

NOTRE DAME REPORT

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Coopers & Lybrand to Fund Diversity Program Scholarships

Coopers & Lybrand L.L.P., one of the nation's leading professional services firms, will fund development of a new diversity program in the College of Business Administration and support for minority scholarships.

Supported by \$550,000 from the Coopers & Lybrand Foundation and individual contributions from University alumni working at the firm, the gift will be made over a five-year period. The Coopers & Lybrand Foundation will contribute \$200,000 with the remainder of the gift coming from individual contributions from the firm's 160-plus alumni and matching gifts from the foundation.

The diversity program, which will be concentrated in the Department of Accountancy, will focus on creating a more diverse student body and on training faculty and students better to use the talents of diverse groups.

Lujack Establishes Scholarship

Notre Dame graduate and 1947 Heisman Trophy winner John C. "Johnny" Lujack has given \$200,000 to establish an academic scholarship endowment. Beginning in the 1996-97 academic year, endowed earnings from the Johnny Lujack Scholarship fund will be used to provide financial aid to students with outstanding credentials and demonstrated financial need.

Lujack came to Notre Dame from Connellsville, Pa., in 1942. He took over as starting quarterback as a sophomore when Angelo Bertelli joined the Marines and led the football team to the national championship. After serving in the Navy for almost three years during World War II, Lujack returned to Notre Dame to earn consensus All-America honors as a junior and senior on the undefeated 1946 and 1947 national championship teams.

Lujack played for the NFL's Chicago Bears from 1948 to 1951, leading the team in scoring each year, tying a record with eight interceptions as a rookie, and playing in the Pro Bowl his final two seasons. After injuries shortened his NFL career, Lujack returned to Notre Dame to serve as an assistant coach to Frank Leahy for two seasons. He became the youngest player ever to be elected to the College Football Hall of Fame when he was enshrined in 1960 at age 35.

Lujack worked in the insurance business after leaving football, then became a partner in the Lujack-Schierbrock Chevrolet automobile dealership in Davenport, Iowa. He retired as the company's president in 1987.

Lyphout and Malpass Named New Associate Vice Presidents

Notre Dame will realign its financial and business operations under two new associate vice presidents, James J. Lyphout and Scott C. Malpass.

Lyphout, formerly associate vice president for business affairs, has been promoted to associate vice president for business operations, with responsibility for administrative services, facilities construction and related activities, facilities operations, materials management, and auxiliary enterprises including licensing, University Food Services, the Morris Inn and the Hammes Notre Dame Bookstore.

Scott C. Malpass, formerly chief investment officer, will become associate vice president for finance, continuing his oversight of the investment management program for some \$1.4 billion in financial assets while adding responsibility for the budgeting and accounting activities.

Both Lyphout and Malpass will work at the direction of Rev. E. William Beauchamp, executive vice president, and the realignment of responsibilities will coincide with the August 1996 retirement of Thomas J. Mason as vice president for business affairs.

Lyphout was named assistant vice president for business affairs in 1984 and was promoted to associate vice president for business affairs in 1990. In addition to his other responsibilities, he has played a central role in the purchase and management of the University's real estate. He is a member of the board of Neighborhood Housing Services of South Bend and of the Saint Joseph County Solid Waste Advisory Board. Lyphout was director of general services at Northwestern University from 1977 to 1984 and business administrator of Chicago Reed Mental Health Center from 1972 to 1977. Lyphout received his bachelor's and M.B.A. degrees from Western Illinois University in 1969 and 1970, respectively.

As chief investment officer, Malpass has worked with the Board of Trustees' investment and finance committee in managing the University's financial assets. Playing a leadership role in global and private equity investing, he has earned national recognition for Notre Dame in endowment management. Malpass has coordinated the University's debt financing activities since 1990. He also is a concurrent assistant professor of finance and business economics and a director or advisory council member for a number of investment and not-for-profit organizations. Prior to joining the investment office in 1988, Malpass was an officer of the Wall Street firm, the Irving Trust Company. He received his bachelor's and M.B.A. degrees from Notre Dame in 1984 and 1986, respectively.

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Honors

Ahsan Kareem, professor of civil engineering and geological sciences, was appointed to the Wind Damage Mitigation Committee of the Insurance Institute for Property Loss Reduction. The institute's mission concerns reduction of deaths, injuries and loss of property resulting from natural hazards and it serves as a credible source of facts, technology, loss mitigation techniques and input to public policy for the U.S. insurance industry.

Kwan S. Kim, professor of economics and fellow in the Kellogg Institute, has been named by the Netherlands Institute of International Education to serve on the Review Committee on International Education in the Netherlands. The task of the committee is to assess the quality and level of postgraduate international education programs of five Dutch institutions, and to provide an assessment of their relevance for developing countries.

Gregory E. Sterling, associate professor of theology, was elected to membership in the Chicago Society of Biblical Research. He was appointed chair of the Historical Jesus Continuing Seminar of the Catholic Biblical Association.

Raimo Väyrynen, professor of government and international studies and Regan director of the Kroc Institute, is an invited member of the Research Advisory Council of the Finnish National Fund for Research and Development for 1996-97. The council advises the fund on its programs dealing with economic, political, technological and environmental changes and their impact on Finland.

Rev. Oliver F. Williams, C.S.C., associate professor of management, was appointed to the Board of Trustees of the Catholic University of Southern Africa.

Activities

Albert-Laszlo Barabasi, assistant professor of physics, gave the Condensed Matter seminar "Dynamic Scaling of Ion Sputtered Surfaces" at the Michigan State University Department of Physics in East Lansing, Mich., Feb. 5, and at the University of Michigan Department of Physics in Ann Arbor, Mich., Feb. 20.

Ikaros Bigi, professor of physics, gave the invited lecture "Charm Decays — The Theory Case for Experimental Studies Beyond the Year 2000" and acted as convenor at the Beijing Tau-Charm Factory Workshop '96 in Beijing, P.R. China, Feb. 5-9.

Alice W. Cheang, assistant professor of classical and Oriental languages and literatures, gave a talk on "Memories and Gardens: Mis-Placed Time in Evelyn Waugh's

Brideshead Revisited and the Eighteenth-century Chinese novel *The Dream of the Red Chamber*" at the Humanities Colloquium in Notre Dame, Ind., Feb. 28.

Daniel J. Costello Jr., chairperson and professor of electrical engineering, presented the lecture "A Distance Spectrum Interpretation of Turbo Codes" at the Motorola Communication Systems Research Laboratory Seminar in Schaumburg, Ill., Feb. 9, and at the NASA Turbo Code Conference at Southern University in Baton Rouge, La., Feb. 22.

Kevin C. Dreyer, assistant professional specialist in communication and theatre, presented the paper "Nothing to Be Found: The Creation of a One-Woman Show" and assisted alumna Erin O'Malley in the presentation of the one-woman show "There But for Fortune: A Woman's Perspective on AIDS" which Dreyer co-authored at the conference Performing AIDS: Politics, Pedagogies, and Practices in Cleveland, Ohio, Feb. 22-25.

Ahsan Kareem, professor of civil engineering and geological sciences, presented the invited lecture "Damping in Structures: Its Evaluation and Treatment of Uncertainty" and served on the international organizing committee at the international Wind Engineering Forum meeting on Structural Damping held at Atsugi City Cultural Center in Atsugi, Kanagawa, Japan, Sept. 8. He delivered an invited lecture titled "Simulation of Probabilistic Flow Field Around Two-Dimensional Rectangular Prisms Utilizing LES at the international Wind Engineering Forum workshop on CFD for prediction of Wind Loading on Buildings and Structures held at Tokyo Institute of Technology in Yokohama, Japan, Sept. 9. He presented the seminar "Contemporary Analysis Tools in Wind Engineering" at the Department of Civil Engineering at the University of Tokyo in Tokyo, Japan, Sept. 13.

Paul McGinn, associate professor of chemical engineering, served as guest editor of the December 1995 issue of the *Journal of Electronic Materials*. He co-organized a seven-session symposium titled "High Temperature Superconductors: Synthesis, Processing and Large Scale Applications" at the TMS annual meeting in Anaheim, Calif., Feb. 5-8. As part of the symposium he presented talks titled "Melt Processing of $\text{YBa}_2\text{Cu}_3\text{O}_{7.8}$ with Nd Additions" and "Microstructure of Zone Melt Textured $\text{YBa}_2\text{Cu}_3\text{O}_{7.8}/\text{Ag-Pd}$ Composite Wire" and presented reports at meetings of the Superconducting Materials Committee, Student Affairs Committee, and Electronic, Magnetic and Photonic Materials Division Council of TMS. McGinn gave the talk "Processing of Textured Superconducting Oxide/Noble Metal Microlaminates" and co-authored the poster presentations "Melt Processing of $\text{YBa}_2\text{Cu}_3\text{O}_{7.8}$ with Nd Additions" and "Microstructure of Zone Melt Textured $\text{YBa}_2\text{Cu}_3\text{O}_{7.8}/\text{Ag-Pd}$ Composite Wire" at the MISCN group meeting at the University of Ne-

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braska in Lincoln, Nebr., Feb. 15–16. He served on a proposal review committee as part of the MISCON program committee at the University of Nebraska in Lincoln, Nebr., March 14–15.

James S. O'Rourke IV, associate professional specialist in the College of Business Administration and concurrent associate professor of management, presented a seminar on "Professional Ethics" at the Naval Leadership Symposium in Notre Dame, Ind., Feb. 2–3.

Kenneth F. Ripple, professor of law, presided at the final round of the John W. Davis Moot Court Competition at Washington and Lee School of Law in Lexington, Va., Nov. 9.

Valerie Sayers, professor of English and director of the Creative Writing Program, gave a reading and conducted a fiction workshop for the Butler University Writers Studio in Indianapolis, Ind., Feb. 21–22.

Brian Smyth, professor of mathematics, is an invited research professor to the Max-Planck Institut für Mathematik (MPIM) in Bonn, during the spring and summer. The MPIM and its predecessor institute, Deutsche Forschungsgemeinschaft, have fully supported Smyth on each of his four previous research leaves of absence from Notre Dame, and he will visit MPIM again in 1997. He served as advisor to the Belgian Science Research Council and was on the organizing committee of the International Geometry Conference in Cherkassy, Ukraine, Sept.

Billy F. Spencer Jr., professor of civil engineering and geological sciences, gave the invited lecture "Implementable Feedback Control Strategies for Earthquake Hazard Mitigation" to the student chapter of the Earthquake Engineering Research Institute and the Department of Civil Engineering at the University of Michigan in Ann Arbor, Mich., Feb. 15.

Nancy K. Stanton, professor of mathematics, lectured on "Real Hypersurfaces in C^n " in the Geometry-Analysis-Topology Seminar at Texas A & M University in College Station, Tex., Jan. 30. She gave the lecture "Can You Hear the Shape of a Drum?" to the Mathematics Club at Manchester College in North Manchester, Ind., Feb. 27.

Gregory E. Sterling, associate professor of theology, presented the lecture "The Gospel of the Early Church: Matthew in the First and Twentieth Centuries" to the Clergy Education Program for the Diocese of Northern Indiana, Episcopal Church, at St. Michael and All Angels Episcopal Church in South Bend, Ind., Nov. 30. He presented the lecture "The Secret Messiah: The Structure and Message of Mark" at Christ College, Valparaiso University, in Valparaiso, Ind., Feb. 1.

Arvind Varma, Schmitt professor of chemical engineering, served as an invited member of the National Science Foundation Career Award proposal evaluation panel for the Combustion and Thermal Plasmas program in Arlington, Va., Jan. 24.

Raimo Väyrynen, professor of government and international studies and Regan director of the Kroc Institute, served on the three-member jury making a recommendation for the 1996 Grawemeyer Award, a \$150,000 award annually presented by the University of Louisville for "the best idea promoting improved relations between nations" in Louisville, Ky., Feb. 16–17. He presented the paper "The Implications of the Yugoslavian Crisis for the Concepts of Security" and was a discussant on five papers on theories of international security in a conference on Gender and International Security sponsored by the Ford Foundation at Old Dominion University in Norfolk, Va., Feb. 22–24.

Rev. Oliver F. Williams, C.S.C., associate professor of management, presented "What Can We in the U.S. Learn from South Africa about Dismantling U.S. Apartheid" at the Flanner Hall Forum, Notre Dame, Ind., Jan. 29.

