

MINUTES OF MEETING OF THE FACULTY SENATE OF THE UNIVERSITY OF ARIZONA
Monday, May 4, 1970 Room 350 Modern Languages

The Faculty Senate convened in regular session at 3:40 p.m. on Monday, May 4, 1970, in the Modern Languages Building auditorium (Room 350). Fifty-one members were present with Vice President McMillan presiding.

SENATE MEMBERS PRESENT: Anthony, Ares, Armstrong, Bannister, Bartlett, Blitzer, Bok, Brewer, Burton, Carlson, Davis, Delaplane, Dewhirst, Dutt, Fahey, Gegenheimer, Goodwin, Gould, Green, Herber, Hetrick, Higley, Houston, Johnson, Kassander, Krebs, Lytle, Massengale, McMillan, Mees, Miller, Murphy, H. Myers, Nigh, Paylore, Resnick, Rhodes, Robson, Schaefer, Selke, Siegel, Sigworth, Skinner, Svob, Tomizuka, M. Voris, Windsor, Wise, Yoshino, Younggren, and Zwolinski. Student representatives attending were Mark Ginsberg and Bill White. Student guests Bruce Eggers and Tom Henze also were present. Also present was Mrs. Mary Roby, a faculty member of the Ad Hoc Faculty Senate Committee on Adjudication of Disputes Related to Nonacademic Activities of Students.

SENATE MEMBERS ABSENT: Barnes, Bingham, Blecha, Christopherson, DuVal, Forrester, Gaines, Harvill, Hull, Kemmerer, Kruttsch, Little, Lowe, Mautner, L. Myers, Paulsen, Richard, Saarinen, Sorensen, Spicer, and W. Voris. Student representative absent was Alex Kelter.

APPROVAL OF MINUTES: The minutes of the meeting of April 6, 1970 were approved as distributed to members.

CATALOG MATERIAL: The following catalog material was accepted:

Changes

Government 281, Government and Natural Resources (3) II change to Environmental Policy.
History 207a-207b, The Civil War and Reconstruction (2-2) Yr. change to (3-3)
Metallurgical Engineering 220, Hydro and Electro Metallurgy (3) II change to
Electrometallurgy (2) I
Physiology 310, Research Methods in Physiology (2) I, II change to (1-3)

PROGRESS REPORT FROM AD HOC COMMITTEE ON STUDENT-FACULTY-ADMINISTRATION COMMUNICATION:

The chair asked Dr. Lytle, chairman of the Ad Hoc Committee on Student-Faculty-Administration Communication, to report on the progress of that committee's work. Dr. Lytle reminded the group that following the Bear Down incident on January 8, two general faculty meetings were convened and as a result of action at one of these an Ad Hoc Committee on Student-Faculty-Administration Communication was appointed. The committee includes the following members: Dr. William Boyd of the College of Law, Dr. Thomas Brindley of the College of Education, Dr. Joseph Cowan of the Department of Philosophy, Dr. Ray Thompson of the Department of Anthropology, Vice President Marvin Johnson, and Dr. Clifford Lytle of the Department of Government, chairman. The charge to the committee by the motion requesting its creation had read: "The mandate of this committee should be broad but should certainly

include (1) an examination of procedures for communication and consideration of grievances real or imagined in such a manner as to prevent their reaching disruptive proportions; and (2) an examination of procedures for dealing with such disturbances actual or potential as might occur or seem imminent despite efforts to prevent them. This committee should consult with and solicit suggestions from students, faculty, and administrators, and its report, to be presented to the Faculty Senate by the end of the current academic year, should include appropriate recommendations to each of these three components of the University." Dr. Lytle said the committee had met almost every Thursday since it was appointed.

The committee had decided it was beyond its purview to do anything regarding the January 8 incident itself. The committee felt it could make its greatest contribution by recommending actions which would help in the future to prevent incidents similar to the one at Bear Down Gym on January 8. The committee had first held a series of three open hearings to gain suggestions from faculty members, members of the administration, and students. After these, in order to be certain that as wide a perspective as possible would be gained, members of the committee had interviewed various individuals on the campus. Much data had been collected. To gain still further information, an independent survey was authorized to be conducted totally independent of the committee itself, making use of a scientifically selected random sample of persons. The survey is being conducted by a member of the staff of the Department of Government and a substantial number of students and faculty members are being interviewed.

