

NOTRE DAME REPORT



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JANUARY 17, 1997 • NUMBER 9

Craig Awarded Hoogstraal Medal

The prestigious Hoogstraal Medal in medical entomology was awarded posthumously to George B. Craig Jr., at a meeting of the American Committee of Medical Entomology in Baltimore, Md., Dec. 2.

Craig, Clark professor of biology until his death in December 1995, was honored as both a scientist and an instructor. The Vector Biology Laboratory he founded gained worldwide fame for establishing the genetics of the mosquito, *Aedes aegypti*, which is the primary transmitter of malaria. In addition, Craig's most notable achievement was his insight into the *Aedes triseriatus*, a tree-hole dwelling mosquito that was discovered as the leading vector of LaCrosse encephalitis, one of the most serious mosquito-transmitted diseases in the United States.

During his lifetime, Craig received the Distinguished Achievement Award from the Society for Vector Ecology and the prestigious Walter Reed Medal. Both medals are on display in the Galvin Life Science Center.

Follett to Manage Bookstore

The University has selected Follett College Stores to manage the Hammes Notre Dame Bookstore. Follett, the nation's largest operator of campus bookstores, is expected to assume the management of the bookstore on April, 1.

A committee composed of Rev. E. William Beauchamp, C.S.C., executive vice president; Jeffrey C. Kantor, vice president and associate provost and professor of chemical engineering; Rev. Mark Poorman, C.S.C., executive assistant to the executive vice president and associate professor of theology; James J. Lyphout, associate vice president for business operations, and Edward F. Hums, director of special projects in business operations, recommended the selection of Follett after a detailed review of the academic bookstore field that included contacts with dozens of bookstores on other campuses.

The University and Follett currently are negotiating the specifics of the management agreement, and certain terms already are agreed. The University will retain ownership of the bookstore and Follett will operate it. While current full-time bookstore staff will remain Notre Dame employees, entitled to University benefits, all new bookstore staff members will be hired by Follett and be Follett's employees. There will be no reduction in bookstore staffing levels as the result of the management changeover; in fact, the University and Follett anticipate that the staff will be expanded, particularly with the store's move to the new Eck Center in late 1998 or early 1999.

The new bookstore in the Eck Center will almost double the space of the current building, and Follett will make a capital investment in the facility, as well as providing a guaranteed income to the University. Among the specific customer services to be offered by Follett are the following:

- Creation of a Virtual Notre Dame Bookstore on the World Wide Web. Through this web site, faculty may place advance orders for textbooks and students may order their books simply by entering their class schedules on-line. They then will be able to go to the bookstore and purchase their books already assembled and bagged.
- An expanded inventory of quality, lower priced, used textbooks. While standard prices will remain in effect for new textbooks, Follett will offer an expanded supply of quality used textbooks that should provide significant cost savings to students.
- An expanded and custom-designed inventory of general book titles. Based on a review of the specific needs and demands of the Notre Dame community, a general book inventory of 75,000 titles and 200,000 volumes will be developed.
- New music and multimedia collections. Listening stations will allow customers to sample items in the new music department and internet stations will permit sampling of multimedia materials.

Honors

Peter Diffley, associate dean of the graduate school and concurrent assistant professor of biological sciences, was elected president of the Association of Graduate Schools in Catholic Colleges and Universities at the annual meeting held in San Francisco, Calif., Dec. 12.

Valerie Sayers, professor of English, received a Notable Book of the Year 1996 award from the *New York Times Book Review* for her the novel *Brain Fever*, Dec. 8.

Billie F. Spencer Jr., professor of civil engineering and geological sciences, was appointed to the editorial board of the *Archives of Applied Mechanics*.

Samir Younés, assistant professor of architecture, has been named a member of the Prince of Wales' Urban Design Task Force for the reconstruction of the cities of Beirut and Sidon in Lebanon. The task force is comprised of an international group of architects who advise the Lebanese government by proposing masterplans for these cities during 1997.

Activities

John Adams, assistant professor of biological sciences, presented an invited department seminar titled "Malaria — On the Road and in the Lab" to the Biology Department at Loyola University in Chicago, Ill., Oct. 23.

Asma Afsaruddin, assistant professor of classical and Oriental languages and literatures, presented a paper titled "A Diatribe in Displacement: *The Mathalib Al-Wazirayn* of Abu Hayyan Al-Tawhidi" at the annual conference of the Middle East Studies Association of North America held in Providence, R.I., Nov. 21–24.

Ani Aprahamian, associate professor of physics, gave the seminar "Nucleosynthesis of the Elements and Nuclear Structure" at Hope College in Hope, Mich., Nov. 13.

Klaus-Dieter Asmus, director of the Radiation Research Laboratory and professor of chemistry and biochemistry, presented the welcoming address at the 20th DOE Solar Photochemistry Conference in French Lick, Ind., June 8–11. He served on the review committee of the Cancer Research Campaign at Gray Laboratory of Mount Vernon Hospital in Northwood, Middlesex, U.K., June 17–20. He gave the invited talk "Recent Aspects in the Radical Chemistry of Organic Compounds Containing O, S, Se and P as Heteroatoms" at the 79th Canadian Society for Chemistry conference and exhibition in St. John's, Newfoundland, Canada, June 23–27. He presented "Intermediates in the Oxidation of Some Copper(I)-Thioether

Complexes" at the Gordon Conference on Radiation Chemistry at Salve Regina College in Newport, R.I., July 7–12. He lectured on "Radiation and Photochemical Studies with Plain and Functionalized Fullerenes" at the University of Zagreb in Zagreb, Croatia, Sept. 20.

Gail Bederman, assistant professor of history, served as a respondent for a panel on "Sports, Manhood, and Religion" at the American Academy of Religion annual meeting in New Orleans, La., Nov. 25.

Ikaros Bigi, professor of physics, gave the HEP seminar titled "Heavy Quark Expansions for Inclusive Weak Decays of Heavy-Flavour Hadrons — Successes and Challenges" at the Department of Physics at Ohio State University in Columbus, Ohio, Nov. 6, and at the HEP Group at Argonne National Laboratory in Argonne, Ill., Nov. 18.

Sunny K. Boyd, associate professor of biological sciences, presented an invited seminar titled "Neuropeptide Control of Amphibian Sexual Behavior" at Indiana State University in Terre Haute, Ind., Oct. 22–23.

Douglas E. Bradley, associate professional specialist in the Snite Museum of Art and concurrent assistant professor of art, art history and design, completed a Rockefeller Foundation grant assisting the reinstallation of the more than 50 pieces in the Rev. Edmund P. Joyce, C.S.C., Collection of Ritual Ballgame Sculpture of the Snite Museum of Art, and the creation of a permanent computer interface which encourages visitors to explore the history, equipment and architecture of the ballgame at the University of Notre Dame, Notre Dame, Ind., Oct. 1. He served as curator for the exhibition titled "Native American Women Artists," a 20-piece exhibition of Native American ceramics, basketry and costume, for the celebration of Native American History Month at the University of Notre Dame, Notre Dame, Ind., Nov. 1–Dec. 1.

Scott D. Bridgham, assistant professor of biological sciences, gave the talk "Soil Warming and Hydrology Manipulations of Minnesota Peatlands: A Climate Change Experiment" at the annual meeting of the Soil Science Society of America in Indianapolis, Ind., Nov. 3–8.

Carolyn M. Callahan, associate professor of accountancy, gave an invited accounting research presentation "Earnings Predictability, Information Asymmetry, and Market Liquidity" co-authored with **John Affleck-Graves**, associate professor of finance and business economics, and **Niranjan Chipalkatti** at Case Western Reserve University in Cleveland, Ohio, Oct. 4.

Jianguo Cao, associate professor of mathematics, presented the invited talk "Martin Boundary for Manifolds with Gromov's hyperbolicity" at the Massachusetts Institute of Technology in Cambridge, Mass., Nov. 29.

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Peter Diffley, associate dean of the Graduate School and concurrent assistant professor of biological sciences, presented the invited paper titled "Using Comparative Data for Academic Review and Planning" at the 36th annual meeting of the Council of Graduate Schools held in San Francisco, Calif., Dec. 11-15.

Mitchell S. Dushay, research assistant professor of biological sciences, gave a presentation titled "Preliminary Phenotypes of Relish Mutants on Immunity and Development" at the Midwest Drosophila Conference in Monticello, Ill., Oct. 18-20.

William G. Dwyer, Hank professor of mathematics, gave an invited seminar talk titled "Exotic Cohomology for $GL(n, \mathbb{Z}[1/2])$ " at the University of Paris XIII in Ville-teneuse, France, Dec. 6. He gave a second talk titled "Homology Decompositions for Classifying Spaces of Compact Lie Group" at the University of Paris XIII, Dec. 13.

Mohamed Gad-el-Hak, professor of aerospace and mechanical engineering, organized the symposium "Application of Microfabrication to Fluid Mechanics," chaired two sessions and delivered the talks "Navier-Stokes Simulations of a Novel Micropump" and "Modern Developments in Flow Control" at the 1996 International Mechanical Engineering Congress and Exposition in Atlanta, Ga., Nov. 17-22. He chaired the session on Boundary Layers and delivered the three talks "The Taming of the Shrew," "Navier-Stokes Simulations of a Novel Viscous Pump" and "Thermal Aspects of a Micropumping Device" during the 49th annual meeting of the Division of Fluid Dynamics of the American Physical Society in Syracuse, N.Y., Nov. 24-26.

Teresa Ghilarducci, associate professor of economics, presented "Pensions in the New International Political Economy" at the conference on Labor in the Global Economy at the University of California in Berkeley, Calif., Nov. 21-22. She presented "Social Security Privatizations: Empty Promises and Bankrupt Politics" at the University of Massachusetts in Lowell, Mass., Nov. 26.

Denis Goulet, O'Neill professor in education for justice, economics, delivered a paper on "The Key to Development Indicators: A Tool for Political and Economic Participation" to the Seminario Internacional on "Una Etica para el Desarrollo Humano? Desafíos Éticos de la Política y la Economía Contemporánea" in Valparaiso, Chile, Nov. 20-22.

Robert E. Haywood, assistant professor of art, art history and design, presented a paper titled "Anti-Monuments and Oppositional Politics in the 1960s" at the conference Assault: Radicalism in Aesthetics and Politics" at the Duke University Graduate Program in Literature in Durham, N.C., Nov. 8-10.

David R. Hyde, associate professor of biological sciences, presented the invited talk "The Drosophila *rdgB* Protein, a Novel Phosphatidylinositol Transfer Protein Required for Visual Transduction" at the XIIth international congress of Eye Research in Yokohama, Japan, Sept. 29-Oct. 5. He gave a presentation titled "Molecular Genetic Analysis of Light Enhanced Hereditary Retinal Degeneration in Drosophila" at the VII international symposium on Retinal Degeneration in Sendai, Japan, Oct. 5-10.

Robert L. Irvine, professor of civil engineering and geological sciences, co-authored the invited lecture titled "Biodegradation of Organic Pollutants by Phanerochaete Chrysosporium: On the Role of the Lignin Peroxidases" with J.A. Bumpus which was presented by Matthew Tatarko to the Austrian Society for Biotechnology, Section East, at the University of Technology in Vienna, Austria, Oct. 14.

Lloyd H. Ketchum Jr., associate professor of civil engineering and geological sciences co-authored an invited lecture titled "Biodegradation of Organic Pollutants by Phanerochaete Chrysosporium" with J.A. Bumpus presented by Matthew Tatarko at the Division of Industrial Microbiology at Wageningen Agricultural University, The Netherlands, Oct. 21. Ketchum gave the invited lecture "Managing Industrial and Household Hazardous Wastes" and chaired the break-out group "Household Pollution Presentation" at the Hoosier Environmental Council, St. Joseph River Watershed Workshop "We All Live Downstream . . ." in Middlebury, Ind., Nov. 28.

Edward A. Kline, professor of English and O'Malley director of the First Year Composition and Literature Program, chaired the session on "Connecting Lives: The Power of Personal Narratives" at the 86th annual convention of the National Council of Teachers of English in Chicago, Ill., Nov. 21-26.

Rajiv Kohli, adjunct assistant professor of management, presented the seminar "Business Process Reengineering: Effectiveness of Concepts and Tools" with Ellen Hoadley of Loyola College to executives from Fortune 500 corporations and academicians at the Lattanze Center for Executive Studies in Baltimore, Md., Dec. 6.

Charles F. Kulpa Jr., associate dean of science, professor of biological sciences and director of the Center for Bioengineering and Pollution Control, co-authored an invited lecture titled "Alternative Roles for the Lignin Peroxidases other than Initial Oxidation of Organic Pollutants and the Discovery that the Ferrous-NO Complex Protects these Enzymes from Inactivation by Azide" with J.A. Bumpus which was presented by Matthew Tatarko to the Austrian Society for Biotechnology, Section South, at the Technical University of Graz in Graz, Austria, Oct. 16. He presented an invited talk titled "Aerobic and Anaerobic

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Degradation of TNT" at the World Environment Congress in Cincinnati, Ohio, Oct. 27-29.

David T. Link, Matson dean of the Law School and professor of law, and **John H. Robinson**, director of the White Center and concurrent assistant professor of law, conducted a Continuing Legal Education in Ethics seminar at the University of Notre Dame, Notre Dame, Ind., Nov. 23. Link presented "A Return to the Roots of the Legal Profession — Lawyers as Healers and Peacemakers" and Robinson gave the speech "And the Two Shall Become One Flesh . . ." — The Ethical Constraints on Joint Representation in Estate Planning."

David M. Lodge, associate professor of biological sciences, gave a departmental seminar titled "Causes and Consequences of Crayfish Invasions in Northern Wisconsin Lakes" in the Department of Biological Sciences at Bowling Green State University in Bowling Green, Ohio, Nov. 13-14.

Gilburt D. Loescher, professor of government and international studies, organized and chaired an international conference on communal conflict, forced displacement and humanitarian action funded by the Ford Foundation and supported by the Office of the United Nations High Commissioner for Refugees in Geneva, Switzerland, Nov. 21-24. He gave the opening address at that conference.

Howard P. Louthan, assistant professor of history, presented the paper "Integration or Isolation? Prague Jewry in the Late-Sixteenth Century" at the conference Jewries on the Frontier at the University of Cape Town in Cape-town, South Africa, Aug. 12. He presented "Piety and Pedagogy in 17th-century Central Europe" at the American Academy of Religion in New Orleans, La., Nov. 25.

Lawrence C. Marsh, associate professor of economics, presented the paper "An Econometric Method of Determining Market Efficiency when Buyers and Sellers have Reservation Prices with an Application to the Housing Market" at the Midwest Econometrics Group meeting sponsored by the Department of Economics at the University of Wisconsin in Madison, Wis., Nov. 1-2.

Douglas D. McAbee, assistant professor of biological sciences, gave an invited seminar titled "Iron Regulation and Analysis of Lactoferrin Receptors in Rat Liver" to the Department of Urology at the Indiana University Medical School in Indianapolis, Ind., Nov. 25.

Rev. Richard P. McBrien, Crowley-O'Brien-Walter professor of theology, gave the keynote address "Justice in the Church: The Unfinished Business of Catholic Social Teaching" to the National Association of Catholic School Teachers in Philadelphia, Pa., Oct. 12. He presented "The Church of the Future: How Will the Catholic Church

Survive and Thrive?" at the Church of the Transfiguration in Pittsford, N.Y., Oct. 17. He presented "Challenges Facing the Church: The New Search for Common Ground" at St. Bernard's Institute in Rochester, N.Y., Oct. 18. He gave "The Church and Politics: The 1996 Campaign" at the Religion and Politics Lecture Series for the Office of Chaplains at Oberlin College in Oberlin, Ohio, Oct. 29.

Ralph M. McInerny, Grace professor of medieval studies, director of the Maritain Center and professor of philosophy, gave the talks "Pre-Vatican Council," "The Vatican Council," "Post Vatican Council" and "The Future" at the Diocese of Venice, Florida's Priests Convocation, at Boca Grande, Fla., Dec. 1-3.

Anthony N. Michel, McCloskey dean of engineering and Freimann professor of electrical engineering, presented the papers "Stability Analysis of Systems with Impulse Effects," "Some Qualitative Properties of Sampled-Data Control Systems," "Stability Analysis of Switched Systems" and "Asymptotic Stability of Systems with Saturation Constraints" at the 35th IEEE Conference on Decision and Control held in Kobe, Japan, Dec. 11-13. He chaired a session titled "Discrete Time Systems" at that conference.

Michael C. Mossing, assistant professor of biological sciences, presented a talk titled "Engineering the λ Cro Repressor to Study Coupling Between Folding, Dimerization and DNA Binding" at the 10th annual Gibbs conference on Biothermodynamics in Carbondale, Ill., Oct. 5-8. He presented a lecture "The λ Cro Repressor — Engineering Protein Structure to Study DNA-binding Function" at the Structural Biology Seminar Series at Purdue University in West Lafayette, Ind., Oct. 23.

Ingrid M. Müller, assistant professor of biological sciences, presented a seminar titled "Investigation of Immune Mechanisms in Primary and Secondary Infections with *Leishmania Major*" at the Seattle Biomedical Research Institute in Seattle, Wash., Nov. 14-17. She co-authored the poster presentation and oral presentation by Pascale Kropf, graduate student in biological sciences, and co-authored with Peter Blair titled "Characterization of T Helper Cell Responses in Wild-type and in Interleukin-4 Deficient BALB/c Mutant Mice" at the autumn Immunology Conference in Chicago, Ill., Nov. 24-26. Müller gave the symposium talk "Investigation of the Immune Response to *Leishmania Major* in IL-4 Knockout Mice" and co-authored the poster presentation of Pascale Kropf titled "Susceptibility of Interleukin-4 Deficient BALB/c Mice to *Leishmania Major* Infection" at the 45th annual meeting of the American Society of Tropical Medicine and Hygiene in Baltimore, Md., Nov. 30-Dec. 5.

Rev. Thomas O'Meara, O.P., Warren professor of theology, presented "Johann Adam Mohler and Yves Congar"

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at the symposium commemorating the 200th Anniversary of the Birth of Johann Adam Mohler held at Boston College in Chestnut Hill, Mass., Sept. 13.

William A. O'Rourke, professor of English, gave a reading from NOTTS at the Writers Harvest: The National Reading at Purdue University in West Lafayette, Ind., Nov. 14.

Samuel Paolucci, associate professor of aerospace and mechanical engineering, presented four papers titled "A Micro/Macro Solidification Model for Columnar Eutectic Alloys with Velocity Dependent Freezing Temperatures," "Nonlinear Analysis of Convection Flow in a Tall Vertical Enclosure Under Non-Boussinesq Conditions," "Thermoacoustic Wave Propagation Modeling Using a Dynamically Adaptive Multilevel Wavelet Collocation Method" and "A Petrov-Galerkin Method for the Direct Simulation of Fully Enclosed Flows" and chaired two sessions on "Numerical Simulation of Two-Phase Flows" and "Nonlinear and Chaotic Flows" at the 1996 International Mechanical Engineering Congress and Exposition held in Atlanta, Ga., Nov. 17-22. He presented two papers titled "Solution of Elliptic Problems by an Adaptive Wavelet Collocation Algorithm" and "Direct Simulation of Multi-dimensional Enclosed Flows Using a Petrov-Galerkin Technique" and chaired a session on "Numerical Methods" at the 49th annual meeting of the Division of Fluid Dynamics of the American Physical Society held in Syracuse, N.Y., Nov. 24-26.

Wolfgang Porod, professor of electrical engineering, co-authored the presentations "Study of Wave Phenomena in Physically-Coupled Device Arrays Using the Helmholtz Equation as a Model" and "Quantum Cellular Neural Networks" and served as a member of the program committee at the fourth workshop on Physics and Computation, PhysComp96, in Boston, Mass., Nov. 21-24.

Patrick J. Schiltz, associate professor of law, presented two seminars on litigation against religious organizations at a joint meeting of the bishops of the Episcopal and Lutheran churches in White Haven, Pa., Oct. 3.

Mark R. Schurr, assistant professor of anthropology, presented a paper titled "Childhood Diet, Population Growth, and Prehistoric Agriculture" and co-hosted the Henkel's visiting scholars symposium titled Biocultural Perspectives on Childhood Health and Adaptability at the University of Notre Dame, Notre Dame, Ind., Nov. 9.

James H. Seckinger, professor of law, was a faculty member and gave a series of lectures on deposition techniques for the Internal Revenue Service General Counsel's Deposition Skills Program in Cincinnati, Ohio, Sept. 10-12. He was the program director and a faculty member and gave a series of lectures on trial advocacy techniques for

the Gunster Yoakley Valdes-Fauli & Stewart Trial Advocacy Skills Program in Fort Lauderdale, Fla., Oct. 24-26. He was the program director and a faculty member for the Fish & Neave Deposition Skills Program in New York, N.Y., Nov. 14-16. He conducted a workshop for the faculty on effective teaching techniques and gave a series of lectures on deposition techniques. Seckinger delivered a series of lectures on Witness Examination Skills and served as a faculty member for a Common Law Advocacy Skills Program for the war crimes prosecutors for the International Criminal Tribunal for Rwanda in Kigali, Rwanda, Nov. 23-26. He directed and presented a teacher training program for the faculty conducting the Common Law Advocacy Skills Program at that tribunal. He served as a faculty member, conducted a workshop for the faculty on effective teaching techniques and gave a series of presentations on deposition techniques for the NITA Indiana Deposition Skills Program in Indianapolis, Ind., Dec. 5-7.

Esther-Mirjam Sent, assistant professor of economics, gave an invited talk on "The Need for a New Economics of Science" at the Erasmus University Rotterdam in the Netherlands, Oct. 21. She presented the paper "An Economist's Glance at Goldman's Economics" at the Philosophy of Science Association meetings in Cleveland, Ohio, Nov. 2.

Susan Guise Sheridan, assistant professor of anthropology, presented a paper titled "Differential Resiliency in Childhood: Male/Female Differences in Subadult Health in Antiquity" and co-hosted the Henkel's Visiting Scholars Symposium titled Biocultural Perspectives on Childhood Health and Adaptability at the University of Notre Dame, Notre Dame, Ind., Nov. 9.

Brian Smyth, professor of mathematics, gave the invited address "Hyperbolic Differential Equations and the Topology of Umbilics in Surface Theory" at the Max-Planck Institut für Mathematik in Bonn, Germany, June 10. He presented "Curvature Near a Singularity in a Real Hypersurface" at the Mathematisches Institut at the Universität Bonn in Bonn, Germany, June 17, and at Trinity College in Dublin, Ireland, June 24. Smyth gave the colloquium lecture "Injektivität einer Abbildung aus spektrale und fast spektrale Bedingungen" at the Universität Köln in Köln, Germany, June 28. He presented the invited address "Injectivity of Maps from Nearly Spectral Conditions" at the Universität Bonn in Bonn, Germany, July 3.

