

JOURNAL OF THE FACULTY SENATE (Norman campus)
The University of Oklahoma

Regular session -- November 10, 1980 -- 3:30 p.m., PHSC 108

The Faculty Senate was called to order by Professor Greg Kunesh, Chairperson.

Present:

Baker	Dunn	Hardy	Locke	Self
Biro	Eick	Hayes	Menzie	Smith
Brown, H.	El-Ibiary	Hebert	Moriarity	Sorey
Brown, S.	Etheridge	Kantowski	Neely	Thompson
Carpenter	Flowers	Karriker	Patten	Unguru
Catlin	Foster, J.	Kiacz	Pfiester	Vardys
Chueng	Foster, T.	Kunesh	Reynolds	Ward
Covich	Gabert	Lanning	Rinear	Welch
Davis	Graves	Lehr	Rowe	West
		Lis	Scherman	Whitmore

Provost's Office representative:

Ray

PSA representatives:

Cowen
Edwards

Guyer

Little

Absent:

Cozad

Hibdon

Lindstrom

Whitney

PSA representatives:

Chism

Eichenfield

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APPROVAL OF MINUTES

The Journal of the Faculty Senate for the regular session on October 6, 1980, was approved.

ANNOUNCEMENT: Joint meeting, OSU/OU Executive Committees

The Executive Committees of the Faculty Council, Oklahoma State University, and the Faculty Senate, University of Oklahoma, will hold their annual joint meeting on the Norman campus on Monday evening, November 17, 1980.

ACTIONS TAKEN BY PRESIDENT WILLIAM S. BANOWSKY

- (1) Renaming/restructuring, University Computer Advisory Committee: On October 21, President William S. Banowsky approved the Senate recommendation to change the name of the Computer Advisory Committee to the Computing Advisory Committee (Norman campus) and to restructure that group. (Please see pages 5-8 of the Senate Journal for the special session on July 21, 1980.)
- (2) Faculty replacements, University Councils and Committees: On October 29, President Banowsky approved the Senate election of faculty replacements to the Academic Personnel Council, the Academic Program Council, and the Computing Advisory Committee (Norman campus).

At the same time, he selected the following replacements from the nominations submitted by the Senate for the University Employment Benefits Committee: Charlyce King and Michael Cox.

(Please see pages 7 and 8 of the Senate Journal for September 15, 1980.)

- (3) Proposed University Copyright Policy: On October 31, President Banowsky reported to the Senate Secretary that he would recommend approval of the proposed policy by the Regents at their next meeting on November 13, 1980. (Please see pages 5-8 of the Senate Journal for October 6, 1980, and the item immediately following.)

ACTION TAKEN BY INTER-SENATE LIAISON COMMITTEE: University copyright policy

The Inter-Senate Liaison Committee (consisting of the officers of the Norman and the Health Sciences Center Faculty Senates) at its fall meeting in Oklahoma City on October 28 approved the proposal for a University copyright policy. This joint approval was reported to President William S. Banowsky on October 29, 1980. (Please see pages 5-8 of the Senate Journal for October 6, 1980, and item immediately preceding.)

ACTION TAKEN BY SENATE OFFICERS: ad hoc Committees, 1981 Position Papers

On October 17, the Senate officers announced the appointment of the following ad hoc Committees to prepare the 1981 Position Papers: (Please see page 4 of the Senate Journal for October 6, 1980.)

Academic Standards:

Deirdre Hardy (Architecture)
Alice Lanning (Music)
Don Patten (Mathematics)
Sabetai Unguru (History of Science)
Leonard West (Civil Engineering), Chair

Budgetary Priorities:

George Cozad (Microbiology), Chair
Yousif El-Ibrany (Electrical Engineering)
Trent Gabert (Economics)
Heidi Karril (Political Science)
Bart Ward (Accounting)

Career Development:

Alan Covich (Zoology), Chair
William Graves (Education)
Donald Menzie (Petroleum/Geological Engr.)
David Rinear (Drama)
Patricia Self (Psychology)

Educational Priorities:

John Dunn (Anthropology)
Marilyn Flowers (Economics)
John Katz (Art)
John Rinear (Business)
John Rinear (Education), Chair

University Government:

Home Brown (Accounting)
Maggie Hayes (Political Science)
Tom Hober (Political Science), Chair

DUANE LINDSTROM
(ART)

PRESIDENTIAL DISPOSITION OF SENATE ACTIONS, 1979-80

The annual report of Presidential disposition of Senate actions for the period, September 1979, through September, 1980, appears below:

RECORD OF PRESIDENTIAL DISPOSITION OF SENATE ACTIONS
(September, 1979 - September, 1980)

No. and date	Item	Origin	Disposition
1 9/11/79	Faculty nominations: Search Committee, Dean, College of Law	College of Law	Approved
2 9/11/79	Faculty replacements: University Councils and Committees	President	Approved
3 10/ 9/79	Selection of faculty replacements	President	Approved
4 10/ 9/79	Proposed University Copyright Policy	Faculty Senate	Pending
5 11/13/79	Faculty representatives: Student Activities Fee Committee	President	Approved
6 12/11/79	Faculty nominations: Goddard Health Center Admin. Rev. Bd. and Univ. Computer Advisory Committee	President	Approved
7 2/12/80	Faculty replacements	President	Approved
8 2/13/80	Proposed policy on discretionary funding	Faculty Senate	Approved
9 3/18/80	Norman campus faculty survey concerning salary issues	Faculty Senate	Acknowledged
10 4/17/80	Price increase: Football tickets for faculty/staff spouses	Faculty Senate	Disapproved w/explanation
11 5/ 6/80	Faculty vacancies: Academic Misconduct Board	Provost	Approved
12 5/ 7/80	Faculty replacements for end-of-year vacancies on University Councils, Committees, Boards, and Tribunal	President	Approved
13 6/17/80	Proposed University Copyright Policy	Faculty Senate	Pending
14 7/14/80	Faculty nominations: Search Committee, Law Dean	College of Law	Approved
15 7/14/80	Faculty replacements: University Councils, Board, and Committee	President	Approved
16 7/14/80	Senate resolution of appreciation: President William S. Banowsky and Provost J. R. Morris	Faculty Senate	Acknowledged w/thanks
17 7/23/80	Univ. Computing Advisory Committee (Norman, Recommendation of Univ. Computer Adv. Com.)	Faculty Senate	Approved
18 7/29/80	Faculty nominations, Search Committee, Engr. Dean	Faculty Senate	Approved
19 8/ 8/80	Faculty Chair, Libraries Committee (Norman)	Faculty Senate	Approved

SPRING SEMESTER (1980) REPORTS: University Councils and Publications Board

The following reports for the spring semester, 1980, have been submitted to the Faculty Senate by the Chairs of the seven University Councils and the Student Publications Board:

Report of the Academic Personnel Council (Norman campus) for spring semester, 1980, submitted by Professor Robert Petry, Chair, on November 3, 1980:

The Academic Personnel Council has not met since delivering its recommendations to the President on February 7. Final recommendations sent to the Regents by President Banowsky were in agreement with the recommendations of the Council.

Norman campus faculty membership included the following:

Roger	Stanley Eliason	Gene Pingleton
Sidney Brown	Richard Hilbert	R.E.L. Richardson
Junet Davis	Robert Petry, Chair	D. Barton Turkington

Report of the Academic Program Council (Norman campus) for spring semester, 1980, submitted by Professor Ray Dacey, Chair, on October 1, 1980.

During the spring semester, the Academic Program Council:

- (1) approved the concept of changing the Summer Session schedule,
- (2) recommended approval of the Executive MBA program,
- (3) recommended approval of the revision of the undergraduate curriculum in Computing Science and the change in the degree designation to Computer Science,
- (4) studied the proposed Professional Studies in Education-Military Science track,
- (5) recommended approval of the proposal for a program leading to the Bachelor of Professional Studies degree, and
- (6) reviewed course change requests.

As outgoing Chair of the Council, I would like to take this opportunity to acknowledge the significant contribution made by Ms. Connie Boehme to the Council and to thank her personally for help during the past year.

Norman campus faculty membership included the following:

Ray Dacey, Chair	Thomas Miller
David Etheridge	Stanley Neely
David Gross	Mary Jo Nye
Penny Hopkins	Leon Zelby

Report of the Administrative and Physical Resources Council (Norman campus) for the spring semester, 1980, submitted by Professor Robert Goins, Chair, on October 27, 1980.

The Administrative and Physical Resources Council held five meetings during the spring semester, 1979-80.

Following is a summary of the items with which the Council was concerned with at these meetings:

Final Review of Library Expansion. On January 15, Dr. Elbert presented final plans for the library expansion. He explained that these plans represented various refinements in design and adjustments representing input from the Library Committee and from the Administrative and Physical Resources Council.