The charge to the committee had indicated that the group should submit its report to the Faculty Senate at the last meeting of the year, that is, at the May meeting. The assignment to the committee had turned out to be such a massive undertaking, however, that it had been impossible to prepare a report for today's Senate meeting. The committee now must analyze the data collected and then prepare a comprehensive report. It was believed this can be submitted to the Senate early in the fall.

The committee has had some problems in conducting its work. Many complaints have been received that were neither relevant nor pertinent. The committee has learned that a prestigious effort is being made by the University administration to improve matters in various areas. Many students are also working toward the same ends. It is felt, Dr. Lytle said, that a worthwhile report will result from the committee's work.

REVISION IN THE FOREIGN LANGUAGE REQUIREMENT FOR THE DOCTOR OF PHILOSOPHY DEGREE:
Dean Rhodes explained that the Graduate Council had only three days before, after studying the matter for some months, voted to propose a revision in the foreign language requirement for the Doctor of Philosophy degree. It was hoped that if approved, the new policy could take effect in September 1970. Such an adjustment, however, must be approved by the Faculty Senate, and there would not be another Senate meeting this year after today's meeting. As a matter of fact, the matter should have been approved by the Advisory Council before being presented to the Senate but since most members of the Advisory Council are also members of the Senate it had been felt appropriate to bring the matter to the Senate today, Dean Rhodes said, and if the Senate saw fit to consider the matter and then chose to approve it, such action would be subject to approval by the Advisory Council. It would be presented to that body at its next meeting. Dean Rhodes apologized for bringing up this matter since it was not on the agenda, but explained again that the matter must be acted upon at this meeting if the new procedure were to be in effect at the opening of the next academic year.

Dr. Lytle then moved, with several seconds heard, to adjust the agenda of the meeting and take up next the question raised by Dean Rhodes. The motion carried unanimously. Dean Rhodes distributed a proposed rewording of the foreign language requirement for the Doctor of Philosophy degree as follows:

Foreign Language Requirement for the Doctor of Philosophy Degree:
Before taking the preliminary examination, the student must demonstrate proficiency in a foreign language. This may be accomplished in any of the following ways:

- (a) Obtaining a satisfactory score on one of the Graduate School Foreign Language Tests administered by the Graduate Record Examinations Board and the Educational Testing Service. These tests are currently available in French, German, Russian, and Spanish.
- (b) For those languages in which no Graduate School Foreign Language Test is available, passing with a grade of 2 (B) or better an examination at the fourth-semester level (16 unit level) administered by the appropriate department at the University of Arizona.
- (c) Presenting transcripts of undergraduate work showing a grade of 2 (B) or better in a fourth-semester course (at the 16 unit level) of a foreign language taken as an undergraduate at an accredited college or university.
- (d) Passing with a grade of 3 (C) or better a course beyond the fourth-semester (16 unit level) regularly offered at an accredited college or university in the composition, conversation, or literature of a foreign language (except that literature-in-translation courses are not acceptable).

A foreign student whose native language is other than English may offer English in satisfaction of the foreign language requirement and will be deemed to have demonstrated adequate proficiency in English by passing his preliminary examination for the doctorate, conducted in the English language.

The language required will generally be French, German, Russian, or Spanish except that another approved language may be substituted for these with the consent of the major department and the Graduate Council.

Additional requirements in foreign language proficiency or proficiency in research tool subjects or techniques may be established by the major department.

Dr. Sigworth asked how, if this change were approved, the University of Arizona would compare in the matter of the foreign language requirement for the Ph.D. with other institutions in the country with which we would like to be compared. Dean Rhodes replied that we would be about in the middle of the spectrum. Some institutions are still very rigid in requiring two languages. Others have abandoned a foreign language requirement entirely, or leave imposition of the requirement to the discretion of the individual department.

The proposal was discussed at length. The point was made by Dr. Kassander that it seemed to him this adjustment would put off for some years any chance of a department's determining for itself whether a student might substitute computer science, for instance, for a foreign language. Dean Rhodes said the Graduate Council had felt it would not be wise to leave this option to the departments if only one language were required. Dr. Kassander said he disliked putting off the opportunity for a department to have the ultimate full authority to regulate this matter. "Why not take the whole step at this time?" he asked. Dean Rhodes said the Graduate Council had been guided by the results of a questionnaire the Council had circulated widely among University of Arizona faculty members. The spectrum of response had run all the way from recommendations that the language requirement be strengthened, either by requiring proficiency in three languages or by requiring a higher level of proficiency in two languages than has been the case, to the other extreme of a complete abandonment of any foreign language requirement at all. However, Dean Rhodes continued, a substantial majority of the faculty had indicated they were in favor of maintaining some language proficiency requirement for the Ph.D. The Graduate Council, in consideration of the majority view of the faculty, had felt it could not recommend differently than it had.

