

SENATE MINUTES  
YOUNGSTOWN STATE UNIVERSITY  
Friday, November 5, 1971

PRESENT: Mr. Livosky, Mr. Beckman, Mr. Scriven, Mr. Swan, Mr. Ringer, Mr. Fisher, Mr. Krill, Mr. Flad, Mr. Robinson, Mr. Siman, Mr. Ellis, Mr. Cohen, Mr. Rand, Mr. Hovey, Mr. Foldvary, Mr. von Ostwalden, Mrs. Smith, Mrs. Mackall, Miss Boyer, Mr. Hahn, Mr. Tarantine, Mr. Hurd, Miss Feldmiller, Mr. Ives, Mr. Richley, Mr. Kramer, Mr. Looby, Mr. Greenman, Mr. Terlecki, Mr. Naberezny, Mr. Henkel, Mr. Williamson, Mr. Foster, Mr. Paraska, Mrs. Foley, Mr. Simko (Student), Miss Anderson (student), Miss Tierney (Student), Mr. Horner, Mr. Brachfeld (Student), Miss Shellock (Jambar), Mr. Jonas, Mr. Blue, Mr. Bronstrup, Mr. Cernica, Mr. Baldino, Jr., Mr. Vanaman, Miss Pfau, Mrs. Dykema, Mr. Hanzely, Mr. Shipka, Mr. Jenkins, Mr. Behen, Mr. Domonkos, Mr. Roberts, Mr. Berger, Mr. May, Mr. Petrych, Mr. Deiderick, Mrs. Turner, Mr. Zetts, Mr. Moore, Jr., Miss Sterenberg, Miss DeCapita, Mr. Wilms (Jambar), Mr. Aurand, Mr. Byo, Mr. Painter, Mrs. Painter, Mr. Wales, III, Mr. Crum, Mrs. Niemi, Miss Jenkins, Vice President Rook, Vice President Edgar, and President Pugsley.

PRESIDING: PRESIDENT ALBERT L. PUGSLEY

TIME: 4:00 p.m. SCHWEBEL AUDIT.

The President called for the approval of the Minutes of the previous Senate meeting (Friday, October 1, 1971). There being no additions, modifications or corrections the President then declared the Minutes to be approved as distributed.

REPORT OF CONSTITUTION AND BYLAWS COMMITTEE

This report was given by the Chairman, Dr. David M. Behen.  
 Dr. Behen reported as follows:

1) "The Constitution and Bylaws Committee organized with Mr. William Livosky as Secretary and David M. Behen as Chairman. The Committee meets regularly each week.

If anyone wants to send a communication to the Committee it may be given to any Committee member but in order to expedite matters Dr. Behen suggested it be sent either to Mr. Livosky, Secretary or to the Chairman, Dr. Behen.

2) The Committee has appointed a Subcommittee, Dr. Jack Foster, Chairman, to prepare an updated draft of the Constitution and Bylaws.

The situation is this: As you know, the Senate revises through Amendment the Constitution and Bylaws from time to time; thus, any printed version of these documents soon becomes obsolete. Although there is no Constitutional provision to this effect, and (so far as I can recall) no specific instruction from the Senate, the Committee has always assumed that it had an obligation to provide periodically updated versions of the Constitution and Bylaws. This updating has customarily been undertaken annually, or (perhaps more frequently) every two years. Because the Committee's work is usually light in the Spring Quarter, this has been the usual time for this activity in the past.

In the past Spring (1971), however--as I'm certain you will recall--the Committee found itself extremely busy and deeply involved in other matters, and no revision was undertaken. As soon as the Subcommittee has completed its work, and the whole Committee has given its approval, clean drafts of the Constitution and Bylaws will be printed up and distributed.

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SENATE MINUTES CONT'D.: (Friday, November 5, 1971)  
REPORT OF CONSTITUTION AND BYLAWS COMMITTEE CONT'D.: (Dr. Behen)

2) The Committee has not to the present date received any formal charge to take any action looking toward a Proposed Amendment to the Constitution that would, if adopted, provide for student voting membership in the Senate. We have been advised informally that a charge of this nature will be received shortly from the Senate Executive Committee. However, the Constitution and Bylaws Committee anticipated that it would be called on to work along these lines, and at the Committee's first meeting we began, and at all subsequent meetings have continued, preliminary consideration of the problem,

The most reasonable prognosis appears that the Committee will draft a Proposed Amendment respecting student voting-membership, and will (with prior mail circulation of the Proposal) offer it for the Senate's consideration at the regular December (1971) meeting. "

REPORT OF THE EXECUTIVE COMMITTEE OF THE SENATE:

This report was given by the Chairman, Dr. Esther Niemi.  
Dr. Niemi reported as follows:

"1) Changes in Membership of Standing Committees:

A-4a. HONORS COURSES AND PROGRAMS SUBCOMMITTEE

Dr. Joseph May has replaced Dr. Morris Slavin on this Subcommittee, at Dr. Slavin's request.

BE26 BLACK STUDIES PROGRAM COMMITTEE

Mr. Robert Peterson has replaced Mr. Booker Gardner on this Committee. Mr. Gardner did not accept an appointment at YSU as anticipated.

