



# NOTRE DAME REPORT

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## President's Address to the Faculty

Rev. Edward A. Malloy, C.S.C., president of the University of Notre Dame, will deliver an address to the faculty on Tuesday, October 10, at 4:30 p.m. in 101 DeBartolo. The talk will be followed by a reception in the concourse outside the auditorium.

## Law Faculty Ranked Fifth

The Notre Dame Law School faculty is ranked in the nation's top five according to a new study by *Princeton Review*. Based on a survey of students at 170 American law schools, the *1995 Student Access Guide to the Best Law Schools* cites Notre Dame as the "nation's oldest and finest Catholic law school" and declares "... Notre Dame's sheer academic strength is undeniable." Notre Dame trails only Boston and Cornell Universities and the Universities of Chicago and Texas in faculty rankings.

The guide ranks Notre Dame eighth in its "quality of life" index. Northeastern University ranks first, followed by Washington and Lee, and Yale Universities, the University of California at Davis, the University of Virginia, Vanderbilt University, Franklin Pierce College and Notre Dame. Factors considered in the quality of life rating include sense of community and relationships between students and faculty. A 1994 survey by *The National Jurist* and *Princeton Review* ranked the Notre Dame Law School third overall in student satisfaction.

## Today's Life Choices Wins Gabriel Award

"Today's Life Choices," Notre Dame's weekly television series on contemporary social issues, has received a 1995 Gabriel Award for religious programming. The series was honored for an episode titled, "The Soul of a Nation: For God and Country. . .," produced by Michael W. Doyle. The program explored the tensions inherent between democratic ideals and religious beliefs.

Created in 1965 by the National Catholic Association for Broadcasters and Communicators, the Gabriel Award recognizes "outstanding artistic achievement in a television program or series which entertains and enriches the people with a true vision of humanity and a true vision of life." This year's award is the second Gabriel won by "Today's Life Choices."

Now in its seventh season, "Today's Life Choices" airs on 65 PBS stations nationwide as well as on the Faith and Values cable network.

## Alliance for Catholic Education Awarded Grant

The Alliance for Catholic Education (ACE) has been awarded a grant of more than \$500,000 by the Corporation for National Service, the flagship agency of the Clinton Administration's national service program. The new award to ACE for its teacher training program represents an increase of more than 75 percent over its previous grant, which was one of the first awards made by the agency.

More than \$375,000 of the grant will go directly to the ACE teachers in the form of education awards of more than \$4,700 apiece. The recipients may apply the awards toward future tuition for postgraduate study or toward student loans they have incurred. Approximately \$130,000 of the grant will be used to support the ACE summer training programs, during which the participants teach students in remedial and bilingual education programs of the South Bend Community School Corporation.

ACE participants make a two-year commitment to the program. After their initial summer's training, they serve as full-time teachers in understaffed parochial schools in eight Southern states. Then, following a second summer of training, during which they again work in the South Bend public schools, they serve a second year as full-time teachers. On completing the program, they will have fulfilled the requirements for master's in education degrees.

## Phi Beta Kappa Information

Members of the faculty who are members of Phi Beta Kappa are invited to affiliate with the Notre Dame Chapter, Epsilon of Indiana. Faculty members currently not in communication with the chapter who are interested in affiliating are asked to contact the secretary of the Notre Dame Chapter, Rev. Thomas Blantz, C.S.C., at the Department of History. Interested faculty are asked to supply, in a note to the secretary, the year of initiation and the name of the college or university where they were initiated.

# FACULTY NOTES

## Honors

Robert A. Amico, professor of architecture, has been appointed to the Bishop's Diocesan Liturgical Commission and was named chairman of the Committee on Art and Environment for the Diocese of Fort Wayne-South Bend. He has been appointed to the board of directors of the National Council on Alcoholism and Drug Dependence-Michiana (The Alcoholism Council), appointed chairman of the program committee which formulates the council's activities, and elected first vice president of the board.

John G. Borkowski, McKenna professor of psychology, has been appointed to the National Advisory Boards of the Waisman Center at the University of Wisconsin and Civitan Center at the University of Alabama at Birmingham Medical School. He has rejoined the executive committee of the Gatlinburg conference on Research and Theory in Mental Retardation/Developmental Disabilities and has accepted the position of consulting editor for *Learning Disabilities Quarterly*.

Sr. Regina A. Coll, C.S.J., professional specialist in theology, was awarded first place in the area of Feminist Theology by Catholic Press for *Christianity and Feminism in Conversation*, Twenty-third Publications, Mystic, Conn., 1994.

William F. Eagan, associate professor emeritus of management, received the Distinguished Service Award from the Tri-state Regional Business Law Association in Toledo, Ohio. He received the Tacey Award at the annual meeting of the Assembly of State conferences of the AAUP in Washington, D.C., June 9.

Ahsan Kareem, professor of civil engineering and geological sciences, has been invited to join the editorial board of *Structural Safety*, an international journal on Integrated Risk Assessment for Constructed Facilities, Elsevier Science.

David C. Leege, professor of government and international studies, received the career achievement award "in recognition of outstanding contribution to the study of religion and politics" from the section on Religion and Politics of the American Political Science Association in Chicago, Ill., Sept. 1.

William L. Wilkie, Nathe professor of marketing, is one of five academics invited to serve in the Quest Expert Forum on "Consumer Behavior in the Future." The research project is centered at Harvard Business School, and invited representatives from 11 multinational corporations and five universities.

## Activities

Ani Aprahamian, associate professor of physics, presented the invited seminar "Nuclear Dynamics: Rotations and Vibrations" at the University of Surrey in Guildford, United Kingdom, July 7.

Hafiz M. Atassi, professor of aerospace and mechanical engineering and director of the Center for Applied Mathematics, gave an invited lecture titled "Aeroacoustics of Nonuniform Swirling Flows" at the joint conference of the American Society of Mechanical Engineers/Japanese Society of Mechanical Engineers in Hilton Head, S.C., Aug. 13-18. He presented a paper titled "Acoustic and Evanescent Modes in an Annular Duct with Swirling Flows" with Vladimir Golubev at that conference.

Howard A. Blackstead, professor of physics, gave two talks titled "A Prescription for Superconductivity in All YBa<sub>2</sub>Cu<sub>3</sub>O<sub>7</sub> Homologues" and "Experimental Evidence for High-temperature Superconductivity Generated by Charge-reservoir Oxygen" at the eighth international conference on Superlattices, Microstructures and Microdevices (ICSMM-8) in Cincinnati, Ohio, Aug. 20-25.

John G. Borkowski, McKenna professor of psychology, chaired the meetings of the summer study section of the Institute for Physical and Rehabilitation Medicine, NIH, in Bethesda, Md., July 13-14. He chaired an ad hoc study section on "Research in Learning Disabilities" for the Human Learning branch of NICHD, NIH, in Washington, D.C., July 24. He gave the keynote address "A Process-Based Model of Metacognition" at the 10th Buros-Nebraska symposium on Issues in the Measurement of Metacognition in Lincoln, Nebr., Sept. 9.

Neal M. Cason, professor of physics, presented an invited talk titled "Study of the  $\eta\pi$ ,  $\eta\pi^0$  and  $\eta\eta$  systems in  $\pi^+\pi^-$  interactions at 18 GeV/c" at the VIth international conference on Hadron Spectroscopy (Hadron '95) at the University of Manchester in Manchester, England, July 13.

Sr. Regina A. Coll, C.S.J., professional specialist in theology, presented "An Introduction to Pastoral Theology" with Rev. Mark L. Poorman, C.S.C., assistant professor of theology, to the Institute for Church Life Advisory Council at the University of Notre Dame, Notre Dame, Ind., April 21. Coll presented "Reflections on the Catholic Character of Notre Dame" to the National Alumni Board, Notre Dame, Ind., April 28. She gave the Hesburgh lecture "Facing the Changes in the Church" to the Notre Dame Club of Portland, Oreg., May 11. She presented "Christianity and Feminism in Conversation" to the Catholic Women's Network in Santa Clara, Calif., June 14. She taught a theology course at Santa Clara University in Santa Clara, Calif., June 19-July 7. Coll pre-

# FACULTY NOTES

sented "Women in Theology and Ministry: Pain and Promise" with Poorman at the 1995 annual convention of the Catholic Theological Society of America in New York, N.Y., June 9.

**Michael J. Crowe**, professor in the program of liberal studies and program in history and philosophy of science, presented the opening address "A History of the Extraterrestrial Life Debate" at the conference on Life in the Universe sponsored by the Institute for Religion in an Age of Science held on Star Island off the coast of New Hampshire, July 29.

**Kevin Dreyer**, assistant professional specialist in communication and theatre, presented the paper "The Stage Manager as the First Step" as part of a panel dealing with "Reducing Theatre of Human Sacrifice on Your Campus" at the Association for Theatre in Higher Education in San Francisco, Calif., Aug. 9-12.

**William G. Dwyer**, Hank professor of mathematics, delivered a Topology seminar talk titled "The Euler Characteristic of a Smooth Manifold" in the Mathematics Department at Purdue University in West Lafayette, Ind., Sept. 12.

**William F. Eagan**, associate professor emeritus of management, presented "Changes in the CPA Requirements: What Do the Practitioners Think?" at the 66th annual meeting of the Academy of Legal Studies in Business in Milwaukee, Wis., Aug. 11.

**Umesh Garg**, professor of physics, made the invited presentation "Evidence for the Isoscalar Giant Dipole Resonance in Inelastic Alpha Scattering at and near 0°" at the Groningen Giant Resonance Conference in Groningen, the Netherlands, June 28-July 1, and at the international conference on Nuclear Physics in Beijing, China, Aug. 21-26. He presented the seminar "Lifetime Measurements and the Shape Coexistence Phenomena" at Tsinghua University in Beijing, China, Aug. 18.

**Suellen Hoy**, visiting associate professor of history, has been awarded the annual research fellowship from the Abigail Quigley McCarthy Center for Women's Research in St. Paul, Minn., to support her study of Irish-American nuns in Chicago.

**Brian R. Huguenard**, assistant professor of management, gave the invited lecture "Modeling Human-Computer Interaction: Activation Allocation Strategies" and led an associated tutorial session at the first annual CAPS Cognitive Modeling workshop held by the Psychology Department of Carnegie Mellon University in Pittsburgh, Pa., July 15-20.

**Alan L. Johnson**, professor of biological sciences, gave the invited talk titled "Apoptosis as a Proximal Cause of Ovarian Follicle Atresia: Conservation of Processes Based Upon a Nonmammalian Model" at the 14th Lexington Hormone Research symposium in Lexington, Ky., May 18-20.