Billie F. Spencer Jr., professor of civil engineering and geological sciences, chaired a session titled "Active and Passive Control" and gave an invited presentation titled "Smart Structures Research at the University of Notre Dame" at the U.S./Japan Workshop on Smart Structures Technology: Application to Large Civil Structures sponsored by the National Science Foundation held at the

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University of Maryland in College Park, Md., Nov. 14. He served on a Ph.D. qualifying exam in the Department of Aeronautics and Astronautics at the University of Illinois in Urbana-Champaign, Ill., Dec. 4.

Lee A. Tavis, Smith professor of business administration, presented the paper "Moral Issues in Allocating Corporate Resources" at Instituto Latinoamericano de Doctrina y Estudios Sociales in Santiago, Chile, Oct. 23.

James I. Taylor, associate dean of engineering and professor of civil engineering and geological sciences, was appointed to a research review panel "Superelevation Distribution Methods and Transition Designs" by the National Research Council, Transportation Research Board, and attended the research agency selection meeting in Washington, D.C., Nov. 25-26.

Anthony M. Trozzolo, assistant dean of science and Huisking professor emeritus of chemistry and biochemistry, as the American Chemical Society Southeast Lecturer for November, presented the invited lectures "Photochromism-Molecules that Curl Up and Dye" to the San Antonio ACS Section in San Antonio, Tex., Nov. 12; and "Origins of Modern Photochemistry in Italy: A Lot of Bologna" to the Greater Houston ACS Section at Rice University in Houston, Tex., Nov. 13, to the Brazosport ACS Section in Lake Jackson, Tex., Nov. 14, and to the Texas Coastal Bend ACS Section in Victoria, Tex., Nov. 15.

Arvind Varma, Schmitt professor of chemical engineering, chaired a session titled "Future Directions in Reaction Engineering Research: Papers in Honor of Rutherford Aris" and presented a paper titled "Ethylene Epoxidation in a Membrane Reactor" at the annual meeting of the American Institute of Chemical Engineers held in Chicago, Ill., Nov. 11-15. He co-authored the paper titled "Mechanisms of Structure Formation and Wave Microstructure during Combustion Synthesis" presented by doctoral student Stephen Hwang at that meeting.

Kwang-Tzu Yang, Hank professor of aerospace and mechanical engineering, presented the technical papers "Vortex-Induced Enhancement of Heat Transfer in a Thermal Boundary Layer" co-authored with R. Romero-Mendez, **Mihir Sen**, professor of aerospace and mechanical engineering, and **Rodney L. McClain**, associate professional specialist in aerospace and mechanical engineering, "Analysis of Data from Single-Row Heat Exchanger Experiments Using an Artificial Neural Network" co-authored with G. Diaz, Sen and McClain, and "Experimental Observations of Swirling Fires" co-authored with K. Satoh at the 1996 International Mechanical Engineering Congress and Exhibition of the American Society of Mechanical Engineers in Atlanta, Ga., Nov. 17-22. He contributed a picture poster titled "The Wonders of Whirling Fires" with K. Satoh in a Picture Gallery Show

organized by the ASME Heat Transfer Division at that congress.

Randall C. Zachman, assistant professor of theology, presented "Trenaeus and the Formation of the Christian Bible" to an adult education class at the Fourth Presbyterian Church in Chicago, Ill., Nov. 24. He spoke on "Why God Became Human" to that same class, Dec. 1, 8, 15, 22.

Deaths

John W. Houck, professor of management and co-director of the Center for Ethics and Religious Values in Business, Dec. 11. A native of Beloit, Wis., Houck was graduated from Notre Dame in 1953 and received a J.D. degree from the Notre Dame Law School in 1955. He also held an M.B.A. degree from the University of North Carolina at Chapel Hill and a master of laws degree from Harvard. A former Ford and Danforth fellow, he had been a member of the Notre Dame faculty since 1957. The role of religious belief and humane ethical values in business was the principal subject of his teaching and research, but he was also active in a number of ethical, social, religious and spiritual causes on campus and off. Inspired by some of the women in his classes, he helped found a campus committee to persuade Notre Dame to take a position on the ordination of women in the Catholic Church. In addition to numerous articles and reviews in scholarly and popular journals, Houck published numerous books, including *Academic Freedom and the Catholic University*, *Outdoor Advertising* and *A Matter of Dignity: Inquiries into the Humanization of Work*. With Rev. Oliver Williams, C.S.C., co-director of the Center for Ethics and Religious Values in Business, Houck published *Full Value*, *The Judaeo-Christian Vision and the Modern Corporation*, *The Common Good and U.S. Economy*, *The Common Good and U.S. Capitalism*, *Ethics and the Investment Industry*, *The Making of an Economic Vision* and *A Virtuous Life in Business*.

Boleslaw B. Szczesniak, professor emeritus of history, Dec. 16. He joined the faculty at Notre Dame in 1948 and retired in 1974. He held a bachelor's and a master's degree in history and Oriental studies as well as a Ph.D. from the University of Ottawa. Szczesniak served as an assistant cultural attache in the Polish Embassy in Tokyo, Japan, from 1937 to 1942. When war broke out, the Embassy transferred operations to London, England. He worked with the Polish government in exile until 1947. Szczesniak lectured around the United States, Europe and Asia and had written over 100 articles and reviews, as well as three books. His books were *The Russian Revolution and Religion*, *Admiral Preble's Diary on American Entry into Japan in the 1850's* and *Knight Hospitalers in Malta*. In 1964 he held the Admiral J.B. King Chair as senior lecturer at the Naval War College in New Port, R.I.

ADMINISTRATORS' NOTES

Honors

James M. Moriarity, M.D., chief of medicine at the Student Health Center, has been named a fellow in the American College of Sports Medicine.

Activities

D'Juan D. Francisco, director of alumni clubs, served on a panel titled "All About Alumni Regional Clubs/Chapters" and co-presented a roundtable discussion "Resuscitating Your Student Advancement Program" at the district five conference of the Council for Advancement and Support of Education in Chicago, Ill., Dec. 16-17.

Glenn J. Rosswurm II, assistant director of planned giving, gave a presentation titled "The Transfer of Wealth" on the use of retirement plan assets to fund gifts to educational institutions along with Dorothy Speidel, deputy director of planned and major gifts at Northwestern University, at the district five conference of the Council for Advancement and Support of Education in Chicago, Ill., Dec. 16.

Frances L. Shavers, coordinator of the Life Skills Program, served on the conference committee in charge of local hospitality at the district five conference of the Council for Advancement and Support of Education in Chicago, Ill., Dec. 15-17. She spoke on networking and co-presented the roundtable discussion "Resuscitating Your Student Advancement Program" at that conference.

Kathleen M. Sullivan, associate director of the alumni association and director of alumni continuing education, led a roundtable discussion titled "Make a Difference to Your Alumni — Reconnect Through Alumni Continuing Education" at the district five conference of the Council for Advancement and Support of Education in Chicago, Ill., Dec. 16.

Kerry M. Temple, editor of *Notre Dame* magazine, led the roundtable discussion "Getting Voluntary Paid Subscriptions from Free Subscribers" and co-presented the session "Award-Winning Editors Share Their Secrets" at the district five conference of the Council for Advancement and Support of Education in Chicago, Ill., Dec. 16.

Edward A. Trifone, director of alumni community service, served as moderator and co-presenter at the session "Community Service" at the district five conference of the Council for Advancement and Support of Education in Chicago, Ill., Dec. 17.

Publications

Alan S. Bigger, director of building services, and **Linda B. Bigger**, assistant director of purchasing, wrote "Building a Floor Care Arsenal" published in the November 1996 issue of *Maintenance Solutions*. They wrote "Being Stepped on Is My Job!" published in the December 1996 issue of *Executive Housekeeping Today*. They wrote "High-Pressure Cleaning Solutions" published in the December 1996 issue of *Maintenance Solutions*.

265th Graduate Council Minutes November 20, 1996

Members present: James Merz, chair; Terrence J. Akai, Ani Aprahamian, Harold W. Attridge, Francis J. Castellino, Edward J. Conlon, Robert de Haan, Michael Detlefsen, Peter Diffley, Amitava K. Dutt, Christopher Hamlin, Anthony K. Hyder, Eric J. Jumper, John G. Keane, Donald Kommers, Scott Maxwell, Anthony N. Michel, Robert C. Miller, James H. Powell, Kathleen A. Tonry, Barbara M. Turpin, Chris R. Vanden Bossche, Arvind Varma, James H. Walton

Members absent and excused: John C. Cavadini, William G. Dwyer, Maureen T. Hallinan, Lloyd H. Ketchum, Thomas L. Nowak

Observers: Janice M. Poorman, Diane R. Wilson

Guests: Steven Buechler (took Prof. Castellino's place in the second half of the meeting), Leonid Faybusovich, Alexander Hahn, Mark Roche, Joachim Rosenthal

Prof. Jim Merz, vice president for graduate studies and research, called the meeting to order at 3:35 p.m.

He proposed to the council that in the future, voting take place by way of secret ballot. No objection was raised.

He also reminded members that on February 19, 1997, a joint meeting of the Graduate Council and the University Committee on Research and Sponsored Programs would take place. In preparation for that meeting, he encouraged people to think of more ambitious and creative ways of using both bodies.

I. Minutes of the 264th Graduate Council Meeting

The minutes of the 264th meeting were approved without change.

II. January and May 1997 Graduate Degree Candidacy Applicants

The list of January and May 1997 graduate degree candidacy applicants was approved without objection.

III. Proposal for Master of Science Degree in Applied Mathematics

Prof. Merz introduced Prof. Alex Hahn, chairman of the Department of Mathematics, to present a proposal for the initiation of a Master of Science degree in applied mathematics.

Prof. Hahn offered the following rationale in support of such a degree:

1) He referred the council to two appendices to the proposal containing recommendations of such a degree by both the National Science Foundation and the National Research Council. Because of the changing economic and technological environment, the NSF recommends a broadening of the training of mathematicians. It also suggests a strategy for accomplishing this — the development of professional-level master's programs that could be linked to specific industrial or commercial career paths.

2) The NRC report suggests that currently, the needs of the profession and of our increasingly technological society are not being met and that there is a need in business and industry for people with master's degrees in mathematics. Prof. Hahn called the council's attention to a master's program in financial mathematics which has recently been unveiled at the University of Chicago.

He went on to discuss the nature of the proposed program, the purpose of which is to combine mathematics with another discipline to give students in that discipline a sharper mathematical edge. Depending on the needs of the individual student, Prof. Hahn outlined two examples:

1) A Ph.D. student in physics

In addition to physics courses, this student would also be required to take three courses in math during the first four semesters to satisfy the requirements of the M.S.A.M. These courses would expand the student's computational skills, familiarize him or her with algebraic topology and increase his or her marketability.

2) A fifth year master's degree for a currently enrolled undergraduate in the College of Business Administration

An ambitious and gifted business student would be allowed to take more advanced mathematics during his or her undergraduate years. Having graduated with a degree in finance and business economics, in the fifth year the student would take three additional 500- and 600-level math courses to obtain the M.S.A.M. This student

would then be competitive for a position in an investment bank or in a prestigious Ph.D. program in finance and economics.

The program's quality, Prof. Hahn said, can be gauged from the CVs of the faculty who will be teaching in it.

The deans of the colleges of science and engineering, Prof. Frank Castellino and Prof. Tony Michel respectively, opened the discussion by voicing their approval of the proposal.

A number of concerns about the program were raised, including the following:

1) How would the program weed out poor students? If passing course exams is the sole criterion for obtaining the degree, how easy will it be for faculty to fail someone? They may feel obliged to give someone a degree instead of dropping him or her. There doesn't seem to be any mechanism in place to fail people.

Prof. Akai from the Graduate School noted that as it stands, the proposal does not meet the regulations of the Graduate School. Before the proposal is brought to a vote, a phrase such as "subject to the rules of the Graduate School" must be added. He also said that double-counting of courses for two master's degrees would not be allowed.

2) Skepticism was expressed over the ability of various departments to work with the Department of Mathematics because in the past, this hasn't been easy. Departments have had to offer their own math courses. It was suggested that before students are taken in, departments dialogue with each other to iron out the practical details.

Prof. Hahn responded that the program is designed around the student's needs; the details will be worked out only after interest by a student has been expressed. He stressed the ad hoc nature of the M.S.A.M.

3) Given the fact that some departments already teach these math courses — often with the same title and same content — we really don't need a formal degree program.

Prof. Michel noted that even though the courses carry the same name and cover the same material, there would be a vast difference between how a mathematician and an engineer would teach those courses.

4) The degree would be "cheap" since only three courses would be required.

Prof. Hahn responded by saying that the students would also be taking mathematics courses in their disciplines.

5) The resumes of the applied mathematicians reveal that few of them have published anything with other faculty in the University. We need to encourage more of this.

6) What will this program do to the current ranking of the math department? If the department wishes to improve, is this program the way to do this?

Prof. Hahn said that the program will neither help nor harm its ranking; the department is already in the top group of mathematics departments.

Finally, it was noted that the program will definitely help in placement. Moreover, it offers great potential for cross-fertilization in research.

Prof. Merz invited a motion to formally recognize the M.S.A.M. as a degree in the mathematics department "subject to the usual rules of the Graduate School and to reporting back to the council on how those rules are being applied."

The results of the ballot were: 22 in favor, two against.

IV. Proposal for Establishment of an OAK Ph.D. Program

Prof. Merz introduced Prof. Mark Roche, chairman of the Department of German and Russian Languages and Literatures, who presented to the council a proposal for an OAK (One-of-a-Kind) Ph.D. program.

Prof. Roche said that such a program would have great appeal to small departments without Ph.D. programs but which had distinguished faculty nonetheless. It would also be advantageous to master's programs in transition to Ph.D. status. The OAK option would be available only in departments without Ph.D. programs.

He stressed the individualized nature of instruction (tutorials and seminars) and the crucial role of the mentor. Admission, he said, would hinge on the compatibility between the student's and the mentor's interests and would be granted only in truly exceptional cases. In addition, the student would be required to submit a detailed program of study. He or she would also require the approval of a) the department chairperson in consultation with his or her colleagues; b) the college dean in consultation with a college OAK advisory committee; and c) the dean of the Graduate School in consultation with a Graduate School OAK advisory committee.

The program would, he said, attract colleagues in non-Ph.D. departments who wish to work with graduate students. It would not be an economic drain on the Univer-

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sity, as only three OAK students per year would be allowed to enroll in any given department and no more than 12 across the University.

Finally, Prof. Roche said that a precedent for such a program already exists at Ohio State.

Prof. Merz noted that the proposal had already been reviewed by the Graduate School deans and had undergone several revisions. The proposal had the full support of the Graduate School.

Prof. Harry Attridge said that the program would meet a significant need in the College of Arts and Letters without mounting full-scale Ph.D. programs. Prof. Tony Michel said that the Colloquy will force the University to make tough decisions about adding Ph.D. programs; the OAK program will help those who don't get them.

Some concerns that arose in the discussion include the following:

1) There doesn't seem to be anything to prohibit a student from requesting a degree in German philosophy, and yet the philosophy department has very little say in this.

Prof. Tony Hyder replied that according to the proposal, the student's committee will include two members from a Ph.D. program. Prof. Roche suggested that a statement be included in the proposal to the effect that the name of the field will not overlap that of an existing Ph.D. department without the approval of the chair of that department.

2) Could someone who taught in the Kellogg Institute, for example, mentor a student through an OAK Ph.D. in Latin American history? Currently, we don't grant Ph.D.s in that area.

Prof. Hyder responded that such a case wouldn't work — the history department may not grant a Ph.D. in Latin American history, but it does grant Ph.D.s, and OAK doesn't apply to Ph.D. granting departments.

3) Would the isolated nature of this program produce problems for students?

Prof. Roche said that in German, OAK students would be required to spend a semester in a Ph.D. program at another University, either in the United States or abroad. Moreover, he said that there would be sufficient seminars in other departments for students to feel a part of a larger community.

4) What about the marketability of such students?

Prof. Roche said that German is becoming increasingly interdisciplinary. The OAK program would feed into this.

5) If students were really exceptional, wouldn't they go elsewhere — to already established Ph.D. programs?

Prof. Roche responded that the OAK program would attract independent learners; besides, marginal students wouldn't make the admissions cut.

6) How would the program be advertised?

The best way would be for a student to contact a faculty member, Prof. Roche replied. In recruitment literature, the OAK program will be mentioned very carefully as a possible opportunity for the Ph.D.

7) Should final approval of the mentor come from the provost?

There was some discussion of this, but the feeling of the group was that this wasn't necessary.

Prof. Merz invited a motion to approve the OAK proposal, with the addition that "the name of the student's field will not overlap that of an existing Ph.D. department without the approval of the chair of that department."

The results of the ballot were: 21 in favor, one against.

Prof. Merz adjourned the meeting at 5:10 p.m.

Faculty Senate Journal October 14, 1996

The chair Professor Richard McBrien called the meeting to order at 7 p.m. in the auditorium of the Center for Continuing Education, and asked Professor Patrick Sullivan, C.S.C., to offer a prayer. The journal for September's senate meeting had been placed at each senator's chair just prior to the meeting, so the chair asked for its conditional approval: If there were any substantive changes to be made, the journal would have to be re-submitted to the senate for approval; otherwise, typographical and other corrections should be reported to the co-secretary Peter Lombardo within the week; after that time (absent substantive changes) it would be considered approved. Professor Gregory Sterling so moved, Professor Philip Quinn seconded, and the senate agreed.

The chair's report, consisting of seven items, is printed as appendix A of this journal.

The senate at this point recessed for its annual conversation with the president of the University, Professor Edward A. Malloy, C.S.C. Malloy began with prepared remarks and then answered questions. An edited transcript of the conversation follows:

Fr. Malloy:

I would like to begin my presentation with a brief summary of points that I raised in my recent annual address. I believe that we've had a smooth transition in the central administration. We had good planning meetings this past summer. There has been a reconfiguration of responsibility in two broad areas: on the academic and on the executive vice president's side, and I feel very pleased that we've been able to attract high quality people to those positions. All the evidence so far suggests that the new team is working in great harmony. I am also quite pleased that the Kaneb Center for Teaching and Learning is now functioning. I noticed right after my talk that Barbara Walvoord was out there asking questions of some of the faculty who were there, trying to get feedback from them about some of their concerns and successes with regard to teaching and learning.

The academic reputation question is a difficult one, and the tendency in almost every institution is to pooh pooh bad rankings and to exalt good ones. Insofar as the undergraduate level is concerned, we have been moving up a bit, especially in the *U.S. News and World Report* ranking, which is the most influential. If we are going to have these rankings, then we are happy to be moving up and to be in the top category. We have not enjoyed the same level of success in our doctoral programs, although I think we all know that across the University at the doctoral level, we have probably been as upwardly mobile as

any university in the country over the last 10 years. But we shouldn't exaggerate the significance of how our peers see us and how far we yet have to go. We had some problems with the Law School evaluation and with the M.B.A. evaluation, and both of those have been going up particularly since we were able to put additional funds into the financial aid situation to make us more competitive with our peer institutions. I think it is also fair to say that, when it comes to their influence on professional degree students, and potential employers, we shouldn't underestimate how important these rankings are. We don't always control the indicators and there is some concern at any given moment that in order to stimulate the juices of various schools that the magazines keep arbitrarily changing the rankings and the weighting that they give just so there is some movement, and everybody can yell and scream or be happy about how they turn out.

I indicated that faculty recruitment continues to be a very high priority of all of us administratively. We are in the unusual situation, which I'll say more about in a second, of being actively recruiting not only regular replacements for people who don't stay with us or retire, but also that we have had so many added faculty slots over the last five-, three- and one-years. So, the question of faculty recruitment and retention will continue to be a strong priority as we look to the future.

The most visible thing for visitors to the campus, particularly over the last couple of years, has been how much construction and renovation of space has been going on. The ones that I would particularly highlight this year are the Architecture Building, which will be moved into before the second semester. A second change of facility will be the new London facility off Trafalgar Square. For many years there has been an effort to find a better and more reliable space in London and this is the first time that all the things came together properly: the space, the size, the location and the funding. That is something that we feel very good about. There concerns expressed a number of years ago about the Notre Dame Bookstore in so far as it is a repository of books and other academic materials. I am pleased that we have gotten to the point that now we are going to have a very attractive bookstore that will enhance the quality of life of our community academically.

The RESNET project is well along and I think it situates us well in terms of access to our computing system for our students and staff in the dormitories. Keough and O'Neill Halls have been properly dedicated, and I can't say enough about what a great job the students did as the residents of these two new dorms in making the families feel at home. I think that is a wonderful thing.

Financial aid is something that we continue to mull over, struggle with, and it is probably the aspect of our aca-

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demographic development that can have the greatest immediate payoff. That is why I'm so pleased that we've been able to add to endowment for financial aid in the last six years about \$44 million additional dollars, which has then been reinvested and is somewhere over \$50 million dollars of additional available endowment. We've also been able to put \$5 million dollars of endowment into graduate fellowships and \$1.5 million into law. We've also made some arrangements in terms of expendable funds to up the ante with regard to the M.B.A. Program. In the last year, we put about 12.5 million dollars into endowment and used about 3.2 million dollars expendable. The relationship between endowment funds and these of expendable funds is a matter that people of good will can disagree about. I think this was the right time to increase our expendable money because we had reliable sources of continued funding. Our long-range strategy nevertheless continues to be to build up endowment for financial aid purposes for all of our degree programs. We would expect, as our endowment continues to grow, that we will increase this coming year, as we have each of the last two years, the spending rate available per unit of the endowment. These funds cover not only financial aid, but endowed chairs and institutes and centers and many other very important academic purposes at the University. We also have been able to pay good attention to the renovation of academic buildings and the dorms. Those of our people who have gone off and visited other campuses in a systematic way have discovered that that is not true of many other places. I'm not happy that those places are letting their buildings fall apart, but they have had to make hard choices. We are able to keep our physical property up to date. This will serve us well in the long run. We don't expect to see the same kind of billion dollar deficiencies in the renovation of academic space that is true on many of the campuses around the country.

I made reference to the NCAA accrediting report, which has taken a lot of faculty, staff and student time but thoroughly and well reviews the whole intercollegiate athletic structure at Notre Dame. The report makes very fine recommendations for how we can improve in the future. The people who are doing the external visitations will be here in November.

