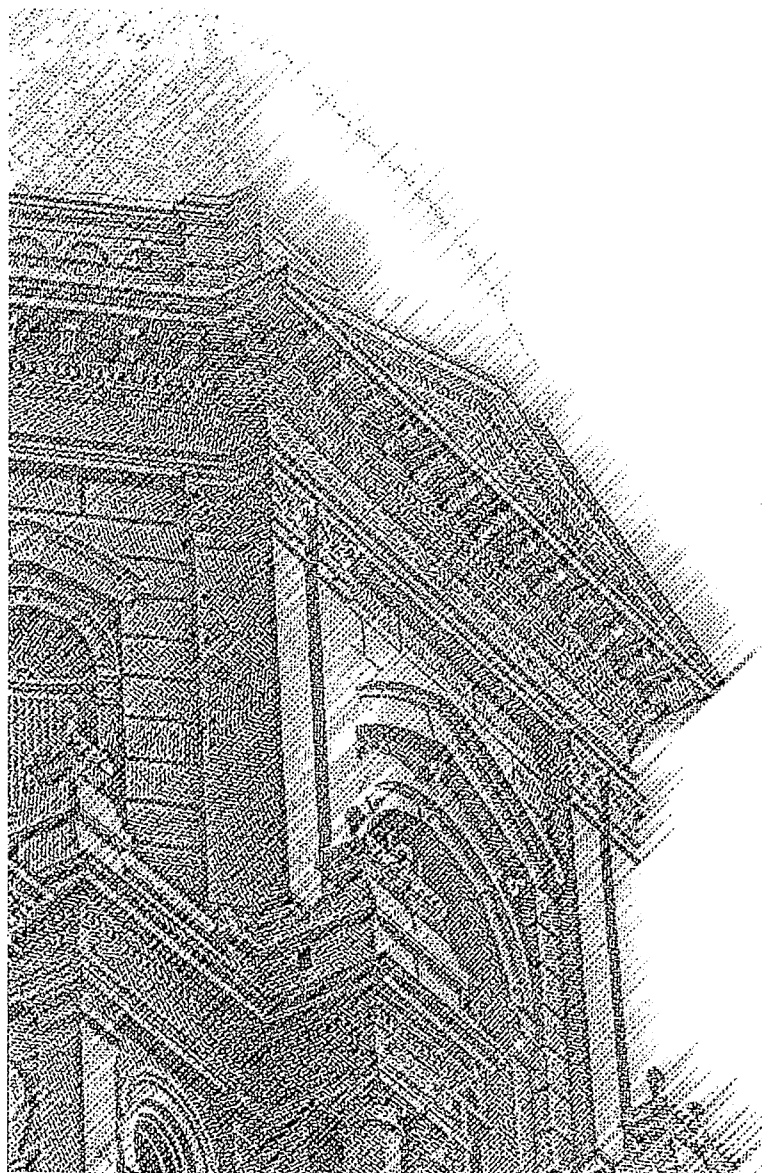


# Notre Dame Report



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# The University

## Institute for Latino Studies Established

The University has established an Institute for Latino Studies and appointed Gilberto Cárdenas assistant provost, director of the institute and Julian Samora Chair of Latino Studies, according to Provost Nathan O. Hatch.

Cárdenas joins the Notre Dame faculty from the University of Texas, where he was an associate professor of sociology and executive director of the Inter-University Program for Latino Research (IUPLR), a national research and outreach consortium that has been relocated to Notre Dame.

The new institute will focus on fostering an understanding and appreciation of the history and importance of the Latin population of the United States and will include the IUPLR, a program that was established at Stanford University in 1983 to maintain a national consortium of programs and faculty working to advance the Latino intellectual presence in the academy and other national arenas. The institute will concentrate on teaching, research and service grounded in an academic program that is both interdisciplinary and comparative, according to Cárdenas.

Cárdenas earned his bachelor's degree in sociology from California State University, Los Angeles, and his master's and doctoral degrees from Notre Dame. He teaches and conducts research in immigration, race and ethnic relations, historical and comparative sociology, and visual sociology. He has authored or edited 11 books and monographs, as well as more than two dozen articles and book chapters. He is the recipient of numerous competitive

research grants from the National Endowment for the Arts, the Corporation for Public Broadcasting, the Arthur P. Sloan, Kellogg and Ford Foundations, and others.

## Family Exemplar Award

The University's Alumni Association has given a 1957 alumnus, Daniel Kelly, and his wife, Rosemary, the first Family Exemplar Award. The award is intended for individuals, couples or families, at least one whose members is a Notre Dame graduate, who have had an impact on society, the Church or the culture in the area of family values.

The Kellys were selected as the inaugural recipients of the award for founding Rose Hill Center, a long-term care facility in suburban Detroit for people with mental illnesses. They were motivated to start the center in 1992 after being unable to find care for their son, John, who was diagnosed in 1986 with paranoid schizophrenia.

Rose Hill emphasizes active treatment and rehabilitation, versus maintenance only, for patients. Dan and Rosemary serve as chair and vice chair, respectively, of the center, which is supported through donations from individuals, corporations and foundations. Rose Hill has helped more than 260 people with serious mental illnesses achieve and maintain psychiatric stability, meaningful activity and a certain level of independent living through an aggressive program of work and social interaction, behavioral therapy and proper medication.

The Kelly family includes three daughters and their husbands and eight grandchildren.

## Foster Award

Richard H. Soisson, a 1950 Notre Dame granduate from Kalamazoo, Mich., has received the Harvey G. Foster Award for distinguished civic and athletic endeavors. He was honored at a dinner and during halftime of the Notre Dame versus Michigan State football game.

Soisson is a full-time volunteer counselor at Kalamazoo's Hackett Catholic Central High School, where he coached for 41 years, taught for 30 years and headed the guidance office for 15 years before retiring in 1991. He also is treasurer of "Caring for Kids," which offers leadership workshops and drug education programs for high school students throughout Michigan, and he has been recognized by the Michigan state senate for exemplary work with the youth of Kalamazoo.

Soisson has served as president of the Notre Dame Club of Kalamazoo and received the club's 1999 Award of the Year. He was twice named Michigan coach of the year, and the Hackett Catholic High football stadium was renamed in his honor in 1984, the year he became one of the first Michigan high school football coaches to reach 200 victories.

Soisson and his wife, Rosemary, have seven children, three of whom are Notre Dame graduates.

## Marketing Hosts Public Policy Conference

Notre Dame's Department of Marketing hosted 150 scholars at the national Marketing and Public Policy Conference, held on campus in May. This event was co-sponsored by the American Marketing Association, the Marketing Science Institute, the Association for Consumer Research, and the *Journal of Public Policy & Marketing*. Conference organizers and co-chairs were Associate Professor Gregory T. Gundlach, Nahe Professor William L. Wilkie, and Professor and Chair, Patrick E. Murphy.

Papers presented at the conference included several by Notre Dame marketing faculty: "Handbook Update: Corporate Social Awareness and Marketing Initiatives" by Minette E. Drumwright and Patrick E. Murphy; "Observations on Recent Developments in Marketing in China" by Georges Enderle; and "Exploring the Impacts of Pricing on Competition and Consumer Welfare" by Joseph P. Guiltinan and Alan G. Sawyer. Serving as conference session chairs were marketing faculty John F. Gaski, Gregory T. Gundlach, Joel E. Urbany, Elizabeth S. Moore, Michael J. Etzel, and William L. Wilkie. Bonnie Fremgen was panelist for the special session, "Retail Settings and Their Impacts on Consumer Compulsions." Also, Provost Nathan Hatch and Carolyn Y. Woo, Dean of the College of Business Administration, gave keynote and welcoming addresses.

In addition, two related events were held in conjunction with the conference – the Notre Dame Doctoral Consortium on Marketing & Society, and the Notre Dame Symposium on Teaching Ethics in Marketing. The doctoral Consortium brought 35 Ph.D. candidates to campus for a series of special tutorials and paper sessions. Among the special research presentations to the consortium fellows were talks by Notre Dame marketing faculty members William L. Wilkie, Elizabeth S. Moore, John F. Gaski, Michael J. Etzel, and Joel E. Urbany. In addition, serving as Consortium Resident Faculty

were Georges Enderle, Michael J. Etzel, John F. Gaski, Joseph P. Guiltinan, Gregory T. Gundlach, Elizabeth S. Moore, Patrick E. Murphy, Joel E. Urbany, and William L. Wilkie, while two newly-appointed faculty, Kevin Bradford and Debra M. Desrochers also attended.

The Symposium on Teaching Ethics in Marketing attracted over thirty faculty from across the U.S., Canada and Europe. Presenters during the seven sessions that day included four Notre Dame faculty (G. Enderle, M. Etzel, P. Murphy and M. Young).



# Faculty Notes

## Honors

**Mohamed Gad-el-Hak**, professor of aerospace and mechanical engineering, has been awarded the 1999 Alexander von Humboldt Prize, Germany's highest research award for senior U.S. scientists and scholars in all disciplines. The prize was established by the Federal Republic of Germany as an expression of gratitude to the United States for its post-World War II aid under the Marshall Plan. The award grants Gad-el-Hak twelve months of research support in a period of five years at any German university or Max Planck Institute.

**John F. Gaski**, associate professor of marketing, was awarded a citation for excellence from ANBAR International Database for his article "Does Marketing Ethics Really Have Anything to Say? — A Critical Inventory of the Literature" published in the *Journal of Business Ethics*, vol. 18, no. 3, 1999, pp. 315-334.

**James A. Glazier**, associate professor of physics, was an honorary visiting full professor at the Research Institute of Electrical Communication, Tohoku University, Sendai, Japan, from May until November, 1999.

**Yih-Fang Huang**, chairperson and professor of electrical engineering, **Ruey-Wen Liu**, Frank M. Freimann professor of electrical engineering, **Anthony N. Michel**, Frank M. Freimann professor of electrical engineering, and **Michael K. Sain**, Frank M. Freimann professor of electrical engineering, have been awarded the Golden Jubilee Medal of the IEEE Circuits and Systems Society (IEEE CASS) in celebration of the 50th anniversary of the IEEE CASS. The medal was awarded to a set of individuals who have made "exceptional contributions toward advancing the Society's goals."

**Kevin M. Misiewicz**, associate professor of accountancy, has been appointed the first academic member of the department of accountancy advisory council at Haworth College of Business, Western Michigan University, Kalamazoo.

**Donald E. Sporleder**, professor emeritus of architecture, has been reappointed to a three-year term on the board of directors for the Michiana YMCA. He was also appointed to the YMCA facilities committee. He has been elected to the board of the Northern Indiana Center for History and will serve on the facilities and grounds committee for that board.

## Activities

**Klaus D. Asmus**, professor of chemistry and biochemistry, presented "Amino Acid Decarboxylation: The Free Radical Mechanism" at the annual meeting of "Gesellschaft für biologische Strahlenforschung" at Dresden, Germany, Sept. 29. He presented this talk again at the Institute for Nuclear Chemistry and Technology, Warszawa, Poland, Oct. 4 and for the department of chemistry, Adam Mickiewicz University, Poznań, Poland, Oct. 6.

**Subhash C. Basu**, professor of chemistry and biochemistry, presented the talk "Characterization of Ceramide Glycanases from Carcinoembryonic Cells" at the XV International Glycoconjugate Symposium in Tokyo, Japan, Aug. 22-26. He delivered the lecture "Apoptosis of Cancer Cells by cis-platin and its Probable Mode of Action on DNA Polymerase-alpha" for the department of biochemistry at the Yamaguchi University Medical School in Ube, Japan, Aug. 27. He presented the paper "Initiation of Apoptosis by L-PPMP, L-PDMP, or cis-platin" at the satellite symposium on "New Frontier of Glyco- and Lipid-Biology Toward the Twenty-First Century" in Takushima, Japan, Aug. 28-30.

**Kathleen Biddick**, professor of history, presented an invited workshop on her book, *The Shock of Medievalism* and her current book project *The Cut of Genealogy*, to the Center for Medieval and Renaissance Studies at Duke University, Durham, N.C., Nov. 12.

**Howard A. Blackstead**, professor of physics, gave the colloquium "Implications of Superconductivity in PrBa<sub>2</sub>Cu<sub>3</sub>O<sub>7</sub>" for the physics depart-

ment at the University of North Dakota, Grand Forks, Oct. 8.

**Ian Carmichael**, associate professional specialist in the radiation laboratory, gave the presentation "Probing the Limiting Behavior of Density Functionals" at the American Conference on Theoretical Chemistry held at the Univ. of Colorado, Boulder, June 27-July 2.

**Hsueh-Chia Chang**, professor of chemical engineering, gave the invited seminar "Arnold Diffusion in Zeolite Crystals" for the aerospace and mechanical engineering department at Notre Dame, Aug. 31. He also gave the invited seminar "Nanoscale Pattern Formation During Electrode Dissolution" for the chemical engineering department at the Univ. of Florida, Oct. 18.

**Dan Chipman**, professional specialist in the radiation laboratory, gave the presentation "Volume Polarization in Reaction Field Theory" at the American Conference on Theoretical Chemistry held at the Univ. of Colorado, Boulder, June 27-July 2.

**James T. Cushing**, professor of physics, delivered "Some Comments on Bell's Theorem" at the pre-conference on science and theology at Wye College, Univ. of London, England, Sept. 24-27.

**Fred Dallmayr**, Dee professor of government and international studies, presented a lecture on "Islam et la démocratie" at the University of Rabat, Rabat, Morocco, June 11. He presented a lecture on "Nationalism East and West" at a meeting of the research committee on political philosophy of the International Political Science Association held in Malaga, Spain, June 17-20. He presented a paper on "The Enigma of Health: Gadamer at Century's End" at a meeting of the Gadamer Circle at the Philosophy Institute of the University of Heidelberg, Germany, July 2-4.

**Roberto A. DaMatta**, Edmund P. Joyce professor of anthropology, gave the invited paper "State in Society in Brazil" at the International Seminar on

Tributary Fiscalization: Context, Practices, and Tendencies held in Vitória, Espírito Santo State, Brazil, Oct. 18-20.

**Stefan Frauendorf**, professor of physics, gave the invited talk "Magnetic Rotation" during a workshop on physics at the Coulomb Barrier, Yale University, New Haven, Conn., June 11. He gave the invited talk "Isospin Symmetry Breaking by  $T=1$  p-n Pairing" during the Gordon Research Conference on Nuclear Chemistry at New London, N.H., June 15. He gave the invited talk "Symmetries of the Proton Neutron Pairfield" at the International Conference on Achievements and Perspectives in Nuclear Structure, Crete, Greece, July 15. He gave the colloquium "Magnetic Rotation" at Michigan State University, East Lansing, Sept. 29.

**Umesh Garg**, professor of physics, presented the colloquium "Nuclear Incompressibility" at the Inter-University consortium for DAE facilities in Calcutta, India, Aug. 6. He presented another colloquium "The Isoscalar Giant Dipole Resonance and its Role in the Nuclear Compressibility" at Saha Institute for Nuclear Physics, Calcutta, India, Aug. 6. He gave the invited talk "The Isoscalar Giant Dipole Resonance and Nuclear Incompressibility" during the national seminar on nuclear physics held in Bhubaneswar, India, July 26-29. He delivered the invited talk "Isoscalar Giant Dipole Resonances and the Compressibility of Nuclear Matter" at the XXVI Mazurian Lakes School of Physics, Krzyż, Poland, Sept. 1-11.

**James A. Glazier**, associate professor of physics, gave the invited seminar, "reconstructing Phylogeny from Multifractal Analysis of mtDNA Sequences" at the Research Institute of Electrical Communication, Tohoku University, Sendai, Japan, Nov. 17.

**Denis A. Goulet**, William J. and Dorothy O'Neill professor of Education for Justice, department of economics, fellow in the Helen Kellogg Institute for International Studies and fellow in the Joan B. Kroc Institute for International Peace Studies, delivered the following invited workshops and conferences in

Lima, Peru: He gave a workshop to staff on local project planning, June 14; a guest class on development indicators to school leaders, June 15; a workshop on research and evaluation to a network of School of Leaders alumni, June 16; a public conference on "Derechos y Valores: Sustento del Desarrollo Humano en el Cono Norte," June 17; and gave the workshop "Measuring Development Performance" to Alternativa project staff, June 23, at Alternativa (Center for Social Research and Popular Education). He gave the faculty seminar "Research Planning in the Social Sciences," June 17; a workshop on interdisciplinary research in development to graduate students, June 21; the public conference "La ética y cultura en el desarrollo integral," June 22; and a workshop on development indicators, June 23, at Universidad Nacional Mayor de San Marcos. He gave a radio interview on "Economic Globalization and Peru's Development Prospects" to Cadena Peruana de Noticias, June 21. He gave a radio interview on "Human Rights in Development" to APRODEH Radio Network, June 23.

**Douglas C. Hall**, assistant professor of electrical engineering, presented the paper "Optical Properties of  $\text{Al}_x\text{Ga}_{1-x}\text{AS}$  Heterostructure Native Oxide Planar Waveguides" at the IEEE Lasers and Electro-Optics Society 12th Annual Meeting in San Francisco, Calif., Nov. 8-11.

**Nai-Chien Huang**, professor of aerospace and mechanical engineering, presented a paper, "Fail-safety Analysis of an Arbitrarily Cracked Fuselage," co-authored with J.J. Mueller and S.G. Russel, at the European conference on computational mechanics held in Munich, Germany, Aug. 31-Sept. 3.

**Roger F. Jacobs**, professor of law and associate dean for library and information services in the Law School, participated as a member of the ABA site-evaluation team in the sabbatical inspection of Duke University Law School, Durham, N.C., Nov. 17-19.

**Encarnación Juárez**, assistant professor of Spanish, presented the paper "Mascarada, subversión y el papel de la mirada masculina en la construcción

del sujeto en *La pícara Justina*" at the Mid-American Conference on Hispanic Literatures at the University of Missouri, Columbia, Oct. 9.

**A. Eugene Livingston**, professor of physics, co-authored the paper "Comparison of Spectral Shapes for Two-Photon Decay in He-like Gold and Nickel Ions" at the International Conference on X-ray and Inner-Shell Processes (X99) held in Chicago, Ill., Aug. 23-27.

**Anthony N. Michel**, Frank M. Freimann professor of engineering, gave a seminar entitled "Stability Theory for Hybrid Dynamical Systems" at the Control Systems Centre of the University of Science and Technology in Manchester, England, Oct. 20. He presented with B. Hu and Z. Feng the following two papers at the 38th IEEE Conference on Decision and Control, held in Phoenix, Ariz., Dec. 7-10: "Quantized Sampled-Data Feedback Stabilization for Linear and Nonlinear Control Systems" and "Stability Analysis of Digital Feedback Control Systems with Time-Varying Sampling Periods." He presented with **P.J. Antsaklis**, professor of electrical engineering, and B. Hu and X. Xu, the paper "Stability Analysis for a Class of Nonlinear Switched Systems" at the same conference.

**Kevin M. Misiewicz**, associate professor of accountancy, presented a workshop on "Integrating Communications and Leadership Skill into Accounting Education" at the 1999 AACSB Continuous Improvement Symposium held in Minneapolis, Minn., Sept. 14.

**Liviu Nicolaescu**, assistant professor of mathematics, gave the talk "Finite energy Seiberg-Witten moduli spaces" at the American Math Society Meeting in Austin, Texas, Oct. 8. He gave another talk "On the Seiberg-Witten invariants of rational homology spheres" at the American Math Society Meeting in Charlotte, N.C., Oct. 15.

**Carolyn Nordstrom**, associate professor of anthropology and fellow in the Joan B. Kroc Institute for International Peace Studies, gave the invited lecture "Fieldwork in Warzones," May 19, and

the invited keynote "Being Female on the Frontlines," May 20, at the International Peace Research Institute in Oslo, Sweden. She gave the invited workshop "Beyond Borders: Illicit Flows of People, Objects, and Ideas" sponsored by the Social Science Research Council and the American Council of Learned Societies in Amsterdam, July 6-9. She gave the invited keynote "Living Beyond Conflict" at "Warscapes (Surviving Ethically, Academically, Physically)" at the University of Uppsala, Sweden, Sept. 17-19. She gave the invited keynote "After War Comes Peace?: Rebuilding Conflict-Ridden Societies" at the University of Uppsala, Sweden, Sept. 20.

**Catherine Perry**, assistant professor of romance languages and literatures, gave the talk "Eros tout-puissant: Anna de Noailles et Augustine Bulteau, annonciatrices de Bataille" at the conference of the Rocky Mountain Modern Languages Association, Santa Fe, N.M., Oct. 14-16.

**Terrence W. Rettig**, associate professor of physics, presented papers at the 1999 Asteroids, Comets and Meteorites Conference at Cornell University, Ithaca, New York, July 26-30. The papers were: "CO Emission in Comets C/1995 01 (Hale-Bopp) and C/1996 B2 (Hyakutake)," "Spatial Spectral Mapping of Ethanol Emission in Comet Hyakutake: Determination of Production Rates, CO Emission in Comets C/1995 01 (Hale-Bopp) and C/1996 B2 (Hyakutake)," and "Infrared Spectroscopy of Comets Hale-Bopp and Hyakutake Near 2 Microns."

**Valerie Sayers**, professor of English, gave a reading of a new work and led a fiction workshop at the Indiana University at South Bend writers conference, April 16-17. She gave a reading from her novels, *Brain Fever* and *The Distance Between Us* at the Muskegon Museum of Art Authors Series, Muskegon, Mich., March 14.

**Peter Schiffer**, assistant professor of physics, gave the colloquium "Beach Physics: Studies of Wetting and Drag Force on Granular Media" for the physics department at Emory Univ., Atlanta, Georgia, Sept. 24.

**Patrick J. Schiltz**, associate professor of law, gave the keynote address at a symposium on "Attorney Well-Being in Large Firms: Choices Facing Young Lawyers" at Vanderbilt University School of Law in Nashville, Tenn., Sept. 14. He also taught a session of a "Professional Responsibility" class.

**Steven R. Schmid**, associate professor of aerospace and mechanical engineering, presented the paper "The Role of Tribology in the Design of Machine Elements" (co-authored by B. Hamrock of Ohio State Univ. and B. Jacobson of Lund Univ.) at the 26th Leeds-Lyon Tribology Conference in Leeds, United Kingdom.

**Rev. Timothy R. Scully, C.S.C.**, vice president, senior associate provost and professor of government, was invited to provide testimony to a special session of the United States Congress subcommittee on oversight and investigation regarding AmeriCorps, at the Rayburn House Office Building, Washington, D.C., Sept. 14.

**Andrew Sommese**, Vincent J. Duncan and Annamaria Micus Duncan professor of mathematics, gave a colloquium talk "The numerical solution of systems of polynomials" for the department of mathematics at Colorado State University, Fort Collins, Sept. 22.

**Donald E. Spordeder**, professor emeritus of architecture, participated in the board meeting of the Indiana Urban Forests Council in Indianapolis, Indiana, Aug. 11. He represented the Roseland Park Board and was appointed IUFC delegate to the American Forests biennial national meeting in Seattle, Washington, Aug. 30-Sept. 5. He participated in the 9th National Urban Forests Conference, "Building Cities of Green" in Seattle, Washington by presenting a proposal for a shore-to-shore I-90 greenway.

**Steve Tomasula**, assistant professional specialist in English, presented a reading of his short story "Opera in Flatland" at the International Festival of Postmodern Literature held at Kent State University, Akron, Ohio, April 14-16.

**Mitchell R. Wayne**, associate professor of physics, gave the invited seminar "The D0 Central Fiber Tracker: Development and Status" at the University of Minnesota, Minneapolis, Nov. 30.

## Publications

**Panos Antsaklis**, professor of electrical engineering, co-authored "An Optimization Approach to Control Reconfiguration" with I.K. Konstantopoulos, published in the *Journal of Dynamics and Control*, vol. 9, 1999, pp. 255-270.

**Robert N. Barger**, adjunct associate professor of computer applications, technical ed., 1999. *Rescued by Java*. Jamsa Press.

**Subhash C. Basu**, professor of chemistry and biochemistry, co-authored "NMR Structures of a Nonapeptide from DNA Binding Domain of Human Polymerase- $\alpha$  Determined by Iterative Complete-Relaxation-Matrix Approach" with R.N. Bose, D. Li, and W-W Yang, published in the *Journal of Biomolecular Structure and Dynamics*, vol. 16, no. 5, 1999, pp. 1075-1085. He co-authored "Biosynthesis and Regulation of Glycosphingolipids" with M. Basu, S. Dastgheib, and J.W. Hawes, published in *Comprehensive Natural Products Chemistry*, vol. 3, 1999, pp. 108-128.

**Howard A. Blackstead**, professor of physics, co-authored "Prediction of Superconductivity in  $\text{Am}_{2-z}\text{Ce}_z\text{CuO}_4$ " with J.D. Dow, published in *Physical Review B*, vol. 59, 1999, pp. 14593-14597.

**Bruce A. Bunker**, chairperson and professor of physics, co-authored "XAFS and X-ray Reflectivity Studies of Buried Interfaces" with A.J. Kropf, K.M. Kemner, R.A. Mayanovic, and Q. Lu, published in *Nuclear Instruments and Methods in Physics Research B*, vol. 133, 1997, pp. 102-108. He co-authored "SAFS Studies in Fe Sites in Synthetic and Natural Neuromelanins" with A.J. Kropf, M. Eisner, S.C. Moss, L. Zecca, A. Stroppolo, and P.R. Crippa, published in *Biophysics Journal*, vol. 75, 1999, pp. 3135-3142. He co-authored

"XAFS Studies of Interfaces in MnSe/ZnTe Superlattices" with A.J. Kropf and J.K. Furdyna, published in the *Journal of Synchrotron Radiation*, vol. 6, 1999, pp. 212-214. He co-authored "A bent Laue analyzer for fluorescence XAFS detection" with Z. Zhong, D. Chapman, G.B. Bunker, R. Fischetti, and C. Segre, published in the *Journal of Synchrotron Radiation*, vol. 6, 1999, pp. 370-372.

**Neal M. Cason**, professor of physics, co-authored "Evidence for exotic  $J^{PC} = 1^{-+}$  meson production in the reaction  $\pi^- \rightarrow \eta \pi^+ p$  at 18 GeV/c" with S.U. Chang, T. Adams, J.M. Bishop, E.I. Ivanov, J.M. LoSecco, J.J. Manak, A.H. Sanjari, W.D. Shephard, D.L. Stienike, S.A., Taegar and D.R. Thompson, published in *Physical Review D*, vol. 60, 1999, pp. 092001-1-24.

**Sr. Deborah M. Cerullo, S.S.N.D.**, associate professional specialist in law, wrote "A Canonical Study of Lay Associate Programs," published in *Studia Canonica*, vol. 33, 1999, p. 442. She wrote "Charism and Membership: Surpassing the Institutional Limits of Religious Life," published in *Review for Religious*, vol. 58, 1999, p. 515.

