

MINUTES OF MEETING OF THE FACULTY SENATE OF THE UNIVERSITY OF ARIZONA  
Monday, October 6, 1969 Room 350 Modern Languages

The Faculty Senate convened in regular session at 3:40 p.m. on Monday, October 6, 1969, in the Modern Languages Building auditorium (Room 350). Fifty-six members were present with President Harvill presiding.

PRESENT: Anthony, Armstrong, Bannister, Bartlett, Blecha, Blitzler, Bok, Brewer, Burton, Carlson, Christopherson, Davis, Delaplane, Dewhirst, Dutt, Fahey, Forrester, Gegenheimer, Goodwin, Green, Harvill, Herber, Hetrick, Higley, Johnson, Kemmerer, Krebs, Krutzsch, Little, Lytle, Massengale, Mautner, McMillan, Mees, Miller, Murphy, L. Myers, Nigh, Paulsen, Resnick, Rhodes, Robson, Selke, Siegel, Sigworth, Skinner, Spicer, Svob, Tomizuka, ~~an~~ Voris, W. Voris, Windsor, Wise, Yoshino, Younggren, and Zwolinski.

ABSENT: Ares, Barnes, Bingham, DuVal, Gaines, Gould, Houston, Hull, Kassander, Lowe, Harold Myers, Paylore, Richard, Roy, and Sorensen.

NEW MEMBERS OF THE SENATE, WELCOME OF: President Harvill welcomed to the Senate the members at large elected in the spring of 1969. Newly elected members, including some who had served in the Senate in earlier years, were Dr. John W. Anthony, Dr. Bryant Bannister, Dr. Leon Blitzler, Dr. Victor A. Christopherson, Dr. Charles H. Lowe, Dr. Robert W. Mautner, Mr. Louis A. Myers, Dr. Marvin R. Selke, Dr. Albert Siegel, Dr. I. Roger Yoshino, Dr. Newell A. Younggren, and Dr. Malcolm Zwolinski. Re-elected immediately upon completion of the 1967-69 term had been Dr. David A. Bingham, Dr. Milo K. Blecha, Dr. A. R. Kassander, Dr. A. R. Kemmerer, Mr. Quentin M. Mees, Miss Patricia Paylore, Mr. Sol Resnick, and Dr. E. H. Spicer.

APPROVAL OF MINUTES: The minutes of the meeting of May 5, 1969 were approved as distributed to members.

At this point Dr. Gegenheimer moved that Item 16 on the meeting agenda, Report from Committee of Eleven on Survey of Nepotism Policy, be moved to a higher position in the order, to follow Item 8. This motion was seconded by Dr. Kemmerer and carried.

At this juncture Dr. Robson explained that student members of the ASUA ad hoc Committee on the Vietnam Moratorium had asked him to present a request that they be permitted to address the Senate concerning their plans for anti-Vietnam War activity on October 13, 14, and 15, particularly in connection with a proposed boycott of classes on October 15.

President Harvill said that student representatives had discussed with him the possibility of cancelling classes on October 15, but he had explained that the President of the University does not have authority to change the academic calendar.

After several motions concerning how to handle the situation were made and withdrawn, Dr. Robson moved that the student representatives be invited to address the Senate at this time, for a maximum of seven minutes (a compromise between suggested ten-minute and five-minute periods). The Senate would then discuss the matter proposed by the students at a later point in the meeting, but before adjournment.

The point was made by Dr. Lytle that it would be a courtesy to the students to hear them at this point so they would not be kept waiting for an indefinite period of time. Dr. Robson's motion was seconded by Dr. Hetrick and carried, with a number of dissenting votes.

Dr. Robson then introduced to the group Miss Linda Billings, Chairman, and Mr. Warren Frank, member of the ASUA Vietnam Moratorium Committee. In answer to a question, Miss Billings explained that she had been appointed to this chairmanship by Student Body President Mark Ginsberg. Mr. Frank explained that the group's basic aim was to participate in a national effort to maximize pressure on the Nixon Administration to end the Vietnam War now. He said several activities were being planned for October 13, 14, and 15. On October 13 and 14 dialogues at the Speaker's Corner, movies, and forum meetings would be held. It is also planned to plant four hundred crosses on the Union mall in memory of the Arizona men who have died in Vietnam. Later a march on the local offices of the Selective Service System was planned. Only orderly, dignified, and peaceful demonstrations were being planned, Mr. Frank emphasized, with no violence anticipated. Miss Billings emphasized that the protest would be a non-partisan effort and had the official backing of Congressman Morris Udall. Both students emphasized that the intent was to have all sides presented on October 13 and 14, including the views of both the "hawks" and the "doves."

