

SENATE MINUTES
YOUNGSTOWN STATE UNIVERSITY
Friday, May 5, 1972

PRESENT: Mr. Siman, Mr. R. Jones, Mrs. Painter, Mr. Painter, Mr. Schroeder, Mr. Ringer, Mr. Swan, Mr. G. Jones, Mr. Elser, Mr. Greenman, Mr. Ellis, Mr. Scriven, Mr. Esterly, Mr. Crum, Mr. Terlecki, Miss Feldmiller, Mr. Hurd, Mr. von Ostwalden, Mr. Foldvary, Mr. Dillon, Mr. Mavrigian, Mr. Richley, Mr. Ives, Mr. Hahn, Mr. Yozwiak, Mr. Robinson, Mr. Tarantine, Mr. Snyder, Mrs. Niemi, Mr. Diisa, Mr. O'Neill, Mr. Brunner (visitor), Mr. Looby, Miss Boyer, Mr. Petrych, Mrs. Foley, Mr. McCracken (visitor), Mr. Spiegel, Mr. Kramer, Mr. Foster, Mr. Kiriazis, Mr. Ward, Mr. Paraska, Mr. Blue, Mr. Parm, Mr. Kessler, Mr. Randy, Miss Mead, Mr. Katz, Mr. Aurand, Mr. Byo, Mr. Koss, Mr. Abram, Mr. May, Mr. J. S. Zetts, Miss DeCapita, Mrs. Turner, Mr. Henkel, Mr. Betres, Mr. Bronstrup, Mr. Salpietra, Miss Cannatti, Mr. Cohen, Miss Shellock (Jambar), Mr. B. Jones, Mr. Sinko, Mr. Hanzely, Mr. L. Domonkos, Mr. Behen, Mr. Toskas, Mrs. Budge, Miss Sterenberg, Mr. Slavin, Mr. Gay, Mr. R. Morris, Mr. Hovey, Mr. Almond, Mr. Curran, Miss Pfau, Mr. Slawecki, Mrs. Dykema, Mr. C. Hankey, Mrs. Connelly (visitor), Mr. Sniderman, Mr. Sweeney, Mr. Jonas, LTC. Fisher, Mr. Wales, III, Mr. Krill, Mr. Pejack, Miss Jenkins, Vice President Rook, Vice President Edgar and President Pugsley.

PRESIDING: PRESIDENT ALBERT L. PUGSLEY **TIME:** 4:00 p.m. SCHWEBEL AUDITORIUM.

The President called for the approval of the minutes of the previous Senate meeting (Wednesday, March 29). There being no additions, corrections or modifications those minutes were then declared approved as distributed.

GENERAL SENATE ELECTION:

The Secretary of the Senate expressed her thanks and appreciation to the Tellers for the tremendous job which they did. They worked long hours and worked very hard. It was a tremendous task.

There were no problems. Any ties were resolved by the Tellers according to the stipulation stated in the Constitution and Bylaws.

HEAD TELLER: Gus Mavrigian; **HEAD TELLER:** Casper J. Moore, Jr.,;
TELLER: Marguerite Foley; **TELLER:** Juanita A. Roderick.

This was done in the presence of the Secretary of the Senate: Vera Jenkins.

The Secretary also announced:

The Senate Executive Committee elected representative from the School of Education is: Peter A. Baldino, Jr.; from the School of Engineering, Edwin R. Pejack.

NOMINATIONS FOR THE CONSTITUTION AND BYLAWS COMMITTEE:

Three (3) positions for two-year (2) terms to be filled. It is a closed mail ballot.

Nominations received as follows:

- 1) William Moorhead
- 2) Clyde Hankey
- 3) Casper J. Moore, Jr.
- 4) Frank Tarantine
- 5) James Larene
- 6) Frank A. Fortunato

It was moved and seconded that the nominations be closed. Secretary will send out the closed mail ballot.

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SENATE MINUTES CONT'D.: (Friday, May 5, 1972)

NOMINATIONS FOR SENATE EXECUTIVE COMMITTEE:

One (1) position of **Representative-at-Large** for three-year (3) term to be filled. It is a closed mail ballot.

Nominations received as follows:

- 1) Donald E Hovey
- 2) Christine Dykema
- 3) Matthew Siman

It was moved, seconded, and passed that the nominations be closed. Secretary will send out the Closed Mail Ballot.

CONSTITUTION AND BYLAWS COMMITTEE:

This report was given by the Chairman, Dr. David M. Behen.

Dr. Behen reported as follows:

"1) At the last meeting of the Senate, the Committee reported receiving from Dr. Bhagwati Poddar a proposal for restructuring of the University Senate. We stated at that time, that we had not had opportunity to study the proposal, but that we would take it under consideration, and would report our conclusions at today's Senate meeting,

Although Dr. Poddar designated his proposal an "amendment", it is, in fact, a proposal for complete and drastic reconstitution of the Senate membership. The Committee is well aware of the wide-spread opinion that the present structure of the University Senate leaves something to be desired; and each member of the Committee holds the opinion that he, as an individual, would like to see changes in the Senate's structure. But the Committee is also keenly aware that a wide-spread desire for changes in the Senate, and a consensus on the nature of the changes to be sought, are two entirely different things. Different people have different conceptions of the present Senate's structural deficiencies, and hence, seek different types of modifications. Often the modifications sought by some people are quite incompatible with the changes sought by others.

Experience has showed the great difficulty-- and to this point, the near impossibility--of formulating any plan for major structural change that will gain acceptance. The Committee believes the best approach to the problem of designing an acceptable plan for a restructured Senate is a full-dress examination of all views on the subject, with ample opportunity for all those concerned to make their views known. This is a long and arduous process; when last undertaken it consumed more than a year. The Committee judged it unwise to undertake this task so near the end of the academic year, and on the eve of the election of a new Senate body.

The Committee did not, therefore, take under consideration the merits of the Poddar proposal, per se, and offers no opinion on this point. Should this Committee receive a charge to undertake formulating a plan of Senate restructure next year, all proposals relating to the matter will, I am certain, be given serious attention,

A letter setting forth the substance of this report has been sent to Dr. Poddar,

2) The Committee is mindful that the election of Student Senators was carried out this year under temporary, ad hoc arrangements instituted through simple Senate resolution. We believe it desirable, and think the Senate will wish, that permanent provisions for election of Student Senators be included in the Bylaws

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SENATE MINUTES CONT'D.: (Friday, May 5, 1972)
CONSTITUTION AND BYLAWS COMMITTEE CONT'D.: (Dr. Behen)

along with the provisions respecting selection of other Senate membership, The Committee is working on a proposed Amendment to the Bylaws to this end, First, steps have been completed, The Chairman of the Committee has been instructed to invite the Student Government to appoint a committee to meet with the Constitution and Bylaws Committee that we may have the benefit of their advise, suggestions, and general assistance in framing a proposed Bylaw Amendment for Senate consideration, The Chairman of the Constitution and Bylaws Committee has exercised his discretion in postponing the issuing of such an invitation to the Student Government until the election of the new Student Government has been completed. We will then act, along the lines indicated, with the expectation that the Constitution and Bylaws Committee and the Senate can institute a regular procedure to govern next year's elections.

3) The Committee is aware of the inadequacy of present Bylaw provisions respecting the inclusion or omission of names for Senate nomination, replacement of temporary vacancies, and related matters arising from leaves-of-absence (and perhaps other causes). Until this year, the Bylaw inadequacies appear to have created no difficulty, but it is now apparent that more adequate provisions need to be made. The Committee is currently working on this problem."

REPORT OF THE SENATE EXECUTIVE COMMITTEE

This report was given by the Chairman, Dr. Esther Niemi. Dr. Niemi stated:

"1) On behalf of the Senate Executive Committee I would like to express our thanks and appreciation to Frank A. Tarantine and Clyde Vanaman who have served so ably and well in the past and who have now had their terms expire and you have heard their replacements.

A very special thanks we feel is due Frank Tarantine who is a Charter member of the Senate Executive Committee. He has given unstintingly of his time and service to this particular Committee and when I recall the Summer of 1967 when the Senate Executive Committee was first formulated and in a very groping, hoping fashion with no precedent to fall back on we tried to formulate policy and procedure; and then when I contrast this particular period with the past year in which we had a much smoother, harmonious functioning of the Senate Executive Committee a great deal of the credit for that transformation is due to Frank Tarantine, and so we do express our appreciation to you, Frank. We are going to miss you on the Committee.

2) The Senate Executive Committee made an interim ruling defining those eligible for election to the University Senate,

The following interim ruling had to be made so that the election could proceed in April:

All Full Service faculty shall be eligible for election to the University Senate unless an absence of an entire academic year is anticipated.

