



Texas Tech University

LUBBOCK, TEXAS 79409 / (806) 742-3656

The Faculty Senate

February 7, 1979

TO: Members of the Faculty Senate

FROM: Margaret Wilson, President

SUBJECT: Agenda for Meeting #12, February 14, 1979

The Faculty Senate will meet on Wednesday, February 14, 1979, at 3:45 p.m. in the Senate Room of the University Center. The agenda is as follows:

- I. Minutes of the January 17, 1979 Senate meeting
- II. Report of ad hoc Committee on Equus - Dr. James Howze
- III. Supplementary Report of ad hoc Committee to Study Faculty Employment Contracts - Dr. Ruth Wright
- IV. Use of Tech Vans - Dr. Gary Elbow
- V. Final Report of ad hoc Committee on Raising Retirement Age of Faculty - Dr. Harry Jebson
- VI. Committee on Committees - Dr. Helen Brittin
- VII. Resolution on Pre-registration - Dr. Vincent Luchsinger
- VIII. Announcements
 - A. Copy of Mauzy letter sent by E. L. Short
 - B. Book royalties
 - C. Meeting with President Mackey
 - D. Excerpts from Energy Conservation Highlights
 - E. Faculty Annual Review Form
 - F. Letter from Governor Clements office and from Lt. Governor Hobby
 - G. Board Policy Manual
 - H. Program majors on diplomas
 - I. Ashworth appeal for higher faculty salaries
 - J. Regents approve faculty retirement at 70
 - K. Meeting of Presidents of Faculty Senates
 - L. Academic Calendars
 - M. Letter from E. L. Short
 - N. Excerpts from Academic Council minutes
 - O. Excerpts from Standing Committees
 - P. Correspondance
- IX. Other Business

Report of the Committee on Committees

To the Faculty Senate

February 14, 1979

By Helen C. Brittin, Chairperson

The Committee on Committees met 4:00 to 5:00 p. m. on February 12, 1979, in the Faculty Senate Office. All Committee members attended except Roger Troub and James Eissinger, who were taking care of other pressing University business. The Committee planned the following schedule regarding Senate nominations for filling vacancies on University Committees and Councils for 1979-1980:

- February 19, 1979 - Mail information and nomination forms to all voting faculty. The information and forms shall contain:
- a. The name of each committee for which vacancies are to be filled.
 - b. The number of vacancies to be filled on each committee.
 - c. Any special requirements for nomination to each committee.
 - d. Spaces for the faculty to nominate and to supply qualifications of the nominees.
- March 5, 1979 - Completed forms for nominations of faculty to University Committees and Councils are due to the Committee on Committees.
- March 12, 1979 - 4-5 p. m. Committee on Committees meets to make up slate of nominations.
- March 26, 1979 - 4-5 p. m. Committee on Committees meets to finalize the slate of nominations.
- March 30, 1979 - Slate of nominations will be given to Senate Office Secretary to duplicate and circulate with agenda for the Senate meeting on April 11.
- April 11, 1979 - The Senate nominates persons to fill vacancies on University Committees and Councils for 1979-1980.

At the February 12 meeting the Committee on Committees also planned the information and nomination form to be mailed to all voting faculty. The form is essentially the form sent by President Mackey to Margaret Wilson on February 7, 1979, plus additions which the Committee felt were necessary.

cc: Senate President
✓Senate Secretary
Senate Office Secretary
Committee on Committees (7)

RESOLUTION

Resolved that Texas Tech is one of the few universities in the state of Texas that does not offer pre-registration. Further, it is contended that students would benefit from pre-registration by the early resolution of schedules permitting them to optimize their semester study, living and work plans; and that the administration could better allocate, and re-allocate, resources by the early indications of demand for course offerings.

It is further noted that several years ago that Texas Tech conducted a manual pre-registration for upper division and graduate students that was not without success. Computer pre-registration is reported to be years and many thousands of dollars distant in the future.

Resolved that Texas Tech administration and faculty investigate the possibility of conducting a manual pre-registration at the end of Spring Semester 1979 for summer and/or fall terms to test the feasibility of manual pre-registration on a continuing basis.

Vincent Luchsinger, BA Senator
743-2134

SHORT RANGE GOALS FOR THE UNIVERSITY

1. Complete Phase II construction program of the School of Medicine by September 1, 1979.
2. Seek acceptable method of funding capital construction for TTU in lieu of the ad valorem tax revenue and to seek a comparable source of funding for TTUSM construction needs.
3. Strengthen personnel policies related to faculty development (recruiting, tenure, evaluation, training, promotion, etc.)
4. Obtain clarification and comply with federal regulations that deal with equal opportunity programs such as Title IX, Section 504 of Rehabilitation Act of 1973, Title VI, etc.)
5. Publish Regents policies in a new format and review all of these policies at the earliest practicable date.
6. Strengthen the counseling, admission, recruiting, and other programs affecting students and in particular those who are academically gifted.
7. Work for a successful legislative session including the appropriations requests as well as other legislation that affects TTU and TTUSM.
8. Establish a comprehensive development program for the University (and TTUSM) that integrates and coordinates the efforts of all the support groups.
9. Establish an Instructional Media Center that will serve the entire University.
10. Improve the quality and quantity of computer support for administration, research, and academics, to include acquisition of new equipment and the updating of equipment and facilities as necessary.
11. Win Southwest Conference Championship and participate in the Cotton Bowl.
12. Evaluate marginal or unproductive academic programs and establish priorities and reallocate resources where warranted.
13. Assess the Board committee system and determine if any changes are desirable.
14. Continue the program of disposing of temporary buildings.
15. Continue development of personnel program for upgrading skills of employees, reducing turnover, and attainment of a strong corps of outstanding performers.
16. Follow up on new admission policy and the counseling of students admitted under the policy.
17. Develop a plan for funding for the operation of the new student recreational center.
18. Develop a five-year plan for the Museum, including the Ranching Heritage Center.
19. Continue to provide an appropriate atmosphere and encouragement for a strong research program as an integral part of the overall academic effort.

ANNOUNCEMENTS

- A. A letter from State Senator E. L. Short was received 18 January 1979. It was a copy of a letter to members of the 66th Legislature from Senator Oscar H. Mauzy, Chairman of the Joint Legislative Committee on Faculty Workload Requirements. The letter is on file in the Senate Office but the section which would interest you most is the following:

"In that the Joint Legislative Committee on Faculty Workload Requirements exists until August 31, 1979; and

In that the Committee's charge is to report to the 66th Legislature its recommendations regarding faculty workload requirements; and

In that the data reflecting the effects of the implementation of faculty workload rules and regulations adopted by the state colleges and universities in response to H.B. 1012 and H.B. 510 (Appropriations Act), 65th Legislature, will not be available until the Spring of 1979;

The Joint Legislative Committee on Faculty Workload Requirements makes a preliminary recommendation to the Members of the 66th Legislature that no legislative action be taken regarding faculty workload requirements until such time that the Coordinating Board, Legislative Budget Board, the institutions of higher education and the Joint Committee have had an opportunity to determine the merits of both the Coordinating Board faculty workload guidelines and reporting system and the faculty workload rules and regulations adopted by the state colleges and universities in response to the legislation enacted by the 65th Legislature."