Further, Dean Rhodes said, in a matter of this kind no one can be sure that the right change in procedure is being adopted. If the move from a two-language requirement to a one-language requirement proves to have been a wise one, then if it is felt desirable it would not be very difficult to move from a one-language requirement to a zero-language requirement. However, if we moved all the way from a two-language requirement to a zero-language requirement in one operation and then later found that a mistake had been made, it could be very, very difficult to reinstate a one-language requirement.

Dr. Gegenheimer said the Senate might be interested in knowing that the Graduate Committee of the English Department has felt for some time that the present foreign language examinations have not been altogether satisfactory and therefore hoped in the near future to change the foreign language requirement for the Ph.D. in English to require a survey course in the literature of a language conducted in that language. He said he hoped the proposed new regulations presented by Dean Rhodes would not conflict with the tentative plans of the Department of English and Dean Rhodes assured him they would not. The English Department wants its doctoral candidates to have the widest familiarity possible with other languages, Dr. Gegenheimer said. "We would hate to see some action 'peg' the whole University at just the sixteen-unit level," he said. "We would like the standard level to be at something higher than sixteen."

Dean Rhodes said he would expect that the English Department would continue appropriately to enforce a more demanding language requirement than most other departments. The effort of the Graduate Council in proposing its new procedure was to provide a variety of ways of meeting a requirement that would take care of different situations. He said note should be taken that these requirements would be minimum ones. Some years ago the Graduate Council had hoped that more demanding foreign language requirements would be adopted, at least in some departments, and had suggested that departments raise their requirement. Only the Department of English had done so. He said he would continue to hope, however, that individual departments would set additional requirements beyond the minimum ones outlined here. Departments would be asked to notify the Graduate Council of such additional requirements, of course.

Dr. Skinner said that in this day and age, particularly in certain areas of study, an individual's educational needs may call more appropriately for computer science or statistics than another language. This alternative will now not be available. Dean Rhodes pointed out that the present option permitting statistics or computer science to be substituted for one of the two languages required does not really provide a usable alternative in many fields. The new proposal would require one language for everyone. Actually the range of options now proposed, he felt, would provide greater flexibility than the present plan.

Dr. Lytle asked if Dean Rhodes could tell him what the Graduate Council had felt was truly the educational value in certain fields of the foreign language requirement. The requirement sometime seems to be a facade, he said. What is its substantive value? Dean Rhodes responded by saying some people would still insist that an appreciation and understanding of foreign languages are marks of an educated man. For others the study of a language has value only as a tool subject, they say. The debate rages on. The recent faculty survey had shown that there was feeling on both sides of this question on this campus. The consensus of the faculty however had been that whether for purposes of culture, or purposes of communication, or purposes as a tool, a competence in one foreign language still should be required of all students seeking the Ph.D. degree.

Dean Myers then moved that the proposed change in the foreign language requirement as approved by the Graduate Council be approved by the Senate subject to Advisory Council approval. Several seconds were heard. Dean Rhodes emphasized again that the proposal states a minimum requirement. Any department can be more demanding if it wishes. Dr. Hetrick said that under the present two-language requirement the option of substituting statistics or computer science for one of the languages has provided appropriate training in those fields. With the new requirement of one language with no substitution allowed, he felt the numbers of students taking computer science or statistics might decline. Dr. Bartlett and others said that this could happen but if it did it would be because a department permitted it to happen. A department can require computer science or statistics in addition to the one-language requirement if it wishes.

Professor Mees asked if it would be impossible now to substitute computer science or statistics for the one foreign language requirement. Dean Rhodes said yes, that the statement before the group was the minimum University-wide requirement.

At this point Dr. Dutt moved that the second line of the next to the last paragraph of the proposal be revised to read, "...except that another series of courses or language may be substituted...", the words, "series of courses", being inserted in place of the word, "approved". Dr. Bartlett seconded the motion. Dean Rhodes commented that this change if approved would make the whole statement meaningless. He would rather see a motion before the house that all foreign language requirement for the Ph.D. degree be abandoned. Vote on Dr. Dutt's motion was taken and the motion lost. Vote on the main motion was then called for and it carried with a few dissenting votes heard.

