

NOTRE DAME REPORT

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Opening Mass

The Mass to celebrate the formal opening of the academic year will be held Sunday, September 10, 1995, at 10 a.m. in the Basilica of the Sacred Heart. The presiding celebrant will be Rev. Edward A. Malloy, C.S.C., University president, and the homilist will be Provost Timothy O'Meara.

President's Brunch for New Faculty

The president will host a brunch for new faculty members in the South Dining Hall immediately following the Opening Mass, at approximately 11:30 a.m.

Lilly Faculty Open Fellowship Program

Last May the University of Notre Dame received word from Ralph Lundgren, vice president for education at Lilly Endowment, that after 21 years the Lilly Faculty Open Fellowship Program was being discontinued. The University regrets the end of this unique fellowship but is pleased to have had 16 winners during the course of the program.

Lilly's Summer Stipend Program has also been discontinued.

Architecture Library Temporarily Relocated

Due to the remodelling of the Architecture Building, the collection and services of the Architecture Library have moved to the Hesburgh Library. The architecture collection is temporarily housed in the northwest corner of the second floor of Hesburgh, with the exception of recent issues of journals (which are now in the Current Periodicals Center), materials for reserves (which are now in the Reserve Book Room), and selected reference works (which may now be consulted in the Reference Department). Service for architecture materials is provided at the usual points in the Hesburgh Library — Reference, Circulation, Reserve, Interlibrary Loan and the Current Periodicals Center.

The Architecture Library will remain in Hesburgh until January 1997, when the remodelling of the Architecture Building is expected to be completed. The records in the libraries' online catalog have been adjusted to reflect the temporary change of location. Telephone numbers for Architecture Library personnel (who have relocated to 205 Hesburgh) remain the same.

For further information, please contact Sheila R. Curl, engineering/architecture librarian. Voice: (219) 631-6692; Fax: (219) 631-9208; E-mail: Curl.2@nd.edu.

FACULTY NOTES

Honors

Panos Antsaklis, professor of electrical engineering, was elected president of the IEEE Control Systems Society at the Board of Governors meeting in Seattle, Wash. He will serve as president-elect in 1996 and president in 1997. The IEEE Control Systems Society is internationally recognized as the premier scientific and engineering organization dedicated to the advancement of the theory and practice of systems and control. Antsaklis is currently vice president of the IEEE Control Systems Society.

Peri E. Arnold, professor of government and international studies, has been appointed to membership on the editorial board of *Polity*, the journal of the Northeastern Political Science Association.

Jeffrey H. Bergstrand, associate professor of finance and business economics and fellow in the Kroc Institute, was appointed to the editorial council of the *Review of International Economics* which publishes theoretical and empirical papers on international trade and finance. The *Review* is sponsored by the International Economics and Finance Society.

Teresa Ghilarducci, associate professor of economics, was appointed a delegate to the White House Conference on Aging in Washington, D.C., May 2-5. She was appointed to the advisory board for the Pension Benefits Reporter of the Bureau of National Affairs in Washington, D.C., for a three-year appointment which began in April.

Paula Higgins, associate professor of music, has been appointed by the president and board of directors of the American Musicological Society, a constituent member of the American Council of Learned Societies, to a three-year term (1996-98) as editor-in-chief of the *Journal of the American Musicological Society*, the premier journal in the field of musicology.

Paul J. McGinn, associate professor of chemical engineering, was appointed the representative of the Electronic Materials Division to the Student Affairs Committee of the Minerals, Metals and Materials Society.

Anthony N. Michel, McCloskey dean of engineering and Freimann professor of electrical engineering, was appointed a distinguished lecturer of the Circuits and Systems Society of the Institute of Electrical and Electronics Engineers for two years. Michel was reappointed to the editorial board of *Circuits, Systems and Signal Processing* for a three-year term.

Robert C. Miller, director of libraries, was elected chairman of the New Indiana Network Interim Group at their meeting in Indianapolis, Ind., Aug. 8.

Morris Pollard, Coleman director of the Lobund Laboratory and professor emeritus of biological sciences, was appointed to the editorial counsellors of *The Prostate* under the auspices of John Wiley & Sons, Inc.

Rev. Hugh R. Page Jr., assistant professor of theology, was named to the book review team of the *Journal of the American Academy of Religion*.

Dennis J. Stark, assistant professor of physical education and director of aquatics, was re-elected for a second term as president of the board of directors of Corvillia, a non-profit organization providing residential services for people with developmental disabilities in St. Joseph County, Indiana.

James I. Taylor, associate dean of engineering and professor of civil engineering and geological sciences, received the 1995 Wilbur S. Smith Distinguished Transportation Educator Award at the Institute of Transportation Engineers annual meeting in Denver, Colo., Aug. 6.

James P. Thomas, assistant professor of aerospace and mechanical engineering, received the Faculty Teaching Award from the Department of Aerospace and Mechanical Engineering for the 1994-95 school year.

Activities

John Adams, assistant professor of biological sciences, presented a seminar titled "Variation and Conservation of Erythrocyte Binding Proteins of Malaria Parasites" at the Laboratory of Parasitic Diseases of the National Institutes of Health in Bethesda, Md., June 14.

Mark Alber, assistant professor of mathematics, gave an invited lecture "New Types of Solutions for Nonlinear Equations" at the conference on Nonlinear Coherent Structures at Heriot-Watt University in Edinburgh, U.K., July 11. He presented the talk "Complex Hamiltonian Structures for Nonlinear Schrodinger Equations" at the workshop on Optical Solitons and Geometric Phases at the Basic Research Institute in Mathematical Sciences at Hewlett-Packard Labs in Bristol, U.K., July 14.

Matthew Ashley, assistant professor of theology, presented the guest lecture "Karl Rahner, Johann Baptist Metz and the Problem of Human Suffering" for a seminar on Karl Rahner at the University of Chicago Divinity School in Chicago, Ill., May 24. He gave the presentation "Apocalyptic Spirituality as a Source of Hope and Resistance Today" at the College Theology Society in Worcester, Mass., June 3.

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Joseph P. Bauer, professor of law, served as the invited moderator of a session on "Revised Federal Rule of Civil Procedure Rule 26" sponsored by ABA Torts and Insurance Practice Section at the annual meeting of the American Bar Association in Chicago, Ill., Aug. 7.

Ikaros Bigi, professor of physics, gave the invited lecture "Lifetimes of Heavy-flavour Hadrons — Whence and Whither?" at the sixth international symposium on Heavy Flavour Physics in Pisa, Italy, June 6–10.

Jay W. Brandenberger, associate professional specialist in the Center for Social Concerns and concurrent assistant professor of psychology, presented "Developmental Implications of Service and Experiential Involvements: An Analysis of College Student Outcomes" at the annual meeting of the Midwestern Psychological Association in Chicago, Ill., May 6.

Scott D. Bridgham, assistant professor of biological sciences, presented an oral paper titled "Laboratory Tests to Predict the Phosphorus Removal Capacity of Constructed Wetlands" and presented a poster titled "Constructed Wetlands in N. Minnesota for Treatment of Aquaculture Wastes" at the annual meeting of the Society of Wetland Scientists in Cambridge, Mass., May 27–June 2. He presented the talk "Trace Gas Responses in a Climate Change Experiment in Northern Peatlands" with co-authors John Pastor, Karen Updegraff, Jan A. Janssens and Thomas A. Malterer, all of the University of Minnesota, at the 1995 annual meeting of the Ecological Society of America in Snowbird, Utah, July 30–Aug. 3. He co-authored the talk "Temperature Influences on CO₂ and CH₄ Fluxes in Intact Cores from Minnesota Wetlands" given by Karen Updegraff at that meeting.

Danny Z. Chen, assistant professor of computer sciences and engineering, gave the invited talk "Shortest Path Queries Among Obstacles in the Plane" in the Department of Computer Sciences at York University in North York, Canada, July 6.

Peter Cholak, McAndrews assistant professor of mathematics, helped organize the workshop "The Recursively Enumerable Sets" and gave a talk of the same title at the Greater Boston Logic Conference at the Massachusetts Institute of Technology in Cambridge, Mass., May 27–30.

Kevin J. Christiano, associate professor of sociology, presented an invited paper titled "From TCA to Air Canada: The Political Patterns of a Future Prime Minister" to a faculty colloquium in the School of Public Administration at Carleton University in Ottawa, Ontario, Canada, July 18.

Edmundo Corona, assistant professor of aerospace and mechanical engineering, presented a paper titled "Buckling of T Beams Under Bending" at the ASME Applied Mechanics and Materials Divisions joint summer conference in Los Angeles, Calif., June 30.

Daniel J. Costello Jr., chairperson and professor of electrical engineering, presented "MAP Decoding of Catastrophic Encoders" at the 29th annual CISS at Johns Hopkins University in Baltimore, Md., March 22. He gave the seminar "Sequential Decoding of Trellis Codes" at the Technical University of Munich in Munich, Germany, May 19. He presented "Are Catastrophic Encoders Really Bad" at the IEEE Information Theory Workshop in Rydzyna, Poland, June 26. Costello presented "Serial Concatenation of Convolutional Codes" at the third international symposium on Communication Theory and Application in Lake District, U.K., July 13.

Michael J. Crowe, professor in the Program of Liberal Studies and Program in History and Philosophy of Science, served as local arrangements chair and co-program chair for the second Biennial History of Astronomy Workshop held at the University of Notre Dame's Center for Continuing Education in Notre Dame, Ind., June 22–25.

James T. Cushing, professor of physics, gave a seminar "Chaos and the Classical Limit in Bohmian Mechanics" at the History and Philosophy of Science Department at the University of Cambridge in Cambridge, United Kingdom, July 18. He co-organized the conference "Quantum Theory Without Observers" and chaired the workshop "The Quantum Mechanics of Time Measurements" held at Bielefeld University in Bielefeld, Germany, July 24–28.

Patrick F. Dunn, professor of aerospace and mechanical engineering, was guest editor for the July 1995 special issue of *Aerosol Science and Technology* that focussed on "Interactions of Particles with Surfaces."

Elizabeth D. Eldon, assistant professor of biological sciences, presented a talk titled "Searching for Function: 18 Wheeler in Development and Immunity" at the Chicago Area Fly Meeting held at the University of Chicago in Chicago, Ill., June 3.

Malcolm J. Fraser Jr., associate professor of biological sciences, gave an overview of his research at Notre Dame at the satellite symposium on Baculovirology at Texas A&M University in College Station, Tex., July 6–8. His students gave the presentations "Characterization of a 505 BP Insertion Frequently Associated With Several FP Mutants of *Autographa californica* Nuclear Polyhedrosis Virus Derived Upon Passage in the TN-368 Cell Line" and "Analysis of Genomic Representatives of the IFP2 Lepidopteran

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Transposon Frequently Associated With Baculovirus Mutations" at the American Society for Virology meeting in Austin, Tex., July 8-12.

Alejandro Garcia, assistant professor of physics, presented the invited talk "Efficiency of the ^{37}Cl Neutrino Detector, Charge Exchange Reactions, and the Beta Decay of ^{37}Ca " at the University of Wisconsin in Madison, Wis., May 25.

James A. Glazier, assistant professor of physics, gave the invited seminar "Quantitative Thermodynamics of Cell Sorting" at the Kyoto Conference on Nonlinear Physics at Kyoto University in Kyoto, Japan, July 10. He gave the seminar "Thermodynamics of Cell Sorting" at Los Alamos National Laboratory in Los Alamos, N.Mex., Aug. 9.

Philip Gleason, professor of history, presented the paper "Immigration and Multiculturalism" at the conference "The State of Historical Writing in North America" co-sponsored by Brown University and the Scuola Superiore di Studi Storici of the Università di San Marino in San Marino, June 6-11. He presented the plenary session lecture titled "Adventures in Inculturation: A Historical Perspective on American Catholic Higher Education" at the Marquette University conference on Theological Education in the Catholic Tradition in Milwaukee, Wis., Aug. 7.

Paula Higgins, associate professor of music, gave the invited lecture "Musical 'Parents' and their 'Progeny': The Discourse of Creative Patriarchy in Early Modern Europe" on the 1994-95 Musicology Colloquium Series of the Department of Music at the University of Chicago in Chicago, Ill., April 14. She delivered the invited paper "Gender, Genius, and the Woman Composer: The Creative Dilemma of Fanny Mendelssohn Hensel" on the lecture series of the faculty of music at Oxford University in Oxford, England, June 7.

Ahsan Kareem, professor of civil engineering and geological sciences, presented a paper titled "Feasibility of Computational Modelling of the Lifecycle of Windborne Debris" at the workshop on Missiles in a Wind Field sponsored by the Insurance Institute for Property Loss Reduction in Washington, D.C., Feb. 10-11.

Charles F. Kulpa, professor of biological sciences, copresented a poster titled "Biodegradation of MTBE by Pure Cultures" with postdoctoral researcher Kaiguo Mo, at the American Society for Microbiology in Washington, D.C., May 17-27.

Gary Lamberti, associate professor of biological sciences, presented a paper titled "Dispersal and Limiting Factors for Zebra Mussels in Streams" at the annual meeting of the North American Benthological Society in Keystone, Colo., May 30-June 3.

A. Eugene Livingston, professor of physics, presented invited seminars on "Measurements of Relativistic and QED Effects in Highly-Charged Ions" at the University of Kassel, Germany, June 13; University of Liege, Belgium, July 6; GSI-Darmstadt, Germany, July 12; and University of Kaiserslautern, Germany, July 18. He presented a lecture series titled "The Atomic Physics of the Helium Atom and Helium-like Ions" for the "Graduiertenkolleg" at the University of Giessen, Germany, July 5, 11.

George A. Lopez, professor of government and international studies and fellow in the Kroc Institute, was an invited participant in the seminar on "Economic Sanctions" held by the Carnegie Commission on the Study of Violence in Washington, D.C., May 24. He presented remarks on "Policy Choices in Economic Sanctions and International Relations" co-sponsored by the Kroc Institute and the Fourth Freedom Forum of Goshen, Ind., May 25.

Mark J. McCready, associate professor of chemical engineering, presented an invited paper titled "Secondary Disturbances in Cocurrent Gas-Liquid and Liquid-Liquid Flows" at the AMS-IMS-SIAM summer research conference on Analysis of Multi-fluid and Interfacial Instabilities in Seattle, Wash., July 23-27.

Paul McGinn, associate professor of chemical engineering, presented an invited talk titled "Flux Pinning Enhancement in Melt Processed $\text{YBa}_2\text{Cu}_3\text{O}_{7-\delta}$ Through Rare Earth Ion Substitutions" at the 1995 international workshop on Superconductivity in Maui, Hawaii, June 20. He presented a talk titled "Flux Pinning Enhancement in Melt Processed $\text{YBa}_2\text{Cu}_3\text{O}_{7-\delta}$ Through Rare Earth Ion (Nd,La) Substitutions" and co-authored poster presentations titled "The Demonstration of Y_2BaCuO_5 Particle Segregation in Melt Processed $\text{YBa}_2\text{Cu}_3\text{O}_{7-x}$ Through a Computer Visualization Model" and "Nd Substitution in Y/Ba Sites in Melt Processed $\text{YBa}_2\text{Cu}_3\text{O}_{7-\delta}$ Through Nd_2O_3 Additions" at the MISCOS group meeting at the University of Missouri in Columbia, Mo., July 12. He presented an invited talk titled "Texturing of 90Ag-10Pd/Y-123 Composite Wires by Reduced pO_2 Melt Processing and served as chairman of the session titled "YBCO Bulk Materials" at the International Cryogenic Materials Conference held in Columbus, Ohio, July 20.

Ralph McInerny, Grace professor of medieval studies, director of the Maritain Center and professor of philosophy, taught the Elderhostel Course "Catholic Authors" at Notre Dame, Ind., July 10-14.

Anthony N. Michel, McCloskey dean of engineering and Freimann professor of electrical engineering, presented an invited talk titled "Qualitative Limitations Incurred in the Implementation Process of Artificial Feedback Neural Net-

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works" at the 1995 international conference on Neural, Parallel, and Scientific Computation in Atlanta, Ga., May 28-31.

Karen M. Morris, assistant professional specialist in chemistry and biochemistry, presented a workshop titled "Hands-on Science for Preschool Age Children" during the Early Childhood Development Center's professional development week at the University of Notre Dame, Notre Dame, Ind., Aug. 11.

Joseph E. O'Tousa, associate professor of biological sciences, presented a talk titled "Rhodopsin's Role in Drosophila Retinal Degeneration at the FASEB meeting on "Biology and Chemistry of Vision" at Copper Mountain, Colo., July 7-16.

Rev. Hugh R. Page Jr., assistant professor of theology, preached a sermon titled "Perceiving God in the Sounds of Silence" at the 110th anniversary celebration of the Sharon Baptist Church in Baltimore, Md., May 28. He preached a homily titled "Asking the Tough Question — Abraham, Sodom, and the Task of the Contemporary Theologian" at St. David's Episcopal Church in Elkhart, Ind., July 30.

Joachim Rosenthal, associate professor of mathematics, gave the invited seminar talk titled "Inverse Eigenwert Probleme und die Verbindung zum Schubert-Kalkuehl" at the Universitaet Wuerzburg in Wuerzburg, Germany, June 30. He presented the joint papers "A Realization Theory for Homogeneous {AR}-Systems, an Algorithmic Approach" and "Linear Systems Defined over a Finite Field, LQ Theory and Convolutional Codes" at the IFAC conference on System Structure and Control held in Nates, France, July 5-7.

Steven T. Ruggiero, associate professor of physics, gave the talk "Transport and Far-Infrared Properties of YBCO Thin Films" at the MISCOS summer meeting in Columbia, Mo., June 15.

Mei-Chi Shaw, professor of mathematics, gave an invited talk titled "Solvability and Estimates for the Tangential Cauchy-Riemann Complex" at the international conference on Partial Differential Equations and Complex Analysis at Sao Calos, Brazil, June 13.

Donald Sniegowski, associate professor of English, gave three lectures on Chinua Achebe and Contemporary African Literature to the African Institute held at Moreau Seminary, Notre Dame, Ind., June 14, 16, 24.

Dennis M. Snow, associate professor of mathematics, was an organizer and gave two lectures "Teaching Advanced Calculus with Mathematica" and "Complex Homogeneous Spaces" for the 33rd meeting of the Clavius Group held at the Department of Mathematics, University of Notre Dame, Notre Dame, Ind., June 26-Aug. 4.