Mr. Frank explained that a major feature of the protest would be a boycott of classes on Wednesday, October 15. He requested that the Faculty Senate pass a memorial in which this body would support faculty members' cancelling classes on that date. He said an impressive list of on-campus and off-campus groups were backing the student effort and it was hoped the Faculty Senate would join these others.

Dean Rhodes asked Miss Billings what movies were being scheduled. She replied that "War's Children" and "The War Game" were scheduled. The ROTC had been asked to present films presenting the point of view of the Defense Department on the war, but had declined to participate. In answer to a question from Dr. Hetrick, Miss Billings explained that it was hoped classes would be cancelled all day. She explained that the Student Senate would also consider such a memorial at its meeting this week, and said that if a boycott were not approved by the Faculty, she hoped that at least compulsory attendance requirements could be suspended for the one day.

The students then retired, President Harvill assuring them that the matter they had presented would be discussed by the Senate later in the meeting.

CATALOG MATERIAL: The following catalog material was accepted:

New

Aerospace and Mechanical Engineering 99, Independent Studies (1-3) I, II Staff  
Agricultural Chemistry and Soils 301, Management of Arid Lands and Salt-Affected  
Soils (6) II 1969-70 Fee \$12 Staff  
Economics 130, Economics of Poverty and Discrimination (3) I, II Walka  
English 181a-181b, Afro-American Literature (3-3) Yr. Staff  
Law 352s, Legal Office Practice (1) Summer Lohse  
Mathematics 150, The Grammar of Modern Mathematics (3) I, II Schweizer  
Mathematics 8261i, Computer Mathematics (3) I Steinbrenner and Dillon  
Microbiology (Medicine) 370, Molecular Genetics (3) I Mount and Bernstein

CATALOG MATERIAL: (continued)

Microbiology (Medicine) 380, Molecular Virology (3) I Gauntt  
Psychology 383, Insight, Awareness and Relationship Approaches to Behavior  
Change (4) II Kahn  
Public Administration 297s, Study Tour of Selected Oriental Cultures (6) Summer  
Morrison (Identical with Foundations of Education  
280s, Government 297s, and Oriental Studies 297s)

Changes

Economics 251, Social Insurance (3) I 1970-71 Staff DELETE  
Music 399, Seminar (2-6) I, II change to (1-6)

ELECTION OF MEMBER TO COMMITTEE ON CONCILIATION: Dr. Gegenheimer reminded the Senate that each year this body has the responsibility to elect a member of the Committee on Conciliation, a two-man committee with each member serving a two-year term. Terms are staggered. The carry-over member this year will be Dr. David Bingham. The Committee on Committees had forwarded to the Senate as nominees for the other position the names of Professor Samuel Fain of the School of Music and Professor Harry Stewart of the Department of Electrical Engineering. Balloting on the nominees followed with Mr. Resnick, Dr. Krebs, and Dr. Robson serving as tellers.

Professor Harry Stewart was elected.

ELECTION OF REPRESENTATIVES TO ARIZONA COLLEGE ASSOCIATION: Dr. Gegenheimer informed the Senate that this institution's representatives to the Arizona College Association Council the past year had been Professor John Wieland and Professor William Pistor. Professor Wieland wished not to continue on the Council because of other responsibilities. Dr. Gegenheimer then moved that the University of Arizona representatives to the Council for 1969-70 be Dr. Pistor and Dr. Oliver Sigworth. The motion was seconded by Mr. McMillan and carried unanimously.

ANNOUNCEMENT OF NEW MEMBER TO COMMITTEE ON ACADEMIC PRIVILEGE AND TENURE: Dr. Gegenheimer announced that the new member to the Committee on Academic Privilege and Tenure was Dr. Jay B. Angevine of the College of Medicine, he having been selected by the Committee on Committees. (This is the year that the Committee on Committees selects the member.) The continuing members would have been Dr. John Lyons and Dr. Jack Leonard. Since Dr. Leonard has left the faculty, Dr. Lyons and Dr. Angevine will together select a replacement for Dr. Leonard, Dr. Gegenheimer explained.