In my address I did mention in passing a couple of other things. The Alliance for Catholic Education (ACE) has really gotten off the ground and we are seeing significant funding. The feedback that we get from those that have benefited from these student teacher volunteers, as well as the number who are giving serious consideration to staying in teaching after they finish their master's degree on the basis of their two-years concrete experience suggests that we are going to have to reappraise sometime in the future what we do with regard to educational research and instruction. I remember when I first came to the faculty that we had already eliminated our education depart-

ment for whatever reasons. I wasn't involved in that decision for closure. My sense was that it was not serving a distinctive purpose. Also the conversation about the amalgamation with Saint Mary's College was going, and they already had an education school. A number of our faculty are very interested in education related issues. We have faculty already in place that would like to pursue education-related research and projects. Then we have this fund of students who are displaying as volunteers a long-range interest in teaching, at the primary and secondary levels, as well as those who have always gone on for further education who are interested in teaching at the college level. This is something that we are going to have to continue to pay attention to. I think it is a very positive sign — one that I welcome.

One of the great resources as I experience it each year is the network of alumni clubs. We have about 240 around the world — more than any other school. Some of them are very small and relatively simple in structure; others are large and complex and have huge events on occasion. One of the things that allows us to have so much confidence about the future is the role that these clubs play in keeping alive a sense of relationship with the institution. The level of programming that we have been able to put together including in continuing education is a real plus. Many of you have given lectures in or participated in conferences for our alumni. The alumni here also used the television uplink possibilities. Generally, service projects are not only taken on by the local club, but sometimes by classes. This has really vivified the relationship that many of our graduates have to the institution, particularly across the different age ranges.

I think Notre Dame is doing a better job of telling its story through the videos that we produce, through our television and radio relationships and through the many things that we produce for conferences, both on and off the campus. A lot of plaudits go to those people on our staff who work so hard in ensuring that everything we put out is of high quality. In this day and age, it is going to be progressively more important that we pay attention to some of these things. Notre Dame Press is a great resource, probably one we haven't paid as much attention to as we should, not simply because some of our faculty publish with Notre Dame Press, but because the press has an identifiable range of areas of scholarship which allows us to have visibility in certain scholarly fields.

The Staff Advisory Council, which is elected, has gotten off the ground and, as far as I know, is functioning well and continues to set its agenda and to move on and establish its proper place within the life of our staff.

In my talk, I did mention two things which I would like to bring up again. One is affirmative action. We have said in our public documents, which have been rein-

forced by the Board of Trustees, that we are an affirmative action employer and we are an affirmative action solicitor of students. We describe within our affirmative action categories those who are members of historical minority groups, women, Catholics, and members of the Congregation of Holy Cross. There are more and more pockets of opposition to affirmative action, not just here, but in all of higher education. Some oppose it because they think it's had a chance to work and all the good that could be achieved has already been realized. When you look at our situation, as I try to do statistically, I think we are far from having reached that point. Then there are others who oppose affirmative action on philosophical grounds. They just think that it interrupts or interferes with processes, for example, for admissions or for hiring or for financial aid, that have an integrity of their own. It is said to introduce extraneous matters or conditions that are not at the heart of what we are about. Some have written whole books arguing why affirmative action is flawed in a study. Unfortunately, it has become complicated today because of judgments by certain courts and also because of referenda that have appeared on the ballots. And it's most controversial in those parts of the country that face the most diverse demographics and also who feel the pressure from those who come across the borders, whether legally or not.

At Notre Dame in the last five years we have added 48 additional teaching and research faculty positions, so about 10 a year. In the last three years, we have hired a total, counting not only new slots but those being replaced, 128 new faculty. In that pool across the University of the 128, 39 were women (34 percent), 13 were Asian, three were black, five were Hispanic, 107 were white. In the self-described religious preference category, 61 were Catholics, which is about 47 percent. My appraisal of our condition with regard to affirmative action is that we are making some progress in the hiring of women but it's concentrated in two of the colleges. We are making almost no progress in the hiring of underrepresented minorities. And we are quickly slipping below 50 percent in the hiring of Catholics (as self-described). So we have legitimate and good reason to continue to expand our efforts to pursue our affirmative action goals. The policy or the strategy that Nathan Hatch introduced in his presentation, which is to take approximately one-third of the new positions available and use them for targets of opportunity, which among other things would try more quickly to realize some of our goals in these categories, in my judgment is a very good direction to take.

Finally, the second ongoing issue that I introduced was about alcohol use and abuse. I have a high regard for our students. I see them at their best. I consider our student body, particularly at the undergraduate level which was referenced here, to be bright, hardworking and generous. Most of the time they are fun to be with. At a personal

level, I very much enjoy living in a dorm with them and teaching them. However, it would be irresponsible in my judgment not collectively to bring to our common attention what I think is clear evidence that our students consume alcohol, particularly in the category of binge drinking, above the national average. This behavior pattern has a direct correlation not only with the personal well-being of our students, but also with related matters like their safety and that of others around them. Perhaps even more significantly for a group like this, is the effect on their academic performance. All the national studies have suggested that if you regularly drink to excess, your grades will suffer and this is related to staying in school, finishing your degree program, separate from all the considerations about whether you are happy and healthy or not. We have tried to achieve a change of attitude. In the end, I think preachy responses or policy reformulation in and of itself is less significant than a change of attitude that goes along with people recognizing that there is something awry here. This must start with the students themselves. However, we have a responsibility within this institution to take on this issue as effectively as we can.

We have developed a comprehensive policy. We have initiated the Office of Alcohol and Drug Education, and we have some very fine people working within it. The Counseling Center is also available and provides services, voluntary or not. We've done staff training and we've tried to upgrade the ante for non-alcohol events. Most recently I've asked the undergraduate committee of the Academic Council to take on this question very straightforwardly and academically to see if we can get a further handle on it.

I've been involved with data-gathering and analysis now for a number of years at the national level, and there is very little that is peculiar about us. If you went to Harvard or Michigan State, if you went to Antioch College or Ball State, if you went to Georgetown or UCLA, you would find similar bits of evidence. When people come together who are involved in this so-called field, they all have anecdotal evidence about why we need to pay closer attention to what is going on. But if you look for the independent variable (what is the explanation for why this happens here or there?) the closest thing that people have been able to come up with is geography. People drink more in the Northeast and in the northern part of what we call the Middle West than in other parts of the country. However, the worst behavior patterns are sometimes in some of the best institutions, academically. We see a change in the percentage of women who binge drink — a significant change. So the percentage of women who are binge drinking is comparable to the percentage of men. This is clearly not a positive development. There are some other factors that you can look at: Minority students in historically white campuses often

drink very little if at all, but when you go to historically black colleges, the drinking rates approximate what they do on white campuses. The very worst instances of alcohol abuse are in fraternities and sororities. They're off the charts in fact. And one of the reasons why many schools have been closing fraternities and societies is because they see this evidence played out over and over again and often it's been connected to litigation.

I made reference to another topic, namely, benchmarking as a means of avoiding the danger of complacency. I've asked all of our officers to travel to other campuses, to read, to study, to put together as accurate a set of statistics as we can so we have a better idea of how we are doing across the University, relative to our peer institutions — we need to massage the data collected in any way that will be helpful and insightful.

I also made reference to the upcoming fund-raising campaign. I am confident that we are going to get the money that we are projecting, and that we are going to do everything we can to make sure the distribution of the money we receive fulfills all the categories that were laid out initially in the Colloquy.

Just a couple of brief thoughts: A number of years ago, I asked the Faculty Senate, when we were under some pressure from the Federal government to have a policy for alcohol and other substance abuse for faculty, to take on this issue. We have a policy for staff; and one for students. But as far as I know, we don't have one for faculty. I don't say that because I think there is some huge problem, but all of us could identify faculty members from the past and maybe even from the present who are living unhealthy lives. Their colleagues in their department, their dean, are sometimes afraid to intervene. Most of the time when this issue is resisted, it is under the guise that this will be used against faculty for purposes of promotion. I would counter that, if you have good policies, they're designed to help people, not to hurt them, to do everything you can to bring them back into being full functioning members of the community. I don't have any formula by which this could be undertaken. I could be wrong. Maybe there is a faculty policy. If the senate thinks this is worth taking up at the same time we're looking at students, then we'd have a greater consistency.

Nathan introduced in his talk six areas of excellence or future development, six priorities. And if I could, I would just like to make reference to them. Centers of excellence can be received differently depending on where you think you stand in the pecking order of the University. If you think that your department or college or center or institute or whatever is going to be rewarded, then it is easy to be in favor of moving and establishing priorities that go to the centers of excellence. But I think Nathan in his own presentation and I surely believe that greater support

should go to departments with the best, the most coherent, and the most exciting plans for the future; this will allow them to solicit the level of support necessary to become at whatever scale true centers of excellence. The concept of centers of excellence will require some difficult conversation along the way.

The second priority was to revitalize undergraduate education. Who can be against it? One of the criticisms that we get from our advisory councils and trustees who tend to have primarily undergraduate experience either directly or as parents or grandparents is that as we've given greater attention to graduate and professional education to make sure that we don't squander our legacy of excellence in undergraduate instruction. I'm convinced, not only because Barbara is here, but that in general, we are doing a pretty decent job. The feedback that I receive from our students is more complimentary than not. But I see certain trends on occasion. We committed ourselves to University seminars to be taught by teaching and research faculty and it will be interesting to see over the life-cycle of a couple of years, whether it is regular faculty who are actually teaching those University seminars. That was the whole notion of doing it in the first place. We need to continue to offer special, intense learning environments for our undergraduate students.

I've already made reference to recruiting faculty and students. We are paying a lot of attention to the role of the admissions effort and the materials we send out, not only in this country but also in the international markets, and in trying to recruit students who are members of historical minority groups. So that is going to continue to be a very important dimension.

Nathan highlighted keeping science and engineering on the cutting edge. I think that is appropriate, and I think we need to look at all of our colleges and schools not with any pride of place, but just to pursue the same high standards relative to our peer institutions in all of our major academic divisions.

Another priority was that Notre Dame be a center of Catholic intellectual life. I think that flows very naturally out of many things that are said in the Colloquy document. I wonder, for example, what it would take to have a more engaged conversation between the humanities and the rest of the University when it comes to Catholic intellectual life. We may be better at talking within broad areas of study rather than across the divide. What was once called the two cultures is now probably a multiplicity of cultures.

The final priority is the pursuit of a community of intellectual engagement. One of the things that Professor Jim McAdams and Matt Cullinan, my assistant, and I have been doing over the last three years is having lunches and

dinners and meetings with some of our brightest undergraduate students to talk to them about what it takes to win national fellowships. We also discuss how you go about applying to the best graduate schools. We encourage them to get to know each other, and in the process, try to facilitate a degree of intellectual conversation that can be stimulating and rewarding. There are always limits in how many talented students you can bring together at one time. But the other night we had a dinner with some of the people that are now seniors and it was interesting to listen in. One young woman said, "I never thought of myself in these terms until we had our first set of meetings and then all of a sudden I developed the confidence that I could do some great things intellectually with my life." So that's her intention. We had two finalists in the Rhodes competition that are in that group and who spoke about how much assistance they had received over the last three years from a number of specific faculty. I think we need to be much more creative in figuring out ways of engaging a crosssection of our student body in these kinds of matters.

I mentioned in passing in my talk, as I did in the Academic Council, that we have a serious issue that we have to face, and that is the question of jobs for Ph.D.s. The job market is atrocious and yet there are cycles and there are some units of the University that have a higher reputation than others. At what point is it counterproductive for us and for many other schools to be increasing the size of our graduate programs if our graduate students are just fodder who don't have a legitimate chance of getting employment after they finish. Nobody knows for sure what the future has in store, but I find a great desire to avoid this issue almost entirely. There are a lot of self-serving purposes that can forestall a kind of honesty. In many fields you need numbers of graduate students to do your basic research and win support. I presume there is a responsibility that the faculty have to the students that they bring in and that are entrusted to them. I mentioned this problem in the Academic Council. Perhaps the Graduate Committee will take this on. But I think it is important that all of you pay attention to this as well.

I have a concern about institutes and centers. I think we have some outstanding institutes and centers and recently we have received some very nice funding. In addition, we have some excellent and attractive proposals out there for major funding for institutes and centers or programs within them. But having said that, we need to more effectively make our mark as a University through our institutes and centers, as well as our colleges and departments. This is going to take a lot of attention. We just got a major grant for example for the Center for the Philosophy of Religion and we have a number of members of the Department of Philosophy who participated in that program. I think we have great credibility here.

Some would think we may be the best in the world in that particular field of study, so it is gratifying to see the dollars coming in response to a track record well established. But we need to do more of that across the board, and we need to regularly be in contention for major grants. Jim Merz, before he became a vice president, gave a presentation here in this room to the trustees about large centers in science and engineering that are multidisciplinary. That may be the wave of the future as far as the funding available, especially from NIH and NSF. I'm on a major committee at NIH now, and I got involved mostly to figure out how that whole bureaucracy works and how they look at reality. It's been very enlightening for me and I just know that it takes a lot of hard work and sometimes breastbeating in order to get into the queue.

We are looking very quickly at starting a center in Washington, D.C. We have students who participate in the Hesburgh Program for Public Policy and a number of other projects as well. We are working hard to see if we can't move to a greater degree of autonomy in terms of what goes on academically in Washington. I'm very happy with all the initiatives that are going on now with the international development of the University.

And the last thing: What about tenure and post-tenure review? These are terms of national debate and especially in the public universities there is a lot of pressure being applied. I've said before insofar as we are in the same universe with these schools and in so far as some of our constituencies have the same critical thoughts to say, it would be helpful if we could give a thoughtful and not pressure-filled articulation of why we are, and continue to be, a school that takes the concept of tenure seriously. Correlatively we also presume that all of our faculty, even after tenure, will still be able to be held to the highest professional standards. It may be that that debate will only be taken up if there is outside pressure. Maybe that is the only way that a lot of people will sit up and take notice. But I do think that it is better to attempt that kind of articulation before it's forced rather than after.

That is all I have to say for the moment, so I'll be happy to take questions.

McBrien:

Thank you very much. While we are re-gearing here and entering our dialogue part of the program, I just wanted to mention to you, Monk, that in relation to those six priorities that Nathan Hatch outlined in his inaugural address, those are going to be the theme for our senate-sponsored Notre Dame Forum on Academic Life this year. We are taking two in each of three sessions and the first one (in fact, you are welcome to come) is November 13 when we are taking the one on centers of excellence. Katherine O'Brien O'Keefe is going to give that 15-

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minute presentation. And then for keeping science and engineering on the cutting edge Chuck Kulpa is going to do that one and then we'll have a discussion. Then we are having another one in February. So, we are taking seriously the new program that the new provost is offering us and obviously, we'll take seriously some of the other points that you've made in your formal address.

Dennis Doordan:

Father, I have a question for you regarding Recommendation #2 of the Colloquy. That recommendation states that the Congregation of Holy Cross will continue to emphasize academic careers and it is recommended that the University give special consideration in personnel decisions consistent with the prevailing standards of excellence. My question is, how do you interpret this special relationship between the congregation and the University in the area of hiring? And in particular, how would you imagine, or how would you describe the process of consultation between the congregation and the academic unit regarding hiring?

Malloy:

The relationship as I tried to indicate in that part of my talk to the faculty is a long-standing one in which the University commits itself to being open and interested in seeking out qualified Holy Cross religious and in which the Congregation of Holy Cross commits itself to preparing its members who are qualified in the best graduate schools, which is a time-demanding and expensive level of commitment. Further, as part of the preparation for hire, those candidates who are moving along for their degree will be in contact with the appropriate academic units including the appropriate deans as well as the provost's offices to indicate when their degree work will be completed. Finally, it is presumed that they will be pursued according to the normal channels that would be available for other candidates for the faculty.

Greg Sterling:

Father Malloy, just to follow that up, does the department have a right to reject a candidate from the Congregation of Holy Cross which has been presented to us? Or does affirmative action turn that in effect into a mandate, as it is interpreted?

Malloy:

The procedure of the University for all hiring is that it is initiated at the department level. Recommendations are made through the provost to the president, and the president makes the last decision about hiring and about promotion.

Sterling:

May I follow that up?

McBrien:

You can follow up as long as it is on the same question.

Sterling:

I am interested in this as a procedural matter, not as a specific case. There has been a recent incident in the University where a department denied someone and that decision was overturned. And in effect, from the perspective of that department, that means that affirmative action is not eagerly pursuing but becomes a mandate. That's how the faculty of that department has interpreted the actions of this administration. That's what is generating the question.

Malloy:

When a certain department feels that something is awry from anybody's point of view and if they make that known, then I have, as in the case you referred to, responded. That was then made available to those who were involved in the hiring process, laying out the general terms upon which the decision was made. Since it is a matter of a personnel decision, that's all I am prepared to say at this time. I have heard nothing back from the department after my initial response. If I hear something back from the department in some formal way, then I will make a decision about how to respond to that inquiry. But because it is a personnel matter including the votes of those involved in the process, I consider those to be confidential.

Michael Detlefsen:

I have an affirmative action question. It is in two parts, and I'll ask you to use your imagination. I imagine a candidate that has three properties. First of all, the candidate is in an area where we want to make a hire. Secondly, the candidate is an affirmative action candidate; and the third property is the candidate is trained in a highly regarded doctoral program. The question is this: Would you think that the possession of those three properties would be sufficient for you to interview and/or hire a candidate? Either one?

Malloy:

I would expect with all of the affirmative action categories that if the department, the colleges and the schools are on board to what we are saying as a University that they would be open to candidates who possess those three qualities for hire.

Detlefsen:

My question is a more specific one, Father. It's not whether they'd be open to the candidates, since I don't really know that. I'm trying to operationalize this a bit. I want to know whether that, in your estimation, the possession of these three properties is sufficient reason to (a) interview the person and/or (b) to hire the person into any kind of position. Just these three properties by themselves.

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Malloy:

The department makes decisions about interviewing and makes recommendations about hiring.

Detlefsen:

Yes, the department does that. But do you think possession of those three properties is a sufficient reason to interview the candidate and/or hire the candidate?

Malloy:

I don't know. I'd have to look at the individual case.

Detlefsen:

So you don't think the properties by themselves are sufficient?

Malloy:

I don't think that anybody has a right to be hired simply on affirmative action grounds, nor do I think they have a right to be hired on purely academic grounds either. These are prudential human judgments made on all levels. What I am pushing for here is a level of openness and an embrace of affirmative action as a strategy within the life of the University. I see that being played out differentially across the University. I'd be more than happy to have this group affirm or reinforce our affirmative action goals as I tried to articulate them briefly in my talk.

Detlefsen:

May I have one more follow-up?

McBrien:

I'll accept one more.

Detlefsen:

I'll add a fourth property to the imagined candidate and that is that at least one senior scholar in the candidate's area favors either (a) interviewing or (b) hiring of the candidate. Then, if the candidate had those four properties, would you regard that as sufficient reason to interview or hire the candidate?

Malloy:

This sounds to me as if it is being too closely connected to a concrete situation so I won't answer it.

Mario Borelli:

Father, in a totally different area: Something has happened to me in the past two years personally, so I'll tell you what that is and then I'll have a question.

Malloy:

Do you want everyone to listen in on this or not?

Borelli:

Sure. I have been asked to excuse students from final exams due to playing commitments. The first time you may remember I raised this in the Academic Council. At the time I was guaranteed by the dean who asked me to do it that it would never happen again. And it did the following year. Much as I found it pleasant to watch the game last Saturday, do you think that this image of excellence in athletics is the appropriate image for the University to project, when we are trying to raise our rankings academically? And if not, how do we correct these infringements of athletics on academics?

Malloy:

On the first side of this, the concrete question about making accommodation for class schedules including final exams, we have a policy very clearly stated, and that requires arguments or rationales for making exceptions. As we do in other areas of the University in terms of extracurricular activities, our goal is to be as consistent as we can. Sometimes the arguments for moving things around are more persuasive than at other times. The College of Business Administration has asked for a comparable thing for people taking certain sets of national tests. So it isn't as if there is just one kind of situation when these things take place. There is a big difference between people who are seeking exception for some seemingly arbitrary personal reason and reasons that are beyond their control that are part of the structures of relationships among schools. It is in those circumstances where exceptions have been made. As far as intercollegiate athletics go, it isn't the students who are supposed to be soliciting this permission. It is complicated because of the different semester schedules of institutions that have an interactive relationship. I just think we need to be consistent. We've clearly stated what our policy is and if you as an individual professor think a case is out of bounds then you should be able to make that known.

As far as the balancing question about the role of intercollegiate athletics, I am very comfortable with that reality. The accreditation report we have is a model. It looks at every dimension of our intercollegiate programs. Anybody who comes to Notre Dame in the 20th century came to Notre Dame knowing it had a certain heritage and tradition. Our reputation should not be a surprise. It isn't like it emerged out of the blue. What I think is that we've been able to take that particular set of athletic activities and the relationships that accrue to them and translate them into strength academically that we might never have had otherwise. We need to have firm control over our intercollegiate athletic operations, and we do. I have great confidence in the people who exercise that responsibility. When the Academic Council passed our Notre Dame Statement on Intercollegiate Athletics, it was a very focussed, well wrought articulation of the kind of

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place we are and want to be, and the role that intercollegiate athletics should have. Are there occasionally things that are disturbing? Sure. But I can go through the whole University and give you a catalog of things of a similar kind. So I don't want to exaggerate — things go wrong there as they do other places. But I believe we have been able to find a kind of balancing that is appropriate to an institution with our particular history and we have been able to translate some of the success that we've known there into academic terms that enhance us as a University.

Sonja Jordan:

Father, given that the C.S.C.s do not constitute a minority in the traditional socio-economic sense of that word and given that affirmative action is an action typically intended to correct an imbalance, what would be your interpretation of an imbalance existing in a department? That's number one. And what would be your evidence for what would qualify us in embracing a C.S.C. candidate? And the third part of that question, so I don't have to follow up: What would you see your role being in overturning a departmental decision in order to implement this special relationship if there is not either an imbalance or evidence of failure to embrace the C.S.C.s?

