

MINUTES OF MEETING OF THE FACULTY SENATE OF THE UNIVERSITY OF ARIZONA
Monday, April 6, 1970 Room 350 Modern Languages

The Faculty Senate convened in regular session at 3:40 p.m. on Monday, April 6, 1970, in the Modern Languages Building auditorium (Room 350). Fifty-six members were present with Vice President McMillan presiding.

SENATE MEMBERS PRESENT: Anthony, Ares, Armstrong, Bannister, Barnes, Bartlett, Blitzer, Bok, Brewer, Burton, Carlson, Davis, Delaplane, Dewhirst, Dutt, DuVal, Fahey, Forrester, Gegenheimer, Goodwin, Green, Hetrick, Higley, Houston, Hull, Johnson, Kemmerer, Krutzsch, Little, Lytle, Massengale, Mautner, McMillan, Mees, Miller, H. Myers, L. Myers, Nigh, Paylore, Resnick, Rhodes, Richard, Robson, Saarinen, Schaefer, Selke, Siegel, Sigworth, Skinner, Sorensen, Spicer, Svob, M. Voris, Windsor, Wise, and Yoshino. Student representatives attending were Mark Ginsberg and Alex Kelter.

SENATE MEMBERS ABSENT: Bingham, Blecha, Christopherson, Gaines, Gould, Harvill, Herber, Kassander, Krebs, Lowe, Murphy, Paulsen, Tomizuka, W. Voris, Younggren, and Zwolinski. Student representative absent was Bill White.

APPROVAL OF MINUTES: The minutes of the meeting of March 2, 1970 were approved as distributed to members.

CATALOG MATERIAL: The following catalog material was accepted:

New

The Faculty Senate approved the establishing of the Bachelor of Science degree in Agriculture with a major in Food Science and Technology beginning in September 1970.

The Faculty Senate approved the establishing of the Bachelor of Science degree in Education with a major in Rehabilitation beginning in September 1970.

The Faculty Senate approved a Community Journalism Option under the Journalism major.

Electrical Engineering 351, General Physical Electronics (3) I Jones
German 105, German and the Sciences (3) I Staff
Journalism 124, News Media Management (3) I Emerine
Library Science 371, Literature of the Humanities (3) II Staff
Library Science 372, Literature of the Sciences (3) II Staff
Library Science 373, Literature of the Social Sciences (3) I, II Staff
Library Science 392, History of Books and Printing (3) I Staff
Library Science 393, Latin American Bibliography (3) I Trejo
Library Science 394, Advanced Cataloging (3) I Staff
Library Science 395, Administration of the Academic Library (3) II Staff
Nursing 397, Workshop (1-4) I, II Staff
Oriental Studies 270, Islamic Mysticism (3) II 1970-71 Saeed (Identical with Philosophy and Religious Studies 270)

CATALOG MATERIAL: (continued)

Oriental Studies 289, Pakistan: Background, History, Politics and Civilization (3)
I 1970-71 Saeed (Identical with History 289)

Oriental Studies 294a-294b, Readings in Urdu (1-4) Yr. Saeed

Rehabilitation 184, Ethics and Client Relationships in Rehabilitation (3) I 1970-71
Fisher

Rehabilitation 185, Dependency Populations in Rehabilitation (3) II 1970-71 Spiesman
Speech 60, Speech and Hearing in Communication (3) II Skinner
Speech 271, Articulation Disorders and Therapies (3) II Staff
Speech 281s, Auditory Disorders in Children (3) Summer Robertson
Speech 371, Disorders of Symbolization in Adults (3) I Staff