REPORT OF FACULTY CONTRIBUTIONS TO MINORITY STUDY GRANT FUNDS: Dr. Gegenheimer reported that the solicitation in the spring of 1969 among the faculty and staff for funds to provide study grants for members of minority groups had realized \$18,000. These funds this semester are assisting one hundred minority students. The program is being administered through the Financial Aids Office. Inasmuch as the fund campaign took place so late in the year over a comparatively short period of time, it was felt that the results were gratifying.

REPORT OF THE PRESIDENT: Dr. Harvill reported to the Senate certain information concerning the University's Request Budget for 1970-71 recently approved by the

Board of Regents.

The figures given by the President were as follows:

UNIVERSITY OF ARIZONA  
1970-71 LEGISLATIVE BUDGET REQUEST  
AS APPROVED BY THE REGENTS 9-27-69

	Approved Budget 69-70	Requested 70-71	Increase	
			%	Amount
<b>(A) Excluding Medical Center</b>				
Salaries	27,437,325	29,580,700	7.8%	2,143,375
Wages	3,218,223	3,907,375	21.4%	689,152
Operations	4,350,628	5,797,207	33.2%	1,446,579
Travel	514,857	547,656	6.4%	32,799
Capital	1,331,097	1,694,621	27.3%	363,524
Total	36,852,130	41,527,559	12.7%	4,675,429
<b>(B) Arizona Medical Center</b>				
Salaries	2,226,625	3,560,925	59.9%	1,334,300
Wages	262,311	1,386,366	428.5%	1,124,055
Operations	465,504	1,656,584	255.9%	1,191,080
Travel	11,762	15,395	30.9%	3,633
Capital	196,887	388,495	97.3%	191,608
Total	3,163,089	7,007,765	121.5%	3,844,676
<b>(C) Combined University Budget</b>				
Salaries	29,663,950	33,141,625	11.7%	3,477,675
Wages	3,480,534	5,293,741	52.1%	1,813,207
Operations	4,816,132	7,453,791	54.8%	2,637,659
Travel	526,619	563,051	6.9%	36,432
Capital	1,527,984	2,083,116	36.3%	555,132
Total	40,015,219	48,535,324	21.3%	8,520,105
<b>(D) Estimated Income</b>				
State Appropriation	28,428,747	37,440,744	31.7%	9,011,997
Collections (Fees)	8,790,270	9,121,559	3.8%	331,289
Federal Funds	1,424,271	1,424,271	-	-
Other Income	521,750	548,750	5.2%	27,000

The President emphasized that in the budget to be presented to the Legislature funds for the College of Medicine were listed completely separate. The President emphasized that the rest of the University was not to suffer financially because of the College of Medicine. The State of Arizona should support the state medical school fully, he emphasized. In other words, all increases in the request budget were no less than they would have been if we did not have a medical school, the President stated.

The President said that an increase in the request for the operations category resulted from the Regents' decision to request funds to implement the cost of premiums for faculty and staff members' participation in several group insurance programs.

Dr. Harvill commented that the economy of the State of Arizona continues to be excellent and undoubtedly there will be a large surplus carried over next July 1.

Dr. Gegenheimer asked Dr. Harvill what the chances appeared to be to obtain appropriation for the insurance premium coverage. Dr. Harvill said there was no way to predict here. The point should be noted, however, that the faculty members of the State Junior Colleges have this benefit, as do school teachers in most of the school districts of the State.

The President said that a legislative committee has been reviewing, with the Arizona State Retirement Board, the Public Employees Retirement System. There has been criticism of the way the retirement program has been operating, and it is possible some liberalization of the program will be developed. It had been discovered that the average monthly pension check received by retirees under the Arizona State Retirement System was \$69.00.

Dr. Blitzer said that since the small merit increase which had been authorized would be wiped out by the cost of living, he hoped extra effort would be exerted to obtain the insurance premium payment approval. Dr. Harvill said he agreed completely.