Billie F. Spencer Jr., professor of civil engineering and geological sciences, coauthored a paper "New Insights on the Application of Moment Closure Methods to Nonlinear Stochastic Systems" with S.F. Wojtkiewicz, University of Illinois, and L.A. Bergman, University of Illinois, presented at the IUTAM Symposium on Nonlinear Stochastic Mechanics held in Trondheim, Norway, July 3-7. He received a travel scholarship for the Japan Society of Civil Engineering (JSCE) which supported a two-week visit to Japan in the beginning of August. He gave the keynote lecture at the JSCE Colloquium on Structural Control in Tokyo, Japan, Aug. 7-8.

Rev. Oliver F. Williams, C.S.C., associate professor of management, presented "The Apartheid Struggle: Learnings from the Interaction Between Religious Groups and Business" to the Society for Business Ethics in Vancouver, British Columbia, Aug. 4.

Hong-Ming Yin, assistant professor of mathematics, presented a special analysis seminar talk titled "Campanato Estimates for Parabolic Equation and Applications" at the Courant Institute at New York University in New York, N.Y., July 27-Aug. 3.

Deaths

Edward J. Murphy, Matthews professor emeritus of law, July 24. A native of Springfield, Ill., and an alumnus of the University of Illinois, Murphy joined the Notre Dame Law faculty in 1957 after spending three years in private practice in Springfield and three years as a law clerk for Justice H.B. Hershey of the Illinois Supreme Court. In addition to teaching classes in contracts, jurisprudence, negotiable instruments and remedies, he served as the Law School's acting dean in 1971 and directed the University's summer program in Japan in 1974. He was the founding president of the Faculty Senate. He also was coeditor of the *American Journal of Jurisprudence* and coauthor of two books, *Studies in Contract Law*, a widely used casebook for first-year law students which is now in its fourth edition, and *Sales and Credit Transactions Handbook*. When he retired last year, Murphy had taught more students than any professor in the Law School's 125-year history.

ADMINISTRATORS' NOTES

Appointments

Kenneth J. Hendricks, formerly a tax manager with Coopers and Lybrand, has been appointed assistant director of planned giving. A Chicago native, he was graduated from Notre Dame in 1981 with an undergraduate degree in business administration. In 1984 he was graduated from the Notre Dame Law School. Before joining Coopers and Lybrand in 1988 he worked for three years in Chicago with the Grant Thornton accounting firm. He has been active in several community service projects and is a member of the Protective Services Board of Logan.

Honors

Adele M. Lanan, assistant director of student activities, has received the College Media Advisers 1995 Distinguished Adviser award for her contributions to journalism education.

David R. Prentkowski, director of food services, has been elected president-elect of the 600 institutional member National Association of Colleges and University Food Services. He will serve as a member of the board of directors for three years; during the second year he will serve as president and chairman of the board.

Publications

Alan S. Bigger, director of building services, and Linda Thomson, assistant director of purchasing, wrote "Are You Throwing Out the BUDGET with the GARBAGE?" published in the July issue of *Maintenance Solutions*. Bigger wrote "You Can Mop up on Savings" published in the August issue of *Executive Housekeeping Today*.

Mary Ellen Koepfle, internal auditor, wrote "A-133 Revisions Proposed" published in the April issue of the *Association of College and University Auditors (ACUA) Ledger*. She wrote "NSF Releases OIG Report" published in the August issue of the *Association of College and University Auditors (ACUA) Ledger*.

Academic Council Minutes April 4, 1995

Members in Attendance: Edward A. Malloy, C.S.C., Timothy O'Meara, E. William Beauchamp, C.S.C., Roger Schmitz, Timothy Scully, C.S.C., Patricia O'Hara, Nathan Hatch, Harold Attridge, John Keane, Eileen Kolman, David Link, Anthony Michel, Richard McBrien, Stacey Kielbasa, Frank Bonello, Cornelius Delaney, Michael Swartz, Gary Gutting, Jean Porter, John Roos, Thomas Francis, Mario Borelli, William Shephard, Andrew Sommese, Stephen Batill, Edward Conlon, Fernand Dutille, Lorry Zeugner, Regina Coll, C.S.J., Kathleen Maas Weigert and Margaret Egan

Observers in Attendance: Andrea Midgett and Dennis Moore

Guests: Jerry Marley and Walter Pratt Jr. (for the second agenda item), and Jonas McDavit (1995-96 Academic Commissioner, Student Government)

Prof. O'Meara opened the meeting at 3:05 p.m. with a prayer.

1. Article changes regarding Vice President and Associate Provost positions. Following the discussions of the previous council meeting, the Executive Committee presented changes in the wording of the Academic Article II, Sections 1 and 2 regarding the appointment and review of Vice Presidents and Associate Provosts. (See Attachment A.) Without further discussion, the council voted in favor of the changes. There were no dissenting votes and no abstentions. Fr. Malloy said that he would recommend to the Board of Trustees that these article revisions be formally approved.

2. Proposal for a dual degree program in Law and Engineering. Dean Michel opened the discussion of a proposed dual degree in law and engineering, aided by Prof. Pratt, associate dean in the Law School, and Prof. Marley, associate dean of the College of Engineering. Dean Michel said that the proposed joint Master of Engineering Degree and Juris Doctor Degree would provide those law students who have an undergraduate background in engineering an opportunity to further their studies in engineering while pursuing a law degree. The proposed program would not require any new resources for the Law School, the College of Engineering, the library, or any other entity.

Prof. Marley explained that a student pursuing the joint degree would complete 75 credit hours in law and 24 credit hours in engineering for a total requirement of 99 credit hours. (See Attachment B.) A law degree alone requires 90 credit hours. The additional nine credit hours

required for the joint degree could be completed within the normal three-year Law School program, with an average increase of 1.5 credit hours per semester. The engineering component of the joint degree would be a non-thesis program in advanced studies in engineering or science as approved by the department through which a student was pursuing his or her Master of Engineering degree. This particular degree program would be open only to law students. Admission to the joint degree program would be controlled by both the Law School and the College of Engineering; admission standards would not change.

Prof. Pratt said that there is an increasing need for lawyers with appropriate technical skills to practice in such specialized areas as environmental law and patent law.

When asked to comment on the proposal, Prof. Hatch said that he favored the proposal and that the Graduate Council approved it without dissent. He added that the Graduate Council had asked for, and received, several qualifications: A student pursuing the joint degree would be classified as a law student. Funding for tuition would be through the Law School. Further, it might take a student longer than three years to complete the degree, but it would have to be completed within five years.

Fr. Beauchamp asked what courses would be eliminated from the Law School's regular requirements for a student pursuing the joint degree. Prof. Pratt answered that 15 credit hours of law electives would be replaced by engineering courses.

Fr. Malloy asked about the history of similar joint programs, at Notre Dame or elsewhere. Prof. Pratt answered that he is unaware of a like program anywhere in the country. Though two schools offer a joint program in law and environmental studies, they do not lead to a science or engineering degree. Judging from preliminary surveys and letters, the Law School anticipates that six to 10 students each year would be interested in the joint degree program.

Prof. Swartz asked what kinds of engineering courses would be appropriate for students pursuing the joint degree. Prof. Marley answered that a student interested in telecommunications, for example, might choose graduate courses in linear systems, data networks or digital communications.

Prof. Borelli asked at what stage the technical background of students in the program would be assessed. He felt that students pursuing the joint degree should have, at a minimum, an undergraduate minor in a hard science. Prof. Marley said that student capability would be reviewed at the admissions stage. He agreed that students accepted into the program would likely have an under-

graduate degree in engineering, though the College of Engineering does not want to limit itself with such a defined policy.

Prof. O'Hara remembered that the University offered a similar joint program in law and environmental studies in the mid 1970s. Many of the students who participated in the program were hired by the Environmental Protection Agency or its state equivalents. The program was dropped when government funding for it ended. Dean Link said that anyone with dual training in law and environmental engineering and/or sciences is easily placed in the job market. He said that the proposed program holds the same attraction as that offered in the 1970s, but without external funding. Dean Michel added that the program Prof. O'Hara mentioned is fairly common; it basically combines a law degree and an *undergraduate* engineering degree. He said that while environmental issues come quickly to everyone's mind as an area of need for such combined programs, issues concerning other areas of technology are rapidly moving to the fore.

Prof. O'Meara and Prof. Borelli asked if students interested in the joint degree would apply for both when they applied to the Law School. Could a student be accepted into the Law School and then apply for the joint degree? Could a student be accepted into the joint program and then decide to pursue law only? Prof. Pratt answered that students would normally apply for the joint degree before they arrived on campus; admission into the Law School and the College of Engineering would be simultaneous. If a student in the program changed his or her mind and decided to study law only, he or she would have to meet the normal requirements for a law degree, which would include making up whatever portion of the 15 law credits that would have been replaced with engineering courses. Dean Michel added that the reverse would not work: Students in the program could not decide to complete only the engineering degree. The engineering component of the program would not constitute a stand-alone degree.

Prof. Roos asked if it was Prof. Hatch's understanding that the dual program would not lead to additional graduate assistantships or increased stipends for engineering programs. Prof. Hatch said that such was the understanding.

Prof. Batill said that, as he understood it, individual engineering departments would formulate appropriate 24-credit programs for law students pursuing the joint degree. These students would be enrolled with other graduate engineering students; no new engineering courses are planned. Therefore, students in the proposed program would take the same courses and complete the same core requirements, where applicable, as other engineering graduate students. They would, presumably, bring an additional perspective to their engineering classes as they matured in their understanding of the law.

Responding to a question from Fr. Beauchamp, Prof. Pratt said that the number of law credit hours required for the dual degree, 75, would meet the requirements of the American Bar Association.

Fr. Malloy called for a second and a vote. The proposal was passed without opposition.

3. Report by the Undergraduate Studies Committee on merit scholarships and fees for the Fine and Performing Arts. (See Attachment C.) Dean Attridge said that this report of the Undergraduate Studies Committee was in response to the council's charge to study the issues of merit scholarships and a fine arts fee. The charge was given as a follow-up of two recommendations of the Post-Colloquy Committee on the Fine and Performing Arts and Architecture.

Concerning merit scholarships, the Undergraduate Studies Committee recommended (1) that the University's plan to increase student aid should include efforts to identify sources of endowment to support undergraduates in the fine and performing arts on the basis of merit, and (2) that exceptional talent in the fine and performing arts should be included in the set of criteria for determining eligibility for full financial aid to meet need. The committee felt that highly talented fine and performing arts students should be included in the same general category as Notre Dame Scholars, based upon criteria that are not currently considered.

Concerning a fine arts fee, the Undergraduate Studies Committee advised that the idea be tabled until the planned new building for the performing arts is completed, when major changes could take place in both fine arts programming and funding.

Prof. O'Meara inserted that the Undergraduate Studies Committee did not discuss the question of whether merit scholarships should exist in general. They addressed only the specific question of merit scholarships for the fine and performing arts. Prof. Shephard asked if the committee planned to discuss merit scholarships in general. Dean Attridge answered no, but said that the committee would be open to doing so.

Prof. Batill remembered that the general question of merit scholarships was raised briefly when the Undergraduate Studies Committee met with representatives from the Offices of Financial Aid and Admissions. Those representatives felt that inasmuch as the University was so far from meeting full financial needs, trying to justify general merit scholarships would seem inappropriate.

Ms. Kielbasa said that the Student Academic Council Committee supported the idea of merit scholarships for the fine and performing arts. That committee felt that

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individuals of unusual talent in the fine and performing arts could contribute in unique ways to the cultural climate of the University.

Prof. Gutting expressed confusion about the status of academic merit scholarships. If the operating principle is that the University should not consider merit scholarships until it has reached its goal of meeting full financial need of students, why consider and recommend merit scholarships for the arts? Meanwhile, the University already offers scholarships for athletic merit, also against principle. Prof. Gutting asked if there was some reason for the specific exclusion of a discussion of academic merit scholarships in all disciplines.

Dean Attridge answered that the matter was not one of exclusion, but of focus. The Undergraduate Studies Committee felt that students who would qualify for artistic merit scholarships could make singular contributions to the cultural life of the University and should therefore receive special consideration. Prof. Gutting asked if improving the University's cultural life posed a greater need than improving the academic quality of the student body. Dean Attridge answered that the need for artistic merit scholarships was a discrete one that could, at present, be addressed with a particular program. The committee did not prioritize between academic and artistic merit scholarships. Rather, they responded to a particular set of recommendations. Prof. Gutting argued that the committee did prioritize by considering one and not the other, which concerned him because the University has difficulty recruiting top students who are offered academic merit scholarships from other universities. Dean Attridge restated that the issue of merit scholarships in general was not formally discussed, though he felt it would be justified to refer the question to the committee. Prof. Gutting agreed.

Prof. Borelli remembered the directors of financial aid and admissions making the point that academic merit plays a heavy role in determining financial aid, even though the primary criteria is that of need. Fr. Malloy said that merit is considered for both Notre Dame and Holy Cross Scholars, but that the funds the University has available for scholarships is ultimately distributed according to need. Furthermore, he said, it is the judgment of those directly involved with admissions and financial aid that to move in the direction of merit scholarships in general without consideration of need would be counterproductive. Fr. Malloy welcomed further discussion of the issue as long as the amount of money available for scholarships is kept clearly in mind. Prof. Gutting replied that academic merit scholarships could have independent funding like that proposed for artistic merit scholarships.

Prof. Shephard expressed discomfort with the idea of separating exceptional artistic talent from exceptional tal-

ent in other fields. He said it was implied that exceptional talent is not currently considered when determining eligibility for financial aid. Dean Attridge replied that the implication was correct. Dean Kolman added that the University currently has no criteria for judging artistic or performance merit, even if such recognition does not involve money, as is the case for some Notre Dame Scholars. At the very least, the committee's recommendation called for a way to recognize this area of student potential.

Prof. Delaney said that the committee ultimately felt that the impact on the University as a whole, across all disciplines, would be far greater by five or 10 accomplished students in the fine and performing arts than by the same number of students in other academic disciplines.

Prof. Batill said that the committee learned a great deal about the current methods for weighing student need and merit. Certain types of accomplishment, such as academic or athletic, bring individual students to the top. Currently, students with singular expertise in the arts find it very difficult to rise high enough in the weighing to become Notre Dame Scholars and to share in the limited resources made available. Prof. Batill did not feel that the methods needed complete reworking, but that a place should somehow be made for top students in the arts.

Prof. Delaney said that the committee viewed its two recommendations as a closely-connected pair: making sure that exceptional talent was added to the criteria for eligibility for full financial aid, and raising independent money through endowment to support students on the basis of artistic merit. Unless the Office of Admissions includes exceptional talent in its "formula" for admission as a Notre Dame Scholar, it is useless to discuss merit. Further, if top fine arts students do not get into the group whose full financial needs are met, adding merit scholarships alone would do little more than put Notre Dame behind other universities competing for top students in the arts. However, Fr. Malloy said, one could argue for accepting the second recommendation and not the first. Prof. Delaney agreed, but added that there would be no point in arguing for the first without the second. Prof. Roos said that the second concerned general policy. He added that as slow as it may be, the University is getting closer to meeting full financial need. However, he sensed that the University does not have a strong alumni donor community in the arts, another reason for giving special attention to scholarship needs in this area.

Fr. Beauchamp cautioned the council that though the University has doubled the number of Notre Dame Scholars in recent years, it still has a long way to go before it reaches its goals for financial aid. The University's goals could not be met by the year 2000 even if fund raising stays on track every year between now and then. The University has chosen to fund financial aid through en-

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dowments, not through tuition as many other institutions do.

Dean Attridge said that the Undergraduate Studies Committee recognized both the restraints under which the University operates concerning financial aid and the principles that currently govern the distribution of aid. The committee also recognized the fact that the University currently awards some merit scholarships to a small category of students who contribute to the good of the entire University in a few, select areas. The committee recommended that highly talented students in the fine and performing arts be placed in such a category of their own.

Fr. Malloy said that SAT and/or ACT scores cannot adequately measure artistic talent. Some highly talented students might test lower on standardized tests than the average Notre Dame Scholar. However, that would be the only area of comparison where they would fall behind. Prof. Batill recalled the director of admissions indicated that students in the fine and performing arts score comparatively well on standardized tests. They might not, however, score as well in assessments of leadership. If the criteria for eligibility included artistic merit, they would be rated as high as other Notre Dame Scholars.

Prof. Delaney said that one objection raised by the Office of Admissions pertained to secondary schools that serve as feeders for the University. For example, a feeder might have 15 students who apply to Notre Dame. Students ranked one through three would become Notre Dame Scholars; those ranked four through 15 would not. However, what if student number 15 were an extraordinary violinist? What kind of message would be sent if he or she became a Notre Dame Scholar? Prof. Delaney and members of the committee felt that the message sent would be an appropriate one: Notre Dame is interested in students with artistic merit as well as students who score high on tests. Students ranked four through 14, who did not become Notre Dame Scholars, would know of their classmate's extraordinary ability and would not consider the selection of him or her as a Notre Dame Scholar to be a capricious act.

Prof. Conlon asked if the imaginary student violinist would have to play the violin while at Notre Dame. Could he or she be an engineering major and decide not to play the violin? Prof. Delaney answered no, the student would be expected to play the violin unless the University excused him or her from doing so.

Dean Kolman said that the Admissions Office may prefer another designation for students with artistic merit, something like Notre Dame Performing Artists instead of Notre Dame Scholars. The committee did not come to a conclusion about a possible designation because of their

desire to avoid micro-managing. Whatever the students would be called, their talent would be determined and evaluated by specific departments in the fine and performing arts.

Fr. Malloy asked if the members of the Undergraduate Studies Committee wanted to continue the discussion, or if they felt ready for a vote. Prof. Delaney answered that the committee wanted to see both recommendations approved as a package. Fr. Malloy agreed, but asked the council to vote first on the second recommendation, then on the first. Both recommendations were approved.

Fr. Beauchamp asked if some group would follow through and elaborate on how the criteria for artistic merit scholarships would be established. Fr. Malloy asked the Undergraduate Studies Committee to assume that responsibility.