Kwang-Tzu Yang, Hank professor of aerospace and mechanical engineering, presented a seminar titled "Mixed Convection in Rotating Cavities" at the Department of Mechanical Engineering at the Nagoya Institute of Technology in Nagoya, Japan, Jan. 30. He presented the seminar "Heat Transfer Enhancement by Zero-Mean Oscillatory Flows with Application in Motor Vehicles" at the Central Research and Development Laboratories at Toyota, Inc., in Aichi-ken, Japan, Jan. 31. He gave a seminar titled "Heat Transfer Augmentation and Research in Hydronics" at the Mechanical Engineering Laboratory at Daikin Industries in Osaka, Japan, Feb. 1. He presented "Mechanism of Heat Transfer Enhancement by Zero-Mean Oscillatory Flows" at the Department of Mechanical Engineering at Kyoto University in Kyoto, Japan, Feb. 2. Yang presented a seminar titled "Thermal and Elastoplastic Effects and Lubrication in Metal Working Processes" at the Department of Mechanical and Intelligent Systems Engineering at the Tokyo Institute of Technology in Tokyo, Japan, Feb. 6. He presented an invited talk titled "Alternative Refrigerant and Defrosting Research in the U.S. Refrigeration Industry" at the Japan workshop on Refrigeration Research at Hokaido University in Sapporo, Japan, Feb. 9. He presented the seminar "Mechanism of Heat Transfer Enhancement by Zero-Mean Oscillatory Flows" at the Institute of Advanced Material Study at Kyushu University in Kasuga City, Japan, Feb. 16.

John Yoder, professor of theology and fellow in the Kroc Institute, presented a seminar in "Just War Theory" at the Naval Leadership Symposium at the University of Notre Dame, Notre Dame, Ind., Feb. 2–3.

Academic Council Minutes September 12, 1995

Members in Attendance: Edward A. Malloy, C.S.C., Timothy O'Meara, E. William Beauchamp, C.S.C., Timothy R. Scully, C.S.C., Patricia A. O'Hara, Nathan O. Hatch, Harold Attridge, Francis J. Castellino, John G. Keane, Eileen Kolman, David T. Link, Anthony N. Michel, Robert C. Miller, Richard McBrien, Jonas McDavit, David B. Burrell, C.S.C., Cornelius F. Delaney, Gary M. Gutting, Jean Porter, Philip L. Quinn, John H. Van Engen, Mario Borelli, Bruce A. Bunker, Andrew J. Sommese, Hafiz M. Atassi, Stephen M. Batill, Jeffrey H. Bergstrand, Edward J. Conlon, Fernand Dutille, Dennis Doordan, Lorenzo Zeugner, Regina Coll, Kathleen Maas Weigert, Matthew Fitzgerald, Catherine A. Schehr, Ed Wingenbach

Observers in Attendance: James J. O'Brien Jr., Dennis Moore

Guests: Steven Buechler, Kathleen Cannon, O.P., Scott Howland, Ivan Jaksic, Larry Rapagnani

Prof. O'Meara opened the meeting at 4:05 p.m. with a prayer.

Fr. Malloy welcomed everyone to this first, extended meeting of the Academic Council for the 1995-96 academic year. Before moving to items on the agenda, he asked council members to briefly introduce themselves.

1. Minutes approved. The minutes of the council meetings of April 26 and May 15 were approved without amendment.

2. Election of Executive Committee. Fr. Scully distributed to the council a list of standing committee members. (See Attachment A.) Moving to the election of the Executive Committee, he said that any council member could serve, excluding the president, the provost, the vice president and associate provost, the Faculty Senate chair and the observers. Five members were to be elected by the council; three were to be appointed by the president. However, the voting resulted in a two-way tie, which prompted Fr. Malloy to take one of those elected by the council as his appointment, thus appointing only two others. The council elected Harold Attridge, Edward Conlon, Cornelius Delaney, John Van Engen and Kathleen Maas Weigert. Fr. Malloy named Jonas McDavit and Andrew Sommese.

3. Remarks from the president and the provost. Fr. Malloy reflected on a number of items related to the University's mission. First, he recalled that in his address last fall (1994) to the faculty, he expressed hope that the University could more quickly realize some of the

Colloquy's goals by incorporating selected financial needs into the budget, particularly for the library and the Graduate School, and not rely solely on the longer process of endowment-building. Since then, a wonderful spirit of cooperation among the officers of the University has led to the following: From last year's budget, \$10 million of revenue from television income, marketing, bowl money, etc., was added to the endowment for financial aid; and \$500,000 was earmarked expressly as a one-time boost for the both the Law School and the M.B.A. program. For the current budget year, the University was able to add \$2.1 million. Of that figure, \$650,000 was added to the library budget; about \$100,000 to the Law Library budget; around \$400,000 to the Graduate School budget; \$100,000 to the Law School budget for expendable financial aid; and \$800,000 to the College of Business budget for the M.B.A. program. The University was also able to add 12 faculty positions, separate from increments that were to be built into the budget yearly. (Seven faculty went to arts and letters, one to business, two to engineering, one to law, and one to science.) So, in an era when many universities are having to tighten their budgets considerably, Notre Dame has been able to aggressively move toward some of its academic goals.

Fr. Malloy then distributed material from the Bishops' Presidents Committee for the Implementation of the *Ex corde Ecclesiae*, on which he has served for several years. The last time the committee requested an official response to the dialogue, the Academic Council formed a subcommittee whose work was incorporated into material that was eventually sent to another committee on which he serves. Fr. Malloy suggested that the Executive Committee again form a group to consider and respond to the strengths and weaknesses of the document currently before the council. He said that the document is in better form than he had expected, and that he remains optimistic regarding its direction.

Fr. Malloy then announced that the University has received a major commitment for the proposed Bookstore/Visitor Center/Alumni Association Headquarters. The benefactor has agreed to give \$10 million for the complex, which has enabled the University to proceed to the next stage of planning. The inadequacies of the current bookstore are well known.

Fr. Malloy commented favorably on a recent ceremony honoring the dedication of 15 library endowments for special collections. An impressive booklet featuring the Hall of Fame in the library concourse was printed for the occasion. Fr. Malloy said that the library council's enthusiasm, aggressiveness and commitment was remarkable. He expressed hope that the University has found a way to garner sustained support for the library's significant needs. Plaques on the Hall of Fame walls in the Hesburgh

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Library and the Law Library will multiply as financial commitment is sustained.

Fr. Malloy then remarked that while the noise and inconvenience of campus construction affect everyone, there will be tangible benefits in the end. He reminded the council that Grace Hall will be emptied once O'Neill and Keough Halls are finished. Grace Hall will be renovated for use by several groups, including any groups currently housed in the Main Building that do not have to be there. (The Main Building will lose 20 percent of its space through inside renovation.) Over the summer, the University found two people interested in funding two additional new dorms. With the trustee's approval, the University moved up the time line to build the new dorms, which will save significant money and minimize campus disruption. Quick completion of the four dorms will allow Academic Services, emeriti faculty, graduate students, centers and institutes that are located in the library to move into Flanner Hall, freeing additional library space. The present scheme is to move Grace students into the two newest dorms next summer (1996). In the summer of 1997 students from Flanner should move into the other two new dorms.

Fr. Malloy mentioned that the addition to Galvin Life Sciences for the Medical School Program in affiliation with Indiana University is still being negotiated; the level of external funding has yet to be resolved. The addition will also offer space for biology and microbiology. He also said that the renovation of the Architecture Building is on schedule, that the new Business Administration Building will be dedicated soon, that renovation of the exterior of the Main Building is under way and should be completed by next summer, and that new parking lots have been constructed on the edge of campus to handle parking redistribution.

With regard to admissions, Fr. Malloy reported that the office of Undergraduate Admissions is being evaluated, as all units of the University are over time. He said that the academic profile of the 9,999 students who applied for admission this year was the highest in the University's history. Also, admissions to the M.B.A. program seem to have reversed their downward trend, though Law School applications dropped. (The critical question of financial aid for the Law School is currently being addressed.) Graduate School applications and admissions seem to be moving in a positive direction, with gains in minority recruitment.

Fr. Malloy noted that in the latest *U.S. News and World Report* survey of colleges and universities, Notre Dame had moved from 19th to 18th place in overall undergraduate ranking, and ranked ninth in undergraduate teaching, 25th in business and 38th in engineering. He said that one reason the University sought to redirect additional

financial support for the Law School and the M.B.A. program last year was because of a fairly precipitous drop in the *U.S. News and World Report* survey, though other surveys since then have been more favorable. However, the *U.S. News and World Report* survey is perhaps the most important of its kind for university rankings and reputation; it has profound implications for application patterns and general perceptions of quality.

Moving to committee responsibilities, Fr. Malloy asked Graduate Studies to be in more regular contact with Washington, monitoring information regarding government funding for research, application patterns, and the job market in academia, and lobbying and writing appropriate legislative and national academic agencies regarding these issues. He asked that the committee periodically inform the Academic Council of what it has learned and done. And he asked that Undergraduate Studies do the same for the debate surrounding financial aid.

Regarding the search for a new provost, Fr. Malloy informed the council that various groups, including the chair of the Faculty Senate, student leaders, deans, University officers and the Provost Search Committee will soon begin intensive interviews with five final candidates. He said that he has asked all involved to submit to him written evaluations of each of the candidates. Upon completion of the interviews, the committee will work toward a consensus regarding those applicants they feel most satisfied with. On the basis of all of the input received from all of the groups, Fr. Malloy will then make a recommendation to the trustees. He said that he will not recommend anyone who has not gone through the entire process, that he remains open-minded about the outcome, that he does not know who he will recommend, and that he looks forward to having full, vigorous conversations with all the candidates. He requested that Academic Council members not ask who the candidates are, in fairness to them, especially those from outside. Before opening the floor for questions, he thanked the Provost Search Committee for their serious, hard work.

Prof. Borelli asked if members could wait to write their evaluations after all five candidates had been interviewed. Fr. Malloy replied that submitting evaluations would be left to individual preference.

Fr. Burrell remarked that the library Hall of Fame is wonderful and diverse. Fr. Malloy said that the University should be proud of its collections, which are more and more noticeable. He also said that it is important that faculty give good feedback to members of their college councils regarding library improvements.

Prof. Batill asked if Fr. Malloy has priorities for committees of the Academic Council, other than those he mentioned on a national level. Fr. Malloy replied that, as in

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the past, committees will have a fair degree of autonomy in setting their agenda. However, fairly detailed conversations between committee chairs and the Executive Committee should take place to ensure a coordination of goals and projects and to project the kinds of reports the entire council might expect to hear as the year progresses. Prof. Batill then asked if last year's primary issues, such as the Curriculum Committee Report and the Faculty Board in Control of Athletics Report, would now become a more integral responsibility of their sponsoring committees. Fr. Malloy answered yes, and added that other individuals have matters they would like to see the council discuss, which underlines the importance of committees reporting their agenda to the Executive Committee.

Dean Castellino asked what it would mean for the University's confirmation rate to change drastically. Nationally, he said, many schools seem to be getting more confirmations than in the past. How would such a change affect Notre Dame? Fr. Malloy replied that one reason for the change nationally is that many flagship state campuses are becoming seen as bargains. He said that such phenomena seem to be cyclical. Fr. Scully added that a major internal review of the Admissions Office has recently been completed, and that an external review will begin in the near future. As part of the review, demographic changes in admissions were studied carefully. Of note, the curve that was caused by the absence of baby boomers has flattened out and is again on the rise; over the next decade the University will have a healthy pool of potential applicants upon which to draw. There was a slight trough in admissions during the 1980s, which was forecast. During that period, and since then, Notre Dame's acceptance rate has been around 39 percent. The University accepts around 3900 students each year and enrolls around 1900. Dean Castellino said that for those percentage points to rise even a little could cause problems for the Freshman Year of Studies, science laboratories, etc. Fr. Scully replied that he has asked the Admissions Review Committee about the possibility of an enrollment approach to admissions. Fr. Beauchamp added that admissions is somewhat controlled through the use of waiting lists. Ideally, the University should admit a healthy number of students on the list, but not several hundred.

