



UNIVERSITY OF MINNESOTA
TWIN CITIES

All University
Senate Consultative Committee
154 Klaeber Court
320 16th Avenue S.E.
Minneapolis, MN 55455
Telephone (612) 373-7855

AGENDA (C)

All University Senate Consultative Committee
Regents' Room - Morrill Hall
Thursday, October 6, 1977, 1:00 p.m.

1:00 - 2:00 p.m. Preliminary Meeting of Consultative Committee

1. Approval of minutes (September 15, 1977)
2. Request for travel funds for Senate Parliamentarian (referred to SCC from Budget Subcommittee)
3. Preparation for meeting with President Magrath (Discussion of items we would like to ask him about today or items we would like him to discuss next time)

2:00 - 4:00 p.m. Meeting of Consultative Committee with President Magrath

4:00 - ? Meeting of SCC as Search Committee



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D R A F T

MINUTES OF THE SENATE CONSULTATIVE COMMITTEE

Meeting of October 6, 1977

The All University Senate Consultative Committee convened its third meeting of the 1977-78 academic year on Thursday, October 6, 1977 in the Regents' Room in Morrill Hall on the Minneapolis Campus.

Members present included Laird Barber, George Blake, Mark Bufkin, Ann DeGroot, Wendell Glick, Kenneth Keller, Harriet Lewis (student chairperson), Terry Marchiniak, Fred Morrison, Richard Purple, Betty Robinett (chairperson), Philip Ryan, Barbara Stuhler, Michael Wagner, and Mahmood Zaidi (associate chairperson). Absent were Robert Holt (ex-officio) and Caroline Klaus. James Borgestad and Blake Charrington (an administrative intern in Vice President Koffler's office) also attended the meeting.

For Information

1. Approval of Minutes

The minutes of the September 15, 1977 meeting were approved as amended in response to corrections from the floor. The committee secretary was instructed to include more discussion and to note the key participants in such discussions. Action items are to be starred in the margin for easier reference.

Action Item

2. Request for Travel Funds for Senate Parliamentarian

Marilee Ward, Clerk of the Senate, had referred to the Senate Budget Subcommittee, a subcommittee of the Senate Consultative Committee, a request she had received from the Senate Parliamentarian, Professor James Connolly, for travel funds to be used in connection with meetings he is expected to attend because of his membership on the board of the American Institute of Parliamentarians (AIP). The Senate had funded one trip to a national convention of the AUP, at which Professor Connolly was elected to the board.

Professor Robert Holt, chairperson of the Senate Budget Subcommittee (unable to attend the meeting), had sent a letter requesting that the full Senate Consultative Committee respond to the request since he felt this was not a decision to be made by the subcommittee.

Professor Morrison suggested that approval of such funds might be tied to the number of years the parliamentarian has served the Senate. (This is Professor Connolly's second year as Senate Parliamentarian.)

2. (Cont'd)

After considerable discussion the following motion was passed:

- * "It is the opinion of the Senate Consultative Committee that the use of Senate funds for this purpose (funding travel costs for the Senate Parliamentarian to attend AIP board meetings) is inappropriate and therefore not approved."

A letter will be sent to Marilee Ward by Chairperson Robinett conveying this decision.

For Information

3. Open Meetings of the Senate Consultative Committee

Professor Keller asked that it be noted that the Daily reporter is welcome at any of the open meetings of the Senate Consultative Committee, but that the reporter has not attended any of this year's meetings.

4. Coordinate Campus Membership on UCRRBR

Chairperson Robinett announced that Professor William D. Spring of the Morris Campus has been nominated by the Senate Consultative Committee to serve as the coordinate campus representative on UCRRBR. He is presently a member of S.C.E.P. and will continue his participation on that committee. However, he is not the S.C.E.P. representative to UCRRBR: someone else on S.C.E.P. will serve in that capacity. His membership on UCRRBR will fulfill the requirement that the coordinate campuses be represented on that committee.

In connection with this mention of UCRRBR, Professor Mahmood Zaidi, chairperson for that committee, pointed out that the reference to UCRRBR in the September 15, 1977 minutes of the Senate Consultative Committee should be disambiguated. It had said: "It was also suggested that the Consultative Committee ask UCRRBR why this group has not participated in the capital budget request review." This will be changed to read: "It was also suggested that the Consultative Committee raise the question as to why UCRRBR has not been asked to review the capital budget request."

5. Lyle French Review Committee

Chairperson Robinett read a letter addressed to her from President Magrath concerning the status of the Lyle French Review Committee. He said that he was informed that he would be receiving a final report from this review committee shortly and that he would communicate the results to the Consultative Committee as soon as they were available to him.

Professor Blake asked if the St. Paul Campus was represented on this committee. Professor Keller said he thought that it was. Chairperson Robinett will check on this and report back to Professor Blake.

6. New Copyright Law Task Force

Chairperson Robinett has been in contact with President Magrath concerning the possible creation of a task force to study the impact of the new copyright law

6. (Cont'd)

which goes into effect on January 1, 1977. She has suggested that Professor John Irvin, Director of the University of Minnesota Press, be a member of the task force. (The Daily incorrectly reported that she had proposed that he head the task force.) The Consultative Committee was asked at this time to think of other possible members for the task force. It was felt that the Music Department should definitely be represented on such a task force, as well as teaching assistants and faculty members who are responsible for classes with large enrollments. The need for representation from the most severely affected constituencies was of the most concern; individuals from such constituencies could be named at a later time.

7. Committee Against Government Spying - The Harvard Guidelines

Marilee Ward, Clerk of the Senate, had referred to the Senate Consultative Committee a document which she had received from the Committee Against Government Spying. It consisted of some explanatory material on what the group was trying to accomplish, cited alleged transgressions on the part of the Central Intelligence Agency (C.I.A.), and supplied a copy of guidelines developed by Harvard University to deal with such alleged spying.

It was agreed that no action by the Senate Consultative Committee was necessary. Copies of the Harvard guidelines will be distributed to all SCC members for their reference.

8. Regulation 504 - Prohibition of Discrimination on the Basis of Handicap

Chairperson Robinett reminded Senate Consultative Committee members that the committee will be asked to suggest the names of individuals to serve on an advisory committee that will make recommendations on how to ensure that the University is in compliance with the new regulation. Since there are several administrative personnel who have been named, it was suggested that faculty members should be included in the membership.

Professor Morrison suggested that this issue be placed on the agenda for the next full meeting of the Consultative Committee because of the limited amount of time available at this meeting for a full discussion.

Returning to a brief discussion of who should be on the new committee, Chairperson Robinett suggested that a representative for the Linguistics Department might be appropriate because of the department's recent work with American sign language. Although modifications and supplements to teaching efforts will have to be made for the hearing impaired, Professor Morrison observed that it would seem to be more of a burden on departments than on individuals to bring the University's teaching systems into compliance. He cited as an example that the Law School Dean's Office supplies specially typed examinations for blind students; individual professors are not required to supply this service to such students.

