

**UNIVERSITY OF MINNESOTA**  
**TWIN CITIES CAMPUS ASSEMBLY MINUTES**

**February 14, 1980**

The third meeting of the Twin Cities Campus Assembly was convened in 25 Law Building, Minneapolis campus, on Thursday, February 14, 1980. Checking or signing the roll as present were 118 voting members of the faculty, 28 voting members of the student body, 4 members of the Council of Academic Officers, and 36 nonmembers.

Vice Chairman Richard Kottke presided.

**I. MINUTES FOR NOVEMBER 1 and 29, 1979**  
**Action (5 minutes)**

*Approved*

**II. SPECIAL NOMINATING COMMITTEE**  
**ASSEMBLY COMMITTEE ON COMMITTEES**  
**Action by the Faculty Assembly (5 minutes)**

**MOTION:**

That the Faculty Assembly approve the following membership of a committee to nominate candidates to fill, by the election procedure. 1980-83 faculty vacancies on the Assembly Committee on Committees: Robert Beck (chairman), Natalie Gallagher, Paul Grambsch, Michael Root, Roger Stuewer.

**INFORMATION:**

The chairman of the Assembly appoints the above slate in accordance with Assembly bylaws. There will be 2 vacancies to fill.

*Approved*

**III. REPORT OF NOMINATING COMMITTEE**  
**FOR TWIN CITIES ASSEMBLY STEERING COMMITTEE**  
**Action by the Faculty Assembly**  
**(10 minutes)**

**MOTION:**

That the Faculty Assembly approve the following slate: Jerome Gates, Clyde Parker, Douglas Pratt, Paul Quie, Wesley B. Sundquist, and Patricia Swan.

**INFORMATION:**

The special nominating committee (approved by the Assembly November 29, 1979) to fill 1980-83 faculty membership terms on the Assembly Steering Committee presents the following 6 names, from which 3 are to be elected by mail ballot by the faculty of the Twin Cities Campus:

JEROME GATES: 1954\*: Professor of Arts, Communication & Philosophy, General College; member, Assembly Committee on Student Affairs, 1977-80.

CLYDE PARKER: 1964\*: Professor of Psychoeducational Studies; Chairman, Social, Psychological, and Philosophical Foundations of Education, College of Education; member, Committee on All-University Foreign Students, 1967-69; Assembly Committee on Student Affairs, 1967-71.

DOUGLAS PRATT: 1966\*: Professor and Head of Botany, College of Biological Sciences; member, University Senate, 1969-72, 1975-82; University Committee on Educational Development, 1974-75; Senate Committee on Resources and Planning, 1976-79.

PAUL QUIE: 1958\*: Professor of Pediatrics, Medical School; member, University Senate, 1969-75, 1979-82; University Committee on University-ROTC Relationships, 1969-71 (Chr. 1970-71); University Committee on the Use of Human Subject in Research, 1974-79 (Co-Chr. 1978-79); University Committee on All-University Honors, 1975-78.

WESLEY B. SUNDQUIST: 1971\*: Professor of Agricultural and Applied Economics, College of Agriculture; member, University Senate, 1972-73; Senate Committee on Resources and Planning, 1971-73; Senate Committee on Research, 1973-76; Senate Library Committee, 1975-78.

PATRICIA SWAN: 1964\*: Professor of Food Science and Nutrition, College of Agriculture and College of Home Economics; member, University Senate, 1967-70, 1976-79; Senate Committee on Educational Policy, 1974-77 (Chr. 1975-77); Assembly Committee on Educational Policy, 1974-77 (Chr. 1975-77); Senate Judicial Committee, 1978-79.

The Assembly Steering Committee is also the Assembly Executive Committee and forms the Twin Cities membership of the Senate Consultative Committee. Additional nominations, certified as available, may be made by (1) petition of 12 voting members of the faculties, provided that the petition is in the hands of the Clerk of the Twin Cities Assembly the day before the Twin Cities Assembly meeting; (2) nominations on the floor of the Assembly. The faculty representatives of the Twin Cities Assembly shall reduce by vote the slate to twice the number to be elected.

Currently serving: Robert Brasted, Institute of Technology  
Marcia Eaton, College of Liberal Arts  
Vera Schletzer, Continuing Education & Extension  
L. E. Scriven, Institute of Technology

The terms of George Blake, College of Agriculture; Fred Morrison, Law School; and Richard Purple, Medical School, expire at the end of this academic year.

BARBARA STUHLER, Chr.  
GRACE MARY EDERER  
PAUL MURPHY  
WAYNE WELCH  
KEITH WHARTON

\*Date of initial appointment at the University.

*Approved*

**IV. ADJOURNMENT**

**MARILEE WARD**  
**Clerk of the Assembly**

## **Appendix**

### **ABSTRACT OF DISCUSSION**

The February 14 meeting of the Twin Cities Campus Assembly was called to order at 4:20 p.m. in 25 Law Building, Minneapolis campus, following a meeting of the University Senate. Richard Kottke, vice chairman, presided. Minutes of the November meeting were approved, as was the membership of the nominating committee to fill vacancies on next year's Committee on Committees and the slate from which Steering Committee slots would be filled by the election process.

The meeting was adjourned at 4:30 p.m.