Returning to the *U.S. News and World Report* survey, Fr. Malloy said that the University's ranking was composed, among other things, by "academic reputation." No one knows exactly what comprises academic reputation, but the overall quality of the faculty, the graduate programs, and the professional schools are components. Fr. Malloy said that as long as Notre Dame is predominately an undergraduate institution, it will be difficult to add to its academic reputation, although recent efforts to fortify the University's graduate programs should help. The University ranked 16th on student selectivity, 21st on faculty re-

sources, and 53rd on financial resources. Schools ranked above Notre Dame have bigger endowments or more available funding for graduate education. Fr. Malloy said that it remains difficult to delineate the interplay of graduate and undergraduate education. A department bringing in top research dollars for graduate education profoundly influences the undergraduate environment. The University's retention rate ranks eighth, alumni satisfaction is fifth; its SAT profiles are competitive with peer institutions (81 percent of all Notre Dame students were in the top 10 percent of their high school class); and the student/faculty ratio 13:1, which is fairly competitive with peer institutions. Fr. Malloy urged the council to study the survey to discern what seem to be the various components of reputation.

Mr. Moore commented that the same poll that placed Notre Dame 36th in academic reputation placed it ninth in teaching, seemingly indicating that academic reputation is not based on the quality of undergraduate education. Dean Link added that many people answered survey questions based on their knowledge of faculty salaries, assuming that universities with the highest paid faculty are the best, not considering locale and the cost-of-living. Mr. McDavit interjected that the *U.S. News and World Report* survey was very influential when he was in high school. He said that top students were very competitive when it came to applying to schools, and that their decisions about where to apply were greatly influenced by the survey.

Prof. O'Meara said that his remarks would basically review three letters that the faculty will soon receive. The first letter will review PAC's (Provost Advisory Committee) work during the past academic year. The second will center on the promotion process; it issues from a discussion with a representative of the Faculty Senate. The third will be a report on University finances.

Briefly, Prof. O'Meara said that the first letter would include mention of PAC's October meeting (1994), when the committee went on retreat for two days to adjust and fine-tune the goals and financial figures issuing from the Colloquy. The final results, which represent University fundraising goals for the next 10 years, were brought before the trustees and the officers of the University. Roughly, the report calls for \$21 million to be added to the University's regular budget over the next 10 years. Law School and M.B.A. problems were also discussed in October, as was tenure and promotion, appeals procedures, and holiday class absences. PAC had another retreat in January (1995), during which time the Graduate School Review was discussed and financial priorities were set. In January and February PAC discussed faculty promotion packages. University finances, construction and renovation were discussed in April. At a three-day retreat in July, PAC discussed its role in tenure, especially for faculty brought in

from outside of the University. The climate surrounding women faculty, affirmative action for Catholics, the Teaching and Learning Center, the University's property in London and assessment were also discussed.

Prof. O'Meara then discussed the annual letter (report) the faculty will receive on University finances. He said that the University has had a very exciting year, where the amount of money available to spend rose 7.13 percent. During this time, tuition increased 5.9 percent. Last year tuition increased 6.4 percent to accomplish less; this year the University has significant sources of revenue other than tuition. (Prof. O'Meara said that the trustees remain constant in their desire to keep lowering tuition increases.) From this year's increase in tuition, salaries rose 4 percent, non-salaries rose 1.3 percent, academic enhancements went up 2 percent, Student Affairs rose .1 percent, Business Affairs rose .2 percent, and University Development rose .1 percent.

Overall, University salaries are ranked 21st nationally (second if cost of living is taken into account). The University dropped three places for each of the professorial ranks because five schools joined the system that were not in it last year, scrambling the ranks. The \$2.1 million in expendable resources mentioned by Fr. Malloy came from three years of increased endowment earnings. Fr. Beauchamp explained that the University's goal is to spend 5 percent of the trailing 12-quarter, three-year average. He also said that earnings had not gone up, but that spending had fallen behind because of earnings.

Prof. O'Meara said that the three years of earnings added up to significant amounts of expendable money for each of the colleges. The \$2.1 million went for items identified in the Colloquy. Other monies that came in from windfalls and other places helped with problems identified in the Law School and elsewhere. In total, the University had about \$4.7 million in new money to spend this year, a very high figure when compared to other years, and unlikely to happen again.

Discussing faculty raises, Prof. O'Meara said that though 4 percent was available, the average raise was 4.7 percent, because a significant increment in raise money went to solve problems in the Law School. This decision, which skewed the numbers, was deliberate and dictated by market conditions.

The total amount of money used for academic purposes at the end of the year was \$3 million. As Fr. Malloy mentioned, \$500,000 went to both the Law School and the M.B.A. program. An additional \$500,000 went for ordinary capitalization in science and engineering, and \$1.5 million went for extraordinary capitalization because several faculty are retiring this year who will be replaced by new faculty with capital needs.

Capitalization for the coming year is budgeted as follows: \$80,000 for arts and letters, mainly to upgrade computers; \$893,000 for engineering; and \$1.25 million one-time money for science, to replace retiring faculty over the next three years. The letter will close with a table tracking how the \$2.1 million additional money that comes in for each of the next 10 years will be used in the operating budget. There is also a list of fund-raising priorities.

Leaving the letters, Prof. O'Meara said that special items which Academic Council members wish to have discussed should be brought to him first. He will bring them before the Executive Committee, which already has around 15 items slated for discussion in the months ahead. He concluded by informing the council that the Executive Committee has invited the registrar to attend Academic Council meetings as an observer, since many discussions and decisions are of importance to him.

Prof. Porter asked if Prof. O'Meara had figures regarding the percentage of salary raises for University staff. Prof. O'Meara replied that 4 percent was the average, though some "selected staff" received higher raises. He said that the University is working to increase the salaries of selected categories of staff, apart from normal raises. Fr. Beauchamp said that library staff is one such category; this is the second year their raises have been higher than the overall University average. He also clarified that the one-time money for the Law School and the M.B.A. program (\$500,000 each) went into the endowment for scholarships.

4. International Studies. Fr. Scully reminded the council that at the last meeting he submitted for council approval a new organizational structure for international studies. The search process for an assistant provost for international studies led to the appointment of Prof. Ivan Jaksic, who together with Fr. Scully and Dr. Claudia Kselman, associate director of International Studies Programs, reviewed 397 applications for the position of director of International Studies Programs. The newly appointed director, Prof. Thomas Bogenschild, from Princeton University, will move to Notre Dame in the near future.

Fr. Scully distributed to the council a statement regarding the composition of an ad hoc University Committee on International Studies, which was discussed at PAC's last meeting. (See Attachment B.) He also distributed a list of proposed committee members, noting that it is a large group. He said that such breadth was recommended by the various international constituencies of the faculty; the committee contains all of the deans and many senior international faculty scholars. It is proposed that the committee meet as a whole once a semester. Deans, not substitutes, may attend all of the meetings but are not required to. As proposed, the committee will meet for two

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years, at which time international studies plans to come before the council to propose a permanent committee structure for incorporation into Article IV, Section 3 of the Academic Articles. Fr. Scully then turned the discussion over to Prof. Jaksic.

Prof. Jaksic said that Notre Dame lags behind peer institutions that have international programs. However, with vision and work, Notre Dame's international programs can become much more than study abroad programs. The University will continue to place study programs at the center of international studies, but it will also review the programs seriously to ascertain how they can help move the University into the future.

Prof. Jaksic said that doubling the number of students going abroad, as recommended by the Colloquy, can be done, though it will take planning and time. Because of competing demands, freshmen are often not interested in the possibility of study abroad, and they will not be persuaded to consider it until the University better articulates its rationale for the programs. Growth in international studies will hinge upon a capable director who can devote full time to the supervision and administration of the programs. The director who was ultimately selected is a highly efficient administrator with an appreciation for scholarship and teaching, qualities that were difficult to find in combination.

Prof. Jaksic said that in the months ahead, the international studies programs would be thoroughly reviewed. In particular, student demand and faculty strengths will be noted, and it will be determined which particular programs require fortification. In the College of Arts and Letters alone, 135 faculty work in some area of international studies, though they are not necessarily involved in programs abroad or with any of the University's institutes. Another area that will be studied extensively is foreign languages, a crucial component of any program that sends students abroad. There are 1900 students enrolled in foreign language courses this semester, the vast majority in Spanish. All indications are that the presence of faculty in the foreign languages translates into student demand. A crucial component of the wide study that international studies will undertake will be to catalog student satisfaction with the programs, and to discern what students consider the quality of the programs to be.

Prof. Jaksic stated that every college in the University is involved in numerous ways in international studies. His office hopes to ferret out and properly recognize the many ways colleges are involved, thus maximizing efforts that are well under way. As such, the International Studies Office will serve as an umbrella, a source of information for all that is already happening on campus and abroad. For example, Prof. Jaksic said that 735 of the University's current graduate students are from 80 differ-

ent countries. His office wants to find ways to bring these students closer to faculty associated with international studies. All of these goals will depend heavily on sound data collection.

Prof. Jaksic closed by saying that a number of exchange programs need to be better organized and rationalized. The University also needs to strengthen its connections with sister institutions around the world, and formalize ties with foreign institutions interested in collaboration. In all, international studies will help identify what colleges and departments need, and what their faculty need, and will better support the various international activities of departments and colleges. However, the agenda for international studies will be established by faculty and others at college and departmental levels. International studies will not be defined from the office desk, and will not enforce changes and programs that are better made at the college level.

Ms. Schehr asked what will be done to increase opportunities for science and engineering students to go abroad. She said that the difficulty these students face in going abroad is widely acknowledged. Prof. Jaksic replied that perhaps a new model needs to be designed for science and engineering students, perhaps along the lines of the London engineering program. However, he acknowledged that it may be difficult to find a solution. Finances and the curriculum present formidable obstacles to students in these areas. He suggested that summer programs might be better utilized, and that scholarships and internships could perhaps be located. He also said that faculty need to work with international studies to ensure that students accumulate the credits they need when they choose to study abroad.

Dean Castellino said that a basic problem for science, and perhaps for engineering students, is that they cannot do without science courses in their junior and senior years, especially laboratory classes. Some departments, such as math or preprofessional studies, can offer foreign study experiences without much difficulty. But that can not happen easily for science majors who need laboratory courses. The College of Science has been able to piggyback onto the London Program (arts and letters) through the Honors Program. However, the University sends a physicist to teach, and for the occasional student who needs to take chemistry, the University pays for him or her to go to the University of London.

Prof. Jaksic replied that perhaps science students should be encouraged to go abroad earlier rather than later in their college careers. Dean Castellino answered that it would be difficult for science sophomores to go abroad because that is when they take many critical courses in organic chemistry, genetics, etc., where laboratories are crucial. Prof. Jaksic said that the next step would be to

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identify those foreign universities, with programs already in place, that could accommodate Notre Dame students; programs would first be identified, and then the College of Science, not international studies, could make appropriate decisions. Mechanisms must be found that will allow students in all of the colleges to go abroad.

Prof. Batill asked if Notre Dame provides many opportunities for undergraduate foreign students to come here for a semester or a year. Many foreign universities require internships, and their students would not necessarily need resources to come. Instead of sending more Notre Dame students out, why not bring more foreign students in? Prof. Batill acknowledged the difficulties foreign students would have in finding housing, and said that a different set of structures would have to be in place. However, it would be a different way to impact Notre Dame students.

Prof. Jaksic replied that if more Notre Dame students went abroad, more beds would be available for foreign students to come in. However, he said, such students would need to be engaged in the University's residential life, which is not necessarily interchangeable with other institutions around the world. Admissions and financial aid needs would also need to be considered. Fr. Beauchamp added that Notre Dame does not extend financial aid to foreign students.

Prof. Doordan asked about the proposed composition of the ad hoc committee for international studies. He urged international studies to consider adding a committee member from the School of Architecture, where the Rome program is over two decades old, and all students go. Obviously, he said, architecture has a wealth of expertise in running an overseas program and having it work with curriculum requirements. Fr. Scully said that he hoped to be architecture's bridge to international studies, since he represents architecture to the administration. He also said that he had tried to keep from expanding the list of members endlessly, though he would further consider additional representation from architecture.

