

NEXT MEETING: 4:10 PM 13 September 2004, Sinclair Auditorium.
Refreshments at 3:30 in Sinclair Auditorium lounge.

Lehigh University

MINUTES OF THE FACULTY MEETING

3 May 2004

Presiding: Gregory Farrington (University Center 308)

President Farrington called the meeting to order at 4:10 PM.

1. **Minutes.** The minutes of the March 29, 2004 faculty meeting were APPROVED.
2. **Memorial Resolutions.** Professor Chuck Smith read a tribute to J. David Walker, late Professor Emeritus of Mechanical Engineering, who then MOVED that his remarks be incorporated in these minutes [see Attachment 1] and that a copy be sent to the family. The President declared the motion APPROVED by acclamation and the faculty STOOD for a moment of silence in memory of J. David Walker.
3. **Graduation Motions.** Professor Bob Folk, as a voting faculty member and on behalf of Registrar Bruce Correll, MOVED the four customary graduation motions for the May 2004 commencement. The motions were SECONDED and PASSED [see Attachment 2]. Professor Folk again as a voting faculty member and again on behalf of Registrar Correll, then MOVED the three customary graduation motions for students completing degree requirements between May 19, 2004 and September 1, 2004. The motions were SECONDED and PASSED [see Attachment 3].
4. **Introduction.** Vice Provost Bruce Taggart introduced Greg Raymond, new director of faculty development. The faculty greeted Greg with applause.
5. **Committee Motions.** Professor Barbara Traister, on behalf of the Educational Policy Committee, stated that the Educational Policy Committee endorses the (forthcoming) motion on the USA Patriot Act of 2001.

Professor Traister then MOVED to adopt two new courses from the College of Business and Economics [see Attachment 4]. The motion was SECONDED and PASSED.

Professor Traister then MOVED adoption of a change to R&P 3.2.4 with respect to overload policy [see Attachment 5]. The motion was SECONDED.

Professor Ed Kay MOVED to divide the question into six parts corresponding to the six proposed overload rules. The motion was SECONDED and PASSED.

Professor Traister then MOVED adoption of Rule #3 from the proposed overload policy. The motion was SECONDED.

Professor Folk asked if this rule would apply to appeals and senior exceptions. The answer was in the affirmative in both cases

The question was CALLED and SECONDED, and the motion PASSED.

Professor Traister then MOVED adoption of Rule #4 from the proposed overload policy. The motion was SECONDED.

Professor Jacob Kazakia asked why this rule was necessary. Dean Carl Moses indicated that overloading (and withdrawals) have increased dramatically. Registrar Correll indicated that some undergraduates are taking one or two graduate courses and a total of 19-20 credit hours. Graduate students are limited to 15 credit hours.

Professor Forbes Brown inquired whether we were legislating against genius. Provost Ron Yoshida stated that this was part of a larger issue. The SOS committee heard more than 500 overload appeals in a single semester.

The question was CALLED and SECONDED and the motion PASSED.

Professor Traister then MOVED to adoption of Rule #5 from the proposed overload policy. The motion was SECONDED.

Professor Traister was asked for a breakdown of overload petitions by type. She stated that she preferred not to go in that direction. Professor Brown indicated that this proposed rule addresses a real problem.

The question was CALLED and SECONDED, and the motion PASSED.

Professor Traister then MOVED adoption of Rule #6 from the proposed overload policy. The motion was SECONDED. Associate Dean Rick Weisman indicated this was more of a problem for the PC Rossin College of Engineering and Applied Science but can be handled in the associate dean's office.

Provost Yoshida noted that tuition credit hours are set at the university level. Overload concerns typically do not apply to the engineering college.

The question was CALLED and SECONDED, and the motion PASSED.

Professor Traister then MOVED adoption of Rule #1 from the proposed overload policy. The motion was SECONDED.

Professor Bob Storer stated that IBE students were strongly opposed to this rule. Professor Brown inquired as to how you would enforce this. Will students be told they cannot graduate?