When the new Constitution and Bylaws Committee is formed we will then direct a request to them to more fully define Full Service Faculty as it is contained in the Constitution and Bylaws Committee. Until such decision by the Constitution and Bylaws Committee is reached our definition of Full Service Faculty will hold.

SENATE MINUTES CONT'D.: (Friday, May 5, 1972)
REPORT OF SENATE EXECUTIVE COMMITTEE CONT'D.: (Dr. Niemi)

3) By now, you have all received in the mail a Roster of the Senate Standing Committees for 1972-73.

In coming up with these particular appointments our first task was to honor the requests of those **faculty** members who asked to be removed from Standing Committees, for one reason or another.

After that we went through a process of rotation. We have as an aim approximately a 1/3 rotation but this 1/3 cannot be adhered to completely because on some committees it appeared a larger rotation might benefit the committee; in other circumstances it appeared that perhaps continuity was an overriding factor and so the rotation turned out at less than 1/3.

After we had created the vacancies we then took into consideration a number of factors in selecting people for committees. We took into account: their talents, their availability, their desire to serve on committees as expressed on the Committee Preference Sheets, the distribution of members in the various areas from the various Schools. We formulated a list of proposed appointments which were then once more reviewed with a Joint Meeting of the Administrative Council and the Senate Executive Committee.

You now have the finished product which has been distributed to you,

4) As far as the Report of the Faculty Advisory Committee to the Chancellor of Higher Education is concerned it will be appended to these Minutes (APPENDIX IV) In order to conserve time since we do have a long agenda today.

I would like to call to your attention just one item which will be included in that Report. In March we received a request directed to the Senate & Executive Committee from Mr. Pejack (Engineering Faculty) and he asked us to refer to a relevant Committee the question of describing the work-load of Faculty in some other term rather than hours so instead of calling everything quarter hours, etc., or semester hours or credit hours he suggested the word 'hour' was misleading as far as public relations was concerned since so many of the general public feel that if you teach a 10 or 12-hour load that is all that is required of a Professor in a week. And so, as we consider his suggestion we thought the most relevant Committee of all would be right at the top. We took it to the Chancellor and Chancellor Millett was extremely pleased.

His comment was: "Why didn't I think of that myself"? He promised he would bring this to the attention of the Board of Regents because if there is any change to be made it will have to be made through the entire State Universities System and not just at Youngstown State University. Mr. Millett wanted to thank the individual who initiated the request and so I want to thank Dr. Pejack."

ACADEMIC AFFAIRS COMMITTEE:

This report was given by the Chairman, Dr. Victor A. Richley.

Dr. Victor A. Richley moved the following Motions

MOTION: PART A) Transfer students being awarded the Associate Degree at graduation are eligible for honors if they have earned 60 or more quarter hours at Youngstown State University and have met other conditions of present policy.

PART B): The above policy is to be made retroactive to include the 1971-72 academic year.

Seconded.

AYES HAVE IT. MOTION PASSED.

NOTE: (See APPENDIX I for Dr. Richley's Report and also discussion before passage),
(CONT'D. NEXT PAGE)

SENATE MINUTES CONT'D.: (Friday, ~~My~~ 5, 1972)

Dr. Pugsley: Inserted a question here from Dr. Esther Niemi.

Dr. Pugsley stated he had a list of the students who have been given seats on the Senate. Two (2) of these students I understand raised the question or the question was raised in their behalf about the duality of their representation because both Mr. Simko and Mr. Davis were both elected and hold office as ex-officio members.

Is this correct, Dr. Niemi?

Dr. Niemi: Yes.

Dr. Pugsley: The Senate Executive Committee, I believe, has advised those students that they may attend in both capacities but that they have but one vote, Is that correct, Dr. Niemi?

Dr. Niemi: Yes.

Dr. Pugsley: The next question that I would raise is: There are 12 names on this list.

When does this list become effective, Dr. Niemi?

Dr. Niemi: The new student members were to sit in this particular Senate meeting today, May 5. The election was held earlier in order to utilize the election procedure for other offices rather than having a special election. This is the first Senate meeting that they are officially here.

Dr. Pugsley: Does this mean then that students who are not on this list are excluded from attendance?

Dr. Niemi: That is the official list of students who are now serving on the Senate.

Dr. Pugsley: I raise this question simply for a point of clarification, because I did not know the answer.

I believe the Senate also has by its own rule the expectation that persons attending the Senate who are not members of the Senate do so only by invitation. Is this not correct?

Dr. Niemi: Either by invitation or by an invitation extended by the body (that is, a prior invitation or an invitation extended here) with the exception of the Jambar. We previously made a ruling that the Jambar reporter or reporters (if there were more than one) could be here in behalf of the student publication.

COMMENT: Gentleman stated he was here at this meeting and apparently should not be here; he was a visitor from England.

Dr. Pugsley: This is what I was wondering about; not for you specifically but for Mr. B. Jones and one or two students who have been here before legitimately and I wonder if they are still here legitimately.

COMMENT: If I may suggest I think the easiest method to resolve this matter would (Student) be to check with the Constitution itself,

Dr. Behen: I cannot shed any light on this.

Received call earlier regarding when students were to be officially seated; he gave same answer as Dr. Niemi - at today's Senate meeting.

COMMENT: Would like to know when Senate members will receive complete list of members of the Senate, including ex-officio members.

The Secretary announced it would be forthcoming in a few days.

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SENATE MINUTES CONT'D.: (Friday, May 5, 1972)

Dr. Pugsley: Announced there are 62 names that are **officially** ex-officio and they are so listed, There was this year **inadvertently** an error in counting and there is one more elected member than ex-officio and after having consulted with Dr. Niemi I am appointing one more ex-officio member to the Senate to balance that elected vote rather than deprive someone of a seat,

I have appointed Dr. Winston Eshleman, Director of the Media Center as an ex-officio member.

About $1\frac{1}{2}$ or 2 years ago Dr. Eshleman asked for a seat on the Senate. At that time I did not feel I should expand the ex-officio membership but since the vote was taken and the membership elected this gives me the **opportunity** to balance that.

I selected Dr. Eshleman because **it** seems to me that the Media Center is so closely related to the instructional processes and the needs of the instructional procedures that he makes a good candidate,

A second instance will come about soon when the Department of Metallurgical Engineering is combined with the Department of Chemical Engineering to become the Department of Chemical Engineering and Materials Science, Therefore, there will be one fewer Department Chairmen and at that time then I expect to add another ex-officio to keep the balance of 62 and 62.

Dean Robinson (to Dr. Richley): **When** do you think the proposal of the School of Education relating to the change of grading in Student Teaching and Student Laboratories will receive consideration from the Academic Affairs Committee? We hope to **implement** the new Program in the Fall Quarter,

Dr. Richley: The Academic Affairs **Committee** has given parts of two meetings discussing this procedure, In fact, last Friday when we last met we started to get to **it** in great detail but we were well aware of the report that was to come to the Senate floor from the Ad Hoc Committee on Pass-Fail and the Committee felt that that system might indeed allow the School of Education to meet its needs in terms of special grading for the 3 courses you **have** in question; and in the event that mechanism might also work we elected to hold off one more week to find out what happens today (the proposal that will come from Dr. **Siman**) and then we will get to **it** next Friday at our meeting,

Dean Robinson: **The** Faculty in Education and the various review bodies do not consider the Pass-Fail and this one and the same thing.

Dr. Pugsley: The Chair is in a difficult position, You may have some vote that is close and I do not know among those who are here who is officially here and who is not.

Dr. C. Hankey: I think we have a fairly well established precedent that **members** of the University Community who are not members of the Senate are welcome to attend but not to vote. Of course, the Senate is free to change that too,

Dr. Hanzely: I was going to **say** the same thing. In recalling your own words, Dr. Pugsley, a person is welcome and can speak when recognized by the Chair.

Dr. Pugsley: If you wish those to remain who are not members of the Senate then I think we should simply accept and charge them with not voting on any issues unless they are here as members of the Senate. Is this agreeable? I felt we needed to clarify this.

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SENATE MINUTES CONT'D.: (Friday, May 5, 1972)
REPORT OF CURRICULUM COMMITTEE:

This report was given by the Chairman, **Mr.** Larry Esterly.