Changes

- Astronomy 205, Basic Astrophysics (3) I change to 201, Introductory Theoretical
Astrophysics
Astronomy 210, Galactic Structure (3) I 1970-71 change to 200, Introductory Stellar
Astronomy
Biological Sciences 336, Advanced Ecology (2) II (Identical with Geochron. 336)
change to 337
Chemistry 330, Radiochemistry (3) I change to Radiochemistry and Radiation Detection
(Identical with Nuclear Engineering 330)
Civil Engineering 322, Advanced Hydraulics (4) II change to (3) On Demand
Classics 201a-201b, Latin Reading Course (4-4) Yr. change to (3-3)
Classics 244, Roman Literature (2) II 1970-71 change to 244a-244b (2-2) Yr.
Engineering Mechanics 320, Fluid Mechanics of Incompressible Flow (5) I change to
320a-320b (3-3) Yr.
Geology 357, Propagation of Elastic Waves (3) I change to 356
German 3c, Scientific Readings (4) II Staff DELETE
Mathematics 49a-49b, Analytic Geometry and Calculus for Mines Students (5-5) Yr.
change to Analytic Geometry and Calculus
Mathematics 79a, Analytic Geometry and Calculus (5) DELETE
Mathematics 79b, Analytic Geometry and Calculus (5) DELETE After Fall Semester 1970.
Microbiology and Medical Technology 117R, Lectures in General Microbiology (3) I, II
DELETE
Physical Education for Women 6213as-6213bs, Workshop: Folk Dance for Secondary
Teachers (3) II (Ident. with HPER 6213as-6213bs) change to 297d (1-3)
(Ident. with HPER 297d)
Physical Education for Women 297, Workshop: Folk Dance for Elementary Teachers (2) II
1969-70 Garner (Ident. with HPER 297)
a. The Americas
b. European Countries
c. Asia, Pacific Islands, Africa change to
Physical Education for Women 297, Workshop (1-3) I, II (Ident. with HPER 297)
a. Folk Dance for Elementary Teachers - The Americas
b. Folk Dance for Elementary Teachers - European Countries
c. Folk Dance for Elementary Teachers - Asia, Pacific Islands, Africa

ANNOUNCEMENT RE APPOINTMENT OF AD HOC FACULTY SENATE COMMITTEE ON FREEDOM OF
EXPRESSION: It was announced by the secretary that President Harvill had appointed
the following persons to serve on the ad hoc Freedom of Expression Committee which
the Faculty Senate at a recent meeting had requested be appointed:

Faculty

Mr. David Butler, Registrar's Office
Professor John J. Irwin, Law Administration
Professor Willard C. Lacy, Mining and Geological Engineering
Professor Robert M. Lawrence, Department of Government
Professor Robert H. Marshall, Department of Economics
Professor Charles T. Mason, Biological Sciences
Mr. G. Marshall Townsend, U of A Press

Students

Miss Freddie Jo Kalil
Mr. Thomas A. Restaino
Mr. William G. Ridenour

Professor John Irwin of the College of Law will serve as Chairman.

REPORT OF AD HOC FACULTY SENATE COMMITTEE TO STUDY UNIVERSITY COURSE ATTENDANCE

POLICY: Mr. McMillan introduced Professor Alethea Mattingly, Chairman of the ad hoc Committee on Course Attendance Policy which had been appointed by President Harvill upon the recommendation of the Faculty Senate. Other members of the committee had included Professor Timothy Brown, Professor Lloyd E. Burton, Professor Louis C. Gasper, Professor Neal D. Houghton, Professor Thomas M. Morris, and Professor Harry E. Stewart. All members of the committee except Professor Stewart were present at this meeting. The committee's report read as follows:

"The ad hoc committee appointed upon motion of the University Senate to consider the proposal from the Student Senate regarding the university's Attendance Policy recommends some modification in statements on page 145 of the current catalogue under the heading ABSENCES. We recognize that there are courses and activities for which attendance is absolutely essential and do not attempt to legislate away requirements of attendance in them. Where no special departmental or course attendance requirements exist, we recommend the following as a statement of policy to appear in the university catalog:

ABSENCES--Students are expected to be regular and punctual in class attendance. The University believes that students themselves are primarily responsible for attendance. Recognizing, however, that the university bears responsibility to the students, it sets forth certain regulations regarding attendance.

"Class attendance for freshman students is mandatory in all courses. Class attendance is mandatory for all students enrolled in laboratory, discussion, and drill sections where a substantial amount of the course content can be had only in class participation. Whenever freshman students or students in such laboratory, discussion, or drill sections are absent for as many times as correspond to the unit value of the course, whether such absences are consecutive or not, the instructor shall report such absences to the Dean of Men or Dean of Women. Upon receipt of such notice, the dean shall notify the instructor if any information in his possession explains the student's absence. If the dean has no such information, he shall notify the student that his absences have been reported and

that additional absences will authorize the instructor, at his discretion, to drop the student from the course with such grade, 8 (Withdrawal) or 5 (Failure), as his record at the time warrants.