NOTE: The Secretary of the Senate will reissue within a few days the membership of the Standing Committees with all corrections as noted to date.

2) Permitting Reporters at Committee Meetings:

The Senate Executive Committee was asked by President Pugsley to make a recommendation to the Senate on the question of whether or not the privilege granted by the Senate to have a Jambar Reporter at Senate meetings also extends to meetings of the Committees and Subcommittees of the Senate.

The Executive Committee recommends:

"Each Committee and Subcommittee may decide at its own discretion whether to open its meeting or meetings to observers and guests. This policy is consistent with the Attorney-General's opinion Na 70-165 under date of December 22, 1970."

On behalf of the Executive Committee of the Senate, Dr. Niemi then moved that this recommendation be adopted by the Senate,  
Seconded,

DISCUSSION:

I . i s: In case some individual Committee votes to have a student representative there is that binding on future years for that same committee or is it going to be voted on annually?

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SENATE MINUTES CONT'D.: (Friday, November 5, 1971)  
REPORT OF EXECUTIVE COMMITTEE OF SENATE CONT'D.: (Dr. Niemi)  
DISCUSSION CONT'D.:

Dr. Niemi: (in answer to Mr. Ellis) This, of course, applies to Reporters of the Jambar and not student members of the Committee. They are allowed.

No, you can make the decision for each individual meeting if you so desire or it can be made for the academic year by a Committee but it would not necessarily be binding the following year because your committee membership would change,

- 2) Mr. Wilms: As current Editor of the Jambar, will this policy, if it should be passed, mean that we would have a Reporter present at the meeting and the first item of the meeting the Committee itself would decide whether or not the Reporter may stay?

Is this what this means?

Dr. Niemi: If they should decide meeting by meeting; or should they make a decision for the entire academic year then, of course, the matter would only be brought up at that point and then carry over for the rest of the year.

This would be at the Committee's own discretion.

- 3) Mr. Simko: (Student) Would this be by majority vote of the Committee or by the Chairman's decision?

Dr. Niemi: According to our Parliamentarian it would be 51% of the vote.

- 4) Dr. Hahn: The Curriculum Committee has already passed a Motion to the effect that for the year a Reporter shall not have free access, However, I would imagine that if a Reporter showed at a particular meeting, since our Resolution also said we could admit him at different meetings, the vote could be taken at that time.

Dr. Niemi: The action of your Committee is in accordance with our Proposal.

- 5) Mr. Wilms: (Jambar) I would like to remind members of the Senate that Minutes for most all Senate Subcommittees and Committees are recorded in the Library. Everyone in the University community has access to them.

We are only asking a little more expediency in terms of this access. Minutes usually are not filed for 3 or 4 weeks following a particular meeting.

We are simply asking that we can report on a particular meeting as it is happening and while it is newsworthy rather than wait three (3) or four (4) weeks afterwards and picking it up from the Minutes in the Library,

- 6) Mr. Ives: Minutes do not have to record everything that is said. There is a difference.

- 7) Dr. Shipka: Was the decision which led to this Motion based upon the expectation that many of the remarks would want to be kept confidential?

Dr. Niemi: No Based on the expectation that each committee would want to make its own policy and that certainly a Committee should have some autonomy in operating; and therefore, since this is certainly permissible under the Attorney-General's opinion we recommend that each Committee consider its own situation, its own likes and dislikes as far as having Reporters there and proceed accordingly,

We did not think it was fair to make some blanket policy which would bind all Committees since this type of ruling is, as we mentioned, consistent with the ruling of the Attorney-General.

SENATE MINUTES CONT'D.: (Friday, November 5, 1971)  
REPORT OF EXECUTIVE COMMITTEE OF SENATE CONT'D. : (Dr. Niemi)  
DISCUSSION CONT'D.:

Dr. Pugsley: There are several, two committees at least that do not file minutes in the Library. I presume within this policy that if that is the determination of the procedure for that Committee that it would not expect that Committee to allow access to the meetings.

Dr. Niemi: I would gather in view of the subject matter of the committee deliberations they would probably disbar Reporters then.

8) Mr. Moore, Jr.: The Discipline Committee at its meeting yesterday went over this and by a majority vote we voted not to admit a Reporter to the hearings while they were being conducted.

9) Mr. Simko: The Discipline Committee is one of the Committees which does not keep minutes on file in the Library, (Student)  
What purpose would be served by preventing other students, and of course, the Jambar Reporter from coming to the meetings?  
Any discussions which go on at these meetings do presumably affect the students.  
I can see no reason why they cannot be allowed to attend the meetings.

Dr. Niemi: It would seem to me on the basis of this policy, if adopted by the Senate, you need only appeal to the Committee in which you are interested and ask them if they will admit you.

I don't think the students will want to attend the meetings of all the Committees because some of the items discussed from time to time are not particularly newsworthy until such time as action is finally taken by the Senate and the Board of Trustees.