Fr. Scully went on to say that the Colloquy established a University Committee on the London facility, comprised of the deans and faculty who use the London facility, and chaired by himself. The University's lease for part of the building currently occupied at 7 Albermarle Street will expire in 1997. Meanwhile, the London Program is growing very quickly; engineering has recently added two programs, and other colleges are interested in expanding their numbers, which warrants a significant addition of space. Though the University has located another possible building, it is not yet settled because so much realty is tied up with the crown and other landholders. The committee is hoping to find (and finalize) a replacement rental building in the next six months; it will take an-

other 18 months to take care of the lease-holding legal requirements and to renovate the building.

Fr. Scully also said that bringing more foreign students to campus could be an important component of international expansion. The difficulty on the undergraduate level is affordability. The University is currently looking for private benefactors in host countries who will sustain scholarship support over a period of time for students from their countries. Currently, four Brazilian students are being supported in such a manner. Fr. Scully added that he would like to discuss with appropriate people the possibility of opening some portion of financial aid for international students.

Prof. Batill asked if Fr. Scully meant undergraduates who would come to Notre Dame for four years. Fr. Scully answered yes. Prof. Batill said that he had in mind much shorter international experiences for undergraduates, such as a semester or part of a semester. He also said that many students would not need financial resources. They would be third- or fourth-year English-speaking undergraduates who would be on campus for a relatively short period of time, but who could impact Notre Dame students in a positive way.

Fr. Burrell ended the discussion by commenting that little thought seems to have gone into using students who have returned from international study programs as spokespeople for the programs. Students talk a lot informally among themselves, he said, and should be considered an important University resource.

5. Assessment. Before turning the floor over to Sr. Cannon, Fr. Scully reminded the council that the North Central Association's accreditation visit called for further elaboration of Notre Dame's assessment plan. Sr. Cannon began by saying that the association's central criticisms were that it was unclear how the University's broad learning goals emerged from its mission statement, that faculty should be more involved in assessment, that there should be clear time-lines for assessment, and the absence of a person or office responsible for overseeing assessment. The Assessment Committee began its work last year while the Curriculum Committee was in the process of distilling its recommendations for the Academic Council, work the committee did not want to interrupt. The committee was also concerned that its work not seem negative or burdensome to the faculty.

The work that the Assessment Committee completed last year was submitted to the North Central Association as Phase 1 of the University's assessment plan. Completed tasks included reviewing the work of the previous assessment committee, seeking to redefine the University's learning goals by analyzing its mission statement, engaging more faculty by surveying departments to generate

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involvement, and checking to see if there were any assessment projects in progress that could be used as models.

Phase 2 of the assessment plan will take place during the current academic year. It has two main goals: to conduct a University-wide assessment of academic advising, to be initiated by the provost and reported to the Academic Council; and for each College Council to initiate at least one major assessment project during the year. The councils will identify and formulate their own assessment projects. (It is recommended that arts and letters work in divisions rather than identify one project for the entire college.) It is suggested that projects be chosen from the list of assessment recommendations made by the Curriculum Committee, so that rather than undertaking an entirely new project, the colleges build upon work that must already be done. Councils could also choose from projects that are listed as attachments to the Assessment Report, or they could design a project their faculty is interested in pursuing.

Phase 3 of the plan, which will take place during the 1996-97 academic year, calls for individual departments and faculty to design and implement the assessment project that their college has identified. Phase 4 calls for the completion of two major projects. The first would be a review by the Undergraduate Studies Committee of the goals of general education and the courses and structures which seek to realize these goals. The second would be the incorporation of an assessment of the major into departments and program review. These regularly scheduled external reviews will provide a natural vehicle for involving departments in new assessment efforts in the major and for examining existing information from campus assessment efforts.

Sr. Cannon concluded by observing that the phases move from individual course assessment to program assessment to curriculum assessment as a whole. She said that assessment should be considered an ongoing project, with the results of one aspect of the project influencing the next series of projects. The Assessment Committee submitted their report to the North Central Association on August 1, 1995, but have not yet received a response.

Prof. O'Meara commented that large numbers of faculty will have to become involved in assessment projects over the next few years if assessment is to be perceived as faculty-driven. Sr. Cannon agreed, and said that the committee assumed that what would work best for the University would be what the faculty are already interested in pursuing. Rather than impose something on the entire University, the committee opted to rely on the faculty to articulate questions involving assessment that they find interesting. Though such an approach will be slower and more chaotic initially, it should ultimately generate more faculty interest.

Fr. Burrell asked for a description of assessment that could be easily assimilated and explained to others. Sr. Cannon said that assessment is a gathering of information that helps one find out what is going on in learning situations, and a reflection on what can be done to enhance the learning environment. Fr. Malloy said that the movement that goes by the name "assessment" today was largely generated by a wave of books that were critical about the state of higher education, particularly for undergraduates. The criticism was aimed largely at state systems, where great numbers of students were entering, but few were graduating, and where employers complained that graduates were not able to perform at minimal levels. A demand grew for an effective evaluation tool to measure the success and failure of higher education and for sweeping reform. Sr. Cannon added that most state schools have initiated a tool for measuring accountability. But other institutions, such as Harvard, have organized assessment seminars in the past decade that are more closely aligned to Notre Dame's plan, allowing faculty to pursue the kinds of questions that most interest them.

Prof. O'Meara said that 10 or 15 years ago, it was argued that the provision of higher faculty salaries would ensure a better education for students. The validity of that principle must now be assessed statistically by asking, "Are students receiving a better education? How do we know?" Sr. Cannon agreed, and added that assessment can be more than reviewing statistics. For example, Harvard was involved in an assessment design that asked why some students who came in with very poor writing skills improved greatly while others did not? Harvard tracked 30 students for a year and discovered that those students who showed little improvement received consistently poor feedback; they got information, but they did not understand what they could do to improve. The most crucial aspect of this particular assessment program was the precise question it set out to answer. The project would have been completely different had the goal been to assess the writing ability of Harvard students.

Prof. Doordan asked if the assessment projects to be developed by the college councils would be subject to approval, and if documentation had been sent to the councils from the Assessment Committee regarding the various phases of the plan. Sr. Cannon answered yes to both questions.

Dean Attridge asked if the Assessment Committee's report had been accepted by the North Central Association. Sr. Cannon replied that the University had not received a formal response. Then, Dean Attridge asked, would it be possible for a college to undertake an assessment project only to find out that the master plan had not been approved? Sr. Cannon replied that such a response from the association would be unlikely, especially since they

did not give a template for a University Assessment Plan. In Notre Dame's case, they said simply that the University had not articulated well enough how its educational goals emerged from its mission statement.

Prof. Conlon remarked that assessment is a process, not necessarily an outcome. He asked if the University was undertaking assessment for reasons other than to satisfy an accreditation body. Sr. Cannon replied that the requirement of the North Central Association was the obvious catalyst. However, the committee saw an underlying value to systematically looking at what the University is doing, and discerning if there are better ways to reach its goals. Prof. Conlon then asked if the committee's report mentioned possible mechanisms for using what is learned from the process to implement change. Sr. Cannon said that the report's conclusion states that assessment is understood to be an ongoing process, and that what will be learned in the first series of projects will affect the design of the next series of projects. A good example, she said, is the recommendation of the Curriculum Committee for University Seminars, based on the presumption that students will be more intellectually curious and responsive if they have more contact with regular teaching and research faculty, and if they are required to write more. Once the seminars are implemented, the University should have a means of assessing them, to discern if they are working as intended.

Mr. Zuegner expressed concern that the proposed assessment of library literacy was assigned to the provost and the director of the Teaching and Learning Center, rather than the director of University Libraries and the library faculty.

6. Information Systems. Prof. Buechler began by explaining that information systems encompasses a broad collection of functions around campus, including the tools related to a classroom lecture, the accessing of library materials, the advising of students and the managing of budgets or faculty records. He recalled his first major experience with University records when, as director of undergraduate studies in math, he had to talk with many advisors and undergraduates considering math as a major. He envisioned spending 15 to 20 minutes per student, discussing study habits, difficult classes, postgraduate possibilities, etc. Instead, he spent most of his time poring over paper transcripts, answering the question, "Will I graduate on time?" Eventually, he and others approached the registrar about automating the process of checking degree requirements. Together, they developed a system, now in its second year of production, that supplies a printout of a student's classes and what requirements have been satisfied, thus making it easier and quicker to track progress toward a degree. The result is more time for talking to students about their plans and problems.

Prof. Buechler ended by saying that he would like to see technology improve campus life in other areas, such as the maintenance of University, faculty and alumni records; the management of accounting systems; and the cataloging of information about vendors the University does business with. He is currently working with Human Resources on a system to help manage faculty records, eventually eliminating status forms. While the workload of most people will not be affected by such a change, it might allow deans more time to talk with their faculty. He then turned the discussion over to Dr. Rapagnani, the new assistant provost for information technologies.

Dr. Rapagnani said that coming to Notre Dame from the outside afforded him the opportunity to ask "Why?" which he asked often during the interview process and which he has continued to ask since his arrival. He has observed that despite a beautiful infrastructure, of which the University should be very proud, there has been little investment in technology. Toward that end, and with the help of the director of libraries and the director of administrative services, Dr. Rapagnani said that he would like to embark on a strategic planning process for information technologies, instead of concentrating just on computing issues. Though there are high expectations around campus about what information technologies can do, there is no direction-setting document that can be referred to. In essence, everyone is setting his or her own expectations.

Dr. Rapagnani's second observation is that Notre Dame generates a significant amount of paper. For example, he daily signs such a large stack of multiple-copy carbon requisition forms that he has begun exploring options for a better system. Another example is that after an hour's discussion with Prof. Hyder, it was decided that *Notre Dame Research* will no longer be printed on paper. Instead, it will be published electronically, which will save the University \$14,000 a year. Dr. Rapagnani said that though he will continue to look for other ways to put technologies to use, the strategic plan and expansion of information technologies will be client-driven, built around the expectations and needs of administrators, faculty and others who will be interviewed over the next several months.

Prof. Doordan commented that the issues of privacy, security and most importantly, surveillance, are of growing concern to many faculty and should be addressed in the development of a strategic plan. Dr. Rapagnani replied that privacy and security are central to all future development.

Dean Castellino related his surprise last year upon learning that his e-mail could possibly be read by other people. He asked if such a possibility should concern him. Dr. Rapagnani answered that everyone should be

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concerned about security. The internet, he said, is the backbone of electronic transmission on campus. Every piece of information that travels around campus via the internet is in "clear text," which can be read by another person who plugs into the system to interrogate information going by. For that reason, most of the University's administrative systems are not Internet-based, and no one can access their data (student records, financial records, Human Resources, etc.). However, anyone browsing the web does so in clear text, and if one logs onto a remote host somewhere, his or her password goes across in clear text. The University plans to harden the network to the point that transactions are done in encrypted fashion, via technology called Distributed Computing Environment. Individuals will still use their systems in the same way, but the text will no longer be clear because of work that has been done behind-the-scenes.

Prof. O'Meara asked if Dr. Rapagnani meant that text would be encoded on one end and decoded at the other. Dr. Rapagnani answered yes. Prof. Atassi asked if there were any plans to add special scientific computing equipment that the University does not have. Dr. Rapagnani replied that within a month the University should successfully conclude negotiations with IBM on the SUR (Shared University Research) program, and that a parallel processor, the SP2, would be installed in the very near future.

Prof. O'Meara remarked that some people wanted the University to buy a certain kind of computing system; he asked Dr. Rapagnani to address the issues involved in the decision. Dr. Rapagnani replied that the University considered two types of architecture machines: distributed memory and shared memory. Distributed memory architecture is very difficult for the average person to use, and requires a lot of staff support. However, it is the future of high-performance computing. Shared memory architecture is much more mature, much easier to use, and allows faculty to advance quickly on their own. Ultimately, the University decided to acquire both architectures, neither of which is the highest end of either system, but which will allow the University to make progress on both fronts.

Dean Castellino asked about scientific journals that are available without charge electronically. For instance, he can go into the NIH (National Institute of Health) and get data bases that before have been very costly. He asked why this is not viewed as copyright infringement. Mr. Miller answered that some journals start out free electronically, but do not remain so. He also said that a lot of information is becoming available electronically through the IEEE (Institute of Electrical and Electronics Engineers), but it will not be free. Elsevier Publishers is already charging 150 to 200 percent of their print price for electronic publishing, while other publishers are

charging around 110 percent, or nothing, if you receive the paper publication. Mr. Miller continued that one may be able to access another university's data bases and journals, but by license that should not happen. He speculated that some universities may have not yet decided how to handle such matters, and are for the time being offering the information without charge as a gesture to the research community. Ultimately, commercial publishers will charge, and chances are electronic publishing will cost as much or more upfront than print. The danger, from the library's perspective, is the real possibility that publishers will move to a transaction-based charging system. In such a scenario, the library would not pay for the journal, but would pay every time it is accessed, which the University would not want to limit. Mr. Miller added that the library is working to put a number of journals that the University has on CD-ROM on the campus network.