"When an instructor recommends dropping a student because of absences, the dean of the college, after investigating the circumstances, shall request the Registrar to close the records of the student with the appropriate grade unless he has learned of extenuating circumstances which, when communicated to the instructor, will lead him to withdraw his recommendation."

Mr. McMillan stated that the report came before the body as a seconded motion.

Vice President Johnson said he noted that the new statement did not include a provision similar to the present catalog statement which points out that students may be excused from class for attendance at officially authorized functions by action of the Advisory Council. He said he assumed that the Dean of Men or Dean of Women would have to become bookkeepers in keeping track of excused absences and take these into account whenever an instructor reported excessive absences. He asked if an instructor would be expected to respect an official excuse issued by the Dean of Men or Dean of Women following Advisory Council approval of an activity, as is the present practice. Dr. Mattingly answered in the affirmative. Professor Hetrick asked again if Advisory Council authorization for absence for an approved activity would be officially recognized. Dr. Mattingly said again that the Dean of Men or Dean of Women would be aware of these and would take these into account in any report of excessive absence. Dean Rhodes asked if excused absences would continue to be authorized in advance of an activity. Dr. Mattingly said that it was not the committee's intention to change procedure in this regard. Students would still be issued their approved absence slips in advance and would have these to present to instructors ahead of time.

Professor Davis asked if he was correct in his understanding that with the exception of freshman students and in certain courses where attendance was deemed mandatory by the nature of the course, all requirement for attendance was being abandoned. Professor Houghton on behalf of the committee explained that this was a matter to be left up to individual departments or instructors. A department or an individual instructor could continue to require attendance and specify that this would be part of the basis for determining a student's grade. Professor Sigworth and several other senators said that they did not relish being put in the position of having to say to their classes, "I require you to attend my class or your grade will suffer." If a faculty member does not so instruct students, are they free to cut at will? Dr. Mattingly said that the committee felt that a student penalized himself by his absences and proceeded at his own risk. Dr. Brown said that some classes by their nature require regular attendance more than others. Professor Gasper commented that if a student could indeed pass a course without being present regularly, why was that not all right? Professor Sigworth pointed out that in certain graduate classes the chief gradeable exercise is a series of papers. Would it then be all right to give a student a satisfactory grade if his papers were well done without regard to his class attendance? Professor Gasper and several others answered in the affirmative.

Professor Davis said that if two men are teaching the same course

and one man says, "Your grade will be awarded simply on your performance on quizzes, papers, and the final exam and that class attendance does not matter," and the other instructor says, "I require regular attendance and will dock your grade if you are absent," is this an equitable procedure? Professor Brown said that a definite departmental policy was needed in such an instance. Professor Davis asked if departments or colleges could handle this matter by individual policies, and the answer from the committee members present was "yes."

Mark Ginsberg asked what sort of investigating procedure would be used by the deans of the colleges as referred to in the final paragraph of the report. Professor Houghton said that this procedure would be the same as now. The dean has always had to sign the drop slips and would continue to do so. Several persons asked what procedure the deans follow now. Dean Rhodes said he for one could explain that his office checks with the instructor concerned to see if there is anything special about the case. Then an attempt is made to reach the student and if he has not responded in one week, the instructor's request to drop the student from the course is sent forward. If the student comes in, he is asked about the situation and if his excuse seems reasonable, this information is forwarded back to the instructor. Dean Hull said the College of Fine Arts follows a similar procedure. However, the student is contacted before the dean first communicates with the instructor. He said he felt the proposed new procedure would be helpful and would give the deans a better opportunity to check on cases.

The question was then called for and passed without dissenting vote. Mr. McMillan thanked the committee members for their work in preparing this report.

REQUEST FROM COLLEGE OF MEDICINE TO CHANGE ITS COURSE GRADING PROCEDURE FROM THE NUMERICAL SYSTEM THAT IS PRESENTLY IN USE THROUGHOUT THE UNIVERSITY TO A PASS-FAIL SYSTEM: Mr. McMillan called on Dean DuVal of the College of Medicine who presented a recommendation from the faculty of that college concerning adoption of a pass-fail grading system for students in Medicine. The report of the committee was as follows:

"I. Objective

"The College of Medicine requests permission to change its course grading procedure from the numerical system that is presently in use throughout the University to a pass-fail system. Under this proposal the grades available for students enrolled in the College of Medicine would be as follows:

- P - Pass; course credit received
- F - Fail; no course credit received
- 6 - Incomplete - failing
- 7 - Incomplete - passing
- 8 - Approved withdrawal
- 9 - Course cancelled by the University.