- B. A letter was received from Earl Camp, President, Tech Chapter of TACT, which arrived after the January meeting and required a response prior to the February meeting. I talked with members of the Executive Committee and several other persons and responded as follows: (1) TACT should submit a brief re an attorney general's opinion on whether or not a college professor may receive a royalty on a book used in the school in which he teaches; (2) Section 4.14 of the Texas Education Code applies to "kickbacks" from publishers and is not applicable in this situation; (3) TACT might wish to recommend an alternative solution such as the present Tech policy of a departmental textbook committee which makes annual recommendations on the use of such books.
- C. I met with President Mackey on 22 January 1979. With only four more Senate meetings this year I needed a time frame for the Grievance Panel discussion. Dr. Mackey indicated that he would try to get the revised draft to us in time to study it for the March meeting. He would prefer that we work on it at that meeting without him. This we will do. On the matter of reviewing Regent's policies, Otto Nelson had suggested that perhaps, if for no other reason, for historical purposes faculty input might be desirable. President Mackey agreed and briefed me on what was taking place at this time, i. e., only conforming and procedural changes are being made. A process for changing and disseminating policies is being worked on. When this has been done, then specific issues will be confronted. It will be the latter stage, after present policies are codified, that faculty input will be requested. Gary Elbow had asked if the Senate could get a copy of the report given by the President to the Regents on Short Range Goals for the University. A copy of the report is included in your packet.
- D. Last year the Senate spurred investigation of the heating and cooling systems on campus. The January issue of Energy Conservation Highlights published by Building Maintenance reports that work is progressing toward balancing the air flow in academic buildings but we should not get too exuberant as "cost overruns were offset by installing cheaper and inferior mechanical equipment" in some building and, in some cases, "mechanical equipment that was specified by the engineers was completely eliminated." The report

adds that even if the proper equipment had been installed the type of system used in the days of low cost energy is not what is needed today.

- E. A copy of the "Trial Version for Calendar Year 1978" Annual Review Form is on file in the Senate Office. It is my understanding that department chairpersons also have copies. You may wish to review it in order to be more enlightened since it seems to be the subject of some controversy. At this time I can get no answer as to what form will be used for 1978 annual reports which are going to be needed soon for those departments which use them for part of their merit raise procedures.
- F. Linda Howell, Director of Personnel and Appointments, wrote that "Governor Clements will take all facets of the Regent's role into consideration when he is reviewing prospective appointees" and thanked us for our offer of assistance in the selection process of Regents. Lt. Governor Hobby wrote that "with a new Governor, it is always difficult to know what type of individuals will be selected for the numerous appointments" and expressed hope that the appointments would meet the criteria supported by the Faculty Senate. He forwarded a copy of our letter to Governor Clements with a request that the Governor "give the views of the Texas Tech Faculty Senate his most serious consideration in selecting these appointments."
- G. At the request of President Mackey, Ken Thompson sent a copy of the Board Policy Manual to the Faculty Senate Office. Mr. Thompson told me the manual is over 95% accurate although still in rough form. The manual is codified with a subject index and a numerical table of contents. After the manual has been approved by the Board it will be printed in final form and it is my understanding that we will get a copy. The Manuals will be updated periodically with the copy in the office of the Legal Counsel being up-to-date at all times. I have read the entire Manual and there were no great surprises but it is notable that once again we have all the policies gathered under one binding.
- H. A memo from Dr. Hardwick states that degree program majors for undergraduates are being designated on diplomas as of December 1978 graduation.
- I. George Tereshkovich sent a copy of the Texas A & M Newsletter for faculty and staff, dated January 12, to the Senate Office. Two and a half pages are devoted to a report of a special appeal which Dr. Kenneth Ashworth made to members of the Texas legislature. He requested reconsideration of the LBB's recommendation of a 5.1% increase in faculty salaries for 1979. He said that the Coordinating Board recommended a 6.4% increase in January 1978. Since then inflation has run at a double digit rate for some months and the prediction from Washington is 8% for the year. Therefore, the 6.4% recommended increase seems to be low. In 1978-79 the statewide average budgeted salary for all teaching personnel at Texas public senior colleges and universities was \$17,573, an increase of \$623 or 3.7% over the 1977-78 average. For the first four faculty ranks only it was \$19,840, or 4.2% above last years average. According to Coordinating Board statistics, Texas Tech was 5th in the state in average salary for the top four ranks behind 1. University of Houston Central Campus; 2. University of Texas at Austin; 3. North Texas State University; and 4. Texas A & M. Tech's average salary is \$20,309 or \$469 over the statewide average for the top four ranks. A copy of the report has been sent to the Academic Budget Council.
- J. At the Board of Regents meeting of 2 February 1979 President Mackey recommended that Texas Tech consider affording faculty members the opportunity to teach after 65 but with a look at retirement benefits and other possible inducements which would make "normal" retirement (age 65) or early retirement (prior to 65) desirable. A report to include plans for making normal retirement attractive will be presented to the Regents at the next meeting on 30 March 1979. A copy of Mr. Pfluger's statement is enclosed.

- K. On 23 February 1979 I will attend a meeting of chairpersons or presidents of University Faculty Senates or Assemblies in Austin. The meeting is the second, the first having been held in 1978. According to the letter I received faculty workload and faculty development are two subjects which will be discussed. If any of you have other items which you believe should be included please advise me.
- L. Dr. Len Ainsworth has sent to the Senate Office a copy of the General Provisions, Common Calendar as adopted by the Coordinating Board. He also has included the Tech calendar for Summer 1979 through Summer 1981. Briefly the calendar would be as follows:
- Summer Sessions 1979-June 4-July 14; July 16-August 25
 - Final exams July 12-13 and August 22-23
 - Final grades due July 16 and August 24
 - Fall 1979-August 30-31 registration- December 22
 - Final exams December 17-21
 - Final grades December 22
 - Spring 1980-January 8-9 registration-May 10
 - Final exams April 30-May 6
 - Senior grades May 8; final grades May 12
 - Commencement May 9-10
 - Summer Session 1980-June 2-July 12; July 14-August 23
 - Final exams July 10-11 and August 20-21
 - Final grades due July 14 and August 22
 - Fall 1980-August 28-29 registration-December 20
 - Final exams December 15-19
 - Final grades due December 20
 - Spring 1981-January 13-14 registration-May 16
 - Final exams May 6-12
 - Senior grades May 14; final grades May 18
 - Summer Sessions 1981-June 1-July 11; July 13-August 22

Dr. Ainsworth told me that the Graduate Catalog has gone to press with the 1979-80 calendar as stated above. However, if this fall schedule would seem to work a hardship on faculty/students he would be willing to consider going off the present final exam rotation plan and endeavor to set exams for class periods with known heavy loads early in the exam week.