MOTION: Mr. Larry Esterly moved Senate approval of the Policy for Review of Infrequently Taught Courses as follows:

The **Dean** of each undergraduate School and College in the University shall **receive** from his various Department chairmen, during the Fall Quarter of each academic **year**, a list of all courses that **have** not been taught during the preceding two years. Each such course **shall** be reviewed by **the** faculty and chairman of the Department in which **it** is listed and the Dean of the School or College in which the Department is located. This review **will** lead **either** to the **establishment** of reasons for the continued listing of the course, **or**, if such cannot be established, to the initiation of proceedings by the Department to delete the courses from departmental offerings.

The Dean of **each** School or **College** shall submit a report of these **reviews** to the Vice President for Academic Affairs by the end of the Fall Quarter.

The report **shall** include the list of courses **that have** not been taught during the previous two years and the action taken in each case.

All proposals for the deletion of courses shall be subject to the approval of the **appropriate** curriculum **committees**, and with final action by the **University** Senate.

Seconded.

AYES HAVE IT, NOTION PASSED.

Mr. Esterly stated: The **Curriculum Committee** has one Standing Subcommittee, the Honors Courses and Programs Subcommittee, the Chairman of which is Dr. Margaret Pfau.

Dr. Pfau stated the Subcommittee has assumed responsibility for **any** action to reactivate or modify the course described in the current Catalog. An essential of this course **description** is team-teaching by three (3) faculty members representing the areas of **social** studies, **science/mathematics**, and humanities.

Consultation with Vice President Edgar about current University policy on team-teaching brought a reply **dated** March 9, 1972 stating that the Subcommittee's **proposal** for financial support or "**subsidy**" so that a **3-hour** course would, in **effect**, result in a 9-quarter hour teaching load was contrary to University policy. Under University policy, if a **3-hour** course is taught by three (3) instructors, each may count only one (**1**) hour in his teaching load, although departments may **make** suitable adjustments within the 12-hour average load to ensure that no **instructor** is unduly burdened.

Subcommittee turned its attention to new **structure** for University Honors Seminar to be offered in academic year **1973-74**. Further details remain to be **worked** out.

Honors Subcommittee would like to request from interested faculty members suggestions for course topics and offers of participation in the new Seminar.

NOTE: (See APPENDIX II for full text of Dr. Margaret Pfau's Report).

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SENATE MINUTES CONT'D.: (Friday, May 5, 1972)
REPORT OF FACULTY AFFAIRS COMMITTEE:

This Report was given by the Chairman, Mrs. Christine Dykema.

Mrs. Dykema stated all had received earlier a copy of the Proposal on Loss of Tenure which had been prepared by the Faculty Affairs Committee and has been in continuous preparation for about 4 or 5 years, more or less.

I preceded the proposal by a brief history of what the Committee had in mind, because I felt we might be confused as to the role of the Faculty Appeals Committee (FAPC), and the proposal that we are now putting before you; simply the statement that when we introduced the Faculty Appeals Committee last Spring, it was not with the intention of having the Faculty Appeals Committee handle Loss of Tenure cases. We had already prepared a Loss of Tenure Proposal at that time but one of the steps in the Loss of Tenure procedure was to utilize a Committee which was not in existence and therefore, we had to give birth to that Committee and see it through the Senate,

Since then there was no time to bring in our other Proposal. We are now bringing to you the Faculty Affairs Proposal.

This time it is not a Proposal for Amendment to the Constitution because under the activities of the Constitution and Bylaws such problems are being removed from that as belonging some place else in the body of our papers.

You will have noticed that there is a Minority Report which would propose a change in the Faculty Appeals Committee. It is a change in the last paragraph describing the Judicial Committee.

MOTION: Mrs. Christine Dykema moved on behalf of the Faculty Affairs Committee Senate adoption of the Proposal of the Faculty Affairs Committee on Loss of Tenure,
Seconded.

NOTE (See discussion in APPENDIX III).

MOTION: Dr. Raymond Hurd moved to Amend the Motion on the floor
(AMENDMENT) by inserting in place of the last paragraph under AP - it appears on page 2 of the Report and it is the paragraph immediately above the paragraph 'B' Suspension.
Dr. Hurd moved to Amend by deleting that paragraph and replacing it by the two (2) paragraphs which are reproduced in the Minority Report on page 3 (of the Minority Report),
Seconded.

AMENDMENT TO Delete the last sentence.
THE AMENDMENT: Have it read simply:

(Dr. Edgar) The Judicial Committee shall then report its action to the Board of Trustees for final determination.
Seconded.

QUESTION CALLED FOR, THIS IS TO CLOSE DEBATE.
AYES HAVE IT.

VOTING NOW ON DR. EDGAR'S NOTION TO AMEND THE AMENDMENT.
AYES: 39 NO: 14
AMENDMENT PASSED.

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SENATE MINUTES CONT'D.: (Friday, May 5, 1972)
FACULTY AFFAIRS COMMITTEE CONT'D.: (Mrs. Dykema)

FOR DISCUSSION REFER TO APPENDIX III.

QUESTION CALLED FOR THIS IS TO CLOSE DEBATE

Seconded.

AYES HAVE IT.

NOW VOING ON THE AMENDED-AMENDMENT:

AYES: 37 NO: 39.

AMENDMENT HAS FAILED.

ORIGINAL QUESTION IS NOW BEFORE YOU AND MAY BE SUBJECT TO AMENDMENT.

MOTION: Dr. Donald E. Hovey moved the following Amendment to this
(AMENDMENT) Motion:

the deletion from the 2nd sentence of the 3rd paragraph on page #2 the words "or the faculty member".

The 2nd sentence now should read as follows:

Should the Administration or the Board of Trustees not concur with the decision of the Judicial Committee an appeal may be made to a fair and impartial party, acceptable to the Administration, the Board of Trustees, and the faculty member.

Seconded.

QUESTION CALLED FOR ON THE MOTION TO AMEND.

NO'S HAVE IT.

MOVED AND SECONDED IT BE REFERRED BACK TO COMMITTEE.

THIS IS R MOTION TO CLOSE DEBATE.

AYES HAVE IT.

VOING NOW ON REQUEST TO REFER BACK TO COMMITTEE:

The count taken on this was not clear. Decided to recount.

Mrs. Dykema stated the Faculty Affairs Committee had worked on this for 3 years.

Dr. Margaret Pfau requested a Roll Call vote at this point. Was not sure of a quorum at this point.

Dr. Sterenberg: Since the Faculty Affairs Committee has put in so much time and really has considered this thing very carefully I think it is irresponsible of this body to send this back to Committee.

If that Motion stands I move the following:

MOTION: Dr. Elizabeth Sterenberg moved to have another Senate meeting in two weeks (Friday, May 19, 1972) to further consider this proposal on Loss of Tenure by the Faculty Affairs Committee.

Seconded.

AYES HAVE IT.

Dr. Pugsley: That is a very sensible suggestion, You have lost come people and by now you will not get a fair sense of values from this body now that you have lost members who were here.

Secretary will send out notices of the Friday, May 19 meeting, This will be an adjourned meeting.

MEETING ADJOURNED!

Respectfully submitted,

VERA JENKINS

SECRETARY OF THE SENATE

May 5, 1972

APPENDIX I -- ACADEMIC AFFAIRS COMMITTEE REPORT TO SENATE

by Dr. Victor A. Richley

GRADUATION HONORS FOR TRANSFER STUDENTS

Current University policy regarding graduation honors for transfer students was structured to suit criteria for the Baccalaureate Degree. It allows transfer students to be eligible for Baccalaureate Degree honors if they earn 90 quarter hours of credit at YSU.

A separate policy for transfer students pursuing the Associate Degree does not exist. These students are thus forced to meet the above criteria while attempting to qualify for Associate Degree honors.

Because associate degrees are 90 to 100 q.h. in length, a transfer student pursuing this degree may transfer in only a few credits if he is to remain eligible for honors. The Academic Affairs Committee has determined that in terms of coverage of major area coursework, 60 q.h. of an associate program is approximately equivalent to 90 q.h. of a baccalaureate program.

Motion presented by Dr. Victor A. Richley is presented on Page #4 of Minutes with passage of the Motion.

DISCUSSION BEFORE PASSAGE OF MOTION:

1) Dr. C. Hankey: Is this going to apply to our recent March graduates?

Dr. Richley: If it is made retroactive to include the entire 1971-72 school year it will include the March graduates.

There would be one person affected by this; who earned 86 q.h. of work with 4.0 average at YSU; who came to us from Grove City with 52 hours of 'A' and one 'B'.

2) Dean Yczwiak: Wouldn't this require the issuing of a new diploma? Honors are listed on the diploma.

Dr. Richley: Was not sure honors were listed on diploma but Dean James Scriven said this would be taken care of.

3) COMMENT: Since the Associate Degree requires between 90 and 100 hours wouldn't it be more equitable to reduce that requirement for hours to 45 hours earned at this Institution instead of 60?