Malloy:

I'm not going to comment on the third since it is a repetition of previous questions in a different form. I think that a congregation that was involved instrumentally in the foundation of the University, that was responsible for its well-being administratively and in just about every dimension of the common life until 1967, that had a very clear articulation in the terms of the reconstitution of the University with the predominant lay board of control, and that preserved a trustee/fellow structure within it, has deep historical roots and a desire to maintain in appropriate and effective numbers the presence of Holy Cross on the faculty and in the rest of the life of the University. The fact that the presidency is restricted to a Holy Cross priest of the Indiana Providence is one manifestation of that. If you look clearly at the bylaws of the University, you see articulated there a priority in some areas of the University life for Holy Cross religious, all things being equal, including in the departments of philosophy and theology, in Campus Ministry, in dorm work and in administrative positions in the life of the University. I think that Notre Dame is a better place because Holy Cross continues to have a significant, although numbers wise, a relatively small role. I'm here because I'm Holy Cross. Pat Sullivan is here because he is Holy Cross, and the other Holy Cross people who share our involvement in the life of the University are here for the same reason. We say to so many of our lay benefactors that their blood is in the bricks, meaning more than just you paid the money. The same admiration applies to all

the faculty and staff through their life commitment and dedication and longevity and service. I think that can be said about Holy Cross as an entity, as a community that continues to welcome new members and to have a vital and lively interest in the well-being of Notre Dame. Therefore, I think affirmative action is an attempt in this particular University to sustain that traditional connection, to welcome new members, to reinforce the priority. It is built into the by-laws and the statutes of the University in such a way that successive generations that are involved at that unit level are asked to embrace that priority as well. I think we want high quality, well prepared, competent dedicated people who are Holy Cross, the same way that we want African-American, women and Catholic scholars who can bring those same sets of qualities to the life of the University.

Sonja Jordan:

May I have a follow-up?

The middle portion of my question was to ask you to clarify what would constitute an imbalance in a department that would require it to embrace more than it had been perhaps. What would constitute an imbalance? How would you view one department's constitution of membership as not having the appropriate balance of C.S.C.s?

Malloy:

I wouldn't use that language. I don't think that it's a question of imbalance in a particular unit.

Sonja Jordan:

It's not a question of number? It's not a question of percentage?

Malloy:

It's a question of the University being well served by Holy Cross faculty, staff and administrative people, their own gifts and their own background. It's not unlikely because all C.S.C. priests do an advanced degree in theology that some percentage might be interested in disciplines like philosophy and theology which are highlighted in the bylaws of the University. If somebody has talent in some other area of scholarship that also should be taken into account, both by the congregation in what they study, how they prepare, and by the University in who might be ready to welcome them, all things being equal.

Sonja Jordan:

So if there were two C.S.C. candidates in some department, is it possible that one C.S.C. be better qualified than another, or would affirmative action require that one accept both or would one have to judge? I mean, would a department be in the position of choosing one or the other?

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Malloy:

You always have to judge.

Laura Bayard:

Last week's press release announced a two-million dollar commitment to the directorship of the University Libraries, and the announcement did not state whether or not it would be used for the director's salary, or whether it would be discretionary funds, or something else. I'm asking a two-part question. What are your expectations of that? And is the current search for the new director still viable considering this new development?

Malloy:

I don't quite understand the connection in the second question. It seems like it is more viable.

Laura Bayard:

I meant in terms of the advertisement that had gone out, specifically for this search and the candidates who were brought in. It seems that the new developments would indicate that perhaps different kinds of candidates might apply if in fact it was an endowed chair.

Malloy:

I see.

You are going to have to ask Nathan about some of the details of that. I was very pleased that we had this kind of benefaction in the library. As you know, we have been working hard on collection development but it is also important that we have funds available for staffing, in particular at the leadership level. So the question about the money and when it is available and how it fits into the overall budget of the library, that is whether all the money is used simply for that one purpose, that is something that has to be worked out at the provost's level. As I understand from Nathan, the search is presently in the latter stages and he feels very pleased with the quality of candidates who have emerged. The feedback we have received from the search committee continues to reaffirm that we are going to be faced with a very positive set of possibilities. From what I understand, I don't think there is a fear that we have to go back and start all over again or this new source of the funding will thwart all the effort that's already gone into it. It will give a more attractive picture to a potential director to come to Notre Dame and see this kind of infusion of funds. I haven't been involved at any stage in the actual search and I haven't met with any of the potential candidates. This is all second hand. But from all that I hear from Nathan, he feels very good about where we are and this additional fund, I think, will serve us well.

Jean Porter:

Monk, in a letter to the chairman of the Department of Theology which was distributed to the whole theology department at its last meeting on October 7, which is therefore now a matter of public record, you made a comment and I'd like to ask you to expand on it. You say, "It is presumed, then, that the respective departments of the University will eagerly and openly pursue such candidates, that is members of the Congregation of Holy Cross, for possible hire when they have completed their degrees." Now, I wonder if first of all, you could explain a little more what you mean by "eagerly and openly pursue." And secondly, perhaps to follow up a bit on Greg's question, does this really envision the possibility that a candidate who has just finished his degree and has been eagerly and openly pursued might then be rejected by the department?

Malloy:

I'll be happy to clarify the language of my letter since you are a member of the A-T-P Committee. You've had it for a while. "Eagerly and openly pursue" as I understand it means that the department through its representative committee and through its leadership has embraced the affirmative action goals of the University as a whole, which includes affirmative action in the seeking of qualified Holy Cross candidates.

Jean Porter:

That's all? So, when you claim that the department has not eagerly and openly pursued a candidate of the congregation, is the implication that the department has not embraced the University's affirmative action guidelines?

Malloy:

I will not answer that question. I have already said that I will not talk about particular personnel.

Jean Porter:

We're not talking about a particular personnel decision. What is your evidence that the theology department has not eagerly embraced the affirmative action guidelines of the University, especially in line with the fact in the past year we hired a member of the Congregation of Holy Cross?

Malloy:

I've already said that I won't answer that question, but if you want to get it in the record that is okay with me.

Phil Quinn:

To change the subject a bit: You touched on this already but I'd like you to expand on your thoughts. The institution of tenure is under serious assault from many quarters these days. Will you address this set of issues? How should we at Notre Dame address this beyond the past

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defenses as represented by the AAUP guidelines? What needs to be said? Do you have any personal hesitations or reservations about tenure? Finally, assuming we can articulate a position of this University on this issue, would you be willing to take the lead in defending the basis of tenure?

Malloy:

The answer to the last question is that I have frequently and in many circles defended tenure. That is my position about this University and this kind of University. I would have a more difficult time defending tenure from an administrative view at certain other kinds of institutions because I think it limits their flexibility to respond to changing demands being placed upon them and the kind of expertise that might be required in the faculty. So, my answer to the question about whether I am ready to defend tenure, I do it all the time because people are always asking me, including in meetings that I go to as a university president. A relatively hostile form of the question would be, "How all these slackers out there are getting away with murder?" The reason that I think it would be desirable to say something about tenure now, particularly in this institution, is that I think we can make advocates of some of those who are suspicious or at least neutralize the opposition, if we can properly articulate for them why this is appropriate for Notre Dame. I am on the board at the University of Portland. They have a post-tenure review process that is entirely agreed to by the faculty and that has been developed procedurally by the faculty. As far as I can tell, it is relatively noncontroversial. It is true that the original argument in favor of tenure on academic freedom grounds is not as persuasive as it might have been at an earlier time in the history of American higher education. One would need to take on a set of related arguments and weight them differently than they may have been weighted when the AAUP philosophy about tenure was developed. But I don't have any particular thing in mind about it. I would say that all of the advisory councils, the trustees, and the alumni board (the kind of representative groups that come back to the campus) ask questions about things like this. They can easily be brought on board because generally they have very high regard for the faculty and they don't think everybody is sitting around idle or being rewarded for not contributing. But they just know that this sort of criticism exists in general and many of them have been through downsizing and all of these euphemisms for firing people that you have in corporate life today. And the practice of tenure doesn't make sense in terms of efficiency from other contexts of management.

Pat Sullivan:

Monk, going back to the affirmative action question, we haven't finished our investigation into the situation, so we can't be all that forceful at this time. I appreciate your

reluctance to be specific. However, I want to go back to a couple of things that you mentioned. First of all, you said that the candidate has to be qualified so that the candidate can serve Notre Dame well. I presume that applies to C.S.C.s, historical minorities and women.

Malloy:

And Catholics.

Sullivan:

Yes, and Catholics. Secondly, you mentioned in your opening remarks somewhere that there were pockets of opposition to affirmative action within the University. Now, I don't know if you want to say where or why or how it is remedied, but I think it's a trip you laid on this body. You also said, and I could have misunderstood you on this, that there is something awry in the processes of the department. I wonder if you could react to these.

Malloy:

Well, you didn't hear me right on #2 and #3. I said that there were pockets of opposition to affirmative action around the country, including in the academy.

I think if you took a cross section of Notre Dame faculty (you might do a survey), it would be interesting to see what kind of results you would get if you ask people what they think about affirmative action as a strategy. You get anecdotal evidence about people feeling, for example, in the hiring of women in those areas of the University in which women are underrepresented, you just get murmurs on occasion that maybe everybody doesn't think that this ought to be a priority, or that it interferes with self-determination at the departmental level. Those are the kinds of things you have. I don't have any particular place in mind, and I'm not making any accusations about anybody. I'm just saying that if you think philosophically there are grounds upon which people can be against affirmative action, I'm pretty sure they exist here as well as in other universities. To have a University-wide statement at this time may not be wholeheartedly embraced by everyone. What cross section would embrace it? We are not talking about huge numbers at this point. And I at no time said anything about the Department of Theology.

Sullivan:

I beg to differ. May I follow up?

I suspect there is a list of priorities of people who would determine who is qualified for what position in what department? Do you want to elaborate on that?

Malloy:

I've tried to be above board, and you want to keep asking the same question in five different ways. That's okay. I've given my grounds for why I won't talk about this because the theoretical and practical are being merged.

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Sullivan:

Well, I don't expect you to get into the personnel issue, but I think that is a valid question from the general principles you are laying out here. I think you owe us an elaboration.

Gordon Berry:

I apologize, but this is still on the topic of affirmative action. I'd like you to make a comment on this again. It seems to me this whole system has to be clarified further. Affirmative action in corporations or government doesn't usually involve C.S.C.s. Perhaps what we do here is not really on the standard of affirmative action. Where is the Notre Dame policy spelled out? May I draw your attention again to the figures you mentioned before for hiring? You didn't say how many C.S.C.s were hired here in that time. Can you give us that information?

Malloy:

I can find out for you.

Berry:

Perhaps that will help our understanding.

John Borkowski:

Last year after serving Notre Dame for 26 years, the Urban Institute died a slow and kind of unnoticed death. I'd like to get your feelings about the implications of that for us, especially in light of the two-sided message its death sent. We have a lot of centers and institutes that do good work in philosophy or theology, for instance. But we had only one that had as its focus urban problems. And for a Catholic university not to have academic programs on justice, on urban poverty issues, is distressing.

Malloy:

It's not true that we don't have any programs. I think the agenda of the Kellogg Institute as it has evolved is one example.

Borkowski:

I meant dealing with U.S. policy situations.

Malloy:

Add the Peace Institute, too — those are obvious ways that we try to deal with these kinds of issues. We can make the claim, as Ted Hesburgh did in his own five-part articulation of the academic structure that he wanted to leave as his legacy, that the program at Land O'Lakes (UNDERC) in an ecological sense deals with questions of justice as well. I think our institutional involvement in the Center for the Homeless and the Center for Social Concerns and many other things includes an academic component. But I must admit it is somewhat frustrating on occasion to see, I know particularly from the point of view of the Center for Social Concerns, how difficult it is

to engage the faculty in the kinds of issues that the center wants to take on. Our students come back from their service projects with a different agenda, a different set of intellectual and methodological questions than they had before they went.

As far as the Urban Institute is concerned, it lived on a minimum of funding for a long time. I think it had to die a necessary death in order to be revived in some other form. What happened was that it absorbed within its broad umbrella, particularly when Roland Smith was still my executive assistant, the educational initiative. This educational initiative also had a direction toward situations of poverty. The inability of the institute to get a proper level of funding made it more and more obvious that we didn't have the right kind of structure for an Urban Institute at this time in our history. I personally am very interested in urban issues and have been for my lifetime. I would love to see Notre Dame find an effective strategy, especially in an interdisciplinary fashion. I don't think the problems in the cities are going to go away. My hometown, Washington, D.C., is falling apart and so are many other urban settings. How can we find the mix of faculty we need and how can we hire accordingly to pursue urban issues? I'm not sure. But I just think it is a temporary absence because of the dominant presence of the educational side of the institute. We just have to figure out a better strategy for getting back in the urban side of the effort.

Borkowski:

I'm happy to hear that. But, Monk, do you think that we have the faculty to do this? It's not your fault, of course, but can we have a real center of excellence to focus on this? We certainly can if we bring in the right faculty, especially in urban problems like crime and poverty.

Malloy:

I wouldn't rule that out. I just think we have to figure it out. One question is what kind of mix of faculty do we need; the other question is that all these efforts are going to have to be subsidized by funding from one source or another. I think if you look around at the problems and troubles of our nation and culture that urban-related issues will loom large. And, therefore, I believe there will be funding available for scholarship directed in that way. There is no guarantee that we will succeed. We are going to be in competition as we would in any kind of granting situation. But if we have the right people here, I think that we're the kind of school that ought to take on these sorts of issues. I totally agree with your concern and interest.

McBrien:

Kathy Biddick.

Kathy Biddick:

Monk, I'd like to ask you about something Nathan Hatch brought up when he asked us to identify targets, targets of opportunity. My question is about democracy and procedural ethics. Do you think there has been enough discussion on campus and within departments on how to accomplish this? Few departments have the democratic, ethical procedures to do this; sound procedures are almost orthogonally against this. And I mean this about all candidates, not just the ones that may be called targets of opportunity. Has there been enough conversation on this?

Malloy:

I'm a little troubled by your coupling of democratic and ethical as if any other alternative is unethical, but we'll take that as just a rhetorical flourish. I think we are only maybe three weeks away from Nathan's presentation. The Provost's Advisory Committee is one entity that will have an opportunity for discussion of this matter. Clearly, the Academic Council and its various committees can do the same. The broader the conversation across the University community of what would constitute centers of excellence and how to achieve that is in the nature of the academy. So I don't have a direct answer at this point.

Biddick:

Are the links about hiring and targets of opportunity and centers sufficiently understood?

Malloy:

Right. I was confusing the two priorities that you gave. With regard to the hiring procedure, I have a few thoughts. If you want to try to serve these large-scale purposes and increase the percentage of women on the faculty at Notre Dame (including at the senior rank), if it is simply left to the concrete decisions of units which are describing sub-specializations for hiring purposes, we may not see the kind of progress that we could if money were made available for more creative thinking in this regard. That is the nature of the conversation. Clearly, it would have to go on across all the different levels of the organization. If you personally or any group like this has some things they want to say about the hiring process in this regard, it would surely be welcome.

Biddick:

What kinds of specific incentives would there be for departments to hire women, African-Americans, and so on, against the usual white-male pattern?

Malloy:

Well, Carol Mooney has been given special responsibility to try and facilitate this process within the Provost's Office. And I know in my conversations with her and with Nathan that "targets of opportunity" is intended to serve

a multiplicity of goals, but one of the most obvious and desired goals is this diversification that affirmative action is trying to achieve which includes particular categories of the faculty which you mentioned.

Biddick:

Are the departments enough to do this, or will some other procedure be required?

Malloy:

I don't have an answer for that, but you might want to pursue it with Nathan when he comes.

Richard Lamanna:

I wanted to raise the same question John Borkowski raised, and elaborate on it. I frankly was a bit disturbed by your comments. It seems to me some 20 or 30 faculty members spent years meeting and developing this proposal for an urban institute; we sweated over mission statements and the like. There was a lot of interest across the University and a lot of people spent a good deal of time in it. All of sudden, one person leaves the University, and the thing is dead. I'm just curious about what kind of institutional commitment that reflects. If you were to raise this issue again, I think an awful lot of people would say, "To hell with that! Are they serious about this? What's the point?" I think there's a credibility problem here in how the administration has dealt with this issue. We were not even given the courtesy of an explanation as to why this thing we worked so hard to develop was suddenly gone. The question is, is there an explanation? Why was this discontinued?

Malloy:

It wasn't discontinued out of a lack of desire to have a focus on urban-related issues, but because the track record of the Urban Institute was relatively abysmal on grant-getting and we have a presupposition that our institutes and centers will be self-sufficient in these terms after some initial startup period. That could simply reflect that the nation has turned away or philanthropic entities have turned away from a proper attention to these things. It may say nothing about the quality of what the people are trying to do. It was more a burst of activity, numbers-wise and grant-getting-wise on the education side, that changed the nature of the institute. We haven't had any formal announcement and it's not something that I would welcome in and of itself, I'm just trying to be honest with you. Without money the Urban Institute is only a name. We've had a name for a long time but it's not clear that the reality was in conformity with the aspiration. I know that you do work in that area yourself. If we are going to get to the next level of involvement of faculty, then we need projects that are going to get funding. In recent years we just simply weren't getting the necessary monies.

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Lamanna:

My question, I guess, was, was sufficient time given for this to develop? It seems it was an awfully short time actually before it was discontinued. Second, it seems to me, are our priorities always going to be set by the availability of funds from outside the institution? That seems like we're willing to do whatever somebody is willing to pay for. I'm not sure that reflects the values of this institution.

Malloy:

I understand that issue. We have available resources and we're trying to magnify those by high quality proposals to get funding and let people do the kinds of things they think are appropriate.

Rich Sheehan:

Monk, I'd like to follow up on a couple of the previous questions. Has the University made the same commitment of funds to the Urban Institute as it made to some of the others. It appears from an outsider's perspective that there was more commitment in funding to others than to the Urban Institute. Does everybody have to rely on outside funding sources?

Malloy:

We've gone in this direction although I don't know that I have anything original to say about it. We tried to revivify the Urban Institute by making it an Urban Institute for Urban Studies and Educational Initiatives. It had been in terms of grant-getting, relatively moribund for the recent period. The faculty who were attracted to the institute who were on the education side were much more successful in coming together with proposals that, in fact, have received grants and they continue to spin off proposals for future grants. That same sort of energy for whatever reason had not been forthcoming from those that might be described as on the urban side. And that's why, at the present time, so much of the focus have been on the educational issue. There is no reason why an urban component can't be revived under whatever title but if it is going to do the kind of short- and long-range research that would be appropriate for an academic institution it is going to have to have funding. The source of that funding is not immediately obvious. That's the problem. We do have a principle, as I suggested before, that centers and institutes, once they've gotten past their initial stage, need to be viable on the basis of their endowment plus their funding and grants success. That's the question that is at stake here.

Sheehan:

As a quick follow-up, grants were the issue then, or the lack of success in getting them. But what kinds of internal resources were available to the institute for their programs? Was it enough?

Malloy:

I understand that. And I don't want to be seen as an enemy of the Urban Institute as such. I am a big fan. We should be more aggressive in taking the initiative in this direction. All I'm telling you is that it's been reported to me that this is the reason why we are in the present dilemma. What direction to go from here will be largely a function of those who have a special interest in that area generating ideas and possibilities for the future. Then these can be pursued administratively through support of the fund-raising effort.

Bill Eagan:

Let me break some new ground. You've indicated strong support for the concept of tenure. In a recent survey of the top 10 peer institutions, they all had a sabbatical policy. Now, if you support tenure, why not support sabbaticals?

Malloy:

I'm not against sabbaticals. We have a lot of sabbaticals. The question is, should there be guaranteed sabbaticals every so many years for everybody no matter how they are assessed by their peers? And on that ground in the discussion that has taken place up to now, we did not think that that step of automatic sabbaticals should be taken. We have a very liberal sabbatical policy across the University but have not been convinced administratively that we should move toward a guaranteed, every-so-many-years sabbatical, no matter how somebody is performing on the faculty.

Eagan:

In that same survey, it was held that sabbaticals were a right of the faculty, not something that was passed out by the administration as here.

Malloy:

I don't have anything more to say about that, Bill. We went through this discussion before and the decision was made not to go in that direction on the grounds I indicated. I don't see it as a contradiction. It's one of the ways of saying that sabbaticals serve a multiple purposes. In many faculty members' careers a timely sabbatical has revived their scholarship. It gives them a new burst of energy for teaching and all their other responsibilities. But if it is simply seen as a reward for existing, then that's another question.

Sonja Jordan:

Father, as chair of the Academic Affairs Committee, I would say that we have a specific charge and I can respect, as we all can, the desire not to expose personnel matters in this forum. I also can respect your observation weaving the theoretical and the practical together. However, let me ask you this question. Would you be willing

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to answer questions in writing from this committee regarding questions you are not willing to answer in this forum?

Malloy:

Following the principle of subsidiarity, I think any concern that a particular group of faculty have at the departmental level should be addressed prior to any visitation by a more broadly-based body. So, the first thing that I will say is that if I receive a particular inquiry from the Department of Theology as such, then I'll have to look at that as a route of response, and on the basis of that make a decision about what level of discussion of a personnel matter would be appropriate outside the department.

Greg Sterling:

This is a question you touched on in your presidential address but which we haven't talked about tonight. Do you have any kind of planned mechanism for trying to retain senior faculty in this University? My concern, and we've pointed out Maureen Hallinan and several others, is this: I've lost three senior colleagues, three key people, and I'm sensitive to this issue. For graduate programs especially, this is of central importance, that these people be retained. Is there a mechanism for this? I wonder what kinds of discussions are going on?

Malloy:

In my experience with the previous and the present provost, we are extremely aggressive in trying to retain senior faculty who are being intensively recruited by other major institutions. We seek to match offers and look at creative possibilities of further utilization of their scholarship. We have had overall a pretty good success record in this regard. It's unfortunate in the case that you referred to that, first, a couple in the department and, then, one other person have chosen to go elsewhere. Their decisions, as so often is the case, were highly personalized, often have something to do with location, with new opportunities as they see it. Very seldom have such decisions been a kind of rejection that Notre Dame is unworthy or a second-class institution. There is another side to this matter. If nobody ever wanted any of our people, we might begin to wonder. So maybe we have been lucky in one sense in the past and unlucky in another that we didn't lose as many people as we might have. I think now that we are at the time of our development in the strength of our faculty that we are going to see more active recruiting of senior faculty here. And that is a healthy sign, but it is also a warning that the forms of institutional relationship and commitment of particular faculty may vary, and we have to do everything we can to make Notre Dame even more attractive. An individual instance, however, may have so many specific factors that one can hardly generalize.

Sterling:

Would you or do you consider using the offer of chairs as an incentive to retain faculty, even before other offers come in?