**Ahsan Kareem**, professor of civil engineering and geological sciences, the current president of the U.S. Wind Engineering Research Council, represented the Wind Engineering community at the U.S. Natural Hazards symposium and made a case in support of sustained wind engineering research programs by the federal government and private sector at the National Press Club in Washington, D.C., March 20-21. He chaired a technical committee on Damping Systems at the Structures Congress '95 in Boston, Mass., April 2-5. He made a presentation at the *Journal of Structural Engineering* Editors annual meeting and presentations at the annual Wind Effects and Aerodynamics technical committee meetings. He gave an invited seminar titled "Nonlinear Stochastic Dynamics of Structures" in the Department of Civil Engineering at the Whiting School of Engineering at John Hopkins University in Baltimore, Md., April 27.

**Lloyd H. Ketchum Jr.**, associate professor of civil engineering and geological sciences, presented the talk titled "The Role of Pretreatment Personnel in Implementing Pollution Prevention by Significant Industrial Users" at the 1995 Municipal Industrial Pretreatment seminar in Indianapolis, Ind., Sept. 12.

**David C. Leege**, professor of government and international studies, served as a discussant for the panel titled "Research in Religion and Politics: The State of the Field" at the annual convention of the American Political Science Association in Chicago, Ill., Aug. 31.

**A. James McAdams**, associate professor of government and international studies, was a discussant on a panel on "Historical Memory and German Foreign Policy" at the annual meeting of the American Political Science Association in Chicago, Ill., Sept. 2.

**Patrick E. Murphy**, chairperson and professor of marketing, organized and chaired the invited symposium "An International Research Agenda for Business Ethics" held at University College Cork in Ireland, June 14-15. He organized and contributed to the panel on "Teaching Marketing Ethics: American and International Perspectives" at the 1995 American Marketing Association summer Marketing Educators' conference held in Washington, D.C., Aug. 13.

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**John A. Poirier**, professor of physics, presented the talks "On the Origin of Gamma-Ray Bursts," "A Search for Correlations Between Gamma Ray Bursts and Secondary Cosmic Ray Muons," "A New Variable,  $H_h$ , to Use in Measuring the Chemical Composition of Cosmic Ray Primaries" and "Is There a Correlation of Single Muon Angles with the Galactic Plane?" at the international Cosmic Ray conference held under the auspices of the International Union of Pure and Applied Physics at the University of Rome in Rome, Italy, Aug. 29, Sept. 7.

**Jonathan Sapirstein**, professor of physics, gave the talk "Prospects for Sub-One Percent Accuracy Calculations of Atomic Parity Non-Conservation" at the symposium on Fundamental Symmetry Tests in Atoms at the University of Washington in Seattle, Wash., July 17-19.

**Mark Schurr**, assistant professor of anthropology, presented the paper "Stable Isotopes and Prehistoric Diet in Eastern North America: Recent Investigations and Present Problems" in the symposium "Isotopic and Molecular Biogeochemistry of Organic Matter in Ancient and Modern Environments" of the American Chemical Society's 210th national meeting in Chicago, Ill., Aug. 24.

**Billie F. Spencer Jr.**, professor of civil engineering and geological sciences, and **Michael K. Sain**, Freimann professor of electrical engineering, presented an overview of the NSF-sponsored research being conducted at Notre Dame titled "Reliability and Safety of Structures using Hybrid and Semi-Active Control" in the Structural Control Coordination meeting sponsored by the National Science Foundation in Buffalo, N.Y., Sept. 8-9.

**Nancy K. Stanton**, professor of mathematics, gave an invited address on "Real Hypersurfaces in  $\mathbb{C}^n$ " in the Midwest Several Complex Variables seminar at the University of Wisconsin in Madison, Wis., April 30.

**Duncan G. Stroik**, assistant professor of architecture, gave a lecture on his "Current Work and Precedent" and participated in a panel discussion on "Classical Architecture Today" with Allan Greenberg and Robert Chitham at Virginia Commonwealth University in Richmond, Va., July 27. He juried the final projects in the program "The Classical Language in Design" held at Virginia Commonwealth University, July 28. Stroik's design "Forum and Gateway in Covington" was exhibited at the "Art of Building Cities: A Challenge for a New Millennium" exhibition sponsored by the Classical Architecture League at the Chicago Cultural Center in Chicago, Ill., July 8-Aug. 25.

**Raimo Väyrynen**, professor of government and international studies and Regan director of the Kroc Institute, presented a paper on "The Swiss Identity between Sovereignty and Integration" to a conference on "Schweizer Eigenart - eigenartige Schweiz" organized by the Academic Commission of the Bern University in Bern, Switzerland, June 15-17. He delivered a paper on "The United Nations and Preventive Diplomacy" at the international conference on "The United Nations: Between Sovereignty and Global Governance?" at LaTrobe University in Melbourne, Australia, July 2-6. He co-chaired a conference on "Religion and the Prevention of Deadly Conflict" co-organized by the Carnegie Commission on the Prevention of Deadly Conflict and Kroc Institute of Ecumenical Studies in Jerusalem, Aug. 14-15. He was the discussant in the section dealing with theories and agreements on arms control at the international conference on "Theories of Peace and Russian Foreign Policy in the Post-Cold War Era" organized by the Finnish Institute of International Relations in Helsinki, Finland, Aug. 27-29. Väyrynen gave a lecture on "Common Security and Conflict Prevention in Europe" to an international training seminar on conflict resolution organized by Pantheon University in Corfu, Greece, Aug. 26-31. He presented a paper on "Systematic Change and European Security: Structures, Institutions, Policies" to an international conference organized by the Institute of International Relations at Pantheon University on "European Security beyond the Yugoslavian Crisis" in Corfu, Greece, Sept. 1-2.

**William L. Wilkie**, Nathe professor of marketing, delivered an invited speech on "Tomorrow's Marketing Professor: Roles, Responsibilities, and Requirements" and chaired a session on "Research Developments on Consumer Satisfaction" at the American Marketing Association conference in Washington, D.C., Aug. 9-11.

**Eduardo E. Wolf**, professor of chemical engineering, co-authored the papers "Crotonaldehyde Hydrogenation on Transition Metal Cluster of Clusters Derived Catalysts" presented by postdoctoral fellow A. Patil; "Butadiene Hydrogenation on Pd-Au Microfabricated Catalysts" presented by graduate student A. Krauth; and a poster on "AFM Studies of S Deactivation of PD Catalysts" presented by graduate student H.-K. Lee at the Chicago Catalysis Society in Chicago, Ill., May 9. Wolf presented an invited lecture titled "Novel Approaches to Catalyst Design using Clusters of Clusters and Microfabricated Catalysts" at the annual spring symposium of the Philadelphia Catalysis Society at the University of Delaware in Newark, Del., May 10. He presented the seminar titled "Infrared Thermography Studies of Unsteady State CO Oxidation on Supported Rh Catalysts" at the Du Pont Experimental Station in Wilmington, Del., May 11.

## 261st Graduate Council Minutes March 29, 1995

**Members present:** Peter Diffley, chair; Terrence J. Akai; Harold W. Attridge; John C. Cavadini; Gregory E. Dowd; Morton S. Fuchs; Christopher S. Hamlin; Jeffrey C. Kantor; John G. Keane; Scott E. Maxwell; Anthony N. Michel; Robert C. Miller; Thomas J. Mueller; Thomas L. Nowak; James H. Powell; Barbara E. Schmitz; Barbara M. Turpin; John J. Uhran Jr.; Edward C. Wingenbach

**Members absent and excused:** Francis J. Castellino, represented by Charles F. Kulpa Jr.; Michael Detlefsen; David S. Hachen; Gloria-Jean Masciarotte; Sharon L. O'Brien; Andrew J. Sommese; Stephen H. Watson

**Guests:** Jerry J. Marley (engineering) and Walter F. Pratt Jr. (Law School) for Item III of the agenda

**Observers:** Edward J. Conlon; Diane R. Wilson

Dr. Peter Diffley, associate dean of the Graduate School, chaired the meeting in place of Dean Nathan Hatch, who was on leave in the spring 1995 semester. Dr. Diffley called the meeting to order at 3:32 p.m. He noted that this was the last meeting of the academic year and thanked the departing members of the council for their work.

### I. MINUTES OF THE 260th GRADUATE COUNCIL MEETING

Dr. Terrence Akai noted that Dr. Thomas Sweeney's name had been omitted from the list of those attending the meeting. The corrected minutes were approved by voice vote.

### II. ADMISSION TO DEGREE CANDIDACY

Dr. Diffley drew the council's attention to the list of applicants for graduate degree candidacy and asked for a motion to admit the applicants to candidacy. The motion was made by Prof. Morton Fuchs, seconded by Prof. Charles Kulpa and approved by voice vote.

### III. PROPOSAL FOR A MASTER OF ENGINEERING DEGREE

Prof. Jerry Marley of the College of Engineering and Prof. Walter Pratt of the Law School presented a proposal for a new Master of Engineering (M.Eng.) degree to be offered in conjunction with the J.D. degree. Conversations be-

tween Dean David Link of the Law School and Dean Anthony Michel of engineering led to a concrete proposal for the joint degree arrangement, with the M.B.A./J.D. arrangement as a model.

The M.Eng. would be distinct from the M.S. degrees in the engineering departments and would require 24 credit hours of coursework to be selected in consultation with an advisor from the appropriate engineering department. Admissions to the two components of the program would be controlled separately by the Law School and by the appropriate engineering department. The M.Eng. degree would not be granted as a "stand-alone" degree; it would be granted concurrently with the J.D. degree.

Prof. Pratt indicated that the Law School was very enthusiastic about the proposed program. In response to Prof. Fuchs, he also indicated that the usual J.D. requirements were reduced from 90 to 75 credit hours to make room for the engineering coursework. The 15 credit hours that were removed were normally elective courses within the J.D. program; the remaining 75 credit hours still easily exceed the accreditation requirements.

Prof. Fuchs asked if someone without a bachelor's degree in engineering could undertake this program. Prof. Marley replied that they could not do so without doing remedial work before tackling graduate level courses in engineering. He also indicated that there was some flexibility in the three-year sample outline of coursework that was presented to the council.

Prof. Fuchs, Dr. Barbara Turpin and Ms. Barbara Schmitz all asked if there was a detailed list of courses for the engineering component of the program, and Prof. Thomas Nowak asked about the level of the courses. Prof. Marley replied that flexibility was necessary in designing the course selection for individual students. Dr. Akai added that course selection would be done in the same manner as for the M.S. degree and that quality would therefore not be compromised.