Prof. Delaney concluded by saying that though the Undergraduate Studies Committee offered no recommendation regarding the proposed fine arts fee, the issue was discussed. Ultimately, the committee felt that the discussion was premature, at least until the planned new building for the performing arts is a reality.

4. Standing Committee reports. Prof. Delaney reported that the Undergraduate Studies Committee had begun discussing the Curriculum Report and that the committee hoped to present a report to the Executive Committee before the year's final meeting of the council.

Prof. Roos reported that the Graduate Studies Committee is open to finding new ways for graduate students to continue teaching if the proposed curriculum changes regarding Freshman Seminar are adopted.

Fr. Malloy expressed his hope that the Graduate Studies Committee would assess the current dismal employment situation for new Ph.D.s. He wondered if the situation is cyclical, though evidence would suggest that it is not, and what its implications are for education in general. He suggested that the committee request from the deans the number of candidates applying for open faculty positions at Notre Dame, which might indicate how many graduate students are looking for teaching jobs. Prof. Roos said that placement of Notre Dame graduate students concerns the committee, and that it is the committee's perception that this will be a long-lasting problem.

Dean Link reported that the Faculty Affairs Committee continued to discuss the overlapping responsibilities or jurisdiction of the Academic Council, the Executive Committee of the Council, and the Provost's Advisory Committee. The committee designated two members to prepare language for purposes of clarifying jurisdiction, procedures, and routing of academic proposals. Their proposal will be included in the committee's annual report.

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5. Other items. Fr. Beauchamp said that a report from the Faculty Board in Control of Athletics would be distributed in advance of the next council meeting. The report follows from a Colloquy recommendation that the board review its composition, function, responsibilities, name, etc. On a related matter, he said the board would also respond to a Faculty Senate resolution regarding Academic Article IV, Section 3(j). (See Faculty Senate Journals of September 7, 1994, published in *Notre Dame Report*, Number 6, November 18, 1994, and of November 9, 1994, *ibid.*, Number 9, January 20, 1995.)

Fr. Malloy then relayed concerns regarding the volatility of education-related discussions in Congress. He said that the Department of Education feels particularly vulnerable right now, especially since some groups are calling for it to be dismantled. In addition, Congress is considering many education-related recession bills. It is likely, he felt, that at the very least there will be significant setbacks for financial aid, government-supported research, the National Endowment for the Humanities, and the National Endowment for the Arts. He hoped that the faculty would stay apprised of the situation and would lobby as appropriate. Prof. Borelli asked if it would be appropriate to ask colleagues to send letters to various senators and lobbying groups. Fr. Malloy replied that such action would be legal, and welcome.

Prof. Bonello thanked Fr. Malloy for distributing materials regarding educational matters to members of the council. He found the information on the growing debate on tenure to be particularly interesting, and asked where the issue stands at Notre Dame. Specifically, has the Board of Trustees seriously discussed tenure? Fr. Malloy answered that tenure has not been seriously discussed among the trustees or the officers. However, he said, it would be entirely appropriate for the Faculty Senate, the Academic Council, or the Provost's Advisory Committee to articulate, in a non-defensive way, a rationale for tenure for the large percentage of the population who have no idea how or why it works. He added that he is a member of a group called the Business Higher Education Forum, comprised of CEOs and university presidents, that is working to provide a forum on tenure at the national level to discuss its merits and opposition.

Before closing the meeting, Fr. Malloy introduced Jonas McDavit, the new Academic Commissioner of the Student Government, who will replace Ms. Kielbasa at the end of the academic year.

There being no further business, the meeting was adjourned at 4:15 p.m.

Respectfully submitted,

Roger A. Schmitz
Secretary of the Academic Council

Attachment A

Academic Article II. Academic Officers Section 1/The Provost

The Provost is elected by the Board of Trustees for an indefinite period upon recommendation of the President. The appointment is subject to formal review every five years.

When such an appointment is to be made, the President so advises the University through the Academic Council. The Council then elects five members from its elected faculty representatives and one from its student representatives to constitute a committee chaired by the President. This committee receives and considers nominations including those received from the faculty. In addition, the President and the Board of Trustees receive nominations from appropriate sources, both within and without the University. When this procedure is completed, the President consults with the elected faculty members of the Academic Council regarding all serious candidates. Later, the President reports the complete results of this consultation to the Board of Trustees, along with a personal recommendation. For the five-year review, a similar committee is constituted, except that the President does not chair it. *The five-year review shall include the Associate Provosts.*

Within the framework of University policies and procedures, the Provost has responsibility, under the President, for the administration, coordination, and development of all of the academic activities and functions of the University.

The Provost is assisted in the duties of office by the Vice President and Senior Associate Provost, the Vice President and Associate Provost, as described in Section 2, and by Associate/Assistant Provosts who are appointed by the President. The Associate/Assistant Provosts perform such duties and exercise such authority as may be delegated by the Provost.

Section 2 / The Vice Presidents and Associate Provosts

The Vice President and Senior Associate Provost and the Vice President and Associate Provost are elected by the Board of Trustees *for an indefinite period upon recommendation of the President.*

When such an appointment is to be made, the Provost consults with the Provost's Advisory Committee and reports the complete results of this consultation to the President, along with a personal recommendation. Later, the President reports these findings to the Board of Trustees, along with a personal recommendation. [to assist the Provost in the work of academic administration in whatever way the Provost may desire.]

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In the absence of the Provost, the Vice President and Senior Associate Provost acts as Provost. In the absence of the Provost and the Senior Associate Provost, the Vice President and Associate Provost acts as Provost. *Both the Vice President and Senior Associate Provost and the Vice President and Associate Provost assist the Provost in whatever way the Provost may desire.*

Attachment B

Proposal for a Master of Engineering Degree with a Concentration in [Engineering Discipline] Engineering to be Earned in Conjunction with the Juris Doctor Degree

Background

Discussions between the Deans of the Law School and the College of Engineering have indicated interest in a dual degree program in law and an engineering graduate program. It is believed that law students who might wish to pursue careers in areas such as patent, environmental, telecommunications or similar law specialties and who had the undergraduate background to do so, would be interested in a graduate program in engineering in conjunction with their law studies. Further discussions among the faculty of the Law School and among the Department Chairs in the College of Engineering and at the Engineering College Council have resulted in a proposal for a new Masters degree administered by the Division of Engineering in the Graduate School in conjunction with a dual degree program with the Law School.

Proposal

The title of the degree program is the Master of Engineering. The student record would indicate a concentration in one of the engineering disciplines offered in the Division of Engineering (e.g., Electrical, Mechanical, etc.).

To be eligible for this degree, the candidate would also have to be a candidate for the Juris Doctor degree in the Law School. A candidate for the Master of Engineering degree would have to complete twenty-four (24) credit hours of engineering, mathematics, or science courses acceptable to the Department of the engineering concentration and six (6) credit hours of appropriate law courses. To be eligible for both the Master of Engineering and the Juris Doctor degrees, the candidate would be required to complete a minimum of ninety-nine (99) credit hours, seventy-five (75) in law and twenty-four (24) in the engineering program.

Students would be required to be admitted to each program and the admissions decisions would be made independently by the Law School and by the appropriate Engineering Department and the Graduate School.

A schematic sample program is enclosed in Appendix A.

Discussion

Because the proposed degree program is a course work only program, the Master of Engineering degree titled is proposed to distinguish it from the normally research oriented Master of Science in [engineering discipline] Engineering programs. The program is seen as one that might be attractive to a law student with the appropriate undergraduate background in engineering but would not ordinarily be available as an individual degree program.

The cost of the program should be minimal in that there are no new courses required nor are there library and infrastructure resource requirements not already needed for existing and established programs. Costs associated with the program should be limited to the administrative work associated with admission to two programs and the faculty advising of students in the dual degree program.

Details of the operation of the dual degree program should be determined by the Deans of the Law School and the College of Engineering.

Possible Curriculum

Master of Engineering and J.D. Concentration in [] Engineering

Torts	3
Contracts I	3
Procedure I	3
Intro to Law and Ethics	1
Legal Research I	1
Legal Writing	2
Engineering Course	<u>3</u>
	16

Engineering Course	3
Engineering Course	3
Criminal Law	3
Property II	3
Constitutional Law	<u>4</u>
	16

Engineering Course	3
Business Assoc	4
Secured Trans	3
Law Elective	1.5
Law Elective	1.5
Law Elective	<u>3</u>
	16

Torts II	3
Contracts II	3
Procedure II	3
Property I	3
Legal Research II-Moot Court	2
Engineering Course	<u>3</u>
	17

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Engineering Course	3
Engineering Course	3
Criminal Procedure	3
Evidence	4
Federal Income Tax	<u>4</u>
	17

Engineering Course	3
Jurisprudence	3
Property Settlement	4
Ethics II	1
Law Elective	3
Law Elective	<u>3</u>
	17

Attachment C

To: Academic Council
From: Undergraduate Studies Committee
Re: Report of the UG Committee
Date: 3/29/95

The Council referred to the Undergraduate Studies Committee two recommendations from the Post-Colloquy Committee on the Fine and Performing Arts and Architecture: the institution of an arts fee and a policy on merit scholarships. The Committee discussed these issues over several sessions with Kevin Rooney, Joseph Russo, William Kremer (Art) and Ethan Haimo (Music).

1. Merit Scholarships

On the matter of merit scholarships in the fine and performing arts, the committee noted that the issue was discussed during the consultations of the Colloquy for the Year 2000, in the preliminary task force on the Fine Arts, in the Academic Affairs Committee and in the Committee of the Whole. Recommendation 13 of that report endorsed the proposal to fund merit scholarships.

In order to attract and enroll the most qualified students, financial aid packages for the top 10 percent of students should be made more attractive by the inclusion of more grant money and less loan money. There should also be support for merit and talent scholarships, awarded on a highly selective basis, to attract and enroll the most outstanding students who will be leaven in their respective academic programs.

The post-Colloquy Committee on the Fine and Performing Arts and Architecture offered a specific plan for implementing this recommendation, specifying that such merit and talent scholarships should be supported by specific endowment:

The University should seek endowment that would provide tuition scholarships, in amounts of up to \$5,000, for students in the arts. Four to six such scholarships should be created for each unit per year. A total of 64

such tuition scholarships, or \$6.4M in endowment, should be sought. (*Notre Dame Report* 24, 2; p.52)

The Undergraduate Studies Committee reviewed the issue. It noted, with Mrs. Rooney and Russo, the desirability of funding student aid to meet full financial need. The Committee was also persuaded that such a goal is not incompatible with the need for a pool of merit scholarships, particularly in the arts areas. Three considerations influenced the committee: the overall contribution of the cultural life of the University that talented students in the fine and performing arts can make; the competition from several universities with whom we do compete for students in these areas; and the character of students in the fine and performing arts. The Committee therefore endorsed the following resolutions by unanimous vote:

1. The University's plan to increase student aid should include efforts to identify sources of endowment to support students in the fine and performing arts on the basis of merit.
2. Exceptional talent in the fine and performing arts should be included in the set of criteria for determining eligibility for full financial aid to meet need.

2. An Arts Fee

The post-Colloquy committee on the Fine and Performing Arts and Architecture recommended:

Exploration of an "arts fee" for all students, the proceeds of which would be used to support significant visiting artists. (*Notre Dame Report* 24, 2; p. 53)

The Committee explored the current state of student fees in general, with a view to restructuring them to include support of the fine arts. For some years now these fees have been part of the general revenue of the University, which, among other things, is used to support the non-salary expenses of the various colleges. The Committee did not believe that it would be feasible to disaggregate or redistribute the current fees.

The Committee also explored the goals to be achieved by imposing a new fee and it did not reach consensus. Some members believed that it would enhance the interest in and support for the arts; others believed that it would be counterproductive.

Finally, the Committee noted that the post-Colloquy Committee on Fine and Performing Arts called for more intensive development of the arts at Notre Dame and suggested various mechanisms for doing so. It was noted that the "arts fee" in part was meant to support performances in the planned Marie DeBartolo Performing Arts Building. The Committee proposed that further exploration of an "arts fee" would be appropriate in the context of the further development envisioned for the arts. With one negative, the Committee voted to defer further consideration of an "arts fee."

Academic Council Minutes April 26, 1995

Members in Attendance: Edward A. Malloy, C.S.C., Timothy O'Meara, E. William Beauchamp, C.S.C., Roger Schmitz, Timothy Scully, C.S.C., Patricia O'Hara, Nathan Hatch, Harold Attridge, John Keane, Eileen Kolman, David Link, Anthony Michel, Richard McBrien, Stacey Kielbasa, Frank Bonello, Cornelius Delaney, Michael Francis, Gary Gutting, Jean Porter, John Roos, Thomas Swartz, Mario Borelli, William Shephard, Andrew Sommese, Hafiz Atassi, Stephen Batill, Carolyn Callahan, Edward Conlon, Fernand Dutile, Dennis Doordan, Lorry Zeugner, Regina Coll, C.S.J., Kathleen Maas Weigert, Margaret Egan, Matthew Gasaway and Kathleen Medeiros

Observers in Attendance: Dennis Brown, Andrea Midgett and Russell Pickett

Guests: Jonas McDavit, 1995-96 Academic Commissioner, and the following members of the Faculty Board in Control of Athletics: George Craig, JoAnn DellaNeva, Alexander Hahn, Kathleen Halischak, George Howard, Sheryl Klemme and William Nichols

The meeting was opened at 3:05 p.m. with a prayer by Prof. O'Meara.

1. Initial discussion of the report by the Faculty Board in Control of Athletics. Fr. Malloy reported that the Executive Committee had recommended that the report of the Faculty Board in Control of Athletics would be discussed only briefly at today's meeting. The council would meet one additional time before the end of the current academic year to conclude the report and to take any appropriate action.

Fr. Beauchamp, chair of the Faculty Board in Control of Athletics, introduced board members who were present. He then asked Prof. Dutile to present the report itself. Prof. Dutile said that the report issued from recommendations that the board had considered from the final report of the Colloquy for the Year 2000 and from the Faculty Senate resolutions. (The latter are in Attachment A.) Section I of the report documents the board's reaction to the Colloquy recommendations, proposals for appropriate changes in the Academic Articles, supporting data and subcommittee reports. Prof. Dutile said that the council would need to refer extensively today to the yellow sheet found in Section I of the report. (That sheet is in Attachment B; due to its length, the report itself is not attached to these minutes.)

Section II of the report contains the board's response to the recommendations of the Faculty Senate. It also con-

tains Fr. Malloy's 1987 Statement on Intercollegiate Athletics. Prof. Dutile said that the board feels strongly that Notre Dame's mission statement on athletics should be its own, not simply the adoption of the recommendations of the American Association of University Professors (AAUP) or the Knight Commission. Toward that end, the board considers Fr. Malloy's statement to be a superior platform for a University statement on athletics. Section III provides additional information and data on the academic profile of the University's athletes, a revealing set of data, Prof. Dutile commented, in which the University should take considerable pride.

Prof. Dutile then turned his focus to actions that the board recommends with regard to the Academic Articles, specifically Academic Article IV.3(j) — primarily in response to Colloquy recommendation 34. That recommendation asks the board to review its mission, membership, procedures and name. First, the board views itself as an oversight committee. Though earlier statements speak of the board as a supervisory body, Prof. Dutile said that the board has never, and can never, serve in that capacity. Therefore, the board proposes that the word "supervision" in Article IV.3(j) be changed to "oversight." (See Attachment B.) Moreover, that article presently states that the board will "supervise intercollegiate athletics," which the board has never done. Instead, the board proposes that it have oversight over "the academic components and implications of intercollegiate athletics and policies" at Notre Dame. Prof. Dutile said that the proposed changes would emphasize the academic, advisory role of the board. Though "academic" in this context is difficult to define, the board feels that there is little the Athletic Department could do that would not, at least indirectly, reflect upon the academic mission of the University. The board recognizes its broad role, and considers it appropriate and desirable to have as many matters as possible brought to its attention, even those without immediate academic implications.

Academic Article IV.3(j) currently lists individual responsibilities of the board, which are considered to be too specific and limiting. Thus, the board recommends adding the phrase "help maintain and foster institutional control of intercollegiate athletics and the University's commitment to academic integrity within the athletic program." Prof. Dutile said that the word "help" is very important, for the board alone is not responsible for maintaining academic integrity within athletics. That responsibility begins with the president, goes to the vice presidents, to the deans, to the faculty, to the director of Athletics, and to every coach. "Maintain" is another important word in the proposed revisions; it evokes the pride that the board takes in Notre Dame's outstanding record of academic integrity within athletics.

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Some phrases that the board recommends dropping from the article describe responsibilities that now belong to the National Collegiate Athletic Association (NCAA) or are done by the official athletic representative of the University, Fr. Beauchamp. The board would drop the specific reference to academic or disciplinary ineligibility, which is covered later in the article. It would add one responsibility, that their body consider standards for the appointment of coaches. The proposal also specifies that the board assess admission data, ineligibility, progress toward a degree, etc.

Prof. Dutile said that the board had extensive discussions on the composition of its membership, which is divided into three categories: ex officio, elected and appointed. The board proposes that the director of Academic Services for Student Athletes be added to the current list of ex-officio members, for a total of four. Most responsibilities that the board is charged with intersect at some point with that office, and the director of the office plays a substantial role in board meetings. Therefore, it seems appropriate that the director become a full-functioning board member.

The proposal would maintain the current number of nine elected and appointed board members. Five members are elected by and from the faculty, one from each college and one from the Law School. Three faculty members are appointed by the president; the board proposes that the provost recommend those appointments to the president. The last appointed member is a student, traditionally in the Graduate or Law School, with varsity experience.

The proposed members of the board would total 13: four ex officio, five elected and four appointed. At least eight of the members would be faculty. The proposal maintains current, staggered three-year term limits, except for the student representative, who serves one year.

Prof. Dutile said that board agreed with virtual unanimity that the executive vice president should continue to chair the board. He is the person most able to give large amounts of time to the job. (Fr. Beauchamp estimates that 30 percent of his time goes to athletics.) Also, the executive vice president is the appointee of the president, and his presence as chair of the board allows a way for the president to exercise institutional control. At many institutions, the director of athletics reports directly to the president, which, because of a president's numerous duties, virtually gives athletics free reign. Finally, the executive vice president devotes a considerable amount of time to certifying players for eligibility. If he were not chair of the board, the board would face the danger, over time, of becoming marginalized, or would be left uninformed about situations in the Athletic Department that bear on academics.