Some student may come here with one (1) year from some place else,

Dr. Richley: There is nothing magic about the "60" number.

There was discussion among the people in the T & CC and passed on to the Academic Affairs Committee. The feeling was that they would like to take a look at the student over a proportion of his major area of course work. That is somewhat similar to the last 2 years of a Baccalaureate Degree and that it would take a little more than 3 quarters (or 45 hours) and that it might take something a little closer to 60 hours, which would be one (1) quarter more. This was the feeling of the Committee.

QUESTION CALLED FOR. See page #4 of Minutes for Passage.

May 5, 1972

APPENDIX II -- REPORT OF THE SUBCOMMITTEE ON HONORS COURSES AND PROGRAMS TO SENATE

The University Curriculum Committee has been requested by its one permanent subcommittee, the Honors and Programs Subcommittee, to provide the opportunity for that subcommittee, through its chairman, Dr. Margaret Pfau, to offer to the University Senate the following Report:

Dr. Pfau reported as follows:

The Subcommittee has met approximately monthly since October 1971 and has devoted a major part of its deliberations to the University Honors Seminar. The Subcommittee has assumed responsibility for any action to reactivate or modify the course described in the current Catalog. A questionnaire sent to all full-service faculty showed support in all sectors of the faculty for reactivating the University Honors Seminar as it was originally described in the Catalog. An essential of this course description is team-teaching by three faculty members representing the areas of social studies, science/mathematics, and humanities. Consultation with Vice President Edgar about current University policy on team-teaching brought a reply dated March 9, 1972, saying that the Subcommittee's proposal for financial support or "subsidy" so that a three-hour course would, in effect, result in a 9-quarter hour teaching load was contrary to University policy. Under University policy, if a three-hour course is taught by three instructors, each may count only one hour in his teaching load, although departments may make suitable adjustments within the twelve hour average load to ensure that no instructor is unduly burdened.

In view of this University policy, the Subcommittee turned its attention to a new structure for the University Honors Seminar to be offered in the academic year 1973-74. The design of the course was discussed at the meeting of April 18, and a Motion was passed to propose a new University Honors Seminar of a three quarter, four credit hour hyphenated sequence with a common topic coordinated by three instructors, one of whom will have full responsibility during each quarter while the other two act as consultants.

Further details concerning the new University Honors Seminar remain to be worked out and will be submitted, along with a proposal for a course change, to the Curriculum Committee probably next fall. In the meantime, the Honors Subcommittee wishes to request from interested faculty members suggestions for course topics and offers of participation in the new Seminar.

Respectfully submitted,

DR. MARGARET PFAU, CHAIRMAN

As the above report is one of works-in-progress, the Chairman of the Honors Courses and Program Subcommittee will make no Senate motion with regard to the above report,

May 5, 1972

APPENDIX III -- DISCUSSION ON PROPOSAL OF LOSS OF TENURE TO SENATE
by FACULTY AFFAIRS COMMITTEE:

DISCUSSION:

1) Dr. Hurd: Support the general idea that is being presented in this Proposal and that is to have a so-called Judicial Committee (Minority Report) to decide the fate of a person whose tenure is in question,

I will move soon an Amendment which is part of the Minority Report.

There is a question as to whether or not we can ask the Board of Trustees to give up the ultimate responsibility in determining tenure decisions but more important than the legal question is whether or not we should ask the Board to give up this responsibility,

I think perhaps the answer to that is that we should not ask the Board to give up that responsibility,

A Board of Trustees which would not be willing to give a fair consideration to a Judicial Committee decision probably will not accept under any circumstances binding arbitration,

On the other hand, if a Board of Trustees is willing to give a fair consideration to the Judicial Committee's decision then I think it is not necessary on the part of the faculty members to have this binding arbitration step.

I am basically opposed to the provision requiring binding arbitration because it seems to me to give an unfair advantage to the faculty member which it does not offer to the University, in the following way:

I am advised that the Courts are in a general way, quite willing to consider Appeals on binding arbitration of this nature if the Appeal comes from the faculty member but that it is rarely given any favorable consideration to an Appeal which is brought by the University or Institution involved.

I point out that the binding arbitration here may be called for even in the case where the Judicial Committee is in complete agreement with the University Administration.

The provision that allows us to submit this to binding arbitration seems to me to apply a basic distrust of the Faculty Committee which has been selected. I doubt that a third party can be any less partial than this carefully selected Judicial Committee.

I would like to mention that the Proposal which I will move and amend was in the original Proposal of the Faculty Affairs Committee which gained Committee approval at the close of the 1970-71 year,

In fact, the same Proposal came to the Committee at the beginning of this School year 1971-72 and was not Amended until a short time ago. That Amendment carried by only a 5 to 4 vote within the Committee.

2) Mr. Koss: I would like to speak against the Amendment, It is true that at the end of 1970-71 the representation made by Dr. Hurd was true, This was in fact the Loss of Tenure procedure. Another thing that was in there then that has been removed or replaced has been the fact now the right to counsel exists.

I think that the major Proposal should go forward. The Board of Trustees should determine whether or not they should provide the right to an impersonal arbitrator to decide this issue.

I think that Amendment puts pressure on that Judicial Committee.

(CONT'D. NEXT PAGE)

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APPENDIX III -- DISCUSSION ON PROPOSAL OF LOSS OF TENURE CONT'D.Mr. Koss cont'd.:

The Judicial Committee makes the determination and forwards its findings; then the Board of Trustees looks at it and gives its reasons and the supporting evidence it is said but presumably that supporting evidence was put into evidence before the determination was made by that Judicial Committee.

Now, if there were new evidence as in a Court of Law then certainly it should be considered; it should be reconsidered,

This Amendment does not indicate that there was any new evidence that was not known at the time of the original determination by the Judicial Committee.

Defeat this Motion and accept the Committee's Major Report.

3) Dr. Behen: I would like to speak in opposition to Dr. Hurd's Amendment; in effect, speaking on behalf of the Proposal in its entirety and I should say with the exception of this particular portion there was a high degree of consensus respecting the proposal as a whole. Dr. Hurd is quite correct in stating that it was a very narrow balance with respect to the wording of this particular paragraph.

I should make this statement that I am in a somewhat unusual not to say awkward position in that I found on my door today a note from Dr. Shipka saying that he could not be here this afternoon and asking if I would speak on his behalf.

There are several complications involved here and I certainly do not feel free to imply that I am binding Dr. Shipka by everything that I say. However, on this point Dr. Shipka and I have talked over this point at considerable length and we are in accord.

This is always ticklish business. If one seeks to make provision whereby the Board of Trustees or for that matter the Administration under the Board of Trustees is not given or relinquishes as would be the case here the final decision on such matters inevitably there arises the question: Do you lack confidence in your colleagues? Do you lack confidence in your Administration? Do you lack confidence in the Board of Trustees?

As a matter of fact I do not quite follow Dr. Hurd's interpretation here that this would indicate lack of confidence in the Judicial Committee or indeed the Judicial Committee's recommendation might be that which the faculty member might have preferred which he hoped would be upheld. The opposite view might be taken by one of the other parties but at any rate this is the situation.

I trust that I need not say that I have a very high degree of confidence in our Administration and I certainly have confidence in our Board of Trustees but the very existence of Grievance Committees, of Appeals Committees, of Judicial Committee to review procedures envisions that situations may arise in the future when such confidence is lacking on the part of someone involved.

If we could safely make an assumption that there would never be any lack of confidence on the part of anyone in his assumption then it is rather obvious it seems to me that such apparatus and other similar apparatus would not be required. We are operating in a very human situation here, and I cannot assume that in every situation every person would have complete confidence in all those involved. More particularly, however, the important thing is to establish machinery in a neutral or abstract or generalized situation when you are not confronted with a particular case.

We are looking toward the future when quite possibly such a case might arise and it might well be in a situation where many people would not have the confidence which I now believe exists, and which I certainly have myself.

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APPENDIX III -- DISCUSSION ON PROPOSAL OF LOSS OF TENURE CONT'D.Dr. Behen cont'd.:

The purpose for inserting here -- as the narrowly passed (and again Dr. Hurd was very correct, there was strong opposition to it) -- this narrowly passed provision for recourse beyond the Board of Trustees to a final arbitrator who would be neutral and outside the University.