- M. Senator E. L. Short wrote concerning appointments to the Board of Regents. He explained that Senatorial courtesy is extended to the Senator in whose district the nominee resides. It is his belief that a medical doctor is needed on the Board and that other areas of the State need to be represented. He has "had a long talk with the Governor about appointments" and was assured that he would be informed in advance of those he selects. "Regardless of who might finally be confirmed, I will personally talk to each one and share with them some of the things I learned during the campaign about the needs of the faculty, the student body, the various schools and administration and hopefully those selected can bring to Texas Tech much harmony and respect that the university truly deserves." He ended the letter by saying he had just received the Senate report concerning the tenure bills. "I will oppose the bill."
- N. The minutes are on file in the Faculty Senate Office for any person wishing to read them.
- January 9, 1979
1. Discussion was held of annual review of faculty and the form which has been in use. Included in the discussion were the timing of annual reports, the nature of reports to be made by faculty, and the revised version of the annual report. The revised version was tentatively approved but deans asked to continue discussion at the next meeting.
 2. Recommendations regarding honor designations were approved, i.e., cum laude, 3.5-3.69; magna cum laude, 3.7-3.89; and summa cum laude, 3.9-4.0. Data on fall graduates

- showing distribution of GPAs with percentages was requested for the next meeting.
3. Discussion was held on continuing need for concern about appearance, condition, and security of academic building.
 4. Dr. Hardwick asked deans who have not done so to develop times for their faculties to meet with Dr. Jones and Dr. Hardwick.
 5. An advertisement on a bulletin board regarding writing of research papers was mentioned by one dean. The notice had not been cleared through Student Affairs and all such notices should be removed.
 6. Note was taken of several complaints re final exam schedule for Fall 1978 and copies of calendars for the next two years will be distributed to deans for their comments.
 7. Dr. Jones asked for comment re an upcoming publication of a list of scholarly publications of the faculty.
 8. Information obtained from Coordinating Board data re faculty salaries was distributed. Note was taken that Tech salaries are below the other three major universities with student/teacher ratio being part of the problem. "The point was made that utilization of fewer faculty could result in recovery of funds to provide higher average salaries."

January 23, 1979

1. A GPA distribution for baccalaureate graduates of Fall 1978 was distributed.
2. Expenditure data for FY77 and FY78 were distributed and deans requested to review travel costs. Number of leaves and travel costs during first four months of 78-79 were larger compared to same time span in 77-78. Deans were asked to supply information regarding reasons for increases which will be reported to the Academic and Student Affairs Committee of the Board.
3. Development of degree programs in Computer Sciences was discussed. A proposal for a bachelor's and master's degree program is being developed. Concern was expressed about adequate computer capability to support a degree program.
4. "The need for computer support for sponsored research and the concomitant need for sponsored research to pay appropriate proportions of computer support provided are companion topics which were named as needing additional policies to guide improvement.
5. Data sheets for developing departmental profiles were distributed and deans were asked to review materials and be ready to discuss them at the next meeting. "Planned use of the material involves review at the departmental level to ascertain correctness of data and provide subjective information in addition to the quantitative aspects portrayed in the data sheets."
6. "Consideration of Annual Faculty Review form was carried over to the next meeting."
7. Tenure and promotion were discussed. Dr. Hardwick noted the need for uniform procedures and indicated that for the coming year he would ask Chairpersons to provide letters of comment on each person being considered. "He also indicated that a person not successful in a bid for promotion to full professor should ordinarily wait for two years before reapplying so that additional evidence can be provided. These aspects would not be implemented until the next tenure and promotion review."
8. "The council was reminded that University faculty and staff desiring to contact legislators should do so as individual citizens and should not, of course, use University time, stationery, or postage in making those views known (unless they are responding to a direct inquiry as a part of the staff member's university responsibility). Individuals who may be called upon to testify in various areas should be sure that either Mr. Parsley or Mr. Sanders of the Office of Public Affairs is appropriately informed."
9. A list of renovation priorities established by the Space Committee was distributed and questions or discussion on individual items were invited.

Announcements continued.....

- O. The following standing committees have sent minutes to the Senate Office where they are on file for any who wish to read them.

International Education Committee - December 12, 1978

Dr. Yung-Mei Tsai, Sociology, is chairperson and met with Dr. Ewalt concerning support for a research project dealing with "an analysis of economic and social impacts of international students at local and state level." Dr. Ewalt expressed interest in the project and suggested that the committee might wish to investigate programs where Tech students are studying abroad and improving the relationship between American and international students at Tech. Dean Anderson suggested that a university-wide search for funds could be made with possibility of funding from outside sources also possible. Ms. Behrens, Director of International Programs, has already looked at different sources and agencies and none seems to serve the immediate purpose since it seems vital to Tech to provide the data for the Texas legislature. Suggestions were made to use a small sample of students, use a questionnaire during spring registration, and invite student government officers to a meeting to discuss their potential involvement in bettering relationships between students. Comment was made that it was more difficult for international students to develop friendships with Americans than with other international students.

Ms. Behrens reported that Tech is in the process of hiring a coordinator to direct and oversee English and communication skills problems of international students, especially TAs.

Ms. Behrens also reported on a course in multi-cultural study offered by the College of Education and the Department of Speech in which interaction and communication were successfully stressed.

Concern was expressed about student quotas in some engineering departments which may affect international student enrollment.

Discussion centered around studying abroad programs and the committee's role in promoting interest in these programs. The committee may pursue this matter in the Spring.

A suggestion was made that faculty and staff who have overseas experience could serve as counsellors for international students. There appear to be problems for students from Iran and Nigeria, especially on their financial situations.

Concern was also expressed about the College Inn closing during the holidays and the need for some international students to find temporary shelter. Dr. Chanda expressed personal concern and willingness to help with this problem.

Academic Budget Council - December 18, 1978

Chairperson Kristiansen reported on his meeting with Dr. Hardwick and stated that the ABC "would be put into the mainstream for budget planning by Dr. Hardwick as soon as possible, hopefully for FY-1980." The council should receive the budget formulation process materials also.

The council members discussed basic changes for department profile forms which had been made available to them. Suggestions will be transmitted to Dr. Hardwick.

The chairperson will check as to whether or not the Council members will receive the budget packets being sent to deans for budget FY 79-80.

The Chairperson reported that "either all or some of the ABC members may be invited to the budget planning meeting sometime in February."

- P. The following letters have been sent from the Senate Office since the last report:

1. Helen Brittin re number of faculty needed for recommendation to membership on TTU and Senate standing committees for 1979-80
2. Vince Luchsinger re appointment as representative of Business Administration on Committee on Committees
3. David Cummins, Roland Smith & George Tereshkovich re discharge of ad hoc Committee to Consider Academic Excellence Fund with our appreciation

4. Bruce Kramer, John Chinn, Gene Hemmle, Robert Mason & Virginia Tompkins re discharge of ad hoc Committee on Retirement Investigation with our appreciation
5. Clarence Bell, Gary Elbow, Elizabeth Sasser re discharge of ad hoc Committee to Recommend Procedures to Replace Senators Temporarily Absent from Campus with our appreciation
6. Dr. Cecil Mackey re willingness to meet and discuss issues with the Senate
7. Senator E. L. Short re appreciation for copy of Mauzy's letter
8. L. B. Blackwell re Academic Affairs and Status Committee
9. Dr. Cecil Mackey re recommendations fo ad hoc Committee on Retirement Investigation
10. Earl Camp re TACT request for input on book royalties
11. Ruth Wright, Bill Cain, Jacq Collins, Rod Schoen, & Ruth Volz re discharge of ad hoc Committee to Study Faculty Employment Contracts
12. Dr. Cecil Mackey & Senator E. L. Short re copy of report of ad hoc Committee to Study Faculty Contracts
13. Dr. & Mrs. Cecil Mackey & Senators re President's reception
14. Dr. Cecil Mackey re final report of the ad hoc Committee on Raising Retirement Age for Faculty with copies for each Regent
15. Dr. Robert Ewalt re Admissions and Registration Committee
16. Helen Brittin re need for recommendations for standing committees for April meeting
17. Magne Kristiansen re materials sent and questions asked by George Tereshkovich
18. Ken Thompson re appreciation for sending copy of Board Policy Manual
19. Dr. Cecil Mackey re support of Senate position on age 70 and reminder of second recommendation for board policy for procedures for faculty who wish to teach past mandatory retirement age