10) Mr. Simko: But you are giving to the Committee the power to bar outside (Student) observers,

Dr. Niemi: We are giving the Committee the right to admit outside observers too. We are not barring Reporters. We are simply saying to the Committees: Why don't you consider your own situation and make the rule for your own mode of operation,

11) Dr. Baldino: Wanted to make a comment at this point regarding Jambar Reporters. They should not lose sight of the fact that they should represent what does in fact take place at these meetings,

I am referring to the statement which I made at the last Senate meeting regarding my remarks about Mr. Beede. The Jambar called me the day before the meeting and asked what was to be given. I told them and they asked if the remarks were mine or the Committee's. I assured them they were mine, they were not the Committee's. I couldn't speak for the Committee in that sense.

The next day the Jambar was printed with headlines, "Beede Stays", Faculty Senate told. It was horribly distorted. So there is a responsibility on both sides.

QUESTION CALLED FOR:

MOTION:  
(Recopied here) Dr. Niemi moved, on behalf of the recommendation of the Executive Committee of the Senate, that each Committee and Subcommittee may decide at its own discretion whether to open its meeting or meetings to observers and guests. This policy is consistent with the Attorney-General's Opinion No 70-165 under date of December 22, 1970.

Seconded.

AYES HAVE IT. MOTION PASSED.

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SENATE MINUTES CONT'D.: (Friday, November 5, 1971)  
REPORT OF EXECUTIVE COMMITTEE OF THE SENATE CONT'D.: (Dr. Niemi)  
Dr. Niemi cont'd.:

2) At our last Senate meeting, the Senate directed the Executive Committee to clarify the matter of Mrs. Christine Dykema's position as Parliamentarian of the Senate,

The Executive Committee recommends that hereafter a Parliamentarian for the Senate be appointed by the Presiding Officer at the first Senate meeting of the academic year, said Parliamentarian to serve until the conclusion of said year, and that the appointment be noted in the Senate Minutes, This procedure is in accord with Robert's Rules of Order.

The Executive Committee is of the opinion that Mrs. Dykema has a de facto appointment for the present academic year, and we enter this plea:

Christine, dear Christine, we do implore,  
That of leaving as Parliamentarian, you speak no more.  
None other in our midst has gathered such a store  
Of knowledge on motions, seriatim, and right to the floor;  
And if you will but continue to handle this chore,  
We will love you -- and be indebted to you -- forevermore.

Dr. Pugsley: Does your suggestion of this appointment at the first meeting by the Presiding Office require any action by the Senate?

Dr. Niemi: No It does not require any action since it is in accord with Robert's Rules of Order and we do operate under those Rules of Order.

Dr. Pugsley: Is this agreeable then?

Mrs. Dykema: Yes.

REPORT OF ACADEMIC AFFAIRS COMMITTEE:

This report was given by the Chairman, Dr. Victor A. Richley.  
Dr. Richley reported as follows:

"The Academic Affairs Committee has no formal Motion to bring before the Senate today. Its report is intended to acquaint Senate members with a problem the Committee has been studying since last Spring and is currently studying and to obtain their support in its solution.

History on the problem in question begins on April 21, 1971 when Dr. Gilbert Williamson (Civil Engineering) called the committee's attention to the practice of some faculty members who schedule hour-long examinations during the tenth (10th) week of the Quarter. A survey he conducted (Winter 1971 Quarter) revealed that in a sample of 81 Engineering students approximately one-half of them were scheduled for two (2) or more tests during the tenth week of the Quarter. Five (5) of these students were scheduled for four (4) tests during that period resulting in the possibility of eight (8) exams scheduled over a time span of two (2) weeks,

The Committee wants to make it very clear that we are not discussing Final Examinations, which are scheduled and are administered during the eleventh (11th) week of the Quarter, but we are discussing hour-long examinations that are scheduled and administered during the 10th week of the Quarter; nor are we concerned with 10 minute or 15 minute quizzes. We are concerned with examinations that might require several hours of a student's time for adequate preparation.

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SENATE MINUTES CONT'D.: (Friday, November 5, 1971)  
REPORT OF ACADEMIC AFFAIRS COMMITTEE CONT'D.: (Dr. Richley)

He (Dr. Williamson) pointed out, and the committee agreed, that students faced with a series of such tests in the tenth week must simultaneously study current material, prepare for current tests and prepare for final exams scheduled for the following week. A student's academic performance over this highly intensified two (2) weeks period could determine 50% or more of his letter grade in an eleven (11) weeks course.

The Academic Affairs Committee discussed the problem at some length and decided that while academic freedom preserves for faculty the right to determine their own techniques for teaching, testing and grading it also imposes the responsibility for careful planning of course related activities, tests in particular. The committee was reluctant, however, to recommend that Senate adopt a policy forbidding faculty from scheduling hour-long tests during the tenth week of a Quarter. Instead, it has elected to proceed in the following manner:

- 1) Acquaint Senate members with the problem through this report and ask their cooperation.
- 2) Gather a larger data base by sampling the number of hour-long exams given during the tenth (10th) week of the Fall '71 Quarter.
- 3) Formulate its recommendations based on the larger data base and solicit the support of the Council of Academic Deans.
- 4) Make its recommendations to Senate.

The Academic Affairs Committee requests that Senate members seek out the faculty they represent and acquaint them with the problem at hand. The committee further requests that they strongly urge their colleagues not to schedule hour-long exams during the tenth (10th) week of the Quarter."