Groundbreaking for the new library was held on March 13, 1980. Harmon Construction Company presented the low bid and will begin construction about April 2. This will be the \$3.8 million excavation and structural framework. Plans for Phase 2 will be started about July 1. The exterior skin and glazing of the building and roof (essentially the envelope) will be constructed in this phase for about \$2 million. These phases are being developed, in part, with the funding now available. The last phase will incorporate \$4.2 million.

Review of Parking and Traffic Regulations. During the spring semester, the Council reviewed and discussed on several occasions issues relative to parking and traffic regulations. On May 2, a lengthy meeting was held regarding the proposal to increase decal and registration and violation fees. Major consideration concerned the justification for increases as presented by the staff who contended that increased operation costs and extensive need for maintenance of existing lots were the basis for their recommendations. After considerable discussion, Council approved the recommended increase in both decal and violation charges.

Campus Master Planning. At the April 24 meeting, Dr. Elbert gave a report regarding the updating of a new campus plan. He indicated it would include traffic and traffic flow, proposed new buildings and locations of the buildings, demolition of existing buildings, and the landscaping issues and nay movement of departments. Smaller items, such as lighting, bicycle paths, sidewalks, campus maps, bulletin boards, building identifications, signs, and any other site or building improvement considered necessary will also be included. Time needs to be spent developing the area south of Lindsey Street. An outline and proposal will be presented to the Council during the next academic year. Dr. Elbert also said that, even if we have the proposal in an orderly fashion according to priority and fund raising for a particular project becomes available, we might move one project up and deal with it more quickly.

Election of the Chair. On April 24, Council elected a new Chair for the academic year of 1980-81. Ray Larson, Department of Drama, was elected to serve as the Chair for the coming year.

Norman campus faculty membership included the following:

Roger Atherton	Larry Canter	Ray Larson
Marvin Baker	Victor Hutchison	Judy Norlin
Floyd Calvert	Beverly Joyce	Robert Goins, <u>Chair</u>

Report of the Athletics Council (Norman campus) for spring semester, 1980, submitted by Professor Samuel G. Chapman, Chair, on July 3, 1980:

I. Membership

The O.U. Athletics Council is comprised of five faculty (all voting) nominated by the Faculty Senate; four alumni (two voting members) nominated by the O.U. Alumni Association; four students (two voting) nominated by the University of Oklahoma Student Association; and one non-voting member nominated by the O.U. Employee Executive Council.

Norman campus faculty membership included the following:

Samuel G. Chapman, <u>Chair</u>	Herbert Hengst	Paul Risser
Laura Gasaway	Joseph Rieger	

The faculty and EEC members were named to serve by President Banowsky on May 31, 1979. The alumni members were named soon after. However, student members were not named until January 17, 1980.

II. The Nature of Business

With nominal exception, the issues addressed by the O.U. Athletics Council during the spring semester were routine. These included reviewing proposed schedules; resolving some Band and Dad's Days' complications for the 1980 football season; varied persons to receive annual athletic and special service awards; bearing Big Eight activities reports; and making athletic awards to team members.

There were several issues of greater import which were addressed by the Council: recommending football ticket prices, including season tickets, to President Banowsky; recommending the 1980-81 fiscal year Athletic Department budget; seeking out a new student football ticket distribution policy; adopting a clarified class absence policy for student athletes; participating in the screening and selection of both the varsity men's and varsity women's basketball coaches; setting ticket prices for all sports other than football; and electing officers for the forthcoming academic year. Professor Joseph Rieger of the Health Sciences Center will be the Chair for 1980-81.

Athletic Department data, the business office staff, and, as appropriate, meetings with coached and the principal information sources upon which decisions were made. Moreover, Big Eight regulations, and Athletics Council minutes and policies were important to our deliberations, too.

During the fall semester, each faculty member spent about 15 hours a month on Council business. The number of hours spent was up strikingly for the spring--about 40 hours a month--owing to the host of issues of greater import as set out above. The Chairman spent about 60 hours a month during the spring.

III. Significant Recommendations to the President

There was one issue which prompted a significant recommendation to President Banowsky: football season ticket (and single-game ticket) prices.

Report of the Budget Council (Norman campus) for spring semester, 1980, submitted by Dr. Donald Perkins, Chair, on June 17, 1980:

During the spring semester, the Budget Council met six times. Due to the sub-committee structure and activities of the Budget Council, approximately 210 man hours were consumed in Budget Council business.

1980-81 Budget: The Budget Council reviewed the "Preliminary Distribution of 1980-81 New Funds" and, after thorough discussion with the Administration, endorsed the priorities and levels of funding proposed by Provost Morris and Mr. Farley. In addition, the Budget Council recommended that the 12% pay increase be 6% across-the-board and 6% for merit and equity adjustments. Also, the Budget Council endorsed increased levels of funding for the library and research if the level of new funds exceeds the anticipated level.

1981-82 Needs Budget: In the past, the Budget Council, due to the timing of the budgetary process, has not been overly effective during the initial stages of the Needs Budget preparation. During the summer of 1980, Vice Chair (1979-80) and Chair-Elect (1980-81) Doyle Bishop will guide the Council during Needs Budget preparation and subsequent activities. This will bring about a continuity that has not been possible and will give the Budget Council a greater degree of effectiveness.

Other Council Input: The judgments made by the Budget Council regarding the 1980-81 Budget were made with input from the other Councils which report to the Faculty Senate. This input was gained via a questionnaire (circulated by the Budget Council Sub-Committee for Liaison with Other Councils and chaired by Professor Smith) which enabled each member of the respective Council to indicate the priority of funding for the broad categories of the Needs Budget. Thus, a greater degree of input was used by the Budget Council for the formulation of the respective recommendations.

"Unofficial Recommendations": Two items of discussion in the Budget Council have been proposed and/or adopted by the Administration without generating official recommendations: the proposed funding of instructional equipment and the change of temporary teaching priorities to post-doctoral teaching positions. It was pointed out, in a letter to Provost Morris, that this level of effectiveness is often overlooked.

Vice Provost for Research Administration: The Budget Council met with Vice Provost for Research Administration Ken Hoving who outlined the funding needed to begin addressing the University's research needs. This input, coupled with the activities of the Budget Council's Sub-Committee for Liaison with Vice Provosts/Vice Presidents (chaired by Professor Gabert), strengthened the Budget Council's position on research funding.

Senior Faculty Salary Inequities: A report compiled by the Office of the Provost and the Provost Liaison Sub-Committee of the Budget Council (chaired by Professor Bishop) addressed the problem of pay increases for senior faculty members. As a result of this activity, the Provost's Office has suggested that senior faculty be considered for equity adjustments.

President Banowsky: The Budget Council met with President Banowsky who outlined the budget priorities for 1981-82. President Banowsky reaffirmed his commitment to salary and wage improvement, as well as library and research support. President Banowsky also acknowledged the role of the Budget Council and expressed his appreciation to the Council for its activities.

Chair-Elect: Professor Doyle Bishop was elected Chair for 1980-81.

Norman campus faculty membership included the following:

Doyle Bishop	Donald Perkins, Chair	Leale Streebin
Trent Gabert	Mary Esther Saxon	Henry Tobias
James Kenderdine	Eddie Smith	V. Stanley Vardys

Report of the Faculty Awards and Honors Council (Norman campus) for spring semester, 1980, submitted by Dr. A. J. Kondonassis, Chair, on June 19, 1980:

The University Faculty Awards and Honors Council completed its work early in the spring semester 1979-80. Attendance at the Council meetings was very good. It included an equal number of Norman and Health Sciences Center members (5 from each), one student, and one O.U. Alumnus.

During the last three years that I served as a member and the last two years as Chair of the Council, I have found the Council's work to be very important to the welfare of the faculty and the University. Moreover, I have been very much impressed by the dedication and the high quality of the members of the Council.

Norman campus faculty membership included the following:

Constance Baker	Arrell Gibson	Alex Kondonassis, Chair
Lowell Dunham	Charlyce King	Joseph Rarick

Report of the Board of Student Publications (Norman campus for spring semester, 1980, submitted by Professor Ed Carter, Chair, on August 13, 1980:

The 1980 Sooner is the best yearbook in quality and coverage that has been published by the University of Oklahoma in the past 10 or 12 years.

Most of the thanks for putting out such an excellent yearbook goes to Kim Marks, the Sooner's first full-time supervisor, and Susan Ice, editor.

This year's Sooner has seen many major changes. For one, the Publications Board placed total responsibility for the yearbook under the Director of Student Publications, Fred Weddle. In the past, the yearbook had been directed by a faculty adviser. With this change, Kim Marks was hired as full-time supervisor. She was responsible for the planning, directing, and controlling of advertising sales, organizational sales, book sales, and meeting production deadlines. Susan Ice as editor did an excellent job of directing her staff in the editorial and pictorial content of the book.