Malloy:

One of the things we have to do is get more chairs. That is very high in our priority list as we continue to have fly-in weekends and other fund-raising mechanisms to get ready for the formal announcement of the campaign. More specifically, we have offered both chairs and raises to induce senior faculty to stay. There is no doubt that awarding chairs, in selective cases, to people who are either directly being recruited or who were likely to have been recruited soon after is one of the ways we retain people we might have lost otherwise. But, on the other hand, you want to say in the sense of the general explanation of why someone got a chair, "You deserved it. We're happy to celebrate that contribution you make. We're proud that you are with us, not just because somebody was seeking you out." This is one of the strategies that has worked and will continue to be important.

At this point, the question-period ended. McBrien then asked the senate to recognize the body's outgoing staff secretary, Sharon Konopka, who was present, with a round of applause in appreciation for her work in the senate office during the previous academic year. Then the chair thanked the president for his remarks to the senate at this meeting, saying that the senate would take them into account in its work. He hoped the president had found the dialogue stimulating. The senate responded with a round of applause.

The chair then called the senate back into session, and asked for new business. There was none. Porter moved adjournment, Lombardo seconded, and the senate agreed at 9:15 p.m.

Present: Bayard, Bergstrand, Berry, Biddick, Bigi, Blakey, Borelli, Borkowski, Buttigieg, Chami, Cholak, Coll, Collins, Davis, De Langhe, Derwent, Detlefsen, Doordan, Eagan, Hemler, Hill, Huang, Jordan, Kirkner, Lamanna, Lombardo, McBrien, Porter, Preacher, Quinn, Rai, Ramsey, Runge, Sayers, Schmid, Sheehan, Sterling, Sullivan, Taylor, Urbany, Williams, Zachman

Excused: Broderick, Garg

Absent: Blenkinsopp, Delaney, Godmilow, Gundlach, Hyde, Mason, Mathews, McShane, Neal, Sheerin

Respectfully submitted,

Peter Lombardo
Co-Secretary

Appendix A

Chair's Report October 14, 1996

First, a word of welcome to three of our newest members: Neil Delaney, of the Department of Philosophy, who is serving this year as the *ex officio* representative from the College of Arts and Letters; John Derwent, of the Department of Mathematics, who is also serving this year as an *ex officio* member, representing the College of Science; and Joel Urbany, of the Department of Marketing, who has been elected to fill out the remaining two years of an unexpired term in the College of Business Administration.

I should also like to announce a change of Faculty Senate secretaries. After one year of excellent service to the Senate, Sharon Konopka has moved to a 12-months position in the Library. She has been succeeded by Barbra Rekos who, until this year, served in a similar capacity for Student Activities. Barbie, as she prefers to be called, has her own e-mail address: Barbra.E.Rekos.1.

The 1996-97 Senate-sponsored Notre Dame Forum on Academic Life has selected its theme for the year: the new Provost's six priorities for academic life at Notre Dame given in his inaugural address in mid-September. There will be three sessions of the Forum, each of which will address two of the priorities, one as the principal topic and the other as the sub-topic. The first session is scheduled for November 13 and will focus on "investing in centers of excellence," with "keeping Science and Engineering at the cutting edge" as the sub-topic. Our speakers, whose formal presentations will be limited to 15 minutes each, will be Katherine O'Brien O'Keeffe, of the Department of English, on "investing in centers of excellence," and Charles Kulpa, of the Department of Biological Sciences, on "keeping Science and Engineering on the cutting edge." The second and third sessions will meet on February 12 and April 8 respectively. The theme for the second session will be "going the second mile to recruit faculty and students," with the sub-topic, "revitalizing undergraduate education." The theme for the third session will be "fostering a community of intellectual engagement," with the sub-topic, "making Notre Dame a center of Catholic intellectual life." I have not yet secured speakers for the second and third sessions in February and April. As you know, I invited suggestions from the entire Senate, and am still open to receiving them. I wish to thank the four members of the ad hoc planning committee for their constructive contributions to the planning process: Laura Bayard, Joseph Buttigieg, Michael Hemler, and Clive Neal. I also wish to thank those several of you who volunteered for service on the committee, but were unable to attend the planning meeting on the scheduled date.

By way of follow-up on several items of pending business, I wrote to Executive Vice President William Beauchamp on September 24 to inquire about the status of the University Committee on Women Faculty and Students, and specifically regarding the appointment of a liaison to that committee from a new committee on the status of women staff members. Vice President Beauchamp replied on October 7. He indicated that this new staff committee "will be created by the Staff Advisory Council," which is "an all-elected body representing all non-administrative classes of the University." Sometime this week, the University will announce the formation of what he describes as "a staff committee to identify issues important to women in non-administrative positions at Notre Dame and to communicate those issues and resulting recommendations to the administration." I will make the exchange of correspondence between Vice President Beauchamp and myself available for the Journal of this evening's meeting. The other items of pending business were referred to Roger Mullins, Director of Human Resources. I wrote to Mr. Mullins on September 24 to request a progress report on the status of the review of salaries for secretaries, staff reclassification, and the Staff Advisory Council. I also wrote to him on October 1 to inquire about the status of the Senate's resolution of May 2 proposing an amendment of the University's non-discrimination clause to include "sexual orientation" among the categories covered by the policy. Since the policy is contained in the Manager's Guidebook issued by Human Resources, I asked Mr. Mullins if he or someone else is responsible for the amending process. Since I had not received an answer from Roger Mullins to either of my letters, I phoned him today and received the following verbal report on the matters at issue: (1) The reclassification and salary review project is taking longer than expected because the process has a "high involvement" of groups and individuals on campus. He wants to have as much input as possible before final decisions are made. Roger Mullins hopes that the process will be completed by February. He wishes to remind us, however, that the salary increases will be retroactive to July. (2) As far as the Staff Advisory Council is concerned, Roger Mullins indicates that it is functioning very well and that he has had "good feedback." The council has already been "instrumental" in making some key changes, e.g., staff access to football tickets, and added vacation days. (3) Regarding the University's non-discrimination clause, Roger Mullins indicates that he does not have the authority to amend the policy statements in the Manager's Guidebook issued by Human Resources, but that he "has initiated discussion" with the University's legal counsel, Carol Kaesebier, and some of the other officers on the matter. Roger Mullins describes himself as in "a holding pattern" until he hears from them.

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Immediately after the Academic Council's defeat last May of the Faculty Senate's recommendation that adjunct faculty be represented on the Faculty Senate, the Academic Council unanimously adopted a motion to refer the matter of adjunct faculty to the Council's Executive Committee for further study. The Academic Council's Executive Committee had a discussion of adjunct faculty at its meeting of last Thursday, October 10. Because of the continued confusion over the identity and status of adjunct faculty at the University, the Executive Committee is seeking more precise information from the Provost's office, and will take up the matter again as soon as the Provost's office has submitted a report.

The Senate's May 1995 resolution on faculty appeals and grievances was referred last semester to a special subcommittee on tenure and promotion of the Provost's Advisory Committee (PAC). The subcommittee, chaired by Prof. Carol Mooney of the Law School and the Provost's office, has completed and submitted its report to PAC for discussion at the next meeting of PAC on Wednesday of this week. After appropriate discussion, PAC will refer the matter back to the Academic Council for discussion and vote.

Unlike the practice of recent years, the Chair did not submit a list of advance questions to President Malloy for his annual visit to the Faculty Senate this evening. There was not a sufficient number of questions submitted in advance, and the Executive Committee chose not to assume responsibility for developing its own list of questions. Accordingly, the Chair sent a hand-delivered letter to the President on October 8 advising him that the Senate would have no formal list of questions this year because of the relatively few suggestions that were received from the members, but also advising him of the topics that the submitted questions did touch upon, namely, the following: the future status of the Urban Institute for Community and Educational Initiatives in light of the departure of Roland Smith; the recruitment of senior women faculty and scholars of color; affirmative action hirings in general; the public image of the University, especially with reference to intercollegiate athletics, and football in particular; faculty input in the planning of construction on campus; staff salaries and job reclassification; and the Baxter appointment in Theology. In the absence of a formal list of questions, we shall begin the question period immediately following the President's opening remarks. Because the Senate's standing Committee on Academic Affairs needs to pose questions to the President about a matter that the Senate has charged the committee to investigate, the Chair will take care to recognize members of that committee so that all of the committee's questions can be presented before adjournment.

Appendix B

College Democrats of Notre Dame
LaFortune Student Center
Notre Dame, IN 46617

October 28, 1996

Dear Faculty and Student Organizations of the University of Notre Dame:

During the week before fall break, the College Democrats of Notre Dame introduced a resolution to the Hall President's Council and the Student Senate regarding the developments surrounding National Coming Out Week. We feel the coverage in *The Observer*, the only source of information on the issue, has been somewhat misleading. This packet is an attempt to present our case as clearly as possible.

On Thursday, October 10, the College Democrats of Notre Dame submitted to the Office of Student Affairs a written registration for a demonstration in support of National Coming Out Week. This registration adhered to the guidelines set forth on page 69 of *du Lac* regarding demonstrations. Despite this fact, Assistant Vice-President for Residence Life, William Kirk, refused to accept the registration (A copy of our registration letter, Kirk's subsequent refusal, and the demonstration clause in *du Lac* are included in this packet).

Kirk stated that his refusal to accept our registration stemmed from an earlier attempt by Sean Gallavan, a co-chair of the unrecognized student organization GLND/SMC, to register a similar demonstration. Gallavan's registration was made on GLND/SMC letterhead and thus was construed by Student Affairs to be on behalf of GLND/SMC, not Gallavan himself. As a result, Gallavan's registration was denied.

Gallavan's attempt to register the demonstration should have had no bearing on the decision to deny the registration attempt by the College Democrats. Nowhere in our letter registering the demonstration did we refer to GLND/SMC or suggest that they were even co-sponsors of the event. The registration was made in support of the entire gay, lesbian, and bi-sexual community of Notre Dame, including the administration created NDGLS, the Campus Ministry support group, and unaffiliated gay, lesbian, and bi-sexual students. While GLND/SMC is unrecognized, gays, lesbians, and bi-sexuals at the University are not. As a result, the denial of our registration by Student Affairs was a denial of the rights of recognized members of the Notre Dame community.

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Per the guidelines for demonstrations set forth on page 69 of *du Lac*, it is not the prerogative of the administration to either accept or deny demonstrations which adhere to the three clauses in *du Lac*, but rather to simply acknowledge their existence. The actions of the Office of Student Affairs clearly violated *du Lac*. More broadly however, the actions violated the First Amendment rights of students to free speech and assembly, rights which should be upheld in the educational environment of a major university, public or private.

There are two issues at hand. The first is the right of students and recognized student organizations to speak and demonstrate freely under the guidelines stated in *du Lac*. As we have established, the College Democrats were deprived of this right when the Office of Student Affairs refused to approve registration of a demonstration in support of National Coming Out Week. The second issue is the administration's discrimination against gays, lesbians, bi-sexuals, and their supporters. Regardless of the administration's views on homosexuality, this action was deplorable and should be treated as such by the student and faculty organizations of Notre Dame.

While the College Democrats whole-heartedly support recognition of GLND/SMC as a student organization, that is not the issue which lies before us. The central issue is the attempt by the University of Notre Dame to suppress the voices of students whose views differ from that of the administration. It is crucial that the right of students to disagree with the administration be preserved. Passage of the resolution we have drafted will help to ensure that the rights of all students, not just gays, lesbians, and bi-sexuals, are preserved.

Sincerely,

The College Democrats of Notre Dame

Appendix C

College Democrats of Notre Dame
LaFortune Student Center
Notre Dame, IN 46617

October 10, 1996

William Kirk
Student Affairs
315 Main Building
Notre Dame, IN 46556

Dear Mr. Kirk:

Pursuant to the *du Lac* guidelines on demonstrations (p.69) College Democrats of Notre Dame is pleased to register the National Coming Out Day demonstration which we are cosponsoring with several campus organizations with the office of Residence Life.

Our peaceful and orderly demonstration will take place at Fieldhouse Mall this Friday, October 11, from 11 a.m. to 2 p.m. We feel it is our responsibility to express through this event the support of the Notre Dame Community towards those members of the Notre Dame family participating in National Coming Out Day.

We would also like to take this opportunity to cordially invite the Residence Life and Student Affairs staff to attend this demonstration and the picnic to follow.

Sincerely,

Catherine Mullaly, President
Matthew Dull, Vice President
College Democrat

Appendix D

October 10, 1996

Catherine Mullaly, President
Matthew Dull, Vice President
College Democrats of Notre Dame
Notre Dame, IN 46556

Dear Catherine and Matthew:

I am writing to acknowledge receipt of your attempt to register a National Coming Out Day demonstration from 11:00 a.m. to 2:00 p.m. on October 11 at Fieldhouse Mall.

Unfortunately, I find myself unable to approve the proposed demonstration because it does not comply with the

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provisions of *du Lac* relating to demonstrations, sponsorship of activities and use of University facilities.

Let me make clear that my inability to approve the proposed event does not arise from any difficulty inherent in the proposed function itself. If initially the College Democrats of Notre Dame had decided to independently organize a demonstration or reserve space to host a picnic to show support for National Coming Out Week, such events would have been eligible for approval.

It is clear to this office, however, from references in *The Observer*, as well as from a prior effort by GLND/SMC to register this same event with our office, that GLND/SMC is the sponsor of this function. Because GLND/SMC is not a recognized student organization, it may not demonstrate, sponsor or co-sponsor a campus event or use University facilities. GLND/SMC's attempt to register this demonstration was denied on these grounds earlier this week.

It is because of the sponsorship issue as it relates to GLND/SMC's status as an unrecognized group that I cannot approve the College Democrats' attempt to register this proposed demonstration or reserve space for this function. If you have additional questions, please feel free to contact me.

Sincerely yours,

William W. Kirk
Assistant Vice President for Residence Life

DEMONSTRATIONS

All demonstrations must be registered in writing with the Assistant Vice President for Residence Life and also must observe the following rules: All demonstrations must be peaceful and orderly. Only members of the University community may organize or lead a demonstration on campus. Demonstrators may not impede the freedom of the University community.

*This is the *du Lac* demonstration clause in its entirety. It appears on page 69 of *du Lac*. (It was printed on this page to save money on printing costs).

Appendix E

Whereas on October 10, 1996, the written registration for a peaceful and orderly demonstration submitted by the College Democrats of Notre Dame was refused by Assistant Vice-President for Residence Life, William Kirk;

Whereas Mr. Kirk's letter denying registration states that the denial was not based on the request itself but instead on his assumption that GLND/SMC, an unrecognized student organization, was the true sponsor of this event:

"Let me make clear that my inability to approve the proposed event does not arise from any difficulty inherent in the proposed function itself. If initially the College Democrats of Notre Dame had decided to show support for National Coming Out Week, such events would have been eligible for approval. It is clear to this office, however, from references in *The Observer*, as well as from a prior effort by GLND/SMC to register this same event with our office, that GLND/SMC is the sponsor of this function."

Whereas the demonstration clause on page 69 of *du Lac* states, in its entirety;

All demonstrations must be registered in writing with the Assistant Vice President for Residence Life and must observe the following rules: All demonstrations must be peaceful and orderly. Only members of the University community may organize or lead a demonstration on campus. Demonstrations may not impede the freedom of the University community;

Whereas this language does not grant the authority of the Office of Residence Life to refuse approval of a demonstration by a recognized student organization; and

Whereas it is evident that the Office of Residence Life's refusal to approve this demonstration is based on the content of the demonstration, in support of the rights of gay, lesbian, and bi-sexual students;

Be it, therefore, resolved that the Faculty Senate deplors this attempt to regulate the free speech of a recognized student organization based on its content and purpose; and

Be it further resolved that the Faculty Senate calls for an end to the University Administration's efforts to censor the free speech of gay, lesbian, and bi-sexual students and their supporters.

Passed 35-0-0
December 3, 1996

Faculty Senate Journal November 7, 1996

The chair Professor Richard McBrien called the meeting to order at 7:02 p.m. in room 202 of the Center for Continuing Education and asked Professor Randall Zachman to offer a prayer. The journal for the October meeting was not presented. Following its custom, the co-secretary Peter Lombardo had forwarded a transcript to the president of the University for his review; because he had been out of town for much of the time since his October senate appearance, Fr. Malloy had not had an opportunity to read and return it. It will be presented to the senate in December. The chair made a brief report on two items (printed as appendix A of this journal) and then recessed the senate for committee meetings.

Upon resumption of the meeting, McBrien asked each committee to report on its activities.

1. **Benefits** — the chair Professor Mario Borelli reported that Director of Human Resources Roger Mullins spoke at its meeting earlier this evening and reviewed health insurance issues.

a. There is an 80 percent probability that the CIGNA PPO will be dropped by the University by January 1, 1998.

b. The usual benefits open enrollment package will be sent to all faculty and staff shortly. There is a new health plan being offered: Family Health Plan, an HMO not a PPO. Its cost will be lower than Partners but higher than CIGNA. Retirees may be allowed to join Family Health Plan for the drug benefit only; this is under consideration. FHP is also willing to have one of its own staff housed in the Notre Dame human resources department.

c. Health insurance costs Notre Dame \$10.5 million annually; Notre Dame employees pay \$1.5 million per year. Every time the cost increases by \$1 million, tuition must rise 1 percent to cover it.

There was general discussion about the possibility of the lack of a PPO option if CIGNA is dropped. Mullins, according to Borelli, told the committee perhaps Blue Cross/Blue Shield might replace it. For now CIGNA remains the PPO.

2. **Administration** — the chair Professor Clive Neal reported on these items:

a. On the survey of deans, the committee is working to add one or several questions to determine the extent that the person being surveyed has promoted the Catholic character of the University.

b. The committee will invite Vice President and Associate Provost Carol Mooney and former senator Professor Joan Brennecke to its December meeting to discuss University affirmative action goals and strategies. Both of them have extensive and impressive knowledge to share with the senate.

c. They also discussed senate sabbaticals: Should a member be allowed to take a semester or a year off from elected duties? The committee will report its views to the executive committee.

3. **Student Affairs** — the chair Professor Patrick Sullivan, C.S.C., asked subcommittee chairs to report on each one's area.

a. Professor David Sheerin, for the group studying the recent North Central Accreditation report, said that it has formulated questions for the Office of Student Affairs and that Vice President Patricia O'Hara has agreed to meet and discuss their questions and concerns.

b. Professor Regina Coll, for the group studying the use and abuse of alcohol on campus, will be working with other groups (i.e., Academic Council) who are also doing this. O'Hara has promised the subcommittee she will make available the recent Harvard study on collegiate "binge" drinking, and the University is considering an invitation to the survey's author to come to Notre Dame for further in-depth studies. Coll reported several "markers" of places where we might expect higher percentages of binge drinking: location in the Midwest and not in a major city; recruiting students from high schools where binge drinking already existed, or from families which take a casual attitude toward drinking; a high percentage of athletes. Notre Dame qualifies on many of these markers. The questions are: What can we change; how can we address a serious situation?

c. Professor Gregory Gundlach, for the group studying student rules and regulations as codified or not codified in *du Lac*, is gathering information and working with other groups like Student Government to frame and identify the issues.

Sullivan said the committee will provide information to the senate by its next meeting on the recent denial of a request from the College Democrats, a student group, for a celebration of "National Coming Out Day." It may offer a resolution in support of the group's efforts.

4. **Academic Affairs** — the chair Professor Sonja Jordan will present its report later in the meeting.

Before proceeding with the agenda, the chair asked the senate to acknowledge and offer congratulations to one of its members and a past chair, Professor Richard

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Sheehan, on his recent election to the South Bend school board. The senate applauded his election heartily.

Professor G. Robert Blakey sought the floor for a point of order. McBrien recognized him. Blakey asked the chair to step down and appoint a president pro tem for the next agenda item. McBrien, as a member of the theology department, should avoid any appearance of impropriety and for reasons of due process and should yield the chair temporarily. McBrien, conceding that he and Blakey had discussed this prior to the meeting, said he would act as chair in a fair and impartial manner as he had always tried to do, and would not step down. He offered Blakey the opportunity to appeal the ruling of the chair and put the matter to a vote. Blakey preferred not to do so. Professor Michael Detlefsen asked the chair if he was at liberty to speak on issues before the senate; McBrien said under the rules he could not participate in debate while holding the chair.

McBrien called upon Jordan to present the Academic Affairs Committee report and resolution. She proceeded to explain the various documents distributed prior to the meeting, corrected typographical errors and made other adjustments in those documents, and mentioned Blakey's dissenting report. Jordan said the committee at this time was not introducing a resolution asking the president to explain his view of "the special relationship" between the University and the Congregation of Holy Cross, although such a resolution had been discussed and may come up later. McBrien reviewed the rules of the senate pertaining to debate and opened the floor for comment. All documents introduced are printed as appendices B and C of this journal.

Blakey, seconded by Professor Richard LaManna, moved to commit the resolution to a select committee of the senate to conduct a full and fair investigation of the matter involving the theology department appointment; the chair would be instructed to appoint the members of the select committee at his discretion, providing that no member of the theology department be so appointed; the committee would be instructed to report back its findings at the senate's December meeting. Debate proceeded on the motion to commit. Blakey was troubled early on by this matter and wanted to learn the facts pertaining to it. His motion in September was to commit it to a committee for a full and fair investigation, but that committee did not perform as he had hoped. He had wanted to talk to all participants from the president to the candidate, but that was not done; he had wanted to see the documents on the case, but the committee only wrote letters of request and received uninformative replies. Based on the record, the senate could not at this time make a judgment on anyone's actions. The matter still has to be studied in detail, we cannot decide without all the infor-

mation, the select committee should do the job originally assigned to Academic Affairs, and then the senate may decide on the issue.

Detlefsen took exception to Blakey's description of the Academic Affairs Committee's work as not being a full and fair investigation. This distorted what the committee had done. A member of the committee should know that the committee contacted everyone involved, but got little information; the president before the senate itself stonewalled several questioners, even on matters of principle. Detlefsen did not know how a select committee could get the information the original committee could not get. That committee took the information it obtained, did a full and fair-minded analysis of it, and the resolution presented to the senate was the result of their hard work.

Sheehan also spoke against the motion to commit, pointing to a paragraph in Blakey's dissenting report (p. 11) about a full investigation. There was no evidence presented that a select committee will be any more successful in eliciting information to decide or change any one's mind. Jordan agreed with Sheehan and Detlefsen. The inclusion of the candidate's curriculum vitae and credentials in Blakey's report offers no more light on the matter than the committee had presented; it was not substantially significant. She agreed that the committee was not successful in obtaining all the information it had requested.