"II. Background and Justification

"The process by which academic performance is measured is of particular importance to Colleges of Medicine because admission to these colleges is largely determined by undergraduate grade point averages. In addition, the type and character of training opportunities that may be available to medical school graduates are usually determined by academic performance records during medical school. This makes premedical and medical students especially "grade conscious."

"Unfortunately, neither course grades nor rank in class have proven to be very effective as expressions of academic achievement. More importantly, neither have they been accurate prognosticators of future performance as a physician. On the contrary, separation of students into ranks (sometimes based on tenths of decimal points) without regard to the specific strengths or weaknesses in their role as student physicians, may work against them as they seek appointments for post-graduate training and/or hospital appointments. Clearly, it would be preferable if their motivation to learn was their interest in medicine rather than attainment of a particular grade.

"At the same time, the nature of medical education and the implications for society relative to the awarding of the M.D. degree serve as constraints to a medical faculty and require its members to insist upon the achievement of a level of satisfactory performance as a prerequisite for graduation. Adoption of a pass-fail system does not interfere with this objective and, indeed, offers the same control, in this regard, as a more structured grading system. At the same time, a pass-fail grading system may enhance the process of faculty evaluation of student performance in other ways. Thus, a companion feature of this proposal is that, along with the formal grades entered in each course (P, F, 6, 7, 8, or 9), each department will submit a written evaluation of the performance of each student. This evaluation will be prepared following a discussion by all faculty members who have been involved in a given course and, consequently, it will ultimately be representative of the opinions of the entire faculty. These comments will be kept on file in the office of the Dean for release to sources outside the College of Medicine upon the request of the student.

"Medical colleges are probably in a particularly good position to benefit by the adoption of pass-fail grading systems. They have classes of reasonable sizes allowing close contact between professorial faculty and students. The students have made their career choices and are in their graduate years; thus, they are differently motivated than are undergraduate students. Most important of all, a pass-fail system in a medical setting offers the student an opportunity to avail himself of non-medical, university offerings (a provision of our senior year curriculum at this time) without fear that his performance may reduce the likelihood that he will successfully attain his M.D. degree.

"III. Operation of the Proposed System

"If approved by the Faculty Senate, the College of Medicine will implement the new grading system in the fall semester of the 1970-71 academic year. During each semester the faculty will record its evaluations of student performance, whether by test scores, classroom, or hospital-ward activity, in whatever manner is appropriate to the subject material of that department. At periodic intervals each student will be apprised of the quality of his performance without specific mention of a letter, or a number grade, and without comparison to the performance of his classmates. At the end of each semester a grade of pass, fail, 6, 7, 8, or 9 will be recorded in the office of the Registrar. In addition, a narrative evaluation appropriate to the performance of each student will be recorded and forwarded to the office of the Dean by the faculty within each department. No attempt will be made to make this narrative a "consensus" report. Rather, if faculty disagreement occurs the narrative evaluation will reflect the divergent views. The compilation of these evaluations will be of help to the faculty in making decisions regarding the academic progress of the student and in advising him regarding his most likely opportunities for post-graduate training. They will also upgrade the capability of the office of the Dean in responding meaningfully to requests for information about the performance of each student.

"It is proposed that the evaluations will generally be treated as confidential. This will permit the faculty the greatest possible freedom in their preparation. However, we also feel that each student should be apprised of the general character of the contents of his evaluation folder through his faculty advisor or through the office of Student Affairs.

"Under this proposal the grade of 7, although available, will probably not be used. Since the medical student must complete the work in each course, if he is to receive the M.D. degree, a grade of incomplete can only be resolved to a failure if the work is not made up. The grade of 6 assures that this will take place. If the work is made up, unsatisfactorily, the 6 will revert to a fail. If the work is made up satisfactorily, the grade of 6 can revert to a passing grade. Thus, the grade of 7 may prove to be redundant.

"Finally, all of the grades proposed for use in the College of Medicine are currently in use on the campus of the University of Arizona. Adoption of the proposal in the College of Medicine thus poses no additional problem for the office of the Registrar. Some of the courses that are currently offered in the College of Medicine are available to students who are enrolled in other colleges. For these students, the medical faculty would continue to assign differential grades, as before. Members of the University faculty who may be grading medical students enrolled in courses outside of the College of Medicine will be asked to submit a grade of pass or fail, as they may do now under existing University policy relative to the use of these grades in courses that do not pertain to the major.