Addressing a final point, Prof. Dutile said that the board has, over the years, heard opposition to its name, especially to the phrase "in control of athletics." The board has never controlled athletics; it would be impossible for it to do so. Therefore, it is proposed that the name be changed to "Faculty Board on Athletics," which, in terms of language, is consistent with other committees and like entities described in the Academic Articles. The board discussed at length whether "faculty" should remain in its title, since some board members are not faculty. Some argued for the name "University Board on Athletics," which is used at some institutions. However, "University Board" was ultimately rejected because it would not signal the responsibilities of the board and because "faculty" better emphasizes the board's membership. If the name were changed to the "University Board," one could conceive that, over time, faculty representation would yield to pressure for greater "university" representation.

His presentation complete, Prof. Dutile opened the floor to questions. Mr. Zeugner asked why library faculty and professional specialists are not represented on the board, as they are on certain other University committees. He said that the library could be included by either enlarging the board or by providing for the president to appoint a library representative. Fr. Beauchamp said that library faculty would not be precluded from presidential appointments. Board membership is limited to "regular faculty," a broad term that includes the library. He also said that some members of the special professional faculty could stand for election within their college.

Fr. McBrien said that he had asked that the aforementioned additional council meeting be scheduled yet this semester because the Faculty Senate needed time to digest and respond to the report. He expressed pleasure that the board had considered the whole resolution of the Faculty Senate and not just the specific recommendation relating to the aforementioned Academic Article. Basically, the senate asked the board to perform an inventory, to review its current policies and practices as they apply to intercollegiate athletics, and to check for any discrepancies or inconsistencies between them and the principles of the Knight Commission and the AAUP statement. If inconsistencies or discrepancies were found, the board would need to ask itself some difficult questions, such as, "Is this discrepancy consistent with Notre Dame's mission as a Catholic university that is committed, first, to academics?" Perhaps no adjustment would be warranted, but the board must ask the question.

Fr. McBrien commented further that the report seemed to be adversarial in tone, a little too defensive toward the Faculty Senate's proposals. He stressed that the senate did not view the matter as an either/or situation. Rather, the senate wants to know that the board is aware of, and satisfied with, any discrepancies or inconsistencies that

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exist, and that it is moving ahead with its eyes open and its conscience clear. Then the senate would have achieved its major purpose: to stimulate open discussion of difficult matters that otherwise might not be addressed openly.

Fr. Beauchamp said that the board seriously considered the recommendations of both the Faculty Senate and the Colloquy. Over the course of a year, the board studied those issues and questions raised by the Knight Commission and the AAUP. Fr. Beauchamp said that he strongly believes that all of the principles of the Knight Commission, from which NCAA recommendations and new legislation flow, are in place at Notre Dame. There are, however, some differences between the Knight Commission and the AAUP, which may be why some things do not seem to match up. However, for the most part, the issues that are brought up in the AAUP are very much part of what drives athletics at Notre Dame.

Prof. Hahn said that he carefully reviewed the Knight Commission in light of the Faculty Senate's recommendations, and that he found the University to be in full compliance with the commission's principles. He said that the changes proposed by the board would make an already good situation an even better one. Further, he felt that it had been a good exercise for the board to review its organization, purpose and responsibilities.

Prof. Howard added that the board was almost finished with its report a year ago, before it received the Faculty Senate's recommendations, which forced the board to consider some different, specific issues. As a result, the report that the council had in hand was very different from what it would have been had the board responded only to the Colloquy. The board was also strengthened in the past year by new membership, which made it a more representative body.

Prof. Craig said that not all items in the report were unanimously agreed upon by all members of the board. There was disagreement on some issues, and some minority views were voted down. For instance, some board members did not feel that the athletic director should be a voting member. Others felt that the board should contain more elected faculty members. Some questioned whether the executive vice president should serve as chair. However, after many years as a member of the board, Prof. Craig felt that the chair could not be handled any other way, given the structure of the University. He reported that Fr. Beauchamp runs a very democratic committee, and that he has access to vast amounts of information as an administrator that serve the board well. Prof. Craig said that the board would soon be swamped if it rotated faculty members to serve as chair. He suspected that everyone would quickly blame the previous year's board for any trouble that ensued.

Prof. Batill asked why the report was stamped "confidential." Was he free to pass it on to other faculty? Fr. Beauchamp answered yes, he could pass it on. However, he would not like to have it reproduced or published, since some of the data, such as the academic profiles of athletes, is confidential. Prof. Batill then asked who monitors the board and to whom is the board responsible. Fr. Beauchamp said that the president is ultimately responsible for athletics; the board reports to him through the chair.

Prof. Doordan asked that the School of Architecture not be left out when statements are drafted regarding University-wide faculty representation. He also asked why Fr. Malloy's 1987 Statement seemed more appropriate to the board than either the Knight Commission or the AAUP document. Fr. Beauchamp answered that the Academic Council should decide if architecture will elect its own representative for University committees, as do the colleges and Law School. He then explained that Fr. Malloy's 1987 Statement is broad, inclusive, and considered by the board to be the best summary available on the operating principles and functions of the University and its athletic program. In contrast, the Faculty Senate's proposal is in some places too broad, in other places too specific, and occasionally not applicable to Notre Dame. He added that when other institutions ask for Notre Dame's policy statement on athletics, they are sent Fr. Malloy's document, though it was not written as a mission statement.

Fr. Malloy interjected that the 1987 Statement should be considered his alone in the sense that he honed it. Many other people, including the board, worked on its compilation. He felt that the statement was necessary in 1987 because the University did not have anything that briefly articulated the fundamental elements and principles of the University's athletic program. The statement could now be reworked, as necessary.

Fr. Beauchamp remarked that Notre Dame will be up for NCAA certification in 1997. The review will be analogous to the North Central Accreditation reviews, except that it will be directed toward athletics. The peer review will study areas of academic integrity, fiscal integrity, compliance with NCAA rules and regulations, etc. Before the review takes place, the University will conduct a major self-study of its athletics program. It will put together a mission statement based on the principles of Fr. Malloy's document. In response to a question from Fr. Malloy, Fr. Beauchamp said that the board would bring the finished statement to the Academic Council for discussion and approval.

Prof. O'Hara reasserted that the Knight Commission and the AAUP Statement are not perfectly dovetailed, which makes the board's task more difficult. While the compos-

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ite does not quite fit the University, the Knight Commission better matches the University's existing practices. She recounted her experience of serving for two years on the NCAA Infractions Committee, where she saw significant enforcement cases brought against almost every major university. The experience clarified for her just how unique Notre Dame is. First, no other institution in a major conference is organized structurally as Notre Dame is, with a senior executive officer functioning as the NCAA faculty representative. To have the Athletic Department report to the executive vice president, and to have that be one of his major responsibilities, happens nowhere else. To make the university president the operational authority, as the Knight Commission does, effectively marginalizes the administration's control and places more autonomy within the athletic department. Second, most athletic programs operate their budgets autonomously from the university's budget, which is not true for Notre Dame. There are numerous minor differences, such as the fact that the University does not operate generally on the redshirting principle. All in all, Prof. O'Hara said, the differences between Notre Dame and other institutions argue for the University to have its own distinct mission statement.

Prof. Porter said that the Faculty Senate had some concerns that had not been satisfactorily answered. First, the Senate would like to see the University provide for an independent role for faculty oversight of athletics. However, the board's proposal would leave the executive vice president as the chair of the board. Further, the board would have only five elected faculty members. Second, the senate has questioned the University's tradition of providing all-expense-paid trips to bowl games for board members. At best, the senate feels it creates a bad appearance for the board to accept trips from the people they are supposed to oversee.

Fr. Beauchamp responded that the board is not recommending that the tradition of paid-for bowl trips continue. However, the board does consider it important for there to be representation of administrators, faculty and the Athletic Department at the bowl games, because of the events themselves and because of bowl committee expectations. Whether attendees should include members of the board is debatable. Whatever the decision, Fr. Beauchamp said that all attendees receive individual invitations from the administration of the University, not from the Athletic Department.

Turning to other issues, Prof. Borelli said that he was pleased when the office of the director of Academic Services for Student Athletes was created. However, he received no response when he contacted the office to express concerns and to ask for a meeting with a certain athlete and the director. He recalled having better response from the Freshman Year, when he simply com-

plained about a student and was immediately contacted by the adviser to arrange a meeting.

2. Discussion of a proposal to change class times. Dr. Pace, University registrar, led this discussion by referring to a proposal that was distributed in advance to council members. (See Attachment C.) First, the proposal would change the Monday/Wednesday/Friday (MWF) schedule to begin classes at 8:30 a.m., 30 minutes later than presently scheduled. The average number of 8 a.m. classes on MWF is 40; the Registrar's Office would like to see that increase to 100. However, faculty find it difficult to teach at 8 a.m.; since departmental offices are not open in advance of that time, copy machines and other services are not accessible. Delaying MWF classes a half-hour would help faculty in that regard, and it would reduce the number of classes offered midday. Additionally, since by the proposed schedule no one period could be identified as the noon class period, traffic flow to the dining halls would be improved, an important issue for students, and one that has been brought by Food Services to the registrar's attention for several years. Nine class periods would remain in the day.

Second, several years ago the University reduced the number of minutes between classes around the noon hour from 15 to 10. However, since the completion of DeBartolo Hall and its added technology, faculty have found it difficult to prepare software and equipment in 10 minutes. Therefore, it is proposed that the break between those classes be expanded again to 15 minutes. Dr. Pace said that faculty would like even more time, but the schedule will not allow for it.

Third, it is proposed that a class period be added to the Tuesday/Thursday (TTh) schedule, which would help with the great demand for 75-minute classes. An additional period would be gained by deleting the 12:15 - 1:15 noon break on TTh; the extra class would begin at 12:30 p.m. This proposal would also be advantageous for the dining halls. The departmental exam period, 8 a.m. - 9:15 a.m., would be retained.

The fourth part of the proposal would realign the standard times for 75-minute MW classes, to reduce scheduling conflicts with the traditional 50-minute MWF schedule. Seventy-five minute MW classes are offered because of the demand by students and faculty for more 75-minute classes than can be offered on the TTh schedule. However, with the present alignment, students find it difficult to incorporate 50-minute morning classes on MWF with 75-minute MW classes. It is therefore proposed that 75-minute classes on MW begin at 8 a.m., and that 50-minute classes on MWF begin at 8:30 a.m. Obviously, this throws some classes back into the 8 a.m. time slot, with its noted difficulties for faculty, but the advantage would be a greater overall efficiency in the use of MWF

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morning class slots. If this plan is unworkable, 75-minute classes on MW would be scheduled only for the afternoons.

Prof. Swartz asked if the Registrar's Office had considered splitting MW classes so that half of them would meet on MW and the other half would meet on Wednesday/Friday (WF), to keep from creating four-day weeks for too many students. He noted further that teaching a 400-level class, which is usually a discussion class, at 8 a.m. would be difficult. Could an introductory course be taught then instead? Dr. Pace commented that the splitting of MW classes into MW and WF classes is a good recommendation to consider. However, he said that it was the Provost Advisory Committee's (PAC's) suggestion that 8 a.m. classes be only upper-level. Prof. Hatch added that PAC's decision was made in an effort to stop the melting of three-day classes into two-day classes.

Dean Kolman said that the proposed schedule would reduce the number of afternoon classes in which student athletes can enroll, since most athletes need to be finished with classes by 3 p.m. for athletic practices. As a result, more athletes would be packed into a smaller number of classes. Fr. Malloy asked if the same would be true for groups such as band and drama. Dean Kolman answered no, the proposed changes would not create as much difficulty for those students. Dr. Pace said that while the proposal would reduce time for athletics on MWF, it would add a more usable time period on TTh if athletes were allowed to go to class until 3:15 p.m. Fr. Beauchamp said that not every student athlete is finished with classes by 3 p.m. with the current schedule and that scheduling classes to end at 3:15 would not be a great problem.

Ms. Kielbasa supported adding a 75-minute class to the TTh schedule and asked how it would affect science students and labs. Dr. Pace said that lab schedules would not be impacted greatly. Most science classes (80 percent) are offered on a MWF schedule, which leaves TTh for labs.

Prof. O'Hara asked if the proposal was confidential. Dr. Pace answered no; it has been posted in DeBartolo Hall since February. He closed by saying that his office wants to give students more flexibility, and that it must find a way to spread classes so they are not all grouped in prime time.

The proposal will be referred to the Committee on Undergraduate Studies for further analysis and deliberation. A recommendation from that committee will be brought back to the council next fall.

3. Response of the Undergraduate Studies Committee to the Curriculum Committee Recommendations.

Prof. Delaney presented the responses of the Undergraduate Studies Committee to the recommendations of the Curriculum Committee. (See Attachment D.) He told the council that the Undergraduate Studies Committee drew a distinction between those recommendations of the Curriculum Committee that are relatively noncontroversial and those that can sustain considerably more discussion. Specifically, Recommendations 5 and 6 fell in the latter category; they were the most controversial and the most substantive. All other recommendations fell in the former category. The following summarizes briefly the response by the Undergraduate Studies Committee. (The numbering here corresponds to that of the recommendations in the Curriculum Committee Report.)

1. The committee endorsed the recommendation that large classes be supplemented with tutorials, labs, etc. The committee proposed that the deans report to the Academic Council in the fall on plans and progress toward that goal.
 2. The committee endorsed specifically the first sentence of Recommendation 2, that faculty teach more expansively, with the goal of graduating students who are library literate and who can think through issues critically. The committee would entertain future discussion about the specifics of the second sentence of the recommendation. The committee proposed that the provost and the director of the yet-to-be-established teaching center report to the council in the fall regarding approaches and implementation.
 3. The committee endorsed the recommendation that an ad hoc committee study the Composition and Literature Course. The committee proposed that the ad hoc committee report its results to the council in the fall.
 4. The committee endorsed this complicated recommendation regarding additional requirements for graduation with honors. The committee proposed that a subcommittee of its own body assume responsibility for the recommendation by first asking the college councils to study the recommendation in the fall, and report their findings to the subcommittee at the end of the fall. The Undergraduate Studies Committee would report back to the council in the spring.
- Commenting again at this point that Recommendations 5 and 6 are the most substantive ones, Prof. Delaney deferred discussion of them until the end.
7. and 8. The committee endorsed the recommendation that additional science courses be developed, particularly in the areas of biology and chemistry. It also endorsed the recommendation that lower-level math courses be re-

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designed to better meet the needs of students in the colleges of arts and letters and business administration. The committee proposed that the dean of the College of Science report back to the council his progress on both recommendations in the fall.

9. The committee endorsed the recommendation that the College of Engineering develop elective courses in technology for non-engineering students. The committee proposed that the dean of engineering report back to the council in the fall.

10. The committee endorsed the recommendation that the University promote greater cultural diversity through the hiring of faculty and the addition/revision of appropriate courses. The committee felt that courses of greater cultural diversity would be found most naturally in the colleges of arts and letters and business administration. The committee proposed that the college councils, especially in those two colleges, discuss the recommendation in the fall, and that the deans report their conclusions to the Academic Council.

11. The committee endorsed the recommendation that academic advising be thoroughly reviewed by the Provost's Office, and that appropriate changes be made to foster faculty/student academic interaction. The committee proposed that the various academic units be asked to report on their advising policies of the units, as well as on student satisfaction with advising. The committee also proposed that the Provost's Office report back to the Academic Council in the fall.

12. & 13. The committee endorsed both of these recommendations, which would enable the implementation of all of the recommendations.

Prof. Delaney then turned to Recommendations 5 and 6. He reminded the council that it was a main tenant of the Curriculum Committee that undergraduate education at Notre Dame needs to be taken more seriously from the very beginning of a student's education, and that all students should be exposed to members of the teaching-and-research faculty in a setting that promotes faculty/student interaction. However, such a shift in theory and practice would be costly in terms of time, energy and dollars.

Prof. Delaney stated that the Undergraduate Studies Committee wrestled with exactly how to endorse Recommendations 5 and 6, being reluctant to put a stamp on something that will not actually happen. However, in the end, the committee endorsed both recommendations as a unit. Specifically, it endorsed Recommendation 5, which is concerned with the development of Arts and Letters University Seminars that would be taught by teaching-and-research faculty. The committee itself would conduct an annual review of the implementation of Recommendation

5. The review would be informed by a report from the dean of arts and letters that would include current staffing patterns and projections, and that would reflect on the impact of the staffing of the seminars on other arts and letters teaching responsibilities and on the professional development of junior faculty. It would also include reports from department chairs on the contribution of individual departments toward the implementation of the recommendation.

Prof. Delaney stressed that the Undergraduate Studies Committee agrees with the Curriculum Committee that the proposed seminars are an educational necessity. Therefore, as part of their endorsement of Recommendations 5 and 6, the Undergraduate Studies Committee proposed the specifics of structure, implementation, and registration mechanisms for the University Seminars in an appendix to their report. (That appendix is included in Attachment D.) The appendix includes the following: staffing patterns and projections; the rationale behind using the name "University Seminars;" specifics about class size, sections, enrollment, etc; the definition of "writing intensive"; the outlining of a three-stage process for implementing seminars as a requirement across the board for the University; the elimination of the humanities seminars for both the general curriculum and the honors program, etc.

Prof. Conlon expressed his desire that the College of Business Administration have a greater role in the proposed curriculum changes. Discussions with his colleagues have confirmed their support of more writing-intensive courses for lower-level students, taught by regular teaching-and-research faculty. However, they questioned why the proposed seminars must fulfill University requirements. They also disagreed with the assumption that because the seminars would be writing intensive, they would only be taught in those disciplines where writing is a regular component. Was this the intent of the Curriculum Committee's original proposal? Why could not colleges other than arts and letters structure some of their sophomore classes as "University" Seminars? Such a course would fit into the well-defined curriculum of the sophomore business student, for example. It would also fit well with an honors course that is currently under consideration by the College of Business Administration.

Prof. Delaney said that the Curriculum Committee always intended that the proposed seminars would fulfill University requirements. Though the document may have seemed ambiguous in that regard, the whole discussion of the Curriculum Committee supported the idea of using the seminars as a way to fulfill University requirements.