The Publications Board also decided the yearbook would be delivered in the fall of each year instead of the spring. The later deadlines allowed a staff of more than 60 students to compile the most complete coverage of fall and spring campus activities the Sooner has had in the past 10 years or so.

The 1980 yearbook also featured a return to tradition as its theme. A Publications Board survey of OU students found that many favored a yearbook with a more traditional approach. That theme was carried out by the yearbook staff.

Sales of the Sooner reflect this excellence and vigor. More than 3,000 copies of the 1980 Sooner have been sold--a 50 percent increase over 1979 book sales.

In putting out the Oklahoma Daily, production costs increased dramatically in the past fiscal year. As a result, Student Publications Director Fred Weddle estimated that OU Student Publications will show a loss of about \$25,000 in the 1979-80 fiscal year.

This estimated loss can be traced to several causes. For one, advertising lineage fell below projections. The recession and a shortage of advertising salespeople contributed to this decline. A pay increase for editors and reporters working on the Oklahoma Daily increased that cost from \$30,000 to \$60,000. Phototypesetting paper costs soared 300 percent. Newsprint costs increased 20 percent.

Both classified and display advertising rates have been raised approximately 15 percent. It is expected this increase, together with improved sales efforts, will show higher revenues for the new fiscal year.

Council membership included faculty members L. Edward Carter and John Renner.

Report of the University Research Council (Norman campus) for spring semester, 1980, submitted by Professor Loren G. Hill, Chair, on September 30, 1980:

During Fiscal Year 1980, the University Research Council - Norman Campus administered a variety of programs to support the needs of faculty research and creative activity. The Research Council received 140 applications totaling \$190,082.35. From these requests, 92 proposals were recommended for funding at a total of \$104,468.41. An additional \$91,474.00 in matching funds was provided from faculty, departments, colleges, and other sources. Funding by category totaled approximately \$5,562.00 for personnel, \$15,860.62 for research travel, \$51,594.66 for specialized research equipment, and \$30,800.93 for materials, supplies, and services. The Council also provided \$12,145.71 for reprints of published works, computerized literature searches, and other support for faculty research endeavors. Collectively, Council support to faculty during Fiscal Year 1980 totaled \$239,231.41.

The Research Council continued several programs initiated last year and implemented new programs this year in an attempt to address research needs of the University. A total of \$12,000 was allocated to the Dissertation Aid Fellowship program. This program was designed to provide fellowship support to graduate students during their terminal year, alleviating them from duties that otherwise would require time and effort that could not be applied toward completion of their degree requirements. This has been and will surely continue to be a viable and successful program. A companion program that provides Discretionary Aid to graduate students of full-graduate standing was continued during Fiscal Year 1980, with a total allocation of \$3,000.

The 1980-81 Biomedical Research Support Grant sponsored by the National Institutes of Health provided \$37,163 for University sub-grants. A total of 24 applications was received and the Council recommended 12 awards.

The Junior Faculty Summer Research Fellowship Program received 26 applications and the Council recommended that 13 fellowships of \$2500 each be awarded, totaling \$32,500. This program was funded by the University of Oklahoma Research Institute.

Initiated this year, the Specialized Research Equipment Program was supported by funds from the Vice Provost for Research Administration and OU Associates funds provided by President William S. Banowsky. Under this program, 19 applications were received from departments on the Norman Campus, requesting \$132,981.75. The Council recommended awards to six departments (Aerospace, Mechanical, and Nuclear Engineering; Biological Station; Chemistry; Electrical Engineering and Computer Sciences; History of Science; and Music) totaling \$50,000.

The Council reviewed nominations for George Lynn Cross Research Professorships and forwarded its recommendations to the Provost. The Council also surveyed the present levels of activities and support given to those professors and submitted the findings to the Vice Provost for Research Administration.

Faculty membership of the Research Council during Fiscal Year 1980 included:

Mary Dewey (Moderator)	Norman Allen
Ann Henderson	Eddie C. Smith
Loren Hill, Chair	Ronald Snell
Joakim Lagarias	Winfred Stadlich
Carl Locke	

REPORT OF SENATE EXECUTIVE COMMITTEE

Dr. Greg Kunesh, Senate Chair, commented on the following activities of the Senate Executive Committee:

Senate Chair's attendance at President's staff meetings: Following the General Faculty meeting last month, President William S. Banowsky invited the Senate Chair to attend the meetings of his staff on Monday mornings.

Dr. Kunesh took advantage of the invitation on Monday, November 3. In his opinion, the meeting went well; President Banowsky's invitation "has opened a new door that we have been seeking for some time." The Senate Chair also indicated that he would limit his attendance to those staff meetings at which Senate-related issues will be brought up for discussion.

Executive Committee meeting with Provost Morris: At last week's meeting with the Senate Executive Committee, Provost J. R. Morris indicated that the first meeting of the joint Faculty Senate/Deans' Council ad hoc Committee will be held soon to begin work on the proposed University form for evaluating faculty performance. (At this meeting of the Senate, Professor Teree Foster, a member of that group, reported that the first meeting is scheduled for December 2, 1980.)

Administrators, as well as faculty members, are suffering from the cash-flow problem in connection with official University travel. State law prohibits disbursement of any funds prior to travel. An administration group, now studying this matter, hopes to have a report ready early next semester regarding what can be done to alleviate the problem.

Inter-Senate Liaison Committee meeting: The Inter-Senate Liaison Committee (consisting of the officers of the Norman campus and the HSC Faculty Senates) held its fall meeting in Oklahoma City on October 28, 1980.

One of the major items of business at the session was the proposed University copyright policy approved by the Norman Senate on October 10. The Inter-Senate Liaison Committee approved the proposal on behalf of both Senates. The University Regents were to consider the proposal at their meeting on November 13.

The HSC faculty is very much interested in some type of "tax sheltering" of the Oklahoma Teacher Retirement contributions. The Norman Senate Welfare Committee will be asked to study this matter for subsequent consideration by both Senates.

Fall Conference of Oklahoma Faculty Organizations About 25 representatives of several private and state institutions throughout Oklahoma attended the fall Conference of Oklahoma Faculty Organizations on November 7 in Chickasha. Professors Greg Kunesh and Anthony S. Lis represented the Norman Senate at the meeting that drew a smaller-than-usual number of participants.

Dr. Roy Trout, President of USAO and one of the main speakers on the program, expressed his optimism about the immediate future of higher education in Oklahoma.

Those attending the Conference appeared to be primarily interested in the FOCUS organization and its current membership drive. A status report was presented on the lawsuit involving the University of Oklahoma concerning the 1979-80 minimum 6 percent pay raise "mandated" by the State Legislature. The Norman judge's decision is expected momentarily; regardless of the outcome, an appeal will be filed by the party concerned.

The Norman delegation shared with the group recent Senate activities concerning the proposed University copyright and unprofessional conduct policies.

EXECUTIVE COMMITTEE RECOMMENDATION: Endorsement of equity study of
faculty salaries, 1980-81.

At its recent meeting with Provost J. R. Morris, the Senate Executive Committee was apprised of the following policy statement issued by the Provost's Office concerning the equity study of faculty salaries for 1980-81:

The Provost's Office will again make an equity study of faculty salaries for women and minorities. The 1980-81 study will be similar to those of last year although some of the steps in the process will be a bit different.

The two studies--women and minorities--will be combined into one. In addition, the Provost is assembling a representative advisory committee to work with his office. This Committee will include two persons suggested by the Women's Caucus, four minority representatives, and the Chair of the Senate Committee on Faculty Compensation.

The role of this advisory committee will be to review and to advise the Provost's Office on the process of the review itself and to serve as a link between the groups being studied and the Provost's Office. The Committee members will also be in a position to bring to the attention of the Provost's Office any individual cases that may need special review. The study itself and the evaluation of individual cases will be carried out by the Provost's Office.

The Senate Chair next presented the recommendation of the Executive Committee that the Senate be requested to endorse the above policy statement. Professor Robert Davis moved Senate endorsement of the statement; the Senate approved the motion without dissent.

REPORT OF SENATE COMMITTEE ON FACULTY WELFARE

Dr. Whitmore, Committee Chair, reported on current activities of the Senate standing committee on Faculty Welfare.

Information is being collected from other institutions concerning their faculty welfare programs. Campus assistance has been provided by the Provost's Office, the Director of Personnel, the AAUP Chapter, and the reference librarians at the Bizzell Library. National groups (such as the AAUP, the American Council on Education, and TIAA-CREF) are also providing assistance. There appears to be a great deal of concern nationally about faculty retirement plans, particularly in view of the change in the mandatory retirement age from 65 to 70, the inflation problem, the Social Security "crisis," and the downward trend in enrollments. The Committee is also checking with retired Oklahoma University faculty members.