**Hsueh-Chia Chang**, professor of chemical engineering, co-authored "A New Design of Reverse-Flow Reactors with Enhanced Thermal Dispersion" with J.M. Keith and D.T. Leighton, published in *Industrial and Eng. Chem. Res.*, vol. 38, 1999, p. 667. He co-authored "Pattern Selection During Electropolishing due to Double-Layer Effects" with V.V. Yuzhakov, P.V. Takhistov, and A.E. Miller, published in *Chaos*, vol. 9, 1999, p. 62. He co-authored "Unusual Contact-line Dynamics of Thick Films and Drops" with I. Veretennikov, A. Agarwal, and A. Indeikina, published in the *Journal of Colloid and Interface Science*, vol. 215, 1999, p. 425. He wrote "Nonequilibrium Diffusion in Zeolites due to Deterministic Hamiltonian Chaos," with D.I. Kopelevich, published in *Physical Review Letters*, vol. 83, 1999, p. 1590. He co-authored "A Spectral Theory for Fingering on a Prewetted Plane," with Y. Ye, published in *Phys. of Fluids*, vol. 11, 1999, p. 2494.

**Fred R. Dallmayr**, chairperson and Packey J. Dee professor of government and international studies, fellow in the Joan B. Kroc Institute for International Peace Studies and fellow in the Helen Kellogg Institute for International Studies, wrote *Border Crossings: Toward a Comparative Political Theory*. 1999. Lanham, Maryland: Rowman and Littlefield/Lexington Books. He authored the foreward, pp. 1-10.

**Roberto DaMatta**, Joyce Professor of Anthropology, wrote "Beloved Country" published in *Icaro* magazine, VARUG Airlines publication special issue on the best of Brazil, no. 182, Oct. 1999.

**Thomas P. Fehlner**, Grace-Rupley professor of chemistry and biochemistry, and **Maoyu Shang**, adjunct research professor of chemistry and biochemistry, co-authored "The Synthesis and X-ray crystal structures of novel transition metal cluster arrays containing 2-5 coordinated  $[(\text{CO})_9\text{Co}_3(\mu_3\text{-CCOO})]$  ligands in a variety of geometries" with V. Calvo-Perez, G.P.A. Yap, and A.L. Rheingold, published in *Polyhedron*, vol. 19, 1999, pp. 1869-1880.

**Stefan Frauendorf**, professor of physics, co-authored "Shears Mechanism in the  $A \sim 110$  Region" with R.M. Clark, S.J. Asztalos, B. Busse, C.J. Chiara, M. Cromaz, M.A. Deleplanque, R.M. Diamond, P. Fallon, D.B. Fossan, D.G. Jenkins, S. Juutinen, N. Kelsall, R. Krücken, G.J. Lane, I.Y. Lee, A.O. Macchiavelli, R.W. MacLeod, G. Schmid, J.M. Sear, J.F. Smith, F.S. Stephens, K. Vetter, and R. Wadsworth, published in *Physical Review Letters*, vol. 82, no. 16, 1999, pp. 3220-3223. He co-authored "Observation of a  $(v_7/2^- [514])^2$  crossing in  $^{180}\text{Os}$ " with R.M. Lieder, Ts. Venkova, S. Utzelmann, W. Gast, H. Schnare, K. Spohr, P. Hoernes, A. Georgiev, D. Bazzacco, R. Menegazzo, C. Rossi-Alvarez, G. de Angelis, R. Kaczarowski, T. Rzac-Urbán, T. Morek, and G.V. Maier, published in *Nuclear Physics A*, vol. 645, 1999, pp. 465-491. He co-authored "High-spin states in  $^{205}\text{Rn}$ : A new shears band structure?" with J.R. Novak, C.W. Beausang, N. Amzal, R.F. Casten, G. Cata Danil, J.F.C. Cocks, J.R. Cooper, P.T. Greenlees, F.

Hannachi, K. Helariutta, P. Jones, R. Julin, S. Juutinen, H. Kankaanpää, H. Kettunen, P. Krücken, P. Kuusiniemi, M. Leino, Benyuan Liu, M. Muikku, A. Savelius, T. Socci, J.T. Thomas, N.V. Zamfir, and Jing-ye Zhang, published in *Physical Review C*, vol. 59, no. 6, 1999, pp. 2989-2992. He co-authored "Confirmation of the Shears Mechanism in Near-Spherical Tin Nuclei" with D.G. Jenkins, R. Wadsworth, J.A. Cameron, R.M. Clark, D.B. Fossan, I.M. Hibbert, V.P. Janzen, R. Krüken, G.J. Lane, I.Y. Lee, A.O. Macchiavelli, C.M. Parry, J.M. Sears, and J.F. Smith, published in *Physical Review Letters*, vol. 83, no. 3, 1999, pp. 500-503. He co-authored "Pair correlations and magnetic susceptibility of small Al-grains" with N.K. Kuzmenko and V.M. Mikhajlov, published in *Journal of Cluster Science*, vol. 10, 1999, pp. 195-220. He co-authored "Cranked shell model and isospin symmetry near  $N = Z$ " with J.A. Sheikh, published in *Nuclear Physics A*, vol. 645, 1999, pp. 509-535. He co-authored "Rotational alignment near  $N = Z$  and proton-neutron correlations" with Sheikh, published in *Physical Review C*, vol. 59, no. 3, 1999, pp. 1400-1404. He co-authored "First Evidence of Magnetic Rotation in the  $A = 80$  Region" with H. Schnare, R. Schwengner, F. Döna, L. Käubler, H. Prade, A. Jungclaus, K.P. Lieb, C. Link, S. Skoda, J. Eberth, G. de Angelis, A. Gadea, E. Farnea, D.R. Napoli, C.A. Ur, and G. Lo Bianco, published in *Physical Review Letters*, vol. 82, no. 22, 1999, pp. 4408-4411.

**Umesh Garg**, professor of physics, wrote "The isoscalar giant dipole resonance: Where we stand?" published in *RIKEN Review*, vol. 23, 1999, pp. 65-68. He co-authored "Deformation driving property of the  $h_{9/2}$  configuration in  $^{171}\text{Ta}$ " with P. Joshi, G. Mukherjee, A. Kumar, R.P. Singh, S. Muralithar, S.C. Pancholi, C.R. Praharaj, R.K. Bhowmik, and I.M. Govil, published in *Physical Review C*, vol. 60, 1999, pp. 034311-1 to 034311-5. He co-authored "Incremental alignments in the  $A \sim 150$  superdeformed region" with G. Kharraja, published in *Physical Review C*, vol. 60, 1999, pp. 0443131-0443136.

**Paul R. Grimstad**, assistant chairperson and associate professor of biological

sciences, co-authored "Sequence Analysis of the Medium (M) Segment of Cache Valley Virus, with Comparison to other Bunyaviridae" with C.L. Brockus, published in *Virus Genes*, vol. 19, no. 1, 1999, pp. 73-83.

**Linda S. Gutierrez**, assistant professional specialist in the Walther Center Institute and Center for Transgene Research, co-authored "The Fas/Fas-ligand system: a mechanism for immune evasion in human breast carcinomas," with M. Eliza, T. Niven-Fairchild, F. Naftolin and G. Mor, published in *Breast Cancer Research*, vol. 54, 1999, pp. 245-53. She also co-authored "Monocyte chemotactic protein-1 expression in human corpus luteum," with L.M. Sentruk, E. Seli, G. Mor, H.B. Zeyneloglu and A. Arici, published in *Molecular Human Reproduction*, vol. 5, no. 6, 1999, pp. 697-702.

**Douglas C. Hall**, assistant professor of electrical engineering, co-authored "Refractive index and hygroscopic stability of  $\text{Al}_x\text{Ga}_{1-x}\text{As}$  native oxides" with H. Wu, L. Kou, Y. Luo, R.J. Epstein, O. Blum and H. Huo, published in *Applied Physics Letters*, vol. 75, no. 8, 1999, pp. 1110-1112. He co-authored "Oxidized  $\text{Al}_x\text{Ga}_{1-x}\text{As}$  heterostructure planar waveguides" with Y. Luo, L. Kuo, L. Steingart, J.H. Jackson, O. Blum and H. Huo, published in *Applied Physics Letters*, vol. 75, no. 20, 1999, pp. 3078-3080.

**Nai-Chien Huang**, professor of aerospace and mechanical engineering, co-authored "Fail-safety Analysis of an Arbitrarily Cracked Fuselage" with J.J. Miller and S.G. Russel, published in W. Wunderlich, ed., *Proceedings of the European Conference on Computational Mechanics*, 1999, 20 pages (CD-ROM).

**Frank Incropera**, Matthew H. McCloskey dean of the college of engineering and H. Clifford and Evelyn A. Brosey professor of mechanical engineering, co-authored "Numerical Discretization of Species Equation Source Terms in Binary Mixture Models of Solidification and their Impact on Macrosegregation in Semi-Continuous, Direct Chill Casting Systems" with C.J. Vreeman, published in *Numerical Heat Transfer, Part B* 36, pp. 1-14. He

wrote "Liquid Cooling of Electronic Devices by Single-Phase Convection," New York: John Wiley and Sons, 1999, pp. I-XIV; 1-285.

**Alan L. Johnson**, professor of biological sciences, co-authored "Bcl-Xlong Protein Expression and Phosphorylation in Granulosa Cells" with J.T. Bridgham and T. Jenson, published in *Endocrinology*, vol. 140, no. 10, 1999, pp. 4521-4529.

**Ashan Kareem**, professor and chair of civil engineering and geological sciences, co-authored "A Conditional Simulation of Non-Normal Velocity/Pressure Fields" with K. Gurley, published in the *Journal of Wind Engineering and Industrial Aerodynamics*, vols. 77-78, 1998, pp. 39-51. He co-authored "Aerodynamics of Nanjing TV Tower" with S. Kabat and F. Haan, Jr., published in the *Journal of Wind Engineering and Industrial Aerodynamics*, vols. 77-78, 1998, pp. 725-39. He co-authored "The Effects of Turbulence on the Pressure Distribution Around a Rectangular Prisms" with F. Haan Jr. and A.A. Szewczyk, published in the *Journal of Wind Engineering and Industrial Aerodynamics*, vols. 77-78, 1998, pp. 381-92. He co-authored "Interference Effects for a Group of Finite Cylinders" with T. Kijewski and P-C Lu, published in the *Journal of Wind Engineering and Industrial Aerodynamics*, vols. 77-78, 1998, pp. 503-20. He co-authored "Simulation of Correlated Non-Gaussian Pressure Fields" with K. Gurley, published in *MECCANICA*, vol. 33, no. 3, 1998, pp. 309-317. He co-authored "Dynamic Wind Effects: A Comparative Study of Provisions in Codes and Standards with Wind Tunnel Data" with T. Kijewski, published in *Wind and Structures*, vol. 1, no. 1, 1998, pp. 77-109. He co-authored "Modeling and Analysis of Quadratic Term in the Wind Effects on Structures" with M.A. Tognarelli and K. Gurley, published in the *Journal of Wind Engineering and Industrial Aerodynamics*, vols. 74-76, 1998, pp. 1101-1110. He co-authored "On the Formulation of ASCE7-95 Gust Effect Factor" with G. Solari, published in the *Journal of Wind Engineering and Industrial Aerodynamics*, vols. 77-78, 1998, pp. 673-684. He co-authored "Parametric Study of Flow

Around Rectangular Prisms Using LES" with D. Yu, published in the *Journal of Wind Engineering and Industrial Aerodynamics*, vols. 77-78, 1998, pp. 653-662.

**Kwan S. Kim**, professor of economics and fellow in the Helen Kellogg Institute for International Studies, co-authored *Growth, Distribution and Political Change - Asia and the Wider World* with R. Minami and M. Falkus, London: Macmillan Press Ltd. and New York: St. Martin's Press Ltd., 1999, 307 + xii pages. He wrote "The Political Economy of Income Inequality in the United States," published in Minami, Kim, and Falkus, eds., *Growth, Distribution and Political Change - Asia and the Wider World*. London: Macmillan Press Ltd. and New York: St. Martin's Press Ltd., 1999, pp. 209-231. He co-authored "Introduction: Themes and Challenges" with Minami, published in Minami, Kim, and Falkus, eds., *Growth, Distribution and Political Change - Asia and the Wider World*. London: Macmillan Press Ltd. and New York: St. Martin's Press Ltd., 1999, pp. 3-19.

**A. Eugene Livingston**, professor of physics, and **H. Gordon Berry**, professor of physics, co-authored "Lifetime Measurements for Allowed and Forbidden Transitions" with E. Jasper, A. Vasilyev, K. Kukla, C. Vogel Vogt, S. Cheng, L.J. Curtis, and R.W. Dunford, published in *Physica Scripta*, vol. T80, 1999, pp. 466-468. Livingston, **Ulyana I. Safronova**, visiting research professor of physics, and **Walter R. Johnson**, Frank M. Freimann professor of physics, co-authored "Relativistic many-body calculations of electric-dipole transitions between  $n = 2$  states in B-like ions," published in *Physical Review A*, vol. 60, 1999, pp. 996-1004. He co-authored "Two-photon decay in strong central fields observed for the case of He-like gold" with H.W. Schäffer, P.H. Mokler, R.W. Dunford, C. Kozhuharov, A. Krämer, T. Ludziejewski, H-T Prinz, P. Rymuza, L. Sarkadi, Z. Stachura, Th. Stöhlker, P. Swiat and A. Warczak, published in *Physics Letter A*, vol. 260, 1999, pp. 489-94. He co-authored "Fast-beam laser lifetime measurements of the cesium  $6p^2p_{1/2,3/2}$  states" with R.J. Rafac, C.A. Tanner and **H.G. Berry**, published in

*Physical Review A*, vol. 60, no. 5, 1999, pp. 3648-3662.

**Lawrence C. Marsh**, associate professor of economics, co-authored "The Dynamic Effect of Discounting on Sales: Empirical Analysis and Normative Pricing Implications" with C.F. Mela and P.K. Kopalle, published in *Marketing Science*, vol. 18, no. 3, 1999, pp. 317-332.

**Grant J. Mathews**, professor of physics, co-authored "Relativistic Studies of Close Neutron Star Binaries" with J.R. Wilson and P. Marronetti, published in *Proceedings of the 8th Marcel Grossmann Meeting on General Relativity*, Singapore: World Scientific, 1999, pp. 1527-29. Mathews co-authored "Gamma-Ray Bursts from Close Neutron Star Binaries" with J. Salmonson, published in *Proceedings of the 8th Marcel Grossmann Meeting on General Relativity*, Singapore: World Scientific, 1999, pp. 1594-1896. He co-authored "Irrotational Binary Neutron Stars in Quasi-Equilibrium" with J.R. Wilson and P. Marronetti, published in *Physical Review D*, vol. 60, 1999, pp. 087301-1 to 087301-4.

**John E. Matthias**, professor of English, translated, with V. Vuckovic, *The Battle of Kosovo*, from the Serbian: Swallow Press, 1999, 96 pp.

**Robert P. McIntosh**, professor emeritus of biological sciences, wrote "The Succession of Succession: A Lexical Chronology," published in *Bulletin of the Ecological Society of America*, vol. 80, no. 4, 1999, pp. 256-265.

**Anthony N. Michel**, Frank M. Freimann professor of engineering, co-authored the following papers, published in the *Proceedings of the 38th IEEE Conference on Decision and Control*, 1999, Phoenix, Ariz. "Stability analysis for a class of nonlinear switched systems," pp. 4374-79, co-authored with B. Hu, X. Xu and P.J. Antsaklis. "Quantized Sampled-Data Feedback Stabilization for Linear and Nonlinear Control Systems," pp. 4392-97, co-authored with B. Hu and Z. Feng. "Stability Analysis of Digital Feedback Control Systems with Time-Varying Sampling Periods," pp. 4915-16, co-authored with B. Hu. He also

edited a book with M.D. Lemmon, *IEEE Transactions on Automatic Control*, vol. 44, no. 11, Special Issue on Neural Networks in Control, Identification and Decision Making: New York, IEEE Control Systems Society, 1999, pp. 1993-2057. He co-authored "Robustness Analysis of a Class of Discrete-Time Recurrent Neural Networks under Perturbations" with Z. Feng, published in the *IEEE Transactions on Circuits and Systems - I: Fundamental Theory and Applications*, vol. 12, 1999, pp. 1482-86.

**Marvin J. Miller**, George and Winifred Clark professor of chemistry and biochemistry, and **Paul M. Helquist**, professor of chemistry and biochemistry, co-authored "Synthesis and Biological Evaluation of a Siderophore-Virginiamycin Conjugate" with Y-M Lin, published in *Synthesis*, no. SI, 1999, pp. 1510-1514. Miller co-authored "Practical Synthesis of Hydroxamate-Derived Siderophore Components by an Indirect Oxidation Method and Syntheses of a DIG-Siderophore Conjugate and a Biotin-Siderophore Conjugate" with Y-M Lin, published in the *Journal of Organic Chemistry*, vol. 64, 1999, pp. 7451-7458.

**Carolyn Nordstrom**, associate professor of anthropology and fellow in the Joan B. Kroc Institute for International Peace Studies, wrote "Visible Wars and Invisible Girls: Shadow Industries and the Politics of Not-Knowing," published in *International Feminist Journal of Politics*, vol. 1, no. 1, 1999. She wrote "Shadow Sovereigns," published in the paper of the Kroc Institute for International Peace Studies, University of Notre Dame. She also wrote "Requiem for the Rational War" in *Deadly Developments: Capitalism, States and War*, published by Gordon and Breach: Amsterdam. S. Reyna, ed. She wrote "Girls and War Zones" in *Engendering Forced Migration*, published by Berghahn Books: Oxford, U.K., D. Indra, ed.

**Thomas L. Nowak**, professor of chemistry and biochemistry, co-authored "Role of His159 in Yeast Enolase Catalysis" with D.A. Vinarov, published in *Biochemistry*, vol. 38, 1999, pp. 12138-12149.

**William O'Rourke**, professor of English, wrote "Candidates spread fatigue, as a nation yawns" in the *Chicago Sun Times*, vol. 53, no. 190, 1999, Sept. 14, p. 29. He wrote "Insight puts ball in Bradley's court" published in the *Chicago Sun Times*, vol. 53, no. 201, 1999, p. 31. He wrote "Strange utterances from the White House" published in the *Chicago Sun Times*, vol. 53, no. 223, 1999, p. 53.

**John A. Poirier**, professor of physics, wrote the following papers which were published in the *Proceedings of the 26th International Cosmic Ray Conference*, Salt Lake City, Utah: International Union for Pure and Applied Physics: "Corrections to the Predictions for Atmospheric Neutrino Observations" vol. 2, 1999, pp. 147-150; "The South Atlantic Magnetic Field Anomaly and Its Effect on the Calculated Production of Atmospheric Neutrinos," vol. 2, 1999, pp. 253-256; he co-authored "Possible Detection of Gamma Ray Air Showers in Coincidence with BATSE Gamma Ray Bursts," vol. 4, 1999, pp. 24-27 and "A Search for Point Sources of Cosmic Primary Rays Which Produce Muon Tracks at Ground Level," vol. 2, 1999, pp. 104-107 with T.F. Lin, J. Carpenter, S. Desch, J. Gress and A. Roesch. He co-authored "Asymmetries of Secondary Cosmic Muons with High Statistics and Low Systematics," vol. 2, 1999, pp. 100-103 with T.F. Lin, B. Fields and J. Gress. He co-authored "A Monte Carlo Calculation of Muon Flux at Ground Level from Primary Cosmic Gamma Rays" with A. Fasso, vol. 2, 1999, pp. 127-130. He co-authored "Composition of UHE Cosmic Ray Primaries" with J. Carpenter, J. Gress, T.F. Lin and A. Roesch, vol. 4, 1999, pp. 172-175. He co-authored "Status Report on Project GRAND: An Extensive Air Shower Array of Proportional Wire Chambers" with J. Carpenter, S. Desch, J. Gress, T.F. Lin, Y. Lu and A. Roesch, vol. 5, 1999, pp. 304-307. He co-authored "Can EGRET's Gamma Ray Sources > 100 MeV Be Seen with Single Secondary Cosmic Muons from Gammas > 30 GeV?" with J. Carpenter, S. Desch, T.F. Lin, and A. Roesch, vol. 2, 1999, pp. 60-63. He co-authored "Secondary Cosmic Muon Angular Distributions with High Statistics" with J. Gress and T.F. Lin, vol. 2, 1999, pp. 64-67.

**Terrence W. Rettig**, associate professor physics, co-authored "Identification of two sources for carbon-monoxide in comet Hale-Bopp" with M. DiSanti, M. Mumma, N. Della-Russo, R. Novak, and K. Magee-Sauer, published in *Nature*, vol. 399, 1999, pp. 662-665.

**Juan M. Rivera**, associate professor of accountancy, wrote "Contabilidad Gubernamental en los Estados Unidos. Nuevo Enfoque del Reporte de Cuentas Anuales" (Governmental Accounting in the USA. A New Report of the Annual Accounts.) published in *InterAmerican Bulletin - Inter-American Accounting Association*, May-June, 1999, pp. 5-9. He wrote "El Enfoque Global en la Formación del Contador Público y el Administrador en los Estados Unidos (A Global Approach to Accounting Education in the USA)" published in *InterAmerica: Journal of the Inter-American Accounting Association*, vol. 2, no. 6, 1999, pp. 26-32.

**Joachim Rosenthal**, professor of mathematics, co-authored "Applicable Algebra in Engineering Communication and Computing" with R. Smarandache, published in *Applicable Algebra in Engineering Communication and Computing*, vol. 10, 1999, pp. 15-32.

**Steven T. Ruggiero**, associate professor of physics, and **Carol E. Tanner**, associate professor of physics, co-authored "Wavelength Dependent Photoresponse in YBCO Thin Film Systems" with M.P. Mischke, A.J. Wilson, L.R. Vale, and D.A. Rudman, published in *IEEE Transactions on Applied Superconductivity*, vol. 9, no. 2, 1999, pp. 3182-3185.

**Valerie Sayers**, professor of English, wrote reviews of *The Orphan Game* by Ann Darby in the *New York Times Book Review*, June 6, 1999; and of *The Leper's Companions* by Julia Blackburn in *Commonweal*, May 7, 1999.

**W. Robert Scheidt**, professor of chemistry and biochemistry, co-authored "Molecular Structures and Magnetochemistry of Two ( $\beta$ -Oxo-octaethylchlorinato)copper(II) Derivatives: [Cu(oxoOEC)] and [Cu(oxoOEC)]SbCl<sub>6</sub>" with T.J. Neal, S-J Kang, and C.E. Schulz, published in *In-*

*organic Chemistry*, vol. 38, 1999, pp. 4294-4302.

**Slavi C. Sevov**, assistant professor of chemistry and biochemistry, co-authored "Zinc Phosphate with Gigantic Pores of 24 Tetrahedra" with G-Y Yang, published in *Journal of the American Chemical Society*, vol. 121, 1999, pp. 8389-8390.

**Mark A. Suckow**, director and professional specialist in the Freimann Life Science Center, co-authored "Enhanced bone regeneration using porcine small intestinal submucosa" with S.L. Voytik-Hansen, L.A. Terril, and S.F. Badylak, published in the *Journal of Investigative Surgery*, vol. 12, 1999, pp. 277-287.

**Jacob Szmuszkowicz**, adjunct professor of chemistry and biochemistry, wrote "U-50,488 and the  $\kappa$  receptor: A personalized account covering the period 1973-1990," published in E. Jucker, ed., *Progress in Drug Research*, vol. 52, Birkhäuser, Basel (Switzerland), 1999, pp. 168-195.

**Steve Tomasula**, assistant professional specialist in English, wrote the short story "Reconciled" in *Black Ice*, summer 1999. He also wrote the essay "Invisible Citizens/Visible Cities" in *Emigre*. His essay "Time Capsule/Self-Capsule" was published in *Circa* (Ireland), no. 89, autumn 1999. His essay "Speaking through a Veil of Dollars: The Dialog between Art and Literature" was published in the *New Art Examiner*, vol. 26, no. 10 July/August 1999, pp. 36-41. His essay review "Art Doesn't Give Me a Happy Feeling" appeared in the *Electronic Book Review*, no. 9. His reviews "Steven G. Kellman and Irving Malin, Into the Tunnel: Readings of Gass's Novel" and "Silvio Gaggi, From Text to Hypertext: Decentering the Subject in Fiction, Film, the Visual Arts and Electronic Media" appeared in *The Review of Contemporary Fiction*, vol. 19, no. 2, summer 1999.

**Samir Younes**, director, Rome Studies program for architecture, wrote *The True, the Fictive, and the Real. The Historical Dictionary of Architecture of Quatremere de Quincy*, A. Papadakis



publisher, London, 1999. He wrote "The Prince of Wales's Urban Design Task Force for Sidon," in *Archi e Colonne International*, vol. 6, Gangemi Editore, Bologna, Italy, pp. 49-59. He wrote "Pluralism, Monism, and the Sense in Common" in *American Arts Quarterly*, vol. XVI, no. 3, 1999, pp. 36-40.

## Deaths

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**Rev. Robert Griffin, C.S.C.**, died on Wednesday, Oct. 20, at Holy Cross House at Notre Dame. He was 74 years old. Griffin was one of the University's most affectionate and kindly regarded characters; he enjoyed a ubiquitous campus presence for three decades. Griffin was graduated from Notre Dame in 1949 and was ordained a priest in the Eastern Province of the Congregation of Holy Cross in 1954. He received a master's degree in English from Notre Dame in 1957 and did graduate work at Boston University before joining the faculty at Stonehill College. He returned to Notre Dame in 1967 to serve as a rector. In 1974 he was appointed University chaplain, which he served as until health problems forced his retirement.



# Administrators' Notes

## Appointments

**Kevin Misiewicz**, associate professor of accountancy, has been appointed ombudsperson for discriminatory harassment complaints at the University. As ombudsperson, he will provide one means by which students, faculty and staff can report allegations of discriminatory harassment. He will investigate all complaints brought to his attention and follow up either with informal conciliation or assistance in preparing a formal report to University officials.

Under terms of the harassment policy as passed by the Academic Council, the ombudsperson is appointed by President Malloy.

A member of the Notre Dame faculty since 1978, Misiewicz specializes in the uses of computers in tax practice and education; tax research tools, processes and communication; various aspects of the taxation of individuals, including estate planning; and the tax treatment of the taxation of individuals.

## Honors

**Robert V. Watkins**, director of materials management, was awarded a certificate of appreciation by the Educational Testing Service in appreciation of his years of dedicated service in administering tests for ETS.

## Activities

**Alan S. Bigger**, director of building services, gave the address, "Little things mean a lot" to the Association of Ohio Philanthropic Homes, Housing and Services for the Aging at their annual conference held in Columbus, Ohio, Sept. 9. He also gave the address "Solid Waste Management" to the American Laundry and Linen College at Eastern Kentucky University, Sept. 17.

**Jeffrey R. Shoup**, director of residence life, presented "Relationship Violence and the College Student" at the Great Lakes Association of College

and University Housing Officers annual conference held in Grand Rapids, Mich. He also served as a panel member for the Mental Health Issues roundtable session.

## Publications

**Alan S. Bigger**, director of building services, co-authored "Zero Tolerance: Safety in the Workplace" with L.B. Bigger, published in *Executive Housekeeping Today*, vol. 20, no. 10, 1999, pp. 13-15. He wrote "The Cleaner's Arsenal," published in *Maintenance Solutions*, September 1999, pp. 4-5. He wrote "Recycling could turn your facility's trash into cash," published in *American Laundry News*, September 1999, pp. 14-15. He wrote "The Plan's the Thing," in *Maintenance Solutions*, September 1999.

# Documentation

## President's Address to the Faculty

October 5, 1999

Provost Nathan O. Hatch:

Good afternoon, colleagues and friends. I would like to open this assembly with a prayer, so if you would, stand please. This is a prayer by Kathy Kay, and the theme is work.