Prof. Conlon then asked if it would be unreasonable for other colleges to structure sophomore courses to be small, writing intensive, and taught by regular teaching-and-re-

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search faculty? Prof. Delaney answered that the Curriculum Committee would be very enthusiastic about such courses, and that, in fact, many departments already offer them. However, the committee focused on the curriculum at the level of University requirements. Prof. Conlon then mentioned the designation of resources to teach the seminars. If each student were eventually required to take three seminars, could one of them fulfill a collegiate requirement? Prof. Delaney answered that the current proposal does not address that question; it speaks only to Colloquy's recommendations, and includes only those resources proposed in the Colloquy. With the current arts and letters faculty, a requirement of one seminar course per student toward a University requirement could be accommodated. With the additional faculty proposed by the Colloquy, two seminars per student could be accommodated. The final phase, three seminars per student, would probably have to be managed within colleges — that is, toward college requirements.

Prof. Roos reminded Prof. Conlon that the Undergraduate Studies Committee had focused on the freshman year. His recent conversations with about 50 students completing their freshman year strongly suggests that the freshman year needs much attention. Most of the students had had no contact with teaching-and-research faculty. Adding small, writing-intensive courses in the College of Business Administration would not help the freshman year.

Dean Kolman said that the appendix of the Undergraduate Studies Committee report lays out a four-year plan that would start next fall but would not be implemented until the fall of 1996. Since it would take four years to implement the first step of the plan, it seems premature to discuss seriously the second and third steps. Prof. Conlon said that he appreciated Dean Kolman's point. However, he remained concerned about the premises of several of the recommendations, particularly those concerning the fulfillment of University requirements.

Ms. Kielbasa said that one reason for having the University Seminars fulfill University requirements was to offer students and faculty more flexibility, and to relieve some of the pressure on students to fulfill University requirements. Dean Kolman added that the Curriculum Committee looked specifically at the University curriculum and tried to free up the tightness of that structure by reducing the number of University requirements by one. The committee intentionally named the courses Arts and Letters University Seminars, since it was always its intention that the courses satisfy University requirements. What has changed is that the courses have been expanded so they can meet any University requirement.

Prof. Bonello expressed his skepticism that regular teaching-and-research faculty will want to teach the courses. If

faculty had wanted to teach a writing-intensive course to freshmen, they could have done so for the Freshman Seminar. He also mentioned that the Freshman Seminar required 30 pages of writing per semester, while the proposed University Seminar would require a minimum of 24 pages, or a 20 percent reduction.

Prof. Hatch asked about Composition and Literature, the one Freshman writing course that would be left. He asked if the Undergraduate Studies Committee had considered the question of which vehicle is best for teaching writing to freshmen, Composition and Literature or something like the Freshman Seminar. Prof. Delaney said that the committee had discussed the question and felt that the courses were different: one teaches writing, the other teaches composition. Prof. Hatch said that he understood the difference. However, the question remains: Which course has the most potential to teach writing? Dean Kolman said that the issue had not yet been thoroughly studied. Prof. Hatch said that he suspects there are probably better teachers to draw from for the teaching of the Freshman Seminar than for the teaching of Composition and Literature.

Fr. Beauchamp asked about the numbers of faculty required to teach University Seminars. According to the numbers given in the appendix, about 40 sections of Freshman seminar are now taught by non-regular faculty. With current teaching loads, 10 additional teaching-and-research faculty would be needed if each student is required to take one University Seminar taught by a member of the teaching-and-research faculty. Prof. Gutting pointed out that the number of additional faculty required would be less than that number because some of the courses are currently being taught, though in much larger sections. Prof. Delaney said that the proposal counted on no additional resources other than those provided for in the Colloquy. In any case, he added, the Curriculum Committee feels that there is no other place that the University could put additional resources more effectively.

Prof. O'Meara said that Dean Attridge had conducted some studies along the way with the Curriculum Committee and had assured them that they could start teaching University Seminars before any additional faculty were added. Prof. O'Meara also said that he hoped that the culture would change, and that faculty would come to regard the teaching of freshmen as an important task and as an expectation at Notre Dame.

Prof. Bonello remained skeptical because of the costs to faculty in terms of time taken from research and in terms of the time required to read, comment on, and grade so many papers. He said that to change the culture sounds good, but incentives realistically work in another direction.

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Prof. Hatch felt that there was an incentive for teaching-and-research faculty to teach University Seminars because they could teach in their own discipline. He spoke of an acquaintance who teaches a similar course at Duke and said that they have no trouble getting faculty to teach. Prof. O'Meara said that the course was deliberately designed so that faculty members would have the added incentive of teaching in their own discipline.

Mr. Zeugner commented that the library faculty would like to participate in the implementation of Recommendation 2. He proposed having the library faculty work cooperatively with the Center for Teaching and Learning and with teaching-and-research faculty to provide library literacy. Many of the library faculty hold advanced degrees and would welcome the opportunity to collaborate with teaching-and-research faculty to provide a positive learning experience for students.

Fr. Malloy asked what the council should do next. After some discussion, it was decided that the council would vote on approving the recommendations of the Curriculum Committee in principle and accepting the implementation steps included in the *body* of the report of the Undergraduate Studies Committee. (The Appendix to that report, which includes considerable detail on suggested staffing, scheduling and timetables, was not to be part of this council action.) A motion, made to that effect, was approved with two members abstaining.

4. Reports. Prof. Delaney had no other business to report from the Undergraduate Studies Committee.

Prof. Roos reported that the Graduate Studies Committee had recently discussed the depressed job market for graduate students, a concern raised by Fr. Malloy in the previous council meeting. He said that Prof. Hatch had offered to gather some materials into a report to bring before the council next fall. He would look at trends in hiring, which disciplines would be in future demand, etc. The Graduate Studies Committee will continue to review the University's graduate programs in the fall, operating on the principle that the Graduate School should be small but superb.

Prof. Conlon reported that the Faculty Affairs Committee continued to discuss its concern about the proper route for handling academic proposals starting from their point of origin and proceeding through the council and/or its various committees. He read a draft of an amendment to Academic Article IV.3(a), which will be directed to the Executive Committee for consideration next fall.

Fr. Malloy reported that the Provost Search Committee has been working quietly and diligently. Candidates have come to the committee's attention through advertisements, solicitations and nominations. He said that

the committee has begun the process of narrowing its list significantly.

He closed the meeting by announcing that the Academic Council would meet one more time this semester on Monday, May 15, at 10 a.m.

The meeting was adjourned at 5:05 p.m.

Respectfully submitted,

Roger A. Schmitz
Secretary of the Academic Council

Attachment A

WHEREAS: In 1991, both the Knight Commission on Intercollegiate Athletics (co-chaired by Fr. Hesburgh) and the American Association of University Professors proposed corresponding and mutually compatible principles that have initiated a now well-advanced reform in the conduct of intercollegiate athletics;

AND WHEREAS: The University of Notre Dame's observance of responsible academic and ethical standards in intercollegiate athletics has brought it distinction, respect, and leadership as virtually a model of the compliance recommended by the AAUP and the Knight Commission;

BE IT RESOLVED:

- 1) That the Faculty Senate recommended that the Academic Council join the effort of reform in intercollegiate athletics by ensuring the University's full compliance with the principles defined by the Knight Commission and the AAUP.
- 2) That the Faculty Senate recommended that the Academic Council confirm and sustain such compliance by publishing the following combined and integrated statement of these principles in the *Faculty Handbook*, to be recorded as articles 26 (page 41) under the *Academic Code*;

Intercollegiate Athletics

26.1 The University is committed to a philosophy of firm institutional control of athletics, to the unquestioned academic and financial integrity of its athletic programs, and to the accountability of the athletics department for the values and goals befitting higher education.

26.2 To ensure that the educational values, practices, and mission of the University determine the standards by which it participates in intercollegiate athletics, the re-

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sponsibility and authority for the administration of the athletics department, including all basic policies, personnel, and finances, is vested in the president.

26.3 Standards for admission, progress toward graduation, and the welfare, health, and safety of all student athletes in all sports are comparable to those for other students.

26.4 Formulation of, and compliance with, University policies relating to the admission of student athletes, their progress toward graduation, and the academic integrity if their courses of study are the responsibility of the University's Faculty Board in Control of Athletics, on which elected faculty members comprise a majority and which is chaired by an elected faculty member. The Faculty Board seeks appropriate review of cases of apparent policy non-compliance, and it submits to the faculty annual reports on admissions, progress toward graduation, and graduation rates of intercollegiate athletes by sport.

26.5 Student athletes are integrated with other students in housing, food service, tutoring, and other areas of campus life. Participation in intercollegiate athletics by first-year students is regarded as ill-advised. All student athletes have at least one day per week free of athletic obligations and do not, with rare exceptions, incur more than one overnight absence on a weekday evening per week. In all sports, the number of events per season is periodically reviewed by the Faculty Board.

26.6 Financial aid standards for athletes are comparable to those for other students. The aid is administered by the financial aid office of the University. The assessment of the financial need of athletes may take account of time demands that may preclude or limit employment during the academic year. Continuation of aid to students who drop out of athletic competition or complete their athletic eligibility is conditioned only on their academic and financial qualifications.

26.7 The President and central administration of the University maintain full and direct control of the athletic department's financial operations and of revenues received from outside groups. These areas of control include the allocation of general operating funds to the support of the athletic department, the establishment of regulations governing the use of, and fees for, university facilities by private businesses, including summer athletic camps, and the assessment of fees charged to coaches on the same basis as those charged to faculty and other staff engaged in private businesses on campus. Annual budget and long-term plans are approved by the Provost's Advisory Committee, with the participation of its elected faculty representatives. The University's central administration publishes complete and detailed athletic department budgets for each coming year and actual expenditures

and revenues for each past year. Published athletic department budgets also include an accounting of maintenance expenses for sports facilities, activities of booster groups, payments by outsiders for appearances by coaches and other athletic staff, payments by sports apparel companies, and sources of scholarship funds.

26.8 Paid-for-trips to games, and other special benefits for faculty, administrators, or members of the Faculty Board in Control of Athletics, whether offered by the University or by outside groups, create conflicts of interest and are prohibited.

26.9 The President of the University seeks to ensure that the University's intercollegiate athletic events are scheduled, as far as possible only with institutions, and within conferences and associations, that commit themselves to compliance with these or comparable principles. In this effort, the President joins with counterparts in other institutions and organizations to sustain the integrity and promote the viability of such principles, and reports annually to the University community on the progress of such efforts.

3) That the Faculty Senate recommend that the Academic Council accordingly revise the first paragraph of the *Faculty Handbook's* description of the Faculty Board in Control of Athletics (Article IV, Subsection j, page 30), by ~~deletions~~ and additions as follows:

The Faculty Board in Control of Athletics consists of the Executives Vice President, ~~who chairs the Board~~, the Vice President for Student Affairs, the Director of Athletics and ~~nine~~ ten other members, one elected by and from the faculty of each College, one elected by and from the Law School faculty, ~~two~~ elected at large from the faculty, ~~three~~ two appointed by the President from the faculty and one appointed annually by the President from the student body. Elected and appointed faculty members serve staggered, three-year terms and no such faculty member may serve more than two consecutive terms. The Board is chaired by a member elected annually from the elected faculty

Attachment B

Report on Recommendation 34

In response to the Colloquy and, more recently, in response to the Faculty Senate Resolutions on Athletics, the Board proposes the following alterations to Article IV, 3.i.

The Faculty Board ~~in Control of~~ [on] Athletics consists of the Executive Vice President, who chairs the Board, the Vice President for Student Affairs, the Director of Athletics, [the Director of Academic Services for Student-Ath-

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letes] and nine other members, one elected by and from the faculty of each College, one elected by and from the Law School faculty, three appointed by the President from the faculty [on the recommendation of the Provost] and one appointed annually by the President from the student body. Elected and appointed faculty members serve staggered, three-year terms and no such faculty member may serve more than two consecutive terms.

The Board is charged with the general supervision [oversight] of all matters pertaining to [the academic components and implications of] intercollegiate athletics [and policies]. [It is the duty of this body to help maintain and foster institutional control of intercollegiate athletics and the University's commitment to academic integrity within the athletic program.] Specifically, it is empowered to make recommendations to the President on athletic policy and on University action in regard to regulations and decisions of the National Collegiate Athletic Association; to pass upon the amateur standing of all students engaged in intercollegiate athletics; to disqualify from participation in such athletics students who are delinquent in their studies or guilty of serious disciplinary offense or violation of University athletic regulations [to consider standards for appointment of coaching personnel; to assess admission data, eligibility, progress toward a degree, and general academic achievement of student-athletes; to participate in and review the results of periodic institutional athletic department self-studies; to initiate discussion on issues of concern to the faculty and administration;] and to [review and] approve [each student petition for a fifth year of athletic eligibility,] all intercollegiate athletic schedules, the captains and student managers of all University teams, and the winners of monograms.

Attachment C

Proposed Standard Class Times

Monday/Wednesday/Friday (50 minute classes)	Tuesday/Thursday (75 minute classes)	Monday/Wednesday (75 minute classes) (ONLY for classes of 400 level and above)
8:30 a.m.-9:20 a.m.	8:00-9:15 (ONLY for departmental exams and graduate level classes)	8:00 a.m.-9:15 a.m.
9:35 a.m.-10:25 a.m.	9:30-10:45	11:45 a.m.-1:00 p.m.
10:40 a.m.-11:30 a.m.	11:00-12:15	1:30 p.m.-2:45 p.m.
11:45 a.m.-12:35 p.m.	12:30-1:45	3:00 p.m.-4:15 p.m.
12:50 p.m.-1:40 p.m.	2:00-3:15	4:30 p.m.-5:45 p.m.
1:55 p.m.-2:45 p.m.	3:30-4:45	
3:00 p.m.-3:50 p.m.	5:00-6:15	
4:05 p.m.-4:55 p.m.		
5:10 p.m.-6:00 p.m.		

Current Standard Class Times

Monday/Wednesday/Friday (50 minute classes)	Tuesday/Thursday (75 minute classes)	Monday/Wednesday 75 minute classes) (ONLY for classes of 400 level and above)
8:00 a.m.-8:50 a.m.	8:00-9:15 (ONLY for departmental exams and graduate level classes)	8:40 a.m.-9:55 a.m.
9:05 a.m.-9:55 a.m.	9:30-10:45	11:15 a.m.-12:30 p.m.
10:10 a.m.-11:00 a.m.	11:00-12:15	12:50 p.m.-2:05 p.m.
11:15 a.m.-12:05 p.m.	1:15-2:30	2:20 p.m.-3:35 p.m.
12:15 p.m.-1:05 p.m.	2:45-4:00	3:50 p.m.-5:05 p.m.
1:15 p.m.-2:05 p.m.	4:15-5:30	
2:20 p.m.-3:10 p.m.		
3:25 p.m.-4:15 p.m.		
4:30 p.m.-5:20 p.m.		

Revised Standard Class Time Periods

Proposed effective date: Spring semester, 1996

Features and Discussion

1. Begin classes 30 minutes later on Monday/Wednesday/Friday (MWF). The first class period would commence at 8:30 a.m. The total number of class periods on MWF would *remain* at nine.

Discussion:

For the last several semesters, the first class period on MWF (8:00 a.m.-8:50 a.m.) has attracted from 40-45 classes out of a possible capacity of 160. Faculty have indicated that a major drawback to the period is the fact that departmental support staffs are not available before 8:00 a.m. An instructor will often need access to a copier or department resources before class. An 8:30 a.m. start time would allow faculty the opportunity to utilize the departmental office staff/resources before the first class period. The resulting MWF schedule would still contain nine periods with the last class period scheduled from 5:10 p.m.-6:00 p.m.

Desired effect:

The first class period would be better utilized thereby alleviating some of the strain on the remaining MWF time slots.

2. Standardize a 15 minute break between all class periods on Monday/Wednesday/Friday and Tuesday/Thursday.

Discussion:

The present class schedule allows only 10 minutes between mid-day classes on MWF: 12:05 p.m. to 12:15 p.m. and 1:05 p.m. to 1:15 p.m. When the noon break was removed from the class schedule several years ago, 10 minute breaks were installed at the above times so that

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afternoon class times would remain the same. With more faculty using technology in lectures, it is essential that faculty have adequate time before the period starts to load software and cue up their class presentation.

Desired effect:

Allow adequate transition time between all class periods.

3. Gain an additional class period for the popular Tuesday/Thursday (TTH) schedule by deleting the hour break in classes on Tuesday/Thursday from 12:15 p.m.–1:15 p.m. while retaining the “departmental exam” period from 8:00 a.m.–9:15 a.m.

Discussion:

During the last academic year, PAC discussed the use of the first period on TTH for departmental exams. It was decided that departmental exams would remain in this time slot. In the present schedule, this results in only five usable class periods at TTH. Hence, some departments have wanted to teach 75 minutes courses on Monday/Wednesday (MW). The 75 minute classes on the MW schedule results in poor utilization of classroom space since each of these 75 minute classes ties up a classroom for two MWF class periods. The present schedule contains a 60 minute lunch break from 12:15 p.m. until 1:15 p.m. This break creates a problem for the Dining Halls since most students eat between 12:15 p.m. and 1:15 p.m. The revised schedule adds an additional class period to the TTH schedule starting at 12:30 p.m. This results in four afternoon class periods instead of three. The Dining Hall administration has reviewed this proposal and finds it very desirable as it will, in theory, divide up the lunch traffic. Except for the present 4:15 p.m.–5:30 p.m. time period on TTH, all the TTH periods are normally filled to capacity. Room for an additional 160 TTH 75 minute classes will be welcomed by many academic departments.

Desired effect:

Allow more 75 minutes classes to be taught on the TTH schedule and relieve some of the student Dining Hall lunch traffic problems.

4. Realign the standard times on Monday/Wednesday to reduce student scheduling conflicts with the Monday/Wednesday/Friday schedule.