Mr. Robert Miller asked how the program would be marketed and if all of the engineering departments would participate. Prof. Marley stated that not all of the engineering departments had the same level of enthusiasm. In response to Dr. Diffley, Prof. Marley indicated that aerospace and mechanical engineering and electrical engineering were the most receptive. Prof. John Uhran added that computer science and engineering was interested, and Prof. Jeffrey Kantor stated that chemical engineering had not yet reached a conclusion.

Ms. Schmitz asked if the M.Eng. designation would mislead someone into thinking that the standard M.S. degree, which requires a thesis and/or additional

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coursework, was less "powerful" than the M.Eng. degree. Prof. Marley replied that the designation is standard and is used to designate a professional degree. Ms. Schmitz and Dean Harold Attridge asked if the concentration (e.g., M.Eng. in a discipline of engineering) would be included in the degree name. Prof. Marley and other engineering faculty — Dean Michel, Prof. Kantor and Prof. Uhran — all indicated that the naming of the degree beyond the M.Eng. designation was unimportant.

Dr. Turpin asked for an estimate of how many students would seek to enter such a joint program. Prof. Pratt gave an estimate of fewer than 10 in an entering class of about 175.

Following the discussion, Prof. Kantor moved that the council authorize the Master of Engineering degree (subject to further approvals by other bodies such as the Academic Council). The motion was seconded by Prof. Uhran and was passed by voice vote.

## III. (a) NEW BUSINESS

Before continuing with the last item on the agenda, Dr. Diffley distributed a written statement that was submitted by Dean Nathan Hatch. The statement contained a clarification of the scope of remarks made by a speaker at a previous meeting of the council, and it was submitted with the speaker's permission. The purpose of the statement was to ameliorate a situation that had arisen because certain parties believed that the speaker's remarks could be misconstrued.

Several council members objected to accepting the clarification. Prof. Kulpa and Prof. Uhran questioned the amount of time that had elapsed since the remarks were made, Prof. Thomas Mueller and Prof. Kantor thought that it was inappropriate, and Mr. Edward Wingenbach saw no need for a clarification. Dean Michel, Mr. Miller and Prof. Fuchs were reluctant to consider a clarification that was not made directly by the speaker.

The general sentiment of the council was to table the matter.

## IV. DISCUSSION ON NEW GRADUATE SCHOOL PRIORITIES

Dr. Diffley invited the council to make suggestions for using the increased funding that would be available to the Graduate School. He explained that the first phase of the increase was used to increase the number of graduate assistant positions in departments with dire needs, to increase stipend levels in all departments in order to attract

the best graduate students, and to fund a larger number of presidential fellowships.

Among the several suggestions were those by Prof. Fuchs to fund travel (including international travel) to help immerse graduate students in professional activities, by Prof. Kulpa to improve the infrastructure (such as research equipment), by Prof. Nowak to support graduate work on a 12-month basis rather than the nine-month basis that he perceives is the habit at Notre Dame, by Prof. Christopher Hamlin to improve institutional efforts to place graduate students, and by Prof. John Cavadini to support acquisition of special skills.

Prof. Kantor noted that needs varied widely across departments and asked that funds be given directly to departments. Prof. Fuchs and Prof. Uhran supported Prof. Kantor's suggestion. Dr. Diffley noted that the stipend supplements that departments had in previous years were drastically cut to support increased stipend levels and new positions; he acknowledged that this might force departments to curtail some efforts or to find alternate funds. Prof. Kantor cited recruitment as an effort that might suffer and noted that the recruitment cost in his department was \$1000 per graduate student.

Dean Attridge asked what would be done with the suggestions that were made. Dr. Diffley replied that the Graduate School was already considering many of them and would continue to examine suggestions for spending funds wisely.

The meeting ended at 4:53 p.m. (after most of it was conducted in semi-darkness due to a power failure).

## Faculty Senate Journal

May 2, 1995

The final meeting of the Faculty Senate for the academic year 1994-95 convened in the auditorium of the Center for Continuing Education under the chair Professor Richard McBrien, who asked Professor Valerie Sayers to lead the group in prayer. Attending this meeting were senators for the 1994-95 year and those who would be senators for the year 1995-96; their terms would begin with the conclusion of business in this meeting, when they would re-convene as the 1995-96 Faculty Senate.

McBrien asked the senate's staff secretary to come forward to be honored upon her retirement after serving the Faculty Senate for 23 years. Former senate chairs, Professors Richard Sheehan and Paul Conway, spoke in appreciation of her; McBrien also spoke of her years of service to the senate. The chair presented her with several gifts and she responded with gratitude. The senate applauded her and her husband heartily.

The senate then moved to the business aspect of the meeting. Professor Mario Borelli, seconded by Professor Jean Porter, moved approval of the journal for April 5; the senate agreed with minor corrections. In his chair's report, McBrien noted several items; his report is presented as appendix A of this journal, including his comments reviewing the work of the senate over the past year. Conway then presented to the senate the treasurer's report; he noted that the budget allowed by the University again did not cover expenses, and both he and the chair have written to the Office of the Provost to request a more realistic budget for the coming year. The University has always covered the senate's expenses, and the new budget should reflect increases. McBrien spoke in appreciation of Paul Conway, an outgoing member of the senate: of his service to the senate as charter member, secretary, treasurer, chair (five different times), and a member of the faculty for 39 years. The senate applauded his service with gratitude.

### Committee Reports

1. Academic Affairs — no report.
2. Administrative Affairs — will report later with a proposal.
3. Benefits — the chair Professor Supriyo Bandyopadhyay reported on the major task of the committee for the year: a survey on benefits of retirees; of 80 questionnaires sent out, 53 were returned. The results: a majority wish to hear news of the University, especially senate action, perhaps in the form of a newsletter; they want to have the

same basic health insurance options as current faculty have; the "Retiree 2000" plan, offered to retirees, is in a tenuous state and may be dropped by the University at any time (the Department of Human Resources has refused to assure the senate that in such an event a comparable plan would be offered). The committee will report a resolution on this later in the meeting. McBrien spoke in appreciation of Bandyopadhyay's work as a senator and as chair of the Benefits Committee this year; he will be leaving the senate at the end of this meeting.

4. Student Affairs — the chair Professor Patrick Sullivan, C.S.C., presented the committee's report on financial aid at Notre Dame to the senate (printed as appendix B of the journal). He also commented on a tape presented by Naval ROTC on tolerance within universities; it would be a fitting addition to the orientation program. He also said the Student Affairs committee on gays and lesbians has an interim report ready to submit to the vice president for student affairs, but there is no word on its public availability.

5. Senate Self-Study Committee — the chair Sheehan reported on two textual changes from an earlier version and presented the final report to the Senate (printed as appendix C of this journal). The senate chair thanked the committee for their excellent work and asked the incoming senate to consider its proposals over the next year.

### Old Business

Professor Michael Detlefsen presented an executive committee enabling resolution (no second needed) for the committee's proposal on appeals. It reads: "Resolved: That the Faculty Senate send the Academic Affairs Committee proposal on appeals to the Provost for his endorsement and enactment, and that it also be sent to the Academic Council for its approval, with the recommendation that the Council incorporate the proposal into a revision of the Academic Articles of the University, specifically sections 3, 4 and 9 of Article III." Detlefsen said the committee had spent the year working on its proposal and felt it was time for the University to address some flaws in the appeals process. Professor Wilson Miscamble, C.S.C., had dissented in the committee on this proposal, feeling it was proposing a cumbersome process and one that would involve members of the senate in an inappropriate way in appeals matters; he found no justification for any senate involvement in the procedure. Sullivan thought Miscamble and he had differing views on the senate as a representative body: Sullivan believed it was the only true representative body of the faculty on campus, freely elected and able to voice a variety of viewpoints. The proposal was worth a try. Miscamble disagreed on the issue of senate "representativeness" and repeated that the



process as proposed was cumbersome and not the place of the senate; the senate was not as representative or as important as the Academic Council and Provost's Advisory Committee, in each of which there is at least competition for office. Sullivan again disagreed saying Miscamble's views were the same as the president had expressed to the senate, but not everyone subscribed to. He looked forward to greater accomplishments from the senate.

Professor Jean Porter recalled a survey two years ago by the Administration Committee of our peer institutions on this issue. The current proposal is in line with the results of that survey, especially with the involvement of the senate and other faculty; the proposal does not leave the final say to these groups but to the administration, and this too is in line with the survey she took. It also called upon deans to work out the criteria for appointment and renewal; doing so would remove ambiguity and some problems. M. Borelli agreed that written procedures would smooth the way substantially. Professor David Ruccio pointed out a problem with the current procedure: The person who decides on the appeal from the College Council is the same person who made the decision originally — the provost. It would be beneficial to involve individuals who have some knowledge of University matters and different psychological and cultural investments in the University (e.g., not associated with the provost) in these decisions. Professor Paul Rathburn remembered his earlier service on the senate, 15 years ago, when it was a harmless and weak body with little prestige, an impotent debating body. The proposal from the committee suggests that that is no longer the case. Rather the senate wants to get in the game, seek a meaningful role in governance, and he favored it. Professor Steven Batill agreed with Rathburn about the increasing role of the senate, but he was unsure that the appeals process was the place for the senate. However, the particular approach under consideration seemed to be a way for fair and just treatment, and he approved of it.

Detlefsen saw two virtues for the committee's proposal: It gave the senate a first-hand presence in a procedure that was vital to the faculty, and it gave a body that is directly accountable to the faculty a voice in the procedure. Professor William Eagan asked why certain people who were involved in the original decision would be permitted under the new proposal to have a hand in choosing the committee to hear an appeal? Detlefsen said they would be there to bring some perspective on the earlier decision. Miscamble repeated that the point of the proposal was to inject the senate into the process, and not to improve the process; a smaller committee would be better, and especially one differently constituted.

The senate voted 29 in favor, two opposed (Miscamble and Sommese) and one abstention. The proposal itself is printed as appendix D of this journal.