Fr. Malloy asked again about surveillance. Who is surveilling whom? And Prof. Doordan asked if the University is surveilling students, faculty or staff, for example, to see what they are watching on the web. Dr. Rapagnani said that the University is not surveilling anyone. However, the provider of a service can surveil anyone using it. Anytime a web site is accessed, the information server can capture information about the user. The University gets involved only if someone sends e-mail to Dr. Rapagnani or his staff about an action that may be deemed inappropriate for the network. Otherwise, no one even attempts to read all of the message traffic going by. Prof. O'Meara asked if the University has the ability to do that. Dr. Rapagnani answered yes. "Then what checks and balances are provided to ensure privacy and security?" Prof. O'Meara asked. Dr. Rapagnani replied that every member of the University is given and should act according to a published code of conduct. Behavior contrary to the code would warrant action by the University.

Prof. Doordan asked how inappropriate behavior could be discovered without University surveillance. Dr. Rapagnani said that information has come from outside servers who captured information about users and reported it. Prof. Doordan asked if Dr. Rapagnani was concerned about the University determining not only who is pumping information into the system, but what users are taking out of it. Dr. Rapagnani replied that the issues surrounding privacy can be looked at from different angles. One angle is that individuals may be using University equipment, perhaps in a University office. However, he repeated, the University does not collect data on users, though there is always a chance that someone outside is watching anyone using the nd.edu ending. Prof. O'Meara asked if the University has a code of conduct for such problems, and was reminded that one was approved by last year's Academic Council.

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Mr. Wingenbach asked about the status of classrooms being equipped for teaching technologies. He said that many students train to use computers in the classroom, only to discover that their assigned room does not have a computer. Dr. Rapagnani concurred that though DeBartolo is a very fine facility, much of the rest of campus has little technological access. He said that he has heard of proposals to upgrade classrooms, but knows of no definite plans to do so. However, he reported, the University is 60 percent through pushing the Network into all residence halls. The University will have reached another milestone when the work is complete, and will be very unusual in the fact that, since most students live on campus, a very high percentage of the total student body will have access to the network.

7. Office for Students with Disabilities. Mr. Howland, coordinator of the newly created Office for Students with Disabilities (OSD), began by saying that his presentation would focus on three areas: national legislation on students and disabilities, how colleges and universities have responded to legislation, and services provided by Notre Dame for disabled students. The 1973 Rehabilitation Act (see Attachment C) was the first piece of legislation to impact colleges and universities, by declaring that an otherwise qualified student could not be discriminated against by a university that benefited from federal financial assistance. Mr. Howland explained that an "otherwise qualified" student would meet the academic requirements of an institution with or without reasonable modification of the rules, practices, and policies of the institution; the removal of architectural, communication or transportation barriers; and the provision of auxiliary aids and services.

He further explained that Section 504 of the act, which focuses specifically on higher education, is broken down into the following areas: admissions and recruitment of students, the general treatment of students, academic adjustments, housing, financial aid and employment, assistance to students, and nonacademic services. In particular, the law does not grant students access to universities because of their disabilities, but protects students because of them. Disabled students must be provided an equal opportunity to achieve equal results. Universities must provide equal opportunity for students with disabilities when viewed as a whole, and programs must be operated in the most encouraging setting possible.

The act further states that modifications must be made to academic requirements to provide meaningful access for students with disabilities. However, though an institution must provide meaningful access for students, it need not be via the most sophisticated technology available. Requirements that are essential to a specific class or program need not be modified, but certain services and auxiliary aids must be provided to ensure meaningful access.

Course exams should reflect a student's achievement, not disability, unless those are the skills the test is designed to measure. Institutions are not required to provide aids of a personal nature (personal care attendants, individually prescribed devices, readers for personal use or study, or other devices or services of a personal nature).

Fr. Beauchamp asked if a signer would fall into the personal nature category. Mr. Howland answered no, because a signer provides access to information that is already available to other students in the classroom.

Mr. Howland then outlined the general procedure that most universities, including Notre Dame, follow to determine "reasonable accommodations," though he cautioned that needs must also be calculated individually. First, a student identifies himself to a faculty member or to the OSD, or is referred to the OSD through documentation. However, a student maintains the right to not self-identify, thereby freeing the University of legal obligation to him or her.

Next, students discuss the possible impact of their disabilities on their academic performance and/or on their educational experience. Though a student may not, at this time, request a specific (classroom) accommodation, the OSD may suggest useful accommodations. Last, the faculty member involved helps determine how to reasonably accommodate the student. (Again, every class, every individual student, every specific situation is considered separately to determine what is reasonable.) When an agreement is reached, the OSD works closely with the faculty member and the student to arrange for necessary modifications of the class.

Mr. Howland said that though recent legislation emphasizes the rights of students with disabilities, little has changed for universities since Section 504. This is even more true for Notre Dame because it is considered a religious institution. Nationally, institutions have responded to legislation by providing a continuum of services for students, from offering no services, to offering loosely coordinated services, to specializing in programs for students with a particular disability. When asked by Prof. Borelli where Notre Dame falls on the continuum, Mr. Howland said that though the University does not provide highly specialized services, it falls on the upper end because it offers a centralized office for disabled students. The OSD provides and develops policies on these issues, helps faculty develop classes and provide accommodations, and works with outside agencies for funding assistance or for services that the University cannot provide.

Mr. Howland said that 30 students have currently been identified by the OSD. Seven students are blind or visually impaired, four have hearing impairments, seven to

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10 have physical difficulties, and nine or 10 have learning disabilities or attention deficit. Some students also have health impairments or are temporarily disabled.

For learning disabled students, the University may provide taped textbooks or note-takers, and/or it may work with the students to develop time management and learning skills. The University will also screen and refer students who suspect they have a learning disability.

The University aids visually impaired students by obtaining readers or note-takers, and by providing taped textbooks or Braille or large-print texts. Students may also be assisted in campus orientation and mobile training. Tactile and Braille maps are provided, if necessary, for academic purposes.

Hearing impaired students may be provided information on the recruitment, selection, and referral of note-takers, signers, and/or access to text telephones. Instructors may be asked to wear a microphone to amplify sound or to hook into a student's own existing hearing aid; lecture transcription may be provided; and a real-time or stenocaptioning recorder may be used for direct link-up to a laptop computer.

Finally, Mr. Howland said, students with physical and mobility impairments may be aided in the recruitment, selection and referral of note-takers and academic aids; the use of on-campus transportation (with the cooperation of Security); the identification, referral and recruitment of personal care attendants, though such provision is not a University obligation; campus accessibility; and obtaining accessible housing.

Mr. Miller asked for more information about Notre Dame and its relationship to the 1973 Rehabilitation Act and the ADA (Americans with Disabilities Act). Mr. Howland said that there is little difference between the services mandated by the two pieces of legislation. However, the ADA states that institutions that are governed by religious organizations are exempt from certain portions of the act. Fr. Beauchamp asked if the exemption was just for students or if it was for the entire act. Mr. Howland said that he has seen both interpretations: that it warrants total exemption; and that there are certain portions of the act in relation to public accommodations that are required. Notre Dame operates on the assumption that it must meet the requirements of the ADA for all public facilities.

Fr. Malloy asked about a former Notre Dame undergraduate with cerebral palsy who is now pursuing graduate work at the University. Mr. Howland said that the student has a severe form of cerebral palsy, affecting her word and muscle control, vision and ability to speak. Her situation has been a challenge to the University, a process

of learning how to identify the various accommodations she needs in classrooms. She has used note-takers and readers, and has needed modifications in housing.

Prof. Doordan asked about the relationship between the policies and procedures that are being developed for students and similar policies and procedures for faculty and staff. Mr. Howland replied that his focus is on students; faculty and staff issues are handled by Human Resources. He added that he would be willing to help Human Resources if needed.

Prof. Bergstrand said that, in the past, he has suspected students of having attention deficit disorder, though in some cases he did not realize it until the semester was well under way. He asked if faculty should deal with such situations on an ad hoc basis, using their best judgment, or if they should solicit help from the OSD. Mr. Howland answered that, whenever possible, the student, the faculty and the OSD should work together. The OSD would ensure that proper documentation verifying a student's disability is in place, and would review possible accommodations, including those that are simple and easy to provide, as opposed to only what a student wants.

Prof. Borelli said that he had a student who admitted a disability, but who did not provide documentation. He asked if, in other such cases, he should go to the OSD or would a student's desire for confidentiality come first? Mr. Howland said that if a student does not wish to work through the OSD, that is acceptable. However, the student must provide documentation verifying his or her disability when requesting accommodation.

Mr. Wingenbach asked if graduate students can be denied health insurance because of a disability or past history. Mr. Howland was unsure of the answer, but Dean Castellino thought that a group policy must insure everyone. Mr. McDavit asked if the University has, or plans to develop, a separate admissions program for students with mild attention deficit disorders and other learning disabilities. Mr. Howland said that Notre Dame does not currently have specific slots available for such students and that he does not, at this point, anticipate the development of such a program. Those few schools with such admissions programs provide highly specialized services, including specially trained faculty and staff, that far exceed legal requirements.

Fr. Scully ended the discussion by encouraging the faculty and deans to take advantage of the Office for Students with Disabilities, a wonderful advance for the University.

There being no further business, the meeting was adjourned at 8:50 p.m.

Attachment A

Standing Committee Summary

Faculty Affairs: Bunker, Castellino*, Doordan, Dutile, Link, McBrien, Van Engen, Zeugner, UG Student** (to be named), Business School (to be named)

Graduate Studies: Atassi, Conlon, Gutting, Hatch*, Higgins, Michel*, Porter, Quinn, Sommesse, Law/Grad Student (to be named)

Undergraduate Studies: Attridge*, Batill, Borelli, Burrell, Coll, Delaney, Keane, Kolman*, McDavit**, Miller, O'Hara*, Weigert, 1 UG Student (to be named)

*Ex-Officio Members

**Student Member

Attachment B

Ad Hoc University Committee on International Studies

As approved by the Academic Council in its meeting on May 15, 1995, and pursuant to the recommendation by the postcolloquy committee on International Studies, there shall be an ad hoc university committee to assist in developing the next phase of the development of international studies at the University of Notre Dame. This committee will be convened by the Vice President and Associate Provost and will be comprised of: a) all academic deans; b) academic directors of international institutes (Kellogg, Kroc) and international centers (Center for Civil and Human Rights, Nanovic Center for European Studies, the Donald and Marilyn Keough Center for Irish Studies); and c) several distinguished members of the university community with international expertise. Ex-officio members will include the Assistant Provost for International Studies, and the Director of International Study Programs.

The charge of the committee will be to make policy recommendations regarding international study at Notre Dame. This will include, but not be restricted to, policies regarding international study programs, expansion of curricular and extra-curricular international activities, faculty and student exchanges, foreign language development, and library resources.

At the conclusion of an initial two-year period the ad hoc committee will recommend a permanent committee structure to the Academic Council for incorporation into Article IV, Section 3 of the *Faculty Handbook*.

Attachment C

The 1973 Rehabilitation Act: The University of Notre Dame's Legal Obligations to Students with Disabilities

The 1973 Rehabilitation Act states that:

"No otherwise qualified disabled individual in the United States shall, solely by reason of a disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

An individual with a disability is any person who,

- has a physical or mental impairment which substantially limits one or major life activities including walking, seeing, hearing, speaking, breathing, learning, and working;
- has a record of such an impairment; or
- is regarded as having such an impairment.

"Otherwise qualified means that the student meets the academic and technical standards requisite to admission or participation with or without

- reasonable modifications to rules, policies, or practices;
- removal of architectural, communication or transportation barriers; or
- provision of auxiliary aids and services.

Subpart E of Section 504 applies to postsecondary education programs and activities that receive or benefit from Federal financial assistance. Even if one department receives or benefits from Federal financial assistance, the whole institution is covered.