Registrar Correll suggested that students may overload all they want, but they must pay for 8 semesters.

Dean Mohamed el-Aasser asked why Rule #1 is needed. Professor John Chen observed that there is a spectrum of student capabilities and said he was philosophically opposed to ceilings that inhibit the best students.

Professor Vince Munley said he believed that, now that the motion had been split into six parts that Rules #1 and #2 are less important.

The question was CALLED and SECONDED, and the motion FAILED.

Professor Traister then MOVED adoption of Rule #2 from the proposed overload policy. The motion was SECONDED.

The question was CALLED and SECONDED and the motion FAILED.

6. **Nominations.** Professors Kathleen Olson and Lucinda Lawson circulated ballots for the university committee elections. There were no nominations from the floor.
7. **Unfinished Business.** None.
8. **New Business.** Professor Susan Szczepanski MOVED a resolution to the Board of Trustees concerning proposed changes to R&P Sections 2.2.1.1 and 2.2.1.4 [see Attachment 6]. The motion was SECONDED.

President Farrington said the Academic Affairs Committee of the board was willing to continue discussion, and that he would be happy to suggest to the Academic Affairs Committee that it pause and continue the discussion into the fall. He believed the changes made by the committee were "good housekeeping."

Professor Cliff Queen urged the faculty to act independently of the administration. President Farrington said if he recommends that the Academic Affairs Committee pause it will pause.

Professor Ed Evenson cited specific examples of how the Academic Affairs Committee has made changes that go beyond the original legislation sent to them. For example, he cited the removal of the word "contract" in favor of the word "appointment." In his view, the changes go beyond mere "housekeeping."

The question was CALLED and SECONDED and the motion PASSED unanimously to the applause of the faculty.

9. **Faculty Resolution on the USA Patriot Act of 2001.** Professor Ted Morgan MOVED adoption of a faculty resolution on the USA Patriot Act of 2001 [see Attachment 7]. The motion was SECONDED.

Professor Kazakia said he believed the last three specific recommendations were overreactions. Professor Queen stated that he believed they were not overreactions, but, rather, pre-emptive actions. Professor Berrisford Boothe asked if the resolution was enforceable on the administration. The answer was in the negative.

The question was CALLED and SECONDED and the motion PASSED.

10. **Retirement Acknowledgment.** President Farrington acknowledged the pending retirement of Professor Dina Wills. The faculty applauded Professor Wills.

The meeting stood adjourned at 6:16 PM.

Stephen F. Thode
Secretary to the Faculty
304 Rauch Business Center
(610) 758-4557
FAX: (610) 882-9415
E-mail: sft@

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LEHIGH UNIVERSITY
DEPARTMENT OF MECHANICAL ENGINEERING AND MECHANICS

Memorial Resolution in Remembrance of Professor James David Allan Walker
May 3, 2004

The students, faculty, and administration of Lehigh University note with deep sadness the passing of James David Allan Walker, Professor of Mechanical Engineering and Mechanics, on March 21, 2004, after a 10-year battle with non-Hodgkin's lymphoma. David was 58 years old.

Born in Hamilton, Ontario, Canada, David received his undergraduate and graduate degrees at the University of Western Ontario in London, Ontario, Canada. Upon completion of his Ph.D. in 1971, on the topic of the viscous steady and unsteady flow past spheres, David won a National Research Council of Canada Postdoctoral Fellowship to study at University College in London, England. During this period from 1971 - 1973, he carried out research on compressible unsteady boundary-layers in shock tubes, separation in rotating and magneto-hydrodynamic flows, and low Reynolds number flow past spheres.

In 1973, David joined the School of Mechanical Engineering at Purdue University as an Assistant Professor, where he carried out research on the modeling of turbulence and heat transfer processes in boundary layers, unsteady laminar flows, and heat and mass transfer in gas centrifuges.

