



OAKLAND UNIVERSITY SENATE

OAKLAND UNIVERSITY SENATE

Sixth Meeting
February 16 , 1978
3 00 p.m.
128-130 Oakland Center

Minutes

Senators Present: Allvin, Arnold Bantel, Barry, Blatt. Boulos, Braun, Burke, Chernoff, Coffman DeMent, Easterly, Eberwein, Grossman, Hampton, Heubel, Hildum, Hohaus, Holladay, Kleckner, Liboff, Merz, Moeller, O'Dowd O'Leary, Orton Osthaus , Riley, Russell. Schwartz, Sloane, Stransky, Torch Tower, Ward Wargo and Williamson

Senators Absent: Butterworth, Doherty., Edgerton; Felton, Gardiner, Ghausi, Hetenyi,, Hovanesian , Howes Jackson, Jackson. Johnson Jones; Matthews, Obear, Ozinga Pogany, Randolph,. Seeber, Torongeau and Weiner

Mr. O'Dowd presided.

Mr. O'Dowd responded to several questions from the Senators.

1. In response to Mr. Heubel's question, Mr. O'Dowd noted that he did not have any ambition to seek state elective office as do some of his presidential colleagues.

2. In response to Ms. Sloane's question, Mr. O'Dowd provided the following detail on the computer decision. The decision as to which computer to select from a field of three will be made in the subsequent 30 days. The cost will be \$2 to \$2.5 million. The machine should have the capacity to support 80-100 terminals in two supervised locations on campus. 6-12 months will be required for delivery. Though the new computer will ultimately replace both the Burroughs 5500 and the IBM 360/40, it will be phased in to replace the Burroughs machine first. Two years will be needed to phase out the IBM 360/40.

The meeting was called to order at 3:30 p.m. Minutes of the meeting of January 19, 1978 were approved as distributed by voice vote upon motion of Ms. Eberwein, seconded by Ms. Braun. Attention was then directed to the agenda.

A. Old Business

1. Motion from the Academic Policy and Planning Committee concerning a Faculty Council for the School of Performing Arts. (Heubel/Hetenyi)

Mr. Heubel spoke in support of the motion and noted the parallel to the Center for Health Sciences. Mr. DeMent suggested that he had understood that the phrase "by the Senate" was to be added after "authorized" in #2 of Part II. POWERS of motion. It was agreed, without dissent, to perfect the motion by adding this phrase. In the discussion it was noted that the council had limited powers and would not make faculty appointments. Mr. Russell also noted that it would require an amendment to the AAUP contract to allow such faculty appointments. Ms. Eberwein suggested that this was a very elaborate structure in which to house the B.Mus. degree program. Mr. O'Dowd stated that there was a reasonable probability that we would increase the Performing Arts programs over the next five years. He also noted that even longer term development will be recommended in the planning document that is being developed by the University Planning Committee.

Mr. Williamson noted that Oakland University suspended the Academy of Dramatic Art because there was not any special funding for this expensive program. Mr. O'Dowd responded that the new "investment-needs" or "formula" mode of state appropriations promised a high level of support to performing arts programs. Mr. Hildum noted that the present B.A. theatre arts program in Arts and Sciences was designed to appeal to a broad range of undergraduate but the ADA program had been small and selective. Mr. O'Dowd agreed, but felt the new performing arts programs, being at the degree level would make a considerable difference. Mr. Holladay questioned the lack of specific representation on the council of the performing arts departments. Dean Torch responded with a plea that the members of the performing arts departments must trust him to appoint members of the performing arts departments to the council. In response to the query as to why the music program had to be moved, Mr. Allvin pointed out that the B.Mus. program was a professional performing program with more skill courses than the College of Arts and Sciences would accept in a B.A. program. Mr. Torch indicated that the B.A. major in music would stay in the College of Arts and Sciences only the B.Mus. program goes to the Council. Music faculty appointments would stay in the College until such time as an Organized Faculty of Performing Arts is established.

Mr. Heubel ended the discussion on the optimistic note that the Council was a planning body and might at some future date recommend that the School of Performing Arts might be provided with an Organized Faculty with full powers, including those of faculty appointment the Council would be the recognized faculty agency charged to study and recommend on future development of this curricula area. Upon call of the question, the motion carried by voice vote as follows:

MOVED THAT THE UNIVERSITY SENATE RECOMMEND TO THE PRESIDENT AND THE BOARD THAT THE SCHOOL OF PERFORMING ARTS BE PROVIDED WITH A FACULTY COUNCIL FOR THE PERFORMING ARTS WHICH SHALL SERVE AS THE ACADEMIC GOVERNANCE AUTHORITY OF THE SCHOOL UNTIL SUCH TIME AS A FULLY CONSTITUTED ORGANIZED FACULTY OF PERFORMING ARTS SHALL BE ESTABLISHED. THE MEMBERSHIP AND POWERS OF THE FACULTY COUNCIL SHALL BE AS FOLLOWS