*That which I give my energy to, which I love, hate, find challenging, demanding, frustrating, rewarding: This is my work—that which I must do on a daily basis in order to live, and to prove that I am fully alive. Lord, thank You that as we work in the world engaging our best energies in that which is before us, You work within us through the same struggle, the fabric of our redemption. Amen.*

Ladies and gentlemen of the faculty, I give you the president of the University, Father Edward A. Malloy, C.S.C.

Reverend Edward A. Malloy, C.S.C., President:

Perhaps it is because there has been so reflection on the millennial year which, depending on how you use the calendar, we count this year or next. Or maybe it is because I know that Nathan Hatch will soon be sending out a review of how the budget has had such a dramatic and positive impact on the academic life of the institution over the last three years. Or maybe it is because I just came out with a book called *Monk's Reflections*, which, in some fashion, and continuous prose, offers my thoughts about a number of matters related to academic life including here at Notre Dame. I would like to do something different this year.

After 13 years, and for the first time, I got out my inaugural address to see what that reflected about how I saw Notre Dame at that time. We are talking about some issues that are both perennial and new. And so, if you will indulge me for a moment, I'd like to

make some references to that earlier document and then offer some reflections about a number of things that I think we are facing today.

In that document I talked about five areas of institutional self-definition and identity. I suppose you could say that I did that naively or with the enthusiasm and innocence of starting new in a new responsibility. But here's what they were, one at a time.

I said at that time that Notre Dame is first of all a university; it is essentially a center for scholarship and learning. Nothing very extraordinary about that claim. But I tried to talk briefly then about the balance between teaching and research as it applied to Notre Dame and as we looked to the future. I'd like to say something about that same topic again. Teaching is, of course, at the heart of our mission as a place of education. Young and not-so-young people come to us from all over the country and all over the world for that vital and exciting exchange that we call education in higher education. Teaching is a life work; it is a calling, a mission, that we share together. And I am very pleased that I am able to continue to teach myself because it constantly reminds me of why we exist and why so many families at the undergraduate level spend their money to have their daughter or son attend the University. It is why so many students at the professional and graduate levels come to us. They think there is something special happening here. We have attracted not only bright and talented people but those ready to share what they have learned and to try to help bring out the best in those entrusted to their care.

A lot has been said about pedagogical theory in the past 13 years: about the context of learning, about the traditional ways most of us were educated, about the relationship between the traditional lecture and the interactive sessions that sometimes take the form of seminars, about the way that teaching can properly happen in introductory formats and later on when there is more knowledge that can be presupposed, and about the way we deal with our graduate students and try to pre-

pare them for careers of teaching, if that is what they choose to do. We have become much better in terms of incorporating technology into our learning environments. This can be used well or poorly. Many of us have experimented with the very best incorporation of computers and other mechanically generated formats for learning into our work. We have established a center where we can learn from one another and be alert to what is happening outside of the campus.

More recently, we have established a series of awards across all of the academic units, not only to recognize some of the best teachers in our midst, but to let them be models for their colleagues, especially junior colleagues who try to pick up on the nature and essence and spirit of this place. I feel very positive personally about the progress that we have made with regard to taking our teaching responsibilities seriously. I am pleased to know that so many other schools have come to visit us to see how we do things. We have generated some excitement across the university communities, where the word gets out quickly about campuses that are investing heavily in this activity.

When it comes to research, we are a university with high levels of aspiration. We are in transition, and some parts of the University have carried the brunt of this more than others. But now we are at a time in our institutional history where we believe that research in one form or another should be taking place everywhere, in all of the colleges and schools, whether we have doctoral students to share that time with or not. There are some strange things about the funding mechanisms for research. And we have some disadvantages in that regard. There is much more money available from the federal government in science and engineering than there is in the rest of the University.

Because we have been predominantly an undergraduate school in size and shape, it is hard for us to make our mark if you look at the relative size of some of our departments and colleges. You know that there are mega-univer-

sities in which there are departments larger than some of our colleges. So that is a disadvantage. There are other ways in which research can be supported in the social sciences and the humanities, in business, in architecture, and so on. We just have to find our mix and our way. Presently we are averaging a little over \$30 million a year in research grants—some progress from where we were before. But if you look at some of the universities with which we are compared, we are way behind. We need to continue to explore the most effective way that we can create a climate in this University where our research can be top quality across the board. And we need to reward that effort, consistently. I said initially that science and engineering have carried the burden of the day in terms of total dollars. I want to offer my special word of congratulations to the faculty in those two colleges. They serve as models for the rest of the University.

I am also aware that we have added 10 full-time regular faculty positions each year. So we are much better situated than we were before in this regard. More and more of our faculty come with a head start because of what they did before they came to Notre Dame. I think we have a much improved infrastructure than we did before—in the library, in computing, in instrumentation, in the quality of the offices of most parts of the faculty, and so on. We are attracting very high-quality undergraduate students, and we are making a special effort to improve the quality of the students that we attract in the doctoral programs. I absolutely believe that Notre Dame, among all the Catholic universities in the world, is uniquely qualified to be a major actor in the world of research and scholarship, as a balance to what happens in the teaching and learning environments that we offer to the various levels of our students. We cannot pull back. Too many people have invested their resources to help us make this happen. I know that Nathan Hatch and his colleagues, and the deans and all who assist them, and department chairs, are all trying to strategize about how we can create a more conducive environment for research and scholar-

ship across the board. If we pull back from that dual obligation of teaching and research, we would squander our resources and we would not achieve what we are capable of achieving.

Secondly, I said 13 years ago that Notre Dame is a Catholic university. Its distinctiveness as a religious institution is its greatest strength. I just take it for granted. If you ask other people in higher education what qualities about Notre Dame make it stand out in their eyes, the first thing that they would say is that it is a Catholic institution striving to be a great university. There are many who doubt that we can achieve both things simultaneously. And there is a kind of literature that has developed over the last five to 10 years that takes the form of a jeremiad. I want to give due respect to it because it intends to be honest criticism and there are people here on our campus who have contributed to this effort. The argument is that, historically, many of the great private universities in the country which were founded under the auspices of various Protestant denominations, have, over time, as they became better academic institutions, so metamorphosed that they were no longer recognizable. They just became different kinds of places. As a result of that, they simply secularized or deinstitutionalized from their religious heritage. Nobody protested too much, and now we know them as great secular universities. I am on the board of one of them, Vanderbilt University, which was founded as a United Methodist institution. And, of course, many of us were educated at some of these schools. This change may have been necessary and even desirable in the eyes of many.

The argument goes on. The same thing is gradually happening at Catholic universities and colleges as well, partly because those who administer them have not paid proper attention, sometimes because they faced survival difficulties, perhaps because the founding religious community was no longer as present as it was before, and so on. And now, little by little, they are re-describing themselves, and their internal life has changed dramatically.

What goes along with that kind of description is that only if there is a kind of radical imposition of a different kind of presence and responsibility will this drift be righted. I happen personally not to agree with that description, at least as it applies to this institution. I have tried to articulate that publicly and privately. However, I think it describes temptations, lures, and tendencies that we are all subject to in modern university life. Whether it is the prevailing methodologies of the day, the kind of training that we receive before we come to a religiously affiliated school, the poor articulation of the goals and purposes of the institution by those entrusted with leadership, or whatever, I think there are legitimate reasons for concern. We have tried to take some steps—for example, a meeting in Chicago before this school year began that Nathan Hatch hosted with the members of the Provost's Office, the deans and the department chairs, to talk about the critical issue of hiring and how considerations of one's religious orientation and heritage need to be taken into account in a consistent and cooperative fashion. I have said at this rostrum and in many other places that if our faculty little by little become less able to identify with the mission and purpose of Notre Dame, then what is described in these studies will take place here. It will be inevitable. If we are not able to attract Catholic faculty for whom that religious identity also leads to their sense of purpose and their comfortability in the mission of the institution as a whole, then I think over time the chances of us sustaining who we are will be much more difficult than would be the case otherwise. It can't all hinge on the residential nature of the institution or Campus Ministry or a few people spread out among the whole. At the same time, those who come here who are Christian, non-Christian, non-believers, whatever their particular stance in life, they too need to be comfortable and at home in this kind of environment, where we publicly invoke a certain religious heritage and a certain value system. We may not always agree, but we can respect the genuineness of the effort to sustain our religious identity over time. I think this is our greatest challenge, much greater than being a great

university, which I am confident we can achieve.

Now one of the reasons why this is a particularly problematic topic at this time is because of the ongoing discussion around the papal document called *Ex Corde Ecclesiae*, "From the Heart of the Church." Before that document was issued and ever since, I have been an active participant in the *Ex Corde Ecclesiae* Committee. I have tried to articulate why I think Notre Dame has succeeded: because of the active genius in 1967 in creating a new structure in the wake of Vatican II, when the Congregation of Holy Cross in good faith passed on ownership of this institution to a two-tiered structure: a Board of Fellows entrusted with responsibility in a special way for protecting the mission and identity of the institution, and a Board of Trustees. It takes a two-thirds vote of the half-lay, half-religious Board of Fellows to change any of the bylaws of the University. They have to approve trustees. And they have a special obligation to encourage and support the mission and role of the members of the Congregation of Holy Cross here at Notre Dame. Almost all of the other responsibilities, as is true in most universities, are given over to the Board of Trustees: the budget, the election of the president and of the officers, the approval of matters from the Academic Council, and so on. I think that structure has worked very well for us.

I believe the latest proposed implementation document does not acknowledge why Catholic institutions have flourished in this country—not simply Notre Dame, but many others. The latest document, on canonical grounds, asks that the president take an oath at the beginning of his or her term of office. I think that violates the principle of subsidiarity, given the role of the Board of Trustees. Secondly, the requirement that we incorporate material in this latest text into the foundational documents of the institution violates the actions approved of by Vatican authorities in 1967, when we became independent but deliberately Catholic and Church-affiliated.

And lastly, and probably most contro-

versially, there is the matter of the mandate. All members of the theology department who are Catholic must apply for a mandate from a bishop. I believe that none of these steps is desirable or necessary for us to be able to be a full-fledged and faithful Catholic institution. In fact, I believe they would be counterproductive. Clearly, some among us and some outside have a different stance. Between now and November, I and many others here and elsewhere will be arguing to the bishops who will vote on this, possibly in November, that there not be a vote and that the present context of friendly and mutual exchange be maintained, as has happened in this diocese for years. Bishop D'Arcy has been a wonderful representative of the tradition I am talking about and has taken the most public stance in this regard of any bishop in the country. I think that our relationship reflects what we have tried to create here—namely, an environment and a sense of mutual responsibility.

Thirdly, 13 years ago I said that Notre Dame is a community. It must therefore attend with care and compassion to the well-being of all its constituents. When faculty have children at Notre Dame, and they go to orientation and meet the dorm staff, they start to see that there is a whole other side to Notre Dame that you might only read about in the paper on occasion. But only when you experience it firsthand and hear it refracted through the experience of your own children do you appreciate how much we have invested over time in the notion that education should deal with the whole person—body, soul and spirit.

I have lived in a dorm much of my adult life, and I am constantly interacting with those responsible for our dorms, for Student Affairs and for Campus Ministry. They do an extraordinary job. I'd be willing to have outside visitors come in and compare what happens here in that regard with any school in the country. We are rather unusual in that we stress residentiality so much, especially under University auspices. We are very fortunate in the quality of the rectors and those who work in Student Affairs

and Campus Ministry. They really give their whole lives, as you do, to the students. In my judgment, we cannot lose that commitment to the residential nature of this institution. It is responsible for the loyalty of our graduates, for the multigenerational desire to have the similar kind of experience, for the ways in which people relate to Notre Dame often at great distances, and for those who celebrate the achievements of this institution. One small part of that sense of community and one that we continue to review is ECDC, the way in which we provide for the young children of faculty and staff and students. In the judgment of most that I have talked to, it really is a very high-quality program. I hope that we can continue to sustain that, because it does in very concrete terms describe some of what we mean by community.

Fourth, Notre Dame has a mission of service to society and the Church. This mission is primarily intellectual and academic, but it builds upon concrete experience and overflows from theory into committed practice. One of the things that I think is a hallmark of the Notre Dame education is this generosity of spirit, this willingness to get involved in meeting the needs of others. The terminology that we employ in this field, in which I have been active, is service learning. We try to draw a connection between volunteerism and academic study, between getting a degree and deciding how to use competencies after graduation. There are so many exciting ways that that's borne out day by day around here: in the summers after graduation; at the Center for Social Concerns, which has played a leadership role in this regard for so many years; more recently, the Alliance for Catholic Education, which is a tremendous gift not only to the schools that our graduates are working in but also in helping us to think about our responsibility for the quality of public and private education across the board. There is an enormous sense of national crisis in education. So many of the boards I participate on talk about K-12 and what can higher education do to make a difference.

Another dimension of this is the town/gown relationship. If there is a crime

wave here, it affects us. If the housing stock declines, it affects us. If people have a sense that the community is dying or there is no civic responsibility, it makes us less attractive for future faculty, staff and students. There are a lot of things that have happened. Just one small example: the Center for the Homeless, which has become a model around the country, and the PLS faculty program on the Great Books for the homeless, which has not only been written up in some of the great newspapers but, recently, Japanese television came here to see this very curious relationship between a university faculty, people who stand in need and a set of responsibilities that we have for our neighbor.

Town/gown relationships include the future of medical care in this community. What is the quality of government that is available to us in all of the different municipalities? We need to care about that. And we have tried to. But I think we also have a responsibility far beyond the campus: in the state, in the nation and in the world.

One of the things that has happened over the last 13 years is that institutionally we are much more international than we have ever been before, not only because we have centers overseas, but because I think the faculty more characteristically bring that into their research, scholarship and teaching. More of our students have been abroad, and they bring new kinds of questions and concerns into the classroom. We have our center in Washington, D.C. I was just there yesterday for a dinner honoring the chairman of our Board of Trustees. Washington struggles constantly. How can you attract good people to government without giving up any claim to a private life? What does it mean to be a government leader with integrity at whatever level? And if our graduates are not willing to serve in that capacity, at least some of them, are we going to be worse off than we would be otherwise?

Fifth, 13 years ago, I said Notre Dame was an open forum where diverse viewpoints can be freely and critically discussed. A new and unique opportu-

nity presently exists to focus on the moral and ethical dimension of contemporary life. One of the things that is most perplexing relative to the discussion of Catholic mission and identity is academic freedom. I think we have established that tradition well here in the classroom, in the conferences and in the work of those who come here. It is always tinged with challenge because, as the AAUP says in its document on academic freedom, we should speak out of our competence rather than our incompetence. We should speak about the things we know rather than the things we do not know. And we should be part of a collective conversation where we try to respect one another.

Academic freedom is coupled in our University system with faculty tenure. I think that works well for us, but it also reminds us, when we make decisions about promotion, how many a year and how many iterations of goodness or badness will come from those decisions. Because we prize tenure for faculty, we have a great responsibility to participate in it well once we receive it and to make fair and competent judgments about those who are up for that important and decisive step within the faculty.

I think all of our colleges and many of our other units are working hard on embracing ethics across the curriculum. We say over and over again, or many cultural commentators do, that we are in a crisis of ethics in our country and in our national life. Perhaps that is simply a function of a pluralistic society. Maybe it has to do with a number of people caught in the act, so to speak, or of preoccupation with people's personal lives. But, for whatever the reason, we need to train people for lives of professional responsibility. And it ought to go on across the curriculum and not just in isolated classes. I think our centers and institutes which look at huge human issues like war and peace and human rights and justice can assist us in that process. We have a new Center for Ethics and Culture, which can be a common ground for faculty. But I believe that this is a particular opportunity for Notre Dame to make its mark. So

many people look to us as having something to say about these kinds of issues.

Those were the five things I talked about 13 years ago. I also mentioned a couple of other things in passing, and let me do that again. Structures of governance and consultation are never ideal. We always struggle. How much time do we want to spend in committees? How much time do we want to spend formulating plans at whatever level? How much time in follow-through? Each of us has opportunities to make our mark in the common life, to express our opinions and to get things done. I always hope that we will be constantly examining the effectiveness of these various vehicles. And if you have good ideas about how we can make them more effective, please pass those on.

I mentioned student life. Thirteen years ago, we knew we had a need for additional housing at the undergraduate and graduate level. Thank God, we have had the resources to do something about that. We also reflected about support services of various kinds, whether recreational, social or academic activities. I think we have much better facilities and support programs than ever before.

I mentioned alcohol. I am presently co-chairing an NIH-supported group that is spending two years trying to figure out what works in dealing with the issue of college drinking and abuse. It is interesting to listen to the papers and the evolution of reflection: best practices, scary stories, trying to bring the faculty and university leaders together so they can talk a common language. Alcohol continues to be a struggle here and, I can assure you, just about everywhere else in the academy.

I mentioned minorities. That of course is a relative term: minority relative to what majority? At that time, 7.5 percent of the undergraduate population were from under-represented groups. The recent freshman class is about 16-17 percent. We have some advantages with some groups, some disadvantages with others. We are going to work hard

in admissions, in support and in every other way. We have put together some very effective vehicles in the Alumni Association, the Black Alumni of Notre Dame, the Hispanic Alumni of Notre Dame, the Asian and Pacific Alumni of Notre Dame, who work very closely within the Alumni Association, and with our students from under-represented groups. I think that is a tremendous plus. This weekend we are having the opening ceremonies for the newly established Institute for Latino Studies. I'm so happy that we have made that substantial progress in reaching out to and reflecting about the experience of what is a growing percentage of the American population. But we don't do that to the exclusion of other groups. We will look for energetic and creative ways of doing comparable things with other groups within our population.

I mentioned in that address 13 years ago about women at Notre Dame, another area that we continue to try to make progress in consistently and across the whole institution. At that time we had never had a vice president who was a woman. We have had three in the past 13 years, and currently we have two. We had had only one dean, and now we have three. We have women who are overseeing the library, the Notre Dame Press and many other positions of responsibility. We struggle to continue to have our proportion of the pool in various disciplines who are women. And I think there are signs of progress in that regard, both at the junior and at the senior ranks, and the same thing with our undergraduate and professional and graduate students, rising to positions of leadership and influence with their own peers and colleagues.

I mentioned at that time athletics and that we had just established in writing for the first time a statement on intercollegiate athletics. Since then we have gone through the whole process with the Academic Council and the Board of Trustees and have an even more refined version. We all know that we have been under outside scrutiny about how we are doing things.

What will happen relative to our situa-

tion with the NCAA? Let me just say, (1) embarrassing things have happened for which there is no excuse; (2) we have done both extensive internal and external evaluation to make sure we are doing everything to prevent such things from happening again within human limitations; and lastly, we will not lower our standard, the role that we play to try to create a context in which intercollegiate athletics can not only be fun but can be an accepted and full part of the environment we offer as an institution. If we have failed, we will do everything we can to get back to what has given us our reputation historically, and we will even raise the bar from where we were before. We have made great progress in the athletic program overall and in the opportunities that it offers. The RecSports facility gets great use and, I think, has been a welcome addition. We have a new Center for Sport, Character and Culture, which I think will allow us to think academically through this set of related issues that we face. There are all kinds of things in the climate about intercollegiate and professional athletics that are much different now than they were 13 years ago.

Lastly, I spoke on that occasion about the new campaign, The Strategic Moment Campaign. Believe it or not, our goal was \$300 million. We weren't sure we could get it. It was the greatest goal we had ever set for ourselves up to that time, even if we counted dollars in a steady way. We gave ourselves a series of priorities: financial aid, chairs, new facilities, institutes and centers, computing, and the library, among other things. We finished that campaign with about \$420 million.

Since that time, we have begun another campaign, which has a little over a year, a year and maybe three months to go. The last figure I saw on our \$760 million campaign was \$820 million. Our goal is to get whatever we can as a maximum goal. That is a sign of hard work by so many people here at the University. It also is a sign of the conviction by so many people who care deeply about Notre Dame that we are doing something special and important here. Can we reach a billion? Who knows? We will try. We want to fill in

all of those underfunded areas in the present campaign and respond to the new challenges that still await us. We have already had a special event trying to move toward full funding for the science teaching facility. We will have another one and maybe another one after that.

There are a number of things going on relative to additional chairs, financial aid, and the library. This weekend, when the Library and Law Councils are on campus, we will be celebrating a wonderful new series of benefactions for library collections in the University as a whole and in the Law School. Those are all signs of progress about which I am extremely pleased.

I think I can look back over the past 13 years and say we have had a great spirit of cooperation. We have been able to progress if not fully realize many of the goals that we have set for ourselves. But it would be foolish to claim that we are anywhere close to what we have the capacity to achieve. I would like to spend this year and the remaining years in my time at Notre Dame to try to assist this process. I think we are closer to realizing our goal of being not only the preeminent Catholic university in the country and the world but a great Catholic university in every sense of the term. It is our collective responsibility. No series of administrative fiat or even generosity from our benefactors can make it happen. But I am confident we can do it together, and I am also proud of how far we have come.

Thank you very much.

## Academic Council

August 23, 1999

**Members Present:** Edward Malloy, C.S.C., Nathan Hatch, E. William Beauchamp, Timothy Scully, C.S.C., Jeffrey Kantor, Carol Mooney, James Merz, Mark Poorman, C.S.C., Francis Castellino, Christopher Fox, Frank Incropera, Patricia O'Hara, Carolyn Woo, Jennifer Younger, Jean Porter, Joan Aldous, Thomas Blantz, C.S.C., Naomi Meara, Sonia Gernes, Carolyn Nordstrom, W. Robert Scheidt, Ikaros Bigi, Samuel Paolucci, Joseph Powers, Rick Mendenhall, Alan Krieger, Kenneth DeBoer, Matthew Hedden.

**Members Absent:** Eileen Kolman, Andrea Selak, Henry Weinfield, Charles Kulpa, Edward Conlon, Fernand Dutile, Richard Bullene, C.S.C., Ava Preacher, Cristina Mejias, Cindy Mongrain.

**Observers present:** Mary Hendriksen, Dennis Moore, Col. Stephen Popelka, Dan Saracino, Barbara Walvoord.

**Observers absent:** Harold Pace, Sean Seymore.

**Invited Guest:** Gilberto Cárdenas

Prof. Hatch opened the meeting at 3:05 with a prayer.

Before undertaking its formal business, the members and observers of the Academic Council introduced themselves to the group at large.

**1. Minutes approved.** The minutes of the April 19, 1999 meeting were approved without amendment. Fr. Malloy noted that the Council had recommended at that meeting that he appoint a committee to examine the interface between the academic and student life missions of the University. Fr. Malloy said he had issued invitations to the proposed members of the committee. By the next Academic Council meeting, he expects to be able to announce committee members.

**2. Election of the Executive Committee.** Prof. Hatch and Fr. Scully ex-

plained the procedure by which the Academic Council elects five of its members to the Executive Committee. (The Executive Committee convenes before each Academic Council meeting to establish the agenda for the full Council meeting and to discuss issues that have been brought to its attention from other University entities, such as the Faculty Senate.) Both elected and appointed Academic Council members are eligible for election to the Executive Committee. Fr. Scully noted that members of the Executive Committee must be willing to chair one of the standing committees of the Academic Council and that members who are on leave for one semester of the academic year are not eligible for election. (Profs. Conlon, Dutile, and Kulpa were named as faculty members on leave for one semester.)

During the course of the meeting, the Council elected five of its members to the Executive Committee: Christopher Fox, Frank Incropera, Naomi Meara, Patricia O'Hara, and Carolyn Woo. Fr. Malloy named Richard Mendenhall, Robert Scheidt, and Andrea Selak (Academic Commissioner from Student Government) to fill the three appointed positions. Nathan Hatch, Timothy Scully, C.S.C., and Jean Porter, Chair of the Faculty Senate, serve *ex officio*.

### 3. Institute for Latino Studies.

Prof. Hatch introduced Prof. Gilberto Cárdenas, who joined Notre Dame this academic year with an appointment in the Sociology Department and as the Director of the University's newly established Institute for Latino Studies. Prof. Cárdenas was formerly on the faculty of the University of Texas at Austin. He received his master's and doctoral degrees from Notre Dame. His personal research interest is in the area of international migration.

Prof. Cárdenas explained that the Institute will focus on all major Latino groups in the United States, both individually and comparatively. Faculty and students will study Latino populations in the United States, their links with their respective countries of origin, and the interaction between them. Another area of study will be patterns



of migration, trade, and other activities—both vis à vis the United States and other countries. The Institute's programs will be comparative and interdisciplinary. As Director of the Institute, Prof. Cárdenas intends to reach out across Notre Dame's colleges and link up with other academic programs at Notre Dame.

Prof. Cárdenas continued that in his move from the University of Texas to Notre Dame he brought with him a consortium of fifteen graduate research centers devoted to Latino studies, the Inter-University Program for Latino Research (IUPLR), which will be incorporated into Notre Dame's Institute for Latino Studies. The IUPLR was founded in 1983 by several institutions, including Stanford, UCLA, CUNY's Hunter College, and the University of Texas. It brings together scholars from a wide variety of disciplines to conduct policy-relevant research on Latinos. Each of the IUPLR's member universities is the site of a specific research center, such as the Stanford Center for Chicano Research or the Center for Mexican American Studies at the University of Texas at Austin or the Cuban Research Institute at Florida International University. While each of the consortium's centers focuses on a specific Latino group, because Notre Dame is a national university, Prof. Cárdenas would like to give the Institute here a broad focus by emphasizing interdisciplinary interests and comparative research.

Prof. Cárdenas directed the Center for Mexican American Studies while he was at the University of Texas. He noted that the Center gained the respect of the University community when it began to seek out research through competitive means, which generated grants for faculty. His center became the third-ranking unit in that university's College of Liberal Arts in outside grant support. At Texas, he insisted that the faculty receive appointments in departments rather than to the Center itself. This will be true at Notre Dame as well. In this way, faculty can lead dissertation research and have full support at the departmental level.

At Notre Dame, Prof. Cárdenas said, he hopes to have conversations with various colleges and department heads to see if the Institute can assist in recruiting faculty with expertise in areas of Latino studies. He and others at the Institute will be very interested in diversifying the Notre Dame faculty by including more Latino members. The Institute will also seek to recruit other faculty who have an interest in Latino studies in areas the Institute would like to strengthen. Thus, in addition to drawing on the expertise already existing at Notre Dame, the Institute will seek to expand the University's areas of expertise by attracting faculty who can undertake or continue research in areas of study Notre Dame needs to strengthen.

Prof. Cárdenas further explained that, in establishing Notre Dame as a nationally recognized Latino studies institution, the Institute will also advance another aspect of the mission of the University—advancing Catholic intellectual life in the United States. If one thinks about the large numbers of Catholics in the United States, both now and in the future, the University must pay attention to Latino communities and try to understand them—their history, present situation, and future.

Prof. Cárdenas said he hopes that all members of the University community will help establish the Institute as a core component of Notre Dame. Both the Institute and the University must fight the perception that the newly-established program is exclusively for Latino students. Although one might expect Latino students to be interested in the Institute, if the programs are to work optimally they will include all students. Part of a liberal arts education is developing expertise in new areas and broadening one's intellectual development. Whether Notre Dame students choose to work in the public or private sector, knowledge gained through Institute classes and programs will serve the students and our country well.