Seeking a more intimate academic environment, David came to Lehigh University in 1978 as an Associate Professor and was subsequently promoted to Professor of Mechanical Engineering and Mechanics in 1983. His work at Lehigh covered a breadth of topics including turbulence modeling, gas centrifuges, unsteady viscous boundary-layers, numerical methods, electrodeposition processes, and compressible boundary-layer separation. He was nationally and internationally recognized for his research accomplishments, and gave numerous invited and plenary presentations at international conferences, workshops, and national scientific meetings.

Over the years, David was the principal or co-principal investigator on thirty-eight research contracts and grants totaling \$7.5 million. These included a series of grants and contracts from NASA, NSF, AFOSR, United Technologies and AMP Incorporated. He was also the principal investigator for a combined Industry/University NSF grant with United Technologies Research Center, and an AFOSR University Research Initiative Grant. He was the author of over 110 journal publications, as well as numerous other contributions. A total of 45 graduate students, including 25 Ph.D.'s, graduated with David as their major professor. Many of these students are now faculty members and administrators at distinguished universities.

During his career at Lehigh, Dave received numerous honors. He was elected a Fellow of the American Physical Society in 1991, and received Lehigh's Eleanor and Joseph Libsch Research Award for "bringing significant recognition to Lehigh University through research and scholarly achievement." From 1992-96 David served as Chairman of the Fluid Dynamics Technical Committee of the American Institute of Aeronautics and Astronautics. In 1994 he was awarded



May 3, 2004

MAY GRADUATION MOTIONS

- I. That, with the approbation and consent of the Board of Trustees signified by their mandamus, the appropriate academic degrees be conferred at the end of the current semester on those individuals who shall have completed all requirements for graduation no later than 8:30 a.m. on Wednesday, May 19, 2004, and that the President of the University and the Secretary of the Faculty be authorized to sign, on behalf of the Faculty, diplomas issued to those individuals.
- II. That the appropriate graduation honors be awarded to those individuals whose averages as computed by the Office of the Registrar shall entitle them to be graduated with honors, high honors, or highest honors, according to regulation 3.11.1 of the current edition of the Rules and Procedures of the Faculty.
- III. That the Committee on Standing of Students be empowered to act for the Faculty on any special cases involving candidates for bachelor's degrees which may arise between now and the close of the semester; that the Graduate Committee be empowered to so act in cases involving candidates for graduate degrees.
- IV. That prizes awarded to the appropriate individuals and that the announcement be made in the commencement program.



Office of the Registrar
Alumni Memorial Building
27 Memorial Drive West
Bethlehem, PA 18015-3090
(610) 758-3200 Fax (610) 758-3198
<http://www.lehigh.edu>

May 3 2004

SEPTEMBER GRADUATION MOTIONS

That with the approbation and consent of the Board of Trustees signified by their mandamus, the appropriate academic degrees be conferred at the end of the current semester on those individuals who shall have completed all requirements for graduation no later than Wednesday, September 1, 2004, and that the President of the University and the Secretary of the Faculty be authorized to sign, on behalf of the Faculty, diplomas issued to these individuals;

That the appropriate graduation honors be awarded to those individuals whose averages the as computed by the Office of the Registrar, shall entitle them to be graduated with honors, high honors or highest honors according to the regulation published in section 3.11.1 of the current edition of the Rules and Procedures of the Faculty;

That the Committee on Standing of Students be empowered to act for the Faculty on any special cases involving candidates for bachelor's degrees which may arise between now and September 1 and that the Graduate Committee be empowered to so act in cases involving candidates for graduate degrees.