The purpose for this provision simply lies in this: If you have followed during the years either in the Reports or in the AAUP Journal or in any other sources, you are bound to be well aware of the fact that a great many and many of the more serious tenure cases arise not from actions of the President or other members of the administration but arise from actions of the Board of Trustees. It would be easy to cite examples and we went over some of these in the Committee. There is no need to give the examples. Anyone familiar with this knows that on many occasions the faculty member's tenure is called into question and is threatened with loss of tenure because of an action by the Board of Trustees and not because of an action of his Department Head or his Dean or the President. In such a situation as this you make the Board of Trustees the final arbitrator; you make in effect the Prosecuting Attorney the Judge of the case because the man's tenure in such cases would never have been called into question in the first place if either the Board of Trustees as a body or a member of the Board of Trustees as an individual had not wanted to get rid of the man.

Therefore, it seems to me that it would not provide for the faculty the kind of protection that this faculty is designed to go by, if the ultimate steps were that of referral for final decision to the very body which in the first instance may have brought the action against the individual. That is the reason for this Proposal.

Dr. Shipka and I will now retire.

4) Dr. Edgar: I am more in favor of the Amendment than the original paragraph.

As members of the Faculty Affairs Committee know, I am opposed to the paragraph in the original Motion, for the reasons which Dr. Hurd gave. Also, and I am not sure he said this; I question whether or not the Board of Trustees can give up its final authority that is entrusted to it by the Laws of the State.

I would favor more the Amendment except that the last sentence of the Amendment raises a question for me. It is rather gratuitous and it should be deleted, if I could offer an Amendment.

5) Dr. Hahn: I cannot see why, in a case where the Judicial Committee which is a jury of peers favors loss of tenure, there is further appeal to an arbitrator who can reverse the opinion of the faculty members' peers. The Faculty Affairs Committee must have considered this matter and I would like to know what the reasoning was behind this provision.

Mrs. Dykema: There is no limitation on going to law on this, Wouldn't have to turn it over to the Appeals Committee in the first place; and if the Judiciary Committee acted against his interest it wouldn't have to go to arbitration,

6) Dr. Hahn: They have the right to go to law but I can't see why arbitration is given as a further alternative,

Mrs. Dykema: Should the Administration, Board of Trustees or the faculty member not concur with the decision of the Judicial Committee an appeal may be made to a fair and impartial party.

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APPENDIX III -- DISCUSSION ON PROPOSAL OF LOSS OF TENURE CONT'D.

7) Dr. Hahn: It seems to me that the only one who will make an appeal for arbitration will be a faculty member. That is the practical effect of it. A jury of his peers decides and then it is going to result in further consideration of the matter by arbitration. It seem to me this could lead to as much difficulty as the Board of Trustees denying it, I cannot understand why it isn't settled right at that point,

8) Dean Yozwiak: I agree with Dr. Hahn,
It seems to me unthinkable that someone faced with loss of tenure in which charges have been brought to him through a Department Committee and his Chairman, and maybe higher administrators and suggested that his tenure be lost, and a faculty committee of his peers also supported his dismissal and yet he has the power under the way this was originally intended to ask for one person, and possibly one not even connected with the University, to rule that that one person's voice is enough to say that he be retained despite the fact that his Department Chairman, the Dean and the Faculty Committee want him removed.

Mrs. Dykema: Might I say it wouldn't always necessarily fall out that way. It might be that the Judicial Committee supported the faculty member and the administration still wished to have him lose his tenure and to dismiss him in which case if it went to the Board of Trustees by the reasoning listed here it would possibly be the same group bringing the action.

There is nothing here that says that the dismissed or the faculty member whose dismissal is under consideration, there is nothing here that says he has to go to the Appeals Committee. There is nothing that says he has to ask for a Judicial hearing. There is nothing that says he has to request that it go on to arbitration, nor that any of the others have to.

9) Dean Yozwiak: I can see the arbitration but there is a variance between what the faculty committee recommends and what the administration recommends. I cannot see the arbitration when the Faculty Committee and the administration agree to a termination which this thing allows if the amendment becomes approved.

10) Dr. C. Painter: Support the original motion as amended.

1) This is one of the reasons we have a Minority Report, Dr. Hahn.
Dr. Hurd, myself and one other member of the Committee were a little concerned about the very thing you have pointed out and that Dean Yozwiak pointed out also.

I might also point out that the fallacy in Mrs. Dykema's argument that if you read the entire item here and if we are going to pay a man's entire salary for a year after we terminate him I have a funny hunch he is going to appeal from now for a long, long time.

If he can get a full-time job and still collect ten or twelve thousand dollars from us it is going to be a very lucrative year. I think the arbitrator is going to be very well used.

He doesn't have to take it to the Faculty Affairs Committee but economically it is a sound policy particularly if we vote in we are going to pay him a year after we discharge him even though the administration and everyone else says he is to be discharged.

I point this out as one possible problem.

2) Another problem of the Majority Report is the basic concept here is that he has had an opportunity to be judged by his peers and they have chosen one way or another.

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APPENDIX III -- DISCUSSION ON PROPOSAL OF LOSS OF TENURE CONT'D.Dr. C. Painter cont'd.:

The Board of Trustees who has the final and ultimate authority by law must make a decision, I don't think we can take that decision from them; nor do I think we can ask them to give it up, They are charged with the operation of Youngstown State University by law and you cannot ask them or tell them or suggest that they give it up; and by going to an arbitrator they are abdicating their right to do the job that they were appointed by the Governor to do. They can't give up that right. I don't think we are justified in asking them to do so.

I would very strongly urge you to support the Amendment that Ray Hurd and I have suggested. It is the only viable alternative that has the possibility of being of being accepted by the Youngstown State University Board of Trustees.

11) Comment: I would like to ask a question in terms of the Poddar case, Did not the Board of Trustees agree to arbitrate in that case? So they did surrender in that case directly?

Dr. Pugsley: They did not agree that that arbitration would be final, That remained to be determined as to whether or not they would accept the results of the arbitrators. The arbitration that was agreed to by the Board was that there be a member of the American Arbitration Association who would hear the presentation, He was here on the campus, but that broke down. The hearing did not actually take place. So it went back to the Court and the Court said I will appoint if both parties agree - I in terms of this Court case - I will appoint an examiner who will come to the University and make a determination to report back to the Court. This was the Court case that was involved.

He did so and that report then became the question of whether both the Plaintiff and the Defendant were willing to accept before the Court the decision that was recommended.

So it is quite different,

12) Comment: The other thing I would suggest is that instead of this body deliberating as in the case of this Amendment to the Amendment what the Board of Trustees might accept; we could send it to them and see what they would do.

Dr. Pugsley: You always have unlimited privilege of making recommendations. No one will take that away.

I could not predict what the reaction of the Board would be nor do I have any intention of trying,

13) Mr. Koss: The reason for an appeal to an arbitrator here is to try to settle things internally.

If you have been following the news in the last year you can see what happened with regard to the multiplicity of court suits with regard to the OEA action in order to get the Budget.

You will probably read more about that in a week or so.

That is what happens when you don't have an internal procedure to try to settle things in your own Community and that's what this is an attempt to do.

The case referred to with regard to the Hearing Officer was a case at law. After these internal procedures are exhausted there is no reason why either party cannot appeal to the Courts at law for adjudication.

I would urge that we adopt the Majority Report.

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APPENDIX III -- DISCUSSION ON PROPOSAL OF LOSS OF TENURE CONT'D.

14) Dr. Cohen: The final decision really rests with the Court as we have seen and not with the Board of Trustees.

Dr. Pugsley: Within the Institutional framework though, it rests with the Board of Trustees. The Court is something outside, if the individual wishes to go to the Court,

15) Dr. Cohen: The way the Courts usually do these things: they say exhaust every other possible remedy and then come to the Court.

If we put in an arbitration step it is an additional step the faculty member would have to go through before he can get to the Court and it may turn out to be an extra impediment to his seeking redress.

Just another step; let him go to the Court right away; he's going to go anyhow.

6) Mr. Simko: Going through this extra step can definitely be used by the Courts. The Court is going to look at all these decisions, before making a decision.

The reason you had such a hassle over the Poddar case is because no instruction was really set up and there was really great question as to whether or not due process was afforded through the Institution.

I think the way the Majority Report reads it assures there is no question as to whether or not due process was followed.

17) Comment: I don't think anyone questions the legal authority of the Board of Trustees to act but they also lay down the procedures whereby they exercise their legal authority,

If they adopt the Majority Report they will be doing so.

I do not think it is a legal question.

A Board of Trustees legally can act in any way they see fit and then lay down procedures for their actions.

I think the fundamental reason the Majority Report is preferable over the Minority Report is namely: that no one should be a judge in his own cause; and if this is taken to the point where arbitration is necessary then the Board of Trustees, or the President, or the Faculty member is involved in a cause and the Board of Trustees is the one who takes it and then they are the ones who will have to render ultimate judgment over something they themselves are prosecuting.