Chairperson Robinett summed this up by saying that the Senate Consultative Committee could recommend that some department heads should be asked to serve on the advisory committee to provide an administrative perspective on such matters as how best to implement the requirements imposed by the regulation.

Professors Glick and Keller pointed out that representatives from constituencies such as faculty members responsible for laboratory courses, large lecture classes,

8. (Cont'd)

and those supervising a great many teaching assistants should also be present on the committee.

Professor Blake asked for a clarification of the purpose of the two groups mentioned in Ann Pflaum's letter which were created in response to the new regulation (see minutes of September 15, 1977).

Chairperson Robinett replied that it was her understanding that the advisory group was formed first to study such questions as physical access and other major points addressed by the legislation. The task force, the committee now under discussion, was formed to study the impact the regulation would have on classroom teaching and to assess how best to respond to problems that arise in implementing the regulation. (The October 4, 1977 Daily contained an article on the University's efforts to comply with the new law.) Professor Zaidi added that part of the task force's charge is to determine individual departments' abilities to pay for any necessary changes or additions to their teaching materials and classroom facilities.

A comment was made on how long it takes for the Occupational Safety and Health (OSHA) regulations to be felt at the University. Jones Hall was condemned as a fire hazard by the state fire marshall some time ago, but it is still in use.

Professor Blake returned to the subject of representatives for the task force by suggesting Professor Keith Wharton and Professor Kenneth Winsness as representatives from Agriculture and Forestry, respectively.

Professor Keller recommended that a member of S.C.E.P. be placed on the task force.

Professor Zaidi said that the various constituencies discussed today and the need for attention to budgetary constraints within departments should be included in our recommendations to Dr. Jeanne Lupton regarding representation on this task force. Chairperson Robinett will communicate this information to Dr. Lupton.

9. Student Legal Service

Chairperson Robinett gave the committee an update on the temporary (one year) vacancy on the Board of Directors of the new Student Legal Service. Professor Fred Lukermann has agreed to serve in this capacity for the coming year. He will be out of the country for the month of October, so Professor Thomas Clayton has agreed to act as alternate for the October meeting of the board.

10. Student Elections

Terry Marchiniak asked about the status of the Koffler-Ibele memorandum. Professor Keller replied that the Office of Vice President for Academic Affairs has been gathering information on the matter; members were reminded that we had recommended that the Tenure Committee be consulted. Professor Keller expressed the specific concerns of the Consultative Committee to Professor Aris, Chairman of the Tenure Committee.

Mr. Marchiniak asked if the Consultative Committee would be informed of the decision. Professor Keller assured him that the committee would be told once a decision was made and that he felt that Academic Affairs was trying to reach a

10. (Cont'd)

decision as quickly as possible. He suggested that Mr. Marchiniak call Dr. Shirley Clark's office for more information.

11. Consultative Committee November Meeting with the Regents

There may be a change in the meeting date for the Senate Consultative Committee faculty members' dinner with the Regents. Thursday, November 10, has been set aside for this meeting; however, it may be necessary to move the meeting to Wednesday, November 9. The Consultative Committee will be informed by Duane Wilson, Secretary to the Regents, once the date is set.

The meeting of the All University Senate Consultative Committee was adjourned at 2:00 p.m.

The next regular meeting of the committee is scheduled to be held on October 20, 1977 at 12:30 noon in Room 626 of the Campus Club.

Respectfully submitted,


Linda L. Compton
Administrative Fellow
Senate Consultative Committee



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September 16, 1977

Vice President Donald P. Brown
335 Morrill Hall

Dear Vice President Brown:

In a short discussion of the Capital Improvements request during yesterday's meeting of the Senate Consultative Committee, several members expressed grave concern over the fact that money is not immediately available for extensive renovation of older buildings whose occupants have already been moved or will soon be moving to new quarters. Hindsight probably reveals that it would have been appropriate to have included requests for such renovation with the original proposal for a new building -- part of a package request, so to speak. It seems to many of us that the university should think in such terms when plans for new buildings are being proposed in the future.

We applaud the efforts you are making in the form of the present Capital Improvements request, and we trust the legislative response will be favorable, particularly at this time when space is so limited. (As an example, the Administrative Fellow for the Senate Consultative Committee is sharing my office at the present moment for want of better quarters. John Byrd is working on this, but it illustrates the seriousness of the space problem in the College of Liberal Arts.)

The Committee would also like me to ask if you would be willing to meet with us sometime and discuss cost allocations in the university. Among other things, the question has been raised as to the justification for requiring particular units to bear the cost of certain operations which may not directly relate to all units (health science computers) or are similar to a special operation for which the unit already has to bear the cost (general library vs. law library).

I will call you soon and find out what your schedule is for the fall quarter.

Sincerely yours,

Betty W. Robinett
Betty W. Robinett
Chairman

BWR:llc



UNIVERSITY OF MINNESOTA
TWIN CITIES

Office of the Dean

College of Liberal Arts
215 Johnston Hall
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September 22, 1977

To: Chairpersons and Directors
From: Frank J. Sorauf 
Subject: The enclosed materials on the Handicapped.

I think you have been aware of the increasing concern on the part of the federal government for the rights and status of the handicapped. That concern has very recently been brought to bear on colleges and universities, and the enclosed materials are certainly proof of the fact.

These materials, especially the summary on the first three pages, are a useful introduction to the problem for you and your colleagues. I hope you will read them with some care and share them in some way with the members of your unit. Should any questions at all arise, you will find Ann Pflaum a very well informed and most helpful contact person.

Progress of this kind in concern and sensitivity is always bought, I suppose, at the price of administrative burden. I hope it will not fall too heavily on you. I am confident that with common sense and reasonable flexibility on the part of the faculty of the college we can accommodate our handicapped students in ways which will help them receive the education they deserve.

FJS:st

encl.

FACULTY INFORMATION

A Brief Summary of the 504 Regulations --
Access for the Handicapped *

The 504 Regulations mandate access such that "each program and activity, when viewed in its entirety, is readily accessible to handicapped persons and is offered in the most integrated setting appropriate." Handicaps included are: mobility and sensory impairments, major physiological illness, emotional and psychological illnesses, learning disabilities, mental retardation, and chemical dependency. These conditions must be of a degree that they seriously impair one or more of life's major activities. Also covered would be a person with a record of such impairments or one who is regarded as having such impairments (see Definitions, 84.3-j-iii).