New Course Proposal

Fin (Bus) 3XX – Practicum in Real Estate I (2 credit hours) fall

Description: The interdisciplinary study of the creation of value in commercial real estate. Organized into groups with each group assigned a different subject commercial real property, the class engages in the study of the physical and locational characteristics of commercial real estate as they relate to value including: property history; architecture; physical attributes that add to or detract from value; tenant mix; the immediate neighborhood environment; and the specific market in which the real property competes for tenants. Each group submits a written report of their findings and produces a 10-minute video documentary on their subject property. Prerequisites: Eco 145 (or its equivalent), Acct 151 (or its equivalent), Fin 225 (or its equivalent) and permission of the instructor. Students enrolling in this course must also commit to enrolling in the follow-on course – Fin (Bus) 3XY – Practicum in Real Estate II

Rationale: This course provides students with the opportunity to investigate value creation in commercial real estate in an experiential learning mode. The course is team-taught by a Lehigh faculty member and accomplished commercial real estate professionals. In addition each student group is assisted by a practitioner mentor who is intimately familiar with the group's subject property.

Resource Requirements: Instructional costs of the course are paid for through endowment earnings from the Collins Family Scholarship. Technical and administrative support for the course is provided through the Goodman Center for Real Estate Studies and the Department of Media Productions. Additional support has been provided through one-time cash gifts.

Background: This course has been taught on an experimental basis for the past two years with great success. The student population for the course represents a variety of different undergraduate majors as well as master's candidates in both business and management science. 22 students are currently enrolled in the course. Subject properties represent a diverse mix of locations and uses with emphasis on the owner/developers' entrepreneurial skill in creating value. Subject properties have included: the former Bank of New York headquarters at 48 Wall Street; an abandoned New Jersey manufacturing facility converted into a school for disabled children; a vacant department store in downtown Bethlehem converted into a mixed-use office and retail complex; an abandoned warehouse in South Bethlehem converted into luxury apartments; and, a mixed-use waterfront redevelopment in Westport, Connecticut.

Overload Policy R&P 3.2.4
University Faculty Meeting
May 3, 2004

Rationale

The concerns about student overloads currently include issues related to course availability for sophomores and first year students when seniors and juniors overload, performance decreases associated with overloads, resource issues when students pay less for their degree (graduate early) or finish double degrees in four years, the use of overloads to increase the "shopping period" for course selection, and students who take graduate courses with a higher credit load than allowed to the graduate students. While these issues are clearly important and place stresses on both students and the institution, there are some very valid reasons for overloads including the participation of students in programs that enhance their college experiences and the desire of a sub-set of the most capable students to challenge themselves by taking high numbers of credits. Therefore, the following proposal includes several different pieces which together are aimed at solving the problems noted above and meeting the needs of the students at the same time.

¹⁴ Participatory courses include music ensembles, theatre practice, Brown and White e.g. as noted in a specific semester. One additional credit can be approved by the Associate Dean if all overload credits are these courses. These courses may be approved for addition during the normal registration time if they can be managed by Banner. The courses involved in this recommendation are conceptualized and scheduled very differently from most other courses. Many students, indeed, take these courses in order to pursue an avocational interest that greatly enriches their experience. The data indicate that courses in this group do not pose the same risk to gpa or academic progress as other courses, even in overload. Access to courses of this nature is an important element in recruiting outstanding science and engineering students (and probably other students, too) who find that they cannot easily combine their academic objectives with the pursuit of music or theatre interests at most institutions of Lehigh's caliber.

Proposed R&P 3.2.4 Roster of Studies

Each student is required to pre-register for a full roster of studies each semester as prescribed by the curriculum he or she is pursuing. Exceptions can be granted only by the Committee on the Standing of Students or the dean of the college.

No student is permitted to register for credit in excess of the normal number of credit hours for the curriculum unless he or she meets the qualifications noted in the chart below and has all the required approvals before the 10th day of classes.

Overload: The normal course load is 14-17 credit hours (15-18 in the College of Engineering and Applied Science), encompassing 4-5 primary courses. The following special approvals are required for course rosters (including ranges produced by the drop/add process) that exceed the appropriate normal range.