Before closing, Prof. Cárdenas further explained the programs of the IUPLR, the consortium he brought with him from Texas to Notre Dame. The IUPLR

sponsors major grant competitions and publishes materials which are distributed nationally and abroad. It has graduate training programs, including the Humanities Residency and Scholars Program, located in the Smithsonian's Arts and Industries Building in Washington, D.C.. That multi-year program enables scholars to conduct research at the Smithsonian and thereby advance the intellectual presence of Latino studies in that institution. In addition, the IUPLR has partnered with the University of Michigan's Institute for Social Research in holding summer training programs in quantitative methodology. Although that partnership ended several years ago, Prof. Cárdenas has met with colleagues to discuss restarting it. Finally, in February of 2000, the IUPLR will bring on board Philip Garcia to head a unit in the Institute that will organize existing research, perform site-based research of its own, and coordinate research outside the University.

Prof. Blanz asked Prof. Cárdenas whether there would be a connection between the Institute and the University's Kellogg Institute for International Studies. Prof. Cárdenas explained that he expected an interface between the Institute and the Kellogg Institute in the areas of study of globalization, trade, migration, and in related areas affecting both the United States and Latinos' countries of origin. Human rights is another area in which the two University entities may intersect. He expects to explore additional areas of common interest.

Prof. Cárdenas said he was grateful for the warm welcome extended to him by many members of the University, both in the administration and at the departmental level.

**4. Profile of the Class of 2003.** Fr. Malloy asked Mr. Saracino, Assistant Provost for Enrollment and Director of Admissions for the University, to report on this year's entering class.

Mr. Saracino explained that last year, with the endorsement of the University's officers, the Admissions Office set a number of goals: (1) Raise



the number of applications from 8,500 to 10,000 as soon as possible; (2) increase the academic quality of students— as measured by high school record and test scores; (3) increase ethnic diversity; (4) maintain the percentage of alumni children at approximately 23%; (5) maintain the percentage of Catholic students; (6) assist the Athletic Department to be competitive in 26 sports.

Mr. Saracino reported that, for the 1999-2000 academic year, virtually all of these goals had been met. The Admissions Office received 10,011 applications this year — the largest number of applications in the University's history and an increase of 17% over the previous year. Although one might expect an increase in applications to be accompanied by an increase in the number of more marginal students applying, that was not the case this year. The Class of 2003 was drawn from the strongest academic quality pool in the University's history. While the number of applications increased by more than 1500, the test scores for the total group of applicants were also 20 points higher than last year.

The excellent applicant pool translated into the strongest entering class in the University's history. Mr. Saracino reported the following statistics for the Class of 2003:

- A mean SAT score of 1337 (the score of 1360 reported in *The Observer* was the mean SAT for admitted students);
- an ACT average of 30;
- an average high school class rank-in-class of the top 6%.

As for the other target areas:

- 24% of the Class of 2003 are alumni children (1 percentage point higher than last year);
- the male/female ratio dropped one point to 54% men, 46% women;
- the percentage of Catholic students is 84%;
- 10% of the freshman class are student athletes;
- 16% of the Class of 2003 are ethnic minority students.

In looking at non-academics, this class is the most active class in the University's history:

- 85% of the students were involved in community service;
- 81% lettered in at least one varsity sport;
- 41% were captains of at least one team;
- 12% were student body or senior class presidents.

Historically, both at Notre Dame and at other universities, there is often a drop in applications the year after a banner year. However, Mr. Saracino said, the Admissions Office intends to build on last year's successes and to generate even more applications this year. At the same time, Admissions will work to improve the class composition in terms of academic quality, to maintain the Catholic percentage, and to increase ethnic diversity. In regard to ethnic diversity, Mr. Saracino said that if one looks at Notre Dame's numbers compared to its peer institutions, Notre Dame has the smallest percentage of ethnic minority students and the smallest percentage of international students. The challenge for the University will be to increase these numbers while maintaining a Catholic percentage of the student body.

Prof. Porter asked Mr. Saracino to describe more specifically the composition of the newly enrolled ethnic minority students. Mr. Saracino replied that 8% of the Class of 2003 are Latino; 6% are Asian American or Pacific Islander; and that just under 3% are Native American or African-American. He added that he believes it a realistic goal for the University to add another one or two percentage points to each ethnic minority group in the next few years. He hopes that in three or four years the University's ethnic minority percentage will be 20%.

Prof. Meara asked Mr. Saracino to provide actual numbers for the Class of 2003. Mr. Saracino answered that he would not have an accurate count of students for a few more days. He does know that it is a larger class than Admissions expected—so large that some students have triples in study lounges. The University wanted to enroll 1935 students. It admitted a smaller number than last year, intending to go to the waiting list to admit a few more stu-

dents. However, not only did Admissions not reach the waiting list, but 55 more students than expected accepted offers of admission. For the past five years, the University has lost approximately 50 students over the summer. This year, not even 35 students withdrew. Thus, going into orientation, there were 1978 students, although there are usually nine or ten no-shows.

Mr. Saracino noted that other highly selective schools have experienced the same enrollment trend as Notre Dame. The University of Pennsylvania, which is also undergoing registration this week, has many more freshmen than they expected. Pennsylvania wanted a freshman class of 2,100 and, as of two weeks ago, they had 175 students more than that number.

Prof. Aldous asked how the mean SAT score of 1337 for Notre Dame's entering class compared to students' mean SAT scores at schools such as Harvard, Yale, or Pennsylvania. Mr. Saracino replied that Notre Dame's mean SAT would probably be "a good 100 points" below the average of Stanford, Princeton, Harvard, and Yale. Notre Dame's mean SAT score is comparable to schools such as Northwestern and Duke.

Prof. Aldous asked if legacy students (children of alumni) meet lower standards than students as a whole. Mr. Saracino answered that various groups have been targeted as special interests of the University. Thus, for faculty and staff children, athletes, alumni children, and ethnic minority students, Admissions looks at a number of factors beyond test scores and high school record.

Mr. Saracino said that this year's freshman class of 24% legacy students is unique for universities of Notre Dame's caliber. There is not a peer institution or a school more selective than Notre Dame that is even in double digits for alumni children. The University surely works to admit legacy students. However, of the special interest groups he named, the lowest average SAT score belongs to children of faculty and staff. There were 45 faculty or staff children enrolled in

the freshman class for the 1999-2000 academic year. This group's average SAT score was 1220. That compares to mean SAT scores of 1224 for athletes (comprising 10% of the entering class) and 1318 for alumni children.

Mr. Saracino stated that, in terms of the University's admissions statistics, the large number of alumni children is a mixed blessing. While alumni children's mean SAT scores may be slightly below the overall 1337 average, Notre Dame surely has a higher yield as a result of admitting alumni children. Students in this group confirm at a 78% rate. Notre Dame is one of only eight schools in the country that admits less than half of its applicants (this year, 35% of applicants were admitted), yet has a yield (the number of students who actually enroll) greater than 50% (this year, the overall yield was 56%). The University's yield would not be as high if Admissions did not admit such a large percentage alumni children.

Mr. Saracino said that he believes there to be several reasons for the large increase in applications last year. First, the University's publications were completely revised. A new video was added as well. These new materials told the story of Notre Dame in a much more compelling way. Second, he believes the staff did an excellent job in reaching out and visiting more geographic areas than ever before. Third, Admissions hosted more programs on campus, such as visit programs by high school teachers and counselors.

Prof. Powers said he has seen many news reports that college applications are up throughout the country because of the baby boom in the early 1980s. He asked whether the increase Notre Dame experienced in the number of applications last year was comparable to the overall national increase or greater. Mr. Saracino replied that while it is true that, nationwide, there has been an increase in college applications, that increase is smaller than the 17% increase Notre Dame experienced. The nationwide increase in college applications is tied to an increased number of students graduating from

high school. This group has increased and is expected to continue to increase gradually—one percentage point a year—over the next seven years. Within this baby boom group, the number of high school seniors from ethnic minority subgroups will continue to rise—which is all the more reason the University needs to address increasing minority student enrollment.

Mr. Saracino then provided a further explanation of the factors he believes to have generated last year's 17% increase in applications. In addition to the revised publications and the new video, Admissions made its on-line application much easier to use. 14% of the more than 10,000 applications came in electronically. Further, his office brought more high school counselors to campus than ever before. His feeling when he assumed the position of Director of Admissions a few years ago was that the University was not telling the Notre Dame story as aggressively as it should. Admissions now brings many high school counselors to campus and sends them back to their communities with the kind of valuable, first-hand information and observations that only a visit can provide.

Mr. Saracino continued that he also believed a factor in the increased number of applications was the dramatic increase in financial aid available at Notre Dame. The perception remains, however, that financial aid prospects are poor at the University. The word needs to get out that, even though Notre Dame does not offer merit scholarships, the University does offer fair aid packages. With these packages, young men and women who want to enroll at Notre Dame can afford to do so.

Mr. Saracino said that, beyond the factors which have contributed to the increased number of applications to Notre Dame, he would like to point out that one reason for the University's exceptionally high yield figure of 56% is that faculty have been more involved than ever before in calling admitted students. Prof. Hatch confirmed that deans and department chairs have had a much more rigorous follow-up with

admitted students, both in terms of acceptance letters and phone calls.

Prof. Bigi asked whether the increase in minority student enrollment was well beyond demographics (which indicate an increased number of minority high school graduates). Mr. Saracino answered that Notre Dame's minority enrollment figures are such that any progress is welcome. In reply to Prof. Bigi's query whether Notre Dame is catching up to national population figures, Mr. Saracino said that the University is catching up, although slowly.

Mr. Saracino continued that he believes whether the University will reach its goal of 20% minority enrollment is tied to its success in reaching Latino students, who form the Catholic base Admissions will be tapping. The University will always struggle for African-American students because of the large proportion of non-Catholic African-Americans. However, Admissions has tried some unique approaches with that population. For example, it has become associated with a consortium of African-American Catholic high schools. Students from consortium high schools have visited the campus. The directors of the program visited campus last summer, and plan to return this summer with student body presidents. Mr. Saracino expressed his belief that Notre Dame does not get its "fair share" of minority students from the Chicago area. He said that Catholic minority students from that city should be considering Notre Dame, yet he can count on one hand the number of African-American students from Chicago and on two hands the number of Latino students from Chicago. While Admissions will continue to seek to enroll students from more distant cities such as San Antonio and El Paso, it must make a better effort to reach students in its own backyard.

Prof. Woo stated that many reports indicate that the national trend in college enrollment is moving towards 60% women/ 40% men. This contrasts with Notre Dame's figures of 46% women and 54% men. She asked whether Mr. Saracino saw some evi-

dence of the shifting national gender enrollment pattern at Notre Dame.

Mr. Saracino said that Notre Dame is surely some years, even measured by a generation or two, behind that national gender pattern. Admissions did not look at gender when it admitted the Class of 2003. However, now the gender figures for enrolled students mirror the male/female ratio of the applicant pool.

Mr. Saracino continued that, across the country, a higher percentage of women apply to private schools over public--although for both private and public schools there are a higher number of women enrolled than men. However, many of the women students included in these statistics are re-entry students. If one looks at traditional students (those just graduating from high school), the ratio of male to female students is 51/49%. In comparison to that figure, Notre Dame is not far off the mark. Mr. Saracino said it was his responsibility to monitor the national trend in terms of gender.

In closing, Mr. Saracino invited all members of the Academic Council to attend the open house for the newly renovated and restored Main Building, in which the Admissions Office is located. He believes that not another university in the country has an admissions facility on par with Notre Dame's newly renovated one. The restored building has drawn awed and interesting reactions from prospective students and their parents. All appear to be quite impressed with the building's newly restored beauty.

Fr. Malloy thanked Prof. Cárdenas and Mr. Saracino for their presentations. There being no further business, the meeting was adjourned at 4:05.

Respectfully submitted,  
Timothy R. Scully, C.S.C.  
Secretary

## ACADEMIC COUNCIL

September 9, 1999

**Members Present:** Edward Malloy, C.S.C., Nathan Hatch, E. William Beauchamp, Timothy Scully, C.S.C., Jeffrey Kantor, Carol Mooney, James Merz, Mark Poorman, C.S.C., Christopher Fox, Eileen Kolman, Frank Incropera, Patricia O'Hara, Carolyn Woo, Jennifer Younger, Jean Porter, Andrea Selak, Henry Weinfield, Thomas Blantz, C.S.C., Naomi Meara, Sonia Gernes, Carolyn Nordstrom, W. Robert Scheidt, Ikaros Bigi, Samuel Paolucci, Joseph Powers, Rick Mendenhall, Richard Bullene, C.S.C., Alan Krieger, Ava Preacher, Matthew Hedden, Cristina Mejias, Cindy Mongrain.

**Members Absent:** Francis Castellino, Joan Aldous, Charles Kulpa, Fernand Dutille, Edward Conlon, Kenneth DeBoer.

**Observers present:** Mary Hendriksen, Dennis Moore, Col. Stephen Popelka, Barbara Walvoord, Sean Seymore.

**Observers absent:** Harold Pace, Daniel Saracino.

Professor Hatch opened the meeting at 4:05 with a prayer.

Fr. Malloy welcomed the members of the Academic Council and explained that, at this meeting, he and Prof. Hatch will highlight some past and future developments at the University. Then, the three standing committees of the Council will meet to set their agendas for the year.

**1. Remarks of Fr. Malloy.** Fr. Malloy began by announcing that he has appointed ten members to the ad hoc committee on the relationship between the academic and student life missions of the University that the Academic Council recommended he establish at last year's meeting of April 19, 1999. Prof. Carol Mooney of the Provost's Office and the Law School will chair the committee. Members are College of Business Dean Carolyn Woo; Prof. David Kirkner from Engi-

neering; Prof. David Lodge from Biology; Sr. Mary Lou Gude, C.S.C., an Assistant Vice President of Student Affairs and a former rector; Fr. Jim Lies, C.S.C., Director of Campus Ministry and a rector; Prof. John Cavadini, chair of Theology; Michael Palumbo, the student body vice president; Prof. Naomi Meara from Psychology; and Dr. Barbara Walvoord from the Kaneb Center and English Department. The committee will report to the full Council by the end of the Fall semester.

Fr. Malloy said he would like to highlight for Council members several themes which recurred this past summer either in his readings or in national and international meetings of university presidents he attended.

(a) Learning assessment: This is a particularly important issue in public education, but not exclusively so. In fact, it is one of the areas Notre Dame was asked to address at its last accreditation visit.

(b) The use of technology in the classroom and the academic learning environment in general: This issue is becoming important in many parts of the world which have experienced only recently the widespread availability of technology.

(c) International cooperation and the forms it should take: Large numbers of international students, particularly at the graduate level, have come to the United States. A growing number are attending professional school and, to a lesser extent, undergraduate institutions.

(d) The growing realization that universities have signed formal agreements with other universities before it is clear what shape they will take. Now, administrators at many universities instead realize that real relationships must happen at the grass roots level and be facilitated by faculty relationships.

(e) The new interest in seeking non-governmental funding for research: As federal and state research dollars are stretched, universities are exploring methods for a greater investment in

research by corporations and philanthropic foundations. This is a worldwide trend.

(f) Multicultural challenges: Fr. Malloy said that London, Paris, Rome, and other major European cities have lately experienced a very different multicultural reality – not unlike our experience in the United States. He has a sense that some parts of the world are replicating the stages of certain events that have occurred in this country. Both in America and Europe, cities are facing minority population issues.

(g) Service to the surrounding community: There is a growing sense internationally that universities are only as good as the quality of life in the neighborhoods surrounding them. That realization generates a responsibility on the university's part to act as a resource for involvement, as Notre Dame's Center for Social Concerns and various alumni groups have done in South Bend.

(h) Concern for education in the kindergarten through grade 12 years and the relationship of elementary and high school education to higher education: Although more pervasive in this country than elsewhere, there has been a huge influx of philanthropic dollars, particularly by corporations, in the K through 12 years. That is a trend that is likely to continue. Locally, no matter what one's views are on the quality of the various school systems, one must recognize that perceptions regarding the quality of the local schools have a huge influence on whether faculty and staff wish to come to Notre Dame and, once here, where they choose to live. Notre Dame has undertaken some interesting and very important initiatives for improving the quality of K through 12 education.

Fr. Malloy then provided an update on developments concerning *Ex corde Ecclesiae*, the apostolic constitution on Catholic higher education issued in 1990 and the subject of an ongoing dialogue between Church authorities and Catholic colleges and universities. He said that, during the month of September, the United States bishops' commit-

tee on the implementation of *Ex corde Ecclesiae*, in conjunction with the head of the U.S. Catholic Conference, will distribute a new document to all previous participants in the conversation. This document may or may not come to a vote in November. That will depend on whether the bishops believe there remains a level of disagreement among themselves so great that they will choose to table the vote and then decide on the next appropriate course of action. Fr. Malloy stated that he knows there are a number of bishops who are prepared to speak out against any document that resembles the previous draft. Recently, Bishop John D'Arcy spoke out much more forcefully than have any of his bishop colleagues against the appropriateness of a vote at this time. Bishop D'Arcy recommended continuing the current strategy of ongoing conversation—a statement, Fr. Malloy said, he appreciated. Fr. Malloy said he could not predict whether the vote in November will occur. The University will attempt to continue a dialogue with representative bishops between the time of the release of the new document and the decision on whether it is to be brought to a vote.

Prof. Meara asked whether the University's Board of Trustees submitted a statement to the United States Bishops' Committee regarding its most recent proposal. Fr. Malloy replied that the Board of Trustees had submitted a statement. The Academic Council submitted one as well. In addition, statements were submitted by the Holy Cross Affiliated Schools, the Association of Catholic Colleges and Universities, and the major Catholic research universities—all of which Notre Dame participated in drafting and which were quite similar in content.

Prof. Merz asked: If the document is presented for a vote and is approved, what are the implications for the University? Fr. Malloy said that depended, of course, on what is contained in the newly issued version of *Ex corde Ecclesiae*. He doubts there will be much difference between the new draft and the previous one. If there is a vote, any implications will be delayed because the document will

most likely have a five-year implementation clause. Nevertheless, if approved, *Ex corde Ecclesiae* would create immediately a different context of conversation.

Fr. Malloy said that a great achievement of the summer at the University is that the "Generations" capital campaign exceeded its goal a year-and-a-half early. The campaign's focus on a new science teaching facility had a very positive response. This facility will require multiple benefactors. Although Generations funding will not come close to meeting the structure's total cost, it will represent a very significant part of it. The University will continue to try as vigorously as it can to meet the goals of the campaign that were underfunded. Having already made the commitment to the science teaching facility, it and the new performing arts center will continue to be a primary focus of the campaign. Fr. Malloy said that the response to the Generations campaign manifested a great sense of generosity towards Notre Dame. He attributed much of the success of the campaign to the efforts of the University faculty, since benefactors' generosity is tied to the sense they have of the quality of a Notre Dame education.

Fr. Malloy noted that another achievement of the summer is that the campus' Main Building has reopened after a complete restoration and renovation project. He estimates that 20,000 to 30,000 people toured the building during the Notre Dame-Kansas football weekend. Fr. Malloy said he hopes that the Main Building's function as a symbolic structure—one of such significance in the life of the University—will lead it to be embraced by the entire University community in a kind of common ownership. He is pleased that the three classrooms in the Main Building are functioning energetically. The constant stream of students coming and going is a welcome sight.

Fr. Malloy announced that, sometime within the next two or three weeks, the University expects to hear from the NCAA concerning a judgment in the recent matter that was reported to them. Although he does not know

what the NCAA's judgment will be, the University has submitted a very credible and solid document describing its interpretation of events and the steps it has taken to attempt to remedy certain perceived problems. The administration has prepared itself for various possible outcomes. While Fr. Malloy said he is not happy to find Notre Dame in this situation, he is confident that the University has given as thorough an analysis of various events and procedures as it can. The NCAA has told the University it will notify the administration 24 hours in advance of the press conference it will hold to announce its judgment. Fr. Malloy will be informed of the judgment only slightly before the start of the press conference. He will serve as the representative of the University at the press conference and, if the NCAA's judgment is significant, offer a response.

Fr. Malloy concluded by saying he was grateful to be a part of two meetings held in late August by the Provost's Office in conjunction with the deans and department chairs. The Chicago meeting focused on the theme of Notre Dame's Catholic mission and identity. He participated in several good and invigorating discussions in which faculty freely spoke their minds. Fr. Malloy said this meeting gave him an opportunity to express his thoughts on the matter of the University's Catholic identity and to listen to others' views. He believes that the faculty must embrace the issue of the University's Catholic identity as its own. If they do not, statements by others in leadership positions can be only relatively helpful. The second meeting was held in New Buffalo and was for new faculty and their spouses. It has generated much positive feedback and he expects it to be repeated in future years.

**2. Introduction of Student Representatives.** Fr. Malloy introduced four students present at the Academic Council meeting: Christina Mejias, a College of Business undergraduate; Matthew Hedden, a College of Science undergraduate; Cynthia Mongrain, a Master's of Divinity student; Andrea Selak, Academic Commissioner, Student Government; and Sean Seymore, an observer from the Graduate Student Union.

**3. Remarks of Prof. Hatch.** Prof. Hatch said that, while he could report to the Academic Council on a variety of topics, he has chosen five: New appointments and searches; certain aspects of the University's capital campaign; summer programs at Notre Dame; the Provost Advisory Committee task force reports submitted last spring; and new construction on campus.

Prof. Hatch began by commenting that a university is a dynamic and multifaceted place. His position as Provost enables him to see that dynamism and to appreciate it. He believes that if the University hires good people and provides them with the proper resources, "the fruits . . . are wonderful to behold."

Prof. Hatch said that a new academic year always brings evidence of those fruits. One example is the University's new Writing Center. John Duffy and Stuart Greene have trained 22 undergraduates in the process of helping others write. The Writing Center provides one-on-one tutoring, which is even available on-line during weekday evenings. This enables a student writing a paper to have an immediate critique of his or her writing. Prof. Hatch said he believes the Writing Center is a wonderful mechanism for expanding the potential for good writing across campus.

Another example of new fruits at the University, Prof. Hatch continued, is provided by the tremendous reorganization the College of Business made in its MBA program. Dean Carolyn Woo, Profs. William Nichols and Rebecca Mela, and others worked very hard on the reorganization. The result has been that, in one year, the applicant pool for this year's incoming class increased by 40%, with mean GMAT scores jumping from 613 to 639. Prof. Hatch said that those numbers are a wonderful testimony to the success of a certain kind of concentrated work.

In the College of Science, a notable event is the publication of an article in *Nature* by Physics Professor Albert Barabasi concerning measurement of the World Wide Web's diameter. This

article has received a tremendous amount of attention. It was the subject of an MSNBC site last night and Prof. Barabasi is scheduled to appear on CNN. Prof. Barabasi is a young faculty member, yet this is already his second article in *Nature*—which, Prof. Hatch said, is rather a spectacular success.

In the College of Engineering, Prof. Hatch noted the launching of a wholly new learning paradigm for first-year students. This year, the College is introducing two pilot courses for its revised first-year program. Next year, all first-year engineering students will participate in the program, which is an active form of learning involving teams of students addressing practical problems. In connection with the new first-year program, the old Engineering auditorium will be completely remodeled in January to become an interactive laboratory.

At the Law School, Prof. Hatch highlighted a new ethics course—"An Introduction to Law and Ethics"—taught by Dean O'Hara and Professors Robert Blakey, John Finnis, Richard Garnett, Cathleen Kaveny, William Kelly, John Robinson and Stephen Smith. He said the course will provide a wonderful introduction for all new law students to the nature of law and its ethical implications. Also at the Law School, an interesting and controversial article by Prof. Patrick Schiltz, "On Being a Happy, Healthy, and Ethical Member of an Unhappy, Unhealthy, and Unethical Profession," was published as the lead article in the *Vanderbilt Law Review*. This article has had such an impact that an entire conference has already been organized around it. Prof. Schiltz's article concerns training for the legal profession at elite law schools and how the demands of elite law firms affect attorneys as individuals.

Prof. Hatch continued that another interesting development at the University is that the Erasmus Institute will host its second class of visiting fellows this year. The primary focus of these scholars will be literature. Along with the Provost's Office, the Institute will co-sponsor a conference on Catholic intellectual life on October 13 and 14. Speakers will include Nicholas Boyle,

Jean Bethke Elshtain, Mary Ann Glendon, Alasdair MacIntyre, Sir John Polkinghorne, Bruce Russett, and Alan Wolfe. In the Spring, the Erasmus Institute will begin the first of what Prof. Hatch hopes to be an annual event—the Notre Dame Erasmus Lectures. The concept of these lectures is similar to the Gifford Lectures in that a senior scholar will come to campus and give a set of lectures which will then be compiled in a book. Denis Donoghue, of New York University, will give the first Erasmus Lecture. His topic will be some aspect of religion in modern literature; the title of his book will be *Adam's Curse*.

Prof. Hatch then began to discuss new appointments at the University. The new director of the University Press is Barbara Hanrahan who, he said, is doing a wonderful job assessing the direction of the Press. He believes her goal would be that in five years the Press will jump from producing 50 books a year to about 75. The Press needs a serious overhaul of its computers. Currently, editors are not able to edit online and then have the same discs proceed all the way towards printing. It is a major transition to adopt such a procedure and Ms. Hanrahan is undertaking studies this year to move the Press in that direction.

Another new appointment is that of Juan Méndez, a very distinguished human rights lawyer from Latin America, who has come to direct the Law School's Center for Civil and Human Rights.

Prof. Hatch announced that Prof. Mooney will chair the search for a new director of the University's Snite Museum of Art. Her committee will be announced soon. In addition, the search for a director of the Kroc Institute for International Peace Studies will continue this fall. Last year, Prof. Hatch chaired the search committee, which was unsuccessful in finding the appropriate candidate. Prof. Robert Johansen, who was scheduled for leave this semester, has agreed to serve as the Institute's director until January 1, by which time Prof. Hatch hopes to have named a permanent director.

Prof. Hatch also said that he was pleased that the University had not lost certain faculty members to other institutions. In particular, Prof. Joseph Buttigieg, whom Boston College was attempting to appoint a dean, has decided to remain at Notre Dame. Prof. Buttigieg will focus much of his work on the whole area of religion and literature. This will be wonderful for the University. Also, next year, Profs. Alasdair MacIntyre and Lynn Joy will be returning to Notre Dame. Prof. MacIntyre is formally retired, but Prof. Hatch believes he will be an active presence at the University. Prof. Joy will have a senior appointment in the Philosophy Department.

Prof. Hatch continued that the University has been fortunate to have added about 40 new faculty lines in the past three years. Some of the new faculty have been hired through the regular budget, although others' salaries are provided through endowment funding.

Also in regard to faculty hiring, there have been 68 commitments for new endowed chairs in the capital campaign. Last year, 16 new chairs were installed. This fall, Prof. Hatch expects there to be 25, of which 15 are university-level endowed chairs and the remainder are Collegiate chairs. (Collegiate chairs help to endow regular faculty lines.)

Prof. Hatch commented that some of the endowed chairs have come to be established in very interesting ways. One example was the hiring of a new senior professor of English, Margaret Anne Doody, who joined the faculty in January from Vanderbilt University. (Prof. Doody, whose interest is comparative literature, is writing a book entitled *The Hymn and Sacred Song*. It covers hymns in several cultures and throughout several time periods.) Her appointment occurred when a donor selected three departments in the College of Arts and Letters and agreed to fund a chair in each department if the University could find a stellar candidate. This is similar to the way in which Prof. Seamus Deane came to Notre Dame two years ago.