The senate next took up an Administration Committee proposal (presented by chair Porter) on a survey reviewing deans. Miscamble pointed out that this resolution followed an attempt by the senate to investigate the dean of the College of Engineering that was ultimately not approved. He wondered if this was a disguised way to "get" a dean or director. They do not run popularity contests, and are reviewed properly and appropriately. Porter reminded the chair that the senate has already approved the reviewing of deans and directors; what is under discussion at this point is the instrument to be used in such a review. Batill asked that the review committee appointed by the provost receive the results of any senate survey, and Porter agreed to that as a friendly amendment. He questioned, however, whether the survey results should be reported to the senate where they would become public. Porter said the committee had discussed this point, and the intent of the committee was to have the results made public. M. Borelli asked what would be reported to the senate. Porter said the tabulated results of questions 1-4, and a summary of comments elicited by question 5. M. Borelli continued, saying he had asked the dean of engineering his opinion about such a senate survey, and he thought it would be appropriate. The questions in the senate survey do not constitute a "witchhunt," but the results should not be published. Bandyopadhyay endorsed the committee proposal, as did Detlefsen as a further means of accountability; releasing the results would lead to accountability. Conway had some difficulty with releasing the results of the survey in the journal. What purpose would be served? Professor Jean-Francois Gaillard agreed with Conway, as did Captain Russell Pickett; to him it was more important to have an oversight committee than to report the results publicly, and such a committee could always come to the senate if need be. Ruccio did not understand what damage might result from reporting the survey data; often faculty opinion is solicited, given and then disappears into a black administrative hole. Witchhunts occur in the absence of information. Reporting results is a way to assess whether a decision corresponds with opinion.

Sheehan said Notre Dame had seen two kinds of reviews recently: one open (for the dean of the Graduate School), one closed (for the dean of the College of Business Administration). As a member of the latter review committee, he cannot report to the senate what happened, but he would like to. If a survey form with parallel results were open, this would improve the process. How would the administration act in the face of public information? Sullivan thought perhaps the Administration Committee itself would serve as an oversight committee in reviews; if they felt there was some variance with faculty opinion, they would come to the senate to seek advice or action. Professor Joan Brennecke said the questions the senate would ask would already have been asked, and there

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would be no point in the senate's asking them without releasing results. The senate should not bury the results in a committee, or ask a committee to make a decision with only part of the information. Eagan supported Brennecke. M. Borelli saw the need for publication but was concerned that senate activities are very public. Is there a way to compromise on this? Can the survey results be examined by a senate committee and a suitable report be prepared for publication in the journal? McBrien, in summarizing, said there seemed to be little dispute on the instrument presented, but some on the points of confidentiality and publicity or communication of results. Porter said anyone can offer an amendment, but the committee would not consider as friendly any amendment that undercut communication. Professor Henry Weinfield asked if it was necessary to put the results of the survey in the journal? The answer was yes.

M. Borelli offered an amendment, which Pickett seconded, adding the word "appropriately" to one section of the resolution. Porter accepted this as a friendly amendment, and the resolution was so altered. Batill asked if the survey is voted down, would the senate ask the committee to reformulate it? The chair replied yes. Batill further asked if this issue could wait for action until the fall. Porter, having heard no real substantive objections, thought the senate should vote on this now. Batill felt confidentiality was an issue and would like some time to consider it. Eagan moved the previous question, Porter seconded, and the senate agreed to vote.

The vote on the amended proposal was 23 in favor, seven opposed (including Miscamble who asked that he be recorded in opposition), and four abstentions.

## New Business

M. Borelli presented a resolution, seconded by the secretary, deploring the Faculty Athletic Board's action in approving the women's softball team to play in a tournament during final exams. The University was not bound by contract to send a team to this tournament, and nowhere in University documents is there provision for such action. It appears to be in gross violation of University regulations and pronouncements about the place of athletics at an academic institution. *Du Lac* states that only deans can excuse students from final exams; here is a case of the faculty board doing so. The true obligation of Notre Dame to its students is being lost in this instance. This is not a "once-in-a-lifetime" thing and only serves to bring Notre Dame back to a "jock image." Borelli apologized for springing this on the senate at the last minute, but felt very strongly about it. He has told the deans of his fear that a bad trend is emerging.

The senate voted 29 in favor, two opposed and two abstentions. The resolution is presented as appendix E of this journal.

Next, Bandyopadhyay presented a resolution from the Benefits Committee (no second needed) on retiree benefits. He said it stems from the survey conducted of the retired faculty where one fear expressed was the possibility that "Retiree 2000" might be dropped. With a lack of assurance from Human Resources that the plan would be continued, and with a statement that Notre Dame reserved the right to drop or amend the retiree package, the committee felt the senate should voice its opinion now. McBrien asked who should receive the resolution? Pickett asked if the director of human resources had specifically said Retiree 2000 would be dropped. Bandyopadhyay replied that his statement was that "at present" there were no plans to do so. Eagan pointed out that the retiree package of health options was not the same as the current faculty's, and there is great unease among the retirees about health insurance. Sheehan said the director usually does not guarantee anything. Bandyopadhyay said this was a financial matter, open to cost analysis each year. Conway recalled that the director had told the Benefits Committee that if Retiree 2000 was dropped, something equivalent to it would take its place; he could not understand why this could not be put in writing. Bandyopadhyay agreed.

Rathburn asked why the director could not be invited to explain the situation to the senate in an open meeting. Was it a question of authority? Bandyopadhyay thought it probably was. Brennecke asked Bandyopadhyay to read the letter the director had sent, but he did not have it with him. The gist of it was the University had no current intention of discontinuing Retiree 2000, but he could not guarantee it forever. Conway asked that the resolution be sent to the provost for presentation to the sub-subcommittee of the Budget Priorities Committee, and the chair agreed. Sullivan called the question, Ruccio seconded, and the senate agreed to vote.

The vote was 28 in favor, four opposed, three abstentions. The resolution reads:

Whereas the Faculty Senate believes that the university owes a considerable debt of gratitude and loyalty to its retirees;

Whereas the current retiree 2000 plan has no guarantee of continuation by the university;

Be it resolved the university guarantee alternative and equivalent insurance for retirees currently enrolled in retiree 2000 plan in the event the latter is amended or dropped;

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Be it further resolved that a copy of this resolution be presented to the director of human resources, and the Provost.

The chair then acknowledged the service of those senators whose terms were expiring in this meeting:

**Arts and Letters:** Borkowski, Brownstein, Burrell, Delaney, Munzel, Radner, Vasta, Weithman  
**Engineering:** Bandyopadhyay, Batill, Brennecke  
**Science:** Bender, Hartland, Sommese  
**Business Administration:** Callahan, Conway, Sheehan  
**Professional Specialists:** A. Borelli

After a brief recess, the 1995-96 senate convened. Co-secretary Ava Collins served as temporary chair through election of a new chair.

McBrien was re-elected as chair unanimously. His election remarks are printed as appendix F of this journal.

Other senate officers for 1995-96 elected were:

vice chair — Sonja Jordan  
co-secretaries — Ava Collins, Peter Lombardo  
treasurer — Laura Bayard  
committee chairs —  
    Academic Affairs - Detlefsen  
    Administration - Porter  
    Benefits - M. Borelli  
    Student Affairs - Sullivan, C.S.C.

McBrien thanked the executive committee, and expressed the wish that everyone would participate actively in the duties of the senate. E-mail, thanks to Detlefsen's push, was an important tool of communication and will be more so. Miscamble stated that it was an interesting commentary on the senate that there was no competition for any senate office.

Sullivan moved that the Notre Dame Forum on Academic Life, sponsored by the Faculty Senate, be continued through the 1995-96 year. After a second, the senate voted 38 in favor, none opposed, with one abstention, to do so.

Borelli moved to adjourn, and the senate did so at 9:30 p.m.

**Present:** Bandyopadhyay, Batill, Biddick, Borelli, M., Bottei, Brennecke, Broderick, Brownstein, Buttigieg, Coll, Collins, A., Collins, J., Conway, De Langhe, Detlefsen, Doordan, Egan, Esch, Gaillard, Gundlach, Gutting, Hamburg, Hartland, Huang, Lamanna, Lombardo, Mason, Mathews, Mayer, McBrien, Miscamble, Pickett, Pillay,

Porter, Quinn, Radner, Rathburn, Ruccio, Sayers, Schmid, Sheerin, Sommese, Sheehan, Sullivan, Wei, Weinfield, Zachman

**Absent:** Borelli, A., Bradley, Callahan, Delaney, Hyde, Munzel, Simon, Stevenson, Tomasch, Vasta, Orsagh (Student Government Representative), Borer (Graduate Student Representative)

**Excused:** Bayard, Bender, Borkowski, Burrell, Garg, Jordan, Rai

Respectfully submitted,

Peter J. Lombardo Jr.  
Secretary

## Faculty Senate Resolution

**Resolved:** That the Faculty Senate send the Academic Affairs Committee proposal on appeals to the Provost for his endorsement and enactment and that it also be sent to the Academic Council for its approval, with the recommendation that the Council incorporate the proposal into a revision of the Academic Articles of the University, specifically, section 3, 4, and 9 of Article III.

Faculty Senate  
May 2, 1995  
29-2-1

## Appendix A

**Chair's Report**  
May 2, 1995

1. The Senate's resolution of last September on intercollegiate athletics was at least indirectly discussed at the Academic Council meeting of April 26 in connection with the initial presentation of the Faculty Board in Control of Athletics's Report to the Academic Council. Because the Board's Report was submitted so late after having been promised by the first of the current calendar year and because the Senate had voluntarily withheld placing its own resolution on the Academic Council's agenda until the Board's Report had been submitted, the Faculty Senate Chair, as a member of the Council's Executive Committee, asked that an additional meeting of the Academic Council be scheduled before the end of the spring semester to allow a fuller discussion of the Board's Report and a specific discussion and vote on the Senate's own resolution on intercollegiate athletics. That special meeting of the Academic Council will be held on Monday, May 15, at 10 o'clock in the morning.

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The Chair has already distributed copies of the full Report to various members of the Senate, including the principal author of the Senate resolution, Prof. Ed Vasta, and has received comments from most of them. Given the constraints on the time of the Faculty Senate secretary, Harriet Flowers, it would have been impractical to offer copies of the entire Report to every member of the Senate, whether they requested it or not. Complete copies are available in Father Beauchamp's office. However, the Chair would be happy to make available copies of the section of the Report that deals specifically with the Senate's resolution on intercollegiate athletics, as well as the Faculty Board's proposed amendments of the Academic Articles, on the condition that whoever requests and receives a copy be willing to submit comments to the Chair in advance of the May 15th Academic Council meeting.

2. The newly constituted Executive Committee of the Faculty Senate has been invited to a second meeting with the academic officers of the University on Monday afternoon, May 22.

3. After a meandering investigation into the present status of the Senate's proposal of last year to restructure the University Committee on Women, the Chair has learned that the proposal was sent to the Executive Committee of the Academic Council, but that no action was taken on it during the current academic year. The Provost, as chair of the Executive Committee, has promised to take up the proposal at the beginning of the fall semester.