Proposed Overload rules:

- 1) No courses registered for as an overload can be used to accelerate the expected degree date.
- 2) Programs for double degrees will not be approved if they include overload semesters to complete the programs. Exceptions will be made for dual degree students required to take an overload that is not intended to accelerate the degree date
- 3) Overload approval will not be granted for the purpose of repeating a course.
- 4) No overload approval will be granted in a semester where the student is enrolled in a graduate course
- 5) Any course(s) approved for overload cannot be added until after the end of the normal (three week) registration period. Space in a course cannot be reserved for students intending to add the course as an overload.
- 6) Overload approval requirements vary by GPA and entry into the University. Typical loads are 14 to 17 credits. 18 credits is an overload for first semester students and for students with a GPA below 2.5. 19 credits is an overload for all other students. Overload rules by grade point average are below:

First semester students:	18-19, Associate Dean 20 or more, SOS
GPA below 2.5:	18 Associate Dean 19 or more, SOS
GPA between 2.5 and 3.5:	19, Associate Dean 20 or more, SOS
GPA above 3.5:	19-20 Associate Dean 21 or more SOS

Motion for May 3, 2004 Faculty Meeting

Inasmuch as:

1. The proposal submitted by the Academic Affairs Committee of the Board of Trustees' (described in the letter dated 3 March 2004 from Mr. William Hecht to Mr. James Tanenbaum and detailed in Appendices I and II) substantially changes Section 2 and other sections of the current Rules and Procedures of the Faculty; and
2. The document that is to be brought to the full Board of Trustees for a vote at their June 2004 meeting is substantially different from the document which the faculty approved by one vote in fall, 2003; and
3. According to the existing Rules and Procedures of the University, the proposed changes to Section 2.2.1.1 and 2.2.1.4 are tantamount to changes in the terms of employment of the faculty; and
4. According to R&P 6.1.1, neither the Administration nor the Board can change the terms of employment, as embodied in Rules and Procedures without the approval of the faculty;¹ and
5. None of the proposed changes have been presented to the faculty for approval as required by the Rules and Procedures (R&P 1.1.2 and 6 1).

The faculty:

1. Calls upon the Board of Trustees to suspend their vote on the proposed changes, pending approval by the university faculty; and
2. Prior to coming to its collective decision on the proposed changes to R&P, the faculty will seek to have the changes reviewed by AAUP legal counsel.

¹ 6.1 Changes in rules and regulations of the faculty:

6.1.1 Any changes in Parts 1 (except 1.3), 2 and 4 requires university faculty and trustee approval. Any change in Part 1.3 requires the approval of the appropriate college faculty and the trustees. Any change in Part 3 requires only university faculty approval. Whenever trustee approval is required, faculty action may be taken only after the appropriate faculty committee has secured the advice of the administration.

Proposed Overload rules:

- 1) No courses registered for as an overload can be used to accelerate the expected degree date
- 2) Programs for double degrees will not be approved if they include overload semesters to complete the programs. Exceptions will be made for dual degree students required to take an overload that is not intended to accelerate the degree date
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GPA above 3.5:	19-20 Associate Dean 21 or more, SOS

We propose the following resolution for passage by the University Faculty:

WHEREAS the preservation of civil rights and liberties is essential to the well-being of a democratic society and an academic community;

WHEREAS the preservation of academic freedom and open debate is essential to the well-being of the academic community;

WHEREAS Lehigh University has a diverse population, including many foreign faculty, staff and students, whose contributions are vital to the culture, character, and learning environments of our University;

WHEREAS government security measures that undermine fundamental rights do damage to the institutions of academia and values that the faculty of Lehigh University hold dear;

WHEREAS the faculty of Lehigh University recognize the responsibility of law enforcement to protect citizens from terrorism;

WHEREAS the faculty of Lehigh University believe that there is no inherent conflict between national security and the preservation of liberty—we can be both safe and free;

WHEREAS federal, state, and local governments as well as University Administration should protect public safety without impairing constitutional rights or infringing on civil liberties;

We **THEREFORE** view the passage and implementation of the U.S.A. P.A.T.R.I.O.T. Act of 2001 (Public Law 107-56) and associated Federal legislation and directives as threatening these fundamental liberties, in the following ways:

1. Federal authorities could enlist campus police forces to monitor political and religious activities on campus; to investigate student, faculty and staff backgrounds and activities; and under the guise of terrorism investigation, to search rooms and offices *without notification to the suspects*.
2. Law enforcement has been given expanded authority to obtain library records and to forbid libraries from informing patrons of monitoring information requests. Schools and libraries are required to turn over borrowing and sales records on individuals to the FBI or other law enforcement agencies *without reporting that they have done so*.
3. Federal authorities could instruct campus authorities to turn over email and internet communications records, and campus authorities *would be obliged to do so without notifying students, staff or faculty*.