Prof. Hatch said that the University is

fortunate in that financial markets have been so strong that endowments have grown strongly as well. Over five years, the spending per unit on endowments has almost doubled. This year, endowments are up almost 20% in what they are paying out, so that institutes and centers at the University which are based on them have done very well. One example of that is the Kellogg Institute for International Studies, which is largely funded through endowments. The Institute was able to make four appointments in the Government Department. This greatly assists the College of Arts and Letters, for then funding for some of its faculty is provided by endowment expenditures. Four very superb scholars have joined the University through the Kellogg's endowment: Profs. Ashutosh Varshney, Vibha Pingle, Anthony Messina, and Frances Hagopian.

Prof. Hatch also commented on the two-day retreat for new faculty which the Provost's Office organized. He believes that the approximately 50 participants came away from the retreat with a very good idea of the history and culture of Notre Dame. The first day, Prof. Incropera gave a session on teaching and research expectations, while Fr. Mark Poorman, C.S.C., and a team from the Office of Student Affairs spoke about Notre Dame students and described residence life at the University. Fr. Scully, C.S.C., provided an explanation of the Mass—its traditions and significance—before celebrating Mass in the late afternoon. His explanation was very well received by the new non-Catholic faculty members. The next morning, Prof. Cathleen Kaveny from the Law School and Prof. John McGreevy from the History Department spoke about their research and intellectual agendas in a Catholic university. Prof. Hatch said that not only the formal presentations, but the informal interactions as well, were valuable to the new faculty members. He expects to continue this retreat every year, with a few modifications suggested in the evaluations.

Prof. Hatch added some further information on Notre Dame's capital campaign. In professorships, the University has raised almost \$81 million of its



goal of \$145 million, or approximately 56%. The funding of professorships continues to be a high priority. There have been a number of commitments in the last six months from additional donors and the Development Office continues to work very hard on this priority.

In addition, Prof. Hatch said, nearly all of the campaign's \$29 million goal for University libraries has been met. This fall, the University will hold a dinner at which 31 new library collections will be dedicated. Prof. Hatch said that the funds collected through the capital campaign were a magnificent infusion of new funding into the libraries. The new collections include an array of subjects: Hispanic studies, computer science, Italian art, Irish studies, Civil War history, film, television, theater, architecture, and psychology. Prof. Hatch said this campaign's successes in Library funding are in striking contrast to the previous campaign, in which the University fell far short of its goal for the libraries. He feels that the Library Council, the Development Office, and the Library itself very effectively made a case to donors.

Prof. Hatch continued that undergraduate scholarships have also fared well in the capital campaign. About 80% of the \$178 million goal has been met. This has paid tremendous dividends in increased financial aid the University has been able to offer students.

However, Prof. Hatch said, certain goals of the campaign have not been met. Foremost among these is funding for the new science teaching facility. The administration has been eager to set a specific date for breaking ground on that facility, so it is a very pressing item. Also high on the priority list is a new Engineering facility, for which a study is near completion, and a new Law School facility. The Development staff is working very diligently to obtain funding for both facilities.

Prof. Hatch then discussed some goals for summer programs at Notre Dame. In the past, he said, summers on campus have been fairly unplanned. However, Notre Dame has so developed as

a university that, given the number of programs offered and the demand for a certain kind of residence space (particularly, air-conditioned space), the summer is now much more complex than the academic year. Fr. Poorman, C.S.C., chaired a committee that studied summer programs. That committee recommended that the University organize the summer more tightly and prioritize its programs. Matthew Cullinan, in the Provost's Office, will now head a committee to begin that task.

Prof. Hatch said that Mr. Cullinan is also leading the University's effort to initiate more summer programs for high-achieving high school students. Many universities use such programs as recruiting tools for high school students. Notre Dame is behind its peer institutions in this area, but the administration intends to begin the first phase of an intensified program in the summer of 2000. The first year, the program will enroll approximately 80 students. Ideally, the summer high school program will grow to include several hundred students. Also, next summer, the University will offer for the first time a serious program in English as a second language, targeting especially Latin American students.

Prof. Hatch noted that the University's own summer school is very healthy. However, determining how to best manage the campus in the summer is the issue the administration must face. One dimension of this issue is that the budgeting of summer programs has never been carefully considered. In the academic year, tuition dollars help pay for campus renovations. Yet, in the summer, Notre Dame essentially provides its facilities to students and programs without taking account of its buildings' long-term upkeep.

Another major issue for the summer programs is the staffing of residence halls. Given the intense nature of the academic year, most rectors and their staffs need all or a large part of the summer off. Yet, the University wants to provide a residence hall experience for the summer school students similar to that provided during the academic year. Under Mr. Cullinan's new com-

mittee, such problems will be taken up in a more systematic way.

Prof. Hatch completed his presentation with a report on various task force reports submitted to the Provost Advisory Committee last spring. The Provost's Office is in the process of making the reports available to the University community via a Web site. In addition, during this academic year his office will hold discussions of various aspects of the reports.

Prof. Hatch first thanked faculty members who served on the Task Force on Consortial Relations, chaired by Prof. Woo. He said there would be an ongoing committee to examine what kind of specific, concrete consortial relations the University should develop.

Prof. Kantor chaired the Task Force on Strategic Directions in Science and Engineering. Prof. Hatch said he had asked Profs. Castellino and Incropera to set their priorities in light of the report. Bioscience and information technology appear to be their two highest priorities, particularly the areas of genomics and high performance computing.

In the College of Arts and Letters, the Task Force on Institutes, Departments and Collective Resources, chaired by Prof. Scott Maxwell, will also require an on-going committee. The University has a number of vital institutes, many of them bringing in new endowments. However, Prof. Hatch said, as he mentioned earlier in connection with the Kellogg Institute and four new Government Department appointments, it is a complicated issue how the University's endowment-based faculty appointments relate to certain departmental priorities.

Prof. Joan Brennecke chaired the Task Force on Increasing Research Funding. Prof. Merz and his staff have been examining the report and responding to it. Prof. Hatch said he believes it is clear that the University needs to devise the best kinds of incentives and rewards to enhance research funding. Long term, the University must find a way to fund indirect costs, so that a certain percentage of those costs will

be an incentive for principal investigators and local departments. This has been a goal in the past. Prof. Hatch said that the area of research funding is a complex subject, but one in which the University must continue to work.

Many issues were presented by the Task Force on Curricular Innovation, chaired by Prof. John Affleck-Graves. Some of these are link courses, inquiry-based learning, and capstone courses for seniors. Notre Dame has taken action on some of these issues, but there is much work still to be done.

The Task Force on Diversity and Community, chaired by Profs. Carol Mooney and Jimmy Gurulé, recommended that Notre Dame strengthen its offerings in African-American studies. Prof. Hatch said that he and Prof. Mooney have already met with Prof. Hugh Page on this subject. In the same way that the University has strengthened Latino studies, he believes that it must undertake serious enrichment of African-American studies. His office will try to take certain actions this year to do so.

Prof. Mark Roche chaired the Task Force on Ethics. Prof. Hatch stated that the area of ethics is an extremely dynamic one on campus. He believes much can be done to better link various efforts under way throughout the campus in fundamental and applied ethics. Prof. David Solomon has agreed to direct a new Notre Dame Center on Ethics and Culture. It will be one way to try to keep communication open between the variety of efforts on campus and serve as a vehicle for holding conferences and seminars on topics in this field.

The seventh task force, Enriching Catholic Intellectual Life, was chaired by Profs. John Cavadini and Kristin Shrader-Frechette. That task force made a number of recommendations, one of which is that the University must do a much better job of speaking and writing about the ideals of a Catholic university. For example, what are the distinctive characteristics Notre Dame would like to possess? What kind of faculty does the University

want to have? Why is it important that the University hire Catholics and others with an affinity for its Catholic mission? In sum, the task force recommended that Notre Dame should be much more specific in articulating its goals related to its Catholic mission and identity.

Prof. Hatch thanked all task force members for their hard work. He said that one of his main goals this year will be to find vehicles to respond appropriately to their recommendations.

**4. Remarks of Prof. Kantor.** Prof. Kantor concluded the formal reports of the Academic Council meeting by presenting a briefing to Council members on upcoming building projects on campus. He began by saying that the University's building program has made profound changes to the face of the campus. His personal experience in 18 years at Notre Dame has been that his former office in the Engineering Building, which used to mark the south end of campus, now has two whole quadrangles facing it.

Prof. Kantor stated that a number of major building projects have been completed this past year. The new London facility, which houses about 200 students each year and provides residence space for two faculty members, was dedicated in February. The Newman House facility on St. Stephen's Greene in Dublin has been renovated. On Notre Dame's home campus, the Hammes Notre Dame Bookstore and the Eck Notre Dame Visitors' Center have opened and the Main Building has been completely renovated and restored. Also, the University reopened the South Dining Hall after a major renovation, remodeled Flanner Hall, and opened the new Ave Maria Press building. This is all in addition to a series of much smaller-scale renovations that have been completed across campus—laboratories in the Life Science Center, classrooms in O'Shaughnessy Hall, some facilities in the College of Business, and many structures, such as utilities, invisible to the campus community.

In the 1999-2000 academic year, Prof.

Kantor said, the pace will slow down a bit, but then resume quite briskly one year from now with construction that will continue to change the face of the campus. The University will require over \$50 million in expenditures for each of the next two years, tapering off to \$30 to \$40 million a year three to five years from now.

During the 1999-2000 academic year, the University will be engaged in three major projects:

- The Coleman-Morse Building— Now under construction on the site of the former bookstore, this building is named after its two major donors. It will be 69,000 sq. ft., three stories high, and will house First Year of Studies, Academic Services for Student-Athletes, the University Writing Center, and Campus Ministry. In addition, Coleman-Morse will have 24-hour study space and a computer cluster for general student use. Prof. Kantor said he expects this building to be a very exciting facility with a great deal of student traffic—even into the late-night hours. It should also be a very beautiful building. Its designers are the S/L/A/M Collaborative, the same group that designed the Eck Notre Dame Visitors' Center.

- The new Arts and Letters office building— This structure will be attached to Decio Faculty Hall by a two-story connector. It will be 45,000 sq. ft., four-stories high, L-shaped, and located north and west of Decio. The building's designers have included a small interior courtyard in the quadrant of the area surrounded by the Radiation Research Building, O'Shaughnessy Hall, and Decio. This building will house departmental offices for Philosophy and Theology, in addition to approximately 120 faculty offices. The designers hope to include a significant number of graduate student offices as well. Prof. Kantor said that the addition of this building to the Decio area of campus will increase the number of faculty located in the University's south edge. Construction will begin this fall, proceed through the winter, and continue for 18 or 20 months. It should be ready for occupancy in the early summer of 2001.



• Renovation of the Engineering Auditorium—Prof. Kantor said that, as Prof. Hatch explained earlier, the University will begin this spring to renovate the Engineering Auditorium for use as an Engineering Learning Center. This will provide hands-on experience for first-year students. The renovation will require a shift in a few other buildings' uses. Student films will be moved to DeBartolo 101 and some shuffling of classroom space will occur over the course of the next year.

The following year, Prof. Kantor continued, Notre Dame will undertake an additional three major projects. The first, the South Bend Center for Medical Education, is a collaboration between Notre Dame and Indiana University. Currently, this program is housed in the basement of Haggard Hall. Its new home will be on the corner of Angela Blvd. and Notre Dame Avenue, at the site occupied by the now vacant Northern Indiana State Hospital. That building will be razed this fall and a new facility erected. Indiana University will actually own the new building, with Notre Dame having a small program in the biosciences. Designed in the neo-Gothic architectural style identified with the Notre Dame campus, this new facility will be 50,000 sq. ft. Design considerations for the Center for Medical Education are a bit different than for other campus buildings, Prof. Kantor noted, because this facility will be impinging on a neighborhood in a more direct way than other campus buildings. The architects will be sensitive to that fact.

Also scheduled for next summer, Prof. Kantor continued, is construction of the new Performing Arts Building on the north side of Angela Blvd. With an area of 120,000 sq. ft. and a height of 85 ft. at its peak, this will be a very large building. It will contain five major performance areas: a 900-seat concert hall, a 350-seat main stage theater, a 200-seat cinema, a 150-seat black box theater, and a small 100-seat organ/choral hall. Each of these facilities should be beautiful and first-rate. The Performing Arts Building will also house the departmental offices for Film, Television, and Theater.

Prof. Kantor said that the Performing Arts Building is a very ambitious project. It has been complex in planning and development and will be complex in execution. For its execution, the University will call upon contractors specialized in performing arts construction. This building must have excellent acoustics and fulfill certain aesthetic requirements, yet be very functional as well. Construction of the Performing Arts Building will take a bit longer than some other campus buildings—perhaps as long as 27 months. This means that the University will be pressed to open it by the Fall of 2002. The facility may open instead in the middle of that academic year. Prof. Kantor said that, as the University administration moves ahead with the contract, it will know more about the projected opening date.

The third project the University will start next summer, Prof. Kantor said, is the renovation of the Library. This project is currently in the planning phase; the University has yet to see blueprints. The 31 new library collections that Prof. Hatch discussed earlier have led to a need for more library space. Almost certainly this project will involve compact shelving in the basement level of the Library, in addition to a reorganization of service points. Library renovation will occur next summer if funds are available.

Prof. Kantor continued that scheduled for a few more years in the future is construction of the new science teaching facility, for which the administration hopes to break ground in the 2002-2003 academic year. While fundraising for this facility continues, the administration is pushing ahead with plans—beginning with the selection of an architect. This will be an extremely ambitious building and, at 200,000 sq. ft., the largest yet built on campus. It will be three stories high, but appear taller because of the need to house the mechanical equipment necessary in a science teaching facility. The administration is considering a site north of the Joyce Athletic and Convocation Center and east of and across Juniper Ave. from the Biology Building. The projected science teaching facility will be large and essentially fill that site.

Prof. Kantor said that the University has two major planning projects underway for the College of Engineering and the Law School. The College of Engineering is now finishing a master planning exercise that is pointing to the need for a building of approximately 120,000 sq. ft. in size to house multidisciplinary research. A clean room is necessary for this facility. In addition, the University has completed a master planning exercise for the Law School that points to the need for a new additional facility, together with a retrofit of the existing building, for library, classroom and office space.

Prof. Kantor concluded by acknowledging the work of many people in making possible present and future construction projects. In particular, he thanked Fr. Beauchamp, C.S.C., and his team.

**5. Search for the Director of the Snite Museum of Art.** Referring to Prof. Hatch's remarks, Prof. Porter said that concerns have been expressed to her about the involvement of members of the Art, Art History, and Design Department, particularly that of art historians, in the search for the new director of the Snite. She asked Prof. Hatch to address those concerns.

Prof. Hatch replied that he has not yet named the search committee for the director of the Snite. He recognizes that the whole relationship between university art historians and university art museums is very complex. In fact, the administration assembled a team this summer to visit some of the best universities and to examine how they have addressed this issue. As he understands it, a museum is different than an art history department. The two need to be related, but they are not identical. It is fair to say, Prof. Hatch stated, that there have been deep tensions between art historians and museum administrators, although the University would want to move in directions to lessen that tension.

Prof. Porter then asked: "Is it fair to say that some colleagues in art history will be involved in the search?" Prof. Hatch replied that he has not yet appointed the search committee.

**6. Committee sessions.** The members of the Academic Council then broke into three committees: Undergraduate Studies (Prof. Fox as chair), Graduate Studies (Prof. Meara as chair), and Faculty Affairs (Prof. Mendenhall as chair). The committees established their work for the coming year.

(a) Undergraduate Studies Committee: Prof. Fox reported that this standing committee agreed on the following subjects as agenda items for the year: The report of the Task Force on Curricular Innovation; the University Honesty Committee; various teaching issues, including publication of TCE data for students and the issue of how teaching is evaluated and rewarded; the Committee on Residence Life recently appointed by the President; various internship experiences; issues of diversity; and the new career center. Prof. Fox reported to the Council as a whole that his committee will meet to prioritize these agenda items, but has already decided that the first two items will be a high priority.

(b) Graduate Studies Committee: As reported by Prof. Scheidt to the whole Council, this standing committee decided to adopt as its major agenda item the issue of how Notre Dame can best enhance its reputation at the graduate student level. This major agenda item involves sub-issues of funding. The committee also plans to discuss the University's relationship with visiting professors, both those here short and long-term, and whether Notre Dame's bookstore does enough to enhance the academic presence at the University.

(c) Faculty Affairs: Prof. Mendenhall reported that this standing committee established a subcommittee to consider the resolution on alcohol abuse passed by the Faculty Senate and forwarded to the Academic Council. It will also consider last year's subcommittee's work on nonregular faculty, a report on special professional faculty, and the issue of adjunct faculty representation on the Faculty Senate. It may also consider certain unresolved issues concerning University library faculty.

There being no further business, Fr. Malloy adjourned the Academic Council meeting at 7:30 p.m.

Respectfully submitted,  
Timothy R. Scully, C.S.C.  
Secretary

## Faculty Senate Journal

October 6, 1999

The chair professor Jean Porter called the meeting to order in room 202 of McKenna Hall and asked Dr. Ava Preacher to offer an opening prayer. Following this she called on Dr. Peter Lombardo to present the journal for the September meeting; he reported several minor revisions. Professor Laura Bayard, seconded by Professor Philip Quinn, moved to accept the amended journal, and the Senate agreed.

Porter then reported on four items:

- She welcomed new members, Professors JoEllen Welsh and John Robinson.

- She appointed a committee to plan and present the 1999-00 Senate Forum on Academic Life. Professor Stuart Greene has agreed to head the ad hoc committee

- She reported on several pending business items:

1. The four resolutions passed in October have been forwarded to Provost Nathan Hatch for presentation to the Academic Council's executive committee.

2. She read a letter from President Edward A. Malloy, CSC, in response to the Senate's April 1999 request on drug testing guidelines.

3. She announced that the Academic Council had approved a committee to explore the relationship of academic and student life at Notre Dame, in response to a Senate resolution.

4. After consideration of the bylaws and Robert's Rules, she declared that Senate resolutions can bind the Senate to action for more than one year. She also reported that the Senate had received a thank-you note from Maggie Robinson, widow of our deceased colleague James Robinson. Finally, if anybody had experienced difficulty accessing the Senate's web page, she apologized and said the office was

working on it. Porter's chair's report with documentation is printed as appendix A of this journal.

Next the Senate considered in turn two memorial resolutions for deceased colleagues. Professor Thomas Cosimano offered the first, for Professor John Malone. Cosimano spoke with affection of Malone's love for teaching and his students and of his devotion to Notre Dame. The Senate passed the memorial resolution 30-0-0, and observed a moment of silence in memory of John Malone. Then Cosimano presented the second, for Professor David Appel. He spoke of Appel's contributions to the Marketing Department, to the discipline and to the University and his students. The Senate passed the memorial resolution 30-0-0 and observed a moment of silence in memory of David Appel. The resolutions are printed as appendices B & C of this journal.

The Senate then recessed for 45 minutes for committee meetings.

Upon reconvening, the Senate heard reports from its committees:

**A. Administration** - Chair professor Ikaros Bigi reported that the committee discussed several issues. First, on the evaluation of the provost, realistically there is much work to be done this academic year in seeking committee volunteers, beginning to structure a survey, determining how wide the evaluation should be and so on. Second, on the guidelines for a faculty alcohol policy, this has been referred to an Academic Council subcommittee; it is an important and timely issue and the Senate committee will monitor the actions in the Academic Council. Third, on the issue of drug testing, the President has referred this to the Staff Advisory Council and the committee plans to meet with them to explain our concerns and offer our assistance.

**B. Academic Affairs** - Cosimano reported that the committee had discussed and approved a resolution to be offered later in this meeting. He welcomed the two new Senators, Welsh and Robinson, to the committee.

**C. Student Affairs** - Preacher said the committee met with several editors of The Observer to hear the background and their views on the current controversy over censorship of advertisements and content. They reported that their available documentation indicated that the paper has been editorially independent of the Administration, and they hoped to maintain that. Professor A. Edward Manier said the committee also discussed the addition of three students from the Campus Life Council to the ad hoc committee studying the relationship between academic and student life. Preacher revealed that the vice president for student affairs Mark Poorman, CSC, had turned down this request, so only one student will serve on that ad hoc committee and he was not a voting member of the CLC. The CLC felt she reported, that its status is analogous to the Faculty Senate and Academic Council, and should be represented.

**D. Benefits** - professor Joel Urbany reported for the chair, professor Klaus Dieter-Asmus. They are focusing on gathering information on various health plans and have urged Human Resources to develop side-by-side comparisons in common language and with common examples. They will meet with the Director of Human Resources Richard Nugent to push the point and ask him to provide differences between an HMO and a PPO in various situations.

**E. Faculty Senate Forum Committee** - Greene reported that the first Forum will be November 15 or 16 and will concentrate on the Task Force Report on Research Funding. Each of the fora will discuss one of the recent task force reports to the Provost, submitted last Spring. They will meet with Hatch to seek his input into these discussions. Their interim report is printed as appendix D of this journal. Professor Richard Sheehan asked if a question would be in order. Porter said yes.

Sheehan wanted to know when or if the provost's annual reports would ever be distributed. Porter replied that the provost had told her some time ago that they would be ready very

soon, and the president in his faculty address had done the same. But she had no specific date to report.

#### **New Business**

Cosimano presented a resolution from the Academic Affairs Committee (no second needed). Its essential recommendation was for the addition of 150 new teaching and research faculty slots over a ten-year period with appropriate support funding. Cosimano said the committee had worked for many months on this and had received excellent cooperation and information from vice president and associate provost Jeff Kantor. The resolution followed up on the US News Report on top 25 schools. These rankings set a way to evaluate top 10 schools and the Senate report in April of 1998. By adding the 150 slots, Notre Dame can cut its student/faculty ratio from 13-1 to 9-1, reduce the number of classes with 50+ students, and increase those with fewer than 20. Academic perception was important so this resolution strove for high caliber faculty, admittedly at high salaries. Professor Paul Conway asked if the report assumed any increase in undergraduate or graduate student numbers, and Cosimano said it did not, since there has been no indication of a policy change in this area. Conway asked further about the Colloquy's 150 additional faculty. Cosimano in reply said 75 had been filled with 75 to go; this resolution added to that.

Bigi said 150 new faculty in the science and engineering fields would necessarily increase the number of graduate students, especially since Notre Dame would seek active researchers for those positions. Accounting for the increase, according to Cosimano, was difficult; the committee tried to do so, especially in equipment and facilities. Professor Mario Borelli thought the final "whereas" clause was confusing. The Administration, said Cosimano, was concerned about an effort to provide flexibility in the event of necessary cutbacks or budgetary restraints. Professor Kenneth DeBoer, as a friendly amendment, said to add "nevertheless" and Cosimano agreed for the committee. Quinn referred to the statement of a ten-year period in the

"whereas" clause, but no time period in the "resolved" clauses. It was agreed to add "during the next ten years" to the resolved clause.

Professor Michael DePaul noted the reference to student life improvements and the absence of any reference to this in the resolution. Could a statement be included? Cosimano said the original report (April of 1998) had a preamble that spoke to this issue and was referred to in the resolution.

Professor Mitchell Wayne expressed concern about capital expenditures for laboratory space and equipment as well as for graduate student support. Cosimano said the resolution accounted for these kinds of expenditures and space requirements, but Wayne said the \$51 million refers only to office space. Cosimano agreed to add "laboratory" to that clause. Professor Susan Sheridan said Arts and Letters faculty may also have equipment costs and Cosimano referred her to the University's current allocation for discretionary spending of 20% of base salary. That would continue.

Robinson, referring to DePaul's point, believed an additional clause in the 6th whereas would help and Cosimano agreed. Manier asked why the documentation referred to the 1998 US News ranking and not the 1999 one. Professor David Klein pointed out that this resolution culminates 2 years of work, and the 1999 figures were not available for that time. Cosimano agreed, and said a preliminary look at the 1999 numbers showed they are not much different from 1998's and wouldn't change the story. This was also true for endowment reporting. Manier said one thing was different: Cal Tech jumped up in the rankings because of increased levels of support for student instruction. He was not criticizing the resolution, only pointing out that difference. Cosimano thought Notre Dame's structure precluded a large jump in the ranking, but Manier replied that neither Cal Tech nor MIT had a medical school- one area often cited as making a difference in the rankings. He wondered if it wouldn't be wise for the Senate to pick the top 10 liberal arts colleges (without medi-

cal schools) and see how Notre Dame stacked up.

Bigi offered a friendly amendment to add "and classroom" space to the 5th whereas clause, and this was accepted. Quinn also made a friendly amendment which was accepted, while one offered by Borelli was not. DePaul proposed to change the order of the whereas clauses and this was accepted as well.

Preacher called the question, Detlefsen seconded, and the Senate agreed to vote on the resolution. It was passed 30-0-0. The resolution as amended is printed as appendix E of this journal.

There being no further business, the Senate adjourned at 9:20 p.m.

Respectfully submitted,  
Peter J. Lombardo

**Present:** Bayard, Bigi, Borelli, Cachey, Cleveland, Conway, Cosimano, DeBoer, DePaul, Detlefsen, Esch, Greene, Howard, Kirkner, Klein, Kurama, Lombardo, Manier, Munzel, Nordstrom, Popelka, Porter, Preacher, Quinn, Robinson, Sheehan, Sheridan, Urbany, Wayne, Welsh, Wolbrecht, Canalas.

**Absent:** Bradley, Dowd, Fein, Mendenhall, Paolucci, Renaud, Rivera, Thomas, Zuckert, Selak.

**Excused:** Asmus, Brandt, Costa, Eagan, Freeh, Green, Hayes, Perry.

## Appendix A Chair's Report

My chair's report this evening includes four items.

First, since my last report two new Senators have been elected, Professor JoEllen Welsh from the College of Science, and Professor John Robinson from the Law School. I am sure that you will join me in expressing gratitude for their willingness to serve, and welcoming them to the Senate.

Secondly, as you will recall in the September meeting the Senate voted to sponsor the Faculty Senate Forum for the 1999-2000 academic year. I have appointed a committee to plan and organize these fora; it consists of Professor Ted Cachey, from the College of Arts and Letters; Professor Stuart Greene, also from Arts and Letters; Professor David Kirkner, from the College of Engineering; Professor Richard Mendenhall, from the College of Business Administration; Professor Catherine Perry, from Arts and Letters; and Professor Mitchell Wayne, from the College of Science. Professor Stuart Greene has been elected to chair this committee, and at the conclusion of the standing committee reports, I will ask him to give a brief report on the committee's activities so far.

My third item concerns matters pending from previous meetings.

(A) I have forwarded the four resolutions which we passed at our last meeting to Provost Nathan Hatch. The next Executive Committee Meeting of the Academic Council is scheduled for next Tuesday, October 12, and I expect that the two resolutions calling for action by the Academic Council will be discussed at that time.

(B) As you will recall, on April 7th, 1999 the Senate passed a resolution calling upon Father Malloy to establish a committee to develop written guidelines for drug testing of members of the staff. Up to the time of preparing my September Chair's report, we had not received a response from Father Malloy to the letters communicating this resolution to him. Subsequently, I received a letter from Father Malloy, dated September 3, 1999, communicating his response. It is as follows see attachment A. I have sent this letter to the Committee on Administration, together with a copy of the relevant section of the Human Resources Manual detailing the policy to which Father Malloy refers. Copies of both will be attached to this report.