"IV. Summary

"The faculty of the College of Medicine is requesting authorization from the Faculty Senate of the University of Arizona to adopt a pass-fail system of grading for students who are enrolled in courses leading to the M.D. degree. Under this system, qualitative performance of the student will supplant comparative performance by virtue of the substitution of a system of faculty evaluation that is independent of grades. These evaluations will serve as the basis both for judging on-going, academic performance and for recommendations relative to post-graduate educational and training opportunities in the medical specialities.

"The faculty of the College of Medicine believes that the adoption of this system will have the following beneficial effects:

- (1) It will displace grades, and substitute the acquisition of knowledge as the principal motivating factor for its students;
- (2) It will stimulate an infinitely more careful evaluation of students by the faculty, and lead to an improved rapport between faculty members and students;
- (3) It will increase, substantially, the likelihood that medical students will elect to take courses outside of the Medical College."

Dean DuVal moved that the report be adopted and several persons seconded the motion. Dean DuVal said that the faculty of the College of Medicine would, if the Senate approved the report, implement the new grading system beginning in September 1970.

Dr. Gegenheimer asked if such a grading system would be of concern to accrediting bodies which accredit colleges of medicine. Dr. DuVal explained that half of the accredited medical schools in the United States already use such a grading system. Professor Green asked why a higher mark than mere Pass such as Honors or Superior would not be used. Dr. DuVal said that the medical faculty did not wish to indicate levels of distinction beyond pass itself.

Dr. Blitzer said that the three reasons given for going to a total pass-fail system in the summary of the recommendation might well be the hope of many members of the faculty about grading in general. He said he for one would be interested in receiving a report from the College of Medicine in a few years after the new grading system has been in effect to see if the hopes expressed in those remarks had been realized.

Dr. Skinner said he knew that the vote within the medical faculty to adopt this grading system had not been unanimous. He asked if a minority report would be received. Further, he asked what the grading system should be in other post-graduate programs besides medicine. Dean DuVal said he felt that the minority of the medical faculty members voting against the proposal had not directly been involved with any grading system other than a standard one and

therefore felt uncomfortable about the prospect of expressing relative performance of students without grades available to do so. Also a small number of faculty members did see a desirable feature in the competition of working for grades. "It is good to have to work for grades," was their attitude. If a student knows he's his own boss without the discipline of having to measure up to marks of different gradation, he may give an improper proportion of time to some areas of study at the expense of others. As to other graduate disciplines, Dean DuVal said he did not feel competent to comment.

Dr. Siegel said that later in their careers Arizona's medical graduates would be considered for selection as interns or holders of residencies. How will grades of pass-fail relate to such situations? Dean DuVal said that the personal comments of persons who know the student best will be considered. This is common practice in medicine and it is felt these will be much more meaningful than traditional grades.

Dr. Massengale asked Dean Rhodes to comment about the appropriateness of grading on a pass-fail basis in other graduate fields. Dean Rhodes said that in a hundred departments offering graduate work there would be great diversity. The strengths and weaknesses of various departments vary considerably. Dean DuVal pointed out that at the present time in graduate departments, the only grade that can be given in a course for which graduate credit is to be awarded is a 3 (C) or higher and since a 2 (B) average is required every 3 (C) must be counterbalanced by a 1 (A). On the other hand you cannot counterbalance a Fail in Medicine. He commented further that the grade of 7 would probably not be used very often in Medicine's grading.

The question was called for and the motion passed unanimously.

QUESTION RE NOMINATION OF MEMBERS TO FACULTY SENATE: Dr. Siegel asked about the balloting now in progress for nominations for membership in the Faculty Senate. Nominations are being made at this time within the various colleges as a phase of the election of college representatives. He said the nominating ballots call for nominating only one name although it would seem appropriate to nominate as many persons as colleges are entitled to elect. Dr. Gegenheimer explained that the nominations are proceeding legally according to the procedure called for by the Constitution and Bylaws. Unfortunately when the Constitution and Bylaws were revised last year changing the number of representatives from each college, the election procedure was not revised accordingly; thus the nominating procedure is proceeding now the only way it can. The bylaws of course must be changed in this respect and the committee at present studying the Constitution and Bylaws will undoubtedly propose changes in the nominating procedure.