The University Motor Pool is assigned the following vehicles:

- 4 pick-up trucks
- 2 9-passenger vans
- 8 12-passenger vans

These vehicles are allocated in the following manner:

- 1 pick-up is rented to grounds maintenance through September 1979
- 1 pick-up is assigned to the Department of Range Management through June 1979
- 1 pick-up is rented permanently to Men's Intramurals
- 1 12-passenger van and one pick-up are assigned to the Crosbyton solar energy project
- 1 12-passenger van is rented to the campus police every evening for parking lot pick-up service for women students.
- 2 9-passenger vans and 6 12-passenger vans are available for temporary rental on a first-come, first-serve basis.

All of the vehicles available for temporary rental (with one possible exception, a van once owned by Women's Athletics) were purchased with motor pool funds.

It has been brought to my attention that the Athletic Departments are monopolizing the use of these vans which, presumably, were purchased primarily for the use of academic departments of the University. The following list indicates the extent of Athletic Departments use of these vehicles in the period between February 15, 1979 and the end of the semester:

February 15-17	3 vans rented to Men's Cross-Country Team
	2 vans rented to Women's Basketball Team
	1 van rented to Men's Wrestling Team
	2 vans rented by non-athletic activities
February 22-25	2 vans rented to Women's Track Team
	2 vans rented to Women's Basketball Team
	2 vans rented to Men's Wrestling Team
	2 vans rented to non-athletic activities
March 1-?	3 vans rented to Men's Cross-Country Team
	2 vans rented to Women's Track Team
	3 vans rented to non-athletic activities
March 9-?	3 vans rented to Men's Cross-Country Team
	2 vans rented to Women's Track Team
	3 vans rented to non-athletic activities
March 16-18	2 vans rented to Men's Cross-Country Team
	6 vans rented to non-athletic activities
March 29-?	2 vans rented to Women's Track Team
	1 van rented to Women's Tennis Team
	5 vans rented to non-athletic activities
April 5-8	2 vans rented to Women's Track Team
	3 vans rented to Men's Cross-Country Team
	3 vans rented to non-athletic activities
April 11-15	1 van rented to Women's Tennis Team
	7 vans available for use as of January 22, 1979
April 21-22	3 vans rented to Men's Cross-Country Team
	5 vans rented to non-athletic activities
April 27	2 vans rented to Men's Cross-Country Team
	6 vans rented to non-athletic activities
May 1-5	1 van rented to Women's Tennis Team
	7 vans rented to non-athletic activities
May 10-12	2 vans rented to Women's Track Team
	1 van rented to Men's Cross-Country Team

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Men's Track Team*

The Athletic Departments filed their requests for rentals for the entire year in early September 1978.

Since September 1978, 31 requests for use of University Motor Pool vans have been turned down. There are 17 requests currently on waiting lists for van rental for the period of January through April. Indications are that some departments have not bothered to make requests for vehicles knowing that they will not be available. It would appear that the Athletic Departments have obtained a near monopoly on use of University Motor Pool equipment for weekends, the time of greatest demand.

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Presumably these vehicles were purchased with the general University appropriation, X not with Athletic Department Funds. Therefore, it appears that the University is subsidizing an auxiliary enterprise with general funds (we recognize that any user must pay rent for the equipment and that this is probably the ultimate source of funds to pay for the vehicles in question, but, to the extent that the vehicles are provided for Athletic Department use and the academic users are deprived of access to them, the athletic activities are being subsidized).

There are several possible solutions to the problem.

- 1) acquire sufficient vehicles so that most users will be able to rent vehicles given a reasonable selection of alternative dates (say three) and sufficient advance notice (two to three months).
- 2) place athletic uses at a lower position of priority, allowing them to reserve vehicles only for a limited time in advance of use, for example, two or three months. This would provide a much greater opportunity for other users to reserve vehicles.
- 3) deny the Athletic Department access to motor pool vehicles unless purchased with Athletic Department funds.

I suggest that an ad hoc committee of the Faculty Senate be formed to further investigate this issue and return with a recommendation to the Senate for action.

Gary S. Elbow

January 29, 1979

TO: The Board of Regents of Texas Tech University

FROM: Faculty Senate of Texas Tech University

On November 8, 1978 the Faculty Senate of Texas Tech University passed the following resolution:

Resolved, that the Faculty Senate of Texas Tech University urges the Board of Regents to change the age limit on mandatory retirement to age 70, and that this change in retirement policy be enacted as rapidly as possible, far in advance of the required 1982 law.

This will place the faculty on par with the classified personnel who in January 1979 will be protected by the new federal law.

We would like to submit the following data to support our resolve that faculty members should be treated equally with other persons in the Texas Tech work force.

1. At its December meeting the Board of Regents of the University of Texas system moved its enabling legislation to comply with the federal law. Faculty members remained a part of the age 70 mandatory retirement policy.
2. This action seems to comply with the spirit of the law as well as with the actions of universities throughout the state and across the country. A survey made by the ad hoc Committee on Raising Retirement Age for Faculty of the Faculty Senate found that 50% of the institutions within the state already have adopted an age 70 retirement policy (those who have age 70 retirement are Stephen F. Austin University, the University of Texas system, Texas Woman's University, and Southwest Texas State University). The information in the previously mentioned report is corroborated by a study carried on by the Texas Tech Chapter of the American Association of University Professors: which reported that 12 institutions within the state (both public and private) have set 70 as the mandatory retirement age. These include:

Public: Angelo State, Sam Houston State, Southwest Texas State, Stephen F. Austin, Sul Ross State, Texas A & I, Texas Woman's, University of Texas at Austin, University of Texas at Arlington, University of Texas at El Paso, University of Texas at San Antonio

Private institutions: Baylor

In a survey of state universities across the nation, the AAUP received 41 responses to questionnaires. It should be noted that this survey pre-dated the recent legislative action.

State Universities of the U. S.: Mandatory Retirement Age

Age	Number of Universities
70	14
69	1
68	5
67	3
66	1
65	15
<u>no age</u>	<u>2</u>
Total responding	41

The state universities which had age 70 retirement included Alabama, Connecticut, Kansas, Louisiana State, Maryland, Massachusetts, Michigan, New York, Ohio, Texas, Virginia, Washington, and Wisconsin.

a) A copy of this survey is attached to this report.

A committee appointed by the Faculty Senate to prepare this report circulated a questionnaire among all of the faculty who would be forced to retire at age 65 before 1982 when the law stipulates that tenured faculty members are to be included. The list of faculty questioned was supplied by the Vice President for Academic Affairs. There were 47 questionnaires sent out. There were 40 returned.