The group plans to investigate "early retirement" options.

REPORT OF SENATE COMMITTEE ON FACULTY COMPENSATION

Dr. Eick, Chair of the Senate standing Committee on Faculty Compensation, commented briefly on the following current activities of that group:

- (1) Compilation of data concerning forthcoming increases in Social security, health insurance, and teacher retirement withholdings.
- (2) Preparation of a questionnaire, similar to the one used last year, to ascertain Norman campus faculty views concerning preferred distribution of the expected 12 percent salary increases for 1981-82.

NOMINATION OF FACULTY REPLACEMENTS: University Committees

Voting by written ballot, Senate members selected the following nominees for the faculty vacancies listed below:

Film Review Committee (Norman):
 David Binear (Drama) and
 Richard Rose (Architecture)
 to replace Joanna Rapf (1980-82)

Student Activity Fee Committee (Norman):
 Catherine Bennett (HPER) and
 Edward Malecki (Geography)
 to replace Nadine Roach (1980-83)

FINAL REPORT: Senate ad hoc Committee on Faculty Career Development Plan

Background information: As a result of Senate "small group" sessions during the fall semester, 1979, several Senate ad hoc committees were appointed to study areas of particular concern to the Norman campus faculty. One of those areas was the 1973 Faculty Career Development Plan. (Please see page 2 of the Senate Journal for December 10, 1979.)

The final report of that Committee was submitted to the Senate last July but was held up for Senate consideration pending Senate disposition of other high-priority items.

Senate action: Dr. Alan Covich, Committee Chair, gave a brief history of the Faculty Career Development Plan approved by the Senate in 1973. In his opinion, that document presented "a very well-structured program." The program was being implemented for the first year and a half. Funding shortfalls thereafter caused a curtailment of the program.

However, funding for some of the items recently either has been supplied or is being planned with such new sources as the Oklahoma University Associates program.

This topic has been "elevated" to further updating and study by a Senate ad hoc Committee that will prepare a 1981 position paper. Professor Covich requested faculty comments and suggestions, particularly in advance of that Committee's initial meeting on November 20.

Dr. Flowers then moved approval of the Committee report. Without dissent, the Senate approved the motion.

The full text of the Committee report follows:

Faculty Senate
University of Oklahoma
Norman

July 11, 1980

Final Report of the Senate ad hoc Committee on Faculty Career Development

BACKGROUND

In response to a request from the University Regents, the Faculty Senate in 1973 developed a comprehensive plan to improve the quality of teaching and research. Interest in career development focused on stimulating tenured faculty to explore new approaches to their teaching and research, as well as on providing sufficient support for new faculty to meet proposed revised standards for tenure. Needs of graduate teaching assistants were also considered to be partially parallel to those of new faculty. To stimulate innovation, the proposed plan suggested that a centralized budget be set up in the Provost's Office to facilitate support for sabbatical leaves, faculty exchanges, internships, and summer support for Teaching Fellowships and Research Fellowships for all faculty. The plan also called for the establishment of Teacher Development Grants that would be analogous to the Research Development Grants already funded by the Research Council. These new programs were anticipated to cost \$110,000 yearly. A study-review committee was also proposed to consider allocating an additional several hundred thousand dollars annually to fund a new Faculty Resource Center and to create new positions for University Professorships that would supplement existing research and teaching professorships.

Another major focus of the 1973 report was the process of faculty evaluation for tenure and promotion. New guidelines were suggested for orienting pre-tenured faculty and for advising all faculty on solving educational research problems as they develop. This constructive process of evaluation was recognized to be a campus-wide responsibility resting primarily with Departmental Chairs, Committees A, and Deans.

In 1974, the Provost announced that \$50,000 was budgeted to implement some of the proposed recommendations. Applications for support (ranging from \$1,500 to \$3,000) were initially endorsed by Departmental Chairs and Budget Deans and then reviewed by either a research- or teaching-oriented ad hoc Review Committee. During the first semester of the program (spring, 1975), 111 proposals were submitted (71 in research and 40 in teaching). From these 111 applications, 37 Career Development Awards were granted (19 in research, totaling \$25,662 and 18 in teaching, totaling \$24,338). A review after the first semester of operation suggested a need for additional guidelines to aid proposal preparation. The program continued until 1976 when funds became restricted and University-wide budget reductions forced elimination of the program.

CURRENT FUNDING

Revisions in University policy on retirement have created new conditions for senior faculty who have options for either early retirement (a proposal of the 1973 plan) or delayed retirement.

Although the formal Career Development Program was eliminated, a number of sources aid new faculty. The new tenure guidelines adopted in 1976 extended the period for review of non-tenured faculty. Associated with this longer period for documenting research and teaching abilities was the anticipated need for additional funds to assist pretenured faculty and their graduate students. The Vice Provost for Research and the Research Council provide "seed money" for specialized research equipment and

initiation of new research projects. (\$50,000 in 1980). Junior Faculty Summer Research Fellowships (\$2,500 per summer) are also awarded (13 were granted in 1980). Creative Achievement Awards are granted to faculty on a competitive basis in the performing arts. Biomedicine Support Grants are awarded annually (campus-wide totaling over \$37,000 in 1980), and 20 George Lynn Cross Professorships (\$96,500 is allocated for 1980-81) are funded annually. Permanent faculty in the College of Arts and Sciences are also eligible for support during either the academic year or the summer (totaling \$50,000 in 1980).

Terminal Year Doctoral Fellowships (3 at \$4,000 per year) and discretionary aid for Master's and Doctoral candidates (\$3,000 in 1980) are now available on a competitive basis. Some departments also organize orientation programs for incoming Graduate Teaching Assistants to introduce them to new teaching techniques and professional responsibilities associated with teaching.

Support for improving teaching skills and revision of curricula has recently been provided through a new position, the Vice Provost for Instructional Services. During the past year, informal discussion groups and workshops, individual consultations on specific teaching problems, and a newsletter were initiated to stimulate the exchange of ideas. The College of Arts and Sciences and the College of Education jointly finance the Instructional Services Center (Room 231, Collings Hall) to aid in the production of audio and visual materials. Although the primary purpose of this Center is to furnish supplies and equipment for instructional uses, it also serves faculty in training for research and professional presentations.

A major new source of assistance for career development programs has been the University Associates, which distributed approximately \$800,000 during the past year with major expenditures for research and instructional equipment and for several new programs to stimulate academic quality. Next year, the Research Council will have an expanded role in allocating these funds.

Development of the Energy Resource Center since 1979 has also had a significant impact on financing summer research for both faculty and their graduate students. During the past year, \$300,000 was awarded to 40 faculty to initiate new projects that might gain additional external funding.

The University also maintains a wide range of support facilities to assist faculty in preparing research proposals through the Office of Research Administration. These include proposal typing, computerized literature searches, and monitoring of available funds from numerous sources. Relations with the Advanced Programs of the Oklahoma Center for Continuing Education produce many faculty with opportunities for teaching a high diversity of students that extends well beyond the Norman campus. The Personnel Services Training Center also provides a number of short workshops and seminars for faculty and staff on topics of administrative management.

CURRENT NEEDS

Many needs still exist for co-ordinated funding that can be met through a structured Career Development Program. Among the many that we list here, only a few have repeatedly emerged during our discussions with various faculty and administrators. First, there is a clear necessity for Senior Faculty Summer Research Fellowships that parallel the Junior Faculty Summer Research Fellowships. These would allow tenured faculty to explore new research areas and obtain preliminary results that could help obtain outside support. They could also be used during periods of a few months between grants for those on-going research projects with some previous external funding.

Grants are more frequently becoming intermittent rather than continuous as external funds are less available and national budgets are less predictable.

A second urgent need is to establish a Council on Instructional Resources that would be analogous to the Research Council in reviewing grant proposals dealing with new approaches to instruction. This review committee would assist the Vice Provost for Instructional Services in setting priorities for funding of specialized instructional equipment and would prepare guidelines for proposal submissions. The committee would also follow up on the initial 1973 request to study the needs for an expanded campus-wide Instructional Services Center. This center should be centrally located and under the auspices of the Office of Instructional Services. Such a center would provide expanded media services and could include specialized types of instructional equipment such as mini-computers, audio-visual play-back monitors, and a conference area for workshops on teaching techniques.

A third increasingly important area of support pertains to greater assurance in communicating research productivity through increased opportunities for travel to national and international meetings and through funding for various costs of publication. Many of these expenses have increased beyond the capacity of departmental budgets or of external grant funds. A goal of allowing each faculty member to present papers at two meetings per year and graduate students at one meeting per year should be clearly established. Funds should be budgeted well in advance. This level of continued support would ensure rapid communication for productive faculty and students who must now submit abstracts without knowing whether they will actually be able to attend congresses to present their results. Participation in symposia and workshops stimulates new research and creates a climate of active collaboration that is essential to attracting external funds. Although 116 faculty were partially funded last year (\$28,800) to attend meetings, much more support and uniform criteria for funding are needed.