4. The Chair would like to call attention to a problem that he hopes will be rectified whenever the next elections are held within the various colleges and academic units of the University. Elections were conducted and results were tabulated in timely fashion last month by the College of Arts & Letters, the Professional Specialist faculty, the Emeriti faculty, the School of Architecture, and ROTC, and in a somewhat less timely, but nonetheless satisfactory, fashion by the College of Engineering. (There were no elections this year in the Law School or the Library.) There were significant problems, however, in the College of Business Administration, where the election was unduly delayed and then conducted within what seemed a very narrow time-frame, and in the College of Science, where no formal election was held and where at least one candidate who had volunteered to run in response to the Senate's annual questionnaire for some reason was unknown to the dean in charge of the election. Through direct recruiting by the Faculty Senate Chair and one other member of the Senate's Executive Committee, two fine candidates (including the one whose name had not appeared on the college's list) re-emerged and both were elected unopposed.

5. Regarding the election of Senate officers and committee chairs to be conducted after the recess and the seating of the new Senate: the Executive Committee had only one volunteer to run for office, Laura Bayard, who will stand for Treasurer. Members of the Executive Committee who were either reelected to the Senate or are continuing on the Senate have expressed their willingness to stand for reelection to their various offices and committees. They include the current Chair and Vice-Chair of the Faculty Senate, Sonja Jordan, the two co-Secretaries, Peter Lombardo and Ava Collins, and the chairs of the Academic Affairs, Administration, and Student Affairs committees, Mic Detlefsen, Jean Porter, and Pat Sullivan respectively. The present Treasurer of the Faculty Senate, Paul Conway, was not reelected to the Senate from the College of Business Administration, and the chair of the Benefits Committee, Supriyo Bandyopadhyay, was not reelected to the Senate from the College of Engineering. Laura Bayard had already volunteered to run for Treasurer, but there is no candidate for chair of the Benefits Committee as of this moment. Nominations for this and all other positions are in order from the floor, following the recess and the seating of the new senators, but the Chair wishes to remind everyone eligible to nominate, to vote, and to serve that nominated candidates must be willing to run and, if they have been members of the Senate during the past year, their attendance record should indicate a readiness and an ability to serve in the manner expected of each member of the Executive Committee.

6. As we review the work of the Faculty Senate during the current academic year to date, three achievements seem to stand out: (1) the successful passage, by unanimous vote, in the Academic Council of the Senate's resolution to propose an amendment of the Academic Articles to provide "formal faculty input" into the appointment and review of the two vice presidents and associate provosts; (2) the sponsorship of the Notre Dame Forum on Academic Life which held four sessions during the year — on the evolution of Notre Dame as a university, on the role of science at Notre Dame, on the relationship between teaching and research at Notre Dame, and on the place of Theology at Notre Dame; and (3) the open discussion of issues that would otherwise not have been subject to discussion in the public forum. For that we are especially grateful to the President, Father Malloy, the Provost, Timothy O'Meara, Father Oliver Williams, C.S.C., former associate provost, and Prof. Patricia O'Hara, Vice President for Student Affairs, for their appearances before the Senate and for making it possible for the full Senate to pose questions and express opinions about serious matters of common concern. Regarding the third achievement, it has also been important this year to have had the Senate's Journal published in *Notre Dame Report* as quickly as that publication's schedule allows. Indeed, one has the impression that many of our colleagues read this year's Journals with particular interest.

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## Appendix B

### Report on Financial Aid for the Student Affairs Committee of Faculty Senate

I. Upon the request of the Student Affairs Committee of the Faculty Senate, Joseph Russo, Director of Financial Aid and Kevin Rooney, Director of Undergraduate Admissions, presented a summary of the University's undergraduate financial aid policies to the meeting of this Committee (2-9-95).

A. Mr. Russo began his presentation by outlining the current costs for tuition, fees, room and board which averages about \$21,500. He indicated that the Trustees' continue to reduce the rate of annual tuition increases and suggested that this rate is expected to fall below six percent for the coming school year.

A 1990 study commissioned by the Trustees as well as a primary recommendation of the Colloquy Report issued in 1993 both concluded that there was no greater University need than to increase funding for undergraduate scholarships. As a result, resources for this purpose have doubled since the 1989/90 school year, as have the number of students being assisted. The goal of the Trustees continues to be focused on meeting the full demonstrated financial need of all admitted and enrolled students.

The means of funding scholarships was explained in detail. Institutions can provide such funding from one or more of three sources: endowment earnings, annual giving, or tuition revenue. In all three cases, the result for the student recipient is the same, i.e., a reduction of the bill to the institution. However, the revenue consequences to the University may not be the same. If the scholarship provided is funded by the endowment earnings or annual giving, there is still an income to the school. However, if tuition is employed as the funding source; there is no income. Simply stated, the student's bill is discounted for the value of the scholarship and this "discount" in effect becomes an expense for the operating budget of the University. As with any expense, this cost must be equally offset by revenue which is, of course, typically tuition. Thus, "discounts" become expense and tuition is increased. Some have referred to this discount approach as the "Robin Hood Theory," i.e., those who can afford to pay more help to pay for those who cannot. This discounting of tuition has become a serious concern for many college and university officers and trustees. Some suggest that it has become one of the major factors in the tuition spiral currently challenging many institutions and also attracting the attention of government officials. Cost containment proposals for institutions receiving federal student aid may become a concern of some school officials.

The University of Notre Dame has a solid reputation for sound fiscal management and is one of the country's most highly endowed educational institutions. Virtually all of its undergraduate scholarships are funded with either endowment earnings or annual giving. Tuition discounting is not employed. This fiscally responsible approach has served the University well but has left the Office of Financial Aid in a position where it is not able to meet the full demonstrated need of all of its deserving financial aid applicants. Although very significant improvements in funding have been made since 1990, substantial resources are still needed. As a result, the Development Office lists scholarships as its top funding-raising priority in planning the University's next major campaign. In the meantime, in an attempt to support this effort, most of the additional revenue provided by the NBC TV contract continues to be directed to undergraduate scholarships. Likewise, the proceeds of the last several years' January football bowls have also been similarly invested. In addition, the bulk of the University's licensing revenue is also directed to this program. Finally, a very large percentage of the University's annual unrestricted giving is provided as an expendable source in support of scholarships. All of these additional resources have been added to those new endowments being established through the Development Office's efforts.

B. Mr. Rooney reported that the effect of his office's efforts each year is limited by the fact that the University does not have the scholarship resources necessary to meet the full need of all admitted applicants. As a result, the admissions staff must assist the financial aid staff in rationing the available scholarship dollars by designating about 1000 of the 3700-3900 admitted students as Notre Dame Scholars. These designees will have their full financial need met by a combination of resources and will receive scholarship money if their demonstrated need exceeds the amount provided by the loans, campus employment, and Federal and State grant funds for which they are eligible. The same financial aid policies would hold true for the 450-500 Holy Cross grant nominees who have been selected to add ethnic/racial and socioeconomic diversity to the entering class. Admitted students not included in these two groups must rely on family, local, state, and federal funds to meet the cost of a Notre Dame education. Surveys indicated that each year about 200 of these students choose another university because of a superior financial aid offer. The academic qualifications of this group are higher than those of our entering class.

Academic reputation is the number one factor in college choices, assuming that students can afford their number one choice. When we compete with universities ranked above us on the *U.S. News and World Report* list of national universities, we face the dual challenge of superior academic reputation and superior scholarship offerings.

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Selecting Notre Dame Scholars is one of the most painful of the admission process. Mr. Rooney invited members of the committee to visit his office to view the strong academic and personal qualification in the "bin of tears" where the files of Notre Dame Scholar candidates await the final selections to fill the last, few designations.

C. In response to the Chairman's request for what each of them would consider a main message they would like to leave with the Committee, Mr. Russo asked that the Faculty Committee continue to support the enhancement of undergraduate scholarships as the University's top fund-raising priority. Mr. Rooney hoped that 250 Notre Dame Scholar designations could be added to the current total and that the faculty try all in its power to help in the effort of cost containment. These requests have the common theme of the affordability of a Notre Dame education and how this issue relates to the quality and diversity of the University's enrollment.

Committee discussion then gave rise to the following points:

Annual cost increases should be kept as low as possible.

Faculty follow-up with admitted students by departments is essential.

Faculty hospitality to visiting prospective students and families is extremely important.

Visits to departments by the Director of Admissions have been helpful and will continue.

II. Highlights of Student Survey on Financial Aid conducted by Student Government:

Juniors were unrepresentative (13.7%) and females were most represented (61.7%).

Inability to pay prevents qualified students from attending Notre Dame (89.5%) and inhibits diversity (73.5%).

It is Notre Dame's responsibility to meet 100% of a student's demonstrated need (79.0%) and to meet such needs, a tuition increase would be supported by respondents (58.5%).

Financial aid packages were received (99.6%), loans were taken out to pay for Notre Dame (93.5%), repayment of such loans will fall on students (81.7%) and paying such loans has affected career choices and prevented pursuit of interests such as volunteerism, Peace Corps, ACE (52.2%), payment of such loans is a cause of worry (79.2%).

Financial aid was offered by other colleges or universities (96.4%) and their financial aid packages were better (54.7%).

The financial aid received was in the form of a "Holy Cross Grant" (33.0%) or a "Notre Dame Scholar Grant" (62.7%) and the percent of the financial aid package was covered by grant (46.6%), loan (38.6%) or work-study (16.7%).

Work-study interferes with study habits (70.9%) and internships (29.9%) and the money received from work-study goes toward tuition (27.6%) and toward academic expenses (59.2%).

The maximum number of work-study hours are worked (40.2%) and the maximum hours of work-study are not worked because enough hours are not available (29.0%).

## Appendix C

### Faculty Senate Self-Study

#### Introduction

The appropriate role of Notre Dame's Faculty Senate has been the subject of a continuing discussion, prompted recently by such disparate events as a suggestion that the Senate should disband (at the end of the 1988-1989 school year), the restructuring of the operations of the Academic Council, and Father Malloy's comment that the Faculty Senate is not "where the action is." The Faculty Senate's own role in precipitating some recent administrative changes on campus, such as the April Accord, suggests that the timing is appropriate for introspection and for the Faculty Senate to examine its own role and procedures. That is the point of this self-study. The study is divided into six parts. The first addresses the roles played by faculty senates in other institutions and seeks to ascertain what lessons we can learn from them. The second examines the institutional structure at Notre Dame and asks how the Senate traditionally has fit into the overall organizational structure. The third considers attitudes toward the Faculty Senate, both by the Administration and the faculty. The next two consider the problems and weaknesses of the current Faculty Senate procedures and then the strengths and advantages of the current procedures. Finally, the last section addresses the alternatives and the advantages and disadvantages of each of those choices.