Implementation of the 504 Regulations will be done by 1) an administrative coordinator: Ann Pflaum, Assistant to the Vice President for Administrative Operations, 2) a resource coordinator to provide technical expertise on the needs of handicapped persons (to be named), 3) two parallel task forces which will explore Program Access and Structural Access on the Twin Cities campus with similar groups on the coordinate campuses, and 4) a self-evaluation on Program Access and a transition plan detailing structural changes. Any general questions on the 504 Regulations should be sent to:

Ann M. Pflaum
 Assistant to the Vice President
 for Administrative Operations
 200 Morrill Hall
 (612) 376-1420

The regulations are effective right now -- they impact on admissions, employment, student and staff services, and on the curriculum. They give handicapped students certain rights of which faculty should be aware:

1. Classrooms, laboratories, and programs must be made accessible to handicapped students (see Accessibility, 84.22).

If a handicapped student enrolls in a class that is scheduled for an inaccessible location, a faculty member must contact room scheduling authorities to relocate the class. (On the Twin Cities campus, contact Elizabeth Grundner at 3-7867; on any other campus; contact the Provost's Office for appropriate referral.)

2. Laboratory and specialized spaces may present accessibility problems such that structural remodeling will be necessary. Faculty are asked to contact Ann Pflaum, 376-1420, if access appears a problem in these and other facilities where relocation may not be feasible. A transition plan for structural remodeling is due December 2, 1977. Therefore, immediate consideration of this issue is imperative!

* This summary is very abbreviated and should not be used as a substitute for consulting the regulations or for contacting the resource coordinator for more detailed information on these topics.

3. Handicapped students may request "academic adjustments" such as changes in the length of time to complete papers, examinations, and degree programs; adapted arrangements for completing academic work; and they may have permission to use a tape recorder or to have a guide dog in classrooms (see Academic Adjustments, 84.44).

These or similar adjustments must be granted unless the faculty determines that granting the accommodation would compromise "essential" elements in the curriculum. (Contact Ann Pflam, (612) 376-1420, for complete information on this.)

4. If the decision in a request for an academic adjustment goes against a handicapped student, the student is entitled to an appeal. Consultation on appeal procedures can be obtained from the resource coordinator of this program.
5. Handicapped students have a right to nondiscriminatory participation in required programs or internships that are co-sponsored by the University with outside groups. If your department has such a program, and it is required for students, please 1) post the enclosed statement so students are aware of the University's policies and 2) send the long version of the University's statement to the co-sponsor. (Do not send the statement if the co-sponsor is another educational institution; they are also subject to 504.) (See Programs Co-Sponsored with Outside Institutions, 84.43-b).

This memo deals primarily with listing faculty-student obligations. However, a brief note is in order on the impact of the 504 regulations on employment and admissions, and auxiliary aids.

Employment Obligations

6. Employment obligations include taking positive steps to employ and advance qualified handicapped persons and making reasonable accommodations to the known physical or mental limitations of an otherwise qualified applicant unless the accommodations would impose an undue hardship on the operation of the program (see Employment Obligations, 84.11-14).

"Reasonable accommodation" would include:

- a. making facilities readily accessible and useable by handicapped persons;
- b. job restructuring; and/or
- c. modification of equipment or devices.

Admissions Obligations

7. "Qualified handicapped persons may not, on the basis of handicap, be denied admission or be subjected to discrimination in admission or recruitment. . . ." (See Admissions Obligations, 84. 2).

A detailed account of admissions procedures is being prepared for circulation to admissions offices.

Auxiliary Aids

8. The University is required to insure that the absence of auxiliary aids is not used to deny handicapped students the opportunity to participate in University programs (See Auxiliary Aids, 84.44-d).

"Auxiliary aids include taped texts, interpreters and other methods of making orally delivered materials available to students with visual impairments and other similar services and actions." The Regulations, however, note that the institution does not need to provide "attendants, individually prescribed devices, readers for personal use or study, or other services or devices of a personal nature."

The issue of auxiliary aids is quite complex and faculty are urged to consult the resource coordinator for more detailed information on this topic. Funding such auxiliary aids is a question of great importance to the institution. It is hoped that state resources will assist in supporting a number of the suggested aids.

Academic Counseling

9. Academic or vocational counseling must be given in such a way that "qualified handicapped students are not counseled toward more restrictive career options than are non-handicapped students with similar interests and abilities. . . . However, this does not preclude providing factual information about licensing and certification requirements that may present obstacles to handicapped persons. . . ." (See Academic Counseling, 84.47-b).

Approved Versions of The
University of Minnesota
Equal Opportunity Statement

LONG FORM (for use in college bulletins, employee handbooks, application forms)

The University of Minnesota is committed to the policy that all persons shall have equal access to its programs, facilities, and employment without regard to race, creed, color, sex, national origin, or handicap. In adhering to this policy, the University abides by the requirements of Title IX of the Education Amendments of 1972, by Section 504 of the Rehabilitation Act of 1973, and by other applicable statutes and regulations relating to equality of opportunity.

Inquiries regarding compliance may be directed to Lillian H. Williams, Director, Office of Equal Opportunity and Affirmative Action, 419 Morrill Hall, 100 Church Street, S.E., University of Minnesota, Minneapolis, Minnesota 55455, (612) 373-7969, or to the Director of the Office of Civil Rights, Department of Health, Education, and Welfare, 330 Independence Avenue S.W., Washington, D.C. 20201.

MEDIUM FORM (This form is recommended for most other publications)

The University of Minnesota is committed to the policy that all persons shall have equal access to its programs, facilities, and employment without regard to race, creed, color, sex, national origin, or handicap.

SHORT FORM (for use on posters and in cases of severe space limitations)

The University of Minnesota is an equal opportunity educator and employer.

Definition of "Handicap" 504 Regulation 84.3

§ 84.3 Definitions.

(J) "Handicapped person." (1) "Handicapped persons" means any person who (i) has a physical or mental impairment which substantially limits one or more major life activities, (ii) has a record of such an impairment, or (iii) is regarded as having such an impairment.

(2) As used in paragraph (J)(1) of this section, the phrase:

(i) "Physical or mental impairment" means (A) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or (B) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

(ii) "Major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

(iii) "Has a record of such an impairment" means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

(iv) "Is regarded as having an impairment" means (A) has a physical or mental impairment that does not substantially limit major life activities but that is treated by a recipient as constituting such a limitation; (B) is a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or (C) has none of the impairments defined in paragraph (J)(2)(i) of this section but is treated by a recipient as having such an impairment.

(k) "Qualified handicapped person" means:

(1) With respect to employment, a handicapped person who, with reasonable accommodation, can perform the essential functions of the job in question;

(2) With respect to public preschool, elementary, secondary, or adult educational services, a handicapped person (i) of an age during which nonhandicapped persons are provided such services, (ii) of any age during which it is mandatory under state law to provide such services to handicapped persons, or (iii) to whom a state is required to provide a free appropriate public education under § 612 of the Education of the Handicapped Act; and

(3) With respect to postsecondary and vocational education services, a handicapped person who meets the academic and technical standards requisite to admission or participation in the recipient's education program or activity;

(4) With respect to other services, a handicapped person who meets the essential eligibility requirements for the receipt of such services.