A fourth generally acknowledged need is to increase the level and the diversity of support for graduate students. Graduate students contribute actively to teaching and research in every department. Failure to attract the best students because of inadequate fellowship support can diminish the effectiveness of other elements of the University's overall plan for career development. Current levels of fellowship and assistantship support are grossly inadequate and non-competitive with comparable graduate training programs. If a sufficient number of University-wide fellowships were funded on an annual basis, their ability to draw excellent students through an active program of recruitment would readily become apparent.

Finally, the most recurrent need expressed by faculty during our interviews was setting priorities for career development and communicating these goals, as well as providing adequate support. New programs and pilot projects are vital to exploration of ideas, but they should be established only after existing programs are adequately funded at levels likely to ensure successful development. The entire spectrum of career development opportunities requires continued review and focus by the faculty and the administration.

Many of the topics covered in previous Senate reports (Budgetary Priorities, Educational Priorities, Faculty Salaries and Fringe Benefits, Discretionary Funding, Faculty Evaluation, etc.) relate directly to linking productivity to a high-quality, comprehensive plan for optimal individual career development. The last decade of changing leadership, rapid turnover of faculty, and uncertainties in student enrollments have all contributed to the minimal level and fragmented nature of support for faculty development. It is hoped that funding will increase and yield a more stable, well-planned program for development in the decade ahead.

Faculty membership included the following:

Alan Covich (Zoology), Chair	Lois Pfiester (Botany)
Robert Davis (English)	Wayne Rowe (Education)
Malcolm Morris (Marketing)	Jay Smith (Education)

At the request of the Committee Chair, the Committee report was submitted to Drs. Kenneth Hoving, University Graduate Dean, and J. R. Morris, Norman campus Provost, for their reactions and comments. Both administrators responded as follows:

Graduate Dean Kenneth Hoving: "Thank you for sending me the Committee report which is to be provided the Faculty Senate next fall. I have little to add other than support for the concerns expressed by the committee.

"I would add that some of the levels of funding for the 1980-81 academic year will be higher than indicated in the report. We have attempted to meet some of the travel needs of graduate students who are presenting papers at conventions. Unfortunately, the number of requests, nearly all very worthy, far exceed the budget available. In addition, approximately \$10,000 will be available to support dissertation research for the coming year.

"Last, I am happy to report that approximately that much will be available to support graduate student research needs, exclusive of dissertation support, in the coming year.

"The report is a good one. I thank the committee for their concern for quality at the University. I look forward to working with you and the Senate in the year ahead."

Provost J. R. Morris: "I appreciate very much your sharing with me a copy of this report--although many of the issues addressed in the report have been discussed in the meetings I have had with the Senate Executive Committee.

"I am in agreement with every recommendation contained in the 'needs' section of the report. Each recommendation has merit; some we have addressed specifically, and others we are continuing to work on--although perhaps not in a formal context such as a faculty development plan.

"I appreciate the ad hoc Committee's work and recommendations on how we may improve career development opportunities for the faculty and will be happy to work with the Senate to achieve the goals articulated in this report."

FINAL REPORT: Senate ad hoc Committee on Junior College Articulation

Background information: Following the Senate "small group" sessions held during the fall semester, 1979, several Senate ad hoc committees were appointed to study areas of particular concern to the Norman campus faculty. One of those areas was the State Regents' policy on junior college articulation. (Please see page 2 of the Senate Journal for December 10, 1979.)

The final report of that Committee was submitted to the Senate last spring but was held up for Senate consideration pending Senate disposition of other higher priority items.

Senate action: Professor Deirdre Hardy, Committee Chair, formally presented her Committee's report. In her opinion, the many handwritten comments made by faculty members responding to the questionnaire survey indicated faculty concern about academic standards.

She noted that the five Senate ad hoc Committees preparing 1981 position papers include a group that will study academic standards on this campus. She urged that Committee to study her Committee's report and consider the recommendations presented therein.

Dr. Moriarity then moved acceptance of the Committee report. Without dissent, the Senate approved the motion.

The full text of that report follows:

REPORT of Ad Hoc Committee on Junior College Articulation Policy May 5, 1980

The Ad Hoc Committee on Junior College Articulation Policy met seven times during the academic year 1979-80. Discussions with members of the administration and several deans led to the conclusion that, although the J.C.A.P. took effect in the fall of 1978, its actual ramifications are unknown. Thus the Committee decided to distribute a survey to all faculty persons on the Norman campus to determine their opinions on the effects of the J.C.A.P. By inviting comments, we hoped to determine the concerns of the faculty in this area and thereby discover whether a thorough and statistical study should be undertaken.

The following table summarizes the questionnaires returned:

NORMAN CAMPUS FACULTY VIEWS: Junior College articulation policy

Item:	Opinion:					
	Strongly disagree	Disagree	No opinion	Agree	Strongly agree	Unable to identify
(1) The competency level of the undergraduate student body has declined during the last three years.	3.73% 9/241	23.68% 57	7.88% 19	40.66% 98	15.35% 37	8.71% 21
(2) The State Regents Articulation Policy has contributed to this decline.	2.81% 6/213	5.16% 11	20.65% 44	30.98% 66	18.30% 39	22.06% 47
(3) The competency level of incoming transfer students is equivalent to that of OU students with the same number of hours.	21.12% 49/232	35.77% 83	10.77% 25	12.06% 28	4.74% 11	15.51% 36
(4) The incidence of academic problems (e.g., extra counseling, cheating, etc.) is higher for transfer students than for OU students.	3.79% 9/237	8.01% 19	25.31% 60	14.76% 35	13.08% 31	35.02% 83

More than 30% of the faculty responded to the survey. Of the 241 respondents to Question #1, 55% agreed or strongly agreed that the competency level of the undergraduate student body has declined during the last three years. Forty-nine percent of the 213 respondents to Question #2 agreed that the J.C.A.P. has contributed to this decline, and 86% of those respondents were faculty who have been at O.U. for more than 5 years. Of the 44 respondents who held no opinion, 68% were long-time faculty; and of those 22% who were unable to identify, 69% were long-time faculty. Only 8% of the total population had negative answers to this question.

Thus it is apparent that the majority of the faculty is strongly in agreement that the competency of the student body has declined but is ambivalent about the J.C.A.P.'s being the causative factor — 43% of the respondents being either of no opinion or were unable to identify transfer students.

Question #3 concerned the equivalent ability of incoming transfer students. A total of 57% disagreed or strongly disagreed that transfer students had equivalent competency to O.U. students with the same number of credit hours. Only 15% of this population were unable to identify the students, and 11% had no opinion.

The last question (whether the transfer students suffer a higher incidence of academic problems) was less conclusive; 12% disagreed, 25% had no opinion, 28% agreed, and 35% couldn't identify.

The major concerns expressed by the respondents relate to academic excellence. This was evidenced by such comments as:

1. The entrance requirements are too low.
2. More substantive core curricula needed.
3. Grade inflation.
4. Funding the University according to number of attendees is incompatible with any attempt to raise academic standards.
5. Overemphasis on student evaluations of faculty.
6. High school preparation is inadequate in fundamentals.

These comments seem to indicate a frustration is being experienced by faculty that may, in part, account for the response to Question #1. However, it is a frustration that indicates the faculty's whole-hearted support of President Banowsky's quest for academic excellence.

The above comments were expressed many times over. These, coupled with the fact that the survey revealed a concern that the competence of the undergraduate student body has declined and that the J.C.A.P. may indeed have contributed to this decline, prompts this Committee to recommend that a thorough review and comparative statistical analysis be undertaken. Such an objective study might determine whether the J.C.A.P., indeed has had a contributory effect or whether it has only, as was intended by the philosophy that brought it into effect, smoothed the way to a tertiary level of education for all the citizens of the state of Oklahoma.

The Committee thanks the faculty for taking the time to answer the questionnaire and hand write so many additional constructive comments.

The Committee also recommends that the Faculty Senate consider the following related concerns as a study topic:

- 1) Grade inflation and the possibility that such inflation evokes favorable student evaluations
- 2) The principle of funding per student
 - a) With regard to the smaller population of students expected during the latter part of this decade and
 - b) The possibility of faculty easing academic standards with the intention of maintaining high class enrollment.

These issues are integral to the aspiration for academic excellence that our President has espoused, and excellence is fundamental to a University of which both student and faculty can be proud.