FURTHER DISCUSSION OF REPORT OF AD HOC FACULTY SENATE COMMITTEE ON ADJUDICATION OF DISPUTES RELATED TO NONACADEMIC ACTIVITIES OF STUDENTS: STANDARDS OF CONDUCT EXPECTED OF STUDENTS: On motion by Dean Ares with a number of seconds, the Senate voted to remove from the table an item tabled at the March meeting, a report of the ad hoc Faculty Senate Committee on Adjudication of Disputes Related to Nonacademic Activities of Students relating to standards of conduct expected of students and an extensive amending of that report proposed by Dr. Robson. The Senate voted to take this matter from the table.

Professor Skinner commented that he had come to realize after serving on the earlier Committee on Freedom of Expression that a body can get bogged

down in its efforts if it seeks to state too restrictively any set of procedures. It is more appropriate in his judgment to establish a sound general statement and try to live by that. While he was in sympathy with the aims of the committee that had drafted the "standards of conduct" under consideration he felt it would be better not to try to be so specific in spelling out various offenses. The goal should be to establish something that is best for the general student body. He said he did support changes which Dean Ares had suggested to the committee's original report and had circulated to the Senate membership.

Dean Myers asked if Mr. Johnson's committee which had prepared the report had had an opportunity to consider Dr. Robson's proposals. Mr. Johnson said the committee had, and he would summarize these briefly. (To refer to the several points the reader is referred to the minutes of the March 2 meeting of the Senate, pages 1267-1272. The committee's original report is included on pages 1267-1269 and Dr. Robson's proposed amendments are included on pages 1269-1270.)

So far as the proposal to delete the words "as such a citizen" from the first paragraph of the preamble and the words "unique and" and "peculiar or" in the second paragraph, the committee could not help but wonder what reasonable objection could be made to these. They felt the wording was appropriate but did not feel that the preamble would be weakened seriously if these words were deleted.

So far as Point 1 was concerned of the ten numbered statements, the committee felt the statement should be retained. Dr. Robson would delete it. If a change is felt to be necessary however they would accept the change that Dean Ares had suggested.

On Paragraph 2 the committee felt that the words which Dr. Robson would delete should be retained. To omit these words would do nothing to improve communication on this campus or reduce polarization. Similarly it was felt that the words which Dr. Robson would delete from Paragraph 3 were necessary to have the sentence read as it should, in the judgment of the committee. Point 4 which Dr. Robson would delete entirely the committee felt should be retained as presented. On Point 6 Mr. Johnson said the committee felt that while in a strict sense the word "narcotic" was not needed, it was felt by the committee to be wise specifically to mention it. Dean Ares asked if Paragraph 6 referred only to activity on campus, or included off-campus activity. Dr. Dewhirst said that in his judgment the provision should cover activity on campus and activity off campus when an individual was participating in a University function. Mr. Johnson explained that there were off-campus situations where an individual should be subject to such a regulation--for example, when a student is in El Paso as a member of the University basketball team.

Professor Sigworth said it seemed to him that neither the word "narcotic" nor "illegal" was needed in Paragraph 6. He said he did not understand how illegal drugs would be permitted by law. Several other persons said that the word "expressly" should be deleted and others suggested that the word "unauthorized" be inserted as the first word of Statement 6.

Commenting on Point 7 which Dr. Robson would delete entirely, Mr. Johnson explained that students have said repeatedly that they needed to know the rules they were to live under, and that the rules must be spelled out clearly

and carefully. They have further said that they preferred the University to handle problems rather than have them handled by off-campus officials. The University must try to be consistent. Sometimes the same people who in one instance state, "Campus rules shouldn't be applied here. State law should be followed," in another situation will say, "Let's not be subject to state laws. Rather, let's have our own campus rules."