One can certainly criticize the Senate for some of its actions or lack of actions or climate or culture, just as surely as one can criticize the Administration for some of its actions or lack of actions or accountability or responsibility for past actions. At this point, it simply is not germane to continue a discussion of past dysfunctional relationships. Instead, this document, while occasionally feisty, attempts to assess perceptions of the Senate, the current role of the Senate, and what can and should be done to



make the Faculty Senate a more efficient body representing the faculty.

## 1. Faculty Senates at Other Institutions

The committee surveyed other institutions to determine what role their faculty senates played both in governance and in shaping the academic life of the institution.

**General organizing principles.** Faculty senates share many organizing principles. Senates are representative (usually apportioned), deliberative and legislative. They establish committees that govern their conduct; they establish committees to advise and consult, and can establish other standing or special committees to assist with the senate's work. Senates are largely consultative and advisory. They address issues that go beyond the purview of any one department within a university. Many possess the right and the responsibility to review and evaluate educational policies and practices, including issues of academic freedom.

One differentiation in organizing principles concerns the composition of the senate. Some include *ex officio* administrators including presidents, provosts, chancellors, and deans. Others include only elected faculty members. Another distinguishing characteristic is that some senates' responsibilities include more specialized functions such as approval of any honorary degrees conferred by the university.

**Significant issues.** Recent significant issues facing faculty senates at peer institutions run a gamut of concerns but appear to focus on three areas. First, benefits, including issues of flexibility, rates of increase, and distributional issues, with particular questions cited concerning tuition, retirement, and extension of benefits to domestic partners including same sex partners. Second, academics, with concerns raised about the role of interdisciplinary studies, the appropriateness of offering ROTC courses, and the academic issues raised by accepting Department of Defense money. And third, administrative concerns, with the most extensive list of issues including those related to the status of women, concerns with the promotion and tenure process — including issues of confidentiality and post-tenure reviews, the faculty's role in the review of deans and executive officers — general university restructuring, difficulties or perceived difficulties with faculty/administration communication, and the general question of the resolution of faculty grievances. The list of concerns at other institutions should look familiar to those who have followed Notre Dame's Faculty Senate discussions. One also could look at the list and argue that it is generally consistent with Father Malloy's contention that faculty senates are about benefits and grievances.

**Power wielded by faculty senates.** Do faculty senates at other institutions have decision-making authority, are they advisory, or are their roles "less than advisory"? The answer depends largely on the area of concern. Most faculty senates surveyed have limited decision-making authority on their own. Some do have some decision-making authority concerning student behavior codes and university curriculum/degree requirements. A few have decision-making status on appeals regarding tenure and promotion. Very few have decision-making status on the topics of the university budget, faculty benefits, and the academic honor code. More common is advisory status, in particular on the academic honor code (all senates were either the decision-making body or advisory on the academic honor code, in contrast to Notre Dame where the Senate was not consulted), and on faculty salaries. Under the heading of "less than advisory" generally fell issues like appointments to administrative posts such as presidents, deans, provosts, and vice-presidents, as well as priority-setting for fund-raising and long-term planning.

While other faculty senates do not appear explicitly to seek that their faculty will be "listened to" more by the administration, the general tone of the responses appeared strongly in favor of gaining a greater voice during the decision-making process. In addition, with one exception, the survey considered only private universities, and much evidence suggests that faculty senates at public institutions generally have more power than those at private institutions.

## 2. Institutional Structure at Notre Dame

At the University level there are three principle deliberative bodies — the Academic Council, the Provost's Advisory Council (PAC), and the Faculty Senate — as well as myriad other committees and councils such as the University Committee on Libraries, the Graduate Council, and the Faculty Board in Control of Athletics. The discussion here will focus only on the Academic Council, PAC, and the Faculty Senate, since they are the only bodies that consider a wide range of issues. Three primary areas require discussion concerning these three bodies. First, what is the overlap of the issues discussed? Second, what is the composition of each group's membership? And third, what is the "culture" of the three bodies?

**Issues.** Article IV Section 3 subsection (b) of the Academic Articles states the official responsibilities and functions of the Faculty Senate:

The range of concern of the Faculty Senate extends to matters affecting the faculty as a whole. The Senate seeks to formulate faculty opinion and for this purpose may, at its discretion, conduct faculty meetings and referenda. The Senate also receives from other groups in the University items requiring consideration by the faculty. With

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respect to matters of academic concern, the recommendations of the Senate are referred to the Executive Committee of the Academic Council, which shall place the recommendations on the agenda of the Council.

Article IV Section 3 subsection (a) states the functions of the Academic Council:

The principal functions of the Council are to determine general academic policies and regulations of the University; to consider the recommendations of the Graduate Council; to approve major changes in the requirements for admission to and graduation from the Colleges and Schools and in the program of study offered by Colleges, Schools, and Departments; to authorize the establishment, modification, or discontinuance of any academic organization of the University; and to provide for review, amendment, and final interpretation of the Academic Articles, without prejudice to Article V.

The Academic Articles mention PAC only briefly in Article III Section 4 on tenure and promotion where the Provost "after consultation with such advisors as the Provost may choose" submits his recommendations. The NCA accreditation team strongly recommended that the current status of PAC be more formally included in the Academic Articles.

The Academic Articles do not yield substantial insight into the actual overlap or potential overlap of issues considered. Thus, it is useful to consider areas of overlap and areas of difference. With respect to the Academic Council, the Council has spent a substantial amount of time this year considering the reports of the committees that were following up Colloquy recommendations. In contrast, the Senate has spent virtually no time discussing those reports. In terms of overlap, the Senate has referred to the Council the question of faculty participation into the appointment and renewal of associate provosts and vice presidents. With respect to PAC, that committee has devoted much time to tenure and promotion cases and to long-term strategic planning issues, both areas not considered by the Faculty Senate. PAC also has considered modifying the tenure and promotion appeals process, at the request of the Senate.

The Faculty Senate's agenda recently has been dominated by governance issues as well as by continuing concern with the Colloquy report. In contrast, the Academic Council's agenda has been much more varied, focusing on issues ranging from approval of the honor code to changing the Academic Articles, to reviewing the guidelines for admission and financial aid to discussing the post-Colloquy reports. PAC's original purpose was to advise on promotion and tenure decisions and that remains one of its most time-consuming chores although it also has addressed issues of long-term strategic planning.

**Membership.** The Faculty Senate is drawn from the entire faculty and includes proportionate representation from all colleges and two elected representatives of the emeriti faculty. Four members, one from each college, are chosen *ex officio* from the college's members on the Academic Council. All other Senators are elected from their colleges. The composition of the Academic Council is approximately half elected faculty, ten percent students, and the rest *ex officio* administrators. PAC includes ten elected faculty members, two per college from among the full professors, as well as all deans and associate provosts. The elected faculty comprise slightly less than half the committee.

**Culture.** By "culture" we mean both the substance and the style of the debate. The "culture" of the Faculty Senate can best be characterized as freewheeling and occasional feisty to the point of being argumentative. The Senate also operates in accord with Robert's Rules of Order. In contrast, the Academic Council's culture can best be described as controlled with general avoidance of controversy and controversial issues, although the rules of order appear less well defined than in the Senate. PAC has operated entirely in secret, and its culture and operations are generally not known.

### 3. Attitudes Concerning Notre Dame's Faculty Senate

**Malloy.** Father Malloy in his comments to the Senate at the beginning of the year noted that the Senate is not "where the action is" and that he perceives the Academic Council and PAC to be substantially more important decision-making bodies at Notre Dame. He noted that the Senate appears to be primarily concerned with two themes, "grievances and benefits" and then noted five areas where he believes that the Senate could make a unique contribution including the evaluation of teaching, affirmative action, faculty status systems, the promotion of on-campus culture, and faculty citizenship.

**Senators.** A survey was sent to all members of the Faculty Senate in 1993-1994. The results of that survey indicate clear disenchantment with the functioning of the Faculty Senate. The responses indicate a near-unanimous sentiment that the Faculty Senate is not sufficiently involved in the academic functioning of the University, that there is too little cooperation between the Faculty Senate and the Administration, and that the Senate has too little access to the Administration. The survey results also indicate a strong belief that the Administration is not accountable enough to the general faculty. The only area of disagreement on the survey was whether the Faculty Senate does an adequate job of representing the faculty's academic and professional concerns. Over 52 percent of the respondents believed that it did while 33 percent believed that it did not. There was general dissatisfaction



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about the functioning of the Senate, but there was no consensus on an appropriate course of action.

**Faculty.** Faculty opinion appears deeply divided on the Senate. One perspective was well stated by Father Malloy:

Some think that the senate at Notre Dame has become stuck in an excessively narrow range of concerns . . . . Some claim there has not been much turnover in the membership and that a few people set the agenda each year and that some colleges and disciplines dominate the leadership group. Perhaps the most telling criticism is that, as long as the senate is preoccupied with grievances and benefits, it will not, as a body, have its appropriate influence on the future academic life and development of the institution.

Another school of thought contends that the Senate has been too passive and has let issues slide and non-answers go unchallenged. Those who make this argument also generally argue that the Senate should place substantial emphasis on grievances broadly defined and place the blame for the Senate's shortfalls on the Administration for not dealing with the Senate and the faculty in an honest and open manner.

## 4. Problems and Weakness with Current Structure

**May not be representative.** Many faculty choose not to run. Many faculty are more concerned about professional advancement and service in their respective fields. Time spent in the Senate is time taken away from professional activities or from family. Given the lack of power and the lack of a perceived important role for the Senate, many have opted not to serve in the Senate. Thus, it is argued that the Senate has become either a debating society with no real impact or that it has been taken over by the radicals with limited agenda. The polls taken of the faculty on issues like the Colloquy, however, suggest that the latter argument is not endorsed by a substantial number of faculty.

**Sometimes sidetracked.** Frequently, the Administration effectively sets the agenda of the Senate, either by its actions, e.g. with the Colloquy, the denial of recognition to GLND/SMC, the process of making appointments, or by suggestions from Father Malloy about what the Senate should consider. The Senate has not been pro-active in setting its own agenda and in following through on initiatives.