(l) "Handicap" means any condition or characteristic that renders a person a handicapped person as defined in paragraph (J) of this section.

Reasonable Accommodations (Employment) 504 - 84.12

§ 84.12 Reasonable accommodation.

(a) A recipient shall make reasonable accommodation to the known physical or mental limitations of an otherwise qualified handicapped applicant or employee unless the recipient can demonstrate that the accommodation would impose an undue hardship on the operation of its program.

(b) Reasonable accommodation may include: (1) making facilities used by employees readily accessible to and usable by handicapped persons, and (2) job restructuring, part-time or modified work schedules, acquisition or modification of equipment or devices, the provision of readers or interpreters, and other similar actions.

(c) In determining pursuant to paragraph (a) of this section whether an accommodation would impose an undue

hardship on the operation of a recipient's program, factors to be considered include:

(1) The overall size of the recipient's program with respect to number of employees, number and type of facilities, and size of budget;

(2) The type of the recipient's operation, including the composition and structure of the recipient's workforce; and

(3) The nature and cost of the accommodation needed.

(d) A recipient may not deny any employment opportunity to a qualified handicapped employee or applicant if the basis for the denial is the need to make reasonable accommodation to the physical or mental limitations of the employee or applicant.

Admissions and Recruitment 504 - 84.42

§ 84.42 Admissions and recruitment.

(a) *General.* Qualified handicapped persons may not, on the basis of handicap, be denied admission or be subjected to discrimination in admission or recruitment by a recipient to which this subpart applies.

(b) *Admissions.* In administering its admission policies, a recipient to which this subpart applies:

(1) May not apply limitations upon the number or proportion of handicapped persons who may be admitted;

(2) May not make use of any test or criterion for admission that has a disproportionate, adverse effect on handicapped persons or any class of handicapped persons unless (i) the test or criterion, as used by the recipient, has been validated as a predictor of success in the education program or activity in question and (ii) alternate tests or criteria that have a less disproportionate, adverse effect are not shown by the Director to be available;

(3) Shall assure itself that (i) admissions tests are selected and administered so as best to ensure that, when a test is administered to an applicant who has a handicap that impairs sensory, manual, or speaking skills, the test results accurately reflect the applicant's aptitude or achievement level or whatever other factor the test purports to measure, rather than reflecting the applicant's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure); (ii) admissions tests that are designed for persons with impaired sensory, manual, or speaking skills are offered as often and in as timely a manner as are other admissions tests; and (iii) admissions tests are administered in facilities that, on the whole, are accessible to handicapped persons; and

(4) Except as provided in paragraph

(c) of this section, may not make preadmission inquiry as to whether an applicant for admission is a handicapped person but, after admission, may make inquiries on a confidential basis as to handicaps that may require accommodation.

(c) *Preadmission inquiry exception.* When a recipient is taking remedial action to correct the effects of past discrimination pursuant to § 84.6(a) or when a recipient is taking voluntary action to overcome the effects of conditions that resulted in limited participation in its federally assisted program or activity pursuant to § 84.6(b), the recipient may invite applicants for admission to indicate whether and to what extent they are handicapped, *Provided*, That:

(1) The recipient states clearly on any written questionnaire used for this purpose or makes clear orally if no written questionnaire is used that the information requested is intended for use solely in connection with its remedial action obligations or its voluntary action efforts; and

(2) The recipient states clearly that the information is being requested on a voluntary basis, that it will be kept confidential, that refusal to provide it will not subject the applicant to any adverse treatment, and that it will be used only in accordance with this part.

(d) *Validity studies.* For the purpose of paragraph (b)(2) of this section, a recipient may base prediction equations on first year grades, but shall conduct periodic validity studies against the criterion of overall success in the education program or activity in question in order to monitor the general validity of the test scores.

Accessibility
504 Regulation 84.22

Academic Adjustments
504 Regulation 84.44

84.22 Existing facilities.

(a) *Program accessibility.* A recipient shall operate each program or activity to which this part applies so that the program or activity, when viewed in its entirety, is readily accessible to handicapped persons. This paragraph does not require a recipient to make each of its existing facilities or every part of a facility accessible to and usable by handicapped persons.

(b) *Methods.* A recipient may comply with the requirement of paragraph (a) of this section through such means as redesign of equipment, reassignment of classes or other services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of health, welfare, or other social services at alternate accessible sites, alteration of existing facilities and construction of new facilities in conformance with the requirements of § 84.23, or any other methods that result in making its program or activity accessible to handicapped persons. A recipient is not required to make structural changes in existing facilities where other methods are effective in achieving compliance with paragraph (a) of this section. In choosing among available methods for meeting the requirement of paragraph (a) of this section, a recipient shall give priority to those methods that offer programs and activities to handicapped persons in the most integrated setting appropriate.

(c) *Small health, welfare, or other social service providers.* If a recipient with fewer than fifteen employees that provides health, welfare, or other social services finds, after consultation with a handicapped person seeking its services, that there is no method of complying with paragraph (a) of this section other than making a significant alteration in its existing facilities, the recipient may, as an alternative, refer the handicapped person to other providers of those services that are accessible.

(d) *Time period.* A recipient shall comply with the requirement of paragraph (a) of this section within sixty days of the effective date of this part except that where structural changes in facilities are necessary, such changes shall be made within three years of the effective date of this part, but in any event as expeditiously as possible.

(e) *Transition plan.* In the event that structural changes to facilities are necessary to meet the requirement of paragraph (a) of this section, a recipient shall develop, within six months of the effective date of this part, a transition plan setting forth the steps necessary to complete such changes. The plan shall be developed with the assistance of interested persons, including handicapped persons or organizations representing handicapped persons. A copy of the transition plan shall be made available for public inspection. The plan shall, at a minimum:

(1) Identify physical obstacles in the recipient's facilities that limit the accessibility of its program or activity to handicapped persons;

(2) Describe in detail the methods that will be used to make the facilities accessible;

(3) Specify the schedule for taking the steps necessary to achieve full program accessibility and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and

(4) Indicate the person responsible for implementation of the plan.

(f) *Notice.* The recipient shall adopt and implement procedures to ensure that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of services, activities, and facilities that are accessible to and usable by handicapped persons.

Programs Co-Sponsored
with Outside Institutions
504 Regulation 84.43-b

§ 84.43 Treatment of students; general.

(b) A recipient to which this subpart applies that considers participation by students in education programs or activities not operated wholly by the recipient as part of, or equivalent to, an education program or activity operated by the recipient shall assure itself that the other education program or activity, as a whole, provides an equal opportunity for the participation of qualified handicapped persons.

§ 84.44 Academic adjustments.

(a) *Academic requirements.* A recipient to which this subpart applies shall make such modifications to its academic requirements as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating, on the basis of handicap, against a qualified handicapped applicant or student. Academic requirements that the recipient can demonstrate are essential to the program of instruction being pursued by such student or to any directly related licensing requirement will not be regarded as discriminatory within the meaning of this section. Modifications may include changes in the length of time permitted for the completion of degree requirements, substitution of specific courses required for the completion of degree requirements, and adaptation of the manner in which specific courses are conducted.