Someone asked if examples of obscene conduct could be given and Mr. Johnson gave as an example the use of four-letter words by certain persons speaking at Speaker's Corner earlier this year. Professor Skinner said he thought that Vice President Johnson's office had handled that situation well and he thought it would be better to let an office such as Mr. Johnson's continue to handle such problems rather than try to set up specific regulations governing such behavior. Dr. Lytle asked who it is that makes the decision as to what is obscene. Mr. Johnson said it would be the same persons as now. A person makes a complaint to the Dean of Men or Dean of Women. The personnel dean investigates the situation and then forwards a recommendation to Vice President Johnson. Disciplinary action can be recommended if it is felt to be warranted. Mr. Lytle said that his concern is the capability of campus officials to decide something as nebulous as what is lewd, indecent, or obscene conduct or expression. Even the courts have great trouble with this matter, he pointed out, and it would be a very big burden to put on a dean or on any campus official. Further, if we come right out and say, "Thou shalt not use such words," we are in fact inviting a dirty free speech movement as a sheer act of defiance. He said he would agree with Professor Skinner in that we should not court confrontation. Let Vice President Johnson's office or some appropriate office handle individual cases. Mr. Johnson pointed out that the institutions which have had the most trouble in the past with the very matter we are discussing, for example, so-called obscene language, have adopted measures similar to the one proposed here, and Mr. Johnson read the statement adopted recently by the University of California. When an offense takes place and a student is told he has violated a standard, the first thing he always asks is, "Where does it say I can't say that?" or "Where does it say I can't do that?" and the University needs authorization to point to.

Dean Ares said he would agree that detailed rules are necessary. They must be spelled out in advance. Orderly operation requires this. However, in something as elusive as lewd, indecent, or obscene conduct or expression, if we aren't careful we might trigger very real difficulties, he said, because these are so hard to spell out. What is lewd and obscene and indecent to one person is not to someone else. Further, the University must exercise great care to avoid being accused of using this sort of behavior as the basis to attack someone for political reasons.

Professor Dewhirst said that we have a judicial framework now that promises to operate effectively. The Dean of Men or Dean of Women in case of a serious offense can make recommendations for whatever is felt to be appropriate action including suspension. The student then has immediate recourse through the University Hearing Committee. This appeal action can take place even before a recommendation has been forwarded to the President. The committee, he reminded the Senate, is made up of three faculty members and two students. It is true that what is lewd today may not be lewd tomorrow, but the judicial system will take care of this because the members of the review bodies will be contemporaries of those accused.

Professor Ares asked if the words "disorderly conduct" would blanket in lewd, indecent, or obscene conduct or expression. Mr. Johnson said that in his judgment they would. The Arizona code seems to indicate that these offenses are included under disorderly conduct although there are separate state laws also relating specifically to lewd, indecent, or obscene behavior.

Professor Lytle said he would not like to see rules established that could not be enforced. Rules on use of words are very hard to enforce.

Mr. Kelter said it is true that once a recommendation is decided upon by a personnel dean, the student has as a recourse an appeal to the Hearing Committee. However, he felt that there should be opportunity for a hearing before the dean's recommendation is made.

Professor Siegel asked if Paragraph 7 would apply to productions by the Drama Department. Dr. Hetrick asked if the proposal was to be enforced at the convenience of the authority in charge. Dr. Robson said he hoped everyone realized that what was really sought here was something which could be used at the convenience of the University Administration to attack persons who the Administration felt were behaving in an unappropriate way on political issues. Referring to Dr. Siegel's comment, he said that most University drama productions include words that some people might consider obscene, lewd, or indecent.

Dean Ares said that if a rule such as this is established, someone might raise questions about offerings of the Drama Department or certain pieces of literature in a Chaucer class, for example. Sometimes a statement using certain language is accepted because of the idea it is supporting. Certain words are tolerated if they are part of a drama offering or a piece of literature. Similarly a man speaking at Speaker's Corner could claim that his use of certain words was all right because they were used to support a political idea. Mr. Ginsberg pointed out that the speaker who had been considered the most serious offender for use of four letter words when he used them at Speaker's Corner last year, had been quoting from a book that is on the shelves of the University Library.

Dr. Kruttsch said he thought a distinction should be made in the directions in which certain words are aimed. Words aimed toward a specific individual are used differently than when they are used only in a general manner in a speech. If the aim is character destruction this is more serious than only general commentary.

Professor Green said it seemed to him that the Senate was bogged down at this point. He questioned whether the group should be discussing any one item of Dr. Robson's proposed amendments or even the points of the original committee's report when the Senate was only supposed to be receiving, he thought, the reaction of Mr. Johnson's committee to the Robson amendments. Several persons suggested that Mr. Johnson proceed with his commentary but Mr. McMillan ruled that members of the Senate could comment as they saw fit as each item was mentioned by Mr. Johnson. Dr. Robson said that if this was the case, he and others wished to comment on certain points made by Mr. Johnson earlier in his remarks about Dr. Robson's proposed amendments.