Deirdre J. Hardy (Environmental Design), Chair
 Jean Parrick (Classics)
 David Whitney (Sociology)

PROPOSED UNIVERSITY POLICY ON UNPROFESSIONAL CONDUCT

Background information: On October 6, the Senate postponed further consideration of the final report of its ad hoc Committee's report on unprofessional conduct pending receipt of another ad hoc Committee's "detailed proposal for an ombudsperson system at the University of Oklahoma." (Please see pages 9-18 of the Senate Journal for the regular session on October 6, 1980.)

The membership of the new ad hoc Committee included Professors John Biro (Chair), Teree Foster, and Carle Locke. In preparing its report, that group studied the following fifteen bibliographical items: - - - - -
Bricker, Ronald A., Associate Ombudsman, Cornell University. Letter to Professor John Biro, University of Oklahoma, October 16, 1980, w/enclosures.

Cornell University Ombudsman: First Annual Report, June 1970, pp. 1-28.

Cornell University Ombudsman: Second Annual Report, June 1971, pp. 1-31.

Cornell University Ombudsman: Fifth Annual Report, June 1974, pp. 1-29.

Cornell University Ombudsman: Sixth Annual Report, June 1975, pp. 1-24.

Hill, Larry B. "The Citizen Participation - Representation Roles of American Classical and Quasi-Ombudsman." Paper read at 1977 meeting of the American Political Science Association, Washington, D.C., pp. 1-25.

Hill, Larry B. "Institutionalization, the Ombudsman, and Bureaucracy." The American Political Science Review 68 (No. 3) September 1974, pp. 1075-85.

Hill, Larry B. "The New Zealand Ombudsman's Authority System." In Readings in New Zealand Government, L. Cleveland and A.D. Robinson (eds.), Wellington: Reed Publishers, 1972, pp. 163-69.

Hill, Larry B. "Ombudsmen, Bureaucracy and Democracy." (undated), pp. 1-28

Hill, Larry B. "A Report to the President and the Board of Regents on the Feasibility of Adopting an Ombudsman at the University of Oklahoma." 1971, pp. 1-19.

Ombudsman Directory, American Colleges and Universities, 1979.

Rutford, Robert H., Interim Chancellor, University of Nebraska - Lincoln. Letter of September 10, 1980, to Deans, Directors, Department Chairs, and all Administrative Officers, concerning the Office of the Ombudsman for the Lincoln campuses, w/enclosures.

Stacey, Frank. Ombudsman Compared. Oxford: Clarendon Press, 1978.

Weeks, Kent M. Ombudsmen around the World. A Comparative Chart. Berkeley: Institute of Governmental Studies, University of California, 1973.

Weeks, Kent M. Ombudsmen around the World. A Comparative Chart. Berkeley: Institute of Governmental Studies, University of California, 1978.

All of the above items, plus a preliminary, four-page report of that Committee, were made available in advance of this Senate meeting in the Faculty Senate office for review by interested faculty members, staff, and students.

The following final report of that Committee was distributed in advance of this meeting to Senate members and other individuals on the Norman campus directly concerned:

PROPOSAL by the Senate ad hoc Committee on an
Ombudsperson System for Resolving Grievances
concerning Unprofessional Conduct

November 4, 1980

I

Statement concerning Unprofessional Conduct

All members of the University community -- students, staff, faculty -- are entitled to be treated by other members of that community in a professional manner and to be able to pursue their respective academic and professional goals in an atmosphere untainted by intimidation, abuse, or harassment. It is vital to the successful functioning of a university that all members of the University community conduct themselves with respect for and deference to the rights of individuals. This attitude of respect is a significant component of conduct that is professional.

It must be recognized that instances of unprofessional conduct have occurred within the University of Oklahoma. In some instances, appropriate redress for unprofessional conduct is available through resort by an aggrieved individual to an existing committee, council, or other designated body; the proper functions of these bodies should be neither usurped nor disturbed by the operation of another designated official.

However, instances of unprofessional conduct do occur for which neither appropriate redress nor avenues for complaint are currently available. Such unprofessional conduct is incapable of precise definition but may be broadly characterized as maltreatment of an individual by another individual or group of individuals, involving conduct that is intimidating, harassing, or abusive. Specific instances of unprofessional conduct defy exhaustive cataloging or categorization. However, the following types of conduct must be regarded as unprofessional by any reasonable definition:

- (1) appropriation of another person's work without appropriate credit;
- (2) exploitation of another person for purely private advantage;
- (3) sexual harassment;
- (4) creating an intimidating, hostile, or abusive working environment based on sex (including sexual preference), race, religion, age, political belief, or national origin;
- (5) abuse of authority; unreasonable, unwarranted, and substantially interfering with the job performance of an individual.

However, this list is clearly not exhaustive and should be seen as merely illustrative of the most common and most serious kinds of unprofessional behavior. Behavior that is merely crude or ill advised, even if it affronts the sensibilities of particularly sensitive individuals, is difficult, if not impossible, to eliminate. Conduct of this nature, though to be deplored, should not be regarded as unprofessional unless it clearly goes beyond what is generally considered to be merely bad taste.

Nothing contained in this policy statement shall be construed as limiting either the legitimate exercise of the right of free speech or the academic freedom of any member of the University community.

In the remainder of this report, we will outline a set of procedures for dealing with unprofessional conduct as here described.

II

The Ombudsperson and her functions

1. Individuals who have a complaint about an instance of unprofessional conduct for which no easily identifiable and accessible channel exists at present must be provided with such a channel. It is the purpose of this proposal to outline one set of arrangements that has been found to work in many organizations and institutions, both academic and non-academic, and which we believe would be particularly suitable for dealing with the kind of concerns that are at present widespread at the University of Oklahoma.

RECOMMENDATION (A)

We recommend that an Ombudsperson be appointed for the University of Oklahoma (Norman campus) to assist individuals in avoiding intimidating, abusive or harassing treatment by investigating complaints about such treatment in an independent and impartial manner. The functions of the Ombudsperson will be to receive complaints about unprofessional conduct, refer the complaint to existing channels, if these exist, to investigate the complaint if they do not and if she deems the complaint to be a serious one, and to make recommendations for administrative action, if appropriate.

2. The Ombudsperson is an independent, non-partisan official whose function is to hear, and attempt to redress where possible, specific complaints by individuals of maltreatment or injustice.

The Ombudsperson is essentially and exclusively concerned with the rights and welfare of individual members of the University, regardless of their official position. Her office is an investigative one, and it has no power of administrative or policy-making action. It may, of course, recommend such action to the relevant administrative or legislative agencies.

The Ombudsperson generally adopts techniques of private persuasion rather than public confrontation. Hearings that resemble adversary trials are virtually never used by the Ombudsperson as a fact-finding technique. Rather, the fact-finding process employed by the Ombudsperson is an impartial and relatively informal one. The right of access of the Ombudsperson to all pertinent information, unless prohibited by law, is crucial to the success of her official functioning. The findings of the Ombudsperson must be disclosed to all parties in an explanatory written opinion. The written opinion is of paramount significance, whether in inducing those at fault to repair their conduct or in explaining to complainants precisely why their complaints are ill founded. Such explanatory opinions, albeit taxing and time-consuming in preparation, will serve to buttress confidence in the office of Ombudsperson.

3. An investigation by the Ombudsperson would proceed as follows. The investigation is initiated only upon receipt of a complaint. Such complaint may be communicated to the Ombudsperson at the initial stage of the process either orally or in writing. The complaint must be communicated to the Ombudsperson not later than three months following the occurrence of the conduct complained of or the date on which the complainant gained or could reasonable have gained knowledge of the conduct complained of, whichever is later. The complaint may have as its subject matter only conduct that personally aggrieves and is specifically directed toward the complainant. Any member of the University community may invoke the aid of the Ombudsperson through communicating a complaint to her. The complaint must identify the complainant. All anonymous complaints will be ignored. No complaints on behalf of groups, official or unofficial, will be entertained.

Upon receipt of a complaint, the Ombudsperson must determine whether sufficient grounds exist for an investigation. The Ombudsperson should take no action in cases where:

- (1) The subject matter of the complaint is beyond her jurisdiction;
- (2) The complaint is not filed in time;
- (3) The Ombudsperson determines that no prima facie reason exists to take action in the matter;
- (4) The subject matter of the complaint is trivial;
- (5) The complaint is frivolous or vexatious or is not made in good faith;
or
- (6) The complainant has not demonstrated a sufficient personal interest in the subject matter of the complaint.

However the Ombudsperson determines that sufficient grounds for an investigation exist, she may first require the complainant to submit the complaint in writing, if a written complaint was not submitted at the initial stage. Next, the Ombudsperson will confer with the complaine (and transmit the written complaint, if any) in an effort to resolve the matter informally to the mutual satisfaction of both parties.

