

MEETING OF THE FACULTY SENATE

Monday, February 2, 1948

The regular monthly meeting of the Faculty Senate was held in Room 101 of the Law Building on Monday, February 2. The meeting convened at 3:40, with Vice President Nugent presiding in the absence of President McCormick.

ASSEMBLIES, PROCEDURE OF APPROVING: Dr. Haury raised a question about the assemblies scheduled for the second semester and asked if the Council had approved the program and if this was regular procedure. The Chairman explained the method of approving the assemblies in the Advisory Council at the request of the student body. The present program of assemblies includes four regular student assemblies, one University assembly, as a Navy program, and one special assembly for Women's Day.

Dr. Houghton stated that the question was one as to whether the Advisory Council should authorize assemblies or whether the Senate should exercise this prerogative. He pointed out that the Liberal Arts faculty was on record as opposing the system, but that apparently the Advisory Council had committed itself for the year 1947-48 and doubtless it was too late now to make any change.

On motion by Dr. Solve, with a second by Dr. Haury, the Senate voted that the question of scheduling assemblies for the academic year 1948-49 be discussed and settled at the May meeting of the Senate.

COMMITTEE ON STUDENT EXAMINATIONS AND REPORTS, REPORT OF SUB-COMMITTEE FOR: Professor Barnes reported that some 2000 questionnaires had been returned by students and that these were being studied by the sub-committee to determine the extent of cheating in examinations. He indicated that cheating seems to be prevalent in the University. The committee wished to make the information available to the faculty in some manner but that it would take another two or three weeks to complete study of the questionnaire. Various members of the Senate indicated a desire to have information regarding the extent of cheating in their classes. The committee preferred not to give any publicity to the matter until it was ready to submit a detailed report to the Senate.

After some general discussion of the matter, Dr. Nugent declared that opinion favored withholding any information either to faculty members or to the newspapers until the committee made its report.

STUDENT UNION BUILDING, REPORT OF COMMITTEE ON: Dr. Pistor gave a progress report for the special committee appointed to study location for the Student Union Building. The Committee had checked the files of the University Committee and of the Architect's office. Five locations were being considered by the committee, which planned to submit its recommendation at the next meeting of the Senate.

COMMITTEE ON BY-LAWS, REPORT OF: Dr. Houghton issued mimeographed copies of the report of the Senate Committee on By-Laws. He explained that the items listed by the Committee were not to be taken as recommended By-Laws, but as a statement of proposals indicating matters to be considered.

Several of the items were discussed somewhat at length, particularly one which would reserve for the Senate consideration of proposals to alter curricula

and degree requirements, while at the same time allowing provision for minor changes in course offerings to be delegated to the Advisory Council, subject to the right of appeal. Dean Butler suggested that this provision would mean unnecessary work for the Senate in connection with the preparation of the catalogue but Dr. Roberts pointed out that it conformed to the provisions of the faculty constitution.

After some general discussion it was evident that the Senate wished to have more time in which to consider the proposals of the Committee and it was voted that further consideration of the report be deferred until the next meeting of the Senate and submitted for vote at that time.

THE COMMITTEE ON BY-LAWS, CONTINUATION OF: On motion by Professor Barnes, with a second by Dr. Pistor, the Senate voted that the present committee on By-Laws be continued as a permanent continuing committee.

HONORARY DEGREES, RECOMMENDATIONS FOR THE AWARD OF: Dean Lyons of the College of Law presented recommendations from his faculty that the honorary degree of Doctor of Laws be conferred upon the Honorable Justin Miller of Washington, D. C., and the Honorable Carl Hayden, Arizona Senior United States Senator, in connection with the inauguration of Dr. J. Byron McCormick as President of the University on May 5.

After a brief discussion of the merits of the candidates as set forth in the statements read by Dean Lyons, the Senate, on motion by Dean Lyons with a second by Dr. Pistor, approved the nominations.

STATEMENT SUPPORTING THE RECOMMENDATION OF
THE HONORABLE JUSTIN MILLER
FOR THE HONORARY DEGREE OF DOCTOR OF LAWS

The faculty of the College of Law proposes, and moves the approval of its proposal that at the forthcoming inauguration of Dr. J. Byron McCormick as president of the University, the honorary degree of Doctor of Laws be conferred upon the principal visiting speaker, the Honorable Justin Miller of Washington, D. C. As educator, author, jurist and criminologist Judge Miller has had a distinguished career in many phases of the legal profession.

Justin Miller was born on the seventeenth of November, 1888. He received the degrees of Bachelor of Arts from Stanford University, in 1911; Bachelor of Laws from Montana University in 1913; Juris Doctor from Stanford in 1914; Doctor of Civil Laws from Yale in 1934; and the honorary degree of Doctor of Laws from Montana in 1941. He is a member of the bar of the highest courts in the states of California, Montana, Minnesota and North Carolina and of the United States Supreme Court.

During his undergraduate law years Mr. Miller held faculty positions at Montana and Stanford for the teaching of economics, history and English. In 1914 he began the practice of law, and from 1915 to 1918 was district attorney of Kings County, California. In 1921 he began his career as a law teacher which took him successively to the faculties of the Universities of Oregon, Minnesota, Stanford, California, and in 1927 to the deanship at

the University of Southern California, and in 1930 to the same position at Duke University. He is the author of numerous articles in law reviews and in other periodicals, and in 1934 published, *Miller on Criminal Law*, a text which is still one of the standard works in that field. In 1926 he was secretary of the Minnesota Crime Commission, and from 1927 to 1930 was a member of the California Crime Commission; president of the Southern California Academy of Criminology in 1929; also president in 1929-30 of the California Conference of Social Workers, and in 1933-34 was president of the North Carolina Conference on Social Service. He was a member in 1929-30 of the National Probation Association and from 1935 to 1937 served on the U. S. Attorney General's Advisory Commission on Crime. For the ten year period 1927-1937 he was chairman of the criminal law section of the American Bar Association. He is a member of Phi Beta Kappa, Phi Kappa Phi and several other honorary and professional fraternities and societies.