4. Since September 11, there are indications that the government, with the involvement of academic institutions, has instituted policies that hinder or suppress research and writing on certain topics in "the interest of national security."

5. Colleges and universities are now required to compile records for all international students and enter them into a USICS data bank. All non-citizen men over the age of sixteen from a specific list of mainly Arab and Muslim nations are required to participate in special registration with the USICS. Some of those who have so registered have been *arrested without specific warrant, held without access to a lawyer and/or deported without the right to a hearing*. Students from some countries have been denied visas to return to school after visits home.

6. The cumulative effect of the USA PATRIOT Act and other elements of the "war on terrorism" may violate the Fifth, Sixth, and Fourteenth Amendments to the Constitution by establishing military tribunals, and by subjecting citizens and non-citizens to indefinite *detention without being allowed an attorney, without being brought to trial and without being charged with a crime*. These measures may also violate the First and Fourth Amendments to the Constitution through the expansion of the government's ability to wiretap telephones, monitor e-mail communications, survey medical, financial and student records, and secretly enter homes and offices *without customary administrative oversight or without showing probable cause*.

These provisions remove necessary protections against the violation of fundamental civil liberties. During times characterized by a public climate of fear, they therefore invite the abuse of government authority. Knowing the historical precedents of these behaviors, we believe it is imperative that colleges and universities take a clear stand against such abuses.

THEREFORE be it resolved that we the faculty of Lehigh University call upon the University Administration, elected officials in Bethlehem and other municipalities, our elected representatives in the federal government, and leaders of other institutions of higher learning in the Lehigh Valley to work together to ensure that governmental actions against terrorism do not violate the Constitution and do not compromise individual liberties, research, education, and academic freedom, and to resist vigilantly all attempts to do so.

Specifically, with respect to Lehigh University, we

1. **AFFIRM** our strong support for the rights of all faculty, students, and employees and oppose measures that single out individuals for legal scrutiny or enforcement activity based on their race, religion, ethnicity, gender, age or country of origin.

2. **CALL UPON** the appropriate University offices or administrators to implement measures consistent with this resolution which will alert and inform members of the University community about the USA PATRIOT Act and which will reflect the

University's vigilant protection of the Constitutional rights, civil liberties, and rights to privacy of its community members.

3. **CALL UPON** the appropriate University offices or administrators to provide, no less than once every semester, an accounting of all students, faculty and staff who have been unable to enter the US and/or assume their studies or teaching functions due to denial of visas.

4. **CALL UPON** the appropriate University offices or administrators to provide, no less than once every year, an accounting of all faculty and student research and publications which have been suppressed or otherwise restricted due to federal concern for security or political reasons.

Specifically, in addition to calling upon the administration for these reports, we recommend that the administration:

- a) post signs in the University's libraries, bookstore, computer labs, and other appropriate locations alerting University community members about relevant provisions of the USA PATRIOT Act that may permit the inspection of records or the obtaining of personal information by federal law enforcement agents;
- b) avoid and prohibit discriminatory, illegal, or improper surveillance, investigation, apprehension, or detention of individuals based upon race, religion, ethnicity, national origin, or other protected personal characteristics or based upon political, religious, or social views, associations, or activities unless there are legally established grounds to act because such a person is involved in criminal conduct;
- c) secure records pertaining to individuals or limit the retention of such records in order to protect, in a lawful manner, the privacy of such records from improper examination in violation of the Constitutional rights or privacy rights of University community members.

