrary, the adminis-
trative perspective might well profit from a faculty counterpoint.

Press then spoke in favor of the motion, approving the addition of 'academic 
weight' to the Provost's deliberations. He added that worries about overturning 
CAP's were unfounded and that no "extra" level of bureaucracy was being suggested 
--only important faculty input as an existing level.

Lyon cited the Provost's letter of April, 1977 and asked whether it was clear 
that the Faculty Review Committee actually did not overturn CAP decisions.

Prof. Robert Irvine then said that the more advisors in the process, the more 
"at odds" they will be, leaving top administrators with more freedom than ever 
before.

Lyon reiterated his view, emphasizing that he was not contending that deans would 
not reverse decisions, only that they were more accountable to their own faculty 
for such reversals than faculty reviewers would be. Prof. Lee Tavis replied 
that the deans were responsible only to their own faculty not to faculty in other 
colleges.

Dougherty agreed and pointed out further that the present system of informal 
faculty review has the very same accountability problems which Lyon sought to 
minimize.

At this point a motion was made/Prof. Sonia Gernes 

by 

to divide 

the question by addressing first only the second half of the proposed new text.
(dealing with faculty representation). The motion to divide passed 27-1 (with one abstention). A vote was then called on the second half of the original motion and it was defeated 6-14 (with 9 abstentions). Discussion continued on the first part of the divided motion—whether the deans should be mentioned specifically in the Academic Manual. There followed several clarificatory questions and responses having to do with the exclusiveness of the list and the role of the Director of Libraries. Prof. Archie MacAlpin expressed the view that the Provost should not have his hands tied by such specific requirements. Goodpaster observed that a very similar motion failed to pass the Academic Council once already and that there was no point in naming the advisors formally if informal advice was acceptable. Daugherty, however, favored the move, believing that it would be better to formalize what is an actual practice of the Provost as matters presently stand.

The question was called and the motion defeated 3-12 (with 14 abstentions).

Daugherty then asked whether there shouldn't be a motion addressing at least the principle of faculty representation at the Provost-level on promotions and tenure matters, but the sense of the group seemed to be that such a stand was not, at the moment, desirable. Conway remarked, to set the record straight, that the results of the voting on the divided motion (both halves defeated) do not entail a rejection of the principle of faculty representation—only a rejection of the specific manual revision which was debated. Further proposals might still be entertained on their merits.

Ms. Katharina Blackstead then reported for the Faculty Affairs Committee that (a) the issue discussed at the last meeting of the senate concerning the Special Professional Faculty was being reformulated with the help and advice of Profs. Barrell and Kenney; (b) there would be a motion at the next meeting regarding recent questions about unemployed academicians' possible relations to the faculty; (c) a table of comparative salary information has been prepared by the FAC (see appendix). Press then suggested that this data be presented at the next Trustees' Meeting. Conway agreed to do this, as a member of the Trustees' Academic and Faculty Affairs Committee.

Under new business, Conway mentioned that the senate would be asked (at the next meeting) to approve a minor bylaws revision regarding standing committee meetings.

The meeting was adjourned at 9:45 p.m.

Budget report:

Period ending February 28, 1978, uncommitted balance
$1,491 (78.5%). February expenditures:

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Those absent but not excused: Joan Aldous, sociology; Francis J. Castellino, chemistry; John Connaughton, Law; Edward J. Cronin, general program of liberal studies; Michael J. Francis, government and international studies; Norman B. Haaser, mathematics; A. Murty Kanury, aerospace and mechanical engineering; V. Paul Kenney, physics; James J. McGrath, C.S.C., biology; Arthur J. Quigley, electrical engineering; James E. Robinson, English; Robert E. Rodes, Law; Raymond G. Schoen, Freshman year of studies; Sr. Margaret, Suerth, O.S.B., freshman year of studies; Don G. Vogl, art; Morris Wagner, microbiology.

Respectfully submitted,

K. E. Goodpaster
Secretary
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<th></th>
<th>1976-77</th>
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<th></th>
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<td>Average Compensation (in thousands) (includes salary plus fringe benefits)</td>
<td>Median Sala</td>
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<td>23.0</td>
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<td>15.1</td>
<td>17.3</td>
<td>18.6</td>
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<td>14.6</td>
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Notre Dame's percentile rank in average comp. among category 1 institutions

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Salary and compensation in 1975-76

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1974-75

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<tr>
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<tr>
<td>Notre Dame</td>
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<td>15.7</td>
<td>16.0</td>
<td>14.2</td>
<td>12.2</td>
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Major Findings: In 1974-75, Notre Dame median salaries were $600 below the "peer" group and $1400 below the Big Ten.

By 1975-76, the gap widened. Notre Dame was $800 below the "peer" group, and $1600 below the Big Ten.