Rank of those surveyed:

University Professor	2
Horn Professor	1
Professor	29
Associate Professor	7
Assistant Professor	5
Instructor	2
Lecturer	1
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The questionnaire asked five questions:

1. Do you feel that the policy should be changed to age 70?

Yes	38	95%
No	1	2.5%
No answer	1	2.5%

2. If the retirement age were shifted to 70 immediately, would you plan to continue in your position?

Yes	26	65%
No	7	17.5%
Undecided	7	17.5%

3. If you plan to continue past age 65, how long would you plan to continue?

one year	1	3%
two years	2	6%
three years		
four years		
five years	11	33.3%
That would require a		
year by year decision	19	57.5%

4. If you would not continue past age 65 even if the Board of Regents changed the age to 70, please answer the following:

What are your reasons for retiring at age 65?

Those who responded to this question indicated that they had plenty of writing to do which teaching responsibilities had prevented them from completing. Others indicated that they found teaching to be so strenuous that they needed to quit at this point. Others found it difficult to answer because they have never thought they would have an alternative to stay on to age 70.

5. If you do plan to continue past age 65 if the Board of Regents changed the policy, answer the following:

For what reasons do you want to continue in your current academic appointment?

While answers to this question revealed several strains of thought, there were three common ideas which pervaded the thinking of those who face retirement within the next few years.

- A. A dedication to excellence in teaching. Many faculty who now face retirement see themselves as being more effective teachers than they have ever been.
1. Instructors in professional colleges (Agriculture, Education, Business Administration, Engineering, and Home Economics) feel that they are best able at this point to relate a lifetime of study and experience to students in their colleges. Many indicate that this is most crucial in areas where judgmental decision making is critical to the learning process.
 2. Many instructors pointed to teaching awards and high grades on teacher evaluations which they have received within very recent years.
 3. Nearly all indicate they need the students and their colleagues for the continued expansion of themselves as scholars and teachers.

Instructors in this age group are nearly unanimous in their positive attitude toward the university's teaching mission. To them, teaching is rewarding, they find their teaching skills to be more effective and highly developed than ever, and that the university continues to need dedicated high quality instructors.

- B. Research abilities. It seems particularly apparent that research requirements in the sciences and in engineering need attachment to an institution. One of the seven who definitely will be leaving is in the midst of a six year program involving over 100 scholars across the nation. He had to arrange an alternate headquarters for his project because of the retirement policy now in effect. Laboratory space, assistance in manpower and money, and institutional affiliation are all vital factors in obtaining the necessary grants from private and public sources which quality scientific research demands.

As in teaching, vital to the decision making of faculty members who will seek to remain on the staff, is the creative, thought provoking atmosphere of this university. Such an atmosphere is needed for continued expansion of research abilities and to carry on the responsibilities expected of the professional scholar.

- C. Inflation. Several faculty members indicate that the impact of double and near-double digit inflation is such that retirement policies which once appeared to be more than adequate no longer enable the faculty member to retire from active teaching and still carry on the responsibilities of the scholar.

While the above three factors were most commonly mentioned, other factors are worthy of consideration and were mentioned frequently.

- a. Many believe that age is not a determinative factor in competence measurement. Most feel they are more competent to teach in the university today than they have been.
- b. All who indicated a desire to continue indicated they were in good health. Some of those who would not continue indicated that physical strain was being felt, but those who wanted to continue consider themselves physically and mentally sound. They all had a positive attitude toward their profession and its responsibilities.

ad hoc Committee on Raising Retirement Age for Faculty

c. All indicated that they feel they are making sound contributions to the university and its students and thus are not looking at these additional years as a "reward" for past service.

Conclusions:

Retention of professors to age 70 would retain a valuable and experienced resource which should be more cost-effective than inexperienced faculty more junior in rank and pay. These senior faculty have demonstrated extra competence in teaching judgment based on experience and motivation. Their contribution to Texas Tech's teaching mission would be welcome support for Texas Tech's goal of teaching excellence.

This policy change would place Texas Tech in the mainstream of senior institutions in the state and across the nation which have the policy of mandatory retirement at age 70. While such a policy change might be construed as an entitlement, data suggests that not all qualified would exercise the option for late retirement. The policy alteration would not only be humanitarian, but would permit competent and qualified senior faculty to better cope with the ravages of inflation on fixed retirement incomes.

Respectfully submitted,

ad hoc Committee on Raising Retirement
Age for Faculty
Harry Jebson, Chairperson
Cliff Keho
Vincent Luchsinger
Richard McGlynn

SHORT RANGE GOALS FOR THE UNIVERSITY *given by Pres. Mackey
to Board at the December meeting*

1. Complete Phase II construction program of the School of Medicine by September 1, 1979.
2. Seek acceptable method of funding capital construction for TTU in lieu of the ad valorem tax revenue and to seek a comparable source of funding for TTUSM construction needs.
3. Strengthen personnel policies related to faculty development (recruiting, tenure, evaluation, training, promotion, etc.)
4. Obtain clarification and comply with federal regulations that deal with equal opportunity programs such as Title IX, Section 504 of Rehabilitation Act of 1973, Title VI, etc.)
5. Publish Regents policies in a new format and review all of these policies at the earliest practicable date.
6. Strengthen the counseling, admission, recruiting, and other programs affecting students and in particular those who are academically gifted.
7. Work for a successful legislative session including the appropriations requests as well as other legislation that affects TTU and TTUSM.
8. Establish a comprehensive development program for the University (and TTUSM) that integrates and coordinates the efforts of all the support groups.
9. Establish an Instructional Media Center that will serve the entire University.
10. Improve the quality and quantity of computer support for administration, research, and academics, to include acquisition of new equipment and the updating of equipment and facilities as necessary.
11. Win Southwest Conference Championship and participate in the Cotton Bowl.
12. Evaluate marginal or unproductive academic programs and establish priorities and reallocate resources where warranted.
13. Assess the Board committee system and determine if any changes are desirable.
14. Continue the program of disposing of temporary buildings.
15. Continue development of personnel program for upgrading skills of employees, reducing turnover, and attainment of a strong corps of outstanding performers.
16. Follow up on new admission policy and the counseling of students admitted under the policy.
17. Develop a plan for funding for the operation of the new student recreational center.
18. Develop a five-year plan for the Museum, including the Ranching Heritage Center.
19. Continue to provide an appropriate atmosphere and encouragement for a strong research program as an integral part of the overall academic effort.

RESOLUTION

~~Resolved that~~ Texas Tech is one of the few universities in the state of Texas that does not offer pre-registration. Further, it is contended that students would benefit from pre-registration by the early resolution of schedules permitting them to optimize their semester study, living and work plans; and that the administration could better allocate, and re-allocate, resources by the early indications of demand for course offerings.

It is further noted that several years ago that Texas Tech conducted a manual pre-registration for upper division and graduate students that was not without success. Computer pre-registration is reported to be years and many thousands of dollars distant in the future.

Resolved that Texas Tech administration and faculty investigate the possibility of conducting a manual pre-registration at the end of Spring Semester 1979 for summer and/or fall terms to test the feasibility of manual pre-registration on a continuing basis.