Discussion:

This is a more difficult change to grasp on first review since the proposed MW class times seem to be spread out and somewhat arbitrary. Because of heavy MWF class scheduling during the a.m., it is not practical to offer additional 75 minute classes on the MW schedule during the morning hours. When a 75 minute class only uses 15 minutes of an MWF class period in a DeBartolo 250 tech-

nology classroom, it renders the classroom unusable for the remainder of the period. In addition, students have difficulty scheduling MWF classes when trying to balance two schedule formats. University policy states that only 400 level and above classes may utilize the MW schedule. With the change to an 8:30 a.m. first period on MWF, and the fact that classroom space is unlikely to be utilized to capacity, one morning MW class from 8:00 a.m. until 9:15 a.m. can be scheduled. There are disadvantages to this time period, but it is the only logical time for an MW class on the MWF a.m. schedule. The remaining four proposed MW times periods better coincide with the beginning or ending times of the MWF class times schedule.

Desired effect:

Allow for several MW classes while providing the students with less complicated scheduling possibilities.

Attachment D

Undergraduate Committee Response to Curriculum Committee Recommendations

The University Curriculum Committee recommends that:

1. Large lecture classes be supplemented with tutorials, laboratories or other appropriate experiences which foster active student involvement in learning.

Endorse. Deans report to Academic Council in fall on plans and progress.

2. Faculty be encouraged to pursue, in conjunction with the Center for Teaching and Learning, a wide variety of pedagogical approaches to assist students to become library literate and independent, critical thinkers. These approaches include inter-departmental cooperation in developing and teaching courses, experiential learning, collaborative learning, information retrieval and manipulation, multimedia presentations, intensive writing and computer technology.

Endorse (first sentence). The Provost, together with the new director of the Center for Teaching and Learning, report to Academic Council in fall.

3. An ad hoc committee be established to review the Composition and Literature course; having reviewed and made recommendations concerning the purpose of this course, it should establish which students should take this course and set clear guidelines for skipping this course and receiving credit through examination.

Endorse the recent appointment of a committee to study this issue. This committee will report to the Academic Council in the fall.

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4. The Academic Council reviews the requirements for honors at graduation with the goal of incorporating a significant research project or thesis as a component.

Endorse. A sub-committee of the Undergraduate Committee of the Academic Council should take responsibility. It should task the various College Councils to do a detailed study of the matter in the fall and report back to the sub-committee at the end of the fall. The Undergraduate Committee will report to the Academic Council in the spring.

5. Arts and Letters University Seminars, taught by regular members of the teaching-and-research faculty, be developed and one such course be required of every first-year student beginning during the 1996-97 academic year; and a time line be developed for expanding this requirement to at least two and possibly three such seminars for each student over his or her first two years.

Endorse. There should be a detailed annual review of the implementation of this requirement by the Undergraduate Committee of the Academic Council. This review should be informed by a report from the Dean of Arts and Letters to this committee bearing on current staffing patterns and projections for the future. This report should include reflection on the impact of the staffing these University Seminars on other Arts and Letters teaching responsibilities (Core) and on the professional development of junior faculty. This report in turn should be informed by reports of the various chairpersons on their department's contribution to the implementation of these University Seminars.

The Undergraduate Committee agreed with the Curriculum Committee that such University Seminars were an absolute educational necessity. The Undergraduate Committee has specified the *structure*, the *implementation details* and the *registration mechanisms* for these University Seminars in an Appendix. We would like to underscore the obvious fact that there must be a demonstrable commitment of faculty resources from the main building and teaching effort from the various departments to realize this central recommendation of the Curriculum Committee.

6. The Freshman Seminar in its current format be eliminated as a University requirement.

Endorse

7. Additional science courses of a topical nature be developed especially in the areas of chemistry and the biological sciences.

Endorse. Dean of Science report to Academic Council in the fall.

8. The lower level mathematics courses be redesigned to better serve the needs of Arts and Letters and Business Administration students; and these redesigned courses be evaluated three years after their inception.

Endorse. Dean of Science report to Academic Council in the fall.

9. The College of Engineering develop and offer several elective courses in various areas of technology for non-engineering students.

Endorse. The Dean of Engineering report to Academic Council in the fall.

10. Relevant departments give high priority to offering new and revised courses which present a variety of cultural traditions and perspectives by encouraging present faculty to pursue these areas and by hiring new faculty with these interests and expertise.

Endorse. The College Councils, especially Arts and Letters and Business, should discuss this in the fall and the Deans should report to the Academic Council.

11. The Provost's Office survey student satisfaction with academic advising and report the results to the academic units and to the Undergraduate Studies Committee of the Academic Council; and individual academic units review their practices and make changes to foster faculty-student academic interaction.

Endorse. The report should include report from the various academic units on their advising policies. The Provost's Office should report to the Academic Council in the fall.

12. The Provost and the Deans aggressively pursue the implementation of these recommendations and that the Undergraduate Studies Committee of the Academic Council review annually the goals of general education and the courses and structures which seek to realize these goals.

Endorse.

13. The Provost's Advisory Committee do an analysis of the resources necessary to implement these recommendations and relate them to the priorities of the *Colloquy*.

Endorse.

Appendix: Specification of the University Seminars

A. Structure of the seminars

1. small seminars (18)
2. satisfying the university requirements
3. taught by regular T&R faculty
4. writing intensive

at least 24 pages of writing be required of the students including at least one rewrite of a corrected paper

B. Implementation of the seminars

1. The University Curriculum Committee has proposed the introduction of 3 seminars for freshman and sophomore students to be taught within departments by regular teaching and research faculty. The introduction of these courses, plus the elimination of the Freshman Seminar would thus make available three credit hours of electives for all students. Quite independently of the specific title of these seminars, it seems clear to us that 99 percent of them will be Arts and Letters seminars (reasons spelled out below), so we have asked the Dean of Arts and Letters to address the feasibility issue.

2. In order to implement the full program envisioned by the Curriculum Committee it would be necessary to staff approximately 165 seminars per semester with regular T&R faculty. At present approximately 16 of the 55 Freshman Seminars offered each semester are taught by regular T&R faculty. In order to implement the new program to the full extent envisioned by the Curriculum Committee we would have to find the faculty resources to staff 149 courses per semester with regular T&R faculty not now part of the offerings available to freshmen. Such offerings might be feasible with the addition of the 150 new faculty envisioned by the Colloquy. Absent such an enhancement of faculty resources, it will be difficult, if not impossible, to staff all of the courses envisioned with T&R faculty while maintaining an appropriate range of offerings at other levels of the instructional program. Even the adoption of a modified version of the Curriculum Committee's proposal could jeopardize the continuance of such programs as the Arts and Letters Core course, a small enrollment seminar required of all sophomores in the College. I, therefore, recommend that the UG Studies Committee not accept the recommendation of a three-course seminar requirement at this time.

3. I propose, instead, that the Undergraduate Studies Committee recommend the adoption of Phase I of a plan to implement the recommendations of the Curriculum Committee. This phase will require the implementation of departmental seminars for freshmen in numbers sufficient for all students to enroll in one such seminar taught by regular T&R faculty by the third academic year following the adoption of the recommendation. In the interim, the University will begin the process of hiring new fac-

ulty and finding suitable office space for them. (Finding such space is not a trivial problem. At present all offices in Decio, O'Shaughnessy, Haggard, Crowley and Riley Halls are filled. New A&L faculty regularly share offices in Decio.) At the end of the three-year period, the Undergraduate Studies Committee will review the recommendation of the Curriculum Committee and determine if an expansion of the seminar program is feasible.

4. These seminars would fulfill University requirements. The report of the Curriculum Committee and the discussion in the Academic Council led to some ambiguity on this point. If part of the rationale for these courses is to free three hours of a student's curriculum for electives, the new seminars must meet University Requirements. If these seminars are to have a significant writing component, they probably should be offered in those disciplines where such a requirement is a regular disciplinary component. These conditions suggest that the seminars, at least in their initial phase, fulfill Arts and Letters Requirements of the University Core, as the Curriculum Committee originally recommended. This stipulation would not preclude faculty from other colleges teaching such seminars. Faculty from other colleges who wish to participate in these programs could do so, as long as their courses were cross-listed with departments responsible for providing courses comprising the University Core Curriculum. At the beginning of the 1995 academic year the UG Studies Committee of the Academic Council would solicit from deans of all the colleges information about courses that could be incorporated into the new seminar program.

5. Consideration of the current staffing pattern indicates the constraints governing deployment of faculty resources.

i. The University currently staffs approximately 55 sections of Freshman Seminar per semester.

ii. Approximately 16 of these sections are staffed by regular T&R faculty. The remaining faculty are adjuncts, some of the hall rectors, and graduate students.

iii. Approximately 20 of the graduate students are supported by University Teaching Fellowships.

6. The proposed implementation of the requirement for Phase I would follow a timetable of the following sort:

A. 1996-97

i. Departments in Arts and Letters would be responsible for providing an appropriate number of seminars, as determined by the dean.

ii. At least 60 percent of the seminars (or approximately 33) would be taught by regular T&R faculty.

iii. At the discretion of the dean, departments could be authorized to meet the remainder of their obligation by the use of the 'prize' graduate students or adjuncts.

B. 1997-98

i. 80 percent of the seminars would be taught by regular T&R faculty.

ii. At the discretion of the dean, departments could be authorized to meet the remainder of their obligation by the use of 'prize' graduate students.

C. 1998-99

i. 100 percent of the seminars would be taught by regular T&R faculty.

7. Unclear in the report of the Curriculum Committee is the status of the Humanities Seminar (FS 185-86) and the Honors Section thereof (FS 195-96). I recommend that the Committee approve the termination of these seminars as part of the elimination of the Freshman Seminar Program. At the same time, the Committee should recommend consideration by the Honors Program of writing intensive seminars in Philosophy, Theology, English or History.

C. Registration mechanisms for the seminars

1. Working assumptions:

- a) freshman class size of 1900
- b) one-half of the class would enroll in a seminar each semester
- c) maximum class size would be 18
- d) 55 sections would be offered each semester

2. Seminars would be grouped into categories corresponding to the university requirements: theology, philosophy, history, social science, literature and fine arts. Depending on the number of offerings, the categories could be broadened or narrowed (e.g., philosophy and theology together or separate; social sciences further divided into behavior sciences and government/economics).

3. On the course selection form sent to incoming students in June, they would rank order their choice of University Seminar categories (1 - n) depending on the total number of categories. A more fine-grained selection of special skills (foreign language literature, fine arts) would be possible.

4. As schedules are built by FYS staff in July, every effort would be made to accommodate student preference as far as possible within the constraints of the offerings and the time frame.

5. In the fall semester students would be scheduled for English 109 or a University Seminar. Humanities Seminar would no longer exist; the Honors Program would make appropriate adjustments within the framework of University Seminars.

6. In the spring semester, the remaining half of the class would be scheduled for a University Seminar using the same preference procedure.

Academic Council Minutes May 15, 1995

Members in Attendance: Edward A. Malloy, C.S.C., Timothy O'Meara, E. William Beauchamp, C.S.C., Roger Schmitz, Timothy Scully, C.S.C., Patricia O'Hara, Harold Attridge, Francis Castellino, John Keane, Eileen Kolman, David Link, Anthony Michel, Richard McBrien, Frank Bonello, Cornelius Delaney, Michael Francis, Gary Gutting, Jean Porter, John Roos, Thomas Swartz, William Shephard, Andrew Sommese, Hafiz Atassi, Stephen Batill, Fernand Dutile, Lorry Zeugner and Regina Coll, C.S.J.

Observers in Attendance: Andrea Midgett, Dennis Moore and Russell Pickett

Guests in attendance were the following members of the Faculty Board in Control of Athletics: JoAnn DellaNeva, Alexander Hahn, Kathleen Halischak and David Kirkner

Prof. O'Meara opened the meeting at 10:05 a.m. with a prayer.

1. Minutes approved. The minutes of the council meetings of February 16 and March 6 were approved without amendment.

2. Trustee action on proposed changes in Article II, Sections 1 and 2. Prof. O'Meara reminded the council that at a previous meeting it had approved changes in Academic Articles II.1 and II.2 regarding the appointment and review of the vice presidents and associate provosts. (See Attachment A of the minutes of the council meeting of April 4, 1995.) The proposed article was then brought before the Board of Trustees, who felt that one sentence was ambiguous and suggested changes for clarification. With the following rewording of the final sentence of the second paragraph of Article II.1, the changes were approved by the Trustees: **The five-year review of the Provost shall include the Provost's responsibility for the performance of the Associate Provosts.** (The changes made in this sentence by the Board of Trustees are in bold.) No questions or comments were raised by council members.

3. International studies. Reporting on his plans for international studies as requested at an earlier meeting of the council, Fr. Scully distributed a diagram showing an intended organization and an outline of intended activities. (See Attachment A.) The diagram was formulated in consultation with members of various entities, including the Helen Kellogg Institute for International Studies, the Joan B. Kroc Institute for International Peace Studies, the Center for Civil and Human Rights, the Provost's Advisory Council (PAC), Officers of the University and the newly created Council on International Activities of the Board of Trustees.

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In a brief review of the plan, Fr. Scully said that he will ask the council in the fall to approve the creation of a University Committee on International Studies, to be comprised of the directors of the University's international institutes, the deans and perhaps others as advised by the council. The committee will be essential for coordinating and catalyzing efforts if the University truly moves ahead in international studies in the next 10 years, especially if the number of student participants is to be doubled as recommended through Colloquy studies.

Operating under Fr. Scully will be an assistant provost for international studies, a position that will be filled as of June 15 by Prof. Ivan Jaksic, who was recommended by a search committee of senior professors from each of the colleges. Prof. Jaksic comes to the position well-qualified, having worked on international efforts at Stanford University and at the University of Wisconsin. He also has fund-raising and federal international studies experience with the Department of Education.

The International Study Programs Advisory Committee will continue as it is currently run, with input from the colleges. The future directorship of international study programs is as yet undetermined; no one has yet been named to replace Dr. Isabel Charles, who will retire this summer. The assistant director is Dr. Claudia Kselman.

Fr. Scully said that over the next 18 months his office will assess and evaluate the academic quality of the University's various international programs. The goal of the evaluations will be to enhance the academic quality of the programs, especially those that enable students to learn another language and live in another culture.

Referring to the diagram, Fr. Scully said that the boxes to the right of International Study Programs represent an effort to catalyze and coordinate further what is already occurring on campus. He and Prof. Jaksic have already met with several deans and directors of institutes to begin talking about what might happen in international studies in the next few years, and to discuss how the University can best coordinate those efforts. The Provost's Office is particularly interested in enhancing area studies programs, especially in the College of Arts and Letters where they have done well. Specifically, foreign language development needs to be facilitated and coupled with international programs.

Fr. Scully said that work in International Teaching and Scholarship has just begun; the University will try to focus its efforts on alerting and preparing students for such prestigious scholarships as Rhodes and Fulbrights. Also, many internships exist in the Center for Social Concerns, the Kellogg Institute, the Business School, etc., which need to be better coordinated and publicized.

Finally, Fr. Scully said that international studies needs an enhanced presence in Washington, D.C., to better generate career and scholarly opportunities and fellowships for Notre Dame students. Fr. McBrien commended Fr. Scully for his vision and early planning efforts in this broad area of international studies.

4. Resolutions and recommendations regarding athletic affairs. Prof. O'Meara began this discussion by displaying to the council the various pages of amendments and proposals to which presentations and discussions would refer. He reminded them that the Academic Article in question, regarding the form and function of the Faculty Board in Control of Athletics, is Article IV.3.j. He said that the council would discuss two sets of recommendations for changing that article, one from the Faculty Senate and one from the Faculty Board in Control of Athletics (called hereafter *the faculty board* or *the board*). (The former is in Attachment A, and latter is in Attachment B of the council minutes of April 26, 1995.)

Regarding the resolution of the Faculty Senate, Prof. O'Meara said that the Executive Committee recommended that no action be taken directly regarding item one, which was considered to be an exhortation. In effect, the consequences of the exhortation would be the council's actions on the recommendations by the faculty board and on other items in the Faculty Senate's resolution.

The Executive Committee also recommended that item two of the Faculty Senate's resolution be tabled because of the faculty board's belief that the principles outlined in it are already being carried out. However, the Faculty Senate felt that the proposed new Article 26.1-26.9 should appear in the Faculty Handbook — if not in the Academic Articles, then perhaps in the Academic Code or in some other section of the Faculty Handbook — as a permanent, public assertion of how intercollegiate athletics operate at the University. Therefore, the Executive Committee recommended that the item be sent to the faculty board for consideration. Specifically, the faculty board should ask if the principles outlined in 26.1-26.9 are already being followed, and if the publication of a statement to that effect is desirable, especially as it adds to Father Malloy's 1987 statement on athletics. If a statement is to be published, the faculty board should recommend the place and format. The faculty board's response would be anticipated during the fall semester.

As chair of the Faculty Senate and a member of the Executive Committee of the Academic Council, Fr. McBrien said that, for the time being, he supported tabling item two, especially since learning that the University's own athletics policy is in many ways more strict than either the Knight Commission or the AAUP statements. He

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clarified his suggestion that the item go back to the faculty board not simply for a discussion of its advisability, but so the faculty board could come up with language for the Faculty Handbook that would incorporate the University's own, stricter policy. He felt that some differences between the faculty board and the senate would eventually require further discussion, such as the issue of faculty board members attending bowl games at the University's expense. He concluded by asking that a date be set by which the faculty board would report back to the council. He pressed for a report early enough in the fall so that appropriate action could be taken before the semester's end.

Fr. Malloy said that the timetable must depend on when meetings could be arranged and how substantive their discussions would be. He hesitated on a firm completion date because it might interfere with thorough discussion. However, he felt that the faculty board would want to complete its work during the first semester. Fr. McBrien reiterated that, in principle, the matter should be brought before the council for a vote sometime during the fall semester.

Prof. O'Meara repeated that the faculty board would consider the wisdom of including item two of the Faculty Senate's resolution in the Faculty Handbook. If the faculty board chose to do so, they could propose a statement of their own that would be debated by the council vis-à-vis item two. Fr. McBrien replied that the Faculty Senate would be satisfied if the faculty board came up with language that was consistent with the senate's statement and even stricter in some areas. If that happened, the Faculty Senate would allow their statement to give way to the faculty board's. If the faculty board decided that nothing new should be incorporated into the Faculty Handbook, then the Faculty Senate would ask for a discussion and vote on each part of item two in the fall.

Dean Attridge clarified that the Executive Committee felt that some sort of public statement, if approved, might be placed in the *University Policies* section of the Faculty Handbook. Fr. Beauchamp agreed, adding that the Faculty Board strongly felt that such a statement would not belong in the Academic Articles or Academic Code. Prof. O'Meara said that *University Policies* might not be the logical place for it either, and that where it should go should be considered by the faculty board.