Dr. Lytle said that efforts should be made to avoid a situation which could be as embarrassing for this university as a situation had been a year or

so ago for the University of New Mexico. An English faculty member there had written a poem which used certain four-letter words. This poem had then been read aloud on the campus and in the hubbub that followed an intolerable situation had resulted for the English Department. Certain persons had demanded that the author of the poem be dismissed, etc. "We must be willing to demonstrate an exceedingly large amount of deference to obnoxiousness," Dr. Lytle said, to avoid a more serious offense on the other side of the scale by establishing too severe a restriction.

Proceeding to Paragraph 8 of the original report Mr. Johnson said the committee felt that the words which would be deleted by Dr. Robson's proposal should not be because there are many situations where any University official, faculty members included, must have the authority to give orders to students and have them complied with. He said he as a University Vice President, for instance, should have the authority he felt he did have on the night of January 8 when he was giving orders to certain groups of students at Bear Down Gym. University officials having certain responsibilities must under certain circumstances have the authority to give directions and expect to have them carried out. He said he did not see why this statement in Dr. Robson's judgment should apply only to off-campus law enforcement officers. Professor Ares commented that his reaction to this point was not one of objection to including other University officials. Rather he felt that the statement should provide that the orders must be reasonable ones. Referring to Paragraph 9 Mr. Johnson said the committee had simply felt that all University rules should be brought together in one general statement.

Turning to Paragraph 10 which Dr. Robson would delete entirely, Mr. Johnson said that the committee while it had faith in the University judicial system felt it could not anticipate everything that might arise. It definitely was felt that a general overall provision was needed. He pointed out that the University of California had recently adopted such a statement. "Unless we can provide a document that takes care of every conceivable sort of offense that might ever take place, then a catchall provision is needed," Mr. Johnson said the committee felt. Professor Bok said he wished to speak strongly against Paragraph 10 and he cited happenings he was witness to several decades earlier when he was at Harvard University when a so-called catchall regulation was brought up to be used against a number of innocent people. Catchall phrases are very dangerous when the political scene changes from time to time, he said. He said he hoped the committee's report could be "cut" wherever possible. The more rules that can be cut out, the better the document in his judgment.

Mr. Kelter said he would like to say again that he did not have faith in a judicial system that does not provide an early provision for hearings. Mr. Johnson said he did not feel that the committee's recommending Point 10 was in any way a step backward from procedures provided by the judicial system.

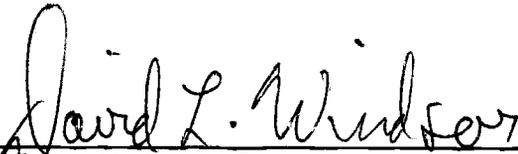
Dr. Gegenheimer then moved that consideration of the various Robson amendments be considered item by item, the three-paragraph preamble being the first one considered and the 10 points then to be taken up one by one. This motion was seconded by several persons and carried unanimously. Voting then proceeded and the Robson amendments to the preamble, that is, deletion of certain words as indicated earlier, were approved. The Senate next considered Dr. Robson's proposed amendment to Paragraph 1 (which would have deleted this

paragraph entirely). Dean Ares moved a substitute amendment to change the provision to read: "Any conduct, active or passive, which is intended to obstruct, disrupt, or interfere substantially with teaching, research, administration, disciplinary procedures, or any other activity sponsored or approved by the University, including the University's public service functions, on property belonging to or controlled by the University, and which does in fact obstruct, disrupt, or interfere to a substantial degree." Dr. Kemmerer seconded this motion.

Dr. Miller asked Dean Ares to define what he meant by the words "substantially" and "substantial." "How is this measured?" she asked. Dean Ares said that he could not be more specific than to say that it was other than minor matters. Mr. Johnson said that if Dean Ares did not intend his new language to cover minor infractions then he for one could not support the substitution.

Dr. Siegel said that the hour had grown late. He realized it was difficult to construct language on the spot. He said he was not certain that the grammatical structure of Dean Ares' amendment was correct and he suggested that the Senate might do well not to continue its consideration of this matter at this time.

Dean Rhodes said he agreed with Dr. Siegel's point and he and several others moved to adjourn. Several seconds were heard and the meeting adjourned at 5:30 o'clock.



David L. Windsor, Secretary