I. MEMBERSHIP:

The membership of the Faculty Council for the School of Performing Arts shall comprise:

A. At least thirteen initial faculty

1. Eight shall be appointed by the Provost upon recommendation of the Dean of Arts and Sciences, terms shall be three years renewable initially staggered such that two serve for one year; two for two years and four for three years.
2. Three shall be appointed by the Provost upon recommendation of the Dean of Education, the terms to be three years renewable, but initially staggered such that one serves for one year, one for two and one for three.
3. Two shall be appointed by the Provost upon recommendation of the appropriate dean from the faculties of Economics and Management, Engineering, the Library and Nursing- the terms to be three years renewable but initially staggered such that one serves a one year term.

B. The Provost (or his designee) *ex officio*.

C. At least three students appointed by the Provost upon recommendation of the Council.

D. Such others as may be appointed, from time to time by the Provost upon recommendation of the Council.

E. The Chair of the Council shall be appointed by the Provost from the initial faculty membership of the Council upon recommendation of the Council, the Provost (or his designee) shall Chair *pro tempore* until a permanent Chair is appointed the Chair shall serve a three year term renewable.

II. POWERS- The Faculty Council shall have authority to:

1. Adopt such bylaws and create such committees but including a Curriculum Committee as may be necessary, for the conduct of its business.
2. Offer programs of instruction leading to, and to present candidates for the degrees of Bachelor of Music (B.Mus.) and Master of Music (M.Mus.) and such other performing arts degrees including the Bachelor (Masters) of Performing Arts [B.(M.)P.A.] as may be authorized by the Senate offer, other than degree programs of instruction in performing arts disciplines.
3. Determine and prescribe curricula and requirements for such degrees and programs as may be authorized by the Senate.
4. Offer courses of instruction in its own name under performing arts rubrics as approved by the Committee on Academic Policy and Planning.
5. Establish such internal academic regulations, including those affecting degree candidacy, as may be necessary to the conduct of its programs.
6. Recommend plans for the future development of the School of Performing Arts.

Attention was then directed to the agenda.

2. Motion from the University Committee on Undergraduate Instruction concerning an addition to the B.G.S. degree requirements. (Tower/Hetenyi)

Mr. Tower discussed the motion in terms of the need to provide for an early identification of students wishing to graduate with the B.G.S. degree; the Faculty Council for General and Career Studies feels that such early identification would permit better advisement for B.G.S. students. Ms. Schwartz wanted to know what was wrong with the statement regarding B.G.S.

advising in the present catalog. Mr. Tower pointed out that advising is not a degree requirement but that the proposed legislation would give B.G.S. advisors early contact with students. Mr. Hildum felt that since advising is not a degree requirement for any other degree, why in the B.G.S.? Ms. Schwartz, seconded by Mr. DeMent, offered an amendment to the main motion such that consultation with an advisor is necessary for admissions to degree candidacy be added to degree requirement 7. as listed in the comments, agenda of 1/19/78, item 2. (New Business). Upon voice vote, the amendment failed to carry. Attention was then returned to the main motion which, upon division failed to carry, 14 ayes, 24 nays, the tally having been conducted by Mr. Bantel.

B. New Business

1. Motion from the University Committee on Undergraduate Instruction concerning a change in add/drop policy moved by Mr. Moeller, seconded by Mr. Tower.

Discussion centered around the question of the surreptitious deferred tuition payment encouraged by the present policy with Mr. Steve Ward speaking against the motion, largely on the grounds that certain students would be disadvantaged by its passage. Mr. O'Dowd and others pointed out that the present policy entails some financial loss to the University, a loss ultimately borne by those students who do not avail themselves of the present more than generous policy.

Upon the procedural motion of Mr. Chernov, seconded by Mr. Wargo and approved by voice vote the motion was made eligible for final vote at this meeting.

Upon call of the question the motion carried by voice vote with only one negative heard as follows:

A. THAT DURING THE FALL AND WINTER SEMESTERS THE LAST DATE FOR ADDING A REGULAR COURSE BE THE END OF THE FOURTH WEEK OF INSTRUCTION.

B. THAT DURING THE SPRING AND SUMMER TERMS THE LAST DATE FOR ADDING A REGULAR COURSE BE THE END OF THE SECOND WEEK OF INSTRUCTION.

C. THAT DURING THE FALL AND WINTER SEMESTERS ALL DATES GOVERNING THE ADDING, DROPPING AND GRADING OF HALF-SEMESTER COURSES BE PATTERNED ACCORDING TO THE SPRING/SUMMER CALENDAR.