Dean Castellino asked if it would expedite matters if the Executive Committee were to meet with the faculty board to discuss the proposed statement, rather than spend time passing documents back and forth. Fr. Malloy felt that the faculty board would handle the matter appropriately, and should present their recommendations to the Executive Committee.

Fr. McBrien said that since the faculty board is not a committee of the Academic Council, it could not be mandated by the council to do anything. However, a motion asking it to address the matter could be passed. Fr. Malloy first called the council to vote on tabling item two of the Faculty Senate's resolution. The motion passed without opposition. Next, Fr. McBrien moved that the faculty board be asked to prepare language, or to consider preparing language, to be included in the Faculty Handbook. The statement, to be submitted to the council no later than November 1, 1995, would incorporate as much as possible the principles and concerns articulated in item two of the Faculty Senate's resolution. The statement need not be in full accord with the Faculty Senate's, but should incorporate the kinds of issues and concerns raised by the Faculty Senate. The Faculty Senate would challenge certain points if necessary. The motion was seconded, and approved.

Prof. O'Meara reminded the council that two proposals for change in Academic Article IV.3.j were before them: changes proposed by the Faculty Board in Control of Athletics that address both paragraphs of the article (in Attachment B of the council minutes of April 26, 1995), and changes proposed by the Faculty Senate, addressing only the first paragraph of the article (in item 3 of Attachment A of the council minutes of April 26, 1995). To simplify matters, the Executive Committee combined all of the changes proposed for the first paragraph of the article into a single document, without prejudice or preference. (See Attachment B.) An explanation by footnote to the document numbers the proposed changes and indicates which of the two groups proposed them.

Fr. Malloy said that each proposed change, five in all, would be voted on individually, and that the entire article would be voted on in conclusion. He then asked for discussion of the first item, that the name of the Faculty Board in Control of Athletics be changed to the Faculty Board on Athletics, as proposed by the faculty board. There was no discussion of the proposal, which the council approved.

The Faculty Senate and the faculty board diverged on the second item. The faculty board proposed that the executive vice president continue to chair the faculty board, while the Faculty Senate proposed that the chair be elected annually by the board, chosen from the elected faculty on the board. Fr. McBrien said that the Faculty Senate's proposal was strengthened by the inexorable logic of being consistent with the recommendations of the Knight Commission and the AAUP document. He said that the proposal was made without any prejudice or implied criticism of the current policy.

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Dean Link said that he had served on the faculty board for many years, and that though he is not currently a member, he serves as counsel to the Board of Trustees' Committee on Athletics. Both experiences have convinced him that the University's faculty board functions as well as that of any other school, and better than the vast majority of other schools, if not all others. The University's athletic program is under control. He also said that the Knight Commission stipulates that athletics be placed under the control of the president, with oversight by the Board of Trustees. As such, it would seem appropriate for the president to be able to name the chair of the faculty board. And if the president wished to do so on a permanent basis, he should be allowed to, especially when the consistent practice of having the executive vice president serve as chair has so obviously contributed to the fact that the faculty board functions so well.

Fr. Beauchamp reminded the council of the distinction previously made between the Knight Commission and the AAUP document; the recommendations of the two do not always mesh. He said that the Knight Commission has, over the years, received the most attention. The AAUP document is not as well known, and is not referred to as extensively in NCAA meetings. Specifically, the Knight Commission does not recommend that the chair of the faculty board be an elected faculty member. Fr. Beauchamp also reminded the council that the faculty board had strongly recommended that its chair continue to be the executive vice president because it felt that having a high-level administrator serve as chair provides the University an opportunity for careful, thorough oversight of athletics. Also, it felt that not allowing athletics to operate independently from the rest of the University has served Notre Dame very well.

Prof. Batill asked for clarification: Was he correct in thinking that the combined document before him did not indicate the preference of the Executive Committee? Fr. Malloy replied that Prof. Batill was correct.

Prof. Dutile said that the faculty board felt that the executive vice president has inside information on athletics that is regularly brought to the board, and that much would be lost if the chair was an elected faculty member, because the agenda would be affected by other responsibilities of the chair. The board feared that its ability to work from the inside would erode until it eventually became an outside committee on the attack, trying to find out what is happening with athletics. Also, the board felt that the time required to be chair would be extremely difficult to manage for a regular faculty member. Finally, the faculty board considered it to be very important, and telling, that the president exercises responsibility for athletics through the executive vice president. Prof. Dutile concluded by saying that the University's record is proof

that the faculty board works well. He also said that keeping the executive vice president as chair won the unanimous support of the faculty board, which is unusual.

Prof. Porter felt that the arguments presented in favor of maintaining the current chair actually supported the Faculty Senate's position. She said that the Faculty Senate supports the idea of athletics remaining firmly in the hands of the faculty board and the executive vice president. However, the purpose of the faculty board is not to run athletics, but to offer independent faculty oversight, which could be difficult when the chair is the administrator responsible for running athletics.

Prof. Hahn repeated that if the faculty board is to remain at the center of athletics, it must continue to be chaired by the executive vice president. Otherwise, it will eventually become a marginal committee. He also said that splitting the duties between the chair of the faculty board and the executive vice president would ultimately create tension and cracks in the program. He felt that, given the significant pressure on national intercollegiate sports, it would be ill-advised to create a situation that led to increased strain.

Prof. O'Hara also repeated observations that she made at the previous meeting: While arguments against having the executive vice president serve as chair sound good theoretically, they do not hold up experientially. She said that as a member of the NCAA infractions committee, she observed that rotating the chair of faculty boards led to breakdowns of institutional control over athletics. That has not happened at Notre Dame because athletics, a major administrative responsibility, is in the hands of the University's third-ranking officer. She said that the University's record is proof that the faculty board works well, and that its unique organization has contributed to its strength.

Prof. Porter wondered if the faculty board is meant to be ancillary to the administration's role in controlling athletics, or if it is meant to serve as an oversight committee for athletics.

Prof. DellaNeva proposed that the provost chair the faculty board, which would constitute a compromise between the various positions on the matter and which would answer the concerns for independent oversight and consistent control from a high-ranking administrator. Prof. Swartz said that Prof. DellaNeva's suggestion moved toward correcting a situation about which he has felt uneasy. Specifically, while everything that the faculty board talked about was couched in terms of academic issues, academic involvement and faculty involvement in athletics, the responsibilities of the executive vice president lie in the business realm. Prof. Swartz felt

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that it was illogical to have the chair of the faculty board be an administrator from the business side of the University, and he wondered what sort of subtle message was given by the incongruity of the situation. He said that he would feel better if the board was chaired by an academic officer of the University.

Prof. Gutting said that while he appreciated the theoretical questions about the chair of the faculty board, the practicalities and success of the current arrangement support keeping the executive vice president as chair. However, one way around the dilemma perceived by some council members would be to allow only teaching-and-research faculty members of the faculty board to vote. Such a stipulation would ensure that the board is truly comprised of faculty, and that they perform an oversight role. Though other people would need to be on the board, they would not vote.

Prof. Roos confessed to feeling torn by the logic of the Faculty Senate's position and the fact that the University has a system that works. He said that a benefit of Notre Dame's system was that, should a serious scandal ever shake athletics, blame could be placed readily. He asked if any faculty board member felt prohibited from doing his or her job because the chair was the executive vice president. Fr. Malloy interjected that the same question could be asked of every committee with a comparable constitution. For example, does a dean running a college council meeting interfere with the work of the council?

Dean Castellino said that the council's primary concern was making the faculty board as strong an oversight committee as possible. Who chairs it and how it is composed should be secondary. He asked what would happen if positive drug tests of athletes were hidden by the students and those people in positions of responsibility. What would the faculty board do? If the current composition of the faculty board would allow it to investigate matters of this type, he saw no need for change. If the faculty board could not undertake such an investigation, then it should be changed.

Fr. Malloy replied that he would not tolerate such an occurrence, nor would the Board of Trustees. They would both investigate, as would, presumably, the faculty board. Fr. Beauchamp added that such a scenario could not happen at Notre Dame because drug testing of athletes is not administered through the Athletic Department, but through University Health Services. The Athletics Department does not decide who is tested, how they are tested, or when they are tested, and it does not know in advance when testing will occur.

Dean Castellino said that he raised the question and the hypothetical situation only to ask if the faculty board

could and would get involved. Fr. Malloy questioned whether most faculty boards would consider such an investigation to be a primary responsibility.

Prof. Bonello said that as a former member of the faculty board, he never felt inhibited in any way. He explained that while he was on the board, the drug testing policy was reviewed, and that Fr. Beauchamp and the faculty board discussed at length who was responsible for testing, how it was set up, etc. He said that the faculty board has evolved over the years. For instance, it now publishes reports of its meetings. He added that he could not imagine anyone other than the executive vice president chairing the committee because the job requires the compilation and coordination of too much information. A regular faculty member, even with released time, could do little more than call the meeting to order and turn it over to those better able to handle the copious amounts of information and background material.

Dean Link repeated that the Knight Commission calls for the oversight of athletics to reside with a committee of the Board of Trustees. The faculty board should serve in an advisory position, handling problems concerning the interfacing of athletics and academics. He also said that he could not imagine anyone other than the executive vice president chairing the board because of the amount of time required to supervise athletics. He said that the job should go to a person who can devote the time that it demands, and who has direct access to the president.

Prof. Batill expressed confusion over Dean Link's statement regarding the advisory nature of the faculty board. He asked if there is a difference between running the business side of the University's athletic program and getting advice from the faculty board on how athletics is impacting students and the academic mission of the University. He also asked Fr. Beauchamp if running the athletic program would be adversely affected if he were not chair of the faculty board.

Fr. Beauchamp answered by referring Prof. Batill to the proposed second paragraph of Academic Article IV.3.j, which delineates many of the responsibilities of the faculty board. In summary, the faculty board deals with almost anything that interfaces with academics. It does not, however, involve itself with athletic budgets, admissions, etc.

Prof. Batill asked if Fr. Beauchamp could set the agenda for faculty board meetings if he were not the chair. He also asked, if someone else served as chair, would setting the agenda still fall to Fr. Beauchamp. Fr. Beauchamp replied that the faculty board is truly an oversight committee, and that it makes recommendations to the president regarding almost all aspects of athletics except those that

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specifically belong to business. As chair of the faculty board, Fr. Beauchamp serves as the University's official representative to the NCAA, a major responsibility. The chair of the faculty board ensures University compliance with NCAA standards of academic eligibility and oversees a wide range of issues that are his responsibility by virtue of being chair.

Prof. Porter said that she felt it would be difficult for the faculty board to discuss a policy of the executive vice president in a committee that he chairs. She also disagreed with Dean Link's observations that the faculty board is advisory, saying that its lists of duties in the proposed Academic Article are far more reaching than that. Fr. Beauchamp replied that Prof. Porter needed to read the complete article. Specifically, the faculty board is empowered to make recommendations to the president, a responsibility that cannot be separated from all the others. Prof. Porter responded that everyone is empowered to make recommendations to the president. She reiterated that the tone of the second paragraph in the Academic Article suggests that the faculty board functions as more than an advisory committee to those who control athletics.

Dean Kolman said that the chair of the faculty board organizes the work, gets things ready for meetings and sets the agenda. She said that inconsistency is a key problem on committees that do not function properly. Therefore, she felt it would be difficult for the chair to rotate yearly. She felt that the biggest question should be who is on the faculty board, not who chairs it.

Dean Attridge also stated his opposition to the Faculty Senate's proposal. First, he has worked at other universities that have had major infractions of NCAA rules where there was a faculty board in control (theoretically) of athletics. Clearly, he said, Notre Dame has a system that works. Second, he felt that the unanimous vote of the elected faculty representatives on the faculty board in favor of the incumbent system was noteworthy.

Fr. Malloy then called for a oral vote on the issue. A majority of the council voted against the Faculty Senate's proposal to change the chair of the faculty board to an elected faculty member.

The third proposal, to add the director of academic services for student-athletes to the faculty board, came from the faculty board. Prof. Shephard asked if the director would be a voting member. Fr. Beauchamp replied that, currently, all members are voting members, except for the chair, who votes only in the case of a tie. He said that the board had not recommended making any members nonvoting.

Prof. Dutile added that the director of academic services for student-athletes plays a central role in faculty board meetings, often bringing to issues under discussion insight or confidence that the board values. Voting as a member of the faculty board would allow the director to participate fully in meetings.

Fr. McBrien said that he did not have a strong opinion on whether or not the director should be added to the faculty board. However, he expressed concern that adding another ex-officio member would result in eight nonfaculty members, five elected faculty members, and three appointed faculty members. The Faculty Senate's proposal would result in seven elected faculty and six nonfaculty members. He said that without a majority of elected faculty on the faculty board, it should perhaps be called the University Board on Athletics.

Fr. Malloy responded that another way of counting members would be to categorize four as administrators and the rest as faculty, with an additional graduate student. Fr. McBrien conceded the point, but said that he was talking about elected faculty, not appointed.

Prof. Roos said that though the counsel and advice of the director seems valuable for the faculty board, he or she could sit in on meetings as a resource person, without voting privileges. Fr. Malloy responded that such a recommendation was not currently before the council. Prof. Roos replied that he would then be against adding another voting member. Fr. Malloy said that a nonvoting member would not be considered a formal member.

Dean Castellino interjected that it is awkward for committees to have some members who vote and some who do not. He said that several members of the faculty board could technically be considered resource people. However, he felt that if the director was expected to attend every meeting and to regularly provide important information for the committee, he or she should not be the only person without a vote. If the director does not vote, he felt that other resource people also should not vote.

Dean Link mentioned a report that will go to the Board of Trustees in the fall that notes that the dean of the Freshman Year and the director of Academic Services for Student Athletes are two critical positions to maintaining the academic integrity of the University's athletic program. He said that whether the director votes or not, it is imperative that she functions as she does, and that she attend faculty board meetings.

Prof. Hahn said that the faculty board repeatedly finds itself in situations where it must rely upon the expertise of the director (e.g., grade point averages and the academic

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progress of athletes are reviewed, etc.). He considered it important and necessary for the director to serve as a member. Furthermore, he felt that to create a two-tiered membership would be inadvisable.

Prof. O'Hara reinforced Prof. Hahn's remarks. She said that the faculty board discussed the idea of a two-tiered membership. Ultimately, they did not feel that such a system was necessary since there are more faculty than nonfaculty members. The same decision was reached during two different terms of the faculty board, with different members discussing the idea. Prof. O'Hara said that it would be impossible to predict on any issue what the line-up of votes, those of faculty on one hand and those of nonfaculty members on the other, will be. She also said that the faculty board does not emphasize elected versus appointed faculty; total faculty representation is more important. Accordingly, the board proposed that presidential appointments be recommended by the provost, to strengthen the board's independence.

Fr. Malloy then asked the council to vote on the recommendation to add the director of academic services for student-athletes as a full-fledged, voting member of the faculty board. The motion passed.

Before the fourth item was presented for discussion, Prof. O'Meara pointed out to the council that the fifth item was related. The fourth, from the Faculty Senate, would change the number of appointments by the president to the faculty board from three to two; the provost would not recommend either appointment. Also, in addition to the faculty members who are elected from each college, two faculty would be elected at large from the University. The fifth, from the faculty board, called for the number of elected faculty and faculty appointments to remain as they are. However, the appointments would be recommended to the president by the provost.

In the discussion that followed, Fr. McBrien said that while he applauded the faculty board's proposal to have presidential appointments recommended by the provost, the Faculty Senate felt that more elected faculty would make the faculty board even more representative of the University, especially since the entire University would elect two members.

Fr. Malloy said that although he had no great investment in the decision, he uses appointments to complement the elected membership. He looks for appointments that can add to the mix of the faculty board by means of background, experience, gender, etc. He asked why the Faculty Senate would not specify that the two faculty elected at large be a different type of faculty than those elected by the colleges, such as library faculty.

Fr. McBrien said that the University has other University-wide elections, which are monitored by a committee. He felt that adding two faculty board members elected at large would make it possible for faculty from other academic units, like the library, to be elected. Mr. Zeugner commented that the chance of library faculty being elected would be minuscule.

Fr. Beauchamp said that the faculty board discussed elected versus appointed members at length. The board questioned whether University-wide elections would ultimately yield the best faculty representatives for the job. Ultimately, the faculty board decided that having one elected faculty member from each college, plus three appointed by the president upon the recommendation of the provost, would yield the strongest faculty representatives. Like Prof. O'Hara, he said that he had never seen voting break down along lines of elected faculty versus appointed faculty.

Dean Kolman pointed out that the proposal does not specify that elected faculty members must be teaching-and-research faculty. They may be from any of the four groups of regular faculty: teaching-and-research, library, special professional and research faculty.

Prof. Porter said that the Faculty Senate did not wish to tie the president's hand in making faculty board appointments. Rather, the senate desired to increase the number of elected faculty members by two, and decrease the number of appointments by one. Fr. Malloy repeated that since he would still be able to make appointments, he had no strong opinions about the matter. However, he added, when a committee such as the faculty board has spent a good deal of time and thought reflecting on a matter before making a recommendation, he tends to support the committee.

Mr. Zeugner said that the idea of including library faculty on the faculty board was not a frivolous suggestion, as some of the library faculty have experience working with various athletic teams.

Fr. Malloy then asked the council to vote on the recommendation. To vote "yes" would be to vote in favor of the Faculty Senate's proposal of adding two members to the faculty board, who would be elected from the University at large. Two additional members would be appointed by the president. Fr. McBrien explained that such a University-wide election would be handled by the University Committee on Elections; nominations would be solicited and ballots would be sent out by the Faculty Senate, as a service to the University. Fr. Malloy interjected that the Executive Committee could discuss what would be the best method of election for the additional two members. The recommendation was approved by a

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voice vote. Fr. Scully then asked for a hand vote to confirm the outcome. The motion passed with a vote of 14 in favor, nine opposed.

The discussion then moved to the fifth item, from the faculty board, that presidential appointments to the faculty board be recommended by the provost. The proposal was approved without dissent.