**No power or too passive.** The Senate has no inclination on its own to undertake virtually any action other than to survey the faculty. Thus, the Senate's initiatives have frequently been ignored by the Administration, and the

Senate has not aggressively pursued those initiatives when they have met with resistance. A recent example is the Senate's recommendation of a restructuring of the Faculty/Student Committee on Women that was passed overwhelmingly. Initially, it appeared to meet favorable Administrative response but now appears to have fallen into limbo.

**Perceptions.** The Senate does not have good public relations. Its actions are conducted in public and frequently are reported in *The Observer*, but what is reported tends to be the more controversial actions rather than what may be the more positive contributions. Given the range of views represented in the Senate, there is the perception that nothing gets done and issues get debated forever. There also is the perception by some that the Senate is too argumentative and confrontational, while others perceive the Senate as being too apathetic and complacent.

## 5. Strengths of Current Structure

**Representative.** The Faculty Senate is the only university-wide body on campus composed exclusively of faculty and not dominated or potentially dominated by administrators. There admittedly is substantial self-selection in terms of those who run for the Senate, just as there is self-selection for those who choose to run for every other committee on campus, including the Academic Council. That does not mean that the Senate is not representative. It means only that the Senate represents those who have chosen to avail themselves of its representative potential.

**Accountability.** There are only limited channels through which faculty may insist on administrative accountability, whether it be in terms of salaries, the role of women, or the Colloquy. The Faculty Senate, while not always successful in achieving accountability, has consistently played a role in noting those instances where the faculty had not been properly informed or consulted on decisions influencing the academic life of the University.

**Democratic.** It has been argued that the Senate attempts to enforce a politically correct view and stifles dissent. The Senate, in contrast to other bodies on campus, however, would appear to provide an alternative to the hierarchical nature of other bodies. The near majority of the Academic Council and the majority of PAC are appointed or *ex officio* rather than elected. The chairs of bodies like the Academic Council and PAC are appointed rather than elected. In addition, their agendas are largely set by administrators rather than by elected faculty members. This condition also extends to groups like the Graduate Council and the Faculty Board in Control of Athletics. In contrast, virtually all members of the Senate are elected and the officers also are elected.

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**Lack of secrecy.** Virtually all of the Senate's discussion is in public. Arguments on an issue are aired, warts and all, in the Journal. This open discussion brings issues into the light stands in stark contrast to much that transpires elsewhere at Notre Dame. The Senate has set an example of openness and has initiated discussion on issues that otherwise would not have been publicly discussed and that the Administration would rather not have discussed. Clearly some decisions must be made out of the public domain, but there is a legitimate question concerning whether items like budget priorities, for example, should be conducted entirely behind closed doors. The Senate has served to open discussion on some issues that the Administration would rather not have discussed publicly, and this action is likely one of the primary services of the Senate.

## 6. Alternatives and Recommendations

**Dissolve.** One might argue that many functions of the Senate can be adequately addressed by other bodies on campus to which there are elected faculty members, e.g., the Academic Council and PAC. Issues such as holding the Administration accountable on concerns like the Colloquy or the reappointment of the Provost before conducting a review could presumably be assumed by the newly reconstituted AAUP. The advantages: Fewer committees and fewer meetings; less overlapping agendas; potentially less conflict between the faculty and the Administration. Disadvantages: The faculty lose an all-faculty voice; potential loss of Administrative accountability; possible exacerbation of the "self-selection" problem with the limited membership of AAUP "representing" the faculty; and potentially an even smaller faculty role in governance. Dissolving the Senate is probably not a *judicious* alternative.

**Unionize.** If Father Malloy is correct that the Senate is concerned primarily with benefits and grievances, then this is a logical alternative. A union traditionally has addressed these two issues. However, this committee emphatically rejects Father Malloy's characterization of the Senate and believes that the faculty also reject that perspective. This option does not appear to be a *viable* alternative in light of a recent Supreme Court decision. In addition, it would not appear to find favor either with the faculty or the Administration.

**Stay the Course, with Reforms.** That leaves the Ad Hoc Committee with its recommendation to continue the current course for the Faculty Senate, albeit with some specific reforms. Some of these reforms can be undertaken by the Senate itself; others need Administrative approval; and still others need the cooperation of the general faculty to be effective. Some are simply exhortations while others require formal Senate approval. The changes this

Committee recommends to the Faculty Senate attempt to achieve four objectives: First, make the Faculty Senate more representative of the faculty; second, increase the Faculty Senate's accountability to the faculty; third, change the "culture" or climate of the Senate to make it seek cooperation before confrontation; and fourth, increase the Senate's ability to hold the Administration accountable for its actions.

What are the specific alternatives?

**(1) Greater representation.** To quote one response to this Ad Hoc Committee's request for input: "Very few people consider participation in the Senate to be a worthwhile activity." If faculty are unhappy with the actions or directions of the Faculty Senate, if faculty believe that the Senate has been unrepresentative, frankly, they have only themselves to blame. It is entirely inappropriate to criticize the Faculty Senate and simultaneously refuse to serve in the Senate. All members of the faculty including senior faculty leaders from within all colleges must be willing to stand for election to the Senate and must be willing to participate fully in the conduct of the Senate, shaping its agenda and discussions. This recommendation cannot be undertaken by fiat of the Senate or of the Administration. Each individual faculty member must recognize his or her responsibilities to the University as well as to his or her profession.

**(2) Formal reporting to constituents.** Currently Senators represent their college but there is virtually no formal reporting of the issues and deliberations from senators to their constituents. The faculty generally does not know the topics to be considered by the Senate until after a meeting, and frequently does not know how their elected representatives voted. Thus, this Committee recommends that a detailed agenda of each Senate meeting be posted and available by E-mail in the same manner that the Faculty Senate Forums have been posted. This Committee also recommends that the Journal be made available on E-mail immediately after it is approved by the Senate. Finally, individual senators are recommended to set aside a brief period before and after Senate meetings to meet with their colleagues and gather or provide information. One alternative would be for the senators from a college to reserve a room for one half hour both the day before and the day after Senate meetings to meet with any interested faculty.

While these recommendations pertain to the Faculty Senate, the problem of lack of reporting and lack of information is endemic on campus. The procedures recommended for the Senate would appear appropriate for many elected bodies on campus, especially the Academic Council and PAC (to the greatest extent possible).

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(3) **Change the Culture of the Faculty Senate.** The perception in some quarters is that the Senate is too argumentative and confrontational. That perception may be well deserved, or may be a function of other groups not being assertive enough, or the Administration not being accountable through other channels. In large part, simply changing who runs for and is elected to the Senate may have a dramatic impact on the culture of the Senate.

If the Senate is interested in changing its culture, it is appropriate to consider changing the meeting time to late afternoon, e.g., 4:15 after classes have generally ended. In addition, this time would make it likely that meetings of the standing committees would be held at another time. In light of the discussion of the draft of this proposal, it is clear that further consideration is appropriate. Thus, this Committee recommends that the Administrative Committee poll all senators on the feasibility of this change and present their findings to the Senate as soon as possible. This Committee also recommends that standing committee meetings not be scheduled back-to-back with Senate meetings. Such scheduling makes it more difficult for Senators to attend meetings of committees other than the one to which they were assigned, and such scheduling may detract from the regular Senate meeting. This Committee further recommends that the standing committees make their meeting times and agendas available on E-mail.

(4) **Increase administrative accountability to the faculty.** The Executive Committee of the Senate and the Officers of the University met once this year and discussed some major concerns facing the University. There should be formal and ongoing meetings between these two groups to discuss issues and concerns before they develop into problems. Thus, this Committee recommends that the Executive Committee of the Senate and the Officers of the University meet at least twice per semester.

There have been questions in the past concerning the effectiveness of the Senate in obtaining responses from the Administration. In part, that has likely been due to unclear instructions on where resolutions were to be sent and who was to follow up the resolution's progress, as well as lack of administrative action in some cases. Any resolution passed by the Senate should have a specific target as well as instructions on where it is to be sent and what is considered an appropriate response. The Senate should expect action, where appropriate, on its motions in no less than two months. Thus, this Committee recommends that there be an automatic follow-up as a matter of policy on a monthly basis after two months have passed. It would also appear desirable to have the Senate's secretary keep a table of what actions were passed by the Senate, which bodies or Administrators were sent motions, and what follow-ups have been received.

Currently each college has an *ex officio* member of the Academic Council who also serves on the Faculty Senate. Those members traditionally have not taken an active role in the conduct of the Senate. The perception is that those members are first and foremost members of the Academic Council and participation in the Senate is tangential to their main committee work. The logic underlying the inclusion of those *ex officio* members is to facilitate conversation between the Senate and the Academic Council and to smooth the interaction between those bodies. This Committee believes that goal has not been met. The Committee was unable to agree on an appropriate remedy but believes that this matter needs further deliberation. One potential alternative would be to have members of the Faculty Senate serve as *ex officio* as members of the Academic Council rather than the reverse, the current case, since typically proposals go from the Senate to the Council.

Consistent with the recommendation that Senate actions should explicitly include instructions for how a motion should be handled, the Ad Hoc committee recommends that the report be accepted by the Chair of the Senate and referred to the Administration Committee for consideration next year.

## Ad Hoc Senate Self-Study Committee

Laura Bayard  
James Collins  
Paul Conway  
William Eagan  
Richard Sheehan, Chair

May 1, 1995

## Appendix D

### A Proposal Concerning Appeals

1. Precondition: Since a principal ground upon which an appeal of a tenure or promotion decision is to be initiated is that of procedural error or irregularity, it is essential that procedures be developed clearly and in detail, that they be "official" (i.e. that they be approved by the relevant Dean and the Provost, to ensure the desired degree of interdepartmental and intercollegiate uniformity), and that any changes in them be conditional upon the prior consent of the relevant Dean. They must also be distributed to all faculty members upon commencement of their appointment to a tenure track appointment at Notre Dame. We therefore call upon the Provost, in consultation with the Deans, to direct each department or other relevant unit to develop and submit a written statement

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of the procedure to be followed in renewal, tenure and promotion cases. The items to be specifically addressed in this statement of procedure include:

(1) A statement of the various factors regarding faculty performance to be considered in renewal, tenure and promotion decisions. This will include at least the three standard factors of (a) teaching, (b) research/creation/performance, and (c) service (to department, college, university, and local and scholarly communities). In addition, it will include a statement concerning the relative weighting to be given these three factors together with any minimum levels of performance required.

(2) A statement of the procedure to be followed in arriving at the assessment of the factors enumerated in (1). These will include sub-statements concerning

(A) the manner in which and the extent to which such instruments as peer review and student evaluation will play in the assessment of teaching. It will also specify the forms which such peer and student evaluations are to take (e.g. unannounced or announced observation of lectures, evaluation of syllabi, examinations, and written assignments, interviews with selected students (where both the criteria and process of selection are detailed in the statement)).