Dr. Harvill referred to the fact that participation in the Tax Sheltered Annuity program by University employees, which has not been recognized by the Arizona State Tax Commission, is being challenged by a court case. The case is now pending. An effort is also being made to obtain approval of larger tax deductions for the expenses of persons on sabbatical leave, the President said.

COMMITTEE OF ELEVEN ANNUAL REPORT: Mr. Windsor informed the Senate that he had received the annual report of the Committee of Eleven and that in the interest of saving time it would be distributed with the minutes of this meeting, rather than read to the group at this time.

The Committee of Eleven Report for 1968-69 is attached.

PROPOSED AMENDMENT TO THE CONSTITUTION, APPROVAL OF: Mr. Windsor reported that several members of the Senate had brought to his attention the fact that although the University now had a Provost for Academic Affairs, that official is not a member of the Senate, because no provision is made in the Faculty Constitution for such an officer to be a member of this body. He said he therefore felt it would be in order to propose an amendment to the Constitution at this time. An amendment may be proposed by the Faculty Senate. At a later time the proposed amendment would be discussed at a meeting of the General Faculty. It then would be submitted to a vote of the faculty, voting to be by ballot, with a majority of those voting being necessary for approval. The amendment would become operative when approved by the Board of Regents.

Mr. Windsor then moved that Section III, Sub-section A-3 of the Faculty Constitution be amended to read, "The Provost for Academic Affairs, the Coordinator of Research, the Deans, the Registrar, and the Chairman of the Faculty". The motion was seconded by Dean Brewer.

Dr. Gegenheimer commented that while he agreed that the Provost for Academic Affairs indeed should be a member of the Faculty Senate, he wondered

if the Senate wished to proceed at this time to amend the Constitution, since a number of other amendments might be forthcoming soon as a result of recommendations of the committee working under the chairmanship of Dr. Currin Shields to propose revision of the Constitution and Bylaws. Several members of that committee who were present said that they could state that no report would be forthcoming in the foreseeable future from that committee. The question was then called for and the proposed amendment was approved by the Senate with no dissenting votes heard.

Mr. Windsor pointed out that adoption of this amendment would of course automatically result in adding two Senators at large to the body.

REPORT FROM COMMITTEE OF ELEVEN ON SURVEY OF NEPOTISM POLICY: The Senate turned next to a discussion of the University's so-called nepotism policy. Dr. Harvill pointed out that some of what has been discussed recently under the name of nepotism is not actually nepotism. There is an Arizona statute which prohibits two members of one family being employed by the same state agency when one person is in a supervisory position over the other. By two persons of the same family the statute does not mean simply two members of the same household. Nieces, aunts, and others are covered, for instance. The President gave as an example the case of Governor Fannin's son who several years ago, while a student at the University, was employed under wages for a summer job on the campus. However, the State Auditor would not allow the boy to be paid inasmuch as his father, Governor of the State, was ex-officio a member of the Board of Regents.

In addition to State statute, the President explained, there is a Board of Regents' policy prohibiting an institution's employing two members of the same family, including husband and wife. Certain exceptions can be made for situations other than that of husband and wife, for instance, father and son, or mother and daughter. One of the exceptions permitted is the employment of a married couple where one is a member of the faculty and the other is on the staff, for example, a secretary. The Regents at one time permitted certain other exceptions, but the entire question is now under review by the Regents' Policy Review Committee. The review has been prompted by certain abuses on another campus in the state. The Regents about a year ago therefore ruled to discontinue any instances of giving both a husband and wife faculty appointments.

The President commented further that the Regents had recently ruled that when a man and a woman who are both members of the faculty marry, they can both continue to hold their respective positions on the faculty if this is recommended by the university administrative officers concerned and approved by the Board of Regents.

The President said that the Committee of Eleven had recently conducted an opinion poll on this matter and he understood that the chairman of the Committee of Eleven, Professor Sol Resnick, wished to speak to the Senate on the matter.

Professor Resnick presented the following report:

"During the Spring semester, 1969, the Committee of Eleven conducted a survey of all Deans, Directors, and Department Heads regarding the present nepotism policy at the University. The results of the Survey were as follows:

17 (24%) No opinion, and/or no experience, or agree with present policy.

17 (24%) Support modification of present policy to some degree.

36 (52%) Strongly support change of present policy.