Blakey suggested one reason the committee did not get the information it needed was that it had not asked. There was no offer made to participants to meet and talk with the committee despite his own suggestion of open hearings on the matter. The committee never offered the president a confidential hearing that might have been instructive. The committee sought neither public nor private testimony. His feeling was that the kind of investigation he tried to get but never did would be helpful. There was no imperative to finish this matter at this meeting; the senate only told the committee to report at this meeting. It was his understanding that the theology department itself was to meet within the week on this subject, and he would like to know what their feeling is and what action they might contemplate before voting in the senate. He did not know how deep the opposition was in the department to this appointment. In addition, the president was waiting for an answer on this matter from the department. So, the dialogue was continuing, and the senate should wait.

The chair intervened and reminded the senate that the Blakey motion to commit was an option for senators wishing to delay a vote. Blakey agreed, and said he would consider as a friendly amendment a motion to table until a time certain.

DOCUMENTATION

Professor Daniel Sheerin called the question, Professor Jean Porter seconded and the senate agreed to vote on the motion to commit. The vote on the Blakey motion was two in favor, 32 opposed and three abstentions. The motion failed, and debate continued on the Academic Affairs resolution.

Professor John Derwent, seconded by Blakey, moved to recommit the matter to the Academic Affairs Committee to await the outcome of the theology department meeting; the committee would be instructed to report to the senate at its December meeting. Debate proceeded on the Derwent motion to re-commit. Detlefsen thought it was a sensible idea to attempt to gather as much information as possible and the senate should wait for theology's decision; he supported the motion, as would Borelli for the same reason. Blakey too supported the motion but only reluctantly — he wanted no more to do with this matter. But consultation within the community was vital, and the senate should go the extra mile. It would be foolish not to wait.

Jordan, believing that the theology department would meet Monday, November 11 (as confirmed by the senate chair and other department members who were also senators), wondered, what if they decided not to meet but decided to wait? The committee had access to their draft resolution already. What if it was delayed? Where would deliberation and consultation end? Professor Gregory Sterling provided some information to the senate on theology department operation. The draft to which Jordan referred was discussed at the department's last meeting, and would be voted upon at its upcoming meeting. Professor Karamjit Rai asked if it were too naive to ask the candidate to come to the senate to give his perception about the way he was treated by the department; the senate precedent for this was the appearance by Fr. Oliver Williams, C.S.C., last year. The chair said the committee could look into that if this resolution passed; however, such a comment was not germane to the issue of the re-committal motion.

Professor Philip Quinn expressed support for the resolution if he were convinced that the theology department resolution and vote would be matters of "public record." Porter assured him the resolution and the vote would be. Sterling concurred. Jordan wondered what her committee would do after the theology vote. The chair asked Derwent if his intent was for the committee to redo its motion or simply for holding. Derwent replied that he was between those alternatives: If the committee felt the need to redo some or all of its work, then it should do so.

Sheehan agreed with Blakey in giving reluctant support to the resolution. But he too wondered what action the theology department would take, and then what if the president would make some reply or gesture. How long

should the senate wait while this went on? Porter replied to Sheehan's inquiry: Theology will vote on November 11 on a resolution that does not call for any presidential action or dialogue; it expressed only the opinion of the theology department. Professor Dennis Doordan supported the recommitment, saying the language of the committee resolution was stern and critical; but to be fully persuasive to the rest of the University community, the senate should wait for any possible theology department expression, and then follow up. Jordan asked Sterling to read the draft of the theology resolution, which he did. Blakey repeated that the senate should not rush to judgment, that it should take its time to gather as much information as it can to be more deliberative; to the extent that it would do this, the reason for his dissent would disappear.

Professor William Ramsey, seconded by Porter, called the question and the senate agreed to vote on the Derwent motion to recommit. The vote on the resolution was 32 in favor, seven against, and the matter was returned to the Academic Affairs Committee until the December meeting.

Then Blakey, seconded by Jordan, moved to strike all references to the candidate's name, to observe a common propriety in the community. Porter supported this if Blakey would strike the candidate's vita from his dissenting report. Blakey refused, saying his name did not actually appear anywhere in his report although many will know who it is; to agree to Porter's request would condone secrecy not propriety. Professor William Eagan spoke against the motion, raising the issue of censoring the journal. Sterling agreed with Blakey because this matter was about a personnel decision which should be confidential. Sullivan supported the motion but urged Blakey to remove the candidate's vita from his dissenting report for the same reason: to protect the candidate in the future. The chair pointed out that the Blakey dissent was not germane to this discussion. Borelli remarked that the journal is not a verbatim transcript but rather an edited record of the debate.

Professor Laura Bayard, seconded by Porter, called the question, and the senate agreed to vote. The senate then voted on the Blakey motion to strike explicit references to the candidate's name: 36 in favor, three opposed, one abstention. The motion passed.

The chair turned to new business, and asked Neal of the Administration Committee to present its resolution on changing the time of the senate meetings from 7 p.m. to 4:30 p.m. each month, effective in February 1997 or earlier if possible. (As a committee resolution, there was no second needed.) The resolution is printed as Appendix D of this journal. Neal said the resolution was prompted by both the senate self-study and a senate survey over the

past two years. Both pinpointed the need to stop breaking up people's evenings, allowing them to stay home with their families. Porter supported Neal's memory of this resolution, but the poll last year did not indicate a mandate for a particular time; the responses broke almost evenly for and against changing the time. The committee last year decided to put this question to the full senate. But she spoke against the motion, saying with the current structure (committee meetings in the midst of full senate meetings), it was likely that a meeting beginning at 4:30 p.m. would not end until 6:30 or 7 p.m. If we changed the time of the committee meetings, committee work would suffer. Evening meetings have worked well for most people. Detlefsen pointed out that in light of the revised class schedules now in effect, 4:30 p.m. meetings would interfere with classes. Course scheduling was quite difficult already; this would only make it worse. Neal asked Detlefsen about attending conferences; how were his classes covered, and couldn't this be done on the day of a senate meeting. Detlefsen said he made a point of not being out of town; if he had to, though, he'd reschedule his classes. Professor Michael Hemmler was all for being at home with his family, but 4:30 p.m. was not a solution. Professor Jill Godmilow said she taught three-hour late afternoon classes almost every day, so this would not work for her at all; there were reasons other than family for being home in the evening, but one night a month for the senate was not excessive.

Sheehan pointed to the self-study he did for the senate two years ago. The criticism about meeting times could apply to the Academic Council and other bodies on campus. Part of the reason people gave for not serving on the senate was evening meetings; changing that would be one small way to help improve the senate's standing. Rather than vote down the resolution, he asked for a delay in implementation, perhaps until September 1997 and then do it as an experiment to see if it worked better. That would be similar to what the senate did for committee meetings four years ago when the schedule put them into the midst of the full senate meeting block. Professor Richard Williams said he had a better chance of getting a babysitter for a 7 p.m. meeting than finding someone to pick up his kids at the daycare center. Derwent said an afternoon senate meeting would interfere with college council meetings, Academic Council and other bodies which meet in the afternoon.

Eagan moved the previous question, Quinn seconded, and the senate agreed to vote. The resolution was not agreed to: eight in favor, 28 against, one abstention.

There was no further business. Detlefsen moved adjournment, Lombardo seconded and the senate adjourned at 9:06 p.m.

Present: Bayard, Bergstrand, Bigi, Blakey, Blenkinsopp, Borelli, Borkowski, Buttigieg, Chami, Cholak, Coll, Collins, Davis, Delaney, DeLanghe, Detlefsen, Doordan, Eagan, Garg, Godmilow, Gundlach, Hemler, Hill, Huang, Jordan, Lamanna, Lombardo, McBrien, Neal, Porter, Preacher, Quinn, Rai, Ramsey, Sheehan, Sheerin, Sterling, Sullivan, Williams, Zachman, McShane, Carroll, James, Urbany

Absent: Broderick, Hyde, Kirkner, Mason, Mathews, Sayers, Schmid

Excused: Berry, Biddick, Runge

Respectfully submitted,

Peter J. Lombardo Jr.

Appendix A

Chair's Report November 7, 1996

1. Human Resources Director Roger Mullins and I spoke again by phone this afternoon regarding the status of the Faculty Senate's resolution of May 2 proposing an amendment of the University's non-discrimination clause to include "sexual orientation" among the categories covered by the policy, which is contained in the Manager's Guidebook issued by Human Resources. Mr. Mullins reports that the University Counsel's office and other officers are still looking into the matter. I asked Mr. Mullins to prod them again so that the Chair can report on whatever action is taken to the Faculty Senate at our next meeting on December 3.

2. A reminder: The first session of this year's Senate-sponsored Notre Dame Forum on Academic Life will be held next Wednesday evening at 7:30 in the CCE Auditorium. The theme for the three sessions of the 1996-97 academic year are the six academic priorities expressed in Provost Nathan Hatch's inaugural address to the faculty in September. The first two priorities to be considered are: "Investing in Centers of Excellence" and "Keeping Science and Engineering on the Cutting Edge." The speakers, each giving 15-minute presentations, are Prof. Katherine O'Brien O'Keeffe, of the Department of English, and Prof. Charles Kulpa, of the Department of Biological Sciences. A discussion of about an hour will follow, with the program ending at 9 o'clock. Please urge your colleagues to attend. The second and third sessions are scheduled for February 12 and April 8.

Appendix B

Academic Affairs Committee Preamble and Resolution 11/6/96

Preamble

Prompted by President Malloy's recent decision to appoint a member of the Congregation of Holy Cross as a Visiting Assistant Professor for a term of three years in the Theology Department: despite a negative recommendation by the department's committee on appointments, tenure, and promotions (ATP); despite the further negative recommendation by the department chair regarding the President's original intent to appoint the candidate to the position of Assistant Professor; and despite the subsequent negative recommendations by the department's ATP committee and the department chair regarding the appointment as a Visiting Assistant Professor, the Faculty Senate notes the following:

The Mission Statement of the University of Notre Dame, the Final Report of the Colloquy for the Year 2000 (Colloquy), and the Report of the Committee on Academic Life repeatedly invoke the concept of community to describe the University of Notre Dame. The Faculty Senate concurs with this description of Notre Dame as a community and believes that collegiality, cooperation, and mutual respect are essential for maintaining the spirit of community and of public trust in higher education at the University of Notre Dame.

These same documents describe a "special relationship" between the University of Notre Dame and the Congregation of Holy Cross. Recommendation 2 of the Colloquy reaffirms the C.S.C.'s commitment to emphasize academic careers, and calls upon the University to give "special consideration in personnel decisions consistent with the prevailing standards of excellence, to the Congregation's unique role at Notre Dame" (p.5).

The Faculty Senate further recognizes that the Indiana Province of the Congregation of Holy Cross in 1967 established and put into place a policy for C.S.C.s obtaining faculty appointments. This process was "designed to promote and to protect the collaborative nature of the lay-C.S.C. stewardship of this public trust in higher education at the University of Notre Dame." The process was also designed to avoid "the use of brute power by the C.S.C.s which is both theologically and morally wrong and practically ineffective. Since this historic 1967 agreement binding the Congregation of Holy Cross and lay colleagues together, a unilateral decision by a C.S.C. President for a C.S.C. candidate for a faculty position has never been made until this recent case" (Fr. O. Williams).

Resolution

Whereas the Faculty Senate can find no evidence that the Theology Department failed to observe its responsibility to give "special consideration" to a C.S.C. candidate either in its past or present personnel decisions; and

Whereas the Faculty Senate can find no justification either for President Malloy's unilateral decision to appoint or for the manner in which he appointed a C.S.C. candidate to a faculty position over the objections of the department's ATP committee and the negative recommendation of the department chair; and

Whereas the Faculty Senate is concerned that the exercise of that right over the carefully considered recommendation of a department's ATP committee and in apparent contradiction to past practices and procedures regarding the "special relationship" between the University and the C.S.C., creates an embarrassing and difficult situation for the C.S.C. candidate who elects to fill a position in that department; and

Whereas the President's decision harms the Theology Department by making it less attractive to the many prospective faculty and graduate students who desire to work in a department of excellence and national rank; and

Whereas the President does harm to a Department when he (i) acts against the counsel of a department, (ii) does so in such serious matters as those concerning faculty appointments, and (iii) does so without having made adequate attempts to resolve disagreements that separate his position from those of the department's faculty; and

Whereas the President's decision similarly harms other departments in the university by setting a precedent for hiring and other personnel decisions that allows the judgment of a single scholar in a discipline—be he/she the President himself/herself or merely an advisor in whose judgment the President places a trust similar to that which he places in his own — to override the considered judgment of the faculty of an internationally respected and distinguished department; and

Whereas the President's decision harms the Theology Department and the University generally by taking action in such a way and of such a sort as bears clear potential for lowering the academic qualifications of their faculties; and

Whereas the President's action harms the Theology Department and the University as a whole by undermining the well-established and beneficial model of rational collaboration that exists between a departmental faculty and the university's administration with regard to hiring decisions;

Be It Resolved that the Faculty Senate wishes to express its strong disapproval of President Malloy's handling of the "special relationship" and its strong disapproval of his decision to appoint a Visiting Professor for a term of three years to the Theology Department against the unanimous negative vote by the department's ATP committee and the negative recommendations of the department chair; and

Be It Further Resolved that a President who makes such decisions does not deserve the confidence of his faculty; and

Be It Further Resolved that the Faculty Senate sends a copy of this resolution to President Malloy as an expression of its strong disapproval.

Appendix C

[corrected November 18, 1996]

Report of the Academic Affairs Committee of the Faculty Senate
November 6, 1996

Investigation of the Presidential Appointment Dissenting Views

G. Robert Blakey
William J. and Dorothy O'Neill Professor of Law
Notre Dame Law School
Notre Dame, IN 46556
219-631-5717

Dissenting Views of Professor Blakey

The Resolution

When Vice Chair Professor Jean Porter, on September 11, 1996, presented to the Senate, in behalf of the Executive Committee, the original Resolution, which we do not report out, concerning the appointment of a candidate by the President to the Department of Theology, I was deeply troubled. Professor Porter, in summary, told the Senate —

Two years ago the department was informed that a priest of the Congregation of Holy Cross was completing his doctoral studies shortly and would be applying to the department for hiring as a teacher; a budget line for his salary would be provided to the department by the University for this purpose. In February '96, he officially applied, and in April he was interviewed and gave a public lecture. *In the course of its procedures, the department did*

not consider him qualified for an appointment and turned down his application. In May at the request of then provost Timothy O'Meara, the department considered him for a visiting assistant professorship. Again this proposal was turned down. The record of an ad hoc faculty meeting in June showed *overwhelming* sentiment against the hiring. Also in June, the chair of the department was told that President Malloy had overruled the department and had extended of an offer of a visiting assistant professorship for 3 years which the candidate had accepted. Further contact with the candidate was to be through the Office of the Provost. The department had never received any of the normal paperwork (such as Form Q).

Porter continued by saying that some members of the department alleged irregularities and manipulation in the department's processes and asked the Dean of the College to investigate. He found no basis for any such charges. The Senate's executive committee felt this was not a matter of the Theology Department only, but a matter for full discussion at the University. While the resolution as formulated did not deny the right of the president to make such an appointment, even over a department's objections, the executive committee felt he had disregarded the University's normal procedures and discredited the academic integrity of the Theology Department. The executive committee unanimously recommended passage of the resolution (emphasis added).

Questions immediately arose:

What rationale might the President have had to make the appointment?

No rationale was attributed to him. A need to hear from the President was pressing. The Senate ought not condemn him without hearing from him. Even the Devil is, after all, entitled to due process, as Robert Bolt so beautifully shows us in *A Man For All Seasons* 38 (Vintage Book 1962).

Was the appointment, as it was represented, really that arbitrary and capricious? Was the President utterly lacking in good judgment?

What did the "record" of the ad hoc faculty meeting in June show? No copy of it accompanied the resolution.

Allegations of irregularities were made against the Theology Department. What were they? Against whom were they made? We were not told.

Supposedly, a report had been made by the Dean of Arts and Letters of his investigation into the allegations. What did he do? To whom did he talk? What evidence did he examine? We were not told.

DOCUMENTATION

The resolution did not deny the right of the President to make the appointment — or so it was said — but it did not explicitly recognize it either. What were the proper roles of the Theology Department and the President in making such appointments? Exploration of these delicate questions was obviously in order.

By bringing the Resolution to the Senate, the Executive Committee had necessarily involved the Senate in the relation between the Theology Department and the President over a particular personnel decision. What jurisdiction did the Senate have over such matters?

Troubling, too, was the membership on the Executive Committee of two members of the Theology Department, including the Chair and the Vice Chair, who was also the Deputy Parliamentarian. In Anglo-American law, at least since 1610 in *Dr. Bonham's Case*, the principle has been firmly-established: no person ought to sit in judgment in his own case. (8 Coke 114).

The Theology Department was complaining about proper procedure. Was the Senate itself — in a rush to judgment — being asked to act without due regard to proper procedure?

If what was alleged to have happened, in fact happened, the matter was serious beyond doubt, and it required appropriate, strong action.

I moved, seconded by Professor Dennis Doordan, that the Resolution be referred to the Academic Affairs Committee.

Professor Porter opposed the Motion to Refer. She suggested that a written record to support the Resolution "seemed superfluous." Professor Mario Borelli wanted to see the documentation and to hear from the President, as did Professor Michael Detlefsen. Professor Joseph Blenkinsopp said that due process for the President, "who held all the power anyway, meant nothing." Professor Borelli "wish[ed] to get all the information out and all concerns aired. . . ." Professor Joseph Buttigieg also favored "a full airing . . . on the seriousness of . . . [the] incident. . . ." The Resolution was referred to the Academic Affairs Committee.

The Committee Investigation

After the Resolution was referred to the Committee, it met to formulate an investigative plan. I suggested, to no avail, that it proceed in several phases. First, the Committee should obtain the relevant documents, including correspondence between the Theology Department and the President, the relevant papers associated with the particular appointment, information in connection with other similar appointments so that a comparative base line could be drawn, and the Dean's report concerning

the allegations of irregularities. Second, the Committee should study the proper procedures to be followed in making such appointments, including the relative roles of the Theology Department and the President. Third, the Committee should take public or, if appropriate, private testimony from the parties involved — and anyone else, who might wish to shed light on the facts or the policy questions that faced the Committee.

Sadly, the Committee decided not to conduct a full or fair investigation, as envisioned by the Motion to Refer, and the Senate debate. In fact, its investigation was confined to writing several letters.

No independent study was undertaken.

No testimony was heard.

Nevertheless, we now have a handful of facts that we did not have September 11, 1996, including President's brief statement of his rationale for his action, as expressed in his letter of July 24, 1996, which is attached to this Report. This letter was, however, written well before the Senate's September 11, 1996, meeting, the meeting in which the Senate was asked to pass judgment on the President's actions. Because this Committee has failed to undertake a full and fair investigation, the Senate does not now know why this letter was not made available to it on September 11th, or referred to in the discussion of the Resolution or the Motion to Refer. This ought, if possible, to be explained. The failure seems inexcusable.

Unfortunately, the investigation that this Committee did undertake was not only limited in scope, but ineffective. The President appeared before the Senate on October 11, 1996, but he declined to discuss the specifics of the appointment, offering the confidentiality of personnel decisions as his rationale. While he fully answered questions of policy, he refused to be drawn into question of fact. So, too, did the others that the Committee wrote. Except for obtaining the President's letter of July 24, 1996, and the minutes of the Theology Department "public" meeting of June 27, 1996, the Committee obtained little that is of use in resolving the factual and policy questions before us.

Because the Committee did not undertake, engage in, or successfully complete either a full or a fair investigation, I moved at its meeting of November 4, 1996, that it take no position on any aspect of the President's appointment of the candidate to the Theology Department. Judgment without facts is uninformed. In a word, is it rash. Without a sufficient foundation to do otherwise, no person ought to assume as true any fact touching on the proper conduct of another. Without sufficient foundation to do otherwise, each person should give to the other the benefit of doubt, that is, accord him or her — out of basic

human charity — a favorable interpretation, until sufficient evidence dispels the presumption of regularity or innocence. One who would speak ill of another has the burden of proof to back up his or her judgment — or he or she ought to remain quiet. "Whereof one cannot speak, thereof one must be silent." Wittgenstein, *Tractatus* 7.

The Committee's Resolution

Undaunted by its lack of information, the Committee decided to press forward. Centrally, the Committee recommends to the Senate that it conclude that it could find "no evidence that the Theology Department has failed to observe its responsibility to give 'special consideration in personnel decisions consistent with the prevailing standards of excellence, to the Congregation's unique role at Notre Dame in past or present personnel actions.'"

Since the Committee did not conduct a full and fair investigation of this personnel action — much less *past* personnel actions — this conclusion — "no evidence" — was foreordained. Indeed, the Committee could just as easily have concluded the reverse; it also found "no evidence" that the Theology Department, in fact, observed its responsibility. In truth, it found no evidence either way. Indeed, the premises for its conclusion are also false. Had it made an inquiry, it would have learned, as I have, that any number of appointments to the faculty as well as to chairs have been made, since 1967, by the President over the objections of various Departments.

Nevertheless, what flows, if anything, from "no evidence" is determined by presuppositions. If you assume the best of others, until the contrary is shown, adverse judgment may not flow from "no evidence;" if you assume the worst of others, until the contrary is shown, adverse judgment may flow. Without a prior commitment to trust or distrust, an inference cannot be drawn in this matter from "no evidence."

That the Committee goes on — from its finding of "no evidence" — to criticize the President reflects more than its distrustful presupposition; its position is also self-contradictory. If it is willing to accord the Department of Theology a presumption of regularity, why should it not also accord the President a presumption of regularity. Then the presumptions would cancel each other out. If the Department and the President are treated evenhandedly, the Committee cannot conclude anything, since it has insufficient evidence to choose between them. In the absence of evidence, no judgment is warranted.

That the Committee chooses to go with the Department demonstrates that it presumes — without evidence — that the President acted improperly. In fact, the Committee does not know why the Department acted as it did, as

it does not know why, save as he has summarily explained himself in his letter of July 24th, the President acted as he did. Unless the President is willing to go beyond his letter, which he is not, at least in a public forum, the Committee lacks sufficient information to condemn the President's action. Saying something is so does not make it so. The plain fact is that the Committee failed to fulfill its charge, and it ought to refrain from rash judgment.

The failure of the Committee to undertake a full and fair investigation has also led it, as the Theology Department before it, to a problem of role confusion. What is the proper role of the Department? What is the proper role of the President? The Department fails to distinguish between "proposal" and "disposal." The Department, in short, proposes; the President disposes.