Should such informal resolution prove impossible, the Ombudsperson will conduct an investigation into the complaint. The Ombudsperson must be afforded unrestricted access to all pertinent material, unless such access is prohibited by law. She must be further empowered to require the submission of reports by officials where necessary and to summon persons possessing pertinent information for direct interviews. Both parties retain the right to present for the consideration of the Ombudsperson whatever information they deem desirable.

At the conclusion of the investigation, which is to be normally completed not later than six months from the date of the transmission of the initial complaint, the Ombudsperson will make a factual finding concerning the complaint. In cases where a dispute exists regarding any of the underlying facts, the Ombudsperson will make a finding of fact in favor of one of the parties if she is convinced that the information gathered during the investigation clearly supports such a finding. If the Ombudsperson is not convinced that the information available as a result of her investigation clearly supports a finding of fact, her finding will be one of inconclusiveness of the facts.

Any finding made by the Ombudsperson, whether a finding of fact or a finding that the facts are inconclusive, must be stated in the form of a written opinion to be delivered to both parties. This opinion will consist of a statement of the substance of the complaint, a detailing of all information uncovered during the course of the investigation, and a thorough summary of all data considered in formulating the finding. It should also include a careful exposition of the facts and reasons supporting each finding.

4. After the Ombudsperson arrives at a finding concerning a complaint, the following courses of action are open to and/or incumbent upon her.

- i) Should the finding be in favor of the complainant, the Ombudsperson
 - a) must inform all parties to the complaint;
 - b) may approach the offender and attempt to gain redress acceptable to both parties by persuasion;
 - c) in case of failure, may approach the offender's administrative superior in a similarly informal way (and so on, up the line), to arrive at redress and, if appropriate, at disciplinary action against the offender;
 - d) may make use of publicity of any sort she deems appropriate to bring public pressure to bear on the parties responsible for redress and/or disciplinary action;

- e) may recommend changes in policy and/or practice to the appropriate individuals or agencies;
 - f) may advise the complainant of any other action open to him/her;
 - g) must retain a record of the complaint and the investigation until she is satisfied that appropriate action has been taken.
 - h) must destroy all records of the complaint and the investigation after she is satisfied that appropriate action has been taken.
- ii) Should the finding be in favor of the complaine, the Ombudsperson
- a) must inform all parties to the complaint;
 - b) must destroy all records of the complaint and of the investigation;
 - c) may recommend changes in policy or practice to the appropriate persons/bodies, designed to avoid the possibility of complaints based on misunderstandings.
- iii) Should it prove impossible to make a finding, the Ombudsperson
- a) may informally attempt a reconciliation between the parties;
 - b) may alert the complaine and/or other individuals/bodies to the danger of misunderstandings or the need for better practices;
 - c) must remove all means of identifying the individuals involved from all records of the complaint and of the investigation;
 - d) must remove all record of a complaint having been made against these individuals;
 - e) may retain anonymous records for the purposes of keeping a general record of the kinds of investigations conducted from time to time and of making use of past experience in subsequent investigations.

III.

Qualifications of the Ombudsperson and the Assistant Ombudsperson

The Ombudsperson must be intimately familiar with the distinctive features, patterns, and stresses that characterize the functioning of a large university. Such familiarity should have been acquired through association with a major university, whether as administrator or faculty member. However, because the successful implementation of the office of Ombudsperson is dependent upon the perception of faculty, staff, and students that the occupant of the office is a person of unquestioned and unwavering neutrality and impartiality, it is preferred that the Ombudsperson should not have had any recent ties either to the University of Oklahoma or to Oklahoma politics.

Our preference is that the Ombudsperson be an attorney or at least someone with demonstrated legal abilities and experience. The matters brought before the Ombudsperson do not always involve questions of law, but many will require extensive analysis of statutes, judicial rulings, and administrative procedures. Even when the issues are not specifically legal, a sensitive lawyer may well be best equipped to consider them, because her training especially equips her to function as a generalist capable of understanding and disentangling the complicated relationships among the individuals and groups making up the University community. Not every lawyer possesses this ability, of course, but a judicious choice should provide an undoctinaire individual who is capable of analyzing complex facts and relationships and seeking solutions and resolutions without being constrained by tradition and practice.

Notwithstanding the preference expressed above for an appointee with a legal background, we wish to emphasize that in our view the qualities of objectivity, independence of mind, and concern for and sympathy with individuals are more important than any specific experience or qualification.

The salary of the Ombudsperson must be equivalent to that of a senior administrator. Should the work load warrant it, the Ombudsperson may be empowered to choose an assistant to aid in the functioning of her office. The assistant must have the same qualities of unblemished integrity and unquestioned neutrality and impartiality. If the Ombudsperson selected does not possess the preferred legal training and background, the assistant should have these.

IV.

Appointment and Removal

We cannot emphasize enough the importance of securing independence for the Ombudsperson from all pressures and influences that may restrict her ability to conduct objective and impartial investigations. This must include independence from all groups and constituencies in the University community, however legitimate their interest may be in a particular case investigated by the Ombudsperson; it must be clearly understood that her sole concern is with the interests of the individuals involved in the case. This is one of our chief reasons for favoring the present proposal over that of the first Senate ad hoc committee. We believe that the voicing of group interest, however legitimate, in the investigation of individual complaints is both inappropriate and likely to hamper such an investigation.

Nonetheless, these legitimate concerns and interests of groups should find expression in ways that do not compromise the above principle, and the chief of these involves the processes of appointment, oversight, and removal of the holder of the office.

Appointment

It is in the appointment process that the three main constituencies in the University community, (students, faculty, and staff) must be given an opportunity to satisfy themselves that the appointee is capable of performing the difficult and subtle tasks that the office of Ombudsperson calls for. In the previous section, we addressed the question of what qualifications should be looked for in the appointee. Here we want to emphasize the importance of consensus support for the appointee from the moment that she takes office. Any disagreements among the various constituencies must be resolved prior to an appointment being made, so that the Ombudsperson, once appointed, is clearly seen by all members of the University community as having been endorsed by their proper representatives.

RECOMMENDATION (B)

We recommend that the Ombudsperson be appointed (presumably by the President acting on behalf of the Regents) on the binding recommendation, endorsed by all three representative bodies (viz., the Faculty Senate, the Employee Executive Council, and the Student Congress), of a search committee composed as follows:

Two members of the Oklahoma University faculty

Two members of the Oklahoma University non-academic staff

Two members of the Oklahoma University student body

(These members to be selected by the appropriate representative bodies.)

One representative of the University administration, appointed by the President.

The committee should elect its own chair. It should be charged with making a recommendation to the President no later than six months after being constituted.

Advisory and Oversight Committee

While the Ombudsperson, once appointed, is independent of all groups in the University, there must be ways for these groups to continue to express their views and concerns about the general issues raised by the cases coming before her, as well as about the functioning of her office. She, in turn, will want their advice and help in explaining to their constituencies the goals and the operations of her office.

RECOMMENDATION (C)

We recommend that an advisory/oversight committee to the Ombudsperson be appointed as soon as an appointment is made and the search committee is discharged. This committee is to be composed of two faculty, two staff, two students, and one administrator, appointed in the same way as the search committee. The advisory/oversight committee would not be involved in the investigation of individual complaints but would meet regularly (at least twice a year) with the Ombudsperson to review the functioning of her office, to discuss any general issues that may arise from the sorts of cases the office has been dealing with (which may need to be brought to the attention of University administrators or of University committees), and to act, in general, as a liaison between the Ombudsperson's office and the Faculty Senate, the Employee Council, the Student Congress, and the University administration.

Removal

There must be stability and permanence in the office of Ombudsperson. For this reason,

RECOMMENDATION (D)

we recommend that the appointment of the Ombudsperson be for an indefinite term (in contrast to some other universities, where it is for a fixed term).

On the other hand, there must be clear, orderly procedures for removing the person holding the office, should there be cause to do so.

RECOMMENDATION (E)

We recommend that the Ombudsperson be removed if the representative bodies of two out of the three constituencies vote by simple majority for removal.

Consideration of such a move may be initiated either by the advisory/oversight committee, through all three representative bodies, or by any of these bodies independently.

Reporting

The Ombudsperson must publish a report each year to the University community at large. These reports must give a general picture of the way in which the office of the Ombudsperson is fulfilling the charge given to it.

V

Physical Arrangements

It is essential that the office of the Ombudsperson be easily accessible to all members of the University community and that the location and the atmosphere of the office should symbolize its independence and impartiality. For this reason,

the office should not be located in a building that suggests a particular association with one constituency rather than with another. In our view, this rules out buildings housing the University administration, those regarded primarily as classroom and departmental buildings, and the Oklahoma Memorial Union. The one building on campus that embodies the fundamental purpose of the entire University and provides a symbol of unity in the midst of diversity is the library.