70 Total Responses

"Actually, clarification of the present nepotism policy is definitely needed. The understanding among the group surveyed varies from what is thought by several to be a policy of complete flexibility to what is thought by most to be a policy of complete inflexibility with the result they will not even consider the applicants.

"With regard to the responses, six referred to 'discrimination.' Concern about legality of the present policy was also raised; and, in fact, I recently received a request for information regarding the Committee of Eleven survey from a local attorney retained by a group of faculty wives.

"Those urging repeal of the present policy described it in terms ranging from 'just plain wrong' to 'highly detrimental to the growth of the University,' 'tragic,' and 'totally archaic and self-destructive.' The majority opinion was that the present restriction causes a serious loss of human resources to the University and the State at a time when there is a shortage of qualified people in many fields. Particularly strong opinions desiring change were stated by members of the College of Medicine. Incidentally, one respondent noted that Arizona State University appears to have much more reasonable rules, and a check of the Arizona State University Telephone Directory and General Catalogue (1969-71) reveals at least four cases where both husband and wife are on the faculty.

"Based on the survey information and several months of study, the Committee of Eleven adopted by unanimous consent the following recommendation: Members of the same family may both have tenured positions at the University of Arizona."

Professor Resnick then said he would like to make an enabling motion supporting the Committee of Eleven recommendation as follows: "Members of the same family may both have tenured positions at The University of Arizona."

Professor Resnick's motion was seconded by Dr. Gegenheimer and several other members of the Senate.

Dr. Harvill commented that ASU was being held to the same policy as was the University of Arizona and Northern Arizona University, and he understood that no exceptions were now being permitted at that institution. The question was called for and the motion carried with no dissenting vote heard.

FURTHER REPORT OF AD HOC FACULTY SENATE COMMITTEE ON THE ADJUDICATION OF DISPUTES RELATED TO NONACADEMIC ACTIVITIES OF STUDENTS: Vice President Johnson explained that members of the ad hoc Faculty Senate Committee on the Adjudication of Disputes

Related to Nonacademic Activities of Students had been invited to attend this meeting of the Senate, including the student members, to discuss a report to the Senate from this committee. One of the students had been waiting outside the chamber to see whether or not she was to be permitted to enter the room to be present when the committee's report was discussed. He wondered if the Senate would get to that item on the agenda at today's meeting, or if the young woman should be told she should wait no longer. The Senate agreed to take up the report of the ad hoc committee next, and on motion by Vice President Johnson with many seconds heard, student member Bobbie Stephens was invited to come into the chamber to be present for the discussion of the proposal.

The Senate considered the report of the committee, the first of a number of reports which Mr. Johnson said would be forthcoming, implementing the basic report of the committee which had been approved by the Senate on February 3, 1969. Mr. Johnson moved that the report be approved and Dean Forrester seconded the motion.

Dr. Gegenheimer asked what was meant by "minor" and "major" offenses in the report. Mr. Johnson said the definition of offenses, including indication of the seriousness of these, would be cared for in a report still to be prepared.

Dr. Dutt asked why the report provided that hearings should be closed unless the appellant requests a hearing open to the University. He said he could see the danger of certain pressure groups taking undue advantage of the opportunity to promote their own causes if a meeting were open to them. He thought perhaps proceedings should be made available to all interested parties, but that the hearings should not be open. Dr. Dewhirst, a member of the committee, explained that the committee had proceeded on the basis of leaning over backward to be fair to the student, that is, the appellant. The student must feel that he is being given a completely fair treatment in every respect, and if he felt that he would receive a fairer hearing if the meeting were open, then the hearing should be open. As a matter of fact few students probably would want their problems aired in public, and undoubtedly most hearings would be conducted as closed hearings, he said.

Dr. Lytle referred to the provision that a student appearing before the committee would have the right to be assisted in his defense by an adviser of his choice from the faculty, staff, or student body. He said he felt the student should, if he wished, have the right to be assisted by an attorney, and he then moved that the report so provide. It was pointed out that to change this provision as suggested by Dr. Lytle would produce a conflict with the original document to which this is a supplemental report. The original document was adopted by the Senate on February 3, 1969. The Senate at that time had taken action specifying that outside legal counsel should not be provided for in the procedure (see Faculty Senate minutes of 2/3/69).