PRESENCE OF STUDENT GUEST, TOM HENZE, APPROVAL OF: Mr. McMillan said he had noted that among those present was a student, Tom Henze, who is not one of the student representatives of the Faculty Senate. Faculty Senate meetings are not

open to students. Mr. Henze explained that he had come to the meeting at the request of the new President of the Associated Students, Mr. Bruce Eggers, to take notes. The Senate then voted unanimously to invite Mr. Henze to be present at today's Faculty Senate meeting.

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: It was explained that at the time of its adjournment at its last meeting, the Senate had been in the process of considering a series of amendments proposed by Dr. Robson to the Recommended Standards of Conduct Expected of Students submitted by the Ad Hoc Faculty Senate Committee on Adjudication of Disputes Related to Nonacademic Activities of Students. The preamble to the ten major recommendations had been approved as revised by Dr. Robson's amendments. Voting had then proceeded on the ten specific recommendations and Dean Ares had moved a substitute amendment to provision number 1. This had been seconded by Dr. Kemmerer (see minutes of April 6, 1970). After some discussion of Dean Ares' substitute amendment, the meeting had adjourned.

Dean Ares said he would now like to withdraw his motion which was under discussion at the time of the adjournment of the last meeting.

At this point Dr. Gegenheimer explained that the Committee of Eleven had developed some proposed rewording of items 1 to 10 as stated in the Johnson report. The Committee of Eleven had asked Dean Ares to meet with it in drafting the new proposals. Dr. Gegenheimer then moved that these revised statements be accepted as a substitute motion. This motion was seconded by Dr. Skinner. The full statement of the Committee of Eleven's report was as follows:

"At its meeting on April 21, 1970, the Committee of Eleven adopted the following wording of items #1-10, as a substitute motion for that now before the Faculty Senate relating to 'Standards of Conduct Expected of Students':

1. Any conduct intended substantially to obstruct, disrupt, or interfere with teaching, research, service, administrative, or disciplinary functions, or any activity sponsored or approved by the University.
2. Physical abuse of or threat of harm to any person on University owned or controlled property or at University sponsored or supervised functions.
3. Threat of damage to property of the University or property of a member of the University community or a visitor to the University when such property is located on University controlled premises.
4. Forceful or unauthorized entry to or occupation of University facilities, including both buildings and grounds.
5. Dishonesty such as academic cheating, knowingly furnishing false information to the University, forgery, and alteration or misuse of University documents, records, or identification.
6. Unlawful use, possession, distribution, or sale of drugs on University property or at University sponsored functions.
7. Conduct or speech which violates commonly accepted standards of the University community and which, under the circumstances, has no redeeming social value.

8. Failure to comply with the lawful directions of University officials or of University security officers or any other law enforcement officers acting in performance of their duties, and failure to identify one's self to such officials or officers when lawfully requested to do so.
9. Knowing violation of University rules and regulations. Proof that an alleged violator had a reasonable opportunity to become aware of such rules and regulations shall be sufficient proof that the violation was done knowingly.
10. Delete."

Vice President Johnson said that he understood the agreement at the last meeting had been to review the listed ten points one by one and he thought this would be the appropriate action today if Dr. Gegenheimer would move acceptance of his substitutes one by one. Mr. Johnson said he would like to request that the Committee of Eleven proposals be considered in that fashion. He commented further that he found it odd that the Committee of Eleven had prepared its substitute motion without consultation with any of the members of the original committee.

There followed some discussion on points of order. Dr. Gegenheimer said his motion had in fact been that all nine of the Committee of Eleven points be considered in one motion. Mr. Johnson felt that this was not in order but Mr. McMillan ruled that Dr. Gegenheimer's motion was acceptable. Mr. Johnson therefore spoke one by one about each of the items in the ad hoc committee's list and in the Committee of Eleven's revised versions. He pointed out that if a student violated one of the proposed regulations this did not mean that the strongest penalty possible was going to be assessed. This entire statement simply indicated that a student might receive some disciplinary action.