The gap has remained roughly constant, diminished by $40 relative to the "peer" group (to $760), and increased to $1700 relative to the Big Ten.

Prepared by the Faculty Affairs Committee
At 7:35 p.m. the chairman, Prof. Paul Conway, called the meeting to order in Room 202 of the Center for Continuing Education and asked Prof. James Dougherty to offer the prayer. The Journal for March 14, 1978 was approved with minor revisions. In the Chairman's Report, Conway mentioned (1) that the executive committees of the Alumni Association and the Faculty Senate would be meeting jointly on Wednesday, May 3, 1978 to discuss mutual interests; (2) that the Academic and Faculty Affairs Committee of the Board of Trustees would be meeting on Thursday, May 11, 1978; (3) that Faculty Senate election results in the various colleges were available except for the Science and Engineering colleges; (4) that elections for senate officers (1978-79) would be held at the next senate meeting May 3, 1978; and (5) that the senate's multiple proposals to the Academic Council (on the matter of an appeals process for negative promotions and tenure decisions) were, except for three minor ones, defeated at the AC meeting of April 10, 1978.

In connection with Conway's discussion of the last point, Prof. Kenneth Goodpaster questioned the wisdom of blanket authority for strategic withdrawal of certain senate-passed motions on the part of senate officers and members on the Academic Council. He emphasized that the case at hand was clearly an example of prudent strategy, but expressed doubt about the general principle for future cases.

Also in connection with the Academic Council results, Prof. James Dougherty asked whether there might be some problem about the senate's methods, given its "batting average" in recent years. Conway replied that he thought there was a real problem, stemming from a lack of communication among elected members of the Academic Council. Prof. John Lloyd added that part of the difficulty was due to the well-organized character of the Academic Council's executive committee and asked whether the senate shouldn't be involved formally there. Conway agreed, suggesting that perhaps the chairman of the senate should sit ex officio on the executive committee of the Academic Council.

With respect to the issue brought up by Goodpaster, Lloyd remarked that the senate simply had to trust the elected officers in matters of strategy. Conway agreed, but also underlined the need for some control to protect senate-passed motions—perhaps auxiliary motions granting discretion.

At this point Prof. Donald Barrett reiterated the need for formal senate representation on the executive committee of the Academic Council and Prof. Arthur Quigley followed with a motion (to the Academic Council) requesting "that the senate be permitted an observer at AC executive committee meetings." After considerable discussion dealing with the present constitution of the AC executive committee and the senate's claim to representation (vs. mere observation) there, Lloyd suggested that an informal discussion between Conway and Father Hesburgh might be a better way to address the issue than a formal motion. Quigley then accepted a friendly amendment from Prof. Sarah Daugherty to strengthen the request to the Academic Council—asking for ex officio representation rather than an observer.
Profs. Joan Aldous and Sonia Gernes replied that the informal route suggested by Lloyd would be more prudent, whereupon Lloyd moved to table the motion on the floor until the Chairman could talk with Father Hesburgh informally. The motion to table passed with only one vote opposed and six abstentions.

A discussion followed as to the advisability of recording the formal motion in the Journal, given the preferred informality of the approach to the issue. But a motion by Gernes against including the formal motion in the record was withdrawn.

A five-minute break was then called, and the meeting was reconvened at 8:45 p.m.

In his report for the Committee on Administration, Dougherty passed out a questionnaire to the senators seeking attitudes toward faculty representation at the Provost level review of A and P recommendations. Results would be reported at the next senate meeting.

Ms. Katharina Blackstead, reporting for the Faculty Affairs Committee, offered a revised breakdown of Notre Dame faculty salaries compared to "Big Ten" and "Peer" institutions and it was agreed to use this revised version as appendix to the March 14, 1978 Journal.

Blackstead also reported that Committee W of the local AAUP chapter had met with the FAC on the matter of possible "affiliation" of unemployed academics with the university. She explained that Committee W would be studying the implications of various plans locally as well as practices already adopted in other institutions. A proposal from the FAC would be presented next fall. A brief discussion followed in which doubts were expressed about how unemployed academics might be defined.

Under "New Business," Conway passed out several ballots compiled on the basis of the senate's survey of the faculty regarding willingness to participate on various university bodies. Nominations were sought for faculty representatives on the Academic and Faculty Affairs Committee of the Board of Trustees (AFACBT), the Campus Life Council (CLC), the Judicial Appeals Board, and the Traffic Appeals Board. The results of the nomination votes were as follows:

**Academic and Faculty Affairs Committee of the Board of Trustees (Nominees)**

- Donald N. Barrett (Soc/Anthro)
- James J. Carberry (Chem. Engr.)
- Theodore J. Crovello (Biology)
- Sarah B. Daugherty (English)
- Kenneth Goodpaster (Philosophy)
- John R. Lloyd (Aero/Mech. Engr.)
- John J. Lyon (Gen. Program)