Vincent Luchsinger, BA Senator
743-2134



Texas Tech University

LUBBOCK, TEXAS 79409 / (806) 742-3856

The Faculty Senate

February 19, 1979

To: Voting Faculty

From: Faculty Senate Committee on Committees

Re: Nominations for University committees and councils and Senate committees

The Faculty Senate nominates and President Mackey and/or administrative staff members appoint faculty to serve on University committees and councils. The Senate Committee on Committees prepares the slate of nominations for the Faculty Senate.

Enclosed is a list of vacancies for University committees and councils and Faculty Senate committees. Also enclosed is a form on which you may indicate your willingness to serve and nominate others. Please realize that sincere attempts are made to have representatives from all colleges on the committees and councils and many nominations are needed.

If you would like to know more about University committees and councils, i. e., the charge for a committee, you could refer to the University Directory of Councils and Committees. Copies of the Directory are available in Department Chairperson's offices and the Faculty Senate office. The campus directory also lists the members of the 1978-1979 University councils and committees.

Please return the completed form to your College Representative on the Senate Committee on Committees by Monday, March 5, 1978.

Faculty Senate Committee on Committees

Helen Brittin, College of Home Economics, Department of Food and Nutrition
Chairperson, Committee on Committees

Paul Dixon, College of Education

James Eissinger, School of Law

Vincent Luchsinger, College of Business Administration

George Tereshkovick, College of Agriculture, Department of Soil Sciences

Roger Troub, College of Arts and Sciences, Department of Economics

Darrell Vines, College of Engineering, Department of Electrical Engineering

NOMINATIONS FOR UNIVERSITY COUNCILS OR COMMITTEES OR SENATE COMMITTEES

Please complete ALL questions. If the answer is "none" or "not applicable" so indicate.

NOMINEE FOR: 1. _____ COUNCIL/COMMITTEE
 2. _____ (in order of
 3. _____ preference

NAME: _____ RANK: _____

COLLEGE: _____ DEPARTMENT: _____

DATE OF INITIAL EMPLOYMENT AT TECH: _____ DATE OF APPOINTMENT TO PRESENT RANK: _____

TENURE (yes/no): _____ SEX: _____ RACE: _____

List any current Council and Committee Assignments and term of appointment:

- (a) University-Wide:
- (b) College:
- (c) Departmental:

List previous University-wide council and committee assignments for past three years:

Indicate plans or expectations for any extended leave of absence during term of assignment:

Indicate any special interest in and/or qualifications for each committee indicated as a preference:

Signature of Nominator: _____

Indicate other faculty you would like to nominate, the councils or committees for which you nominate them, and their qualifications:

Faculty	Council or Committee	Qualifications
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

NOMINATIONS NEEDED FOR FACULTY SENATE AND UNIVERSITY COMMITTEES AND COUNCILS

Faculty Senate Committees

Academic Affairs and Status Committee - 1 A&S, 1 BA, 1 Law

Grievance Committee - 1 BA, 1 Law; should have tenure

University and Complex Councils and Committees

Academic Budget Council - 4

Athletic Council - 6

Honors and Awards Council - 4

Academic Publications Policy Committee - 6

Admissions and Registration Committee - 5

Affirmative Action Committee - 1 elected by the Senate

Artists and Speakers Committee - 4

Benefits and Retirement Committee - 4

Bookstore Advisory Committee - 4 (someone with accounting or finance background is requested)

Campus Security and Emergency Committee - 4

Code of Student Affairs - 4

Convocations Committee - 6

International Education Committee - 6

Library Committee - 8

Minority Affairs Committee - 4

Parking Violations Appeals Committee - 6

Special Hearing Panel for Tenure and Privilege Committee - 10 senior faculty
elected by the Senate

Student Financial Aids/Scholarship Committee - 2

Student Publications Committee - 4

University Discipline Committee - 4 and 4 alternates

University Discipline Appeals Committee - 4 and 4 alternates



Texas Tech University

LUBBOCK, TEXAS 79409 / (806) 742-3656

The Faculty Senate

February 7, 1979

TO: Members of the Faculty Senate, the Administration, &
the Board of Regents

We sometimes forget, in the busy and many times hectic lives we lead, that there are other things as important as preparing and delivering lectures, conducting research and delivering papers, and rushing from one meeting to another. One of those activities of importance is meeting and getting to know one's colleagues. We discuss, deliberate, and decide what needs to be done to make Texas Tech a better place for students and faculty but we do not even know the fifty-five colleagues on the Senate. To quote Mork, "Great sadness!"

Too often we are prone to tell someone when they have done something wrong but are most neglectful in thanking them for a task well done. As educators we are all aware that positive reinforcement produces better performance than negative reinforcement.

Therefore, I should like to invite each of you to join me for refreshments in the hall outside the Senate Room at 3:15, Wednesday, February 14. We will call our meeting to order at 3:45 rather than 3:35 in order to provide time for each of you to meet those persons you do not know as well as chat with those you do know. This is my very small way of saying thank you for the wonderful cooperation you have given me this year. You have been a spectacular group with which to work. Thank you!

Margaret

REPORT
OF THE
AD HOC COMMITTEE
APPOINTED BY THE
FACULTY SENATE
TO INVESTIGATE THE
CANCELLATION OF EQUUS

CHARGE OF THE COMMITTEE AS PASSED BY RESOLUTION
OF THE FACULTY SENATE ON SEPTEMBER 13, 1978

On September 13, 1978 the Faculty Senate voted to establish an ad hoc committee and gave that committee a charge as set out in the following resolution:

RESOLUTION

WHEREAS, faculty and students greatly benefit from intellectual stimulation on a campus open to all forms of academic and artistic expression;

WHEREAS, the cancellation of the production of two plays, reportedly at the suggestion of the administrative officers, may be an infringement of necessary academic freedom;

RESOLVED THAT: the Faculty Senate shall establish an ad hoc committee to investigate and report on the cancellation of the plays.

RESOLVED THAT: the members of this committee, when nominated by the Committee on Committees, shall be deemed appointed by the Senate.

RESOLVED THAT: this committee may cooperate with any committee of any campus organization in gathering information, but it shall report independently of any other committee, and shall not necessarily be bound by the findings or conclusions of any other committee or organization.

RESOLVED THAT: this committee shall report its progress and findings at ensuing regular meetings of the Faculty Senate.

The ad hoc committee members appointed by the Faculty Senate were:

Professor James D. Howze, Art, Chairman of the Ad Hoc Committee

Professor Henry C. Thomas, Physics

Professor James R. Eissinger, Law

FINDINGS OF FACT*

1. The faculty of the Theatre Arts Division met in early spring and in accordance with previously determined standard procedures scheduled the plays that the faculty wanted to produce during the academic year 1978-79. The plays the faculty voted to present were: Romeo and Juliet, Ladies of the Alamo, Equestrian Assassination of Billy the Kid, Equus, and Waiting for Godot. At the annual theatre arts awards banquet on April 29, 1979, as had been customary in the past, the division announced by name the productions that would be presented during the next academic year.

2. The play Equus was one of the plays scheduled by the faculty. This play can be classified as modern realistic drama and has been widely produced on the nation's campuses. What distinguishes Equus from the other plays that were scheduled is that it contains a nude scene. Some of the campuses produced it without the nude scene; others produced it as written. Equus, as written, was scheduled to be presented in February or March, 1979.