(C) Last month, I reported that at its April 19th meeting the Academic Council approved a recommendation of its Executive Committee that President Malloy establish an ad hoc committee to explore the relationship between the academic and student life missions of the University, and to report back to the Academic Council in the Fall of 1999. As you will recall, this action was taken in response to a Senate resolution of March 16th, calling upon the Academic Council to "clarify the formal responsibilities of the Vice President of Student Affairs in reporting to the Provost of the University on procedures regulating student organizations whose officially approved goals and procedures involve a significant academic or political component."

On September 9th, the composition of this committee was announced. It is as follows: Professor Carol Mooney; Dean Carolyn Woo; Professor David Kirkner; Professor David Lodge; Sister M.L. Gude; Sister Patricia Thomas; Professor John Cavadini; Mr. Michael Palumbo; Professor Naomi Meara; and Dr. Barbara Walvoord.

On September 27, the Campus Life Council passed a resolution calling for the appointment of members of the CLC to this committee. On September 30, Father Mark Poorman responded to this resolution as follows see attachment D. I have attached to this report copies of the resolution and Father Poorman's response.

Finally, during the course of our last meeting a question was raised about whether the Senate can pass resolutions binding itself to action over more than one academic year. After consulting the Bylaws and Robert's Rules of Order, the Executive Committee has determined that the Senate can indeed do so. In fact, we have done so at least once. In 1995, the Senate passed a resolution expressing the "sense of the Senate" that it should assume the regular responsibility of conducting surveys of the faculties of the Colleges and the Law School when the respective Dean is up for review. During the

Spring semester of 1996, the faculty of the College of Arts and Letters were surveyed on their evaluation of Dean Harry Attridge's performance under the terms of this resolution.

This concludes my report.

Jean Porter  
Chair, Faculty Senate

September 3, 1999

Professor Jean Porter  
Chair, Faculty Senate  
234 Decio Hall

Dear Jean:

Thank you for your letter of August 19, 1999. I apologize for the lateness of my response but I needed to check on several matters related to the University's policy on drug testing.

First let me clarify the present situation. Notre Dame's drug testing policy is a three part testing program which involves staff and administrators. Faculty are not subject to testing unless they are officers of the University.

Part one of the policy is pre-employment testing which requires an individual to be tested after an offer has been extended and prior to being hired. The primary reason for this step is to assure the competence, safety and well-being of the Notre Dame workforce. The other major employers in the area do pre-employment drug testing. If we did not, we would put ourselves collectively at risk.

Part two of the policy includes random testing for those persons in safety sensitive positions, as defined in the policy, including for example, security, fire department and power plant employees. Persons in these categories are chosen at random through a program operated by Human Resources.

Part three of the policy is 'for cause' testing done where there is reason to believe an employee may be using illegal drugs or abusing legal drugs and is impaired while on the job.

Those drugs tested for include illegal drugs and in the case of 'for cause' testing those controlled substances which are used without or in excess of a prescription. Presently, pre-employment testing is done with hair samples and detects drug use which occurred up to 3 months prior to the test, depending on the kind of drug involved. Random and 'for cause' testing is currently done through urinalysis because its purpose is to determine if drugs are currently being used. It is capable of detecting use which occurred within the last three or four days.

Any information regarding non-illegal drugs (e.g., prescription medicine) is not part of the test results unless 'for cause' testing is done. The results of the tests are not shared with anyone outside those at the University with a need to know unless the information is subject to a legal subpoena or the University is otherwise required by law to report the information.

The policy includes appeal procedures that are clear and reliable. Any person who tests positive has the right to be retested.

In the drafting of the present policy there was active involvement of the Staff Advisory Council, the Human Resources Department and the General Counsel's Office. The Officers of the University reviewed the policy before it was enacted. The Officers of the University and employees of Human Resources have agreed to be tested.

The reason that we need a policy derives entirely from conditions in the broader society. The fundamental value underlying the policy is fairness to all affected by it.

With all of this in mind, I think it is appropriate to direct the concern expressed by the Faculty Senate to the Staff Advisory Council since they are the group most directly affected by the policy. I will ask the Council to make a determination about whether the staff as a group is satisfied with the policy and, if not, whether they think it desirable to establish a committee to look at

the matter. On the basis of their advice I will then decide how to proceed.

Please thank the members of the Faculty Senate for initiating a discussion of this matter. I am sure that you will be able to recognize why I need to respect the appropriate responsibilities of the different representative groups within the University community.

All best wishes for a productive academic year. I look forward to working with you on matters of common concern.

Cordially,  
(Rev.) Edward A. Malloy, C.S.C.  
President

## UNIVERSITY OF NOTRE DAME HUMAN RESOURCES POLICY MANUAL

Date Issued 8-99

### C. OTHER EMPLOYMENT GUIDELINES

#### 11. DRUG AND ALCOHOL TESTING POLICY

##### General Policy:

The University of Notre Dame is committed to providing an environment that ensures the well-being and safety of the University's and employees, students and campus visitor, protects University, employee and student property, and prohibits any influences that might have a detrimental effect upon the orderly, safe and efficient operation of the University. Based upon these goals, the University requires that its employees report for work and perform their duties within the standards established. The intent of the following policy is to prevent the hiring and/or continued employment of persons who, due to the use of alcohol or illegal drugs, may harm themselves or others, or cause damage to property.

##### Application of Policy

1.) This policy applies to all officers, exempt and nonexempt staff employees, and all applicants for staff employ-

ment. On-call employees and applicants for on-call employment in the Notre Dame Security/Police Department and the Fire Department also are subject to this policy.

2.) Compliance with this policy is considered a condition of employment. If and applicant refuses to comply with the Drug and Alcohol Testing Policy, he or she will not be eligible for employment. If an employee refuses to do so, such employee may be suspended without pay pending completion of an investigation. During the course of the investigation, the employee shall have the opportunity to offer an explanation for his or her behavior. The employee's department will decide the course of action in consultation with the Department of Human Resources.

##### Definitions

1.) Illegal Drug: Any (a) illegal substance, including but not limited to, narcotics, hallucinogens, cocaine, marijuana, and designer drugs; and (b) controlled substance, including but not limited to amphetamines and barbiturates, that are used either without being prescribed by a licensed physician or in excess of the amount prescribed by a licensed physician.

2.) Unfit Condition: Behavior, including, but not limited to: (a) drowsiness; (b) sleepiness or sleeping; (c) slurred and/or incoherent speech; (d) unusually aggressive behavior; (e) unusually depressive behavior; (f) unusual and rapid changes in mood; (g) disorientation or inability to concentrate; (h) lack of coordination in walking or performing other tasks.

3.) Unsatisfactory Job Performance: Incidents that indicate job performance problems, including but not limited to: (a) unexplained work errors; (b) unusual difficulty in performing normal or routine duties; (c) unexplained on-the-job accident; (d) unexplained on-the-job injury.

4.) History of Unsatisfactory Job Performance: A pattern of recurring job performance problems such as poor work performance, absenteeism, tardiness,

minor injuries/accidents or other job difficulties.

5.) Accident: Any accident on the job that results in property damage or in death or bodily injury to one or more individuals.

6.) Drug and/or Alcohol Test: Any evaluation used to detect the presence of illegal drugs and/or alcohol in an individual's system.

7.) Employee Subject to DOT (Department of Transportation) Regulations: Any employee required to have a Commercial Driver's License (CDL) in order to perform the essential functions of his/her job.

##### Policy

1.) Premployment Test All offers of employment, including offers of regular employment to on-call employees, will be contingent upon satisfactory results of a drug test. If a pre-employment drug test indicates illegal drug use, the applicant will not be eligible for employment at the University.

2.) Random Test The University may require a drug test on a random basis if.

A) The employee serves in an occupation that is considered a safety-sensitive occupation by the University;

B) The employee's occupation separates the employee from a supervisor's ability to ascertain whether the employee is in an unfit condition;

C) The employee has received a mandatory referral to the Employee Assistance Program sponsored by the University for addiction assessment; or

D) The University is required to conduct testing under the DOT regulations.

An employee selected for random testing may obtain a deferral of testing if the employee's supervisor and the Department of Human Resources concur that there is a compelling business need to defer the testing. An employee whose random test is deferred will be

subject to an unannounced test at a later date.

3.) **For-Cause Test** An employee may be requested to undergo drug and/or alcohol testing if:

- A) The employee appears to be in an unfit condition at work;
- B) The employee exhibits physical signs of alcohol and/or illegal drug use such as glassy eyes or having an odor of alcohol or drugs;
- C) The employee demonstrates unsatisfactory job performance;
- D) The employee demonstrates a history of unsatisfactory job performance;
- E) The employee is involved in an accident while on the job;
- F) As a part of a medical evaluation by the University Health center of a work-related injury, the examining physician determines such testing is appropriate; or
- G) The employee violates the University's Drug and Alcohol policy.

#### 4.) **Mandatory Employee Assistance Plan Tests**

Employees who are determined to have violated the University's Drug and Alcohol policy, and who, as a disciplinary measure, are subject to a mandatory Employee Assistance Plan referral as described in that policy, shall be subject to drug and/or alcohol testing as follows:

- A) Employees will be subject to random testing.
- B) Employees who participate in a treatment program will be tested for illegal drugs and alcohol in accordance with the provisions of the treatment program until the treatment program ends. A positive test will subject the employee to immediate discharge.
- C) Employees who complete the treatment program will be tested for illegal drugs or alcohol at least once every

sixty days for eighteen months after completion of the treatment program. If the employee is subject to DOT regulations, the employee will be tested prior to his/her return to work and will be subject to random testing for sixty months after completion of the treatment program. The days on which the test will occur will be unannounced. If tests for illegal drugs or alcohol indicate use, the employee will be subject to immediate discharge.

D) If eighteen months (sixty months for employees subject to DOT regulations) pass without a positive test for illegal drugs or alcohol, there will be no presumption in the future that the employee is using illegal drugs or alcohol or is under the influence. If, in the future, the employee is subject to testing under this policy and the drug and/or alcohol test is positive, the employee will be subject to immediate discharge.

#### 5.) **Voluntary Treatment Test**

Employees who believe that they have a drug and/or alcohol problem and who enroll in a voluntary treatment program as described in the University's Drug and Alcohol Policy, shall be subject to drug and/or alcohol testing as follows:

A. Employees who complete a voluntary treatment program will be tested for illegal drugs or alcohol at least once every sixty days for an eighteen-month period after completion of the treatment program. If the employee is subject to DOT regulations, the employee will be subject to random testing for sixty months after completion of the treatment program. The days on which the testing will occur will be unannounced. If an employee tests positive for illegal drugs or alcohol after the completion of the treatment program, the employee will be subject to immediate discharge.

B. If eighteen months (sixty months for employees covered by DOT regulations) pass without a positive test for illegal drugs or alcohol, there will be no presumption in the future that the employee is using a illegal drugs or alcohol or is under the influence.

#### **Discipline**

1. An employee who (i) refuses to submit to a drug and/or alcohol test in accordance with the provisions of this policy, or (ii) refuses to fill out and sign the written consent form agreeing to submit to the testing and permitting Notre Dame to be apprised of the testing results (Consent Form), will be immediately discharged. An applicant who engages in any of the above-described behavior will not be eligible for employment.

2. An employee who switches or alters any sample submitted for testing will be immediately discharged. An applicant who engages in this behavior will not be eligible for employment.

3. An employee who is determined, as a result of a drug and/or alcohol test, to have used illegal drugs or alcohol in violation of the University's Drug and Alcohol Policy will be subject to disciplinary action as described in that policy.

4. Employees who are covered by DOT regulations and who test positive at any time shall be considered medically unqualified to operate a commercial motor vehicle in interstate commerce. They shall not be permitted to operate a motor vehicle until they:

No longer use illegal drugs;

Test negative for the use of illegal drugs;

Participate in and comply with the E.A.P. recommended treatment program and after-care program offered by an outside provider; and

Are medically recertified as being qualified to operate a motor vehicle. To regain permission to operate a motor vehicle, the employee must agree to participate in follow-up random testing.

#### **Confirmatory Testing**

If any applicant or employee tests positive for use of alcohol or illegal



drugs, a confusing test using the GCMS test (for illegal drugs) and the Forensic Blood Ethanol test (for alcohol) automatically will be conducted on the applicant's or employee's original specimen. The University will bear the costs of both tests. If the second test confirms the initial positive result, a physician at the facility doing the testing will review the test results to determine if a legitimate medical reason exists for the positive result. Any subsequent action will be based on the physician's findings.

If any testing procedure indicates that an applicant or employee has used illegal drugs or alcohol in violation of this policy, the applicant or employee may elect to provide, in writing, information to rebut and/or explain the results of the test. This information will be evaluated by a physician at the facility that performed the testing and a determination as to the appropriate subsequent action will be made. Additionally or alternatively, an applicant or employee may have a second confirmatory drug and/or alcohol test performed. Where the applicant's or employee's urine initially was tested, the confirmatory test will be performed on the original urine sample. Where the applicant's or employee's hair initially was tested, a new hair sample will be collected and tested. The applicant or employee must pay for the confirmatory test before it is performed. If the confirmatory test indicates the applicant or employee has not used illegal drugs or alcohol in violation of the University's Drug and Alcohol policy, any subsequent action will be based on the results of the confirmatory test. In addition, the University will reimburse the applicant or employee for the costs of confirmatory testing, and will purge the applicant's or employee's record of the results of the initial test. If the confirmatory test indicates the applicant or employee has used illegal drugs or alcohol in violation of the University's Drug and Alcohol policy, the results of the initial test will control for the purposes of any subsequent action.

### **Resolution Regarding Additional Representation to the Ad Hoc Committee on Academic and Student Life**

27 September 1999

The Campus Life Council asks the Vice President for Student Affairs to arrange that three representatives elected from the Campus Life Council be appointed to the Ad Hoc Committee on Academic and Student Life.

**I, Micah Daniel Murphy, Chairman of the Campus Life Council, by the authority vested in me by the By-laws of the Campus Life Council of the University of Notre Dame, have set my hand this twenty-seventh day of September, in the year of the Lord nineteen hundred and ninety nine.**

**Micah D. Murphy, Chairman  
Campus Life Council**

September 30, 1999

Mr. Micah D. Murphy  
Chairman, Campus Life Council  
203 LaFortune Student Center  
Notre Darne, D4 46556

Dear Micah:

I am in receipt of your September 28 letter and its attached resolution passed by the Campus Life Council regarding a request for additional representation to the ad hoc Committee on Academic and Student Life which was created by Fr. Malloy at the request of the Academic Council. Consistent with the purview of the Campus Life Council and its by-laws, the resolution was appropriately forwarded to me for a response.

Your letter notes that the resolution asks that I "appoint" three members of the Campus Life Council to the committee; the resolution itself asks that I "arrange" for the appointment of the CLC members to the committee. Since the ad hoc committee was appointed by Father Malloy at the request of the Academic Council (see April 19, 1999

minutes of the Council), it is not within my authority to make such an appointment. I did, however, discuss the CLC resolution with Father Malloy, who indicated to me that he was satisfied with the composition of the committee and did not believe it necessary to add members from the Campus Life Council.

Acting independently of the CLC resolution, Fr. Malloy invited Sister Patricia Thomas, O.P. to serve as a member of the ad hoc committee, and she accepted his invitation. Sister Pat will replace Father Jim Lies, C.S.C., who very recently indicated to Fr. Malloy that he must decline the invitation to join the committee because of time constraints.

As you are aware, Professor Carol Mooney, Vice President and Associate Provost, has been asked to chair the committee. I expect that Professor Mooney and the members of the committee will seek representative input on this issue from others within the campus community. Accordingly, I will forward to her the other names of the Campus Life Council members you provided in your letter as individuals who might be willing to assist in the work of the committee by serving in a consultative capacity.

Please know of my continued appreciation for the service of the Campus Life Council.

Sincerely yours,  
(Rev.) Mark L. Poorman, CSC  
Vice President for Student Affairs

### **Appendix B Memorial Resolution in honor of Professor John R. Malone**

Whereas Professor John R. Malone was a member of the Department of Marketing of the University of Notre Dame for over forty years, from 1952 until his retirement in the early '90s; and

Whereas Professor John Malone was instrumental in the establishment of the MBA program, played a major role in securing the Hayes-Healy complex, and served as Associate Dean of the



College of Business for over ten years, and chaired the Department of Marketing, and was a member of numerous other departmental and university committees, and as a member of the Faculty Senate; and

Whereas Professor John Malone was a devoted Notre Dame ('42) man whose footsteps at Notre Dame were followed by several of his children; and

Whereas Professor John Malone was an insightful and devoted teacher and one who was equally effective with undergraduates, MBAs or executive audiences; and

Whereas Professor John Malone was the recipient of numerous awards including both the Faculty Award in 1984 and the O'Hara Award in 1990 for his extensive contribution and service to the university; and

And whereas Professor John Malone died on August 29, 1999; and

Be it resolved that the Faculty Senate of the University of Notre Dame express its affection and esteem for our late colleague, Professor John Malone; and

Be it further resolved that the Faculty Senate express its appreciation for the many contributions that Professor John Malone made to the University of Notre Dame during his time of service on its faculty; and

Be it further resolved that the Faculty Senate observe a moment of silence in grateful memory of Professor John Malone; and

Be it further resolved that a copy of this resolution be sent to Professor Malone's widow, Ellen Malone, to his children, Kathleen, Mary Ann, Jane, John, Carol and Susan, and to the faculty of the Department of Marketing of the University of Notre Dame.

Passed unanimously  
October 6, 1999

### **Appendix C** **Memorial Resolution in honor of** **Professor David L. Appel**

Whereas Professor David L. Appel was a member of the Department of Marketing of the University of Notre Dame for thirty two years, from 1968 until his death in the summer of 1999; and

Whereas Professor David Appel served as Chair of the Department of Marketing from 1974 until 1980, and made important contributions to all programs in the College: Undergraduate, Traditional and Executive MBA, and MSA, and served on a number of college and university committees; and

Whereas Professor David Appel was expert on nonprofit marketing and assisted these organizations by teaching classes, giving speeches and offering consulting advice on their problems; and serving as the Marketing Director for the International Special Olympics held on campus in the late 1980s, and as board member at the Logan and Samaritan Centers; and

Whereas Professor David Appel was a committed and caring teacher and one who was devoted to his students; and

Whereas Professor David Appel will be remembered as a loyal colleague who always went out of his way to support his friends in time of need; and

And whereas Professor David Appel died on June 4, 1999; and

Be it resolved that the Faculty Senate of the University of Notre Dame express its affection and esteem for our late colleague, Professor David Appel, and

Be it further resolved that the Faculty Senate express its appreciation for the many contributions that Professor Appel made to the University of Notre Dame during his time of service on its faculty; and

Be it further resolved that the Faculty Senate observe a moment of silence in grateful memory of Professor David Appel; and

Be it further resolved that a copy of this resolution be sent to Professor Appel's widow, Judi Appel, to his children, David, Michael and Deborah, and to the faculty of the Department of Marketing at the University of Notre Dame.

Passed unanimously  
October 10, 1999

### **Appendix D** **Faculty Senate Forum Committee**

Stuart Greene  
Catherine Perry  
Dave Kirkner  
Ted Cachey  
Rich Mendenhall

4 Task Reports to be featured in 4 different fora:

Task Force on Strategic Directions in Science and Engineering  
Task Force on Institutes, Departments and Collective Resources in Arts and Letters  
Task Force on Curricular Innovation

**Task Force on Increasing Research Funding**  
**Tentative Date: November 16**

Frank Castellino  
Julia Douthwaite  
Gerald Iafrate  
Anthony Hyder  
Jennifer Younger

Meeting with Nathan Hatch:

1. What does he see as the purpose of these fora?
2. Does he plan to distribute the task reports? If so, when?  
Would it be possible to distribute before each forum with a cover letter?
3. Does he plan to respond to the task reports? If so, when?
4. Would he like to speak to the faculty at the first forum to explain the context and overall plan to discuss the findings of the various task forces?

## Appendix E

### Academic Affairs Committee Resolution

October 6, 1999

Whereas the student to faculty ratio, % of classes under 20, % of classes with 50 or more students and faculty resources continue to be below the average level of the top 10 universities that are included in the U.S. News and World Report ranking of American universities (4) and to detract from the quality of graduate and undergraduate education at Notre Dame; and

Whereas each of these categories can be brought to levels consistent with a top 10 ranking by adding 150 new teaching and research faculty with salaries commensurate with the top 10 (5) and doing so would produce concrete improvements in the quality of graduate and undergraduate education at Notre Dame: and

Whereas the endowment spending continues to be approximately \$20 million per year below the 5% target set by the Colloquy Report (1); and Whereas the new budget initiatives for 1998-99 academic year cost about \$4.8 million per year; and

Whereas the Provost's budget initiatives added 19 new T and R faculty during the 1998-99 academic year at a cost of \$2.4 million per year; and

Whereas the Faculty Senate estimates that it would cost \$3 million per year to add 15 new T and R faculty per year over 10 years (2); and

Whereas the Faculty Senate estimates that there would be a need for an additional \$51 million capital expenditures for office, laboratory and classroom space to house the 150 additional T and R faculty (3); And

whereas the Faculty Senate recognizes that a ten-year plan is subject to uncertainty, nevertheless the Faculty Senate believes that the University should set longterm objectives;

Be it resolved that the Faculty Senate requests the President, Academic Council and the Board of Trustees set a target of 150 additional faculty over and above those called for in the Colloquy Report during the next ten years.

(1) See Report on Expenditures from Endowment Funds

(2) See Report on Cost for Faculty Proposal

(3) Ibid.

(4) See April 1998 Report of the Faculty Senate in U.S. News and World Report Rankings

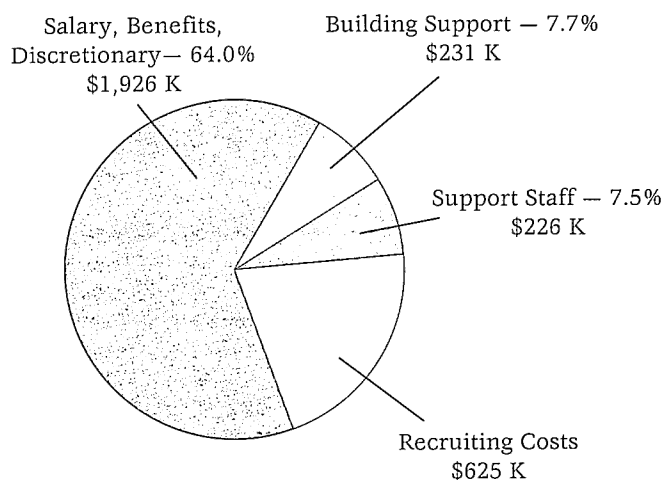
(5) Ibid.

Passed 30-0-0

October 6, 1999

## Report on Cost for Faculty Proposal

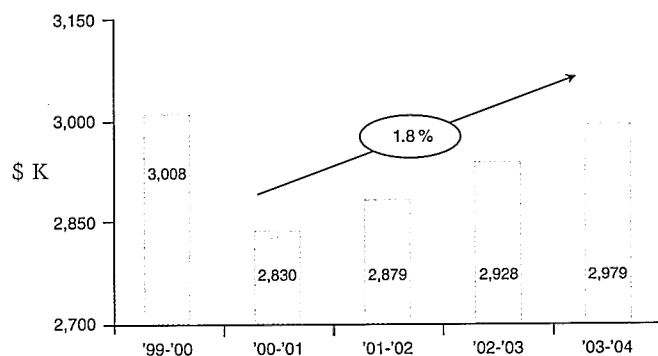
### 1999-2000 \$2,608 K Budget Requirement



### Arts & Letters/Business/Law/Architecture and Other Assumptions

- 10 positions per year
- \$89 K base salary (2% inflation per year)
- Staff support @ 16.9% of base salary
- Discretionary spending @ 24.3% of base salary
- Benefits @ 20% of salary
- Building support @ \$6/square foot (2% inflation per year)
- Recruiting costs @ \$15 K per position

### Future Budget Requirements



### Engineering/Science Assumptions

- 5 positions per year
- \$89 K base salary (2% inflation per year)
- Staff support @ 16.9% of base salary
- Discretionary spending @ 24.3% of base salary
- Benefits @ 20% of salary
- Building support @ \$15/square foot (2% inflation per year)
- Recruiting costs @ \$15 K per position
- \$400,000 in equipment cost

**150 Positions: \$3.0 M average budget initiative; \$51 M capital**

## Faculty Senate Journal

November 9, 1999

The chair professor Jean Porter called the meeting to order at 7:00 p.m. in the auditorium of McKenna Hall and asked professor Juan Rivera to offer a prayer for guidance. The journal of the October meeting having been distributed for review, professor Philip Quinn (seconded by the treasurer of the Senate Laura Bayard) moved its acceptance, and the Senate agreed. There were no changes made in the October text.

In her chair's report, Porter mentioned four items:

- she welcomed to the Senate newly appointed Senators, professors Jill Godmilow and Joseph Powers;

- the executive committee of the Academic Council has discussed two recent Senate proposals. The first, requesting that the Fellows and Trustees of the University publish minutes of their meetings, was outside the purview of the Council and was sent without action to the Fellows and Trustees. The second, a request for 150 additional faculty slots, was sent to the committee on academic affairs for consideration;

- she read the response of the president of the University, Fr. Monk Malloy, c.s.c., to Donald Brazos, chair of the Staff Advisory Council, regarding drug and alcohol testing, in which the president agreed to appoint a committee to study this issue at Notre Dame; he also asked that Council for four recommendations for this committee. This kind of committee had been requested earlier by the Faculty Senate;

- she announced that the first Senate Forum of the year would convene on November 15, in McKenna Hall. The topic would be: increasing external research funding at Notre Dame. The panelists would be professors Francis J. Castellino, Julia Douthwaite, Gerald Iafrate and Anthony K. Hyder, and director of libraries Dr. Jennifer Younger.

The chair's report is printed as **appendix A** of this journal, including special documentation. The Senate then recessed for short committee meetings.

The main business of the evening was to hear the remarks and comments of the president of the University of Notre Dame, Rev. Edward A. Malloy, csc, in his annual visit for questions and conversation with the Faculty Senate. When the Senate reconvened, Fr. Malloy had arrived for this purpose, and Porter immediately welcomed him. The Senate then recessed to hear the president, Fr. Malloy. A transcript of this session, edited in cooperation with the president, follows. The questions which had been sent earlier to Fr. Malloy are printed as **appendix B** of this journal.

PORTER: It is my great pleasure to welcome to the Senate for his annual meeting with us, Father Monk Malloy, the President of the University of Notre Dame. Fr. Malloy.  
[Applause]

MALLOY: Thanks very much, Jean. Most of the time when I am in this room in this kind of a context it is with the Advisory Councils and Trustees, so we usually have a good give and take on those occasions as well.

I thought I would begin by offering a kind of quick gloss on the "Provost's Report on University Finances", which I think all of you have received, probably a little earlier than the rest of the faculty. The report covers the last two and the present budget years and I think as a result of that you can get a sense of the outstanding progress that has been made. I feel very good about the number of things that we have to report that are particularly related to our academic development as an institution.

You'll remember that the colloquy in its ten year projections called for a 2.1 million dollar a year addition after inflation to the operating budget of the University for academic purposes for a total of 21 million dollars over ten years. The actual increases the last three years have been \$4.6 million, \$6.9 and \$7.7 million, for a total in five

years of \$27 million. So already we have exceeded in the first half of the colloquy period the assigned goal of \$21 million. A lot of things have contributed to that, but the results, I think, have been extraordinary and I am very pleased to be able to report that result. And when Nathan comes to talk to you, you can pursue the details further with him.