Mr. Johnson said the ad hoc committee did feel that the word "substantially" in the first recommendation of the Committee of Eleven should not be included. For one thing what is "substantial" is hard to measure. Mr. Johnson reviewed the other recommendations of the Committee of Eleven. He said some of the changes were not particularly objectionable although he and his committee wondered why some of the wording had been reworded as it had been. He wondered why in point 2 references to "verbal abuse" and to "detention" had been dropped. He said he had minor questions about some of the other revisions of the Committee of Eleven. His major concern was that the Committee of Eleven would delete paragraph 10 which refers to "conduct which is clearly incompatible with membership in the academic community". This statement is very much needed, he said. It is certain that there will be some activities which have not been thought of and therefore included in points 1 to 9. He pointed out as he had at the last meeting that the University of California now has adopted such a provision. He said he was therefore asking the group to vote against Dr. Gegenheimer's motion.

Dr. Burton asked why the Committee of Eleven had not consulted with Mr. Johnson and his committee when they were drafting their statement. Dr. Gegenheimer said that the Committee of Eleven members had felt that Senate members had already had ample opportunity to hear the explanation of the Johnson committee as to why it had prepared its statement as it had. They wanted to discuss the matter among themselves and see if they could not improve

the recommendations. They had invited Dean Ares to meet with them because they wanted to be sure that everything they were proposing was in fact legal. So far as deleting item 10 was concerned, the committee had felt that the courts would not uphold a charge filed against someone under this regulation. The statement is vague and meaningless, he said.

There then followed lengthy and rather complex discussion as to what the next move of the Senate should be. If it voted on Dr. Gegenheimer's motion, was this a substitute motion for the original Johnson motion? Some argued yes, some argued no. Or was it simply a substitute for the Robson amendments? Again some felt yes, some felt no. Dr. Siegel said he hoped the Senate had not forgotten an earlier suggestion that this body should have the presence of a parliamentarian to make rulings at meetings of this sort. The chair then ruled that the Gegenheimer motion was to the effect that the Committee of Eleven's proposed nine points be accepted as a substitute to the proposed amendments to the Johnson report made by Dr. Robson. Several seconds were heard to the motion and it carried. The group then voted to discuss the new amendments which had replaced the Robson amendments one by one before formally adopting them and agreed to a suggestion by Dr. Lytle that in each instance the group vote for the Johnson language or the Committee of Eleven language. (See the minutes of the meeting of March 2, 1970, pages 1267-1269, to compare the wording of the Johnson committee's original recommendation with the wording given above in the Committee of Eleven's recommendation.)

Turning to Point 1, Dr. Gegenheimer explained that the committee had felt that the public service function of the University was covered by the word "service" added in the Committee of Eleven version. The Committee of Eleven felt its wording generally was more satisfactory. Mr. Johnson said that he would like to emphasize again that the key word here was the word "substantially" in the Committee of Eleven report and he did not see how this could be defined. Dean Ares said that addition of this word had been his suggestion. He felt the point was not an earthshaking matter but he felt it should be said that we're interested here only in action of some significance, not in minor affairs. The "quantity of substance" cannot be defined, of course, but the term "substantially" is commonly used in law. Too strict a wording might hamstring or obstruct effective implementation of this regulation. Mr. Johnson said that this code of conduct was intended to cover minor offenses as well as major ones. Dr. Burton pointed out that many small shades of gray must be dealt with in student behavior. At what point does one say Stop? Mrs. Roby, a member of the ad hoc committee, said one of the reasons for drawing up such a code was to state regulations as clearly as possible for the students who would be expected to follow them and to include the word "substantially" could bring confusion.

Dr. Massengale then moved to eliminate the word "substantially" from the Committee of Eleven version and several seconds were made. Mr. White said he felt the word should be left in as a safeguard for students. Students should be protected from the professor who wants to discipline them because they come to his class three minutes late, for example. Dr. Miller pointed out that reasonable limits are provided for by the fact that in the Johnson committee's language the words "designed or likely" are included and in the Committee of Eleven's language the word "intended" is used. Thus why is "substantially" needed? Vote on the motion to eliminate the word "substantially" was called for and it carried. Then the vote on the Johnson committee version versus the Committee of Eleven version of Point 1 was called for and the Senate voted approval of the Committee of Eleven wording, with the deletion of the word "substantially".

Turning to Point 2, Mrs. Roby asked why the Committee of Eleven had dropped the reference to "detention" in this item. Dr. Gegenheimer said it had been felt that this was included under the words "physical abuse" as well as under Point 1 above. Dean Ares said certainly there was no intent that a person detaining someone improperly should not be disciplined. The vote was called for on Point 2 and the Committee of Eleven language carried.