3. In May or the early part of June, Weaver, the chairperson of the Theatre Arts Division, reported the scheduling of Equus to Luce, the chairperson of the Department of Music, who administered the drama division at that time. Weaver asked Luce to inform Dean Graves about the scheduling of Equus since there might be some controversy concerning the nude scene in the play.

4. Luce and Graves discussed the scheduling of the play and some of the problems that could be encountered. Luce reported back to Weaver that Graves had some reservations but these were not presented as serious objections to the presentation of the play. Luce himself indicated that, in his personal opinion, the division should drop it.

5. Weaver requested a meeting with Graves to explain the play and discuss any problems associated with its production. Luce agreed. Schulz, who was to be the director of the play, was invited to participate. In late June, Weaver, Schulz, Luce and Graves met to discuss the play. Again, the tenor of the meeting seemed to be more informational than anything else. Schulz and Weaver told Graves how plays were selected by the division and how they planned to produce this particular play. Graves interjected into the discussion the considerations of community attitude, timing and legislative reaction, other controversies being aired on the campus at the time, and fears of reduced funding. Weaver and Schulz left the meeting feeling that the play could go ahead as scheduled.

6. Weaver and Schulz, up to this time, felt the meetings were for informational purposes only; they were not asking for permission to produce the play.

*Only surnames have been used in these findings of fact. An alphabetical listing of their complete names and titles is appended to this report.

7. On July 2, an article written by William D. Kerns appeared in a local newspaper, the Avalanche-Journal. The article reported the scheduling of the play Equus and also reported that it included a nude scene between "the tormented boy and his girlfriend in the stable tackroom in the final act. Equus will mark the first time a nude scene has been performed on the stage at Tech. . . ." There were subsequent letters to the editor and letters to members of the Board of Regents criticizing the scheduling of the play.

8. Sometime after the July 2 article Hardwick called a meeting for July 18 and asked Graves and Schulz to attend. When Weaver heard about this meeting, he called a meeting of the faculty of the Theatre Arts Division. They agreed to withdraw the play if directed to do so by the administration.

9. Schulz had an informal conversation at the Durham reception (July 12) with Graves and Hardwick. Schulz felt the matter had been thoroughly aired and probably there would be no need for the scheduled meeting, but upon further inquiry found that the meeting with Hardwick was still to be held. Because Schulz was going to be out of town on July 18, Weaver attended the meeting instead of Schulz.

10. At the meeting with Hardwick, discussion included the method of selection of plays, possible community, legislative and Board of Regents reaction to the production of the play and the possible detrimental effects it might have on the University. Weaver told Hardwick that the theatre arts faculty agreed to withdraw the production if they were asked to do so. Weaver left this meeting feeling the production of Equus was still in the schedule. After Weaver left the meeting of July 18, Graves and Hardwick continued to discuss the matter.

11. On July 19 or 20 Graves telephoned Weaver and suggested that the wiser course of action might be to withdraw the play. Graves did not tell the division it could not produce the play. Weaver said the play would be cancelled and sent a letter to Graves indicating the play had been withdrawn.

12. Curse of the Starving Class, a student production that had been scheduled, also included a nude scene. Permission to produce it with the nude scene was also withdrawn by Weaver at this time. The student director appealed to Graves for permission to produce the play as written; Graves told the student director to present his request to the theatre arts faculty for a decision. The faculty would only permit the play to be produced without the nude scene.

13. There were discussions about Equus that involved Weaver and Luce; Luce and Graves; Graves, Luce, Schulz and Weaver; Graves and Hardwick; Graves, Hardwick and Mackey; Mackey and Hardwick; Formby and Hardwick; Formby and Mackey; Mackey and other regents. The primary focus of attention in all these discussions appeared to be legislative, regent and community reaction to the production of a play with a nude scene. No serious consideration was given to the educational value of the production to the campus community or to the academic freedom attendant thereto.

14. Only the meeting called by Hardwick and the telephone call from Graves to Weaver suggesting that the play be withdrawn could be considered overt actions on the part of the administration which influenced the cancellation of the play. The calling of the meeting by Hardwick, even if it were

for informational purposes, brought the discussion to such a high administrative level that the drama division felt it necessary to react by calling a meeting of the faculty and agreeing to withdraw the play if requested to do so.

15. This series of events marks the first time in recent history that the authority of the Theatre Arts Division in the selection of plays to be produced has been questioned by the Texas Tech Administration. The result was the cancellation of two plays, Equus and Curse of the Starving Class. The sole feature distinguishing these plays from other plays scheduled for the academic year 1977-78 was that they had a nude scene. The rescheduling of Curse of the Starving Class was contingent upon removal of the nude scene.

DISCUSSION AND CONCLUSIONS

Whether academic freedom was violated depends upon the definition given to the term, the type of activities on campus that academic freedom would protect and lastly, what type of actions are an invasion of this specially protected area. While there may be disagreement among reasonable men as to whether production of a play falls within the protected area of academic freedom, like a laboratory experiment the activity is clearly close enough to being an extension of the classroom that failure to even discuss the issue when coming to an important decision regarding the play must be viewed critically; this failure could indicate a lack of interest or a complete disregard for academic freedom by both the administration and some members of the faculty on this campus.

In all the meetings among the various parties listed in paragraph 13, the most important consideration in the discussions appeared to be regent, legislative and community reaction to the production of a play with a nude scene in it. The educational value of the production to the campus community or academic freedom were apparently never mentioned as a serious factor by anyone, either administration or faculty. It is possible that the cancellation of Equus which brought about this present investigation was not actually a violation of academic freedom on this campus; it is, however, probable that a challenge was avoided for fear of the result.

The committee concluded that failure to take the educational value of the production or academic freedom into account was the most serious deficiency in the decision-making process leading to cancellation of the plays. This series of events demonstrates clearly that not only is the meaning of academic freedom confused, but more importantly, that the concept is not held in high regard by either administration or faculty on this campus.

Although the Texas Tech Faculty Handbook and the 1940 Statement on Academic Freedom and Tenure by the American Association of University Professors do not set out a precise definition of academic freedom, especially in respect to the type of campus activities accorded protection, it is possible, given the instant fact situation, to distill from the core of those definitions a standard which will put the university actions into proper perspective.

There can be no doubt that the scientist would be protected by academic freedom not only in what he or she taught in the classroom, but also in carrying out experiments and going public with the work product. Protecting the scientist and his or her experiments would be considered a classic application of academic freedom. This application can be no less extensive for those teaching in the arts. They must be allowed to teach, they must be allowed to experiment and they must be allowed to go public in a manner which effectively carries out their ideas in accordance with their discipline. This would all be encompassed in the phrase "free search for truth and its free expression."

It would not seem rational in applying academic freedom to make the standards of application any less than the First Amendment values which could

be put in issue by the same situation. In Keyishian v. Board of Regents of the University of the State of New York, 385 U.S. 589, 603 (1967) the Supreme Court stated:

Our Nation is deeply committed to safeguarding academic freedom, which is of transcendent value to all of us and not merely to the teachers concerned. That freedom is therefore a special concern of the First Amendment, which does not tolerate laws that cast a pall of orthodoxy over the classroom. "The vigilant protection of constitutional freedoms is nowhere more vital than in the community of American Schools."