For this reason I think the Majority Report is preferable,

DISCUSSION ON ORIGINAL QUESTION AND ALSO SUBJECT TO AMENDMENT:

1) Dr. Greenman: It seems to me that enough has been said here to raise serious doubts about the Major Motion as it stands. It seems to me that what Dr. Behen has said about the need for protecting a faculty member against an action initiated by the Board is so important that that kind of protection must be preserved, and this the Major Motion does. But, on the other hand what was mentioned by Dean Yozwiak, for example and Dr. C. Painter, about the inconceivability of an action initiated say by a Department Chairman and sustained by a body of his peers and all along the line and the possibility of that action then going to arbitration would seem to me not to have as strong a sanction.

So it seems to me this whole thing should now be defeated and amended in some way by the Committee as to incorporate the protection that Dr. Behen has mentioned and obviate the thing that Dr. Painter and Dean Yozwiak have mentioned.

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May 5, 1972

APPENDIX III -- DISCUSSION ON PROPOSAL OF LOSS OF TENURE CONT'D.

DISCUSSION ON ORIGINAL QUESTION AND ALSO SUBJECT TO AMENDMENT CONT'D.:

2) Dean Paraska: Is that a Motion Dr. Greenman to refer back to Committee?

Dr. Greenman: No, but I would be prepared to,

3) Dr. Hovey: I agree with Dr. Greenman. This issue is so important.

The essential issue of the protection of the faculty member against the more lively threat should not be **lost** because **of** the possibilities raised by Dr. Yozwiak and others.

The remedy which you indicate can be brought about by a **very** simple Amendment to the 3rd paragraph on page 2, This is the paragraph just before the letter 'B' Suspension.

That Amendment to simply delete the words "or the faculty member".

You achieve a situation in which the Eoard of Trustees cannot override the Judicial Committee without an appeal to impartial arbitration.

If the various bodies involved are **unanimously** against the faculty member he does not have available **arbitration** but he still has the Courts of course which protects since we are a **Public** University and protects his Constitutional Rights,

4) Mr. Koss: If you adopt this Amendment you are going to deprive a faculty member of **appeal** to arbitration.

In a case where you think it is an open and shut case it is **lost**.

If the evidence is so clear why not go the extra step and let him do it.

If you adopt this you **are** going to permit the administration and the Board of Trustees to **appeal** to arbitration.

APPENDIX IV

REPORT OF MEETING OF FACULTY ADVISORY COMMITTEE TO CHANCELLOR MILLET HELD APRIL 11, 1972 IN COLUMBUS, OHIO

Chancellor **Millett** predicted that no new Chancellor will be appointed before January, 1973. The Board of Regents has appointed a search committee from their membership consisting of Mr. Robert **Doolittle**, Chairman, and including Mr. Paul Belcher and Mr. David Hill. The committee probably will be searching for someone with administrative experience in public **higher** education, and will probably expand their search to states other than Ohio. Faculty members who have suggestions or ideas relating to individuals or criteria for the position should write to the Chairman, Mr. **Doolittle**, in **Cleveland**.

The Chancellor reported that the "freeze" on **Ph.D. programs** has been lifted. The Board of Regents recently approved two **Ph.D.** programs at Bowling Green State University.

In March, the Board of Regents approved money to be paid by the State to police and fire departments in those cities which contain a state university. This money is a payment to the cities in lieu of taxes for state property. However, the **Controlling** Board is holding up the payment of these monies and has not given reasons for the delay.

On the issue of local autonomy for state universities, the Chancellor indicated that there is a bill in a **House** Committee (sponsored by Representative Netzley) which would seriously curtail check writing at the local level and place that function in the State Auditor's office. It is the hope of the Chancellor that the bill will not come out of committee, but it bears watching.

The suggestion formulated by Mr. Edwin Pejack of the Mechanical Engineering Department at Youngstown State University was presented to the Chancellor. Mr. Pejack suggested that the university stop using the term "credit hour" or "quarter hour" when referring to **teaching** or course loads since non-university people misconstrue the word "hour". Many outside academia believe that a 10-hour teaching load required only 10 hours of work per week. Mr. Pejack suggested that some other term such as "credit" or "academic unit" be used in place of "hour". The Chancellor was very pleased with this suggestion and promised to pursue the matter with the Board of Regents. Any change in terminology in this area will have to be adopted for the entire state university system; not merely at Youngstown State University.

The balance of the meeting was spent on the issue of new medical schools in Ohio. The pressure for additional medical schools in Ohio has been increasing due to the lack of interns and residents in the hospitals. The Board of Regents feels that the entering classes in the existing medical schools should be enlarged to at least 750 students by 1974 and 1,000 students by 1977. The medical schools feel rather strongly that **these** numbers are too high.

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REPORT OF MEETING OF FACULTY ADVISORY COMMITTEE TO CHANCELLOR MILLETT
(CONT'D) -- HELD APRIL 11, 1972 IN COLUMBUS, OHIO

The Chancellor feels there are several ways of achieving expansion:

- 1) increase colleges of medicine and give them what they **want** and need in the way of facilities;
- 2) expand the number of students in the existing institutions by creating "satellite" arrangements; or
- 3) create new medical schools in Cleveland, Akron, Youngstown, Dayton, etc.

The Chancellor personally seems to favor expanding the existing **four medical** schools along the satellite lines, but he cannot predict what **the** Legislature will do.

The Indiana and Illinois medical systems have "satellite" arrangements with two years of basic science education in medicine offered on branch **campuses**. **After these two** years, students move to clinical years in Indianapolis or Chicago.

Submitted by:

ESTHER P. NIEMI
YSU REPRESENTATIVE **TO** THE FACULTY
ADVISORY COMMITTEE

TO: UNIVERSITY SENATE MEMBERS

May 5, 1972

FROM: FACULTY AFFAIRS COMMITTEE

FACULTY AFFAIRS COMMITTEE REPORTHISTORY:

The Faculty Affairs Committee of 1970-71 prepared for submission to the University Senate a constitutional amendment for a new procedure relating to loss of tenure. Since one of the steps in the procedure involved the use of a committee which was not yet in existence, the Loss of Tenure Amendment was set aside and work begun on what subsequently became the Faculty Appeals committee. Since the formation of this committee was ratified by Senate at the end of the academic year, there was no time to then introduce the Loss of Tenure Amendment.

The Faculty Appeals Committee is empowered to hear all faculty appeals and was so presented to the Board of Trustees and adopted. In the present Handbook, loss of tenure cases are therefore described as handled by the Faculty Appeals Committee, though Bylaw II, Section 3 of the Senate Constitution, treating loss of tenure cases, had not been amended. In the winter of 1972, the University Senate approved motions by the Constitution and Bylaws Committee to remove certain inappropriate material from the University Senate Constitution, including Bylaw 11, Section 3 on Loss of Tenure.

Since the 1970-71 Faculty Affairs Committee had never intended loss of tenure cases to be decided by the Faculty Appeals Committee, and since the 1971-72 Faculty Affairs Committee is in full agreement with this position, it has reworked the 1970-71 loss of tenure proposal, and now offers it to you for adoption.

SUMMARY OF RESOLUTIONS EMBODIED IN THE PROPOSAL:

- 1) All faculty appeals go to the Faculty Appeals Committee. In the case of loss of tenure, this committee will make an effort to resolve the problem.
- 2) Failing that, the FApC will create an ad hoc Judiciary Committee to hear the case. The J. C. is larger than the FApC; is created by lot: both sides may reject members for cause; representation by counsel is provided for: and due process is ensured throughout.
- 3) The decision of the J. C. is rendered to the faculty member, the President, and the Board of Trustees.
- 4) Should any one of these not concur with the findings, appeal may be made to an impartial party acceptable to all three.
- 5) The decision of this referee is binding.

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May 5, 1972

Page #2

TO: UNIVERSITY SENATE MEMBERS

FACULTY AFFAIRS COMMITTEE REPORT CONT'D.

NOTE: The Faculty Affairs Committee recognizes that the University Senate cannot tell the Board of Trustees what to do. Its recommendation, **re.points** 4 and 5 above, is a petition to the Board of Trustees to relinquish its final authority for the following reasons:

- 1) Faculty have a built-in bias in favor of faculty, which may or may not operate in any individual case;
- 2) A Board of Trustees has a built-in bias in favor of administration, which may or may not operate in any individual case;
- 3) To ask any Board of Trustees to be a final, impartial, judge of the merit of any particular case is putting the members in an untenable position, and possibly subjecting them to pressure of all kinds from outside the University community--as witness the history of loss of tenure cases recorded, for **example**, in the A.A.U. P. journal.