Upon proper motion duly seconded, the meeting adjourned at 4:33 p.m.

FOR THE INFORMATION OF THE SENATE

I. The Secretary wishes to comment upon the use of the term "as may be authorized" in, and the addition (by common consent of the body) of the phrase "by the Senate" to motion 1. (New

Business) agenda of February 16., 1978, Section II 2 and 3 as enacted.

1. As recorded in the minutes of January 19 1978, the Secretary changed the word "approved" to "established" (end of first sentence of the Faculty Council motion) as requested (compare the motion as it appears on the agenda of January 19, with the way it appears on the agenda of February 16). The Secretary was unaware that Mr. DeMent also wished the phrase "by the Senate" added in the two places noted above, for which lapse apologies are made.
2. The phrase "as may be authorized" has appeared regularly in Senate and Board actions when powers to present candidates for degrees as yet unspecified are conferred upon an Organized Faculty or upon a Faculty Council. For example Article I, ii. of the Constitution of the College of Arts and Sciences reads (*italics added*):

ii. The Faculty of the College of Arts and Sciences exercises the full powers accorded by the Oakland University Constitution (*sic*) and is empowered to present to the University Senate candidates for the B.A. degree and such other degrees *as may be authorised*.

This Constitution was approved by the Senate 11/15/67; but as recently as 10/20/77, the Senate approved for recommendation to the Board the Constitution of the School of Nursing of which Article I, 2, i. reads (*italics added*):

i. Present to the University Senate candidates for the B.S.N. degree in course and for such other degrees *as may be authorized*.

Other examples can be found in the record. The point is that the legislation of 2/16/78 first recommends establishment of a Faculty Council for the School of Performing Arts and then recommends conferral upon the Council one (but not all) of the powers of an Organized Faculty; the power to propose new degree programs in the performing arts field and to provide academic governance for them when they are authorized. The legislation provides an organic statute for the Council- it is not a Constitution, but it serves an analogous (if limited) function. Authority for the Senate so to act is found in Article II, vi. of the Constitution of the Oakland University Senate which reads:

vi. By action of the Senate; other academic units [i.e., other than the Organized Faculties] may be granted such powers of Organized Faculties as may be deemed appropriate.

This being the case, it seemed sensible to use familiar constitutional formulas when drafting the legislation.

3. When writing legislation standard formulas* are used on the assumption that their meaning rests upon common understanding., but perhaps the question should be raised: When are (and how are) new degree programs authorized?

First requests for new degree programs are initiated by a duly constituted faculty body (an Organized Faculty or a Faculty Council with priorly conferred authority to do so), go then to the appropriate Senate committees and next are presented to the Senate in the form of a motion that the Senate recommend to the President and the

Board that such and such a degree program be established with such and such requirements and be entrusted to such and such an Organized Faculty (or Faculty Council); note that the Senate does not authorize but rather reviews and approves a recommendation to the Board to the Secretary's knowledge; there is no instance in Oakland's history of a new degree program having ever been established without the prior and positive recommendation of the Senate, so much this being the case that the "as may be authorized" formula should be recognized as containing prior Senate recommendatory involvement.

Second such programs are not "authorized" until the Board of Trustees gives positive approval to them; to the Secretary's knowledge, the Board has never taken such action without prior positive recommendation of the Senate and by its approval of the Constitution of the Oakland University Senate (6/2/77) the Board has confirmed the Senate's powers and responsibilities in this particular (see Article III).

Third, in recent years an additional element has been added to the process; the Legislature has adopted the stance that by act of direct funding; it "authorizes" a new degree program, explicitly using that word, rather than an alternative such as "approve." The Secretary will not speculate upon the constitutionality of this legislative attitude; no doubt the governing boards of the public baccalaureate institutions know how to take care of themselves.

4. Therefore the formula "as may be authorized" could be expanded to "as may be recommended by the University Senate to the President and the Board of Trustees, and as may be approved by the Board of Trustees" to which also might now be added "and as may be authorized by state appropriating bills." When all this comes together a new degree program is "authorized", but only then.

5. The Secretary thinks it a lot simpler just to say "as may be authorized," but is not so imprudent as to insist upon it.

II. At its meeting of February 21 1978 the Steering Committee approved the December 17, 1977 graduation and honors lists from the several college/schools/ centers and forwarded them to the President. The lists are available for inspection at the Office of the Provost.

III. The Secretary was not present at the February 16 meeting; the substance of these minutes are the work of Mr. John Tower; whatever errors there may be are the fault of Mr. George T. Matthews.

*Section II. POWERS of the 2/16778 legislation regarding the Faculty Council is replete with such standard formulas: We are concerned only with such other degrees "as may be authorized."

Back to

SENATE
Home Page