The intent of Section 504 is to provide meaningful access for students with disabilities to the educational programs and activities offered at a postsecondary institution. Therefore, it is the responsibility of colleges or universities to provide reasonable accommodations, when requested, to ensure the effective participation of qualified students with disabilities. Reasonable accommodations do not guarantee students with disabilities equal results or achievement but instead provide students with disabilities an equal opportunity to achieve equal results.

To provide access to its programs and activities, the University of Notre Dame may not discriminate against qualified students with disabilities in the following areas:

A. Admissions and Recruitment

Qualified persons with disabilities may not, on the basis of a disability, be denied admission or be subjected to discrimination.

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1) The University of Notre Dame may not limit the number of students with disabilities admitted.

2) The University of Notre Dame may not make use of any admissions test or criterion that has a disproportionate, adverse effect on persons with disabilities or any class of disabled persons unless:

a) the test or criterion has been validated as a predictor of success for the program in question.

b) alternate tests or criteria that have a less disproportionate, adverse effect are not shown to be available.

3) Admissions tests must reflect the person's aptitude or achievement rather than their impaired sensory, manual or speaking skills, except if those skills are what is being tested. Tests must be offered in the same time frame and be provided in accessible locations.

4) The University of Notre Dame cannot make preadmissions inquiries if the applicant has a disability. After admission they can ask confidentially about disabilities that may require an accommodation. The two exceptions are:

a) that an institution is taking remedial action to correct the effects of past discrimination.

b) that the information collected will be kept confidential and not have any adverse effect on the student.

B Treatment of students, general

No qualified disabled student at the University of Notre Dame shall, on the basis of a disability, be excluded from participation in, or be denied the benefits of, or otherwise be subjected to discrimination under any academic, research, occupational training, housing, health insurance, counseling, financial aid, physical education, athletics, recreation, transportation, other extracurricular, or other postsecondary education program or activity to which this subpart applies. The University is required to:

1) provide equal opportunity to the educational program or activity viewed as a whole.

2) operate its programs or activities in the most integrated setting appropriate.

C. Academic Adjustments

Modifications shall be made to academic requirements as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating, on the basis of disability, against a qualified student with a dis-

ability. Requirements that the institution can show are essential to the program do not have to be modified.

1) Course examinations should reflect the student's achievement in the course rather than the student's impaired sensory, manual, or speaking skills, except where those are the skills that the test is supposed to measure.

2) A student cannot be denied the benefits of, excluded, or otherwise subjected to discrimination because the absence of auxiliary aids. Institutions need not provide attendants, individually prescribed devices, readers for personal use or study, or other devices or services of a personal nature.

D. Housing

Since the University of Notre Dame provides housing to its nondisabled students it is required to provide comparable, convenient, and accessible housing to students with disabilities at the same cost as to others.

E. Financial Aid and Employment Assistance to Students

1) The University of Notre Dame cannot provide less financial assistance or discriminate against students with disabilities in the process of providing the assistance.

2) Any institution that provides assistance in obtaining employment opportunities shall ensure that such opportunities, as a whole, are made available in a manner that would not violate this subpart.

F. Nonacademic Services

1) The University of Notre Dame must provide an equal opportunity to participate in physical education courses or intercollegiate, club, or intramural athletics. Separate or different athletics can be provided as long as students are not denied the opportunity to participate in courses or activities that are not separate or different.

2) If an institution provides personal, academic, or vocational services to nondisabled students then they must provide services without discrimination to students with disabilities. They cannot counsel students to more restrictive careers than nondisabled students with similar interests and abilities. They can provide factual information about licensing and certification requirements that might provide obstacles to students with disabilities in their pursuit of particular careers.

3) Institutions that provide significant assistance to social organizations on campus shall ensure that the membership practices of such organizations do not permit discrimination practices prohibited by this subpart.

Academic Council Minutes October 3, 1995

Members in Attendance: Edward A. Malloy, C.S.C., Timothy O'Meara, E. William Beauchamp, C.S.C., Timothy R. Scully, C.S.C., Patricia A. O'Hara, Nathan O. Hatch, Harold Attridge, Francis J. Castellino, John G. Keane, Eileen Kolman, Anthony N. Michel, Richard McBrien, Jonas McDavit, David B. Burrell, C.S.C., Cornelius F. Delaney, Gary M. Gutting, Philip L. Quinn, John H. Van Engen, Mario Borelli, Bruce A. Bunker, Andrew J. Sommese, Stephen M. Batill, Jeffrey H. Bergstrand, Edward J. Conlon, Fernand Dutile, Dennis Doordan, Lorenzo Zeugner, Regina Coll, Kathleen Maas Weigert, Matthew Fitzgerald, Catherine A. Schehr

Observers in Attendance: Andrea Midgett, Dennis K. Moore, James J. O'Brien Jr.

Guests in Attendance: Maureen Gleason

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

Before moving to items on the agenda, Prof. O'Meara made a few remarks of general interest. First, he said that a committee elected by the Academic Council had recently completed a very positive review of the dean of the Freshman Year, whose term of office will be renewed. He added that the concept of the Freshman Year seems to serve students well as they transit from high school to their sophomore year; the program, as well as the dean, has his support.

Second, in accord with the Frese settlement, and after consultation with the Executive Committee of the Academic Council, Prof. O'Meara announced that Bill Berry and Carol Mooney will replace Julia Knight and Arvind Varma, who are on leave, to the panel of reviewers for appeals concerning alleged faculty employment discrimination based upon gender. The seven other reviewers are Ani Aprahamian, Frank Bonello, Neal Cason, Xavier Creary, Jeanne Day, Michael Morris and Vera Profit. There were no appeals to the panel last year. One appeal was initiated but was not completed.

Last, Prof. O'Meara said that though all reviews of the University impact it in some way, the National Research Council reviews of graduate programs should be paid particular attention to. He has discussed the reviews with the college's department chairs, and plans to do so with the Provost Advisory Committee (PAC) and the Executive Committee, with the intent of bringing them before the council at its next meeting.

Fr. Malloy then summarized a legislative update regarding federal financial aid that he distributed to the council, which outlined proposals to slash more than \$10 billion from student loan programs over that next seven years. Both proposals passed education committees in the House and Senate and will be included in the fiscal 1996 budget reconciliation packages. In addition to cutting student loans, the Senate proposes assessing an .85 percent tax on the loan volume of all institutions that participate in federal aid programs. Fr. Malloy said that he will distribute similar updates to council members, with hopes that they will make the information available to others. He added that though legislative proposals can change almost daily, this particular set of alternatives seems less flexible, and does not bode well for higher education. The tax cost to Notre Dame on student loans alone, at .85 percent, would cost around \$400,000 a year. That particular proposal is strongly opposed by the banking industry, which profits on student loans.

1. Report on teaching by graduate students. This recently completed report, on the preparation of graduate students for teaching, was brought before the Academic Council for a brief review before being sent to the Graduate Studies Committee for more detailed discussion. (See Attachment A.) Prof. Hatch stated that in 1994 the council changed the Academic Articles to read that graduate instructors should have demonstrated preparation for teaching. The council also mandated that a survey of departmental practices, performed by the Graduate Council and the academic deans, be presented this fall. The report indicates that about 100 classes per term are either taught by graduate students or have graduate students in charge; though most have demonstrated preparation for teaching, some have not. Only about 50 percent of the classes taught by graduate students are visited by their faculty supervisors. The report raises the issue of proficiency in English, which Prof. Hatch said was discussed at length by the Graduate Council, and which the Graduate Studies Committee should discuss further. Should international students be tested for verbal competency before being allowed to teach? How should this be presented in the Academic Articles?

Fr. Scully interjected that those working to internationalize Notre Dame's educational arena have considered establishing at the University a substantial English as a Second Language Program during summers. Most peer institutions have programs that allow international students to come to their campuses during the summer to learn English; Notre Dame is well poised to do the same. Such a program would introduce the University to countries and populations that otherwise would not know about it. International graduate students would benefit by being able to come to campus a few months early to participate in the program.

Ms. Schehr asked if such a program would be strictly for graduate students who are teaching courses, or if it would include teaching assistants. Fr. Scully proposed that such questions be left to individual departments.

Fr. Beauchamp asked if there had been any discussion regarding the subjects graduate students teach, be it labs, regular courses, teaching assistantships, introductory level courses, etc. Dr. Akai, who prepared the report, answered that the survey was strictly for graduate students who teach their own courses, not those who assist someone else. The students surveyed teach a wide range of courses on all levels, depending on the needs of particular departments. Dr. Akai added that some departments could supply additional information regarding what its graduate students teach.

Dean Kolman asked again if the main focus of the survey was graduate students who teach their own courses. Prof. Hatch answered yes. She then asked if the report mentioned the needs of teaching assistants who teach break-out sections of larger classes. Prof. Hatch answered yes, again. Dean Kolman asked if the preparation of such teaching assistants will be discussed by the Graduate Studies Committee. Prof. Hatch said yes, adding that the survey will be reviewed by the first director of the Teaching and Learning Center. Prof. O'Meara asked if graduate students who assist math professors by teaching smaller groups of students in tutorials were included in the survey. Prof. Hatch answered no. Dean Kolman said that they should be.

2. University Committee on Libraries. Prof. Doordan said that the proposal before the Academic Council concerning changes in the Academic Article pertaining to the University Committee on Libraries issued from an ad hoc committee that met as a result of concerns expressed in the Colloquy. (See Attachment B.) The revised, proposed article would clarify the role of the University Committee on Libraries, increase its membership to better reflect the evolving structure of the University, and mandate certain actions, such as an annual report. Overall, Prof. Doordan said, the proposed article attempts to mandate and prod the committee to take an active role regarding the library.

Fr. Malloy asked if the proposed article was being presented for approval by the Academic Council. Prof. Doordan answered yes. Prof. Gutting asked for a summary of the differences between the current and the proposed article. Prof. Doordan said that the University Committee on Libraries would grow from eight current members to 16, with people such as the assistant provost for information technologies and the director of the Law Library being added to its membership; the committee would review policies and practices and serve as a communication link between the library and the faculty,

rather than formulate policies; and regular meetings and annual reports would be mandated. Prof. Gutting responded that the executive power of the committee seems clearer in the current article: *The University Committee on Libraries formulates policies and makes decisions*. The proposed article would have the committee review policies and practices. He asked if the committee would have the power to reject practices and policies in the proposed article? Or would the committee merely comment on them?

Prof. O'Meara said that the proposed article reflects the way the committee has actually functioned for many years. Ms. Gleason said that the committee currently reviews any major policy affecting the library, such as the allocation of funds and acquisitions pledges, changes in hours, etc. Prof. Gutting asked if a policy would be implemented that was presented by the library but disapproved of by the committee. Ms. Gleason said that under most circumstances the policy would not be implemented. Prof. Gutting asked if it were correct to say that the committee is more advisory than legislative in nature. Ms. Gleason answered yes.

Fr. Malloy asked the council for a vote on the proposed article. The council voted unanimously for approval. Fr. Malloy said that he also approved, and that he would take it before the Board of Trustees.

3. Change in the name of the Freshman Year of Studies. Dean Kolman proposed that the name of the Freshman Year of Studies be changed to the First Year of Studies. She made three points in reference to the change. First, she said, language is important, because it not only conveys ideas, but helps us conceive ideas. What a thing is called is, in fact, part of its reality. Second, the proposed name would convey what the freshman year is about, rather than define it in terms of its constituency. Third, the proposed name would be very clear and simple while being inclusive.

Prof. Borelli said that the proposed name could be misunderstood by a transfer student coming to the University in his or her first year of study. Mr. McDavit asked if the word "freshman" would be removed from the official language of the University. Or would it only be removed here to make this particular program name more politically correct? Dean Kolman replied that "freshman" is a fine word, though she prefers "First Year" for the title of a unit.

Fr. Beauchamp said that changing the name to "First Year" could cause confusion for Law School students, who use the same name. He also felt that everyone readily understands what the Freshman Year of Studies is about. Prof. Batill said that "First Year of Studies" sounds

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awkward. Prof. O'Meara approved of the proposed change, and said that it would be a modest step toward making the University inclusive.