Next, attention turned to the proposed revision of the second paragraph of the Academic Article IV.3.j, which was reviewed during the previous meeting. (See Attachment B of the council minutes of April 26, 1995) The proposed changes in the paragraph came from the faculty board. Prof. Dutile said that the sentence that begins, "It is the duty of this body to help maintain and foster institutional control of intercollegiate athletics. . ." should be emphasized. He said that the faculty board wanted to make clear what has been maintained. They also wanted to make clear that the responsibility of maintaining athletics lies not only with the board, but with the president, the coaches, the athletic director, etc. The rest of the paragraph gives examples of some of the specific duties of the faculty board.

Dean Link wondered if the advisory nature of the faculty board ought to be mentioned in the paragraph. He said that he was not sure that the board was meant to function in an oversight role. Prof. O'Hara responded that the advisory role of the board was referred to in the sentence that reads, "it (the faculty board) is empowered to make recommendations to the President on the athletic policy. . ." and that it is implied in the phrase "help maintain and foster institutional control." Prof. Gutting said that it may not be proper to call the faculty board an oversight committee, since that is technically the function of the Board of Trustees. He asked if the faculty board makes substantive decisions or if it only offers advice. Prof. Dutile said that the faculty board makes decisions, but that they are always subject to the president's approval. Prof. Gutting replied that the same could be said of other committees as well. His point was that to make decisions was to serve as more than an advisory committee. Dean Attridge inserted that "oversight" seemed no more improper a term to use than "supervision." Fr. Malloy agreed, saying that "oversight" can be a heavy word or a light word.

Fr. Malloy then called for a vote on the proposed version of the second paragraph of this article. The paragraph was approved.

Fr. Malloy then asked the council to vote on the entire Academic Article IV.3.j, amended according to the preceding discussions. The entire article was approved.

Fr. McBrien said, in closing, that the Faculty Senate had passed a resolution at their final meeting of the year concerning the women's softball team. Part of the resolution mandated that the chair of the Faculty Senate emphasize sections 26.4 and 26.9 from item two of the senate resolution that had been tabled earlier at today's meeting. For the record, Fr. McBrien wanted it noted that the Faculty Senate had a resolution that might have been discussed at today's meeting had item two not been tabled.

Fr. Malloy ended the meeting by thanking the faculty board members for their hard work in compiling the material that had been discussed at the last two meetings, and for attending the meetings as well. He also thanked the council for its hard work throughout the year, which had given the meetings a momentum and which had established some precedents that he hoped would be built upon.

Fr. Scully led the council in thanking Prof. Schmitz for his many years of work on behalf of the Academic Council. Today's meeting was his last before stepping out of the position of vice president and associate provost to return to the teaching-and-research faculty.

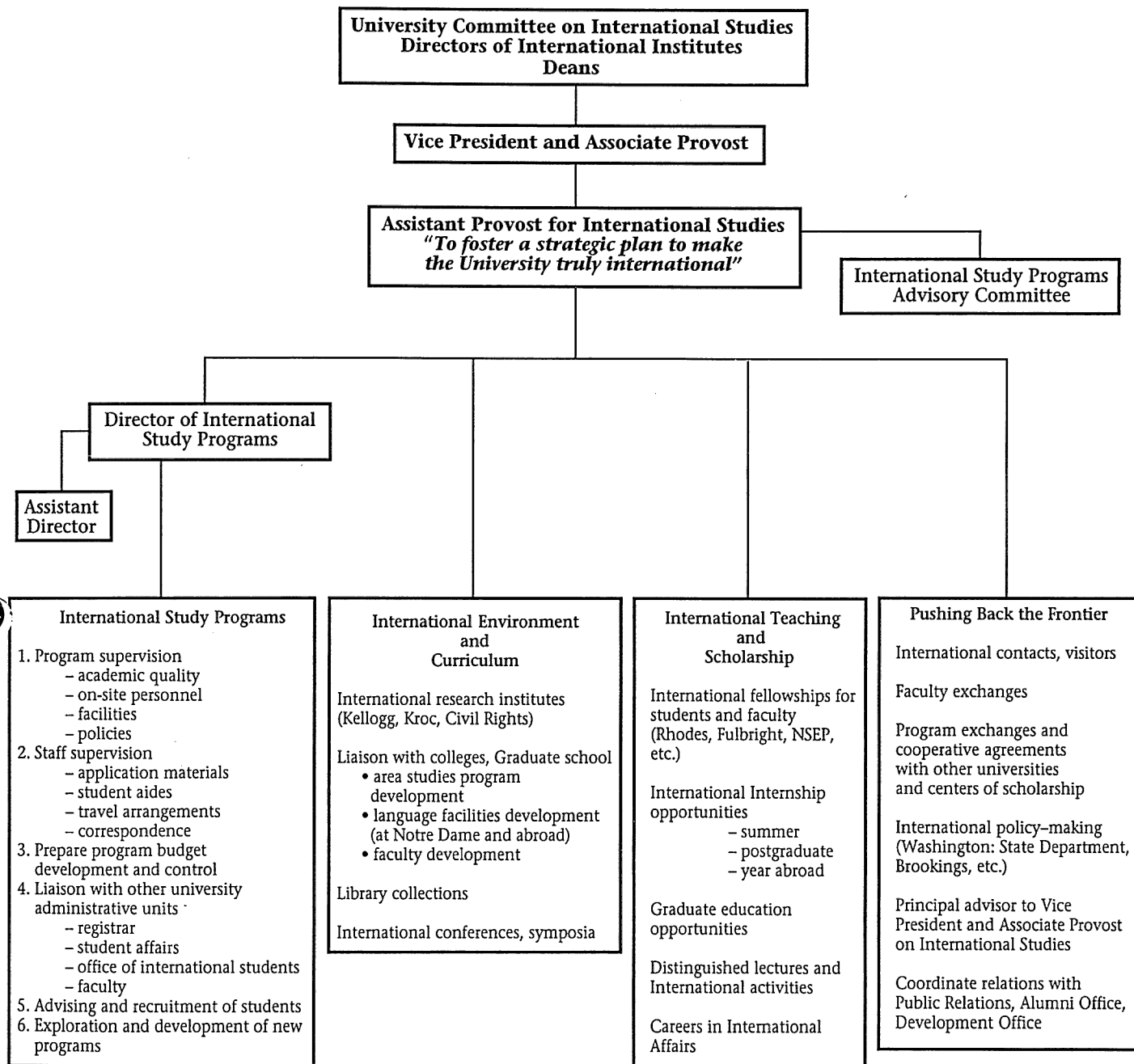
There being no further business, the meeting was adjourned at 10:55 a.m.

Respectfully submitted,

Roger A. Schmitz
Secretary of the Academic Council

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Attachment A



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Attachment B

To: Members of the Academic Council
From: The Executive Committee
Re: Resolutions on the Academic Articles on Athletics
Date: May 10, 1995

The following paragraph combines the emendations proposed by the Faculty Board and by the Senate for the first paragraph Article IV.3.j of the Academic Articles (p. 30 of the Faculty Handbook). The Executive Committee believes that it will be possible in this way to treat the individual emendations proposed for this article in an expeditious fashion.

Other matters that have been proposed for consideration by the Council, namely, parts 1 and 2 of the Senate's Resolution, and the emendation of the second paragraph of Article IV.3.j proposed by the Faculty Board, will be discussed separately.

The Faculty Board in Control of [on]¹ Athletics consists of the Executive Vice President, ~~who chairs the Board,~~² the Vice President for Student Affairs, the Director of Athletics, [the Director of Academic Services for Student Athletics]³ and ~~nine~~ ten⁴ other members, one elected by and from the faculty of each College, one elected by and from the Law School faculty, two elected at large from the faculty,⁴ ~~three~~ two⁴ appointed by the President from the faculty [on the recommendation of the Provost]⁵ and one appointed annually by the President from the student body. Elected and appointed faculty members serve staggered, three-year terms and no such faculty member may serve more than two consecutive terms. The Board is chaired by a member elected annually from the elected faculty.²

1. The Faculty Board proposes changing the name of the board to The Faculty Board on Athletics.
2. The Senate proposes changing the chair of the Board from the Executive Vice President to a member elected annually by the board from the elected faculty on the board.
3. The Faculty Board proposed adding to the Board the Director of Academic Services for Student Athletes.
4. The Senate proposes expansion of the elected/appointed members from nine to ten. The Senate also specifies a new composition of the elected members. The current stature provides that five members be elected from the Colleges and Law School, that three be appointed by the President, and that one be appointed by the President of the Student Body. The amendment requires that two be appointed by the President and two elected by the faculty at large.
5. The Faculty Board proposes that the members appointed by the President be recommended by the Provost.

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LaVerne, Jay A.

J. A. LaVerne and S. M. Pimblott. 1995. Electron energy loss distributions in solid and gaseous hydrocarbons. *Journal of Physical Chemistry* 99:10540-10548.

L. Wojnarovits and J. A. LaVerne. 1995. Heavy ion radiolysis of cyclopentane. *Journal of Physical Chemistry* 99:11292-11296.

Pimblott, Simon M.

See under LaVerne, Jay A. 1995. *Journal of Physical Chemistry* 99:10540-10548.

THE GRADUATE SCHOOL OFFICE OF RESEARCH

Awards Received and Proposals Submitted

In the period July 1, 1995, through July 31, 1995

AWARDS RECEIVED

Category	Renewal		New		Total	
	No.	Amount	No.	Amount	No.	Amount
Research	5	349,970	17	1,025,171	22	1,375,141
Facilities and Equipment	0	0	1	180,000	1	180,000
Instructional Programs	1	119,465	4	363,127	5	482,592
Service Programs	0	0	3	23,637	3	23,637
Other Programs	<u>1</u>	<u>11,400</u>	<u>4</u>	<u>40,000</u>	<u>5</u>	<u>51,400</u>
Total	7	480,835	29	1,631,935	36	2,112,770

PROPOSALS SUBMITTED

Category	Renewal		New		Total	
	No.	Amount	No.	Amount	No.	Amount
Research	8	1,655,771	11	5,350,176	19	7,005,947
Facilities and Equipment	0	0	0	0	0	0
Instructional Programs	0	0	0	0	0	0
Service Programs	0	0	0	0	0	0
Other Programs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	8	1,655,771	11	5,350,176	19	7,005,947

THE GRADUATE SCHOOL OFFICE OF RESEARCH

Awards Received

In the period July 1, 1995, through July 31, 1995

AWARDS FOR RESEARCH

Aerospace and Mechanical Engineering

Nelson, R.
Roll Characteristics of Slender Double Delta Wings
Institute for Aerospace Research
\$21,244 12 months

Powers, J.
Unsteady Detonations
National Aeronautics and Space Administration
\$14,642 9 months

Huang, N.
Analysis of Damage in Fuselage
Northrop Corp.
\$35,000 12 months

Biological Sciences

O'Tousa, J.
Genetic Analysis of Retinal Degeneration
National Institutes of Health
\$195,828 12 months

Lodge, D.
Collaborative Research: Herbivory and Plant Resistance
National Science Foundation
\$52,465 24 months

Civil Engineering and Geological Sciences

Gray, W.
NSF-Graduate Research Traineeship
National Science Foundation
\$117,500 36 months

Pyrak-Nolte, L.
NSF Young Investigator Award
National Science Foundation
\$62,500 24 months

Chemical Engineering

Wolf, E.
Fellowship Grant
Texaco Foundation.
\$40,000 12 months

Kantor, J.
Supplement to Support NSF/NIST Collaboration
National Science Foundation
\$12,000 48 months

Computer Science and Engineering

Cohn, D.
A File System for Mobile Computing
International Business Machines
\$29,712 12 months

Brockman, J., Renaud, J.
Multidisciplinary Engineering Design
Andersen Consulting
\$4,000 12 months

Kogge, P.
Inherently Low Power Computers
National Science Foundation
\$155,000 36 months

PIM Architectures for Peta(F1)ops Computing
National Aeronautics and Space Administration
\$59,950 12 months

Office of Research

Hyder, A
NATO Advanced Study Institute Program
Department of the Army
\$9,800 12 months

Electrical Engineering

Hall, D.
NSF Career Award
National Science Foundation
\$200,000 48 months

Merz, J., Bernstein, G., et al.
Silicon Nanoelectronics
NAVY/ARPA
\$30,000 12 months

Bandyopadhyay, S.
Hot Electron Effects and Quantum Magnetotransport
Department of the Army
\$50,000 9 months

Romance Languages and Literatures

Cachey, T.
Villa I Tatti Fellowship
HU/Italian Renaissance Studies
\$33,500 12 months

Mathematics

Hahn, A.
Orthogonal Groups and Quadratic Forms
National Science Foundation
\$55,000 36 months

Stolz, S.
Curvature and Topology
National Science Foundation
\$67,000 36 months

THE GRADUATE SCHOOL OFFICE OF RESEARCH

Physics

Furdyna, J.
Neutron Scattering Studies of Magnetic Semiconductors
National Science Foundation
\$65,000 8 months

Wayne, M., Ruchti, R.
DO Detector Project
Fermi National Laboratory
\$65,000 5 months

AWARDS FOR FACILITIES AND EQUIPMENT

Electrical Engineering

Merz, J., Hall, D., et al.
Ultra-Nano Probe System
Department of the Army
\$180,000 12 months

AWARDS FOR INSTRUCTIONAL PROGRAMS

Aerospace and Mechanical Engineering

Schmid, S.
SME Education Foundation 1995
SME Education Foundation
\$795 12 months

Civil Engineering and Geological Sciences

Silliman, S.
GAANNP Research Fellowship in CE/GEOS
Department of Education
\$119,465 12 months

Chemistry and Biochemistry

Helquist, P.
Educational Computing Enhancements in Chemistry
CACHE, Inc.
\$0* 12 months

Office of Research

Hyder, A.
NATO ASI Program
National Tech. Transfer Center
\$10,000 20 months

Urban Institute for Community and Educational Initiatives

Blake-Smith, D., Smith, R.
Upward Bound
Department of Education
\$352,332 11 months

AWARDS FOR SERVICE PROGRAMS

Center for Continuing Formation in Ministry

Lauer, E.
Center for Continuing Formation in Ministry
Various Others
\$21,267 1 month

Notre Dame Center for Pastoral Liturgy

Bernstein, E.
Center for Pastoral Liturgy
Various Others
\$2,334 1 month

Institute for Church Life

Cannon, K.
Institute for Church Life
Various Others
\$36 1 month

AWARDS FOR OTHER PROGRAMS

Institute for International Peace Studies

Hayner, A.
NAFSA Support for Graduate Student (O. Plescan-Popa)
NAFSA/Association of International Educators
\$10,000 12 months

NAFSA Support for Graduate Student (L. Cebotaru)
NAFSA/Association of International Educators
\$10,000 12 months

NAFSA Support for Graduate Student (D. Kononov)
NAFSA/Association of International Educators
\$10,000 12 months

NAFSA Support for Graduate Student (V. Roussin)
NAFSA/Association of International Educators
\$10,000 12 months

NAFSA BEEP Grant Renewal for Senada Selo
NAFSA/Association of International Educators
\$11,400 12 months

* Award for Discount on Computer Equipment

THE GRADUATE SCHOOL OFFICE OF RESEARCH

Proposals Submitted

Errata: Correction on entry in *Notre Dame Report* Volume 24, Number 20, Proposals Submitted for Research:

Gerontological Research Center

Merluzzi, T.
Empowering Caregivers of Persons with Alzheimer's
Alzheimer's Association
\$29,629 12 months

In the period July 1, 1995, through July 31, 1995

PROPOSALS FOR RESEARCH

Aerospace and Mechanical Engineering

Mueller, T.
NASA Space Grant College and Fellowship Program
Purdue University
\$150,000 48 months

Biological Sciences

Adams, J.
Molecular Analysis of *P. vivax* Erythrocyte Binding
Proteins
World Health Organization
\$36,100 12 months

Civil Engineering and Geological Sciences

Makris, N.
Electrorheological Fluid Damper
National Science Foundation
\$29,510 7 months

Pyrak-Nolte, L., Lumsdaine, A.
Theoretical Analysis of Multiphase Flow
Gas Research Institute
\$308,020 24 months

Ketchum, L.
Characterization of Aqueous Cleaners
National Science Foundation
\$262,584 36 months

Gray, K.
Radiolytic Destruction of Dioxin
Oxychem Technology Center
\$55,231 18 months

Chemical Engineering

Leighton, D.
Oscillatory Cross-Flow Electrophoresis
National Aeronautics and Space Administration
\$50,000 12 months

Strieder, W.
Cryogenic Insulation
ACS Petroleum Research Fund
\$75,000 36 months

Varma, A.
Mechanistic Studies on Combustion Synthesis
National Science Foundation
\$305,011 36 months

Ceramic and Metal-Composite Membranes
National Science Foundation
\$318,011 36 months

Chemistry and Biochemistry

Taylor, R.
Oxirenones as Synthetically Useful Reactive Intermediates
ACS Petroleum Research Fund
\$20,000 24 months

Lappin, A., Wiest, O.
Stable Isotopes for Organic Chemistry
Cambridge Isotope Laboratories
\$3,555 24 months

Thomas, J.
Radiation Induced Reactions in Organised and
Constrained Media
National Science Foundation
\$711,908 36 months

Computer Science and Engineering

Brockman, J., Renaud, J.
Multidisciplinary Engineering Design
Andersen Consulting
\$4,000 12 months

Electrical Engineering

Merz, J., Bernstein, G., et al.
Silicon Nanoelectronics
NAVY/ARPA
\$3,490,808 36 months

Bandyopadhyay, S.
Computing With Quantum Dot Arrays
Purdue University
\$357,291 36 months

THE GRADUATE SCHOOL OFFICE OF RESEARCH

Government and International Studies

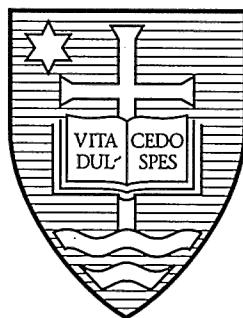
McAdams, A.
Retrospective Justice in the Spirit of Liberalism
H.F. Guggenheim Foundation
\$44,928 12 months

Physics

Furdyna, J.
II-VI SC Alloys with Spontaneously Modulated
Composition
National Science Foundation
\$445,664 36 months

Psychology

Borkowski, T., Whitman, T.
Adolescent Parenting: Siblings and Their Development
National Science Foundation
\$338,326 36 months



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