Dr. Lytle then withdrew his motion, but said he did so only because he wished to avoid, at this time, creating a difficulty which would place this report in conflict with its parent document. He said he did feel that it was important that students have the right to legal counsel in such instances and thought that perhaps further action should be taken to amend the original document.

Professor Davis asked why this report provided that all questions of witnesses, regardless of source, should be addressed through the chairman. He said this was a rather archaic practice which was no longer followed in most courts. Mr. Johnson said that certainly there was no effort here to stifle the student's chances to be heard. As a matter of courtesy, however, and in order to provide orderly procedure so that everyone concerned would know just what was going on in a hearing, the committee had felt it would be appropriate that all questions be addressed through the chairman.

Reference was made to the provision that the initiation of the hearing should be scheduled for the earliest possible date but in no case for later than eight days after the receipt of an appellant's request for action. The question was asked if this meant eight calendar days, and what should be done when action is taken shortly before a vacation period. Mrs. Roby, a member of the committee, explained that the intent was to assure the student of action as promptly as possible. Mr. Windsor then moved that that provision be amended to read that scheduling the initiation of the hearing should be as soon as possible, but in no case later than eight calendar days, exclusive of official vacation days, after receipt of an appellant's request for action. The motion was seconded and carried with some dissenting votes.

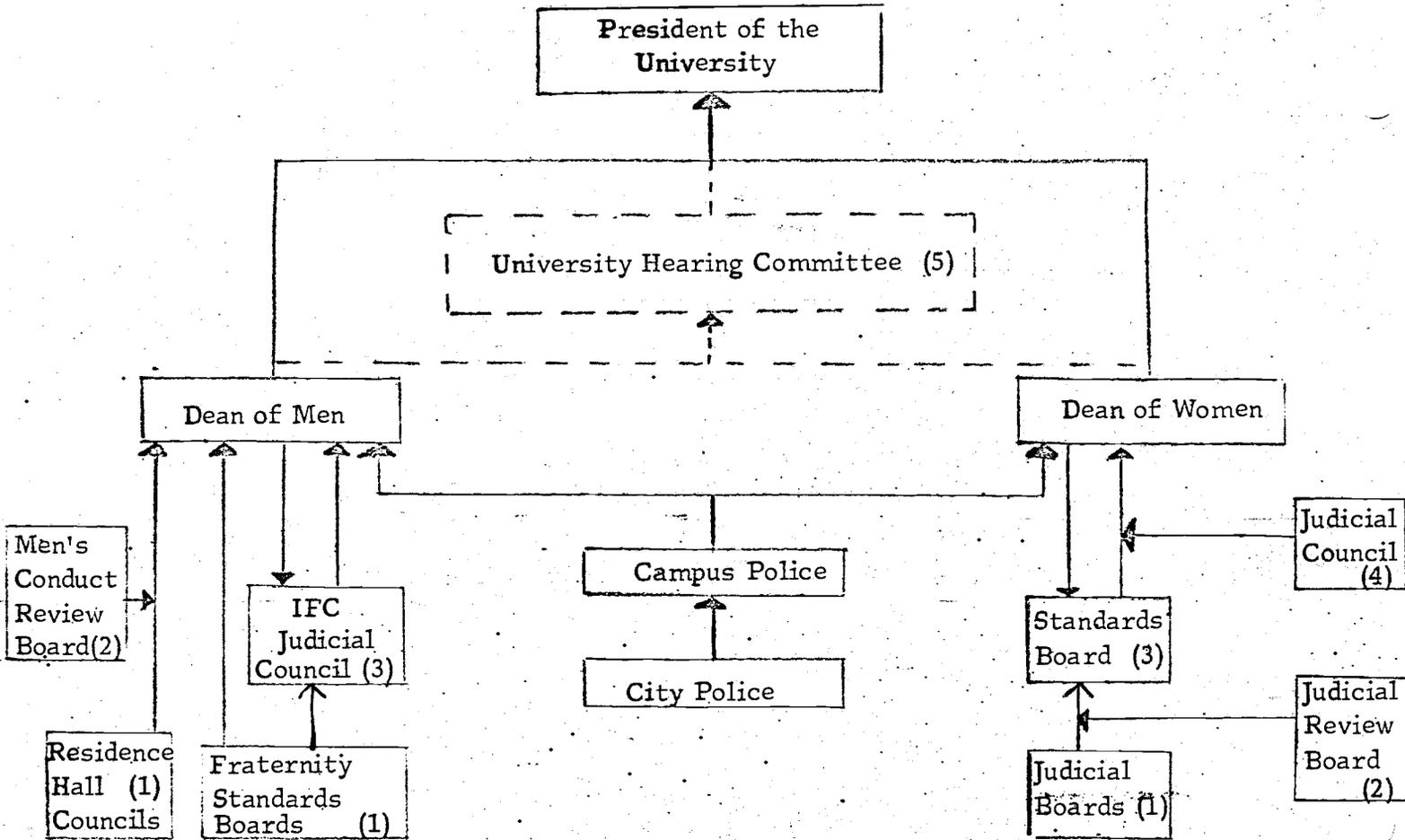
Action on the motion as amended was then called for and the motion carried with a few dissenting votes heard.