(B) (i) the number of external evaluations of research/creation/performance that will be obtained, together with a full specification of how and on the basis of what consideration external evaluations are to be selected. It will also include a statement of the features of the research/creation/performance upon which the external evaluators will be asked to comment and of the standards against which they shall be asked to measure the candidate's work. In addition, it will also include a statement clarifying what if any consultation with the candidate will be allowed to figure in the selection of external reviewers. The statement on consultation will address the question of whether (and, if so, to what extent) the candidate is to be allowed to inform the departmental chair and CAP of those s/he believes are unusually well or poorly qualified to judge his/her work together with reasons supporting his/her suggestions. It will also address the matter of whether (and, if so, to what extent) the candidate will be allowed to tell the chair and CAP of persons s/he believes to have some kind of bias against him/her or against his/her person or work, together, again, with the reasons supporting such judgments.

(ii) the number of internal evaluations of research/creation/performance that will be obtained, together with a full specification of how and on the basis of what considerations internal evaluators are to be selected. It will also include a statement of the features of the candidate's

work upon which the evaluators are to comment and of the standards against which it is to be measured. It will also address the same matters of consultation with the candidate regarding selection of internal evaluators as are enumerated in (B) above in connection with external evaluators.

(C) the means by which the service component of the candidate's performance is to be rated. It will address such matters as how the information regarding service is to be gathered (e.g. is it to be taken off information included on the candidate's CV, from a personal statement submitted by the candidate, is it to be verified by the chair and or other persons in the department, will it include assessment by co-workers of how well the candidate performed, etc.).

II. The Appeal Process: All appeals of decisions regarding renewal/tenure/promotion will follow the present course of such things up through the hearings of the Collegiate Appeals Committees. These committees shall have access to all information and documents as are needed to make fair and accurate disposition of a given case. After conducting their hearings, these committees will present a recommendation to a University Committee on Appeals and Grievances. This committee is to consist of six members selected as follows. Two are to come from the Collegiate Appeals Committee submitting the recommendation. They are to be elected by that committee as a whole. Two more are to come from the Provost's Advisory Committee by election of the elected members of that committee. The final two are to be chosen from the membership of the Faculty Senate's Committee on Academic Affairs by election of the full Senate. Decisions of this committee are to be taken by majority vote of its members and are to represent the final decision regarding whether the case is to be submitted for reevaluation starting at the departmental level and extending through all other levels of evaluation. The committee is to have access to all information and documentation it deems necessary for the rendering of a fair and informed decision.

III. Grounds: The grounds upon which an appeal can be initiated are these: (i) any departure from the procedure established for the making of renewal/promotion decisions for persons in the candidate's department or other unit, (ii) any verifiable instance of bias, (iii) any verifiable instance of unreliability in the instruments used in the evaluation leading up to the decisions made in his/her case, (iv) any verifiable instance of incorrect assessment of the evaluative instruments used, and (v) any verifiable instance of the use of an evaluative instrument or desideratum not included among those expressly listed in the approved statement of factors to be considered in the renewal/tenure/promotions decisions of the candidate's department.

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IV. Notification: In consultation with the Deans, the Provost will work out a schedule specifying the dates upon which the various entities (e.g. the departmental CAP's, the departmental chairs, the Deans) submitting recommendations regarding a decision are to submit their recommendations. In all cases, the Provost is to receive and assess all recommendations and to present his/her own decision to the candidate in writing by March 15th of the academic year in which the case was brought forth. In that written statement, he/she is to address each factor weighing in the decision individually. Specifically, he/she is to offer a separate statement concerning the strengths of the teaching, the research/creation/performance and the service of the candidate. He/she is also to make a definite and specific statement concerning what he/she takes to be the strength and reliability of the teaching evaluations and the internal and external evaluations of research/creation/performance. Each recommending entity (the CAP, the departmental chair or unit supervisor, the Dean) is also to present his/her/its recommendation in writing and is to address in separate specific statements the strength of the candidate's teaching, the strength of the candidate's research/creation/performance and the strength of the candidate's service. He/she/it is also to offer specific statements concerning his/her/its impression of the reliability and strength of the various evaluative instruments used in arriving at his/her/its decision.

V. Timing: After receiving the written decision from the Provost March 15th, the candidate shall have until April 15th to present his/her appeal in writing to the Dean of his/her college. Within five working days of receipt of this written appeal, the Dean shall notify and convene the Collegiate Appeals Committee. The Collegiate Appeals Committee will then complete its deliberations and present its findings and recommendation to the appropriate University Committee on Appeals and Grievance by May 1st. That committee will then complete its deliberations and give written statement of its decision to the candidate, his/her department or unit, his/her collegiate Dean and the Provost by May 31st.

Faculty Senate  
May 2, 1995  
Passed, 29-2-1

## Appendix E

A Resolution presented to the Faculty Senate  
by Mario Borelli

Whereas the first sentence of section (2), Student Life, of the "STATEMENT ON INTERCOLLEGIATE ATHLETICS" of the University of Notre Dame states:

*"The student athlete is first of all a student. Each one is held to the same general standard of conduct as any other student."*

and . . .

Whereas item (iii) of the Basic Principles subpart of section (1), Academics, of the "STATEMENT ON INTERCOLLEGIATE ATHLETICS" of the University of Notre Dame states:

*"in the arrangement of schedules for practice and competition every effort will be made to minimize conflicts with the class schedules and academic assignments of student athletes. Special attention will be paid to the rhythm of the academic year and the particular importance of final examinations."*

and . . .

Whereas the Faculty Board in Control of Athletics has recently voted approval of the participation by the women softball team into the MCC tournament at Cleveland State on May 10, 11 and 12, 1995, and . . .

Whereas these three days are the last three days of final examinations at the University and . . .

Whereas this action of the Faculty Board in Control of Athletics is in clear violation of the letter of the Academic Code of the Faculty Handbook, and of the spirit of the quoted passages of the "STATEMENT ON INTERCOLLEGIATE ATHLETICS,"

Be It Resolved that . . .

(i) The Faculty Senate go on record as strongly deploring this latest action of the Faculty Board in Control of Athletics as in violation of the letter and spirit of the various regulations and statements quoted above.

(ii) The Faculty Senate express its renewed mandate to its Chair that discussion and approval of each and all of the Faculty Senate Recommendations on Intercollegiate Athletics to the Academic Council, especially recommendations 26.4 and 26.9 be pursued as vigorously as possible at the next meeting of the Academic Council on May 15, 1995.

Be It Further Resolved that . . .

a copy of this Resolution be transmitted to all members of the Faculty Board in Control of Athletics.

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April 24, 1995

Dear Professor \_\_\_\_\_:

An unusual problem has arisen, and we are writing to ask for your assistance in providing some solutions. During the upcoming final exam period, the University's Softball team is scheduled to compete in the Midwest Collegiate Conference (MCC) tournament at Cleveland State. In years past the University has been able to persuade the MCC to hold this event (a preliminary to the NCAA's) at a later date; however, this year when asked to consider other dates, the MCC refused. Because this is Notre Dame's last year in this conference, this scheduling conflict should not occur again.

After much discussion, the Faculty Board in Control of Athletics approved the schedule, noting that the University is reluctant to have finals disrupted. Because this event is a preliminary round to the NCAA's, the Board felt it would be unfair to deny the women the opportunity to complete their season at the highest level possible. As a result, the team will miss Wednesday (5/10), Thursday (5/11), and Friday (5/12) of finals and return to ND on Saturday (5/13) or Sunday (5/14).

As administrators in all the colleges that would be affected by this schedule conflict, we met to discuss possible solutions which, obviously, require your support. Listed below are three possible alternatives which we ask you to consider.

1) You may arrange an alternative final time with each individual Softball player in your course.

If you select this option, please notify the student's dean of the arrangement between you and your student.

2) You may give an X grade to the student (no X grades may be given to graduating seniors) and arrange a time by which the final must be completed.

If you select this option, please notify the student's dean of the arrangement between you and your student. Remember that X grades require the signature of the student's dean.

3) You may have your final given May 15-16 in the Freshman Learning Resource Center.

Dean Kolman has offered to coordinate a make-up period. If you provide a sealed copy of the final exam to Dean Kolman, she will see that the exam is properly administered in the Freshman Learning Resource Center at designated times on the mornings of May 15 and/or May 16. The completed exam would be hand delivered to your office as soon as the final is over. You would still have time to grade the final and submit a course grade or an X grade before the May 17th 3:00 p.m. deadline.

Again, we apologize for the significant inconvenience that this has caused and are appreciative, in advance, of your cooperation.

Sincerely yours,

Dian Murray, Associate Dean, Arts & Letters  
Sam Gaglio, Assistant Dean, Business Administration  
Eileen Kolman, Dean, Freshman Year of Studies  
Kathie Newman, Associate Dean, Science

## Appendix F

Chair's Pre-Election Remarks  
May 2, 1995

Last year, when invited to present a platform by which the members could make a judgment about my approach to the office of Chair of the Faculty Senate, I made three promises.

The first was to take it as a particular responsibility to encourage non-involved faculty to participate more actively in the work of the Senate and to recruit some of them to run for election. I must admit that I have had only limited success thus far, but it has not been for lack of effort. I am proud of the fact that several excellent incoming members of the Senate listened patiently and, it seems, sympathetically to my words of encouragement and that some other members decided to stand for reelection who otherwise might have withdrawn from the Senate. I pledge here again this evening to continue and even to intensify my efforts to encourage more faculty to participate actively in the work of the Senate and to recruit some of them to stand for election next year.

The second promise was to commit myself to the strengthening and advancement of both the Catholicity and the academic integrity of the University, while not compromising the one at the risk of weakening the other. I implemented that promise, in part at least, through the launching and directing of the Notre Dame Forum on Academic Life and I pledge myself to continue to assume primary responsibility for that Forum in the next academic year, should the Senate agree to renew the Senate's sponsorship of it.

The third promise made last year was to administer the business of the Faculty Senate in as efficient and as effective a manner as possible, and to conduct the monthly meetings of the Senate and its Executive Committee in a fair and orderly manner, in accordance with Robert's Rules of Order. I have tried to do that to the best of my ability, as only the continuing members of the Senate can attest, and I will continue on that course should I retain your trust and support for reelection.

# THE GRADUATE SCHOOL OFFICE OF RESEARCH

## Current Publications and Other Scholarly Works

Current publications should be mailed to the Office of Research of the Graduate School, Room 312, Main Building.

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