May 5, 1972

FACULTY AFFAIRS COMMITTEE

MINORITY REPORT

PROPOSAL ON LOSS OF TENURE

The minority proposes to eliminate the provision which, when requested by any of the parties concerned, requires binding arbitration.

The minority proposes to do this by replacing the last paragraph of Section A*1 (Judicial Committee) with the following:

The decision of the Judicial Committee shall represent what the Committee believes to be in the best interest of the University. Its decision should be reported to the Administration. Should the Administration or the Board of Trustees not concur with the decision of the Judicial Committee such position with reasons and supporting evidence should be communicated to the Committee. Upon receipt of the evidence indicating a desire on the part of the Board to reverse the decision of the JC, the latter is obligated to reconsider the case.

The JC must then (1) reaffirm its original decision, or (2) in the light of new evidence reverse its decision. Only after this reconsideration by the JC may the Board of Trustees overrule the former's decision.

Respectfully,

SIGNED: CLYDE A. PAINTER

SIGNED: RAY HURD
MEMBERS, FACULTY AFFAIRS COMMITTEE

May 5, 1972

PROPOSAL ON LOSS OF TENUREFACULTY AFFAIRS COMMITTEE

The appointment of a tenured faculty member may not be terminated by the University prior to retirement except for adequate cause. The definition of adequate cause for loss of tenure cannot be made precise. The general areas of concern that may generate charges of misconduct sufficient to warrant loss of **tenure** are professional incompetence, unprofessional actions, and unethical or immoral conduct.

A. PROCEDURE

When the fitness of a faculty member is under question, appropriate administrative officers shall ordinarily discuss the matter with him directly. **If** a mutually satisfactory resolution does not result, subsequent procedure can involve:

1. Faculty Appeals Committee (FAPC)

The duties of the FAPC in loss of tenure cases shall be to make an informal inquiry, to advise the faculty member of his rights, and to assist in arriving at a mutually satisfactory solution, if possible. If no solution is agreed upon, the Chairman shall promptly notify, in writing, the administrative officials and the faculty member of such fact.

If the administrative officials decide to initiate formal proceedings, their representative shall formulate a statement in writing setting forth specific charges and grounds **for** their desire to terminate tenure. This statement shall be sent to the FAPC and to the faculty member. If he wishes a hearing before a **Judicial Committee**, the faculty member shall inform the FAPC within ten (10) days after receipt of this written notice. It shall then be the duty of the FAPC to form such a committee.

2. Judicial Committee (JC)

The ad **hoc** Judicial Committee (JC) shall consist of seven (7) members, including the Chairman. The members shall be selected at random; that is, names drawn by lot, from the membership of the **tenured** faculty of the University. The faculty member involved and the administration may each exercise not more than two pre-emptory challenges and unlimited challenges for cause against the JC membership. The validity of such causes is to be determined by the FAPC. Five (5) members shall constitute a quorum and a majority vote of four (4) is required for decision. The Committee shall set its own **rules** for matters not specifically prohibited or required.

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PROPOSAL ON LOSS OF TENURE CONT'D.
FACULTY AFFAIRS COMMITTEE

The JC shall proceed by informing the administrative officials and the faculty member of the time and place of its meetings. In order to allow adequate time to prepare a defense the date of the first meeting shall be set no sooner than twenty (20) days after receipt by the faculty member of the specific charges against him. At its first meeting the JC shall consider the statement of grounds for loss of tenure already formulated, and the faculty member's written response. The Committee shall establish procedures consistent with accepted principles of due process, which shall include calling and examining of witnesses, the receiving of deposition where personal appearance is impractical, and the hearing of arguments by the principals or their representatives.

At the request of the faculty member, the administration, or the JC, representatives of faculty or professional associations shall be permitted to attend as observers. The administration and the faculty member may each designate counsel to assist in developing their cases, to attend the hearing, and to speak before the committee. The JC shall determine the order of proof, normally conduct the questioning of witnesses, and if necessary secure the presentation of evidence; however, the adversaries or their representatives may question witnesses during the proceedings. The faculty member shall have the aid of the committee in securing the attendance of witnesses. The committee shall keep a stenographic record of the hearing.

The decision of the Judicial Committee shall represent what the Committee believes to be in the best interest of the University, and this decision shall be reported to the Administration. Should the Administration, the Board of Trustees, or the faculty member not concur with the decision of the Judicial Committee, an appeal may be made to a fair and impartial party, acceptable to the Administration, the Board of Trustees, and the faculty member. His decision shall be binding,

B. SUSPENSION

Until the final decision upon termination of an appointment has been reached, the faculty member will be suspended only if immediate harm to himself or others is threatened by his continuance.

If the administration wishes to effect such a temporary suspension, it must first set forth the specific charges on which the intention to terminate the appointment is based. The faculty member's salary is continued during the period of suspension.

C. TERMINAL SALARY

If an appointment is terminated the faculty member will receive his salary for at least one year after the Board of Trustees' official

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May 5, 1972

PROPOSAL ON LOSS OF TENURE CONT'D.
FACULTY AFFAIRS COMMITTEE

notification of dismissal. The provision for terminal salary need not apply where the JC has found that the conduct which justified dismissal involved moral turpitude.

D. PUBLICITY

Publicity concerning the deliberations shall be limited to such simple announcements as may be required. Public statements about the case shall be avoided until the final decision is reached and until the administration has been notified of the decision.

. NOTE: Approved and passed at today's Senate meeting, Friday May 5, 1972.
V. J. [Signature]
Sec. of Senate

Report of the University Curriculum Committee
to the University Senate, 5 May 1972

The University Curriculum Committee wishes to report the following policy statement to the University Senate for the latter's considered judgment:

Policy for the Review of Infrequently Taught Courses:

The Dean of each undergraduate School and College in the University shall receive from his various Department chairmen, during the Fall Quarter of each academic year, a list of all courses that have not been taught during the preceding two years. Each such course shall be reviewed by the faculty and chairman of the Department in which it is listed and the Dean of the School or College in which the Department is located. This review will lead either to the establishment of reasons for the continued listing of the course, or, if such cannot be established, to the initiation of proceedings by the Department to delete the course from departmental offerings.

The Dean of each School or College shall submit a report of these reviews to the Vice President for Academic Affairs by the end of the Fall Quarter. The report shall include the list of courses that have not been taught during the previous two years and the action taken in each case.

All proposals for the deletion of courses shall be subject to the approval of the appropriate curriculum committees, and with final action by the University Senate.

The chairman of the University Curriculum Committee, for the committee, will move Senate approval of the above policy statement.

NOTE: Report received by University Senate at today's meeting (May 5, 1972).

V. Jenkins
Sec of Senate

The University Curriculum Committee has been requested by its one permanent subcommittee, the Honors Courses and Programs Subcommittee, to provide the opportunity for that subcommittee, through its chairman, Dr. Margaret Pfau, to offer to the University Senate the following report.

Report of the Subcommittee on
Honors Courses and Programs to
the University Senate, 5 May 1972

The Subcommittee has met approximately monthly since October 1971 and has devoted a major part of its deliberations to the University Honors Seminar. The Subcommittee has assumed responsibility for any action to reactivate or modify the course described in the current Catalog. A questionnaire sent to all full-service faculty showed support in all sectors of the faculty for reactivating the University Honors Seminar as it was originally described in the Catalog. An essential of this course description is team-teaching W — faculty members representing the areas of social studies, science/mathematics, and humanities. Consultation with Vice-President Edgar about current University policy on team-teaching brought a reply dated March 9, 1972, saying that the Subcommittee's proposal for financial support or "subsidy" so that a course would, in effect, result in a 9-quarter hour teaching load was contrary to University policy. Under University policy, if a three-hour course is taught by three instructors, each may count only one hour in his teaching load, although departments may make suitable adjustments within the twelve hour average load to ensure no instructor is unduly burdened.

In view of this University policy, the Subcommittee turned its attention to a new structure for the University Honors Seminar to be offered in the academic year 1973-74. The design of the course was discussed at the meeting of April 18, and a motion was to propose a new University Honors Seminar of a three quarter, four credit hour hyphenated sequence with a common topic coordinated by three instructors, one of whom will have full responsibility during each quarter while the other two act as consultants.

Further details concerning the new University Honors Seminar remain to be worked out and will be submitted, along with a proposal for a course change, to the Curriculum Committee probably next fall. In the meantime, the Honors Subcommittee wishes to request from interested faculty members suggestions for course topics and offers of participation in the new Seminar.