The University is a "body corporate and politic" by virtue of Indiana law. The Statutes of the University create a body of "Fellows of the University" (Statutes of the University, Art I), who, in turn, vest "all power" in a "Board of Trustees" (Bylaws of the University, §1) The President is the "first officer of the University." (*Id.* §2) He is "vested with *full and final* authority over all matters pertaining to [the University's] government. . . ." (*Id.*) (emphasis added) "He *shall make appointments* to the academic and non-academic staff by the University. . . ." (*Id.*) (emphasis added) The Statutes of the University also provide that the "University's operations shall be conducted in such manner as to make *full* use of the *unique* skills and dedication of the members of the Priests of Holy Cross, Indiana Province, Inc. . . . [including in] *Theology* . . . [where] their *talents and training permit*. . . ." (Statutes of the University, Art. V(f)(1)-(2) (emphasis added)).

If the Department of Theology or the Senate is dissatisfied with present policy, its remedy is to amend the appropriate documents of the University, not bring about an illegal role reversal. The President had the power (ability) and the authority (legitimate power) to act as he did. Granting him the power *de jure*, but withholding it *de facto*, as the Department and the Committee propose, is a functional *Putsch*.

The Senate ought to have no part in it.

Centrally, the Committee recommends that the Senate also conclude that it finds "no justification" for the President's action. What is said above in reference to the "no evidence" finding is equally applicable to the "no justification" finding. If you do not conduct a full or fair investigation of the question of justification, "no evidence" here, too, will be found, and from "no evidence," nothing can be concluded. Zero plus zero equals zero — in all disciplines with which I am familiar.

DOCUMENTATION

After these two crucial findings of fact, the Committee — rightly — goes on to catalog the various ways in which the University *might* be harmed by the President's action — if, but only if, the President made a bad decision. I, of course, concur in these observations. It then recommends as conclusions various courses of action, none of which follows if the Committee's premises are without factual support, as they are in my view. I need not, therefore, discuss them, as I disagree with their necessary, first premises.

The Investigation Not Undertaken

I would prefer to take no position on this troubling matter. Because the Committee is moving ahead on an insufficient basis, I feel compelled, however, to offer an alternative view based on the information available to me. I emphasize that it is my present position. If additional evidence were made available to me, I would readily modify any aspect of my present position in light of it, if that is what would be indicated. Until that time, the alternative view is compelling for me.

Justice Frankfurter put it well: "the right answer usually depends on putting the right question." *Estate of Roberts v. Commissioner*, 320 U.S. 410, 413 (1943).

I view the issue of qualification, not procedure, as crucial, in the present posture of the matter referred to the Committee; it is the Rosetta stone that can be used to decipher the meaning of the less than complete information that is available to us.

If the candidate is, in fact, not qualified, the harms identified by the Committee will be inflicted on the University — largely independently of the "true" motivation for his rejection by the Department.

"Bad" people can do "good" things for "bad" reasons.

Primarily, I care here about *what* was done, only secondarily *why* or *how* it was done. If the candidate is, in fact, not qualified, the President, too, was mistaken, whatever his motivation or the manner of his action in appointing the candidate.

On the other hand, if the candidate is, in fact, qualified, and the Department rejected him, why did it do it?

Neither the Committee nor I can answer that question with a high degree of confidence in our judgment. Nevertheless, if the candidate is qualified, the inference is likely that the Department acted out of the sort of reasons that were reflected in the allegations made against it.

Without an opportunity to review and confirm the investigation of the Dean that purported to clear the Depart-

ment of improper conduct, a finding that the candidate was qualified also undermines the reliability of the Dean's investigation. Was it, too, neither full nor fair, as was this Committee's?

It is not possible to conclude with a high degree of confidence that the Dean's investigation was adequate or inadequate. Nevertheless, if the candidate is qualified, the inference is likely that his investigation was, in fact, inadequate.

Finally, if the candidate is, in fact, qualified, the actions of the President are cast in a radically different light. It can with confidence then be concluded that he acted properly. After all, he did about all that he could be expected to do, consistent with the best interest of the University, by seeking a compromise with the Department: a visiting position to test out the performance, not the promise, of the candidate, or the predictions of his supporters or his detractors. The President had conflicting recommendations before him. Inside experts said the candidate was unqualified. Outside experts said he was qualified. Allegations were made that the processes that had led to the candidate's ejection were tainted. Why not make a visiting appointment and find out if he is qualified? The compromise course promised to be fair to the candidate and not prejudicial to the Department. When he was sharply rebuffed by the Department, the President acted with courage in doing the right thing, despite the conduct of the Department. Short of giving the Department its way — an unjust act, if the candidate was qualified — what should he have done?

I turn to the question of qualification.

The Committee found that it lacked a mandate to determine qualification and that it lacked competence to judge qualification. If, in fact, the Committee lacks both, I fail to see how it has a mandate to review the actions of the President, or that it is any more competent to judge the performance of the President than it is that of the candidate. Once it assumed the one power, it had a duty to reach a judgment on the other issue — or reach no judgment at all.

The Committee should have talked to the candidate. It did not. I did.

The Committee should have reviewed the candidate's writings. It did not. I did.

The Committee should have reviewed the report of the Chair of the Theology Department on the candidate's thesis. It did not. I did.

Am I competent to conduct a review of the candidates' qualifications?

DOCUMENTATION

An identification is required of the candidate's project: an examination of the relation between Caesar and the people of God in context of the history of the United States.

My education here at Notre Dame was solidly in the neo-scholastic tradition from which the candidate so eloquently dissents and to which he seeks an alternative.

My graduate education here at Notre Dame was focused on Caesar's sword.

I am a member of the bars of three states, the United States Supreme Court, and numerous courts of appeal.

I have, however, not only studied Caesar's sword, I have wielded it, as a prosecutor for the United States Department of Justice.

I have not only wielded Caesar's sword, I have forged it, as a committee counsel in the Senate and House of Representatives of the United States, as well as numerous state legislatures.

I have not only wielded it, and forged it, I have fought against its abuse, as a defense counsel in federal and state criminal proceedings.

The candidate — rightly — argues, as a matter of fact, that aspects of the American society are, not only corrupt, but violent, radically at odds with the gospel of Christ. I know first hand the truth of which he speaks.

I have investigated corruption and violence in the United States, not only in a library, but as a prosecutor and as a committee counsel, particularly the assassinations of President John F. Kennedy and Dr. Martin Luther King Jr.

I have studied and taught, in short, the wielding, forging, and abuse of Caesar's sword for more than thirty years — at the Cornell Law School, and now at the Notre Dame Law School.

My subjects include Criminal Law and Criminal Procedure and, for the past ten years or so, Jurisprudence. Criminal Law and Criminal Procedure, but most particularly, Jurisprudence, deeply implicate history, philosophy, and ethics. These disciplines, too, are mine. He who would learn law well must learn much else. Judge Learned Hand put it aptly —

I venture to believe that it is as important to a judge called upon to pass on a question of constitutional law, to have at least a bowing acquaintance with Acton and Maitland, with Thucydides, Gibbon and Carlyle, with Homer, Dante, Shakespeare and Milton, with Machiavelli,

Montaigne and Rabelais, with Plato, Bacon, Hume and Kant, as with the books which have been specifically written on the subject. For in such matters everything turns upon the spirit in which he approaches the questions before him. The words he must construe are empty vessels into which he can pour nearly anything he will. Men do not gather figs of thistles, nor supply institutions from judges whose outlook is limited by parish or class. They must be aware that there are before them more than verbal problems; more than final solutions cast in generalizations of universal applicability. They must be aware of the changing social tensions in every society which make it an organism; which demand new schemata of adaptation; which will disrupt it, if rigidly confined. *The Spirit of Liberty: Papers and Addresses of Learned Hand* 63 (I. Dilliard ed. 1960).

Hand echoes Justice Holmes:

If your subject is law, the roads are plain to anthropology, the science of man, to political economy, the theory of legislation, ethics, and thus by several paths to your final view of life. It would be equally true of any subject. The only difference is in the case of seeing the way. To be master of any branch of knowledge, you must master those which lie next to it; and thus to know anything you must know all. Holmes, *Collected Legal Paper* 29-30 (1920).

Given the character of his project, I am, in short, uniquely positioned to judge the candidate's qualifications to teach here at Notre Dame.

Is the candidate young, brash and irreverent toward his intellectual elders?

Yes.

Is the candidate bright, well-read, and articulate?

Yes.

Does he not only have, but live a theology?

Yes — read his resumé.

Does he promise, for that reason alone, to make, as a priest and scholar, a substantial contribution to theology — to life — at Notre Dame?

Yes — read his resumé.

I cannot be sure why my judgment is not in accord with that of the senior people in the Theology Department. I am told young people in the Department welcome the prospect of his presence. It is simply false to leave the

impression that the Department, rather than its senior leadership, is "overwhelming" against him.

Impressive people from impressive institutions outside the university also support his candidacy. Read his resumé. Their judgment corroborates mine, and it fortifies me in my confidence that I am not mistaken.

The most solid piece of evidence that I have, which the Committee did not seek or review, is the analysis done by the Chair of the Theology Department of the candidate's thesis. Making due and ample allowance for the "very brief period of time" within which it was completed — after, I might add, not before, the Department's negative vote — I find it, nevertheless, superficial and unpersuasive. It would be no credit to anyone to make it public, for it manifestly confuses "disagreement" with "disqualification." Most damning is its ultimate conclusion:

The supreme irony, of course, is that [the candidate] wants an appointment in our institution that is the embodiment of the Americanist tradition. How does [the candidate] hope to be a member of a community which holds as its ideal: God, country, and Notre Dame? . . . Finally (and the influence of his major professor is clear here) his vision is one of either/or . . . while the Catholic tradition is both/an (sic). . . He also shows traces of his mentor's habits of pugnaciousness and bombast but in conversation pulls back when challenged.

Because I find the candidate qualified without regard for his status as a priest in the Holy Cross Order, I do not need to reach the question of the "special relation" between the University and the Order, which, evidently, played a significant role in the President's action. Nevertheless, if I take into consideration this factor, my decision to reject the action of the Department follows as a matter of course. It becomes, too, all the more serious a breach of proper conduct by the Department. Denying the candidate his just due as a person is, therefore, compounded by denying the community here at the University the services of this able priest.

The Department's conduct is not only unjust, it is shameful.

On the basis of the evidence available to me, I believe — as does the President — that the candidate was unjustly rejected — for reasons having nothing to do with qualification. I add that the President had available to him far more evidence than I had available to me.

The candidate was, I conclude, rejected for non-conformity and an association with another, who is not one of the favored few of the senior leadership of the Department.

That is not my Notre Dame. Nor should it be the Senate's. My Notre Dame has no narrow intellectual orthodoxy. Faith, yes: petty sectarianism, no. Is the senior leadership of the Department so afraid of controversy that it cannot admit a dissenter into its camp? A faith afraid of a fight is a faith already moribund. My Notre Dame is a house with many mansions, of many perspectives, of a skeptical attitude toward easy generalizations, of varying experiments, of vigorous efforts at accommodation between those who disagree on ultimate issues, but remain close friends, of ever-vigilant self criticism, and of piecemeal, but constant reform, in its pilgrimage in this tragic life — toward a God that we know only by knowing what He is not — save through His revelation. Apparently, my Notre Dame is not that of the Theology Department's senior leadership.

We are, as a faculty, blessed that the views of the President of Notre Dame are closer to mine than that of the senior leadership of the Theology Department.

When a department in a university seeks to clone itself and its intellectual life blood begins to coagulate, it is time for the university's president to intervene. Such intervention threatens no other department in the university. Indeed, it strengthens them by assuring the renewal of the institution of which they are a part.

If I am right — and I act reluctantly on the basis of incomplete information — then the President deserves the strong support of the Senate and the faculty, not its condemnation or an expression of its lack of confidence.

More is at stake here, too, than a single appointment, or a misguided Resolution that seeks the Senate's involvement in the internal affairs of a Department, or its relationship with the President. The Senate's credibility is also on the line. The Senate, if it adopts this unwise Resolution, will rightly earn, not the respect of thoughtful members of the University community, or elsewhere, but their disdain — for a waste of time and energy that should be devoted to far more profitable endeavors.

I cannot support the Resolution reported by the Committee.

I urge its rejection by the Senate.

Conduct of Executive Committee

This Resolution should not have been brought to the attention of the Senate, when it could have been reasonably foreseen that a full and fair investigation could not be conducted. The members of the Theology Department who sat on the Executive Committee should have recused themselves when matters that reasonably call into ques-

tion their own conduct came before it. Those members of the Executive Committee that presented the original Resolution without disclosing the July letter of the President — if they knew of it — acted without that degree of candor that the Senate has a right to expect of its members; if they did not know of it, their conduct fell well below the standard of care in conducting an investigation of the facts that the Senate has a right to expect of its members before they bring a matter to its attention.

Conduct of a Member of the Academic Affairs Committee

The member of the Academic Affairs Committee that publicly voiced his one-sided opinions in a campus newspaper deserves strong condemnation. He spoke out and spread more widely matters that were best left confidential. His uncalled for remarks were mean-spirited and vindictive; they were out of place for any member of the University community, much less for someone who was both a member of a committee that had not yet concluded its investigation and of the Department of Theology.

The following ought *not* to have been said:

In the opinion of most of those present the candidate's oral presentation was very unsatisfactory, the vote of the Appointment-Tenure Promotions Committee was unanimously negative, and the Department Chairman also recommended against the appointment after submitting an eight-page, largely negative evaluation of the candidate's dissertation.

While this information was, of course, unwisely and improperly revealed at a "public" meeting of the Theology Department, its circulation was limited. Most members of the Senate — or the Notre Dame community — did not know of it in September. Even on the member's professed view of the facts, publicizing this information further was detraction, that is, disclosing another's faults and failings to persons who did not know them without an objectively valid reason.

If I am right about the facts, on the other hand, the publication was, in fact, calumny, that is, remarks contrary to the truth, that harm the reputation of another and give occasion for false judgment.

Detraction/calumny; the choice is not attractive.

Judge Learned Hand once described Justice Cardozo:

He never disguised the difficulties, as lazy judges do who win the game by sweeping all the chessmen off the table: like John Stuart Mill, he would often begin by stating the

other side better than its advocate had stated it himself. *The Spirit of Liberty: Papers and Addresses of Learned Hand* 131. (I. Dilliard ed. 1960).

A similar remark could be made of St. Thomas Aquinas. The *Summa* is so constructed that the objections to St. Thomas' own position are set out first, often in a better form than that of those who espoused them. Search in vain in the piece published by the member for one word that reflects the position of the President — or even reviews in order to refute the serious allegations made against the Department. Only one view is manifest in the essay: his own self-referential reflections. He praises himself, for example, by describing the Department of Theology as twelfth, yet he does not tell us that the "unqualified" candidate received his Ph.D. from a fourth ranked university or that he was a visiting research fellow at a third ranked university. Everything revolves around his narrow-gauged view of the world. The member may have had a "summer of discontent," but what possible positive contribution to the life of the Department — or the University — did he expect his essay to make? The decision to hire the candidate had been made. Did he hope irretrievably to poison the well of personal relationships with other faculty members or students? What justification can be offered for his petty diatribe?

Only he can tell us.

What will he say?

Personal Reflections

The preparation of these dissenting remarks was as distasteful a task as I have had to perform since I have been at Notre Dame, now these sixteen years. I pray that the occasion never arises again. I will not speak of this matter in the future. This book is, for me, now closed, as it should be for all of us. As a University community, we must quickly move to heal, not further divide ourselves. The candidate is one of our number. He ought to be lovingly accepted as one of us — and given a fair opportunity — free of this unfortunate controversy — to prove himself — in his scholarship and his teaching.

Charity requires no less.

G. Robert Blakey
William J. and Dorothy O'Neill Professor of Law

Attachments:
Candidate's Letter to the Department
Candidate's Resumé

March 22, 1996

Professor Lawrence Cunningham
Department of Theology
University of Notre Dame
Notre Dame, IN 46556

Dear Professor Cunningham:

This letter is a cover letter accompanying the material pertaining to my application for a full-time, tenure track position in Ethics in the Department of Theology of the University of Notre Dame. Please find in this packet my c.v., my dissertation, and two other samples of my written work. Letters of recommendation from Professors Stanley Hauerwas, George Marsden, James Buckley, Thomas Ferraro, William Portier, Terrence Tilley, and Sandra Mize are forthcoming, either directly from them or from the Credential Office of Duke University. My major field of study at Duke was in Theology and Ethics, and my minor fields were in the History of Christianity in America and Political Theory. I believe I would make a strong contribution to the Department of Theology at Notre Dame for the following reasons.

First, I am already active in scholarship. As is indicated in my c.v., I am currently a Visiting Research Fellow at Princeton University. Last year, I was chosen by the College Theology Society to receive their Graduate Essay Award. The year before that, I was awarded the Charlotte W. Newcombe Dissertation Fellowship. I have four articles published in review journals at this point, plus two more which have been accepted and will probably be published in 1996. In addition to publishing, I have presented papers over the past couple of years at several conferences, including the Society of Christian Ethics, the College Theology Society, the American Catholic Historical Association, and the Association of Catholic Colleges and Universities. I served on the planning committee for a conference on En-Gendering American Catholic Studies at the Cushwa Center for the Study of American Catholicism at Notre Dame held in the fall of 1995. And I have recently been chosen to serve on the editorial board of the *American Journal of Jurisprudence*. This activity will be continuing in the months ahead. I have been invited to present a paper at the annual meeting of the College Theology Society in June. I have also been asked to serve on a panel at the Annual Meeting of the Catholic Theological Society of America. And in the next few months, I will be turning in book reviews to the editors of *Modern Theology*, *Pro Ecclesia*, and *The Thomist*. These accomplishments, I believe, indicate a good start in scholarship and the promise of continued professional activity in the years to come.

Second, I have had extensive experience in teaching. Dating from my first teaching assistantship in 1982, while an M.Div. student at Notre Dame, I have been regularly involved in teaching in some form: as a high school teacher (1983-84); as the director of a youth ministry program which concentrated heavily on catechetical work among teenagers (1984-86); as a teacher for a diocesan liturgy training program (1986-88); as a teaching assistant in the Duke Divinity School where I had full responsibility for making up and grading papers and tests (1990-92); as an instructor for the University Writing Program of the English Department at Duke (1991-92); and as an instructor of an undergraduate course on Catholicism for the Department of Religion at Duke University (1992). Moreover, throughout this entire period, in connection with my pastoral work, I have regularly given adult education classes, weekend workshops, and retreats, all of which have involved the skills entailed in teaching. In the context of this experience in teaching, I have developed a philosophy of teaching and my own pedagogical style. In short, I am not a beginner in teaching. At the same time, I realize that teaching at Notre Dame would present a fresh challenge for me. It is a challenge to which I would look forward and in response to which I believe I would flourish.

Third, my approach to Catholic social ethics offers a distinctive alternative to the usual approach taken in the field. In my years of study, I have come to appreciate the fundamentally theological character of moral reflection. A major interest of mine has been to place ethical issues within a theological context. It has become my intellectual habit to analyze ethical issues not only on the basis of insights gained from the natural and human sciences and the humanities, but also on the basis of christology, ecclesiology, eschatology, liturgy, and so forth. In my dissertation, for example, I have traced the development of the discourse of Catholic social ethics in the United States from the twenties to the sixties in order to show how certain key theological themes were marginalized. And in this year at Princeton, I am beginning work on a related project that will attempt to retrieve what I consider to be an alternative tradition of Catholic Ethics in the United States, as articulated by such figures as Paul Hanley Furfey and Virgil Michel and embodied in the Catholic Worker Movement. My overall purpose is to bring substantive theological resources to bear on the discourse of Catholic social ethics in a way that can lead to different ways of construing the social mission of the Catholic Church. This approach, I believe, will prove to be a fruitful complement the work already being done by others in the field.

Fourth, I have been personally involved in the practical aspects of the scholarship I am undertaking. As is indicated in my c.v., I have had extensive pastoral experience

in parishes and with youth groups, and have been deeply involved in works associated with the social mission of the church. Specifically, I have had a long-standing involvement in the Catholic peace movement and in the Catholic Worker Movement. Moreover, I was a founder and director of Andre House, a house of hospitality for the homeless and poor of Phoenix. We welcomed about ten or so homeless people into our home and to our table, and also served an evening meal to the many other homeless people who lived on the streets (about 600 meals a night). In my four years at Andre House, I had close contact with people in college or recently graduated from college who were involved in our work either as volunteers or staff members. This has given me solid experience in conveying to young people a concrete, realistic, unsentimental, and spiritual vision of Catholic social teaching. As a result, I am able to bring a significant amount of hands-on, practical experience to my theoretical interests in theological ethics.

For these reasons, I ask you to consider my application. If there is something that needs to be added to my application, or clarified in any way, please do not hesitate to contact me. Thank you for your consideration.

Sincerely yours,

[The Candidate]

[The Candidate]
Center for the Study of American Religion
Princeton University
Princeton, NJ 08544
(609) 924-7585

EDUCATION

Ph.D. Duke University, 1996 (Theology and Ethics, History of in America)

Thesis: "In Service to the Nation: A Critical Analysis of the Formation of the Americanist Tradition in Catholic Social Ethics 'Catholic Social Ethics' in the United States"

M.Div. University of Notre Dame, 1983 (Theology)

B.A. Allegheny College, 1977 (Political Science and History) Cum Laude

ACADEMIC HONORS

Visiting Research Fellow, Center for the Study of American Religion, Princeton University, 1995-96

Graduate Essay Award, College Theology Society, 1995

Charlotte W. Newcombe Doctoral Dissertation Fellowship, 1993-94

Pi Gamma Mu (Social Science Honor Society), 1976-77
Alden Scholar (Dean's List), Allegheny College, 1973-77

TEACHING EXPERIENCE

Instructor, "Roman Catholic Tradition," Department of Religion, Duke University (Spring Semester 1993)

Instructor, "University Writing Course," Department of English, Duke University (Fall Semester 1992, Fall Semester 1991)

Teaching Assistant, "Christian Theology," with Professor Philip Kennison, The Divinity School, Duke University (Spring Semester 1992)

Teaching Assistant, "Christian Theology," with Professor Thomas Langford, The Divinity School, Duke University (Spring Semester 1991)

Teaching Assistant, "Christian Ethics," with Professor Stanley Hauerwas, The Divinity School, Duke University (Fall Semester 1991, Fall Semester 1990)

Guest Lecturer, Corpus Christi Institute, Phoenix, Arizona. Classes on liturgical theology and theology of sacraments (1986-88)

Teacher in Religion and Director of Social Service, Bourgade Catholic High School, Phoenix, Arizona (1983-84)

Teaching Assistant, "Introduction to Theology," with Professor Stanley Hauerwas, Department of Theology, University of Notre Dame (Fall Semester 1982)

PUBLICATIONS IN REVIEW JOURNALS

"Let's Do Away with Faith and History: A Critique of H. Richard Niebuhr's False Antinomies," *Modern Theology* (forthcoming)

"Writing History in a World Without Ends: A Critique of Three Histories of Catholicism in the United States," *Pro Ecclesia* (forthcoming)

"Eruditio Without Religio?: The Dilemma of Catholics in the Academy," with Frederick C. Bauerschmidt, *Communio*, 22 (Summer 1995)

"The Non-Catholic Character of the 'Public Church': A Review Essay of *Fullness of Faith: The Public Significance of Theology* by Michael and Kenneth Himes, and *The Church and Morality: A Catholic and Ecumenical Approach*, by Charles Curran, *Modern Theology* (April 1995)

"Overall, the First Amendment Has Been Very Good for Christianity' — NOT! : A Response to Dyson's Rebuke," *DePaul Law Review*, 43, 2 (Winter 1993): 423-446.