The full report as adopted was as follows:

Report of ad hoc Faculty Senate Committee on the Adjudication  
of Disputes Related to Nonacademic Activities of Students

"As per instructions of the Faculty Senate, this is the first recommendation regarding implementing the policies and procedures to protect the rights and freedoms of students. This report is to set up the Hearing Committee called for in Article 6, Section D, of the adopted document.

"From the existing structure of the University of Arizona, the Hearing Committee must be a 'court of last appeals' following which there is only a review by the President of the University of Arizona or the Board of Regents. Similarly, the decision to appeal to the 'hearing committee' must be an optional process by an aggrieved party. Primarily on the basis of these two facts, the 'hearing committee' has been placed where it is on the diagram, and its optional nature is indicated by the use of broken lines.



- (1) In each living unit, composed entirely of students, deal with minor offenses.
- (2) Advisory, coordinate procedures and decisions of (1), composed of students.
- (3) AWS and IFC appellate courts, students with advisor, deals with major offenses and referrals.
- (4) Advisory, composed of students, recommend rule changes.
- (5) Proposed appellate group, composed of faculty and students.

"Following are the recommendations of the ad hoc committee relating to the hearing committee procedures.

1. Name of the Committee: The proposed committee should be known as the University Hearing Committee.
2. Membership of the Committee: The Committee should be composed of five (5) members; two (2) members from the student body and three (3) members from the teaching faculty.
  - a. Faculty Members: The three faculty members should be elected by the Faculty Senate by secret ballot upon nomination by the Committee on Committees, which should furnish twice as many names as persons to be elected. Not more than one member of a college faculty should be

on the Committee at the same time. The term of membership should be three years, one person to be elected annually. At the time of first election, the person with the highest number of votes should serve for three years, the next highest for two years, and third highest for one year. Subsequent elections should be for three years. Members could be re-elected to the Committee.

- b. Student Members: the two student members should be elected by the Student Senate by secret ballot upon nomination from the floor of the Senate. All such student members should have at least junior standing at the time of their election in the spring and should serve on the Committee during the following year.
- c. Replacement of Committee Members: Committee members who cannot serve for any reason should be replaced by the same procedure by which they received appointment or, in cases of emergency, temporary replacements should be selected by the Committee members.

3. Organization of the Committee: The Chairman of the Committee should be the faculty member who is senior in Committee tenure and should vote only in cases of a tie. No member of the Committee who is otherwise interested in the particular case should sit in judgment during the proceeding. Hearings should be closed unless the appellant requests a hearing open to the University.

4. Area of Responsibility: The Committee should, at the discretion of the Deans of Men or Women, or at the request of any student(s) who questions the fairness of disciplinary action taken against him, investigate promptly all factors involved in the case and render its decision.

\*5. Operating Procedure: Appeals to the Committee must be made within two (2) school days after a decision by the Dean of Men or Dean of Women. Upon receipt of a request for action by the Committee, the Chairman should within three (3) days initiate action on the case by the University Hearing Committee. Although circumstances may vary, the following procedures should be minimal for cases requiring action by the Committee.