Respectfully submitted,

Dr. Margaret Pfau, Chairman

NOTE: Report received by University Senate at today's meeting (May 5, 1972)

V. Jenkins
Sec. of Senate

As the above report is one of works-in-progress, the chairman of the Honors Courses and Programs Subcommittee will make no Senate motion with regard to the above report.

Report of the University
Curriculum Committee
Respectfully submitted by,

Larry E. Esterly, Chairman

SENATE MEMBERS--YOUNGSTOWN STATE UNIVERSITY

May 1972

ELECTED MEMBERS

<u>COLLEGE OF ARTS AND SCIENCES</u>		<u>SCHL. BUS. ADMIN.</u>	<u>STUDENT ROSTER</u>
Everette Abram	Raymond Hurd	A, Ranger Curran	Rosalyn Cannatti
David Behen	David Ives	E Terry Deiderick	Skip Davis
Frederick Blue	Joseph Koss	Frank A, Fortunato	Bruce Katz
Alfred Bright	Leon Laitman	Donald Hovey	Ron Kessler
Mary A. Budge	James Lepore	Vera Jenkins	James Larene
Irwin Cohen	Joseph May	Casper Moore, Jr,	Deborah Mead
Thaddeus Dillon	Thelma Miner	William Petrych	Thomas Montgomery
Leslie Domonkos	Ward Miner	Raymond Shuster	Jerome Pam
Christine Dykems	Robert Morris	(8)	Gilbert Rondy
Larry Esterly	Esther Niemi	<u>SCHL. OF ENGINEERING</u>	Tom Salpietra
Elmer Foldvary	Daniel O'Neill	Richard Jones	Mary Saulino
Thomas Gay	Sidney Roberts	Edwin Pejack	Larry Simko
Philip J. Hahn	Lowell Satre	Arthur Perkins	Charles Toskas
Clyde Hankey	Thomas A. Shipka	Matthew Siman	(13)
Stephen Hanzely	Morris Slavin	Frank Tarantine	
Robert R. Hare	Leonard Spiegel	(5)	
Joel Henkel	Eliz. Sterenberg	<u>T & CC</u>	
Leonore Hoffman	Peter von Ostwalden	Wm. O. Barsch	ELECTED TOTAL: 62
Sally Hotchkiss	John S. Zetts	James DeGarmo	EX-OFFICIO: 62
	(38)	Dorothy Kennedy	<u>124</u>
<u>SCHOOL OF MUSIC</u>	<u>SCHOOL OF EDUCATION</u>	G. Roy Sumpter	STUDENTS: 13
Donald Eyo	Peter A, Baldino, Jr.	John P. Terlecki	(Maximum 14) <u>137</u>
Ronald Gould	James Betres	(5)	
C. Wade Raridon	Charles Bronstrup		
(3)	(3)		

EX-OFFICIO MEMBERS

President Pugsley	Shaffiq Ahmed	James Kiriazis
Vice Pres. E.E. Edgar	George Almond	Michael Klasovsky
Vice Pres. Coffelt	Ivis Boyer	Raymond Kramer
Vice Pres. Rook	John Cernica	Lawrence Looby
Dean Karl Krill	Marvin Chrisp	Emily Mackall
Dean B. J. Yozwiak	Gilda DeCapita	Richard Magner
Dean R. L. Miller	Frank D'Isa	Gus Mavrigian
Dean D. W. Robinson	Hugh Earnhart	Jon Nabereany
Dean M. Charignon	Frank Ellis	Clyde A. Painter
Dean Chas. Aurand	Donald User	Margaset Pfau
Dean N. Paraska	Ilajean Feldmiller	Leon Rand
Dean Darrell Rishel	Robert J. Fisher	Victor A. Richley
Assoc. Dean E. Painter	William S. Flad	Lewis Ringer
Dean James Scriven	Marguerite Foley	T. K. Slawecki
Winston Eshleman	Jack Foster	Robert Sorokach
Ronald Jonas	Martin A. Greenman	William O. Swan
George Jones	C. Earl Harris, Jr,	Dumitru Teodorescu
Geo. Letchworth	Louis Hill	Mae Turner
William Livosky	M. Dean Hoops	John Wales, III
Mary B. Smith	Sanford Hotchkiss	Robert E. Ward
Philip A. Snyder	Geo. W. Kelley, Jr,	(62)

IN ATTENDANCE:

Matthew Simon
R.W. Jones
Edna Taylor
Alyce Taylor
Layton Schneider
Francis Kringer
W.W. Swan
Gurse Jones
D. Elser
Alfred Newman
Frank Ellis
Earl Eder
Jim Scherer
Larry Esler
Ralph J. Green
The J. J. J.
Joseph J. J.
Robert W. J.
Peter W. von Ostwalden
Elmer Tolson
Ishod Dillon
Gus Mayrigan
H.A. Reichley
David J. Ives
The J. J. J.
B. J. J.
Tom Robinson

Frank Tarantini
Philip Abruzzo

(Late-added by B. Snack as
they entered on my side)
~~Frank Tarantini~~
Catherine Nomic
Frank W. J.
~~Frank W. J.~~
~~Frank W. J.~~
D. O'Neil
~~Frank W. J.~~

SENATE MEETING
YOUNGSTOWN STATE UNIVERSITY

Friday, May 5, 1972

IN ATTENDANCE CONT'D.:

Mark Brunner - visitor	J. Bettes
D. Proby	J. Propstrop
J. Cooper	Tom Salpeter
W. Stuch	Rosalyn Capriotti
Thomas McCracken (Egg.) - Visitor	Irwin Cohen
Leonard B. Spiegel	Marie A. Hellock (granbar)
Ray E. Kramer	B. Jones
Jack B. Foster	Randy Kimber
James W. Kurajis	Stephen Flanzely
Clert Wood	L. S. Downko
Marquetti Foley	Behen
Nick Parasko.	Charles S. Toskas
Fred Blue	A. Budge
James Kern	E. Sternberg
Ronald Kessler	M. Slavin
Albert & Randy	Thomas Gray
Debra Kline meal	Robert Morris
Bruce Grady	J. S. Hovey
A. Leonard	George L. Alford
W. B. P.	Ranger Curran
J. J. Koss	T. Slawicki
Cigarette Abram	Margaret J. Pfan
Joseph May	Christine R. Hysama
J. M. A.	Lelyde Warkner
John J. Zetler	Margaret Connelly - visitor
M. M. E. Capner	Stephen J. Suderman - visitor
Mae Turner	Christopher J. Sweeney (visitor)

SENATE MEETING
YOUNGSTOWN STATE UNIVERSITY
Friday, May 5, 1972

IN ATTENDANCE CONT'D. :

Donald Bras

KR Arthur J. Fisher

John E. Hale III

Paul Hill

Ed Pejack

Joe Rank

Patrick Niemcewicz

Uma Jenkins

SENATE REPORT

BY

THE ACADEMIC AFFAIRS COMMITTEE

GRADUATION HONORS FOR TRANSFER STUDENTS

Current university policy regarding graduation honors for transfer students was structured to suit criteria for the Baccalaureate Degree. It allows transfer students to be eligible for Baccalaureate Degree honors if they earn, 90 quarter hours of credit at YSU.

A separate policy for transfer students pursuing the Associate Degree does not exist. These students are thus forced to meet the above criteria while attempting to qualify for Associate Degree honors.

Because associate degrees are 90 to 100 q.h. in length, a transfer student pursuing this degree may transfer in only a few credits if he is to remain eligible for honors. The Academic Affairs Committee has determined that in terms of coverage of major area coursework, 60 q.h. of an associate program is approximately equivalent to 90 q.h. of a baccalaureate program. The committee therefore presents the following motion.

MOTION

- a. Transfer students being awarded the Associate Degree at graduation are eligible for honors if they have earned 60 or more quarter hours at YSU and have met other conditions of present policy.
- b. The above policy is to be made retroactive to include the 1971-72 academic year.

INTER-OFFICE CORRESPONDENCE

TO Engineering Staff and Miss Vera Jenkins

May 5, 1972
D A T F

FROM M.J. Charignon, Dean of Engineering.

SUBJECT MINUTES OF SENATE MEMBER ELECTION

Present: Drs. D'Isa, Slawewski, Pejack, Siman, .Tones, Williamson, (for Cernica) Perkins, Tarantine, Charignon, and Mr. Kramer

Absent: Dr. Ahmed and Mr. Sorokach

The meeting was called at 1400, May 4, 1972 to elect, from the Senate representatives, a member to act on the Executive Committee due to Dr. Tarantine's tenure expiration.

Dr. Edwin Pejack was unanimously elected.

The meeting adjourned at 1420.

M.J. Charignon