RECOMMENDATION (F)

For this reason, we recommend that the office of the Ombudsperson be located in the Bizzell Memorial Library.

It is important that information about the advisory, referral, and investigative services provided by the Ombudsperson be disseminated as widely as possible. It is hoped that all those who control the various media of publicity in the University will offer their assistance in this regard. The question of what, if any, additional resources may be needed in this connection forms part of the larger question of how and on what scale the operation of the office of the Ombudsperson is to be funded.

VI

Funding

It is difficult to estimate the financial costs of an office such as we have proposed. To some extent, these costs will depend on the scale on which the office is established and the scale on which it is ultimately found to be needed, after some experience.

We have decided to make no firm recommendation on this score but to ask the Faculty Senate to choose between two alternatives initially: a full-time Ombudsperson or a half-time one. (In either case, a full-time secretary is likely to be needed.)

The arguments in favor of the first alternative are as follows. First, there is reason to think that there may well be enough - perhaps more than enough - complaints falling within the jurisdiction of the office as defined in Section I ("Statement concerning Unprofessional Conduct") of this report to warrant a full-time appointment. Second, the qualifications we have outlined (Section III) and the status we deem necessary, for the Ombudsperson make it unlikely that a suitable appointee can be found for a less than full-time position.

In favor of a part-time appointment, one may argue that we should be careful about creating an office on a larger scale than may ultimately prove necessary; that once such an office exists, it may create work, necessary or not; and that the levels of funding needed for a larger-scale office are likely to be higher than we should commit the community to, at least until experience convinces us of its necessity and its worthwhileness.

The choice outlined above is intimately connected with the nature and the source of the funds for the Ombudsperson. In view of the qualifications outlined in Section III, the salary for a full-time Ombudsperson is likely to have to be in the \$40,000-\$50,000 range, if the right kind of appointee is to be secured. Together with the salary of a full-time secretary and other operational costs, the total could be anywhere between \$60,000 and \$80,000, even if the University provides office space and equipment. With an assistant Ombudsperson, the cost could easily approach \$100,000.

Two avenues of funding should, in our view, be considered by the Faculty Senate. The first is the imposition of a compulsory individual levy on all members of the University community. (This would, of course, also require the approval of the Employee Executive Council and of the Student Congress.) An annual levy of \$3-5 would match the range of costs estimated above. This would secure both the substance and the appearance of complete independence for the office and would symbolize its allegiance to the individual members of the community.

The second possibility that we have considered is for the President to fund the office of Ombudsperson directly from his own budget. This would still leave the office independent of the normal budget process within the University and thus protect it from possible pressures and from the appearance of dependence on the good will of budget makers. While this method of funding underlines less the Ombudsperson special role as a protector of individuals, it would signify the University's commitment to and support of a needed service, which it is arguably their obligation to provide.

Again, we make no firm recommendation on this matter but prefer to leave the Faculty Senate to debate the alternatives that we have outlined.

SUMMARY OF RECOMMENDATIONS:

(A), p. 2	"That an Ombudsperson be appointed for the Norman campus to assist individuals in avoiding intimidating, abusive, or harassing treatment by investigating complaints about such treatment in an independent and impartial manner."
(B), p. 5	"That the Ombudsperson be appointed on the binding recommendation, endorsed by all 3 representative bodies, of a search committee."
(C), p. 6	"That an advisory/oversight committee to the Ombudsperson be appointed as soon as appointment is made and the search committee is discharged. This committee is to be appointed in the same way as the search committee."
(D), p. 6	"That the appointment of the Ombudsperson be for an indefinite term."
(E), p. 6	"That the Ombudsperson be removed if the representative bodies of 2 out of the 3 constituencies vote by simple majority for removal."
(F), p. 7	"That the office of the Ombudsperson be located in the Bizzell Library."

ad hoc Committee members:

John Biro (Philosophy), Chair

Teree Foster (Law)

Carl Locke (Chemical Engineering)

(Secretary's note:

The original resolution proposal was published in its entirety in the November 10 issue of the Quadrant Daily.)

Senate action: Noting the Senate action at the October 6 session, Professor Kunesch, Senate Chair, announced that, in accordance with Senate by-laws, the following individuals would be recognized by him to speak on this question:

- Members of the Senate
- authorized representatives of PSA and UOSA
- Women's Caucus liaison with the Senate
- Public Defender, Norman campus
- Professor Larry B. Hill
- Ms. O'Sullivan, Women's Union (Norman campus student organization)
- Members of both Senate ad hoc Committees

Professor Biro, Chair of the ad hoc Committee that had prepared the ombudsperson proposal, expressed appreciation to his Committee colleagues and to others who had met with that Committee at various times. He also solicited questions of clarification.

Dean Lewis, Chair of the first ad hoc Committee, withdrew her original motion made at the October 6 meeting to accept her Committee's report.

Professor Teree Foster then moved that, after appropriate debate, the Senate choose by written ballot between

- proposal 1 (University policy on unprofessional conduct) and
- proposal 2 (ombudsperson program).

Without dissent, the Senate approved this motion of procedure.

During the ensuing discussion, Dr. Rinear moved the deletion of the following last two sentences in the fifth paragraph of Section I:

"Behavior that is merely crude or ill advised, even if it affronts the sensibilities of particularly sensitive individuals, is difficult, if not impossible, to eliminate. Conduct of this nature, though to be deplored, should not be regarded as unprofessional unless it clearly goes beyond what is generally considered to be merely bad taste."

With some dissent, the Senate approved this deletion.

Professors Davis, Lewis, Walker, West, and Kenderdine expressed their support of proposal 1.

Professor Davis saw the issue as essentially one of faculty governance prerogatives.

Professor Lewis considered the "secrecy aspect" of her Committee's proposal as an attempt "to prevent guilt by outside rumor and trial by gossip" by protecting the privacy of the party complained against.

Professor Kenderdine felt that, on the basis of his nine-year experience on the Norman Human Rights Commission, the formal procedure would not be as cumbersome in practice as the process may appear to be on paper. He also supported Professor Davis' views about faculty abrogation of its prerogatives.

Professors Flowers, Locke, and Biro favored proposal 2.

Professor Flowers indicated her preference for proposal 2 over both proposal 1 and the earlier alternate proposal submitted by Professor Moriarity and herself and published on pages 14-15 of the Senate Journal for October 6, 1980. In her opinion, the ombudsperson program includes a much more informal procedure and has potential. The program would put pressure on the administrators to do their job. She also noted that ombudsperson programs have been "reasonable successful" in other areas at other institutions.

Professor Biro urged approval of the ombudsperson proposal because "other groups (students and staff) on campus would find the program much more acceptable."

Professor Hill felt that both proposals had some potential and added, "I am not convinced that, as drafted, the ombudsperson proposal is the solution to all our problems." In his opinion, the "general purpose" ombudsperson program would lead to disillusionment, particularly among students. Furthermore, the number of cases reaching that office would perhaps be insufficient to justify the additional expense and effort. He suggested that the Senate prepare some sort of compromise although he himself did not have a specific proposal.

After an hour's debate, the Senate Chair announced a five-minute limit on further debate. There was no objection from the floor to this ruling.

The vote by written ballot produced the following results:

proposal 1: 24
proposal 2: 18

The unprofessional conduct policy proposal was, therefore, approved for submission to President Banowsky.

PROPOSED SENATE RESOLUTION: Change in OMU policies regarding lower-lobby booths

Dr. Davis called attention to the recently announced restrictive change in the Oklahoma Memorial Union policy concerning student use of public booths in the lower lobby of the Union. He noted his and other faculty members' activities with a campus First Amendment Committee that is protesting the policy change. He then moved approval of the following proposed resolution of protest:

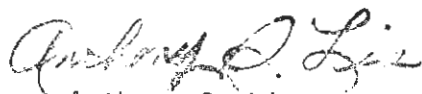
"Whereas the faculty of the University of Oklahoma is in no way recognized by the articles of incorporation of the Oklahoma Memorial Union and is without other means of influencing policy and whereas the corporation has by its action in restricting the free exchange of information violated its purpose of promoting 'the educational...development and advancement of the students of the University of Oklahoma,' the Faculty Senate calls upon the faculty and the University community at large to inform the management and the tenants of the Union, by every legal means, of their disapproval of the abrupt and arbitrary change of policies concerning booths on the ground floor Union lobby."

Dr. Moriarity questioned the advisability of immediate Senate consideration and action without further study. He moved tabling the question. In a show-of-hands vote, the Senate approved the tabling motion, 18 to 16.

ADJOURNMENT

The Faculty Senate adjourned at 5:16 p.m. The next regular session of the Senate will be held at 3:30 p.m., on Monday, December 8, 1980, in Physical Sciences Center 108.

Respectfully submitted,



Anthony S. Lis
Professor of
Business Communication
Secretary, Faculty Senate