DISCUSSION:

- 1) Dr. Hahn: I am sure there are good reasons for your recommendations. It seems to me that a directive like this would be undesirable because I believe that an examination can be used as a teaching method and it can prepare people for final examinations. I do not see why this should interfere with final examinations.

I oftentimes use exams at that time for that purpose and I wouldn't want to be prevented from doing it.

Dr. Richley: The Committee discussed the problem at some length and there are some people who shared your views; if an examination were of a quiz type and indeed might be used to prepare him for current material, and in fact, for the final examination the week following. But if it is a rather lengthy examination and there were several of these lengthy examinations, it could place students in an awkward position.

I have mentioned that in the survey five (5) out of 81 students had four (4) examinations to take in that 10th week. We realize the data base is not large and this is why we want to get more information.

That is why we are bringing this request before you today; consider the problem and discuss it with your fellow colleagues.

- 2) Mr. Petrych: Would the Committee be adverse to a situation where the class as a majority had requested that they be given another examination, hopefully to bring up their average.

SENATE MINUTES CONT'D.: (Friday, November 5, 1971)  
REPORT OF ACADEMIC AFFAIRS COMMITTEE CONT'D.: (Dr. Richley)  
DISCUSSION CONT'D.:

2) Mr. Petrych cont'd.: I have run into this several times and have concurred with the wishes of the majority,

Did you in your survey find how many of these tests were given at the requests of the students themselves?

Dr. Richley: Perhaps your question Mr. Petrych can best be answered by the gentleman who conducted the survey.

Dr. Richley then called on Dr. Williamson,

3) Dr. Williamson: The answer to the question Mr. Petrych is "no".

I think it is wonderful that we have the machinery here at the University whereby a person can get an idea and get a full hearing on it.

This problem has been brought to me by students for a number of years and I ran this survey on the spur of the moment last Winter Quarter just to see if it were as serious as they indicated and I found that it was, much to my surprise.

Although this survey was run in the Engineering School our students at this stage take perhaps at least 50% of their courses outside of the Engineering School.

The survey was also taken in my classes. I do not give tests in the 10th week. The results of the survey could possibly be worse than I presented (with the Engineering students taking at least 50% of their courses outside the Engineering School). I do not know.

I would like to remind the members that restricting tests in the last week of a Quarter is not something new,

There are many Universities that I have known in the past who have "Closed-week", no tests are given, no social functions are permitted in order that students may prepare for the final examinations.

I would not throw up my hands and say "Don't do this to me" because it has been done before and truly for the benefit of the students we should carefully consider giving up a little of our academic freedom for their benefit.

Dr. Richley: The Academic Affairs Committee spent approximately  $3\frac{1}{2}$  meetings discussing this and it does have representatives on its body from various Schools and most of these representatives did indicate this was a problem in their area,

Since this was brought to our attention rather late in the Spring Quarter we were not able to do much at that time and we did want to try and provide some degree of protection for the students for this Fall Quarter and we thought this would be one of the means of doing it,

4) Dr. Hovey: We ought to ask the faculty members who are using the examinations during the last week why they are doing it.

They may have some very good reasons for doing it.

5) Dr. von Ostwalden: In your inquiries did you find in any case where any of these examinations were given in lieu of the final, examination?

Dr. Williamson: I would not ask that question of anyone.

Dr. Richley: We were speaking solely of examinations administered during the 10th week that were not final examinations.

Final examinations are scheduled and administered during the 11th week of the Quarter. We assume these were all tests.

6) Dr. Baldino: A comment on a hypothetical situation. A teacher gives 4 tests during the Quarter and the 4th one, for example, falls during the 10th week of the Quarter.

SENATE MINUTES CONT'D.: (Friday, November 5, 1971)

REPORT OF ACADEMIC AFFAIRS COMMITTEE CONT'D.: (Dr. Richley)

DISCUSSION CONT'D.:

6) Dr. Baldino cont'd.: Are you seriously saying you are going to prevent that person from continuing that policy in his class? Or from giving **any** tests during the last week?

Dr. Richley: No This **was** not at all our **concern.**

*Our* concern was to find some alleviation from the problem and if we can get this by doing nothing more than by coming before Senate and urging you and **working** through the Deans and upon their urgency this **is** what we hope to achieve.

We were very reluctant to come before Senate and ask that no exams be scheduled during the **10th** week.

I am not **speaking** for the Committee from the standpoint of what **it** might formulate based on its new survey. I **don't** know,

7) Dr. Baldino: It is quite logical to assume that that might be a variable inclination of the policy, would **it** not?

Dr. Richley: It might depend on the results of **this** next survey **that we take.**

Again, I cannot speak for the Committee on what **it** plans to do in the future,

REPORTING OF THE NOMINATING COMMITTEE FOR THE FACULTY APPEALS COMMITTEE:

This report was given by the Chairman of the Nominating Committee, Mr. Casper J. Hoore, Jr.

Mr. Moore reported as follows:

"On October 18, 1971 we mailed you a letter listing the nominees for the Chairman and the **membership** nominees in the General **Committee**, for the Faculty Appeals Committee.