- a. Certification in writing to the appellant that a request for action has been received.
- b. Scheduling the initiation of the hearing as soon as possible, but in no case later than eight (8) calendar days, exclusive of official vacation days, after receipt of an appellant's request for action.
- c. The student should be informed, in writing, at least three (3) days before the initiation of the hearing, of the reasons for the proposed disciplinary hearing with sufficient particularity to insure opportunity to prepare for the hearing. The written notice should include the information that the student appearing before the University Hearing Committee has the right to be assisted in his defense by an advisor of his choice from the faculty, staff or student body. Should the student desire advisory assistance but does not know where to obtain it, the Chairman of the Committee should render assistance by providing names of faculty, staff or students who would act in that capacity.

\*See revisions of this section on Pages 1230 - 1231.

- d. All questions of witnesses, regardless of source, should be addressed through the Chairman.
- e. The burden of proof should rest upon the officials bringing the charge against the student. All matters upon which a decision may be based should be introduced into evidence at the proceedings before the Committee. The Committee's decision should be based entirely upon such evidence and not upon any matters not pertinent to the case.
- f. The student should be given an opportunity to testify and to present evidence and witnesses. He should have an opportunity to hear and question any adverse witnesses. In no case should the Committee consider statements against him unless he has been advised of their content and of the names of those who made them, and unless he has been given an opportunity to rebut unfavorable inferences which might otherwise be drawn.
- g. A transcript or a digest and a verbatim record such as a tape recording should be maintained of each hearing before the Committee.
- h. Decisions of the Committee should be by simple majority and should be rendered within twenty-four (24) hours after the termination of the hearings and should be presented in writing to the student, the President of the University, and any other officials of the University of Arizona that the Committee deems advisable. Such decisions should be final, subject only to the right of appeal to the President of the University of Arizona, or ultimately to the Board of Regents.

Leonard Dewhirst  
Richard Else  
Paula Holub  
Quentin Mees

Mary Pavlich  
Royal Tinsley  
Marvin D. Johnson,  
Chairman"

PROPOSED CANCELLING OF CLASSES ON OCTOBER 15 IN PROTEST OF VIETNAM WAR ACTION:

The President pointed out that although the usually automatic adjournment hour of 5:30 had arrived, the Senate had not taken action on the question raised by the student visitors concerning a proposed cancelling of classes on October 15.

Dr. Lytle then moved the following: "The Faculty Senate acknowledges that a large segment of the student body is actively concerned with a problem of great magnitude confronting our nation. While the University encourages those committed to a social and political cause to actively organize and work in its behalf, it is neither legally possible nor desirable that the Faculty Senate endorse an official boycott of classes on October 15. To do so would deny to those students who do not wish to participate in the boycott the educational opportunities to which they are entitled having paid University tuition and fees."

The motion was seconded by Professor Mees.

Dr. Robson then moved as an amendment to Dr. Lytle's motion the following: "I move that the Faculty Senate express their support for orderly and non-violent efforts, sponsored by the Vietnam Moratorium Committee, to express concern over continuation of the tragic war in Vietnam. I move, further, that the Faculty Senate encourage individual members of the faculty to excuse students from their classes on Wednesday, October 15, in order that they may participate in the orderly and non-violent activities planned for this day."

Dr. Robson's motion was seconded by Professor Siegel. Several members of the Senate said they felt what Dr. Robson was proposing was in fact not an amendment to Dr. Lytle's motion but a different statement, in some respects contradictory to Dr. Lytle's statement. Dr. Robson said the word "however" might be added to his amendment to tie it more appropriately to Dr. Lytle's motion. Dr. Gegenheimer said he felt Dr. Lytle's motion appropriately reflected the attitude expressed under the section on Freedom of Inquiry and Expression in the original report of the Committee on the Adjudication of Disputes Related to Nonacademic Activities of Students adopted last February 3 by the Senate.

The question was called for on Dr. Robson's motion and it was defeated.

The question was called for on Dr. Lytle's motion and it carried overwhelmingly with only a dissenting vote or two heard.

Dr. Robson then asked if he could move that his amendment be considered as a separate motion entirely, but he was ruled out of order.

Because the Senate had been unable to take care of seven items remaining on the agenda of this meeting, on motion by Dr. Blitzer, seconded by a number of persons, the Senate voted to hold a special meeting in two weeks, that is, on Monday, October 20, at 3:40 p.m.

The meeting adjourned at 5:45 P.M.

  
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David L. Windsor, Secretary