

The University of Arizona
Proceedings of the Faculty Senate

Meeting of Monday

February 8, 1971

SENATE MEMBERS PRESENT: Bannister, Bartlett, Bingham, Blecha, Bok, Boyer, Brewer, Christopherson, Cole, Delaplane, Dewhirst, Dixon, Edwards, Fahey, Freeman, Gegenheimer, Giebner, Goodwin, Gould, Grant, Harvill, Herber, Houston, Hull, Kassander, Kemmerer, Lane, Little, Lytle, Mautner, McMillan, Mees, H. Myers, L. Myers, Nigh, Paylore, Perkins, Reiblich, Resnick, Richard, Robson, Schaefer, Siegel, Steelink, Svob, Tomizuka, Varney, W. Voris, Wise, Yoshino, Younggren, and Zwolinski. Student representatives attending were Cathy Cleven and Bruce Eggers.

SENATE MEMBERS ABSENT: J. R. Anthony, J. W. Anthony, Ares, Blitzler, Bretall, Carlson, DuVal, Frasier, Gaines, Johnson, Krebs, Lowe, Murphy, Paulsen, Putt, Rhodes, Selke, Sorensen, M. Voris, and Windsor. Student representative absent was Charles Eaton.

CATALOG MATERIAL: The Faculty Senate approved the proposed new undergraduate majors in Natural Resource Recreation and Fisheries Management, and the new undergraduate minor in Black Studies.

ANNOUNCEMENT OF REPLACEMENT OF COLLEGE OF EDUCATION SENATOR: President Harvill announced that Dr. Vance Frasier had been elected as a senator from the College of Education to replace Dr. William D. Barnes who is on leave for the second semester 1970-71.

SELECTION OF PERSONNEL TO IMPLEMENT UNIVERSITY CODE OF CONDUCT: Mr. Butler announced that several faculty members had been appointed by Dr. Harvill to serve on several boards in accordance with the provisions of the Code of Conduct. They are as follows: University Trial Board---Dr. Raymond L. Klein, Chairman; Dr. Samuel S. Fain; and Dr. Rudolf A. Jimenez; Review and Advisory Board---Dr. Charles T. Mason, Chairman; and Dr. Herbert Langen; Conduct Board---Dr. David Bingham, Chairman; Dr. Roger J. Daldrup; Professor Harry E. Stewart; and Dr. Rosendo A. Gomez.

PROPOSED CHANGE IN ACADEMIC CALENDAR: Dr. Harvill recognized two students, John J. Hutton and Brent L. Davis, who wished to present the Faculty Senate with information concerning the results of their drive to obtain signatures of students who were in favor of the proposed change in the academic calendar. They presented to the Senate petitions bearing 11,702 signatures favoring the proposed change in the academic calendar. Mr. Hutton pointed out to members of the Senate that there were, of course, disadvantages and advantages to the proposed system, but in his opinion the advantages of the change far outweighed the disadvantages. He further pointed out that before the Board of Regents would take action on this proposed change the Faculty Senate must give their approval and indicate their willingness to change.

Dr. Metcalfe then gave the results of the recent faculty poll that had been asked for by the Faculty Senate. He reported that 1,662 ballots had been sent to the faculty. 74.9% of these had been returned and of those that were returned, 71.1% of the faculty preferred changing the calendar, 26.7% preferred leaving the calendar as is, and 2.2% did not vote. He received several comments--mainly elaborations of the pros and cons that were listed on the ballot.

Dr. Harvill stated that the Board of Regents felt that all three universities in the state should be under the same general calendar. Therefore, they had asked that a committee of representatives from each of the state institutions be formed to study the proposed change and make a recommendation. The representatives on this committee from the University of Arizona are Dr. Bart J. Bok and Dr. Darrel S. Metcalfe. This committee will be meeting in mid-March.

ESTABLISHMENT OF A FACULTY-STUDENT ADVISORY COMMITTEE ON MEXICAN-AMERICAN AFFAIRS:

The Student Senate had, on December 2, passed a memorial to the Faculty Senate requesting that a Student-Faculty Advisory Committee on Mexican-American Affairs be established. The Senate now considered this memorial. Mr. Eggers spoke to this memorial indicating that the Student Senate had felt a great need on this campus for the establishment of a committee to assist the Mexican-American student with the many problems that he encounters. They felt that the great number of Mexican-American students made the establishment of this committee imperative.

Dean Schaefer said that he wished to speak against any action by the Faculty Senate on this matter at this time. He stated that there is presently a Steering Committee for Mexican-American Education on the University of Arizona campus. This committee, among other things, works on curricula matters and redesigns current programs. They have made several recent proposals concerning a Mexican-American administrator and the duties would be analogous to those of Mr. Felix Goodwin. Mr. Eggers asked if there were any students on this Mexican-American Committee. Dean Schaefer replied that there was one. Mr. Eggers asked if there would be any objections to more students serving on this committee. Dean Schaefer replied that he would be happy to have suggestions of names of students to be on this committee.

Mr. Eggers stated that he felt that the majority of Mexican-American students on this campus did not know of the existence of such a committee. Mr. Goodwin stated that his name had been given as a member of this committee but he had no knowledge of being on this committee.

Dr. Steelink said that he was a little puzzled by the term "Mexican-American Affairs." He asked if someone could indicate to him just what was meant by this term. Mr. Eggers said that the Student Senate felt that this should include all the affairs of the Mexican-American--personal, recruitment, academic, etc.