In 1934 he was appointed as a special assistant to the Attorney General of the United States. In 1937 he became a member of the United States Board of Tax Appeals, but shortly thereafter in the same year was appointed to membership on the United States Court of Appeals for the District of Columbia; which court is generally considered to be, next to the Supreme Court of the United States, the most important judicial body in the nation. He served as an associate justice of that court until 1945, when he resigned from the bench to accept his present position with the National Association of Broadcasters. He is currently a Vice-President of the United Nations Educational, Scientific and Cultural Organization, popularly known as "UNESCO".

Based on the foregoing record of achievement, the faculty of the College of Law submits that the University of Arizona may well honor itself in honoring its official guest at the inaugural, and hence makes this recommendation for conferring upon Judge Miller the honorary degree of Doctor of Laws.

STATEMENT SUPPORTING THE RECOMMENDATION OF
THE HONORABLE CARL HAYDEN
FOR THE HONORARY DEGREE OF DOCTOR OF LAWS

Carl Hayden, native Arizonan and for 36 years an honored and respected member of the Congress and Senate of the United States, is a specialist in national legislation relating to the irrigation of semi-arid lands and as to laws promoting federal aid for highways. If one stops to think how much the development of the state of Arizona is due to water delivered to its fertile soil through federally sponsored and constructed irrigation systems, and how much its economy profits from the paved federal highways which have opened up its climatic and scenic treasures to the residents of all other states, then it is easy to perceive what a part Carl Hayden has played in the development of this state. Not only Arizona, but all western states with similar problems of aridity and space have been the beneficiaries of his legislative interests and talents.

Senator Hayden was born at Hayden's Ferry, now Tempe, on the second of October 1877, and was graduated from the Tempe Normal School in 1896. For

the next four years he attended Leland Stanford University, and then returned to his home to begin a career of public service which will have stretched into a full half century by the time his current term in Washington expires. He was successively elected to membership on the Tempe town council for the years 1902 to 1904; to the office of treasurer of Maricopa county from 1904 to 1907; to sheriff of Maricopa county from 1907 to 1912; then to the national house of representatives from 1912 to 1927; and finally to membership in the Senate of the United States in 1927, where he has since continued to this date to represent the State of Arizona, and is today the fourth oldest member of that distinguished body in point of service. During the first World War he served as a major of infantry in 1918. During the second World War his efforts as a member of the powerful senate appropriations committee contributed materially to the efficient handling of the war's financial problems.

It is the recommendation of the faculty of the College of Law that this long record of public service to his country and to this native state in the law-making branch of our government, should be accorded recognition by the award of a suitable honorary degree from this University for which he has so often rendered aid in matters of educational import; and we therefore propose that the honorary degree of Doctor of Laws be conferred by the appropriate University authorities upon Senator Carl Hayden.

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ANTHROPOLOGY, AUTHORIZATION TO AWARD DOCTORATE IN: Dean Patrick of the Graduate College submitted the recommendation, as approved by the Graduate Study Committee, that the Department of Anthropology be permitted to offer the degree of Doctor of Philosophy effective for the academic year opening in September 1948.

Dr. Haury reported that the program would involve several additional courses but that these would be given in alternate years with no additions to the staff. Dr. Roberts expressed doubt as to the wisdom of approving the proposal on this basis, inasmuch as the curriculum committee of the College of Liberal Arts might later disapprove the additional offerings. Dean Patrick, however, explained that the Graduate Study Committee had submitted its recommendation in consideration of the fact that the present course offerings of the department involve 65 or 70 semester hours of graduate credit and were sufficient to justify the establishment of the program leading to the doctor's degree. On his motion, with a second by Dr. Garretson, the Senate voted to approve the doctorate in the Department of Anthropology, with the understanding that this would be effective in September 1948.

DITCH DAYS, CONSIDERATION OF POLICY RE: The Secretary reported that the Advisory Council, at its meeting of January 29, had on receipt of an inquiry regarding the policy affecting "ditch days" voted to refer this matter to the Faculty Senate for action. Attention was called in this connection to a communication received from Mr. E. Otho Johnson, president of the Engineers Council, explaining that Engineers Day was planned for March 17, as had been the custom in the past twenty years. The communication took the form of a petition that no examinations be scheduled that day so that students might be absent from class without penalty.

Dean Butler supported the petition, stating that it was customary in Engineering Colleges throughout the country to observe St. Patrick's Day by a student and faculty holiday. It was apparent, according to Dean Butler, that not all students participated but that many of them attended classes. Last year only 72 out of 407 freshmen attended the program. Dr. Pistor moved, with a second by Professor Barnes, that the Senate recognize the continuation of "ditch days".

The discussion continued and various suggestions were made, including one that all colleges planning "ditch days" observe them on the same day. The question was raised as to whether they might be held on Sunday. Opinion indicated that provision should not be made to officially authorize "ditch days" by the excuse of absences as requested in the petition. The motion to table Dr. Pistor's motion was seconded and passed.

On motion by Dean Brown, with a second by Dr. Roberts, the Senate voted the following policy:

"All absences due to 'ditch day' observance shall be considered as unexcused absences. As such, instructors shall be under no obligation to allow students to make up examinations or other work missed as a result of such absences."

Meeting adjourned.


C. Zaner Leshner, Secretary

CZL/a