Academic freedom is not absolute, but any restriction must be justified by an interest that is compelling. Using the First Amendment as the standard by analogy, the university would have the burden of showing that the production was obscene (doubtful, if not impossible) or detrimental to health or safety (not raised). Absolute prohibition could not be justified on the basis of reasonable regulation as to time, place and manner.

The committee concluded that if the University had ordered the cancellation of the play, the order would have constituted a violation of academic freedom.

In the final analysis, however, it makes little difference that there was not a direct order from the University administration cancelling the play. Even if all the events that led to cancellation are construed in a light most favorable to the University administration it can still readily be demonstrated that an atmosphere restricting academic freedom was created. Restrictions on academic freedom can exist and are just as harmful even where there is not an overt act, series of acts or fault on the part of any individual to point to as having created the condition. [At the suggestion of the Dean of Arts and Sciences Equus was cancelled by the director of theatre arts with the approval of the faculty and subsequently Curse of the Starving Class was cancelled by the director of theatre arts with the approval of the faculty; these plays had little in common except that they both contained a nude scene. The present state of affairs indicates that there is a general prohibition against producing any play with a nude scene in it, no matter what the play's educational value to the campus community or its literary worth.

The committee has concluded that this general prohibition whether it be by the Board of Regents, President of the University, Vice-president of Academic Affairs, Dean of Arts and Sciences, Director of Theatre Arts or the collective faculty of Theatre Arts, (or any combination of these) constitutes a violation of the academic freedom of individual faculty members and students of Theatre Arts on this campus and this is intolerable.

RECOMMENDATIONS

Based on the foregoing findings of fact, discussion and conclusions the recommendations of the committee are as follows:

1. ^{an ad hoc} A committee should be appointed by the Faculty Senate to study academic freedom and its application on this campus; special attention should be directed to developing a better understanding of the various activities that fall within the protection of the concept.
2. Every effort should be made by faculty, administration and Board of Regents to raise the status of academic freedom on this campus and to cultivate an appreciation for academic freedom in the community served by Texas Tech University. For example, the three groups should each undertake a program of self-education designed to enable them to better understand, protect and interpret academic freedom. In addition, faculty members should be committed to testing academic freedom when necessary; administrators should be prepared to support the faculty in its pursuit of academic freedom; and the Board of Regents should be prepared to explain to the legislature and their constituency the importance of academic freedom.
3. The Board of Regents and administration of the University should accept the policy that each academic area has the responsibility for selecting the content of the offerings in its discipline so long as its decisions are consistent with sound practices of scholarship and ethics as defined by the discipline as a whole.
4. The Theatre Arts Division should be able to schedule Equus or any other play so long as the selection is in accordance with sound practices of scholarship and ethics as defined by the theatre arts discipline as a whole.

APPENDIX A

An alphabetical listing of individuals referred to in the text:

Clint Formby, Regent, Texas Tech University

Dr. Lawrence L. Graves, Dean, Arts and Sciences and Professor

Dr. Charles S. Hardwick, Vice President for Academic Affairs

Dr. Harold T. Luce, Professor and Chairperson, Music

Dr. Cecil Mackey, President, Texas Tech University

Ronald E. Schulz, Professor, Theatre Arts

Dr. Richard A. Weaver, Associate Professor and Director of Theatre

The University Motor Pool is assigned the following vehicles:

- 4 pick-up trucks
- 2 9-passenger vans
- 8 12-passenger vans

These vehicles are allocated in the following manner:

- 1 pick-up is rented to grounds maintenance through September 1979
- 1 pick-up is assigned to the Department of Range Management through June 1979
- 1 pick-up is rented permanently to Men's Intramurals
- 1 12-passenger van and one pick-up are assigned to the Crosbyton solar energy project
- 1 12-passenger van is rented to the campus police every evening for parking lot pick-up service for women students.
- 2 9-passenger vans and 6 12-passenger vans are available for temporary rental on a first-come, first-serve basis.

All of the vehicles available for temporary rental (with one possible exception, a van once owned by Women's Athletics) were purchased with motor pool funds.

It has been brought to my attention that the Athletic Departments are monopolizing the use of these vans which, presumably, were purchased primarily for the use of academic departments of the University. The following list indicates the extent of Athletic Departments use of these vehicles in the period between February 15, 1979 and the end of the semester:

February 15-17	3 vans rented to Men's Cross-Country Team 2 vans rented to Women's Basketball Team 1 van rented to Men's Wrestling Team
February 22-25	2 vans rented by non-athletic activities 2 vans rented to Women's Track Team 2 vans rented to Women's Basketball Team 2 vans rented to Men's Wrestling Team 2 vans rented to non-athletic activities
March 1-?	3 vans rented to Men's Cross-Country Team 2 vans rented to Women's Track Team 3 vans rented to non-athletic activities
March 9-?	3 vans rented to Men's Cross-Country Team 2 vans rented to Women's Track Team 3 vans rented to non-athletic activities
March 16-18	2 vans rented to Men's Cross-Country Team 6 vans rented to non-athletic activities
March 29-?	2 vans rented to Women's Track Team 1 van rented to Women's Tennis Team 5 vans rented to non-athletic activities
April 5-8	2 vans rented to Women's Track Team 3 vans rented to Men's Cross-Country Team 3 vans rented to non-athletic activities
April 11-15	1 van rented to Women's Tennis Team 7 vans available for use as of January 22, 1979
April 21-22	3 vans rented to Men's Cross-Country Team 5 vans rented to non-athletic activities
April 27	2 vans rented to Men's Cross-Country Team 6 vans rented to non-athletic activities
May 1-5	1 van rented to Women's Tennis Team 7 vans rented to non-athletic activities
May 10-12	2 vans rented to Women's Track Team 1 van rented to Men's Cross-Country Team

The Athletic Departments filed their requests for rentals for the entire year in early September 1978.

Since September 1978, 31 requests for use of University Motor Pool vans have been turned down. There are 17 requests currently on waiting lists for van rental for the period of January through April. Indications are that some departments have not bothered to make requests for vehicles knowing that they will not be available. It would appear that the Athletic Departments have obtained a near monopoly on use of University Motor Pool equipment for weekends, the time of greatest demand. Presumably, these vehicles were purchased with the general University appropriation, not with Athletic Department Funds. Therefore, it appears that the University is subsidizing an auxiliary enterprise with general funds (we recognize that any user must pay rent for the equipment and that this is probably the ultimate source of funds to pay for the vehicles in question, but, to the extent that the vehicles are provided for Athletic Department use and the academic users are deprived of access to them, the athletic activities are being subsidized).

There are several possible solutions to the problem.

- 1) acquire sufficient vehicles so that most users will be able to rent vehicles given a reasonable selection of alternative dates (say three) and sufficient advance notice (two to three months).
- 2) place athletic uses at a lower position of priority, allowing them to reserve vehicles only for a limited time in advance of use, for example, two or three months. This would provide a much greater opportunity for other users to reserve vehicles.
- 3) deny the Athletic Department access to motor pool vehicles unless purchased with Athletic Department funds.

I suggest that an ad hoc committee of the Faculty Senate be formed to further investigate this issue and return with a recommendation to the Senate for action.

Gary S. Elbow