For Chairman we nominated:

1. E. Terry Deiderick
2. Frank Tarantine

Also mentioned in the letter was the stipulation that anyone could have a name placed in nomination by submitting a Petition signed by a minimum of ten (10) **NI-**Service Faculty members.

We received two (2) such Petitions for Chairman:

1. Robert R. Hare
2. Joseph J. Koss

For Chairman of the Faculty Appeals **Committee** we now have the **following** nominees:

1. E. Terry Deiderick
2. Robert R. Hare
3. Joseph J. Koss
4. Frank Tarantine

For Committee **Membership** we **nominated:**

1. Frederick Blue
2. Joseph Kirschner
3. Thelma Miner
4. Roger **Overberg**
5. **Esotto** Pellegrini
6. William Walsh

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SENATE MINUTES CONT'D.: (Friday, November 5, 1971)  
REPORT OF NOMINATING COMMITTEE FOR FACULTY APPEALS COMMITTEE CONT'D.: (Mr. Moore)

Mr. Moore Cont'd.:

For Committee Membership we received one (1) Petition. This was for:

1. Charles L. Reid

For Committee Membership we now have the following nominees:

1. Frederick Blue
2. Joseph Kirschner
3. Thelma Miner
4. Roger Overberg
5. Esotto Pellegrini
6. Charles L. Reid
7. William Walsh

Seven (7) names submitted for the Committee. Three (3) to be elected.

We have started the arrangements with the Secretary of the Senate for making up the Ballot. It will be mailed to the Full Service Faculty this next week with an envelope for your return,

DISCUSSION:

- 1) Mr. Brachfeld: Does the entire voting membership of the University Senate (Student) vote to elect people on this Committee.

Mr. Moore: No It will be the entire Full Service Faculty.

UNFINISHED BUSINESS:-

- 1) Mr. Simko: During this past week Dr. Niemi and I corresponded concerning (Student) the Pass-Fail grading. Does she have anything to report on the Pass-Fail grading situation right now?

Dr. Niemi: At the Senate meeting of May 2, 1969 it was moved and approved that we have an Ad Hoc Committee to formulate a proposed policy with respect to what is commonly called the Pass-Fail grading.

In this case the Ad Hoc Committee was to come before the Senate with a report and so this was approved by the Senate (establishing the Committee).

October 17, 1969 Senate meeting: The Chairman of the Executive Committee, Dr. Hahn, reported that the Committee for this purpose included Dean Swartz or someone he may appoint; Mary B. Smith, Dean Scriven, Clyde A. Painter, Robert R. Hare, Vern Kagarice, Larry Esterly and three (3) students.

Since the Senate Executive Committee did not specify a Chairman it was suggested that Robert R. Hare, a representative from the Academic Affairs Committee, call the first meeting.

March 5, 1971 Senate meeting: Under Unfinished Business. Dr. Behen asked for information on the Pass-Fail grade.

At this point Dr. Hare who was to be the temporary Chairman said that he made repeated efforts to gather the Committee together but it was impossible. Finally the matter was dropped since there was no great demand for further study of the matter.

The Presiding Officer, Dr. Earl E. Edgar, concluded we would leave the matter to the Executive Committee of the Senate.

SENATE MINUTES CONT'D.: (Friday, November 5, 1971)

UNFINISHED BUSINESS CONT'D.:

DISCUSSION CONT'D.: (Dr. Niemi)

The Senate **Executive** Committee met and discussed the matter further and on April 7, 1971 the Chairman, Dr. Frank Tarantine reported that he had discussed this matter with Dr. Hare (who had been designated temporary Chairman), Dr. Hare indicated that he wished to be removed from the Committee. Accordingly, the Senate Executive Committee named Dr. Matthew Siman Chairman of the **Ad Hoc** Committee on Pass-Fail.

At this point there was some break down in **communications**.

We forgot to inform Dr. Siman of his appointment. Dr. **Siman** proceeded on his way without realizing that he **was** now responsible for calling the **Committee** together and so with all due apology we will take all the blame, but at the Senate **Executive Committee** meeting of October 26, 1971 we realized our error, contacted Dr. Siman and he has now been informed; he **has** been given this background so hopefully then the matter can be reactivated.

Senate Meeting March 5, 1971: During this meeting, at end of **discussion**, Mr. Theodore Brachfeld, a student **member** of the Committee asked: Is this **Ad Hoc** Committee officially dead or only in slumber?

Dr. Niemi: We had helped to add to the anaesthesia in putting the Committee to slumber.

Hopefully now it can be revived,

Mr. Brachfeld: At the last Senate meeting (I believe it was that one) the Student (Student) Affairs Committee was supposed to make a report. At that time they said they would postpone this report until the Student Handbook was out with Social Regulations and Student Code in it.

The Handbook is now out, When will this report be made?

Dr. Pugsley: The Student Handbook came out this week.

The Penguin Coop is divided into two (2) parts now.

The one part contains these Regulations; the other is identified by the authors as being a representative opinion of those officers relative to student **life**.