(b) *Other rules.* A recipient to which this subpart applies may not impose upon handicapped students other rules, such as the prohibition of tape recorders in classrooms or of dog guides in campus buildings, that have the effect of limiting the participation of handicapped students in the recipient's education program or activity.

(c) *Course examinations.* In its course examinations or other procedures for evaluating students' academic achievement in its program, a recipient to which this subpart applies shall provide such methods for evaluating the achievement of students who have a handicap that

impairs sensory, manual, or speaking skills as will best ensure that the results of the evaluation represents the student's achievement in the course, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where such skills are the factors that the test purports to measure).

(d) *Auxiliary aids.* (1) A recipient to which this subpart applies shall take such steps as are necessary to ensure that no handicapped student is denied the benefits of, excluded from participation in, or otherwise subjected to discrimination under the education program or activity operated by the recipient because of the absence of educational auxiliary aids for students with impaired sensory, manual, or speaking skills.

(2) Auxiliary aids may include taped texts, interpreters or other effective methods of making orally delivered materials available to students with hearing impairments, readers in libraries for students with visual impairments, classroom equipment adapted for use by students with manual impairments, and other similar services and actions. Recipients need not provide attendance, individually prescribed devices, readers for personal use or study, or other devices or services of a personal nature.



UNIVERSITY OF MINNESOTA

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July 13, 1977

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Kathy Wolter, Senior Editor, Printing Plant

Dear Faculty, Staff, and Students:

I am asking you to serve as an advisor in a part of the University of Minnesota's compliance with the 504 regulations of the Rehabilitation Act of 1973. The responsibility for overseeing compliance will rest with the Office of Equal Opportunity and Affirmative Action, Lillian Williams, Director. Assisting as 504 Coordinator, will be Ann Pflaum, Assistant to the Vice President of Administrative Operations. The 504 regulations require three types of activity:

- 1) A self-evaluation on program access--due August 2, 1977.
- 2) A transitional plan for structural access due by December 1, 1977 with compliance due by 1980.
- 3) A series of tasks, to be handled administratively, that relate to communication and notification requirements on the regulations.

Vice President's Policy Review Committee
July 13, 1977
Page Two

Your participation is requested as a member of the Vice President's Policy Review Committee. This group is charged with a self-evaluation, in terms of the 504 regulations, of those aspects of the program that do not involve physical or structural modifications or that have not been handled administratively. The evaluation of program access is greatly helped by the superb groundwork done by the University Committee on the Physically Handicapped, currently chaired by Leo Abbott. Efforts will be made to take advantage of the excellent work by asking a number of the members of that committee to participate on the Vice President's Policy Review Committee.

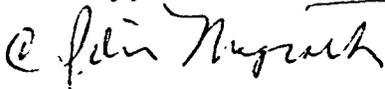
Each member of the Vice President's Policy Review Committee will be asked to serve on a subcommittee to review university compliance with respect to specific parts of the 504 regulations so that individual expertise can be taken advantage of.

I will expect an advisory report from the Vice President's Policy Review Committee by August 2, 1977. I ask each of you to try to be as objective as possible in your review of the university's compliance. Your report should include:

- 1) A list of persons and a description of areas consulted.
- 2) The recommendation to modify any policies and practices which do not meet the requirements of 504 regulations.
- 3) If appropriate, the recommendation to take remedial or voluntary steps to eliminate effects of discrimination.

Three dates and times have been set aside, as we begin the self-evaluation. They are 2:00 to 4:30 on July 13, 20, and 27 in the Regents Room, Morrill Hall.

Cordially,



C. Peter Magrath
President

:pen

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**Education and Science
in the Federal Republic of Germany**

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SPECIAL TOPIC

University but not "universitas"

Higher Education in the Federal Republic of Germany

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(University of Munich)

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Main problems and image

The present 56 public universities in the Federal Republic (universities, universities of technology, comprehensive universities) and the two Bundeswehr universities with a total student population of more than 800,000 students seems, at first glance, far removed from the idea of "universitas", the bourgeois educational ideal of "Einsamkeit und Freiheit" (Loneliness and Freedom). At the beginning of the 60's sociologist Helmut Schelsky, in a book bearing this very title¹, paid tribute to this ideal without, however, being able to stop developments within German universities along lines hostile to the concept of "universitas".

On closer inspection it soon becomes obvious that in the case of universities in the Federal Republic today they are, in fact, complex organizations, an expensive service industry offering education and training with a specific purpose, i. e. as a means of realizing certain opportunities in life. The reality of universities and colleges (Hochschulen) is no longer stamped by the rhythmic interplay of research and teaching as conceived by Humboldt; neither is it characterized by studies per se, i. e. studies with no particular purpose in mind (which requires an easy-going attitude).

Higher education establishments have now become performance-orientated, highly bureaucratic places of learning and training. At most universities in the Federal Republic training is far more important than research nowadays; activities at universities and colleges – in view of student avalanche – are having to become more and more practice-related, careers-orientated with a high intensity of learning².

It is hardly surprising, therefore, that many observers of higher education in the Federal Republic tend to view universities and colleges as glorified vocational

training schools – with, more or less, the same problems as the latter. Overcrowding, utilitarian attitudes to learning and teaching content, formalization of success criteria and an ever growing compulsion to conform which, of course, means, in many cases, mediocrity instead of a high level of achievement. In regard to this concept of excellent performance, the comparison with the state of international research is nowadays no longer undisputed within the academic process at universities. This is one of the reasons prompting a number of academicians to leave universities to take up posts in research institutions (such as at the "Wissenschaftszentrum Berlin" and its numerous subsidiary institutes) to be able to work undisturbed. The personal concept of many representatives of universities and colleges in the Federal Republic has not kept up with the upheavals in the tertiary sector. In many places the traditional concept of university autonomy, of academic freedom, the legitimization based solely on the university's striving for the truth, still prevails. The loss of freedom on the part of the individual, which is becoming more marked year by year, has still not been realized by all members of university teaching bodies (particularly by professors) as far as its consequences and implications for higher educational practice are concerned.

Current developments at higher education establishments is determined by five partly diverging, partly independent aspects; firstly the over-proportional increase in the student population which will reach its climax in the mid-eighties; secondly, the scarcity of financial means; thirdly the immature contradiction between the concept of a "Leistungsuniversität" (high performance university) and that of a "Gruppenuniversität" (group university); fourthly, the increasing demand on the part of students that universities, regarded as "Lernstätten", i. e. places of learning, should pay greater heed to their specific wishes so that students can enjoy tangible success and professional opportunities; and fifthly, the changed attitude by the general public towards universities – particularly the tax-payer who wishes to grasp the utility and viability of the university as an enterprise.