Prof. O'Hara asked if such a change would have broader ramifications. Could the Student Government continue to use the term "Freshman Class," or would that be considered non-inclusive? Prof. O'Meara said that he would consider the change to be only as expansive as the program itself. He would not view it as a step toward calling first-year students "freshpersons."

Prof. Higgins said that though she considers herself attuned to gender issues, she did not read the proposal as an attempt to be inclusive. Rather, the primary issue is to define the first year of studies in terms of studies, not in terms of its participants. Dean Kolman agreed, but she added that she considers "First Year of Studies" to be more inclusive. She also said that other conferences and programs focusing on first-year students are moving in the same direction.

Prof. Doordan said that since an undergraduate degree in architecture requires five years, everyone is comfortable with terms such as fourth- and fifth-year students. He did not feel that it would not be a problem to define the Freshman Year by its content rather than by its constituency.

Fr. Malloy said that he avoids using non-inclusive language as much as possible, and that on grounds of inclusivity he supports the proposal. He added that the terms sophomore, junior and senior are all more inclusive than the "Freshman Year of Studies," though he wished for a better choice of words than the "First Year of Studies." He then asked the council to vote on the proposal, which passed with a majority. Fr. Malloy said that he would take the proposal before the Board of Trustees since a section in the articles refers to the "Dean of the Freshman Year of Studies." He said that the name would be changed there and wherever else appropriate.

4. Change in the name of the Office of University Computing. Prof. O'Meara asked for discussion regarding the proposal made by Dr. Rapagnani to change the name of the Office of University Computing (OUC) to the Office of Information Technologies (OIT), which was sent to the Academic Council with the recommendation of the Executive Committee. Prof. Batill asked about the relationship between the OIT and the library. Do they handle different kinds of information? Where do they connect? Prof. O'Meara replied that they connect at the Provost's Office, though it is basically an intellectual connection. He added that interaction between the two is increasing as technology and library science develop.

Ms. Gleason said that a traditional explanation would be that the library focuses on resources and the OUC focuses on technology and making resources available. The OUC is responsible for networking and the hardware and software that are distributed around campus, while the library focuses more on what is carried over the network. However, in many ways the two offices are interested in the same thing and must work together, which is one reason why a representative of computing/technologies will be added to the University Committee on Libraries.

Prof. Batill said that he understood what the O, U and C stand for in the Office of University Computing. He asked what kind of information the I stands for in the Office of Information Technologies? Ms. Gleason said that information could be partly defined as data that passes over the wires, electronic or digitized. Prof. Batill remarked that changing the name to "Information Technologies" would imply that the office was taking on much greater responsibilities. Ms. Gleason said that perhaps, in fact, it already has, since it has already added Educational Media.

Prof. Batill continued that it would seem that more than the name is being changed; it seems that the entire scope of the office is being changed. Prof. O'Meara concurred, adding that the change has already taken place. Prof. Doordan commented that the issue is not so much the definition of information but the shift that is taking place from computing to technologies as the University structure evolves. Fifteen years ago computing did not have such importance or profile, and technology did not present the issues it does today. However, the incorporation of Educational Media into the OUC has fundamentally changed the scope of the OUC and has rendered its name inaccurate. To change its name would better clarify what is taking place in that office and around campus.

Prof. Batill asked if Prof. Doordan meant that the role of the OUC has changed and that the name must be changed to meet its current status. Prof. Doordan repeated that the old name is inaccurate in that it fails to describe everything that the office now does. Ms. Gleason added that the name change would follow changes that have been taking place over a number of years in the OUC, even before Educational Media came on board.

Fr. Malloy called for a vote on the proposal, which passed unanimously. He said that he also approved, and would take it to the Board of Trustees.

5. Sexual and Discriminatory Harassment Policies. Prof. O'Meara began by explaining that sexual and discriminatory policies are found in the *Faculty Handbook 1994* under the section titled "University Policies" (pp. 75 and 78). He explained that the policies were established

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five or six years ago by the Academic Council. Since then, they have been noted to be too skeletal. However, certain ways of implementing the policies have evolved over the years. The council recently received two handouts that refine the earlier policies and that will replace them in the 1995 handbook. The essence of the old policies remains intact. What has been added is how those policies are, in practice, implemented.

Prof. O'Meara said that a committee worked for over two years to match practices with the policies. The many variables involved made the project time-consuming and difficult. For instance, it was difficult to derive a parallelism between the discriminatory harassment policy and the sexual harassment policy, though there are parallel difficulties inherent to both. Furthermore, other parallel directions had to be considered: Student Affairs, faculty and staff. And in the case of discriminatory harassment policy, administrators had to be considered. Problems notwithstanding, the Officers of the University felt that something more had to be included in the new handbook, for fear of potential legal problems due to vagueness. (The 1995 handbook was delayed until the work was completed.) Of primary concern was making the policies more understandable, especially for sexual harassment. Prof. O'Meara said that the refined policies were brought before the council as information, so members would know what to expect in the new handbook. Further discussion of the policies could take place in the coming year, if desired.

It disturbed Prof. Borelli to think that a student who has been sexually harassed by a staff member or an administrator should go to the Department of Human Resources or to the complainant's or the harasser's supervisor. He asked why there was no mention of an ombudsperson. Prof. O'Meara replied that the augmented policies reflect existing practices, and that though there is an ombudsperson for discriminatory harassment, there has never been one for sexual harassment. Prof. Borelli asked if any of the existing policies had been revised. Prof. O'Meara answered no; the committee did not want to move beyond the existing philosophy.

Prof. Dutile said that the augmented policies seemed to indicate that the complainant would be the final bar to proceedings if he or she wanted to settle directly with an alleged harasser. Prof. O'Meara said that if the grieving party decided not to pursue proceedings, the matter would end. But, Prof. Dutile said, it seemed that in worst-case scenarios the University itself would have an interest in pursuing an alleged harassment situation, even if the complainant dropped the issue. For example, a faculty member who felt that his or her job was on the line might find it advantageous to reach a financial settlement with the complainant, though the University maintained an interest in the process continuing. Prof.

O'Meara said that for the University to proceed would go beyond existing policies. And he asked how the University could implement further proceedings if the aggrieved party dropped the issue. Fr. Beauchamp said that most people would agree with Prof. Dutile, but, he asked, how could an alleged case of harassment be moved forward if the grieving party was not willing for that to happen.

Prof. Dutile said that perhaps the complainant should not be given the right to stop the process. Prof. O'Meara responded that if he were to hear of an alleged case of harassment by some route other than through the complainant, he would pursue it. He asked if the wording of the policy would prevent that. Prof. Dutile said that he had the same question. Could the new policy be construed to mean that there is only one way for a particular situation to be pursued, i.e., through the complainant? Dean Attridge asked if one could complain without being aggrieved. Prof. O'Meara asked, if the provost found out about an alleged harasser, could he or she become the complainant. Dean Castellino asked how that could be done legally if the rightful complainant did not want to pursue the matter; the provost could embarrass a complainant who did not want to be aggrieved. Prof. Dutile responded that letters, e-mail or other evidence could possibly be presented without the complainant. He concluded that the policies at least need a sentence or phrase stating that the University may proceed with an alleged harassment situation, with or without the complainant.

Fr. Malloy interjected that today's discussion would not lead to any immediate changes in the augmented policies. They were presented to the council as information, before they appeared in print. However, if the council found errors or limitations that were unacceptable, the policies could be returned at another time for further discussion. He added that he had sat through hours of meetings on the policies, and that formulating them had been very slow because of philosophical and procedural difficulties that continually presented themselves.

Prof. Borelli asked about possible situations of alleged sexual harassment where both parties would appear to have consented. Who would be the complainant? Prof. O'Meara said the complainant would appear when one of the consenters later objected to the situation. Prof. Borelli asked what would happen if the provost found out about such a situation and neither of the parties objected.

Dean Kolman expressed concern that procedures that may or may not have been written down were gaining the status of policy rather quickly. It also concerned her that policies that the Academic Council struggled to write initially were being added to, essentially making them new policies, without the council having had an opportunity to fit the material together.

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Prof. O'Meara said that the procedures could be promulgated without the input of the Academic Council because they are not part of the Academic Articles, though normally they would be brought before the council, as they were several years ago. He repeated that the council could later discuss any points of the procedures that they wished to, or they could be passed to the Executive Committee for analysis. However, he said, something had to be in print this fall; the materials simply could not wait for further discussion and elaboration by the council. He then asked about objections that the council had raised. Should they be sent to the Executive Committee?

Prof. O'Hara said that nothing had substantially or definitionally changed about what constitutes sexual or discriminatory harassment in the policies. The entire effort at getting more on paper was to better clarify the University's existing procedures in cases of alleged harassment, and to answer some frequent complaints about what the existing policies do not say about procedure and practice.

Prof. Hatch asked if an attempt was made to bring the two policies into as much harmony as possible without making them completely the same. Prof. O'Meara answered yes, adding that an effort was made to keep the fundamental points the same. For example, the current policy would send an alleged situation of sexual abuse straight to the Provost's Office. The revised policy would allow for more information to be gathered, though in the end the provost would still handle the situation. In this sense, the revised policy reflects what actually happens now at the University. It also indicates that the final result may be something other than dismissal.

Fr. Malloy asked the council to compare the old policy and the new document, and if they so desired, to write out or express their concerns either through the committees of the council or the Executive Committee. If more concern was expressed, Father Malloy stated that he would return them to the Executive Committee for further discussion. Dean Kolman asked if concerns should be expressed now. Fr. Malloy answered no, they should be brought before the Executive Committee.

6. Review of the Academic Articles. The last Academic Article in the *Faculty Handbook* states that in addition to periodic reviews, the articles are to be reviewed at least every 10 years in a manner prescribed by the Academic Council. Prof. O'Meara said that it is time for such a review, and that the Executive Committee's sentiment was that they would perform it by going through the existing articles to check for inconsistencies resulting from more substantial changes over the last 10 years. The committee would not undertake any major changes in the articles; major changes would be handled as is custom by

the council, according to circumstances of the time. The committee's review would be approached as a clean-up job.

Fr. Malloy said that if the Executive Committee's strategy was acceptable to the council, the committee would proceed as explained. If the plan was unacceptable, an alternative should be suggested.

Prof. Quinn asked if PAC had begun discussing the Faculty Senate's proposal to make changes in various appeals procedures in the Academic Articles. If so, how would that process interact with the clean-up process of the Executive Committee? Prof. O'Meara answered that the clean-up would proceed independently of the Faculty Senate's proposal, which would be brought before the council by virtue of the right of the senate. Prof. Quinn then asked if a substantial change in the Academic Articles could be brought before the Academic Council at any time. Prof. O'Meara answered yes, and said that a good example was the recent decision by the Academic Council to replace the title associate faculty fellow with associate research professor. That issue had been debated for years, and the change was made independently of a complete review of the articles.

Fr. Malloy called for a vote to allow the Executive Committee to perform the review of the Academic Articles as described by Prof. O'Meara. The vote was unanimous in support of the committee's recommendation.

Before closing the meeting, Fr. Malloy congratulated Dean Keane and the members of the College of Business Administration for an outstanding series of events connected to the dedication of the new building.

There being no further business, the meeting was adjourned at 4:20 p.m.

Attachment A

Report to the Academic Council on Preparation of Graduate Instructors for Teaching

Prepared by
Terrence J. Akai
Assistant Dean of the Graduate School
September 21, 1995

1. Background

Prior to the last academic year, the Academic Council introduced a revision of the Academic Articles. The revision is contained in Article III.3(e) and requires Graduate Instructors to have demonstrated preparation for teaching. A Graduate Instructor is defined here as a graduate student with *general responsibility for a course carrying academic credit*; i.e., one whose teaching role in such courses is similar to a faculty member's.

The Academic Council further mandated that a survey of departmental practices in this regard be conducted by the Graduate Council and the academic deans, and that the results of the survey be reported at the first meeting of the 1995-96 academic year. The Graduate Council, with the academic deans or their representatives in attendance, authorized the Graduate School to design and conduct the survey on their behalf.

A survey focusing on formal and consistent practices regarding selection, training, supervision, and evaluation of Graduate Instructors was sent to the chairs/directors of 26 academic units with graduate programs. They were advised of the Academic Council's actions and were advised about the uses of the responses to the surveys. A copy of all raw data and supporting documents would be submitted to Fr. Timothy Scully, Vice President and Associate Provost, along with a summary report on behalf of the Graduate Council. Similar materials from their Colleges' academic units will be sent to the Deans of Arts and Letters, Engineering, and Science.