We had a little fuss about the second part -- anyway it is the part published by the Student Governing Association, and Student Council. After reviewing the text of that I was concerned about one page in particular which you noted reported in the **Jambar**, and so sought advice of our legal counsel concerning whether the **material** on that page might be construed as libelous.

I was advised by the legal counsel for the University that it would so be construed, and therefore, I asked that that page be deleted to spare both the Officers of Student Government who are responsible for the text as well as the University in a potential suit along that matter.

Having one case originated by a student judgment perhaps I am a little paranoid in thinking about these things but that case has gone to the United States Supreme Court now. These matters are both expensive and if they can be avoided they should be avoided without taking away from the initiative or from the student academic freedom, if I may use that **term**, involved.

The Regulations you inquire about are identified in the University Publication, and not as yet have been to the Senate. We are awaiting the publication of that book so that all **members** could have the copy and give it their thorough consideration.

This is the reason I believe **why** there is not report of the Student Affairs **Committee** at this meeting. Presumably it will come at the **next meeting**.

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SENATE MINUTES CONT'D.: (Friday, November 5, 1971)

NEW BUSINESS:

1) Report of United Appeal Campaign,

This report was given by Dr. Esther Niemi (Chairman of Faculty Division of United Appeal campaign).

Dr. Niemi reported as follows:

"Enlisted the Executive Committee of the Senate that sought successfully and obtained Chairmen and Captains in the various Departments. The Captains themselves then contacted members in their Departments, faculty responded with their contributions.

Dr. Niemi gave a tentative and subject to audit report as follows:

United Appeal Campaign:

Academic Personnel - total of 245 contributors - gave a total of \$6019.60  
(Last year 246 contributors)

This year's average was \$24.56.

Last year's average was \$30.65.

As a total: The University gave \$8638.40 which was \$2004.65 less than last year.

There are still some cards out and some were put in the mail to the United Appeal today. These figures will be revised and Mr. Sullivan will be sending us more official information within a few days as soon as the Audit is completed.

Dr. Niemi thanked all for participating in this Campaign.

Dr. Pugsley: Thanked not only the workers but the Faculty and other members of the University for supporting this Community activity.

I realize there are certain conditions both in the Community and within the University that may work adversely toward making contributions; not only the Freeze Order, the Salaries, the uncertainty of the future, the economic conditions of the community, etc., may have had an adverse effect.

For having given what your conscience tells you was proper the University, and I am sure the United Appeal thank all of you.

2) Dr. Baldino: During the past few weeks we have been approached by Channel 33 here in Youngstown regarding telecasting the last Home Football Game (Gustavus Adolphus) on November 13.

We talked about this at our meetings and after a discussion with a number of Committee members and administration decided to accept this offer from Channel 33.

Sponsors: US. Steel and Home Savings & Loan.

There is going to be considerable air time before the game and during half time to have both stills and action shots as well as talks by members of the University Community concerning the University's academic and social life.

It is experimental; there are no contractual arrangements outside of that one telecast.

We feel very strongly, and although in view of our record this may not be the year to telecast, for the sake of the good that can come of it as far as the University is concerned, that it is a good idea.

So, on November 13 we will have a first as far as inter-collegiate athletics at the University is concerned - telecast of the Gustavus Adolphus game.

SENATE MINUTES CONT'D.: (Friday, November 5, 1971)

NEW BUSINESS CONT'D.:

2) Dr. Baldino cont'd.: Actually no cost to the University. US. Steel and Home Savings & Loan are footing the bill; and we have been **guaranteed** considerable air time to forward the academic and social interests of the University.

The NCAA had to be contacted and certain red tape had to be cleared, Certain conditions had to be met, For example: how much intrusion in the game by the Sponsors (U.S. Steel and the Bank). We considered this and meeting both district and National we decided to do this.

REMARKS BY PRESIDENT PUGSLEY:

1) You will recall at the General Faculty Meeting this fall I spoke about the request of the OEA Chapter to The State Attorney-General to direct that the Budget be made available in its entirety to the faculty and I reported that a **legal opinion** was being sought.

That legal opinion has been rendered by the **Attorney-General's representative** and indicates that **the matter** is discretionary with the Board of Trustees.

At that Faculty Meeting I **indicated** also that **should** this **be** the case I should seek Faculty advice to **be brought** to the attention of the Board of Trustees. I have debated **with** myself **and** have consulted with a number of people about the appropriate way to obtain **that advice**, and it appears that **it may** be best developed by referring the matter to the Faculty Affairs Committee of the Senate. This is what I am doing. I **am asking** them to **consider** the question because there are **both** pro's and con's about the matter and the Senate Faculty Affairs Committee contains, **if** I might describe **it** that way, **a full** representation of diverse opinion.

The Faculty Affairs Committee **may** do anything **it** wishes in the **way** of **consulting** with the faculty **generally** and I simply mention this as the way that this matter is proceeding at the present time.