The "Fünfter Rahmenplan für den Hochschulbau 1976–1979" (the fifth framework plan of university building) which was approved by the Bund (federal government) and the Länder (federal states) in September 1975, had planned expenditure to the tune of

¹ Helmut Schelsky, *Einsamkeit und Freiheit. Idee und Gestalt der deutschen Universität und ihrer Reformen* (rowohlt deutsche enzyklopädie), 171–172, Hamburg 1963

² Viz. "Selbstbestimmung statt Mitbestimmung an der Universität" by Ulrich Müller in "Aus Politik und Zeitgeschichte." Supplement to the weekly publication "Das Parlament". 3 January 1976, p 26.

up to DM 3,000 million for the year 1976 alone. Overall expenditure of universities and colleges rocketed from DM 6,800 million in 1970 to DM 13,100 million in 1974. During this process building-work and the number of academic posts expanded more rapidly than the student population. As far back as 1972, in the federal area and Berlin (West). Here, there were some 67,000 persons bracketed statistically (1975: 7,900 persons) as "wissenschaftliches Personal" (academic staff). In this associate number there were (in 1972) some 7,200 full and associate professors, some 11,000 professors at teachers' training college, art and music and other colleges, and about 24,000 academic assistants.

Relationship between university and state

The reorganization of the university system in the Federal Republic, which has been going in since the end of the 60's, has resulted in a complete restructuring of most universities. This restructuring can be broadly referred to, in the first instance, as "Gruppenuniversität" (see above) instead of "Ordinarienuniversität" (university run by the professors). All groups who are part of the university, i.e. professors, assistants, other members of staff and students are to share – in varying degree, of course – in the decision-taking process. A second feature of reorganization of universities is the adaption of various types of higher education establishments (such as universities and teachers' training colleges), one to the other, with the fixed objective of amalgamation ("integrierte kooperative Gesamthochschule", i.e. comprehensive university). The most striking feature of the organisational changes is the inflationary expansion of the designation "Hochschullehrer" and the title "Professor". A lecturer (without a doctor's degree) from a Fachhochschule, i.e. a college, who works at a Gesamthochschule (see above), is categorized as a "Hochschullehrer" (university lecturer) and allowed to style himself "Professor".

The reorganization has been executed with differing levels of intensity in the various Länder. In some of the Länder, for instance, higher education development plans have been evolved, such as a "Hochschulgesamtplan" (Overall Higher Education Plan) in Bavaria. In many places institutes have been set up such as the "Bayrisches Staatsinstitut für Hochschulforschung und Hochschulplanung" (a Bavarian state institute concerned with research and planning in higher education). In all the Länder there is, however, higher education legislation, nowadays, which is attempting to interpret higher education policy in social terms and, by means of higher education and studies reform, to reshape one of the most important

and disputed areas in the state. In practice, however, there is not general agreement on the relationship between university and state. Varying points of view depend, inter alia, on the government of the Land concerned i.e. CDU, CSU, SPD or SPD/F.D.P. Everywhere it has been and still is a question of revising the disputed relationship between university and state on a partnership basis whereby university-autonomy is to be reformed, i.e. granting universities and colleges as much self-administration as possible without relieving the state of its responsibilities.

Higher education reform as a continuous process

In higher education legislation in theory and practice guarantees the freedom of teaching and research, i.e. the observance of these principles, are not applied in a uniform manner federal-wise. Following the reform enthusiasm in the 60's which was most marked in Hesse (Frankfurt, Marburg), in Bremen, to some extent in Lower Saxony and Berlin (West), there is almost universal agreement on the view that higher education reform must be regarded as a continuous process, that higher education legislation can be nothing more than an organizational framework, that higher education laws need filling out and filling up by a reformative personal concept on the part of all members of universities and colleges. But this personal concept must, despite all divergencies, have one common denominator; the main objective is and will continue to be the full application of the basic principles of a democratic, social state at universities and the safeguarding of academic standards. This view has now been reinforced following the fiasco of several university constitutions.

The new Hochschulrahmengesetz, i.e. Higher Education Framework Law, is intended to counteract the differing interpretations of university and college commitments, particularly in regard to the freedom of the arts and sciences, research, teaching and studies, as represented and practised over the last 10 years in the various Länder. Legislation to change this situation is being prepared. According to the Hochschulrahmengesetz, all universities and colleges are obliged to provide the guarantee that members of these establishments will enjoy (to the full) their rights as laid down in Article 5 Para. 3 of the Basic Law (i.e. Constitution). The Hochschulrahmengesetz lays down framework guide-lines for the "reformation" of the whole of the higher education system, for studies' reform, i.e. studies' courses, studies' regulations, for the teaching programme (the so-called "Regellehrerverpflichtung" or the "Lehrdeputat"), correspondence courses, studies' counselling and finally

examinations (and examination regulations). Research and admission to a course of studies are also legislated for in the Hochschulrahmengesetz.

In the case of studies courses for which admission numbers at several universities have been laid down, the studies places can be allocated by the Central Office of Studies Places in Dortmund (German abbreviation: ZVS) set up jointly by the Länder. A studies course will be processed at the ZVS (this is stipulated by the Hochschulrahmengesetz) if the admission figures for all state higher education establishments have been fixed and if it is anticipated that the number of applicants will exceed the number of places available. (Art. 31 of the Hochschulrahmengesetz).

Universities, universities of technology and comprehensive universities

Differentiation within the university and college area has, in all the Länder, to a varying degree, led to the creation of a whole host of different types. The differences are as follows:

– **Universities of the traditional type** (e.g. Bonn, Kiel, Frankfurt/Main, Freiburg, Cologne, Munich, Tübingen, Würzburg).

These universities were, admittedly, usually split up into disciplines and other academic establishments ("institutes") and as a consequence, partially or completely restructured; their constitutions were revised. The traditional universities are basically distinguished, however, by the fact that they offer the whole spectrum of courses (the Arts, Social Sciences, Medicine and Natural Sciences).

– **Universities of technology** (including Aachen, Berlin, Hanover, Munich) represent a special form of traditional universities. They concentrate, as their name suggests, on scientific and engineering disciplines and include such faculties as architecture, town planning etc. etc. There are also professorial chairs and institutes for the arts and/or social sciences.

– **New university foundations** (e.g. Augsburg, Bayreuth, Bielefeld, Bochum, Bremen, Dortmund, Kaiserslautern, Constance, Osnabrück, Passau, Regensburg, Trier). Two features distinguish these universities; firstly, not all disciplines are offered. For instance, certain arts subjects such as "Byzantinistik" and "Arabistik" do not appear in the programmes of these new foundations. On the contrary, they tend to have focal areas. A few concrete examples will illus-

trate this tendency. Bielefeld University boasts of the first integrated faculty of sociology (including statistics), political science and town planning which came into being with 10 professorial chairs; likewise the mathematical sciences, pure (not applied) mathematics and the theoretical natural sciences are also more than well represented at Bielefeld. In addition, great emphasis is being placed on the expansion of the educational-psychological field.