Dean Schaefer stated that the Steering Committee on Mexican-American Affairs had been functioning and has made several recommendations, among them are 1) the appointment of an administrator to be a liaison person between the University and Mexican-American students; 2) to develop all the facilities of the University to assist the Mexican-American students; 3) to coordinate all programs for Mexican-American students; 4) to work with financial aids personnel in securing assistance for Mexican-American students; 5) to coordinate all high school relations programs concerning Mexican-American students; 6) to disseminate within the University information regarding the program for Mexican-American students.

Mr. Goodwin stated that these are the same functions that he currently is performing as adviser to all minority students. Dr. Harvill stated that Mr. Goodwin is the liaison for all minority groups on campus and the University is giving more attention to this area at all times. He further stated that lack of funds precluded the appointment of any additional personnel for the remainder of this semester.

Dr. Kassander asked if Mr. Eggers could not take information regarding the Steering Committee on Mexican-American Affairs back to the Student Senate and inform them of the existence of this committee and what they were doing. Mr. Eggers stated that he would. Dr. Kassander then moved that the memorial be tabled until Mr. Eggers can report back to the Senate after he has told originators of the memorial of the existence of the Steering Committee for Mexican-American Education. The motion was seconded and passed unanimously.

Dr. Gegenheimer said that he hoped that we could in the future have on the Senate agenda a more ample report of the activities of this committee.

STUDENT SENATE REQUEST TO AMEND HEARING PROCEDURE: Dr. Edward L. Nigh, the Faculty Senate representative to the Student Senate presented a request from the Student Senate. Dr. Nigh stated that the item before the Senate represents a sincere concern of the students for inequities which they see in the appeal procedures relating to nonacademic disciplinary proceedings. Dr. Nigh then read the following letter from the Student Senate:

"The University Hearing Committee procedures currently state: '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.' At its meeting on Wednesday, January 6, 1971, the Student Senate unanimously passed a motion requesting that the Faculty Senate change the procedures of the Hearing Committee so that only a student can appeal a decision of the Hearing Committee to the University President. The Student Senate also stated its opinion that allowing the University (Dean of Students) to appeal decisions to the President, defeats the purpose of the Hearing Committee.

"The Student Senate respectfully requests that the Faculty Senate carefully reconsider the provisions of the University Hearing Committee with regard to this appeal procedure."

Dr. Nigh then gave the following statement to the Faculty Senate:

"In examining the background for their concern, I would like to remind the Senate of some facts which bear on the present concern. They are as follows:

1. The Faculty Senate adopted the 'Student Bill of Rights' in February, 1969. This was presented by the so-called 'Johnson Committee' which was established by the Faculty Senate. The particular statement of concern at this time is one relating to Hearing Committee procedures and it states, 'The decision of the Hearing Committee should be final, subject only to the student's right of appeal to the President of the University of Arizona, or ultimately to the Board of Regents.'

2. The Student Bill of Rights called for the establishment of certain measures to protect student rights and the Faculty Senate asked the Johnson Committee to remain active and bring back to it specific recommendations.

3. The Johnson Committee later proposed to the Faculty Senate the establishment of a University Hearing Committee and this was finally adopted in December, 1969. The particular point in question is that this document now stated, '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.' The word 'student's' had been dropped.

4. Dr. Andrew Wilson, Chairman of the Hearing Committee last year, in his report to the Faculty Senate in October of last year indicated that this was a matter of real concern. Discussion at that time indicated that the word 'student's' was deliberately deleted by the Johnson Committee because it was their feeling that the right of appeal should be afforded to both sides if it is afforded to one.

5. The Code of Conduct became functional at the University of Arizona on February 1 of this year and, of course, it essentially does away with the University Hearing Committee. In its place the Code calls for the establishment of University Trial Boards.

6. Examination of this Code indicates that, to some extent, the problem is still with us. For example, on page 18 of the Code under Item D. 2., Grounds for Appeal, it states in part, 'A decision or judgment of a University Trial Board may be appealed by either or both of the opposing parties.' The appeal in this case is to the University Review and Advisory Board and not to the President as was formerly the case.

"At any rate it appears to me that either appeal may constitute 'double jeopardy' and, therefore, may be questionable.

"The same Code establishes a University Conduct Board which is charged in part with the responsibility of recommending changes in the current Code.

"It seems appropriate to me that this entire matter should be referred to the University Conduct Board for their very careful examination.

"I therefore move that the entire problem of appeals in nonacademic disciplinary cases involving students be referred to the University Conduct Board for their consideration and action."

The motion was seconded and discussion followed.

Dr. Harvill asked Dr. Lytle for comments concerning this proposal. Dr. Lytle stated that presently the University Hearing Committee has nine cases pending before it. He said that in his dialogue with students they have been trying to equate the University hearing procedures with a court of law. In other words, once a person has been acquitted, he is free and should not be placed in "double jeopardy."

Dr. Dewhirst rose to speak in support of the motion. He said it was very appropriate that we do this at this time. Dr. Steelink asked if under the Code a student can be acquitted by one board and then the prosecutor appeal this decision to the next board and the student once again be placed on trial, and eventually this would end up with the final decision being made by the President. Dr. Nigh stated that under the Code of Conduct procedure the final appeal would be to the University Review and Advisory Board.

After some further discussion the motion carried unanimously.

The meeting adjourned at 4:50 p.m.

David Butler, Secretary pro tem