2) **Our** enrollments this Fall are down -- lower than they have been for **two** (2) years,

There probably are a number of reasons for this. We are down about 400 students and that **this** then carries grave implications for the ability of the University to finance **its** operations. Not only do we receive the subsidies from the State of Ohio (assuming the **Legislature** will finally pass an Appropriations Bill which **it** has not done yet), **we** receive these appropriations from the State of Ohio based upon a Full-time equivalent student basis by **level** and program. We get only the money that is represented by those who are reported in class at the end of the 14th Day. Therefore, we shall receive revenues from the State for fewer students compared to the last two (2) years and we **shall** also be **lacking** the Student Fees from the students who are not here, You cannot collect Fees from students who are not enrolled. The combination of these two (2) factors makes **it** appear to me that we shall probably have to do some belt tightening before the year is over. We have not done so yet, As a first step I **am asking** that we discontinue the filling of vacant positions at **this** time until we see where we are. Some 78% of the Budget of the University is paid out in salaries, not only faculty salaries but total salaries for the University personnel, and **this** is as high a **figure** as any other Institution in the State in terms of that **percentage** of its Budget.

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SENATE MINUTES CONT'D.- (Friday, November 5, 1971)  
REMARKS BY PRESIDENT FUGSLEY CONT'D.:

If 78% of the Budget is devoted to salaries this leaves 22% of other items which may be cut or adjusted because certainly we have no intention of changing salaries of those persons who are on the job. The only opportunities we have for making salary adjustments are for positions not now filled and in the Limited Service categories of the faculty because Limited Service personnel are employed on a Quarterly basis.

Now with the reduction of students the University has also experienced a different attendance in the different Departments. Individual courses also may be quite variable. I have, therefore, asked Dr. Edgar and the Deans to make a thorough analysis of those patterns. There may be sections completely abandoned; there may be sections that were not held of multiple section courses or other sections that did not fill. With a reduced enrollment there was not very much that we could do about that this Fall, but we can evaluate the offerings for the Winter Quarter and the Spring Quarter.

I would urge Department Chairmen and Deans to take a very hard look at the sections that are allowed to continue for the Winter Quarter and the Spring Quarter because here is one opportunity that we may have in terms of reducing the number of offerings to a basis that may not require additional faculty in terms of the Limited Service personnel as a place where we can save this year. But if a Department is staffed already with Full Service faculty to take care of those sections then I think for this year we probably can go ahead in a rather normal basis.

It is a worrisome problem. The total financial picture may be assisted by the fact that if the Legislature provides an improved subsidy the improved subsidy from the Legislature will just about balance the loss in students in terms of what we may receive. In other words, we may get from the State about the same amount of money that we got last year even though the students are fewer. And with the increase in student fees I would guess that we are probably going to come out with about the same revenues in total as last year. We have provided, even though unfortunately you have not received it, due to the Freeze Order the 5% increase in the faculty salary Budget. The increases contemplated will be provided as soon as it is legally possible. I hope the Freeze Order will be modified in such a way that we can make the commitments that were made to you. But, nevertheless, we are going to have to probably achieve some savings in order to make up the difference between the revenues that are lower than we expected and the way that we budgeted for the current year.

I bring this to your attention because it is going to have to take some forbearance and some careful analysis on the part of all who are present for us to go through the year.

We are in a better position financially I think than many of the other Institutions although some of them have received increases in enrollment this year. Miami University, for example, is reported to be up about 8% although there are no official figures out. Why would Miami go up 8% and Youngstown go down 3%? President Shriver tells me the 8% increase is an increase of students returning to the Institution. It is a resident School. They are wondering where to put all these returnees. But they are students who have been previously enrolled, and the probability is that some of the factors which mitigate against our enrollment increase favored their enrollment increase. The students who go to Miami, in general, are of a different

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SENATE MINUTES CONT'D.: (Friday, November 5, 1971)  
REMARKS BY PRESIDENT PUGSLEY CONT'D.a

financial background. ~~Many~~ Miami students come from families that are not affected as directly by the ~~employment~~ conditions that affect so many of our students,

Akron enrollments ~~are~~ up some. The President at Akron told me that the increases at Akron are not due to new freshmen nor are they due to new students of the Akron area, but that the number of students who come to the University of Akron are from farther away. In other words, he attributes the increase to better roads, better transportation facilities, allowing students from farther away to attend that University and more transfers -- many of them coming from Kent State University. Kent State is down substantially. There is no real overall pattern emerging yet.

I attribute the decrease in enrollment here very substantially to the National publicity that has been given to the over-supply of teachers. Of the total of 400 students we are down, the School of Education is down about 600 from last year. Many of the other Schools are up. The Technical and Community College has gone up about 500. The Graduate School is up somewhat.

Our students work; employment is more difficult; families are being hard pressed even when helping students go to school at this Institution; and finally, we had a Fee increase. The Fee increase is more substantial with respect to the commuting student from Pennsylvania than it is even for the Youngstown student. The analysis has not yet been made of the out-of-state versus in-state enrollment, but I am expecting that will be one of the places where we went down.

There is among students, with the publicity that has been coming out nationally, some disillusionment about whether higher education leads to a job or not. Some students don't expect it to; others do. This disillusionment has kept some students from enrolling or reenrolling. We have had students tell us that even after having paid their fees in advance they have withdrawn because they are going to stay out a year or so, and be sure they want to go to College.