On the other hand, there are new subject combinations at the new foundations. Thus, for instance, at the new University of Passau, linguistically trained economic scientists and technically orientated economic scientists are being trained. This means in other words, that a combination of two formerly philological subjects (e.g. English or Romance Languages) and the economic sciences, has been undertaken. The same is true of the combination of technology and economic sciences. The new university in Bayreuth (opened 1972) is also offering new studies' combinations including Experimental Ecology, Ecosystem Research and Economic Law training. All the new foundations have one thing in common; by combining disciplines which are traditionally separate, students are in the position to choose subjects more closely related to practice.

In mentioning the new universities we must not omit the (first) Fernuniversität (Correspondence University) which was opened in Hagen in October 1975. In the words of the Prime Minister of Northrhine-Westphalia, Heinz Kühn, the new Fernuniversität is supposed to provide "relief" and not "substitution" higher education. The new institution is, above all, intended to give help to those persons who, for professional and private reasons would like to obtain a higher education qualification; it also offers physically handicapped persons considerably better conditions of study than the traditional type of universities; Of the 1,200 students who registered in the first year, 50% were part-time, 30% full time and 20% course students (Kursstudenten). As in the other newly founded universities, the number of subjects at Hagen is strictly limited. Initially mathematics and economic sciences. Jurisprudence, inter alia, is to follow at a later date.

– **Gesamthochschulen.** The present nine comprehensive universities in the Federal Republic (Bamberg, Duisburg, Essen, Kassel, Paderborn, Siegen, Wuppertal, the ecclesiastical Catholic comprehensive university of Eichstätt and a similar Protestant establishment in Neuendettelsau) are to be found mainly in Northrhine-Westphalia. Three have been founded in Bavaria and one in Hesse. The development of existing higher education institutions into

Gesamthochschulen and the setting up of new ones is laid down in the Hochschulrahmengesetz (see above). The comprehensive universities can be the result of combining formerly independent education and training establishments ("integrierte Gesamthochschulen"). The Gesamthochschule opened in Bamberg in 1972 comprises the former College in Philosophy and Theology and the former Teachers' Training College. Gesamthochschulen can also comprise of independent educational and training institutions as "kooperative Gesamthochschulen". In such cases they form joint committees which are subordinate to the bodies at the individual institutions.

A further feature of Gesamthochschulen in the Federal Republic is the fact that the teaching programme represents in no way "universitas". At Bamberg, for instance, the Gesamthochschule offers studies' courses almost exclusively in the humanities. A further feature of Gesamthochschulen is that they also offer courses normally found at Fachhochschulen (see above). This is part of an attempt to create graded and inter-related studies' courses and final qualifications.

There are certain problems of status which frequently crop up among the academic staff. Non-habilitated Fachhochschullehrer (lecturing staff from colleges), more often than not without a doctor's degree, are appointed "professor", i. e. Hochschullehrer (university lecturing staff) in one of sub-units of the Gesamthochschule whilst – in extreme cases – habilitated teaching assistants are included in the group of miscellaneous academic staff and guest lecturers.

– **Other higher education institutions.** Apart from the state institutions in the tertiary field, there are a number of other higher education establishments in the Federal Republic. Art colleges (inter alia in Berlin, Brunswick, Freiburg, Hamburg, Hanover, Karlsruhe, Munich, Stuttgart), the two Bundeswehr-universities. (Hamburg, Munich), the numerous teachers training colleges (there are no fewer than 10 in Baden-Württemberg, for instance), the Fachhochschulen (see above) – there are 24 state and 6 non-state establishments of this type in Baden-Württemberg alone – other colleges of philosophy and theology, and finally the medical schools (e.g. in Lübeck).

A relatively new type of Fachhochschule³ concen-

³ Fachhochschulen have been operating in Bavaria since October 1971; some of these were formerly engineering schools.

trating on practice-related disciplines, has sprung up in many of the Länder. Their curricula include such subjects as "Design" (graphical, jewellery etc.), "Electrical Engineering" (inter alia electrical energy engineering, communications engineering), "Domestic and Food Technology", "Engineering" (building, surveying, architecture, civil engineering) and "Social System" (incl. social welfare work, social pedagogics).

Yet a further characteristic of the Fachhochschule is its very marked degree of specialization. In Stuttgart, for example, there are five such colleges next to each other. Each has its own focal area. They are: "Technology", "Library System", "Administration", "Printing" and "Social System".

The number of students at these colleges is, as one would expect, much lower than at universities (traditional, technological, comprehensive). In the academic year 1973/74 there was a total of some 3,000 students enrolled at the seven art and music colleges in Baden-Württemberg, some 23,500 at the 10 teachers training colleges, about 16,500 at the 35 colleges (Fachhochschulen) but 85,000 at the nine universities in this Land.

Structure and organization of universities

As might be expected, structure and organization tend to vary from university to university and most certainly from Land to Land. Nevertheless it is still possible to outline the organizational scheme – with certain deviations – as found at many universities and colleges in the Federal Republic.

Legal position. The universities are public corporations and at the same time facilities provided by the individual Länder. They have the right of self-administration. The universities fulfil their own responsibilities as well as "fulfilment according to directives" (those on behalf of the state authorities) by means of a uniform administration. The universities' own obligations include teaching and research, and those concerned with academic and artistic training and further training; these include the training of a younger academic generation, the awarding of academic titles, the holding of academic instruction, final examinations, and the devising of the development planning for the establishments concerned.

The state obligations include: staffing matters on behalf of state authorities, the administration of finances, the admission and expulsion of students, the exercising of internal rights. This last named question of rights has proved to be of great practical importan-

ce on many occasions in the last few years; it was entirely the responsibility of university and college bodies to decide whether, in the case of deliberate disruption of teaching activity, the police should be summoned to the campus or not.

The structure of universities in the Federal Republic and in Berlin (West) is distinguished nowadays by three main features: the statutes, the regulating of the rights and obligations on the part of members and the determining of the responsibilities of the "central organs".

Statutes, constitution, fundamental order

All universities in the Federal Republic draw up, within the terms of the laws in question, constitutions (Verfassungen), statutes (Satzungen) or fundamental order (Grundordnung).

Mitglieder. Members of all universities in the Federal Republic of Germany today are employees of the public service (civil servants, salaried staff and manual workers) and the enrolled students. In line with the spirit of Art. 38 representation on the various bodies, i.e. committees, at universities is to be drawn from members of the following groups: the professors (1), students(2), academic or artistic staff and assistants (3) and miscellaneous staff (4).