**Campus Life Council (Nominees)**

- James F. Brogle (Psych. Serv. Ctr.)
- Sarah B. Daugherty (English)
- Sonia G. Gernes (English)
- Albert H. LeMay (Mod/Class. Lang.)
- Kenneth W. Milani (Accountancy)
- James L. Shilts, C.S.C. (Physics)
Judicial Review Board
Katharina Blackstead (Library)
Leo M. Corbaci (Administration/Economics)
Donald P. Costello (English)
Margaret Cronin (Alcohol and Drug Counselor)
Michael J. Crowe (General Program)
Charles Crutchfield (Law)
James Daschbach (Aero/Mech. Engineering)
Sarah B. Daugherty (English)
William F. Eagan (Management)
Kenneth E. Goodpaster (Philosophy)
Albert H. LeMay (Modern/Classical Languages)
Bernard S. Wostman (Microbiology)

Board of Traffic and Parking Appeals
William F. Eagan (Management)
Alternate:
Rev. James Shilts, C.S.C. (Physics)

There being no report from the Student Affairs Committee, Conway offered a previously announced motion to update the bylaws of the senate on the matter of fall meetings for the standing committees:

**Article II, Section 8(b)**

The chairman of each Standing Committee is responsible for calling the first meeting of his/her committee each year before September 1.

*September 1 replaces October 15*

**Rationale** -- Since the academic year begins in August and the Faculty Senate normally meets in the first week in September under this new calendar, the Standing Committees should meet at least once before the first Senate meeting.

The motion passed unanimously.

Conway then announced that the senate had been asked for a vote of support by Profs. Thomas Swartz and John Houck (Co-chairmen of Committee Z, Notre Dame Chapter, AAUP) regarding a memorandum which they had forwarded to Rev. Ferdinand Brown, C.S.C., Acting Provost (see appendix for text of memorandum). The discussion which followed centered around several reservations and unclarities on specific items mentioned in the memorandum, as well as whether each item should be voted
on "in principle." Barrett finally moved "that the senate support the Swartz/Houck memorandum in principle."

After a brief but vigorous discussion which ranged from the dangers of individual salary disclosures to doubts as to the plans of Swartz/Houck with respect to the data they were seeking, a vote was taken. The motion carried with eleven in favor, ten opposed, and two abstentions. Quigley suggested a letter to Swartz and Houck explaining the context of the vote.

The meeting was adjourned at 9:55 p.m.

Budget report:

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Uncommitted balance $1,417 (74.6%)

Those absent but not excused: Paul Bosco, modern and classical languages; Rudolph S. Bottei, chemistry; Francis J. Castellino, chemistry; John Connaughton, law; Brian J. Crumlish, architecture; Wm. Francisco Drury, C.S.C., library; Emerson G. Funk, physics; A. Murty Kanury, aerospace and mechanical engineering; James J. McGrath, C.S.C., biology; Robert C. Nelson, aerospace and mechanical engineering; Robert L. Irvine, civil engineering; Rufus W. Rauch, emeritus, English; James E. Robinson, English; Robert E. Rodes, law; Raymond G. Schoen, freshman year of studies; Kerry J. Thomas, chemistry; Don G. Vogl, art:

Respectfully submitted,

Kenneth E. Goodpaster
APPENDIX

TO: Rev. Ferdinand L. Brown, C.S.C.
    Acting Provost-University of Notre Dame

FROM: Professor Thomas Swartz, Economics, and
      John Houck, Management. Co-chairman,
      Committee Z, Notre Dame Chapter, AAUP

SUBJECT: Availability of salary and compensation data for faculty analysis at
         Notre Dame

DATE: March 13, 1978

Appropriate data and analysis are critical to an intelligent judgment about salary
and compensation policies and practices within the University. The following
information, it is proposed, would be significant in enhancing judgments in this
important area of faculty concern.

1. Salary data by departments, and data by ranks within the departments.

2. Salary data by colleges, data by ranks within the college, and by appropriate
divisions within colleges, i.e. social sciences versus humanities.

3. All data provided to the national office, AAUP, for its annual financial
   survey, including the "array of salaries by ranks."

4. Salary data correlated with length of service and age.

5. Number of faculty children using tuition grants here at Notre Dame and away
   at other institutions of higher learning--over the last ten years.

6. Historical data about the mix of TIAA-CREF and Social Security contributions
   by the University. In addition, projections about the TIAA-CREF--Social
   Security mix (because of recent federal legislation) and resultant impact
   on retirement benefits.