In considering Point 3 Dean Ares, Dr. Sigworth, and others pointed out the wording in both versions was not grammatically correct. It finally was agreed that the first words in each version should read "Threat of damage or damage to property..." Dean Rhodes asked why the Committee of Eleven had not been concerned about the location of the property. What about a University car? Dr. Gegenheimer said that a University car is University property wherever it is. Several persons said that while the Committee of Eleven's intent was clear, the way this item was worded could lead to confusion. "We are trying to clarify matters for students here, not confuse them," someone said. The vote on Point 3 was called for and the language of the Johnson committee was adopted on this point, but with the rephrasing of the opening words as indicated above.

Turning to Point 4, the Senate voted to adopt the Committee of Eleven language.

On Point 5, there being no differences in the two versions, the committee voted to adopt the Johnson committee language.

Turning to Point 6, Dr. Siegel moved that this item be dropped entirely. There are adequate laws to cover this matter already, he stated. Dr. Robson seconded Dr. Siegel's motion. Mr. White pointed out that state law covers the use of drugs. Further, the preamble to the regulations covered this matter adequately. Professor Davis pointed out that many points covered in these regulations are in fact already covered under state law. This item is no different. However what we are considering here are items which might subject a student to University disciplinary penalties in campus disciplinary matters. This is very different from state law which provides penalties for certain crimes. Dr. Kassander referred to the Bear Down situation of January 8 when it was said that the University needed appropriate rules it could invoke in disciplining students rather than depending on state laws. The vote on Dr. Siegel's motion to delete this item was called for and the motion lost. The vote on Point 6 itself was then called for and the Senate voted to adopt the language of the Committee of Eleven on this point.

On Point 7 Dean Ares explained that the language the Committee of Eleven recommended was in fact somewhat of a compromise. There are old statutes on the books using language similar to that used by the Johnson committee in drafting this point. Then there are new community standards. As a matter of fact, standards in the University community might differ from those in other parts of the greater community. To avoid bogging down in hopeless controversy, Dean Ares said it had been felt this item should be treated in the language the Committee of Eleven had approved. Great controversy over the "decency" of particular words would result if such a regulation were not worded carefully. Professor Mees said he thought our objective here was supposed to be to state every item as specifically as it could be to be of maximum assistance to the students. The Committee of Eleven wording is vague.

Professor Davis said that as a law professor he must point out that he felt the wording of the Johnson committee's Paragraph 7 would under test prove to be unconstitutional. It could not stand up in court. It quotes statutes which have lost in court cases. The Committee of Eleven language on the other hand has been upheld in court action.

Professor Lytle said that he teaches a course in constitutional law. Certain procedures are followed in his course where students are gaining acquaintance with what might or might not be legally pornographic, for instance. Under such wording as "commonly accepted standards and redeeming social value," he could continue to teach his course properly. Under the Johnson committee's wording he would be violating the rule. Vote on the question was called for and on Point 7 the Committee of Eleven language was adopted.

At this point, Mr. McMillan pointed out that the automatic adjournment hour of 5:30 had arrived. Several persons moved, however, since action on the code of student conduct was moving along rather well, since much of the time of three meetings already had been spent on this matter, and since there would not be another Senate meeting until October, that the Senate continue its deliberations and try to complete action on this subject today. The Senate then voted to continue beyond its normal adjournment hour and turned to consideration of Point 8.

Mr. Johnson asked Dean Ares when would it be "lawful" to ask a student to identify himself? Dean Ares said that we would be living under a police state if any officer at any time could ask anyone to show identification without justification. When it's justifiable it is lawful, he said. Dr. Gegenheimer said many instances could be cited when it would be appropriate to ask someone to show his identification, for instance, when an officer is checking a student's being in a campus building after closing hour.

Mr. Johnson said he would like to emphasize that his committee had not drafted its material without the assistance of legal counsel. Legal counsel had reviewed all of the ad hoc committee's statements in the code of conduct before they had been presented to the Senate originally, and had assured the committee that what they were recommending was indeed constitutional.

Mr. White said he would like to recall to the Senate certain picture-taking of students earlier in the year when many students were unlawfully asked to present identification. If we feel it necessary to create a set of rules for students telling them what they can and cannot do, he said, then it is imperative that we also have rules for those who will be carrying out the rules, he said.