One component part is a reflection on the role that the endowment and the endowment growth and spending play is the actual rate increases for each unit of the endowment, like those monies set aside for financial aid or endowed professorships, for the library and so on. The spending increased in five years by 84% from \$25 per unit to \$46 per unit. That of course is one of the ways in which the operating budget increases significantly over time.

Another goal of the colloquy was to increase the size of the faculty, partly to offset the reduced teaching loads in some of the colleges but also to offer us the possibility of pursuing new areas of development academically. In the last five years we have added 79 new teaching positions, fulltime teaching and research positions, and in the last three years, 43 positions. I don't think there is any university in the country that has seen that kind of sustained growth in the size of their faculty. Our intention is to continue to pursue the 150 positions, 50 from increases in the regular budget, 100 from endowed professorships, half junior and half senior. Many of the additions that have happened in those first five years were out of increases in the budget and I am going to say something about that later on. We are reaching the point beyond which it is going to be very difficult for us to grow the size of the faculty from tuition dollars. We now have 111 endowed professorships. Last year we celebrated 16 inaugurations of chairs and this year, tomorrow night actually, we will have 19 new chairs. Now, these new chairs include people who are replacing those that have retired, died or moved on, as well as the additional positions, but it is still a sign of great progress. One of the nice things, if it is somebody internal, is to have a chance along with

Nathan and the dean of the college to congratulate people who have received one of the new chairs.

Obviously an area of concern is faculty salaries. We are maintaining our position in the top ten percent and that is very important both for rewarding outstanding teaching, research and service but also for attracting other faculty from other institutions. Our position relative to our peer institutions was 18th in the 97-98 academic year, 19th in the 98-99 year. We fit in the top 10% overall. If you look at one of the other indicators, that is the cost of living relative to the salary, we see ourselves coming in third in the country. I think that suggests that our position relative to our overall living situation and cost factors is a very significant one.

This year in the wake of an effort to beef up the admissions efforts of the University with Dan Saracino as the new director and with some new staff that assist him, we were able for the first time in our history to attract 10,000 plus applicants for the incoming class. That has allowed us to have, along with our financial aid packages, greater yield than ever before and a better academic profile. One of the things that influences some notions of selectivity among peer institutions is the relationship between those two realities. I would project that as we look to the future in things like the *US News and World Report* evaluation, which is only one factor of course, we can see ourselves strengthened. I have heard from many of you that our undergraduate students are very bright, talented and hardworking and a pleasure to teach. I see that continuing to be the case as we look to the admissions efforts. It also includes a very strong effort to try to increase student diversity. Presently we are looking at some variables with regard to international undergraduate students where we can pair up with Notre Dame graduates from those areas and with some Notre Dame internal money make it feasible that students from other countries who in their social and economic profile could never have attended in the past. One of the fruits of our travel internationally and meeting with graduates

and alumni clubs in other parts of the world is that now they are making some nice benefactions to the University for this purpose.

Admissions is always coupled with financial aid. So I am happy to be able to say that this year, according to the formula, we are able to meet need of everybody admitted to the undergraduate population. If you count in the family contribution and then whatever packaging of grants and loans that we can make available, we can pretty much guarantee that with sacrifice anyone who is admitted should be able to come to the University. In the past we had two categories that we gave special attention to when it came to financial aid in terms of the richness of the package. We had Notre Dame Scholars that were entirely on the basis of academic profile and then Holy Cross Scholars with a great emphasis on underrepresented minorities. With this new situation about being able to meet need, we can now make comparable aid packages available to all students. If you look at the dollar figures, we are now able to contribute from Notre Dame sources about \$24 million in financial aid, which is double what it was about five years ago. However, our goal is to increase that significantly as times goes on. It continues to be one of the highest goals of the Generations campaign as it unfolds in its last year.

When it comes to graduate education we have been able to increase over the last five years the graduate stipends from \$3.3 million to \$10 million, which is making us more competitive in terms of the awards that we can give to graduate students, but also has enabled us in some situations to extend the period of time when graduate students will receive the financial aid and to increase the raw numbers, particularly in those departments which have an outstanding profile from the applicant pool but have not been able always to deliver the number of students that they would like. We have also been able to double over the last five years the funding from internal resources for research purposes. I think that the combination of the two of those really enhances our capacities as a graduate

institution. The MBA and law scholarship aid is also increasing. We were not at a level of awards that we would have liked to have been, but we are improving quickly. One of the vehicles for trying to maintain that advance are these two societies: the O'Hara Society which is directed to the MBA program in the College of Business, and the Thomas More Society, which is directed to the Law School. We still have a centralized fundraising operation, but within the auspices of Bill Sexton's overall operation we're now able to identify these specialty targeted groups to assist the MBA and Law School programs.

I'm very pleased at the number of new institutes and centers that have been established over the last several years and the quick impact that they are having on the intellectual life of the University and our visibility outside of the campus. We celebrated a couple of weeks ago here on campus the Keough Institute for Irish Studies. Seamus Deane gave a brilliant talk in his inaugural address. The Erasmus Institute under the leadership of Jim Turner had a very successful conference a couple of weeks ago, and brought a nice array of scholars from different disciplines. It continues to have fellows in residence and a publication program as well. The Erasmus Institute is one of the ways in which we are trying to respond to the challenge of creating a more exciting and cross-disciplinary Catholic intellectual life here on campus. The Nanovic Institute for European Studies that Bob Wegs directs continues to focus its efforts and to gain greater visibility in that broad umbrella that one would call European studies. The Institute for Educational Initiatives, with Maureen Hallinan and Michael Pressley in positions of leadership, is allowing us now, with the Alliance for Catholic Education and in the scholarship and research they'll be doing with regard to the public and parochial schools in the South Bend area to contribute to the ongoing debate about K through 12 education. There is a new Center for Sports, Character and Society, which is under the umbrella of the Institute for Educational Initiatives. A couple of weeks ago we also estab-

lished a Center for Latino Studies led by Gilberto Cardenas. The center will reestablish the premier presence in Latino Studies that professor Julian Samora represented when he was here. Many of the best scholars in the field were produced by Notre Dame's Ph.D. programs, and now in this very building we have brought from Texas some of the best people in the field.

Dave Solomon is overseeing the new Center for Ethics and Culture. In the past, we have had a couple of campus-wide groups trying to figure out the most effective way that we can bring together the various scholars in ethics, Jean Porter here being one example. Dave is going to try to not only be involved in important work in his own right but also to have the center be a place where ethicists from around the University can find a common home. We are going to continue to be looking at ethics as it applies to various fields, but I think if we are going to get maximum visibility and influence in the broader field of ethics that this center will be one very helpful way to pursue that goal.

The Gigot Center for Entrepreneurial of Studies in the Business College is still being developed, but we have a major commitment for that purpose and I think that will provide a very important stimulus in the college. Also the Center for Nanoscience and Technology in the College of Engineering looks like it is going to get a major federal grant soon and that will allow us to be in the forefront of some of the exciting interdisciplinary research in science and engineering.

One of the areas that was very neglected or at least difficult to get additional resources for in the previous two campaigns was the libraries, collectively, not only the Hesburgh Library but also the branch libraries and the Law School library. I think we can report very straight forwardly that it is one of the areas that we have made the greatest and quickest progress in. You may have seen a report recently that if you take the last five year period that we're number three nationally in growth in the overall library expenditures, which have grown by about

66%. The library holdings have gone from 67th to 53rd and among private institutions we are ranked number 17. I suspect that we are not going to be able to move in terms of holdings into the top ranks at any time in the foreseeable future. But we can report that we are moving forward very quickly. We had a goal in the campaign for endowed library collections of 29 million dollars and we have already achieved that goal. A couple of weeks ago when the Library Advisory Council was here, we had 33 new collections endowed and celebrated. There is tremendous enthusiasm in that council and among families and groups that have made the improvement in our library situation possible.

In Nathan's scheme in his review he identifies a number of areas in science and engineering, so I'll just make reference to them in passing. We've really strengthened our program in vector biology with the addition of a number of new faculty. We have funding and plans with the Walther Cancer Institute as well as in the Keck Center for Transgene Research, which will be housed in the new facility (a joint project with Indiana University) just south of the campus. We have also identified four emerging areas that we want to pursue: genomics, information technology, material sciences, and environmental sciences. Some of the hiring that is going on in these two colleges recently has been toward pursuing those goals.

In the last three years we've spent from our operating budget about \$6.5 million for capitalization for faculty in science and engineering. One of the hidden costs in additional faculty positions in those two colleges particularly is how much it costs to get somebody up and running in the laboratories in this day and age. We have not historically had an item in the budget sufficient to cover the cost of all that. The so-called miracle at the end of the year where we had some surpluses from the operating budget was how we satisfied that need. What we are trying to do is to build it into the budget so that we are better prepared when we have the opportunity to hire faculty, to be able to make promises accordingly.

The space needs have been addressed to some extent: the improvements in the Galvin building and of course the Hank Center for Environmental Research; sometime soon the Cushing Auditorium will be transformed into a learning center. Looming in the future, as soon as we can get the money is the Science Teaching Building which is a mega-project and the College of Engineering is now pursuing its own desires and plans for an Engineering Learning and Research Center. All of those things are under way or at least being planned for.

We have made a lot of progress in international studies. We can project that next year about 670 undergraduate students will be studying abroad, which is a two-thirds increase from where it was seven years ago. We presently have the highest percentage of undergraduate students studying abroad among the American research universities, and I think that is a tremendous thing that we have been able to pursue very quickly. This has included significant budget increases, and of course last year we dedicated the London and Dublin facilities.

Information technology is in the news a lot with the suit against Microsoft. We have added about 2 million dollars to the budget for information technology over the last three years, particularly evidenced in the completion of the campus work station program. Now we are trying to keep that up to snuff and respond to the other needs as they emerge. Also the Office of Information Technology has undergone a major restructuring. I am going to be meeting with OIT sometime soon to get a full report on what that entails.

In teaching and learning, the Kaneb Center has really developed good strategies for engaging a broad cross section of the faculty in terms of the priorities for teaching and learning. The addition of the Kaneb Teaching Awards which will recognize each year ten percent of the faculty is one of the ways of putting your money where your mouth is. If we ever lose our present reputation for outstanding teaching, it would be a cause for wonder in our families and in those who think of Notre Dame as having a spe-

cial commitment to teaching. But we also should recognize in a special way those who have demonstrated outstanding teaching.

In the professional colleges or schools of business, law and architecture, we are seeing the development of some outstanding plans for future development. In the Business College there is a great emphasis on the quality of the MBA program, both in recruitment, in financial aid, placement and the relationship to the various companies. I know that Carolyn and all her associates in the College are working very hard on that, as well as in faculty recruitment, diversity, curriculum, computerization and executive education. It is interesting if you look at the material on the University of Phoenix where you have entirely computer-generated learning environments, there is a certain amount of anxiety that goes along with that in watching from more traditional university settings. One of the ways in which that will be tested is executive education and in education for people who are older than what is the traditional age group of our undergraduate students.

In the Law School we continue to enjoy a top 25 ranking. The Law School will have available to it in the coming year four new endowed chairs. The selection of the faculty who will hold those chairs can have a profound influence on what goes on in the Law School. There is a concern about the research infrastructure and there are some facility space needs which are already manifest and we need also to face the issue of financial aid particularly as it effects the job choices, how people practice law after they finish. The faculty in the Law School continues to debate how all these fit together in terms of priority.

And last of all the School of Architecture: the completion of the Bond Hall renovation of course gave us the very beautiful first-class facility. There is a movement to integrate computer-aided design more effectively into the School of Architecture and a concern about faculty recruitment. The School of Architecture went through its major accreditation visit and just last week the graduate accreditation visit.

Anyway, those are signs of progress and hope and possibility, many of which are related to additional resources that have become available to us.

A couple of other matters: The Generations Campaign reports out at about 820 million dollars for our goal of \$767 million. The deadline is December, 2000. We continue in the remaining time to focus on underfunded priorities of the campaign, as well as new goals and purposes that have arisen since the campaign began. This campaign has involved a lot of hard work by a lot of people. I want to give real kudos to the other officers and to the deans and to the members of the development office who have not only structured the campaign but have been out on the road for breakfasts, lunches, dinners and for many events here on campus as well. If I would say anything that surprises me about the campaign, it is the younger age of the benefactor pool, especially in terms of large gifts. And the other is that we have gone over the top even though we've defied the theory of the pyramid. We thought that we had to have X number of mega-gifts at the very top, \$10 million or more, in order to achieve that goal. We have had a couple of multiple gifts but we have not had some of the mega-gifts. I saw yesterday that MIT got a 100 million dollar gift. I am on the board at Vanderbilt University, where they just got a 300 million dollar gift. It is easy to have a successful campaign if one person gives you 100 million or 300 million dollars. But we have been able to move forward and we are always hopeful that there are people lying in the wings who will someday be motivated to say, "Here, here is a hundred million for you." We will have plenty of ideas about what to do with it.

When it comes to buildings, just to review, we are going to break ground within the next couple of months for what we will be calling the Philosophy/Theology building. There is a donor who wishes to remain anonymous. That will give us additional space for Arts and Letters faculty, and it relieves the burden on Decio and to some ex-

tent on Flanner Hall. We will break ground for the performing arts center in the Spring. We will also of course eventually have to do some retrofitting and renovation work in Washington Hall. Lastly, we have announced that our goal is to break ground for the Science Teaching Facility in 2002.

Our endowment is now approximately at 2.2 billion dollars, which is 15th among the private universities. Much of that money is targeted of course on specific areas. But I am really pleased at the work that our office here on campus under Scott Malpass's leadership has done, and the advice that we have gotten from that committee on the Board and many firms that advise us about our investments.

One of the things that is going to be a problem in the future is tuition rates. If you look at comparative tuitions, undergraduate first of all, between us and our so-called peer institutions, we've caught up with many of them. We had higher rates of increase for a number of years than many of them did. If you take Northwestern, for example, we went ahead of Northwestern in tuition costs. In the past it was often a two or three thousand dollar discrepancy between us and some of our peer institutions. That is not the case anymore. They are increasing their tuition less than we are. So we are under orders from the Board of Trustees to be very limited in what we can depend upon from any tuition increases. As we build the budget for next year, that is very much in our mind. What that means is that our sources of additional funding, other than tuition, are gifts and building the endowment and research grants. Our research grant level is in the 30 million dollar range. Much of that is generated in the Colleges of Science and Engineering. Because of the distribution of our faculty where half the faculty are in the College of Arts and Letters, it means that for us to make a significant increase in the dollar figure we are going to have to have additional faculty and also be shrewder across the colleges in how we look at what is available from various sources, federal, private, philanthropic, corporate, or whatever.



The Main Building has been dedicated again after two years of no one being in it. I am very pleased with the reaction from our alumni, family and friends. We have in the building three classrooms which I hope to preserve because I think it is really important that there be a regular flow of students going in and out. Having classes in there does that. Also we've given a prominent place in the building to admissions and financial aid. If you go up the steps of the Main Building on both sides down the corridor we have one of the most attractive areas for welcoming visitors to the campus for admissions. If you put that together with the visitors center and the ways in which we can show off through video and other formats what Notre Dame is like and orient them to the campus and tell them a bit about our history. It allows us to present ourselves much more effectively than we ever could before. That is of course true also to some extent but not probably as decisively when it comes to the Graduate School as well.

On the Y2K issue, I thank you for all of the hard work that you have contributed to making sure that everything is not going to come to a crunch and slow down to nothing when we hit that magic moment. We do have and are going have a discussion at the upcoming officers' meeting of the disaster plan that the group responsible for overlooking our planning for Y2K is preparing. We do have a very well-laid out plan for various scenarios if something goes wrong. We are not going to be in session, so that is one positive note. Most of the students will be gone, but we still are a 12-month a year, 24-hours a day institution, so we have to be ready for whatever might come. A lot of our fears have to do with the neighborhood or the town, like waste disposal which is all basically a cooperative thing with the city of South Bend. Anyway, I just wanted to assure you that there are people thinking about this, because I don't think all of us have to be. We at least need to know that there are various steps that we can take and there will be people prepared to act if something goes wrong.

Before I take your questions, I would like raise two concerns. One is departmental chairs. I think all academic administrative responsibilities are difficult and demanding in their own right. In the Provost's Office, in the deans' offices, but I think at this particular time in the history of American higher education, the most difficult job is to chair a department, or a major academic unit. It seems as if there is no proper or good time to be a department chair in one's career relative to the responsibilities that one carries. You have to deal on a regular basis with planning, hiring, evaluating for promotion and with budgeting. You also have to interact with your fellow faculty members in the department on a regular basis. People can sometimes have long memories. I think we have to be respectful of the challenges that are faced by people that hold those positions. We have to encourage people to think of one of the major forms of service they can perform in this institution during the course of their career is to accept responsibility as a department chair.

Lastly, when it comes to recruitment of faculty, we have talked about that here and elsewhere before. It continues to remain a challenge to recruit women faculty and members of under-represented minorities under our affirmative action policy. I personally and we as an institution remain committed to these goals. We also have a special obligation to hire Catholic faculty. We had a chance to have a major meeting in Chicago for people in the Provost's Office and the deans' offices and department heads as well as myself. It was a very frank and free exchange and a fruitful conversation about how we deal with this issue of hiring Catholic faculty and how we can gauge our success or failure. In a subsequent meeting we also had a chance for the first time to have some significant time with new faculty to try to provide a welcome and an orientation to the distinctiveness of this institution. That seemed to be welcomed by those who participated and all the feedback would suggest that this ought to be done on a regular basis.

Now let me turn to the questions that were sent to me in advance. First of

all, question number two, on *Ex Corde Ecclesiae*: I don't want to insult your intelligence, but let me very quickly review the process. There were papal documents issued on seminaries and on pontifical universities, like The Catholic University of America. Pope John Paul II said he wanted to have a third document on Catholic universities, a worldwide document. In preparation for such a papal document, bishops and presidents and others were asked to respond to some early drafts. Then there were elected groups that went to Rome, and I was in the larger group, one of three presidents, that examined the draft. Those of us from the United States and some of our friends elsewhere urged that the document which the pope issued should be fairly general, hortatory in nature, intended to lay out a framework, but no attempt (because of the diversity of circumstances of Catholic higher education) should be made to do that in ways that applied everywhere, and there should be an opportunity after the document from the pope was issued for groups of local bishops, the national groups of bishops, to try to find an application appropriate to their given cultural context.

After *Ex Corde Ecclesiae* was issued, and overall I think it was a good document - people might quibble over a few phrases, but overall I think it was well-received - the process began in this country to come up with an application to the United States. I was invited to be on a committee, half bishops and half presidents, and we have been meeting for many years. The initial conversation suggested a wide divide between the bishops and the presidents. The first draft was rejected. Over time an operative consensus developed on the *Ex Corde* committee. Finally we were able to come forward with a draft that won pretty widespread support. It was voted on by the American bishops, and all but six voted for it, out of 200 + bishops. It was sent to Rome and there were several congregations (on education, on bishops, on sacred texts) who looked at it, and some combination of people there said it wasn't juridical enough and needed to be replaced.

What the American bishops did was form a subcommittee, headed by Cardinal Bevilacqua, composed entirely of canon lawyers. They submitted an application that was more juridical. When that came out, many of us found it not helpful. There were three or four areas that were particularly problematic. We spoke very openly about that in meetings and in other very public settings. There were then slight modifications made.

The present status is that the bishops, after hearing all the feedback, have to decide whether they are ready to vote on it or not, next week. We have had meetings and argued the case for why they should not vote on it, and if it does come to a vote, why they should vote against it. That continues to be my position.

Meanwhile, we have had a very good and supportive relationship with Bishop John D'Arcy, our local bishop here in Fort Wayne/South Bend. There are five Catholic higher education institutions in this diocese, and we have had twice-a-year meetings to talk not only about the various drafts but other matters of common concern. On the basis of that conversation, a couple of months ago Bishop D'Arcy himself of his own volition issued a pastoral letter which got wide circulation. He acknowledged that there were areas of legitimate concern but his experience of the conversation that had gone on in this diocese was a good model for what could go on and should go on across the country, and that it would be inappropriate and unhelpful to vote on the present statement of implementation.

It requires a 2/3 vote to be approved. My suspicion is if the governing board of the bishops thinks it is down to the wire, they probably won't vote on it. I can't tell you what the number of votes are on either side, but there are those who favor the continuation of the conversation and working toward a mutual solution of whatever problems that arise and not have a formal, juridical document at this time. The best case scenario, as far as I'm concerned, is that they decide not to have a vote, or if they do have a vote, it doesn't get the necessary 2/3 of the bishops. If it

is approved, it still would have to go to Rome, as the previous draft did. If it goes to Rome, I think it will be hard to predict how it will come out, especially if it looks like there is some disagreement among the bishops themselves. If it is sustained all the way through that, all I would expect to happen is that Notre Dame will continue to do what we presently do. I think it's important to say that there are members of the Faculty here at Notre Dame who are some of the strongest advocates of full implementation of the present draft. If the Faculty Senate is going to represent the whole Faculty, you need to know that there is a disagreement among the Faculty here at Notre Dame about what is the proper direction for the future.

I've been involved in this conversation for many, many years, and I would be disappointed if the present document were approved. I don't think it will change in any significant way how we do things because I think we're doing them properly here. That's my response to that question.

Now, to question number one, the Catholic intellectual tradition relative to the dominant secular culture: I think the Erasmus conference was a very successful one, from all the reports. I was able to listen to a couple of the papers and have dinner one night with some of the participants. They seemed to be very excited about the nature of the conversation. I think Erasmus is one vehicle by which we can have some kind of impact. I also think the Theology Department's conference on the Americas, just prior to the Erasmus meeting, was quite successful. It will be very important for the Theology Department to have a very critical role in this conversation as time goes on. I also believe that the leadership provided by the directors and by the faculty in the various centers and institutes of this institution will have a major impact on how this conversation will go on. It may not be so manifestly clear in every center and institute, but surely in the majority of them. I think too the Philosophy and Theology Departments, which are generally regarded as two of the strongest departments in the University, are go-

ing to have to play a leadership role in this conversation, in promoting it, in presenting symposia and conferences, and in gaining visibility as the conversation goes on including through publications. Barbara Hanrahan, the new director of the Press, would like to continue the tradition of Notre Dame Press as a place where these kinds of interactions and conversations can go on in print. So those are at least some of my thoughts about that matter.

Questions three and four seem to me to be similar, so I'm going to cover them in one long answer. *The Observer* is an official University publication. Why? Because it receives money from the University through student fees, and from advertising. It also receives office space from the University. The Administration of the University functions as the publisher, legally and symbolically, of *The Observer*. Students function as the editorial board. As publisher, the Administration prohibits certain types of advertising that are inconsistent with our identity as a Catholic university. The editorial board has full freedom to determine the content of the paper, consistent with the standards of professional journalism. I believe, and my experience would reinforce, that the students on *The Observer* are dedicated, hardworking and perform a vital service. If we did not have an *Observer*, we'd have to create it.

The vast majority of material that appears in *The Observer* is uncontroversial, and the relationship between the Administration and *The Observer* staff has been rather easy and relaxed through most of my time as president. Problems have arisen, however minimal as they are. A number of years ago, when a faculty member in the Theology Department died under very tragic circumstances, *The Observer* seemed to violate canons of decency in the way it reported that event. That elicited from members of the Theology Department a lot of concern about their professional judgment. There was another situation when some members of *The Observer* staff were thought to be not financially accountable, and we required that *The Observer* participate in the accounting

system of the University and undergo an annual audit. There were other situations in which personal ads defaming of students were allowed to appear in *The Observer*, and after conversation those were not allowed in the future. More recently, we've had the kind of item that circulates and is sent to all student newspapers around the country on a regular basis that makes the claim that the Nazi Holocaust never happened. That was published by erroneous judgment, but when that did appear I felt it was necessary to write a letter to the community, particularly to the Jewish members of our community, apologizing for poor judgment. And most recently, there was a cartoon that was deemed offensive by members of some of our under-represented groups on campus.

In all of these cases there were conversations that went on between the Administration as the publisher and the editorial board, and we were able to find a solution. The present scheme is to have a once-a-year meeting between the people in my office and myself and the editorial board, over lunch, where we have a kind of generalized discussion and talk a little bit about history but also encourage them and thank them for playing this role in the life of the University. At that time I indicate who from my staff is assigned to be the intermediary between the Administration as publisher and the editorial board of *The Observer*. Informal conversation, in my judgment, is best. I think it has worked well, and it has worked with a minimum of difficulty. I believe if I were the editor of *The Observer*, it would be a mistake from that vantage point to have a formal, written policy with regard to advertising because a formal, written policy would incline to be as inclusive and all-covering as possible. I don't think it is necessary, and I don't think it is desirable.

The policy about GALA being prohibited from advertising has been in place for many years and has been communicated to the editorial board. A year and a half ago, I and several of my colleagues had a three-hour meeting with the leadership of GALA. It was a cordial, frank, helpful meeting. They are very nice people, and we talked from

our respective vantage points. It was very clear on the basis of that conversation and others that I've had that GALA has a certain perspective and they would like to have an influence on the campus and on the situation of undergraduate students. On the basis of those frank discussions, we have made collectively a prudential judgment that ads submitted by GALA cannot be accepted by *The Observer*.

Numbers five and six deal with the committee to study the relationship between academic and residential life. This committee was composed to fulfill a promise I made last year to the Academic Council. I believe that the members of the committee are representative, and that they will bring to the table all the pertinent issues. I'm very satisfied with the people who were willing to serve. This committee will be happy to hear from various other constituencies, including the leadership or membership of the Campus Life Council (CLC). That would seem to me to be a necessary and desirable part of their listening.

I believe that residential life is one of the great strengths of Notre Dame. For those of you who might have looked at my book *Monk's Reflections*, you know that I have a chapter on residentiality. Last night, I had a meeting, a planning session really, with the rectors, and I re-emphasized with them how important that I think the residential tradition and life of the institution is. If you ask me what are the sources of the great loyalty of our graduates, it has a lot to do with the total life experience that is fostered in that kind of setting. Those of you who may have had children go through Notre Dame would recognize what I am talking about.

The rectors, assistant rectors and faculty who are in residence have a role, a very important role, in being agents of mediation between the academic and the social. However, it is not self-evidently clear to everyone that the place where one lives ought to be necessarily a place where all of one's academic development is finalized or brought to completion. I think the role of those who are already there is an important one. Hall fellows have been

attempted at various times by dorms with varying degrees of success. Student Affairs has made funds available to the dorms for creative interaction with faculty and others. There is no reason why the leadership of the dorms can't figure out ways of engaging a good cross-section of the faculty. My experience would suggest that faculty who host dinners or lunches or informal gatherings with students in their classes - that's a huge way of making a difference. The result is a much more relaxed and informal way of interacting with students than in the classroom. Finally, undergraduate research: when faculty and undergraduates do research together, it gives the students a sense of excitement about the professorial career or about learning and doing it in a collaborative way.