Central organs

The central organs nowadays are usually the Konzil (council), the Konsistorium (assembly), the Senat (senate) and the president (i.e. the presidium) or the Rektor (vice-chancellor). The Konzil and the Konsistorium have the responsibility of electing the president and the vice-president, of drawing up the Grundordnung (see above), of dealing with basic problems of higher education policy and reform and giving their approval to the president's annual report. The composition of the Konzil varies from university to university. In Lower Saxony, for example, it has a maximum membership of 108 persons with the ratios 6:3:3:6 (professors: academic staff: other staff: students); in Schleswig-Holstein, on the other hand, the picture is as follows: maximum membership 110 persons with the ratios 6:1:1:2:1 (professors: assistant professors: academic staff: students: non-academic staff).

These examples clearly illustrate how different the picture is (for general education and higher educational reasons) between the Länder with SPD/

F.D.P. state governments and those with a CDU/CSU government, and how great (or small) are the rights of the individual groups (i.e. their representatives at universities).

In contrast to the Konzil, the Senat is a smaller organ which meets frequently. It makes decisions on all problems directly concerned with the disciplines or faculties (e.g. relations regarding doctorates) as well as questions which extend beyond the disciplines (e.g. the setting up of "special research areas") but which nevertheless, are closely related with the problems besetting faculties. Membership of the Senat varies in the different Länder to the same degree as the Konzil.

Apart from these central organs there are also central commissions at all universities; these commissions also operate, to some extent, as a Senat committee. To these commissions belong, inter alia, the central students' committee, the central research committee, the budget committee, i.e. the budget commission, the planning commission and, at times, the library committee.

Universities with more than 5,000 students have a presidential constitution (this does not apply generally to all the Länder) whereas, those with fewer than this number (in many of the Länder, e.g. Lower Saxony) and others with fewer than 3,000, have a constitution with a vice-chancellor (Rektoratsverfassung). Whereas a president is usually elected for six years, the period of office of a vice-chancellor (Rektor) lasts only two years as a rule.

The president is assisted by a vice-president and a chancellor; this triumvirate forms the presidium. The president is the university's external representative whilst the chancellor who must be in possession of a superior qualification (even equivalent to that of a judge) deals with the day-to-day administrative matters on behalf of the president. The president also has a whole host of further responsibilities. He drafts the university's plans for further development, submits the annual report to the various committees concerned, preserves order within the university and wields internal power. In those cases where a president has been a member of the lecturing body before his election, he need carry on these former duties of teaching and research to a limited extent only.

Subject areas. One of the most important innovations in the higher education area was the setting up of "Fachbereiche" (subject areas) as opposed to "Fakultäten" (faculties). These subject areas are, nowadays, the basic organizational units for research and

teaching. They are often smaller than the former faculties⁴.

Thus, the former faculty of social science at Munich University, which used to embrace "Business Management", "Political Economy", "Statistics", "Geography", "Sociology", "Political Science", has now been transformed into 4 new subject areas: "Business Management", "Political Economy", "Economic Theory and Statistics" and "Social Sciences".

The basic idea underlying this new move is to assemble under one roof, i. e. subject area, those related disciplines or sub-disciplines (by nature of their content); this was formerly impossible in the faculties with their age-old traditional organizational structure (e.g. "Mathematical Statistics"). The change was intended to allow these subjects to work in conjunction with each other. The establishment of subject areas was also to make due allowance for dynamic developments in the academic field. In this way it can only be welcomed.

New university foundations have already catered for this organizational aspect. Here, right from the word go, no faculties, as such, were created in the traditional sense even if many of the subject areas still continue to style themselves "faculties". As was the case formerly with faculties, the subject areas have a dean (Dekan) elected for one to two years, a subject area council (Fachbereichsrat) and a subject area commission (Fachbereichskommission). The two last-named bodies consist of members of the university with varying composition. As a result of the Hochschulrahmengesetz (see above), Art. 38, Sub-section 5, however, the proviso was included, as for other university organs, that "decisions immediately affecting research, artistic development projects and the appointment of professors require majority approval by the professors on the committee in addition to a general overall majority".

Central institutes. In conclusion, attention must be drawn to the so-called "zentrale Einrichtungen", such as libraries and larger research institutes within the university system. At the Free University in Berlin (West), for instance, there are so-called "Zentralinstitute" as independently functioning units which are directly responsible to the president and which

⁴ Some of the former faculties have not fallen into line with the very practical idea of the break-down into subject areas, (e.g. the medical and law faculties). The only real difference is that they style themselves "Fachbereich" instead of "Fakultät".

are in addition to the "Fachbereiche" (see above). The former "Osteuropa-Institut" (Institute of East European Studies) continues as a central institute in its old capacity whilst the former "(Forschungs)-Institut für politische Wissenschaft" (Research Institute of Political Science) has been amalgamated with other related institutes into the "Zentralinstitut für Sozialwissenschaftliche Forschung" (Central Institute of Social Scientific Research).

The path from school to university

In the Federal Republic we have the "dual principle" of training. Basically vocational training – classroom and works' – is shared. Practical training is given at the place of work (Betrieb) and theoretical training at the compulsory vocational schools (Berufsschule). Educational paths in the Federal Republic can be briefly outlined as follows. After kindergarten (4 to 6 years old) and Grundschule, i.e. primary school (6 to 10), follows the most important crossroads. The path can then lead to Gymnasium, i.e. grammar/high school culminating in Abitur i.e. Higher School Certificate, to Mittlere Reife, i.e. Intermediate Certificate (Gymnasium, Realschule) i.e. Intermediate School or to Hauptschulabschluss, i.e. Main School Leaving Certificate. Training at Gymnasium (11 to 19 years old) climaxes with Abitur (see above) providing the necessary qualification for a course of studies at a university, teachers' training college or similar establishment. The same applies to Realschule training, providing it leads to Abitur. On obtaining Mittlere Reife (see above) after the age of 16, those holding this qualification are entitled to attend a Fachschule, i.e. a type of technical school to the age of 19 before proceeding to a Fachhochschule (see above) to the age of 20 or 21. The third way, via the Hauptschule, main school, (11 to 15 years), offers the following possibilities of further education: firstly via the Berufsschule, i.e. vocational, then Fachschule (see above), Berufsaufbauschule, i.e. vocational continuation school and the acquirement of an intermediate qualification; in addition, the so-called Zweiter Bildungsweg, i.e. Alternative Educational Path, which leads to Abitur and higher education admission.

Summary

The old idea of "universitas" lives on in the modern group universities in the odd corners and crannies only. The typical image of the "German professor" has also undergone change. Today, professors at universities must possess qualities which played little or no role in earlier times. These include the ability to

communicate and organize and, in particular, a readiness to negotiate continually with the representatives of the various groups from within and without the university walls. It is no secret that since universities have lost much of their autonomous authority and status – state bureaucracy is gaining a firmer foot-

hold directly and indirectly. This is a consequence which early reformers little dreamed of. But autonomy within German higher education has been shattered to its roots – even though the opposite view is firmly maintained in several quarters.