At this point, Dr. Robson rose to say that for two months he thought he had shown admirable restraint in declining to speak against many things that had been said in the Faculty Senate in discussing his proposed amendments to the Johnson committee's report. He said he continued to find it ridiculous for a body like the Senate to seek and strain and struggle to find precise words. "We are straining at tiny gnats," he said. "Why should the Senate seek every means it possibly can find to tie students down?" he asked.

Professor Tomizuka said he was unsure just what was meant in both versions of Point 8 by "a University official." The Senate then called for a

vote on Point 8 and the wording of the Committee of Eleven carried.

Turning to Point 9, Dean Ares said it may be difficult for some people to know all the rules and one should be disciplined only if he could be expected to have known the rule he violated. Vice President Johnson asked how the courts handle this question. Dean Ares said, "In the same way." One acceptable manner is for them to be available in some sort of published document. Voting on Point 9 was called for and the majority voted to adopt the language of the Committee of Eleven.

Turning to Point 10, which the Committee of Eleven would delete entirely, Mr. Johnson said again that he and his committee felt that such a general statement was in fact necessary. The Senate then voted to accept the recommendation of the Committee of Eleven, that is, to delete Point 10.

The complete statement on the student code of conduct as finally adopted, listing certain actions by students which are prohibited, reads as follows:

Standards of Conduct Expected of Students

The student, in common with all members of the campus community, is a citizen and as such is entitled to all benefits of existing laws, national or state. He likewise is subject to all the obligations and restrictions that are created or imposed by such laws.

The student is a member of a relatively privileged community and in consequence is subject to those rules and regulations which are necessary for the maintenance and administration of that community.

A student enrolling in the University of Arizona assumes an obligation to conduct himself in a manner compatible with the University's function as an educational institution. Misconduct for which students are subject to discipline falls into the following categories:

1. Any conduct intended to obstruct, disrupt, or interfere with teaching, research, service, administrative, or disciplinary functions, or any activity sponsored or approved by the University.
2. Physical abuse of or threat of harm to any person on University owned or controlled property or at University sponsored or supervised functions.
3. Threat of damage or damage to property of the University regardless of the location or property of a member of the University community or a visitor to the University when such property is located on University controlled premises.

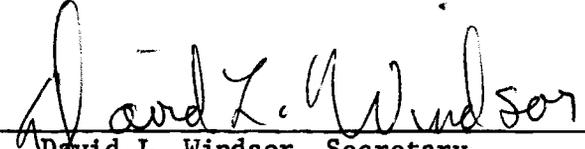
4. Forceful or unauthorized entry to or occupation of University facilities, including both buildings and grounds.
5. Dishonesty such as academic cheating, knowingly furnishing false information to the University, forgery, and alteration or misuse of University documents, records, or identification.
6. Unlawful use, possession, distribution, or sale of drugs on University property or at University sponsored functions.
7. Conduct or speech which violates commonly accepted standards of the University community and which, under the circumstances, has no redeeming social value.
8. Failure to comply with the lawful directions of University officials or of University security officers or any other law enforcement officers acting in performance of their duties, and failure to identify one's self to such officials or officers when lawfully requested to do so.
9. Knowing violation of University rules and regulations. Proof that an alleged violator had a reasonable opportunity to become aware of such rules and regulations shall be sufficient proof that the violation was done knowingly.

Persons who violate these standards and regulations may be removed from property owned or controlled by the University. In the case of conduct which might constitute violations of the criminal laws, the violator would be subject to prosecution through the conventional enforcement channels of that law. The fact that conduct might constitute a crime as well as a violation of these standards and regulations would not prevent institutional procedures, disciplinary procedures or sanctions. Students in violation of these standards and regulations may be suspended or expelled from the University, may be placed on probation, reprimanded, or warned, or may receive such lesser penalties as are traditional and customary upon the campus.

Dr. Blitzer moved that the Senate extend its thanks to Mr. Johnson and his committee for its work on the code of conduct. Many seconds were heard and the Senate unanimously voted approval of this motion.

RECOGNITION OF STUDENT REPRESENTATIVES: Mr. McMillan recognized Mr. Bruce Eggers, inaugurated earlier in the day as new President of the Associated Students of the University of Arizona, who had arrived in the Senate chamber late. The assembly applauded Mr. Eggers. Mr. McMillan thanked student representatives Mark Ginsberg, who also had arrived at the meeting late, and Bill White for their participation in the Senate during the year.

The meeting adjourned at 5:45 o'clock.



David L. Windsor, Secretary