7. Changes in coverage provisions, Blue Cross/Blue Shield, Major Medical and
   Disability in the last five years.

8. University policy and data about financial resources unencumbered by the
   establishment of endowed chairs.
At 7:35 p.m. the chairman, Prof. Paul Conway, called the meeting to order in Room 202 of the Center for Continuing Education and asked Prof. Albert LeMay to offer the prayer. The Journal for April 13, 1978 was approved with minor revisions. Members of the senate, new and returning, were asked to introduce themselves. In the Chairman's Report, Conway announced that a meeting of the Academic Council had been called for Thursday, May 4, 1978 to discuss the recently announced candidacy of Prof. Timothy O'Meara for the office of Provost. Conway then read, on O'Meara's request, a letter from Fr. Hesburgh to Dean F. Dutile, secretary of the Provost Search Committee, explaining the genesis of the new consideration of O'Meara. It was made clear in the letter that Fr. Hesburgh had persuaded O'Meara to allow his name to be put into consideration after and independently of the work of the search committee (of which O'Meara was chairman).

Conway then reported on a joint meeting held earlier in the day (May 3, 1978) between the executive committees of the Faculty Senate and the Alumni Association. He explained that the meeting was the first of its kind and that it opened up a line of potentially fruitful communication between the two bodies. It was agreed at the meeting that in the fall there should be a senate speaker at the general board meeting of the Alumni Association and a reciprocal arrangement for a senate meeting.

On other matters, Conway remarked that (1) the Academic and Faculty Affairs Committee of the Board of Trustees would be meeting the following week; (2) the senate had received a very useful "historical perspective" letter for future reference from Prof. Paul Kenney on the matter of Special Professional Faculty; (3) the Law and Science Colleges had not yet completed their elections for senate seats; and (4) the election results for 1978-79 representation on the Campus Life Council by Prof. Kenneth Milani (Accountancy) and Prof. James Shilts, C.S.C. (Physics); and the Academic and Faculty Affairs Committee of the Board of Trustees by Prof. James Carberry (Chemical Engineering) and Prof. Theodore Crovello (Biology). Alternate (third place) status in these two elections, respectively, fell to Prof. Sonia Gernes and Prof. John Lyon.

At this point, Prof. John Lyon expressed his hope that at the next day's Academic Council meeting someone present from the senate would raise questions (a) about the significance of O'Meara's candidacy for Provost with respect to the research orientation of the university, and (b) about the effect of O'Meara's candidacy on faculty unionization (if any).

Reporting for the Committee on Administration, Prof. James Dougherty supplied the senate with the results of the questionnaire (distributed at the April meeting) which surveyed attitudes toward faculty representation at the Provost-level review of promotions and tenure recommendations. Dougherty noted the indecisive...
character of these results and suggested that the new Provost be advised of the senate's deliberations on the issue. Prof. Phillip Sloan asked whether a general faculty response might be less unclear. Dougherty expressed doubt, but suggested that if a general survey of faculty opinion was attempted next fall, the representation issue might be included.

Reporting for the Faculty Affairs Committee, Ms. Katharina Blackstead expressed gratitude to the members of the committee for their efforts over the past year.

For the Student Affairs Committee, Prof. Claude Pomerleau, C.S.C. reported on the "free lunches for faculty" program, noting that administration response to the suggestion (see March Journal) was positive and quick, while student government follow-up was less than coordinated. He also expressed his hope that the SAC would continue the contact established this year with the Hall Presidents' Council and the Office of Student Affairs.

Under New Business, Prof. Irwin Press suggested that the new executive committee of the senate, about to be elected, meet before the end of the semester, if possible, with the executive committee of the Academic Council in an effort to improve communication (and representation).

There followed the election of 1978-79 officers and standing committee chairmen, the results of which are:

Chairman: Prof. Vincent DeSantis (History)
Vice-Chairman: Prof. Kenneth Goodpaster (Philosophy)
Secretary: Ms. Katharina Blackstead (Library)
Treasurer: Prof. Irwin Press (Sociology/Anthropology)

Committee on Administration: Prof. Michael Francis (Govt. and International Studies)
Faculty Affairs Committee: Prof. Robert Irvine (Civil Engr.)
Student Affairs Committee: Prof. Albert LeMay (Modern and Classical Languages)

Following the elections, Prof. Donald Barrett suggested that it might be appropriate, if sufficient money remained in the budget, to have a party for departing, returning and new senators—and that Father Hesburgh be invited as well. Some acknowledgment of the senators' substantial service, he said, should be made. Conway agreed, emphasizing the senate's accomplishments and contributions over its eleven year history.

After the senators were asked to sign up for standing committees, the meeting was adjourned at 9 p.m.
Budget Report:

Uncommitted balance: $1278 (67.3%)

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Those absent but not excused: Francis J. Castellino, chemistry; John Connaughton, law; Robert C. Nelson, aerospace and mechanical engineering; Raymond G. Schoen, freshman year of studies; Kerry J. Thomas, chemistry; Don G. Vogl, art.

Respectfully submitted,

K. E. Goodpaster
Secretary