Another factor that has been quite apparent has been the impact of the new Draft Regulations. As far as I am concerned I am willing to do without any student who was going to College just to stay out of the Armed Services. I don't think that is a valid base of deferment in itself unless it is accompanied by the objective of wanting a higher education.

These are all factors that affect our situation. We are up against a situation where we will have limited funds. Dr. Edgar's study will reveal whether or not certain positions next year will have to be discontinued or where there will have to be shifts of positions from over-supplied departments to under-supplied departments. This is going to be a difficult situation because there may have to be some non-tenured faculty members with contracts not renewed due to this situation. These are faculty that otherwise we would be delighted to keep.

The money upon which we are operating currently is paid to us on a monthly basis and we are receiving those funds on the same basis as we received them last year using the same subsidy levels. The first six (6) months is based on estimate; the

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SENATE MINUTES CONT'D.:- (Friday, November 5, 1971)  
REMARKS BY PRESIDENT PUGSLEY CONT'D.:-

**second** 6 months of the year is based upon the difference between estimates and actual, and the payments then either go up or down as the case may be per month.

I thought you should have this information and if there are any questions I will be more than happy to answer them,

QUESTIONS:

1) Dr. Shipka: In your remarks about the possible need for a cutback in faculty personnel, **will** the priority in such cutbacks be given to **Limited** Service rather than NI-time Faculty?

Dr. Pugsley: **It** is a difficult question to **answer because** the situation in Departments may be **quite different**. Some departments have no Limited Service Faculty; others use a substantial Limited Service Faculty.

**It depends** also on the evaluation of the performance of faculty members under consideration.

I just **can't** answer that question in a simplistic way. **I don't** know yet. We have to see what the situation is; where it exists department by department, and then come to the fairest **conclusion** possible.

MEETING ADJOURNED!

Respectfully submitted,

Vera Jenkins  
SECRETARY OF THE SENATE

ATTENDANCE:

SENATE MEETING

Friday, November 15, 1971

W. Lipsky  
 Joe Runk  
 Gene Edgar  
 Paul Beckman  
 Jim Scriven  
 Tom Swan  
 Bob Ringler  
 G. J. Tuttle  
 Karl Kline  
 Wm. S. Flead  
 Tom Roberson  
 Matthew Siman  
 Frank M. Ellis  
 Steven  
 Rand  
 W. Honey  
 Elmer Foldvary  
 P. Wood Swallen  
 Mary Smith  
 Emily Marshall  
 1 Boyer  
 Philip Stehn  
 Frank Tarantone  
 Raymond W. Hurd  
 Debraun Feldmiller  
 David S. Ives  
 J. A. Kichley  
 R. E. Kowen

Lawrence Loohey  
 Matt Greenman  
 J. Turlock  
 Jim Klabregory  
 J. Kuhl  
 G. K. Williams  
 Jack W. Foster  
 Nick Paraske  
 Marguerite Foley  
 Larry Linko Student  
 Lynette Anderson Student  
 Kathleen Tierney Student  
 Raymond R. Starnes  
 Thaddeus Swyford (Student)  
 Madie Shullock (Tambor)  
 Ronald W. Jones  
 Fred Blegg  
 Charles Bronstrup  
 John V. Cernea  
 Peter H. Baldwin  
 Cliff Vanaman  
 Margaret J. Kane  
 Christine R. Lykema  
 Stephen Hanzely  
 Thomas A. Shipka  
 William D. Gubius  
 Bibey  
 L. S. Downer

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November 11, 1971

BALLOT FOR YOUNGSTOWN STATE UNIVERSITY FACULTY APPEALS COMMITTEE

FOR CHAIRMAN

TERM: 1 year (VOTE FOR NOT MORE THAN 1)

\_\_\_\_\_ E. TERRY DEIDERICK

\_\_\_\_\_ ROBERT R. HARE

\_\_\_\_\_ JOSEPH J. KOSS

\_\_\_\_\_ FRANK J. TARANTINE

OR MEMBERSHIP

(VOTE FOR NOT MORE THAN 3)

\_\_\_\_\_ FREDERICK J. BLUE

\_\_\_\_\_ JOSEPH KIRSCHNER

\_\_\_\_\_ THELMA S. MINER

\_\_\_\_\_ ROGER T. OVERBERG

\_\_\_\_\_ ESOTTO PELLEGRINI

\_\_\_\_\_ CHARLES L. REID

\_\_\_\_\_ WILLIAM E. WALSH

GENERAL MEMBERSHIP: The person receiving the highest number of votes will be elected to a three (3) year term: the person receiving the second highest number of votes will be elected to a two (2) year term: and the person receiving the third highest number of votes will be elected to a one (1) year term,

This is in accordance with the recommendation of the Faculty Appeals Committee approved and passed at the Special Senate meeting of June 3, 1971,

NOTE: This ballot is to be returned in the envelope enclosed (SEALED) with your name WRITTEN AND PRINTED on the slip that is taped to the envelope,

Please return this to Miss Vera Jenkins - Secretary of the Senate - Mailroom Box #457 - by MONDAY, NOVEMBER 22, 1971 at 4:00 p.m.

NO BALLOTS WILL BE COUNTED IF RECEIVED AFTER THAT TIME.