Number seven on the drug testing policy: I received a report back from the Staff Advisory Council in which they generally favor the present policy, both having it and its requirements. However, they did acknowledge that there were some areas of doubt or disagreement, and asked that I form a committee. So I have asked for recommendations from the Staff Advisory Council for membership on an ad-hoc committee to look at the issues they raised. I feel I have a little heads up on this conversation because one of my responsibilities is to chair a commission for the Center on Alcohol and Substance Abuse (CASA) at Columbia University, which is looking at drug policies in amateur and professional athletics. We had a very interesting meeting about a month ago in New York City where we had some of the leading experts in the country describing the conditions that prevail and the kinds of drugs that are out there. We saw a huge manual and learned about people who sell off the Internet. They told us about the availability of masking drugs and all that sort of stuff. I think from this and future meetings of this group which includes people from medical schools and the research community as well as legal scholars and so on, we will have information to feed back to the ad-hoc committee as they go through their work. We're in the process of moving forward on an ad-hoc committee to look at the staff

drug testing policy. I very much appreciate the feedback I've received from the Staff Advisory Council.

Question number eight, about all-male A and P committees for women faculty: I really would like to defer that to the provost. I don't have any position about it because I don't know what the precedents are elsewhere. I think it would be foolish to say something in an uninformed way.

When it comes to number nine, publishing Fellows and Trustees meetings minutes, in all private universities and colleges that I am familiar with, these materials are confidential. They are not published. I see no precedent elsewhere. There are good reasons for public universities to do so: sunshine laws, including a lot of tricky areas of university life. I think it is to the advantage of private universities not to have such publication. For a number of years, we did put a kind of summary out, a highlighting of the minutes of the Trustees meetings. The sense was that they were not either informative or very representative, so we stopped doing it. For anything that would be more extensive than that, it would not be helpful and I don't favor it. But anybody who would want to make an argument for it to the representative bodies should feel free to do so.

Number ten - for 150 additional teaching and research faculty: I've already said how much progress we've made in growing the size of the faculty. We still need to raise a fair amount of money for the endowment for the additional faculty positions. I'm confident we will do it, but we don't have it to start out with. That figure of 150 came out of the process that went into the Colloquy document. It seems to me the only way to answer this question, in isolation from financial aid or new facilities or whatever, is to look at it holistically. I'm sure that as we look to the future we will have to grow the size of the faculty, but by how many and how we will be able to afford it is something that will have to be pondered relative to a lot of other academic and non-academic goals of the institution. I'm neither for nor against it. But I do want us to have the size of faculty appropriate

to the multiple responsibilities the faculty have, and that help us to continue to grow an exciting, interesting and supportive teaching and research environment here.

So, that's it for the things I was sent in advance. I think Jean wants to be the one who points out who goes next.

PORTER: Yes. Thank you, Fr. Malloy. We are now open to questions from all members of the Senate. We are not officially in session, but as is our custom we will follow the procedure according to which I will recognize, first, those who have not had an opportunity to ask a question. Then, when everyone who wants to has asked a question for the first time, I will recognize people for a second question. If you would, please, go to the nearest microphone so that it will be easier to hear you. Ikaros Bigi?

IKAROS BIGI: I have a question concerning item seven, on drug testing. You said you will be appointing an ad-hoc committee to study the issue. As you know, the Faculty Senate sent you a resolution, stating that it is not just a legal problem which needs the advice and crafty work of lawyers and legal experts, but also has many ethical and moral issues to it. Of course, all of these issues are inter-related, and paying special attention to these complex moral issues would be quite in the spirit of Notre Dame. You also said that you were asking the Staff Advisory Council to nominate candidates. My question is, what will be the composition of this committee? Will you ask the Faculty Senate for candidates? And, third, while this committee is in session and deliberating on these areas of concern, will there be a suspension of drug testing or a restriction of this procedure?

MALLOY: As I understand the response I had from the Staff Advisory Council, they do not wish to have a suspension of the staff drug testing policy. I will, in composing the committee, seek to put people on there with expertise in areas that would be appropriate to it: scientific, moral and legal. Then we will try to make available conversations that have happened

in comparable places elsewhere. I am confident that we can continue to refine, to improve the circumstances under which the present testing takes place. The one thing the Staff Advisory Council asked, and I don't have a quick answer for, is why the faculty are not tested. I was tested, and all the officers have been tested, because we felt that that was an appropriate thing to do. I'm confident, having been through the procedures myself, that they are fair and if any problems arise, we are not going to take any action that would be unjust or unrepresentative. In composition, once I get recommendations from the Staff Advisory Council, like all of these ad-hoc committee, I'll try to put together a mix of people who can give us a variety of points of view.

BIGI: Just to follow up, and I don't want to abuse the privilege: do I understand you correctly that you do not want to have input, or don't expect input, from the Faculty Senate in composing the committee?

MALLOY: A better way to phrase it, because it is something that applies to the staff and not to the faculty, I want to give pride of place to the Staff Advisory Council. If it were something that applied to the faculty, which this does not, of course I would want to have input from the Faculty Senate.

PHILIP QUINN: Apropos of your response to question nine, on publishing the minutes of the meetings of the Fellows and the Trustees: if that is not to be done, what other ideas do you have about the problem of improving communications and mutual accountability between these bodies and other constituencies in the community?

MALLOY: I believe that all of the major items that are pondered and acted upon by the Trustees and the Fellows are brought forward at the appropriate time. Confidentiality protects the nature of the conversation that takes place in between. There is a lot of give-and-take, and I find historically one of the great advantages in private colleges and universities is that that privilege pertains. If there are areas that would benefit from further conversation, they of course can be directed by

the Senate or by any other representative body to either the Fellows or the Trustees, and appropriate responses can be given on the basis of that inquiry.

A. EDWARD MANIER: Monk, a number of faculty members think that student organizations that address academically and politically and even religiously controversial issues as a matter of the approved goals of those organizations ought to enjoy many of the protections and privileges of academic freedom. The question really has to do with the practice that you reported this evening of meeting with the leaders of GALA in which they reported to you what you characterized as certain perspectives and an interest in influencing campus life (presumably from those perspectives). You then indicated that "we", and you didn't identify "we", collectively made a prudential decision that those perspectives were such that it was appropriate to impose a blanket suppression of advertising from that group, in the absence of any specific copy or any specific ad. I understand that private universities have perks, or places where their privacy facilitates their academic mission. But in this issue, that is hard to see. A prudential decision by a group not involving faculty and not involving individuals necessarily concerned with objective, independent scrutiny of relevant evidence in specific cases — it is hard to see that the substitution of that sort of prudential judgment would fully pass muster with protecting anything like student academic freedom. I hope this is clear. In part it is a statement, but it is meant to be a challenging statement.

MALLOY: I take it in those terms, and the sentiments of others as well. I believe that there's been no student newspaper in the country that in the last two, three, four years has had more discussion, debate, articles, letters and editorials on matters related to homosexuality than *The Observer*. I don't think there's any evidence that the student governing board or the editorial board of *The Observer* has been inhibited or prohibited from discussing any of these questions, including GALA and its status. The only thing

that was prohibited because of questions of institutional mission and a prudential judgment by myself and the other officers was that they could not advertise. I understand why people of goodwill might disagree. I'm personally a big defender of academic freedom and of freedom of expression. It may seem to some who disagree with me that the distinction between advertising and copy doesn't hold up. I believe it does. If you happen to have read about the role of the Graham family in *The Washington Post* or the Sulzberger family in *The New York Times* or the Luce family at Time, Inc., if you looked at the role of the publishers of *The Wall Street Journal*, *USA Today*, the relationship between the editorial boards and the publishers is generally a good one. But the publishers instruct and fire editors that don't abide by what they consider the editorial policies of that form of media. To say that *The New York Times* is pro-abortion and pre-occupied by the Middle East, I think, is manifestly clear. That's a choice. There are parts of the world that *The New York Times*, which I consider a fine newspaper and read it every day, doesn't cover with the same enthusiasm or regularity. You could say that the publishers therefore, by default or style or choice of who the editors will be, have a big influence. One of the things that many people analyzing contemporary media would say is when a few individuals get control over a large number of media that they can control what people think of as news. How does Headline News determine what stories to put on when they have only X number of minutes or hours a day? Why is half of many newspapers sports coverage? These are all decisions. In a very few instances with *The Observer*, as a University publication, we as publishers made decisions, whether popular or not, that have been consistent and have been clearly stated. I don't expect everybody to agree with the specific choices, but I don't think it's so very far afield from the relationship that publishers have with editors in the broader media in this country.

MANIER: I understand that. While your characterization of your role as publisher certainly can be used to justify

your autonomy in making this decision, there is a sense in which you are publisher perhaps by fiat in the case rather than by statute or anything written. The point of my question which you didn't answer and didn't speak to at all is whether or not students in an academic setting in a newspaper might have academic freedom, as a kind of protection that might intervene between them and the publisher. I assume that the working editors of *The New York Times* are quite aware of their dependence on the favor of the Sulzberger family. Do you think that that analogy is really appropriate to describe the relationship between the president of the University and the "independent student newspaper" of this University? Frankly, I agree with everything you said, but it doesn't answer the question, which is basically: isn't academic freedom relevant here? The fact that you're a friend of academic freedom also doesn't answer the question.

MALLOY: I think that as long as the student editors and writers for *The Observer* abide by professional canons, then they enjoy full academic freedom. I have never made any effort to intervene when it came to anything they wrote about, published or debated. I think that's what academic freedom entails, and that's more freedom than many media editors enjoy in national publications.

K-D ASMUS: This concerns question ten. This request for 150 additional teaching and research faculty slots came to you from the Senate in May, and I'm glad you seem to be open minded about it. There is a feeling within the faculty that it would be good for the University to improve many things; more t and r faculty would accomplish some of these. The request also was made on the basis that there seemed to be, from the figures we received, increased revenues from endowed funds. Those were the bases for this request. You also gave us tonight some very impressive figures with regard to the financial situation in particular with respect to the fundraising campaign, Generations. If I extrapolate a bit, we might go over \$1 billion at the end. I hope I'm not too optimistic in that.

MALLOY: You can put it over the top! Just a little spare change will do it! [laughter].

ASMUS: That will be a substantial figure. Would you try to identify some other important or interesting plans the University has if there is this extra money available, which you feel are equal to or more important than improving the t and r faculty number, in other words the quality of undergraduate and graduate studies?

MALLOY: That's a great question, but it's complicated. First of all, we had goals in various categories for the campaign. When I say, we went over the library goal, I'm happy to be able to report that. But you could say, we should have had a higher library goal. And I'm sure some in the library said that. Also we've identified from the time the Colloquy was produced areas that we have pursued that weren't in the Colloquy. That's another factor to take into account. And the money doesn't come in all at once; it comes in over time. We've been fortunate in the pay out - our default rate has been very low in our previous campaigns and I'm confident it will be in this one. But it isn't a lump sum that just kind of appears one day. It comes over time, even from the most generous benefactors. We have put dollar figures on a couple of projects on which we are still working hard. I just got in the mail today dates for three Fly-In weekends; a fly-in is a fundraising event we do over a weekend, particularly for upper-caliber potential benefactors. We'll have three this spring; one and perhaps two will be particularly oriented to the science teaching facility, to try to get more money so we can move forward at the assigned time. Of all the things we could do, endowed professorships is a huge priority, but my number one goal remains endowment for financial aid for students, particularly for undergraduates because that's where the need is the greatest. I would like to be able as quickly as possible to eliminate the loan portion and in fact all loans to the extent that that is going to be possible. Let's look at it this way. Harvard has a \$17 billion endowment, compared to our \$2 billion. If you then switched them, and ours was \$17 bil-

lion, how would you use the money? What purposes would you select? One of the things in addition to faculty development that I would want to make a high priority would be to try to subsidize as far as possible the tuition requirements for everybody at all levels. There was a time when Rice University, which is relatively small in student size, had one of the highest endowments and charged no tuition at all. There's a school in New York City, a small one - Bard - that doesn't charge tuition. That's just unbelievable. Imagine what it would be like if we didn't charge tuition. Maybe you could argue the case that you would get the wrong mix of students that you wouldn't want to get. I don't know. But at least it would surely improve the choices that people would make. That's why I say I'm not against the 150, and I'm sure we're going to grow the size of the faculty to some extent. But the first thing I think of, if X number of them are in science and engineering which they probably would be - then we will need capitalization for all of them. With X number of new faculty, whoever they are, we need a building, maybe multiple buildings. You can't just think of the cost for the direct remuneration for new faculty. There are other factors as well. The process of trying to look at all the variables and all the goals that need to go into the analysis of how to do it and what the numbers should be is complex. We're still trying now to fulfill the promises built in to the previous Colloquy document.

ASMUS: I want to re-iterate that the faculty really sees the need to improve those numbers. If that is kept in the back of your mind, I think everything is fine. I absolutely agree with you that the teaching facilities need to be there. If I may, Mme. Chair, I'd like to ask one more question. Coming from the College of Science, the Science teaching Building is something we're really looking forward to. We've had, as you know, several dates for groundbreaking already postponed. Are you able to commit yourself and willing to commit to the 2002 date?

MALLOY: We've done that. Nathan announced that, after we had talked

about it with the officers and trustees. Barring a national disaster or something, we're going to go forward with it in 2002. That's as good as you can say about anything.

ASMUS: Do you mean we don't have to worry about another postponement?

MALLOY: Yes.

EAGAN: This might be considered partially marginal. It was asked last year and the president said he had to think about it. It had to do with this: over the last football weekend, the Folk Choir put on a beautiful performance at the Basilica, and the request was made for donations for the missions. That hat was passed around, and I would guess maybe \$6,000 was presented to the missions. On the other hand, the University in honor of Our Lady spends hundreds of millions of dollars on brick and concrete. Would it not be possible and desirable and a good idea to use one small fraction of 1% of this, a few fewer bricks for the Taj Mahals around here, and use it for the missions, if we really mean it? The Holy Father made some comments along this line of evangelization in India recently. If we use merely a fraction of 1%, it would be a matter of six figures, the high side or possibly even seven, which I suggest would have a tremendous impact on the mission fields rather than a couple of extra bricks on the campus.

MALLOY: I was meeting earlier today with the president of Uganda Martyrs' University in Uganda, talking about ways in which we could be of assistance to them. When we have visitors from other parts of the world and in some of the requests we get, as well as the role that Holy Cross plays in many of these places, we are constantly trying to figure, in a combination of fairly lower-level financial commitments and heavy commitments of skill and personnel, how we can assist in things that we would be good at. Assisting education, both lower levels and higher education in other parts of the world is very much a part of what we are trying to develop a strategy for.

I would say also, as we look to the



"town-gown" relationship, that we are trying to figure out how we can be most effective in worrying about the quality of life not simply in the missions abroad but also domestically in our community and in other places in this country. I am really pleased that so many of our students are not only involved in that but they are trying to strategize and help us think through some of the implications of our commitments, rightful commitments, as a Catholic university. I don't think that there would be a willingness simply to take a set sum of money when we are constantly asking people for money, but we try to be participants in both community relief efforts and community common things like United Way and so on as well as to use the expertise and talent and goodwill of the people here, and strategize for how we can do that internationally as well. When Cardinal Arinze was here, I had some good conversations with him about Africa, and I've done comparable things before with representatives from Asia and other parts of the world. Your encouragement is a good and valid one. The question is, to what extent should it be financial and to what extent should it involve the rest of what we have to give?

EAGAN: Would it be possible to make an agreement to transfer some funds that come in for buildings here, that a small percentage be used elsewhere? Is there any reason that can't be done?

MALLOY: We've done that before. We made \$1 million available to the South Bend Center for the Homeless.

EAGAN: But I mean for overseas.

MALLOY: I know. It can be done. Then, it's a question of where, and what responsibility do we have for identifying the places with good needs, where we could do it most effectively?

PORTER: Further questions? Is there anyone who would like to ask a question who has not had a chance to do so? [Pause] No? In that case, I'll recognize Ikaros Bigi for a second time.

BIGI: I'd like to make a comment on your introductory remarks before I ask

a specific question. I was very pleased to hear that the University is working on having start up money and capitalization as a regularly budgeted item. That's great. In the sciences, we see that as a problem now and into the future. Also, you left out one achievement of Notre Dame's, and in pointing it out I might sound parochial, but that might not be such a bad word around here. In physics there is a CO-OPNET project led by professor Randall Ruchti that is already funded and that emphasizes in particular the teaching and training of high school teachers and their students in the process and the results of research in high energy physics. I think Notre Dame should be pleased and proud of the leadership position of professor Ruchti in this national project.

Now, my question: you said you wanted to enhance the number of foreign students here; as an initiative you tried to find alumni or other people connected to Notre Dame who would fund them. Clearly this would apply to countries that are well-off and would not apply to Third World countries. On the other hand, having foreign students here is, I think, an experience that would enrich the exposure of our American students. Would therefore the University consider supporting the enrollment of foreign undergraduate students, further than we have done so far for the Third World?

MALLOY: The people that I was referring to and the places that we have seen the greatest progress in so far have been Ecuador, Panama, El Salvador, and Brazil. What we are trying to do is find a comparable strategy for students from Asia; of course there's a wide discrepancy there. I'm thinking particularly of the Philippines, which some people would qualify as one of the lower economically-developed countries in Asia but where we have some very prominent Notre Dame graduates who would have the capacity to assist that development. We're trying to do the same thing in China and the various configurations that are called China, and we've done a little bit in Korea and Singapore. If you focus on grads, we don't have as much of a presence in places like Indonesia and

Malaysia. In Europe, what we'd like to do is develop a strategy for those parts of Europe where their own higher educational system is not as well-developed. This Summer, I had a chance to visit with people in Russia and Ukraine and Lithuania, as countries that are very much looking to establish closer ties with places like Notre Dame. We don't have a large number of graduates there, but we do have people from those cultural heritages in this country who we think can get excited about assisting people from there to study at the undergraduate and other levels. We also have a program or a relationship with some other places like Warsaw University in Poland that could bear real fruit in the future. So, it isn't intended to be restricted to so-called First or Second World countries, and the strategy we've developed up to now is to get commitments from Notre Dame graduates as well as contributions from our resources to enable a lower socio-economic bracket student than could have happened in the past to be able to attend this school.

SHEEHAN: I'd like to follow up on Phil Quinn's earlier question on accountability and communication. Your answer suggested that you don't perceive that there is a problem in that regard. As I think back roughly a year ago at this time, there were a couple of issues that were shortly going before the Trustees on which a lot of the University community might disabuse you of your perception that there's not a problem in terms of communication. But in terms of looking at the general issue of accountability, in the management and financial literature there is a lot of study of accountability for corporate governing boards and much less for not-for-profit organizations such as Notre Dame. There aren't, for these, a group of individuals out there like stockholders to whom you have a quick and easy accountability. At the same time you have a couple of groups here, in particular faculty, students and staff, who if not stockholders are certainly stakeholders here. As I listened to your response where you said you didn't have to deal with open-door laws, I was concerned because it suggested that what may be said in private might be different from what was com-



municated in public. I understand how you want to have open and wide-ranging discussions, but at the same time for people to be able to say something in private that they wouldn't be saying in public leads me to some concern about the type of discussion that is taking place, if that is in fact the situation. Looking at this in the context of an academic institution, it would seem that if you are going to withhold those discussions from the rest of the academic institution, it would appear that you have some concern that the rest of the academic institution would misperceive the free exchange of ideas and somehow misinterpret that. I would hope you would feel and the Trustees would feel that in an academic institution those types of discussions are exactly the ones perhaps that should be most out in front of the organization rather than being behind closed doors.

MALLOY: Thank you. I do believe that we have vehicles for conversations to take place between the board and the faculty and the students. Those are built into the committee structures. There are good reasons why all of those institutions we consider our peer institutions have a policy similar to ours. I don't think they are trying to be disruptive or divisive. I think they have found through their history that confidentiality of minutes is good for them, and that's all I'm talking about. That was all that was asked. The more that we can find vehicles for effective interaction and communication, then that's all to the good. But the question on the floor was simply about minutes, and I indicated that all of our peer institutions that I'm familiar with have the same policy that we do even though they and we aspire to have proper accountability across all of the constituencies of the institution.

PORTER: May I ask if there are any further questions for Fr. Malloy, short ones? Hearing none, it remains only for me to thank you, Monk, and say good night.

MALLOY: Thank you all as well.  
[Applause]

Porter brought the Senate back into

session and asked for any new business. There was none. Quinn called for adjournment, Asmus seconded, and the Senate agreed at 9:10 p.m.

**Present:** Asmus, Bayard, Bigi, Cachey, Conway, Cosimano, Costa, DeBoer, DePaul, Detlefsen, Eagan, Esch, Godmilow, Green, Hayes, Howard, Kurama, Lombardo, Manier, Munzel, Nordstrom, Porter, Preacher, Quinn, Rivera, Robinson, Sheehan, Wayne, Wolbrecht, Canallas, Mendenhall, Popelka, Welsh, Zuckert, Fein.

**Absent:** Borelli, Bradley, Dowd, Freeh, Perry, Renaud, Sheridan, Thomas, Urbany, Selak, Kirkner.

**Excused:** Brandt, Cleveland, Geary, Greene, Klein, Powers.

## Appendix A Chair's Report

In light of President Malloy's visit this evening, my chair's report will be brief.

First, I would like to welcome two new colleagues to the Senate, Professor Jill Godmilow from the College of Arts and Letters, and Professor Joseph Powers from the College of Engineering. I am sure you will join me in expressing our gratitude for their willingness to serve.

Secondly, in its meeting of October 12, the Executive Committee of the Academic Council determined that the two resolutions passed by the Senate in its September 7th meeting calling upon the Fellows and the Board of Trustees to publish their minutes should be referred directly to the Board of Trustees, since the Academic Council does not have the power to mandate the necessary amendments to the Statutes and Bylaws of the University. The Senate resolution passed on October 6th, calling for the addition of 150 new faculty lines, was referred to the Committee on Academic Affairs.

Thirdly, I have recently received a copy of a letter from Father Malloy to Mr. Dan Brazo, the Chair of the Staff Advisory Council, informing him that he, President Malloy, intends to ap-

point an *ad hoc* committee "to explore the matters related to the drug and alcohol testing policy for the staff," and asking him to suggest four names from the SAC as possible members of this committee. I am not going to read this letter in the interests of time, but I will attach a copy to this report, and any Senator who would like to consult it during the recess is invited to do so.

That concludes this evening's report.

**Attachment: Letter from President Edward Malloy to Mr. Dan Brazo, Nov. 3, 1999**

Nov. 3, 1999

Mr. Dan Brazo  
Chair, Staff Advisory Council  
113 Rockne Memorial  
Notre Dame, IN 46556

Dear Dan:

Thank you for your letter of October 13, 1999 with your response to my inquiry about seeking advice from the Staff Advisory Council about the current drug and alcohol testing policy. I appreciate the quality of your response and the willingness of the Staff Advisory Council to reflect about this important issue.

After consulting with the officers of the University, I have decided to appoint an *ad hoc* committee to explore the matters related to the drug and alcohol testing policy for staff. In order to move further in composing this committee, I would appreciate receiving four names from the Staff Advisory Council whom you would recommend as members of this *ad hoc* committee. After I receive your recommendations, I will then proceed to fill out the membership of the committee.

Once again, please pass on my thanks to the members of the Staff Advisory Council for their thoughtful response and for their recommendations.

Cordially,  
(Rev.) Edward A. Malloy, C.S.C.  
President

## Appendix B

### Questions for Father Malloy

#### Faculty Senate Meeting

#### November 9, 1999

1. You recently attended several sessions of a conference sponsored by the Erasmus Institute, whose purpose was to develop "possible new relationships between Catholic intellectual traditions and the dominant secular culture of higher education." Assuming you favor the creation of such new relationships, how do you plan to exercise presidential leadership in moving Notre Dame towards the goal of establishing them? In what other ways do you plan to use your presidential office to exercise academic leadership in advancing the University towards new forms of scholarly excellence?

2. It is our understanding that the National Conference of Catholic Bishops will vote later this month on proposed guidelines for implementing *Ex Corde Ecclesiae*. What do you see as the best case and worst case scenarios coming out of this vote? What course of action would you see Notre Dame as taking, if the worst case scenario does come about?

3. As you know, there has been considerable concern within the Notre Dame community over the recently announced policy banning GALA ads in *The Observer*. Many feel that such a policy is not consistent with ideals of free speech and academic freedom; others question whether it is consistent with Catholic teachings mandating full respect for homosexual persons. How would you respond to these concerns? In light of these concerns, would you consider a formal review of this policy?

4. In your response to Dr. John Blandford's letter asking for a rationale behind your decision to ban GALA advertisements from *The Observer*, you indicate that this decision reflects a long-time policy. In which University publication is this policy stated? What is the history behind this policy, and why was it put into place? Does this policy supersede numerous assurances in letters and other documents that en-

sure the editorial freedom of *The Observer*?

5. In a letter to Mr. Micah Murphy, the Chair of Campus Life Council, Father Mark Poorman indicated that you are satisfied with the composition of a committee recently appointed to study the relationship between academic and residential life at Notre Dame, and in particular, that you did not see the need to add student representatives from the CLC to this committee. Could you explain your rationale for this decision?

6. What are your goals for increased interaction of academic inquiry and campus life at Notre Dame? If you think changes are in order to increase such interaction, what form might such changes take?

7. The Faculty Senate requested last spring that you appoint a special committee to examine the ethical, moral, legal and practical effects of drug testing for staff employees and perhaps at a later time for faculty as well. You referred this proposal to the Staff Advisory Council for their input. What kind of input do you anticipate receiving from the SAC? Do you think a committee as proposed by the Senate is also needed, or are you satisfied with the policy guidelines already in place, but not as yet made known to the staff? Are you satisfied, in particular, that there are adequate safeguards, especially in the areas of privacy/confidentiality, appeals procedures, and substantive definitions (illegal, controlled, some which may trigger a "positive" but which are legal, etc.)?

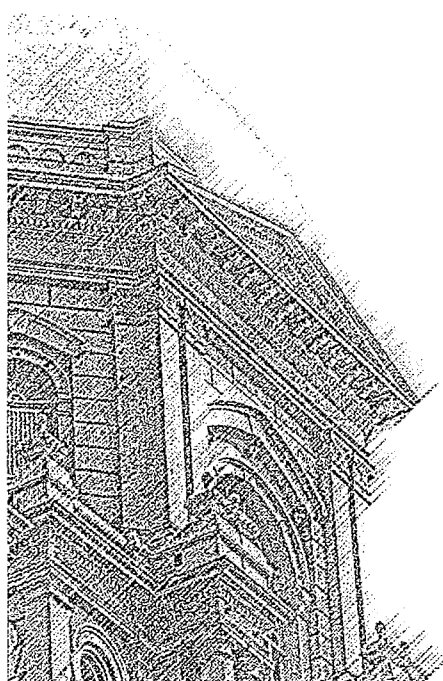
8. Promotion and retention of women faculty members is stated concern at the University of Notre Dame. Many women being assessed for promotion, advancement, and tenure are being evaluated by an all-male Appointment and Promotions Committee within their departments. Is it possible to devise a way to provide female representation on A&P committees when women candidates are being evaluated?

9. Recently, the Senate passed two resolutions calling upon the Fellows

and the Board of Trustees to publish their minutes in the *Notre Dame Report*. What is your opinion of these proposals? In particular, would you support the proposal calling on the Fellows to publish its minutes? If not, could you suggest other ways to improve communications and accountability between the Fellows and the University community?

10. At the October meeting of the Faculty Senate, a resolution calling for the addition of 150 teaching and research faculty beyond those called for in the Colloquy Report was passed unanimously. The purpose of this proposal is to increase the quality of undergraduate and graduate education at Notre Dame. Do you favor this proposal?

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