"The Kingship of Christ: Why Freedom of 'Belief' is Not Enough," with Stanley Hauerwas, *DePaul Law Review*, 42, 1 (Fall 1992): 107-127.

DOCUMENTATION

PAPERS PRESENTED

"Kudos and Questions for Communio Ecclesiology: A Response to David Schindler's Heart of the World, Center of the Church," Annual Meeting of the Catholic Theological Society of America, San Diego, California, June 7, 1996

"Americanism, Radicalism, and Blowing the Dynamite of the Church: Towards a Counter-Tradition of Catholic Social Theory," Annual Meeting of the College Theology Society, University of Dayton, May 26, 1996

"Re-Introducing Virgil Michel: Toward A Counter-Tradition of Catholic Social Ethics in the United States," Annual Meeting of the Society of Christian Ethics, Albuquerque, New Mexico, January 5, 1996

Workshop Leader, "Gender Construction and in Catholic Theological Discourse: Critical Differences," Conference on En-Gendering American Catholic History, Cushwa Center for the Study of American Catholicism, University of Notre Dame, September 30, 1995

"The Gospel and Culture: A Dialogue of Life and Death," Major Conference sponsored by the Association of Catholic Colleges and Universities," University of St. Thomas, St. Paul, Minnesota, August 3-6, 1995

"American Catholics to the Rescue: Reading the Murray Project as Comedy, Tragedy, and Farce," Annual Meeting of the American Political Science Association, New York, September 1, 1994

"Theology, History, and 'The Way It Really Was,'" Conference on Recent Developments in American Catholic Historiography, Center for the Study of Religion in America, Princeton University, June 19, 1994

Response to Speaking of Diversity, by Philip Gleason, Annual Meeting of the College Theology Society, St. Mary's College, Notre Dame, Indiana, May 29, 1994

"Maureen Sweeney on Law and Lawyers," Conference on Stanley Hauerwas on Law and Lawyers, University of Notre Dame Law School, January 31, 1994

"Let's Do Away with Faith and History: A Critique of H. Richard Niebuhr's False Antinomies," Wheaton College Philosophy Conference, October 29, 1993

"Writing History in a World Without Ends: A Critique of Post-World War II Histories of Catholicism in America," Presented at the Annual Meeting of the College Theology Society, St. Mary's College, Miraga, June 6, 1993 (revised from the paper below)

"Writing History in a World Without Ends: The Problem with Post-World War II Histories of Catholicism in America," Annual Meeting of the American Society of Church History and the American Catholic Historical Association, March 28, 1992

PROFESSIONAL SOCIETIES

American Academy of Religion
Catholic Commission on Intellectual and Cultural Affairs
College Theology Society
Natural Law Forum
Society for Values in Higher Education
Society of Christian Ethics

OTHER PUBLICATIONS

Review of *Love is the Measure* by James Forest, *Prism* (October 1994)

"We Are All Called to be Saints," (Homily for the Feast of All Saints) *Markings*, November 1, 1994

"Preaching the Need of Repentance — Plowshares Style" (Homily for the Fifteenth Sunday in Ordinary Time) *Markings*, July 10, 1994

Review of *The Moral Tradition of American Constitutionalism: A Theological Interpretation* by H. Jefferson Powell, *Duke Law Magazine*, Winter 1994

"Journeying to Moriah, To Jerusalem — With Christ" (Homily for the Second Sunday of Lent) *Markings*, February 27, 1994

Personal interview, presented in *Voices From the Catholic Worker*, ed. Rosalie Riegle Troester. Philadelphia: Temple University Press, 1993, xv, 481-82, 510-12, 516-17.

"'Unfairness' — Whose Other Name is Grace" (Homily for the Twenty-Fifth Sunday in Ordinary Time), *Markings*, September 19, 1993

"Handed On To Us" (Homily for the Seventh Sunday of Easter), *Markings*, May 23, 1993

"The Third Coming of Christ" (Homily for the First Sunday of Advent), *Markings*, November 29, 1992

"God As Cast-Iron Hook" (Homily for the Third Sunday of Easter), *Markings*, May 3, 1992

"Dominion Over All," (Homily for the Feast of Christ the King), *Markings*, November 24, 1991

"No Times Are Ordinary — A Homily for the Second Sunday of Ordinary Time," *North Carolina Catholic*, February 3, 1991

"Sign of Signs" (Homily for Trinity Sunday), *Markings*, May 26, 1991

"No Place Like Home," *Notre Dame Magazine*, Winter 1990

"The Living God — A Fact" (Homily for the Thirty-Second Sunday in Ordinary Time), *Markings*, November 12, 1989

"On Bitterness," *The Critic*, Fall 1989

"The Virtue of Hospitality" (Homily for the Sixteenth Sunday in Ordinary Time), *Markings*, July 23, 1989

"Welcoming Sinners Home" (Homily for the Fourth Sunday of Lent), *Markings*, March 5, 1989

"The Grace of Doing Nothing" (Homily for the Second Sunday of Advent), *Markings*, December 4, 1988

"Give and Live" (Homily for the Twenty-Fifth Sunday in Ordinary Time), *Markings*, September 18, 1988

"A Welfare Mother's Story" and "Arizona Welfare Rights," *Human Development Digest*, 11, 5 (September 1984)

"R.O.T.C. and Just War Theory: At Peace at Notre Dame?" *The Observer*, May 1-2, 1984

"Faith and Hope in the Nuclear Age," *Katallagete*, Winter, 1984

WORK EXPERIENCE

Co-Founder and Director, Andre House of Hospitality, Phoenix, Arizona. Staff of eight, \$150,000 annual budget, housing and food service for homeless people (1984-88)

Co-Founder and Board Member, St. Joseph the Worker Job Service, Phoenix, Arizona. Staff of three, \$80,000 annual budget (1987-88)

Associate Pastor and Director of Insight Teen Program, St. Louis the King Parish, Phoenix, Arizona (1985-86)

Campus Ministry, University of Notre Dame, established and directed Center for Draft and Military Counseling (1981-83)

Resident Assistant, Old College, University of Notre Dame, first-year residence for college seminarians for the Indiana Province, Congregation of Holy Cross (1981-82)

CHURCH AND COMMUNITY SERVICE

Holy Cross Associates (Volunteer program), Board Member, 1994-present

Alliance for Catholic Education (Post-collegiate Student Volunteer Program), Duke University Representative, 1994-95

Sacramental Minister, Holy Family Parish, Hillsborough, North Carolina 1989-95 (in conjunction with the Pastoral Administrator of the parish)

C.O. Support Network, 1990-91 (Support Network for Conscientious Objectors in the Military during the Gulf War.)

Presbyteral Council, Diocese of Phoenix (1987-88) (Consultative body, elected by priests of the diocese)

REFERENCES

Prof. Stanley Hauerwas, Department of Religion, Duke University

Prof. George Marsden, Department of History, University of Notre Dame

Prof. James Buckley, Department of Theology, Loyola College of Maryland

Prof. William Portier, Department of Theology, Mount St. Mary's College

Prof. Terrence Tilley, Department of Religious Studies, University of Dayton

Prof. John Colman, Jesuit School of Theology at Berkeley, Graduate Theological Union

Assoc. Prof. Sandra Yokum Mize, Department of Religious Studies, University of Dayton

Assoc. Prof. Thomas Ferraro, Department of English, Duke University

Appendix D

Whereas the Senate Self-Study Report of two years ago recommended that the Senate consider changing its start-ing-time for its monthly meetings to the afternoon;

Be it therefore resolved that the Faculty Senate change the starting-time of its meetings from 7 o'clock in the evening to 4:30 in the afternoon; and

Be it further resolved that this change take effect beginning with the January 16, 1997, meeting, provided that Provost Nathan Hatch can change his own schedule on that day. Otherwise, the change will begin on February 6, 1997, and for every Faculty Senate meeting thereafter.

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.

COLLEGE OF ARTS AND LETTERS

Anthropology

Press, Irwin

- M. F. Hall and I. Press. 1996. Keys to patient satisfaction in the emergency department: Results of a multiple facility study. *Hospital & Health Services Administration* 41 (4): 515-531.

Economics

Dutt, Amitava K.

- A. K. Dutt. 1996. Direct foreign investment, globalization and northern growth: Implications of a north-south model. *Review of Radical Political Economics* 28 (3): 102-114.
- A. K. Dutt. 1996. International trade and uneven development: Implications of some north-south models. In *Economic theory, trade and quantitative economics: Essays in honour of P. N. Roy*, eds. A. Banerjee and B. Chatterjee, 279-331. Calcutta, India: University of Calcutta Press.
- A. K. Dutt. 1996. Review of *Money, interest and stagnation: Dynamic theory and Keynes's economics*, by Y. Ond. *Journal of Economic Literature* 34 (3): 1354-1355.
- A. K. Dutt. 1996. Review of *Unemployment, imperfect competition and macroeconomics*, by M. Sawyer. *Eastern Economic Journal* 22 (3): 373-374.
- A. K. Dutt and P. Skott. 1996. Keynesian theory and the aggregate-supply/aggregate-demand framework: A defense. *Eastern Economic Journal* 22 (3): 313-331.

Ghilarducci, Teresa

- T. Ghilarducci. 1996. Lessons from the operating engineers: How to increase savings among the neediest workers. *Plan Sponsor* 4 (8): 78-79.
- T. Ghilarducci. 1996. Social insecurity. *Chicago Sun-Times*, 3 April, p. 34.
- T. Ghilarducci and B. Bluestone. 1996. Rewarding work: Feasible antipoverty policy. *American Prospect* 26 (May-June): 40-46.

Goulet, Denis

- D. Goulet. 1995. El Desarrollo Humano: La verdadera riqueza y el eficiencia económica real. *Christianismo y Sociedad* 33/3-33/4 (125-126): 37-53.

English

O'Rourke, William A.

- W. O'Rourke. 1996. A song of lamentation. Review of *Last orders*, by G. Swift. *The World & I*, 11 (10): 285-289.

W. O'Rourke and P. Johnson, lyrics. 1996. "It's about time" and "Cappuccino." Swing tunes. *New music at Notre Dame*. September 8. Snite Museum Auditorium, Notre Dame, Ind.

History

Louthan, Howard P.

- H. P. Louthan. 1996. A reappraisal of J. A. Comenius's *Labyrinth of the world* in the light of his subsequent writings on education. *Kosmas: The Journal for Czechoslovak and Central European Studies* Vol. 12.
- H. P. Louthan. 1996. Religion and gender in late medieval England. *Christian Spirituality Bulletin* (Fall).

Music

Haimo, Ethan T.

- E. Haimo. 1996. Atonality, analysis and the intentional fallacy. *Music Theory Spectrum* 18 (2): 167-199.

Theology

Blenkinsopp, Joseph

- J. Blenkinsopp. 1996. "We pay no heed to heavenly voices": The end of prophecy and the formation of the canon. In *Biblical and humane. A Festschrift for John F. Priest*, ed. L. B. Elder, 19-31. Atlanta, Ga.: Scholars Press.

O'Meara, Thomas F., O.P.

- T. F. O'Meara, O.P. 1996. Fundamentalism and catholicism: Some cultural and theological reflections. *Chicago Studies* 35:68-81.

Poorman, Mark L., C.S.C.

- M. L. Poorman, C.S.C., ed. 1996. *Labors from the heart: Mission and ministry in a Catholic university*. Notre Dame, Ind.: University of Notre Dame Press.

Porter, Jean

- J. Porter. 1997. Virtue ethics. In *Blackwell companions to philosophy: A companion to the philosophy of religion*, eds. P. L. Quinn and C. Taliaferro, 466-472. London: Blackwell.

THE GRADUATE SCHOOL OFFICE OF RESEARCH

COLLEGE OF SCIENCE

Chemistry and Biochemistry

Castellino, Francis J.

- J-P. Geng, C-H. Cheng and F. J. Castellino. 1996. Functional consequences of mutations in amino acid residues that stabilize calcium binding to the first epidermal growth factor homology domain of human protein C. *Thrombosis and Haemostasis* 76 (5): 720-728.

Fehlner, Thomas P.

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LOBUND LABORATORY

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THE GRADUATE SCHOOL OFFICE OF RESEARCH

Awards Received and Proposals Submitted

In the period November 1, 1996, through November 30, 1996

AWARDS RECEIVED

Category	Renewal		New		Total	
	No.	Amount	No.	Amount	No.	Amount
Research	6	258,119	8	465,369	14	723,488
Facilities and Equipment	0	0	1	10,000	1	10,000
Instructional Programs	0	0	1	4,000	1	4,000
Service Programs	0	0	4	13,300	4	13,300
Other Programs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	6	258,119	14	492,669	20	750,788

PROPOSALS SUBMITTED

Category	Renewal		New		Total	
	No.	Amount	No.	Amount	No.	Amount
Research	7	1,188,801	28	3,846,011	35	5,034,812
Facilities and Equipment	0	0	3	302,525	3	302,525
Instructional Programs	1	33,978	0	0	1	33,978
Service Programs	0	0	0	0	0	0
Other Programs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	8	1,222,779	31	4,148,536	39	5,371,315

THE GRADUATE SCHOOL OFFICE OF RESEARCH

Awards Received

In the period November 1, 1996, through
November 30, 1996

AWARDS FOR RESEARCH

Aerospace and Mechanical Engineering

Renaud, J., Batill, S., et al.
Multidisciplinary Design Technology Development
NASA – Langley Research Center
\$14,925 12 months

Biological Sciences

Adams, J.
Molecular Analysis of P. vivax Erythrocyte Binding
Proteins
World Health Organization
\$30,000 12 months

Fraser, M.
Genetic Engineering of Peptidopteran Pests
Department of Agriculture
\$174,424 36 months

Chemical Engineering

McGinn, P.
Ce Additions for Superconducting Bearings
Purdue University
\$10,000 84 months

Travel to Attend THERMEC '97 Workshop
Purdue University
\$1,500 84 months

Chemistry and Biochemistry

Tannor, D.
Control of Photochemical Reactions
Department of the Navy
\$110,058 78 months

Electrical Engineering

Costello, D.
New Directions in Convolutional Codes
National Science Foundation
\$82,520 24 months

Jacques Maritain Center

McInerny, R.
Bradley Fellows Program 1996–97
Lynde and Harry Bradley Foundation
\$35,000 12 months

Gifford Lectures
Lynde and Harry Bradley Foundation
\$32,000 12 months

Philosophy

Plantinga, A.
Fellowship, Conference and Publishing Program for
CPR
Pew Charitable Trust
\$100,000 36 months

Physics

Ruggiero, S.
Travel to Attend HTSED Workshop '97
Purdue University
\$1,900 84 months

Livingston, A.
Atomic Structure of Highly-Charged Ions
Department of Energy
\$82,161 12 months

Ruggiero, S., Blackstead, H.
Network Analyzer for YBCO Device Design Facility
Purdue University
\$24,000 84 months

Ruchti, R., Wayne, M., et al.
Large Hadron Collider Physics
Northeastern University
\$25,000 12 months

AWARDS FOR FACILITIES AND EQUIPMENT

Chemical Engineering

McGinn, P.
High Temperature Furnace
Purdue University
\$10,000 84 months

AWARDS FOR INSTRUCTIONAL PROGRAMS

Chemistry and Biochemistry

Morris, K.
ICE Network Program
University of Wisconsin
\$4,000 7 months

THE GRADUATE SCHOOL OFFICE OF RESEARCH

AWARDS FOR SERVICE PROGRAMS

Center for Continuing Formation in Ministry

Lauer, E.

Center for Continuing Formation in Ministry
Various Others
\$1,554

1 month

Chemical Engineering

Brennecke, J.

AIChE Gender Issues Luncheon
National Science Foundation
\$600

3 months

Center for Pastoral Liturgy

Bernstein, E.

Center for Pastoral Liturgy
Various Others
\$5,285

1 month

Center for Pastoral Liturgy
Various Others
\$5,861

1 month

Proposals Submitted

In the period November 1, 1996, through
November 30, 1996

Aerospace and Mechanical Engineering

Paolucci, S., Powers, J.

A Novel Computational Approach to Combustion
Modelling
National Science Foundation
\$346,558

36 months

Anthropology

Murphy, M.

Race, Ethnicity, Social Class and Power in the Hispanic
Caribbean
Department of Education
\$102,149

12 months

Biological Sciences

McKee, E.

Transport of Guanine and Pyramid Nucleotides in
Mitochondria
Indiana University School of Medicine
\$60,000

24 months

Grimstad, P.

Arbovirus Surveillance
Indiana State Department of Health
\$26,578

12 months

Civil Engineering and Geological Sciences

Fein, J.

Attenuation of Contaminant Metals
Sandia National Laboratories
\$20,000

12 months

Chemistry and Biochemistry

Sevov, S.

Synthesis of ZnSe(Te) Phosphors
SIEMENS Analytical X-Ray Systems
\$50,968

12 months

Basu, S.

Glycolipid Metabolism in Normal and Pathological
Tissues
National Institutes of Health
\$237,306

12 months

Miller, M.

Drugs and Delivery Systems for Opportunistic
Infections
National Institutes of Health
\$226,334

12 months

THE GRADUATE SCHOOL OFFICE OF RESEARCH

Core Course

Neiman, A.
Liberal Education, Monasticism, and Caring
American Council Learned Society
\$20,000 5 months

Electrical Engineering

Huang, Y.
SMAF for High Performance Communication Systems
National Science Foundation
\$234,943 36 months

Costello, D.
Error Control Coding Techniques
National Aeronautics and Space Administration
\$140,385 24 months

Collins, O.
Equipment Supplement for Communications Research
National Science Foundation
\$33,000 12 months

History

Hoy, S.
Teaching Black Girls; Catholic Sisters in Chicago's
South Side
Spencer Foundation
\$11,650 12 months

Mathematics

Misiolek, G.
Geometry of Diffeomorphism Groups and Nonlinear
PDE's
National Science Foundation
\$78,849 36 months

Migliore, J.
Generalized Liaison Theory
North Atlantic Treaty Organization
\$1,000 1 month

Yin, H.
Partial Differential Equations
National Science Foundation
\$24,594 12 months

Dwyer, W.
Polish-American Cooperative Research Proposal
National Science Foundation
\$20,100 17 months

Institute for International Peace Studies

Cortright, D., Väyrynen, R.
JNU-Notre Dame Peace Studies Exchange Program
Ford Foundation
\$65,000 17 months

Physics

Cason, N., LoSecco, J., et al.
Research in Light Quark Spectroscopy and CP Violation
National Science Foundation
\$1,238,253 36 months

Supplemental Request for Travel for Research in CP
Violation
National Science Foundation
\$18,468 12 months

Bennett, D.
Macho Project Research
University of California, Berkeley
\$20,690 12 months

MACHO Project Data Analysis
Lawrence Livermore National Laboratory
\$23,719 12 months

Sapirstein, J.
Calculations of Higher Order QED Effects in Helium
National Institute of Standards and Technology
\$50,000 12 months

Dobrowolska-Furdyna, M., Furdyna, J.
Optical Studies of Semiconductor Heterostructures
National Science Foundation
\$475,198 36 months

Berry, H.
X-Ray Studies in Multiply-Excited States in Atoms
National Science Foundation
\$389,841 36 months

Searches for Parity Violation and Anapole Moments
Department of Energy
\$379,661 36 months

Searches for PNC and Anapole Movements
National Science Foundation
\$442,475 36 months

Theology

LaCugna, C.
Living in the Spirit of God, Spirit of Christ
Association of Theological Schools
\$50,000 9 months

Living in the Spirit of God, Spirit of Christ
Pew Charitable Trusts
\$35,000 9 months

Ford, J.
The International Artists' Apocalypse
Association of Theological Schools
\$41,731 9 months

The International Artists' Apocalypse
Pew Charitable Trusts
\$35,000 9 months

Malkovsky, B.
Human Liberation as Divine Gift
Association of Theological Schools
\$26,208 9 months

THE GRADUATE SCHOOL OFFICE OF RESEARCH

Porter, J.

The Natural Law and the Christian Conscience
Association of Theological Schools
\$33,072 9 months

Blenkinsopp, J.

The Narrative Context of Law in the Hebrew Bible
Association of Theological Schools
\$50,000 9 months

Ashley, J.

The Uses of Spirituality in America
Association of Theological Schools
\$26,082 9 months

PROPOSALS FOR FACILITIES AND EQUIPMENT

Architecture

Chang, I.

Innovative Methods of Teaching Structures to
Architecture Students
National Science Foundation
\$54,775 30 months

Biological Sciences

Martin, V.

New Visions in Developmental Biology
National Science Foundation
\$100,000 30 months

Physics

Ruchti, R., Jones, G., et al.

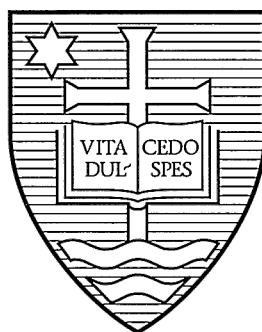
Instrumentation for Introductory Physics Laboratories
National Science Foundation
\$147,750 24 months

PROPOSALS FOR INSTRUCTIONAL PROGRAMS

Psychology

McCabe, S.

Student Experiential Program of Work with Homeless
Retirement Research Foundation
\$33,978 12 months



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Linda M. Diltz, Editor
Marten Schalm, Designer
Erin Gallavan, Publication Assistant
Gerard Jacobitz, Indexer
Publications and Graphic Services
415 Main Building
Notre Dame, IN 46556
(219) 631-5337
e-mail: Diltz.1@nd.edu

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