Section 2 below contains the same text that was reported to the Graduate Council in its meeting of September 13, 1995. The major issues in the Graduate Council's discussion and other comments from the Graduate School are summarized in Section 3.

2. Summary of Responses to the Survey

Surveys were sent to 26 academic units. Of these, 9 did not use Graduate Instructors within the time frame of the survey (Fall 1994, Spring 1995, Summer 1995), and 6 used fewer than 3 in any semester. The units with the highest number of Graduate Instructor positions are Theology (38), English (34), Music (32), Romance Languages and Literatures (30), Philosophy (21), and Art, Art History, and Design (18). History (14) and Mathematics (12) employed a moderately high number of Graduate Instructors. A breakdown of Graduate Instructor positions is shown in Table 1.

Table 1. Graduate Instructor positions for Fall 1994 to Summer 1995.

Unit	Fall '94	Spring '95	Summer '95
Art, Art History, & Design	8	10	0
English	17	17	0
Government & Int'l Studies	5	3	0
History	5	5	4
Mathematics	6	3	3
Music	16	16	0
Philosophy	12	8	1
Psychology	3	3	3
Romance Languages & Lit.	15	15	0
Sociology	4	1	0
Theology	16	19	3
Aerospace & Mechanical Eng.	0	0	2
Economics	0	2	0
Electrical Engineering	1	1	1
German & Russ. Lang. & Lit.	1	1	0
Hist. & Phil. of Science	1	0	1
Physics	2	2	1
American Studies	0	0	0
Architecture	0	0	0
Biological Sciences	0	0	0
Chemical Engineering	0	0	0
Chemistry & Biochemistry	0	0	0
Civil Eng. & Geological Sci.	0	0	0
Computer Science & Eng.	0	0	0
Medieval Institute	0	0	0
Peace Studies	0	0	0

Units were asked to estimate the importance of factors they might use in selecting Graduate Instructors. The levels ranged from 1 (low importance) to 5 (high importance). Average responses by the units that employed Graduate Instructors are as follows. Depth of knowledge in the subject was rated at a 4.5 level. Previous experi-

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ence as a Graduate Instructor, other teaching experience, and ABD or senior status were each rated at a 3.9 level. Financial need (by the graduate) was rated at a 2.0 level; however, one unit did consider financial need to be very important. Need for a new course in the Instructor's area of expertise also received a low-importance rating at a 1.8 level.

Training of some sort is required by 13 of the 17 units with Instructors. In most cases (8), the unit relies on its own training program. Other training mechanisms are prescribed reading material on teaching (3), College-sponsored seminars and workshops (2), the Graduate School/Graduate Student Union seminars (1), and miscellaneous tools (6). Some units use more than one training tool.

Units with formal training programs are Art, Art History, and Design; Government and International Studies; History; Philosophy; Romance Languages and Literatures; and Theology. English indicates that it has a training program, but provided no description of it. Music is a special case in which Instructors are assigned to give individual instruction in voice or instrument. This does not fit the general nature of the questionnaire; however, strong individual supervision of Instructors appears to be the norm.

History and Philosophy of Science relies on its "parent" departments and on other programs for training. Aerospace and Mechanical Engineering, Economics, Physics, and Psychology rely heavily on previous teaching experience; Psychology has recently introduced a course on teaching.

The units that indicated no formal or required training mechanisms are Electrical Engineering, German and Russian Languages and Literatures, Mathematics, and Sociology. The first two use very few Instructors, and Mathematics uses a moderately high number. A commentary from Sociology states that the informal way of selecting Graduate Instructors has been successful. There is considerable evidence of excellent teaching by Instructors in this unit, but there are also more than isolated cases of weak teaching.

Units were asked if they consistently and formally ensure that Instructors are well acquainted with the course syllabus (9 + 2 not applicable), are cognizant of overall course goals (12 + 1 not applicable), are clear about prerequisites and preparation levels of students taking the course (12), are aware of typical undergraduate student work loads (12), are aware of their unit's grading practices (11), understand the Honor Code for undergraduates (9 + 1 not applicable), and understand the University's harassment policies (9). The numbers in parentheses indicate the affirmative responses.

In 2 of the 17 units with Instructors, safety (as in laboratories or working with potentially dangerous equipment and materials) was a concern. Only 1 of the 2 provided safety training to the Graduate Instructors.

Nearly half of the 17 units stated that Graduate Instructors had regular contact with faculty supervisors. Two others reported a strong level of supervision with faculty acting as mentors. In the remaining units, faculty supervisors played mainly administrative roles and supervision was minimal. Only half of the units reported occasional classroom visits by faculty supervisors.

All units except four reported administration of the Teacher-Course Evaluation (TCE). The TCE was not applicable to the four exceptions. No unit administered evaluations other than the University's TCE at the end of the semester. Only half of those that administered TCEs made it a common practice to discuss the evaluations with their Graduate Instructors.

Most of the units supplied summaries of the responses to Question 13 on their Instructors' TCEs. In general, most of the Instructors had mostly "good" and "excellent" ratings. Ratings of "poor" or "very poor" appeared in about 2 out of 10 cases; however, these ratings were rarely given by a large percentage of the Instructors' classes.

Of the 17 units with Graduate Instructors, 9 reported employing international students. In 4 of these units, there was no formal orientation to American educational practices other than the instructors' experiences. Evaluation of proficiency in English was generally on a case-by-case basis or was based on TOEFL scores.

It is emphasized that the survey focuses on formal and consistent practices; thus, a response from a unit that it does not engage in a particular practice does not necessarily mean that their Instructors are not otherwise exposed to the benefits of that practice.

3. Commentary

During the Graduate Council discussion of the previous section, it was noted that there were several instances in which basic matters (e.g., the Honor Code) were not specifically addressed; instead, it was presumed that Graduate Instructors were cognizant of such issues. Despite the lack of formal training in almost half of the units that employed Graduate Instructors, the TCE evaluations appeared to be similar to general results for the faculty. It was noted, however, that this similarity does not reduce criticism about assigning graduate students as primary instructors at an institution such as Notre Dame. There was a suggestion that TCEs for Graduate Instructors be specially designated so that they could be separated from those of faculty and sent to the Graduate School, this

would make it easier to monitor their teaching. It was also mentioned that "teaching assistants" that assist a primary instructor were more likely to have difficulty in teaching.

The issue of placement of our graduates was also mentioned. Many institutions, ranging from highly visible national universities to small liberal arts colleges, have institution-wide formal teacher-training programs for their graduate students. A lack of such training at Notre Dame places our own students at a disadvantage in some placement situations. The preliminary vision for the Teaching and Learning Center appears to include such training on a centralized basis, but the timing of the start-up of the Center may be awkward because many departments have already instituted their own strong training programs.

In addition to the points mentioned above, two major issues associated with the training of Graduate Instructors were raised in the Graduate Council discussion. The first is that there is not full compliance with the Academic Articles as it pertains to Graduate Instructors. The Graduate Council recommends that the Academic Council determine how to enforce compliance and to define more clearly what compliance means. The second issue concerns the use of international students in the classroom and their facility with English. It was noted that TOEFL scores (used as indicators of proficiency in some units) were not sufficient and should be accompanied by other screening mechanisms.

One department — Sociology — has reacted to a part of the text in Section 2. The Chair of that department explains that the "weak teaching" were recent problems with two individuals. It is agreed that the case was overstated and it is known that the Chair did deal with complaints. The Chair nevertheless instituted new training procedures that are effective immediately; they are attached to the department's response to the survey.

In light of the Graduate Council discussion, the Graduate School asks the Academic Council to consider the definition of training carefully. Smaller departments that typically use only a few Graduate Instructors or those that use them only in special circumstances (e.g., to replace a faculty member that is on leave, or when the graduate student brings established teaching credentials from outside the university) may not have the resources to institute a formal training program. In such cases, informal or one-on-one discussions with the proposed Instructor and monitoring of performance may be appropriate. The Graduate School also asks the Academic Council to look at evaluation of English proficiency in more detail. Informal evaluation as done now may result in highly inconsistent judgments. There is also the moral issue that

arises when an international student is (informally) kept out of teaching and thus misses a part of professional development that is considered to be important for other students.

Attachment B

Article IV

Section 3/Committees of the University

Subsection (f) The University Committee on Libraries

Present Version

The University Committee on Libraries consists of the Director of University Libraries and seven members of the Faculty, one from the Library Faculty and six from the Teaching-and-Research Faculty. The six from the Teaching-and-Research Faculty include one from each of the four Colleges and two members elected at large. Members serve three-year terms, with the elections of the six members of the Teaching-and-Research Faculty so arranged that two members retire each year. Election of the Library Faculty member is by the Library Faculty. Election of members representing the Colleges is by the Teaching-and-Research Faculty in the respective College; election of the members-at-large is by vote of the Teaching-and-Research Faculty at large. Two members of the Teaching-and-Research Faculty are elected each year from four nominees presented by the University Committee on Elections for at-large members or the respective College Elections Committees for College representatives. One member of the Library Faculty is elected every third year from two nominees presented by the University Libraries Committee on Nominations and Elections. Nominations may be presented for a member-at-large, if at least 25 faculty members present a signed petition nominating another candidate; and for a member representing a College or the Library, if at least 10 faculty members respectively from that College or from the Library present a signed petition nominating another candidate. The names of faculty members so nominated are added to the ballot. This committee elects one of its members to chair it.

The University Committee on Libraries formulates policies and makes decisions on matters concerning the University Library system as a resource for learning. It is responsive to the educational and research needs of the academic community, and to the counsel of the Director of University Libraries as the chief executive officer of the administration of the Library.

DOCUMENTATION

1 Proposed Version

The University Committee on Libraries reviews policies and practices relating to library resources and services and provides oversight of the development of the libraries. It constitutes a principal interface between the campus units responsible for providing information resources and services, and it also serves as a communications link between the libraries and the University community.

The Committee consists of the Director of University Libraries, the Director of the Law Library, the Assistant Provost for Information Technology, and 13 others: one elected by and from the teaching-and-research faculty of the Law School, of each of the Colleges of Business Administration, Engineering, and Science, of each of the graduate divisions of Humanities and Social Sciences, and of the School of Architecture together with the faculty in the Fine and Performing Arts; one elected by and from the faculty of the University Libraries; three elected at large by and from the teaching-and-research faculty of the University; and two student members. Student members are selected annually according to procedures approved by the Committee. Elected members serve staggered, three-year terms.

The Committee annually elects a chair from the elected members. It meets at least twice each semester, publishes its approved minutes in *Notre Dame Report*, and reports annually to the Academic Council.

University Committee on Libraries November 21, 1995

The meeting was called to order at 11:30 a.m. at the Morris Inn by Chairman John Halloran. Also in attendance were Leo Despres, Thomas Fehlner, Paula Higgins, Robert Miller, Robert Scheidt, Marsha Stevenson, guest Timothy O'Meara and secretary Melodie Eiteljorge.

This was a special meeting for the purpose of electing two members of the teaching and research faculty to serve on the search committee for the director of libraries. Robert Miller explained that three library faculty would also be elected by the library faculty to serve on the committee. Marsha Stevenson noted that she would like to see the *Faculty Handbook* revised in the future to include a staff member on the committee. Provost O'Meara joined the group because of the extreme importance of the committee.

Members of the committee submitted names of candidates from each department. These were reviewed. Through the process of elimination a short list was developed. Ballots were then distributed. Thomas Fehlner was elected as the first member of the committee, and he accepted the position. A second member and an alternate were chosen. Professor O'Meara will contact the candidate about willingness to serve.* If that person is unable to serve for any reason, O'Meara will contact the alternate.

There being no further business, the meeting adjourned at 12:45 p.m.

Respectfully submitted,

Melodie G. Eiteljorge
Secretary

*Subsequent to the meeting, the provost contacted the candidates. Those serving on the committee are Thomas Fehlner and Charles Rosenberg.

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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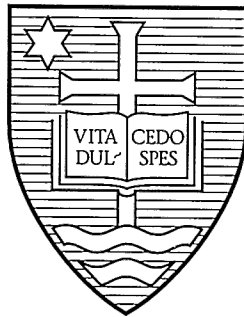
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