**MARILEE WARD**  
**Abstractor**

**UNIVERSITY OF MINNESOTA**

**TWIN CITIES CAMPUS ASSEMBLY MINUTES**

**April 24, 1980**

The fourth meeting of the Twin Cities Campus Assembly was convened in 25 Law Building, Minneapolis campus, on Thursday, April 24, 1980. Checking or signing the roll as present were 99 voting members of the faculty, 23 voting members of the student body, 4 members of the Council of Academic Officers, and 12 nonmembers.

Vice Chairman Richard Kottke presided.

**I. MINUTES FOR FEBRUARY 14**  
**Action (5 minutes)**

*Approved*

**II. STEERING COMMITTEE ELECTION**

**INFORMATION:**

In the recent election to fill 1980-83 vacancies on the Assembly Steering Committee, Douglas Pratt, Paul Quie, and Patricia Swan were elected. Continuing members on the committee are Robert Brasted (1979-82), Marcia Eaton (1979-82), Vera Schletzer (1978-81), and L. E. Scriven (1978-81).

**MARILEE WARD**  
Clerk

*Accepted*

**III. NOMINATING COMMITTEE FOR THE TWIN CITIES ASSEMBLY**  
**COMMITTEE ON COMMITTEES**

**(10 minutes)**

**Action by the Faculty Assembly**

**MOTION:**

That the Faculty Assembly approve the slate of nominees to fill two 1980-83 vacancies on the Assembly Committee on Committees as follows:

Benjamin Bayman, professor, physics, Institute of Technology; member, University Appeals Committee on Academic Freedom & Responsibility, 1971-76, chr., 1975-76; member, Senate and Assembly Committees on Committees, 1979-80.

Virginia Gray, associate professor, political science, CLA; member, University Committee on Extension & Community Programs, 1975-77.

Thomas Hoffman, professor, management science, College of Business Administration; member, University Senate, 1966-69.

James Houck, professor, agriculture & applied economics, College of Agriculture.

#### **INFORMATION:**

The bylaws of the Twin Cities Campus Assembly provide that two of the six faculty members of the Assembly Committee on Committees (who also serve as Twin Cities faculty representatives on the Senate Committee on Committees) shall be elected by secret ballot at the last regular meeting each year from a slate of candidates selected by a special nominating committee, and from such other candidates as may be nominated by petition of 12 members of the Assembly. Petitions to nominate candidates not on the slate must be in the hands of the clerk of the Assembly on the day before the meeting at which the election is to be conducted.

Other elected faculty members of the Committee whose terms continue at least through 1980-81 are:

Paula Berry, assistant professor, family social science, College of Home Economics

Mary Corcoran, professor, social, psychological, & philosophical foundations of education, College of Education

John Howe, professor, history, CLA

Pearl Rosenberg, assistant dean, Medical School

**ROBERT BECK, Chairman**  
**NATALIE GALLAGHER**  
**PAUL GRAMBSCH**  
**MICHAEL ROOT**  
**ROGER STUEWER**

*Virginia Gray and James Houck were elected.*

### **IV. ELECTION OF A VICE CHAIRMAN**

#### **Action (15 minutes)**

The constitution provides that a vice chairman shall be elected by the Twin Cities Assembly at its first meeting in the spring of the academic year from among its members for a term of one year.

*Russell K. Hobbie was elected.*

### **V. CAMPUS CALENDAR COMMITTEE**

#### **(20 minutes)**

#### **A. PROPOSED 1981-82 TWIN CITIES CAMPUS CALENDAR**

##### **MOTION:**

That the Assembly approve the following 1981-82 calendar:

##### **FALL QUARTER 1981**

September 28	Monday	Fall quarter classes begin
November 26-27	Thursday-Friday	Classes excused, Thanksgiving holiday
December 8	Tuesday	Last day of instruction
December 9	Wednesday	Study Day
December 10-16		Final Examinations

December 24-25	Thursday-Friday	Christmas holidays
Dec. 31-Jan. 1	Thursday-Friday	New Year's holidays

**WINTER QUARTER 1982**

January 4	Monday	Winter quarter classes begin
February 15	Monday	President's Day, holiday
February 23	Tuesday	Precinct Caucus Night; evening classes and activities suspended
March 12	Friday	Last day of instruction
March 13	Saturday	Study Day
March 15-20		Final Examinations

**SPRING QUARTER 1982**

March 29	Monday	Spring quarter classes begin
May 31	Monday	Memorial Day, holiday
June 4	Friday	Last day of instruction
June 5	Saturday	Study Day
June 7-12		Final Examinations

**SUMMER SESSION—FIRST TERM 1982**

June 15	Tuesday	First term classes begin
July 5	Monday	Holiday
July 16	Friday	Last class meeting

**SUMMER SESSION—SECOND TERM 1982**

July 19	Monday	Second term classes begin
August 20	Friday	Last class meeting

*Approved*

**MOTION:**

That the proposed 1981-82 Twin Cities Campus calendar be amended to delay the start of 1st term, summer session 1982, by beginning classes on Monday, June 21, and concluding them on Friday, July 23.

**COMMENT:**

The proposed 1981-82 calendar once again allows virtually no time between the end of spring quarter examinations (June 12) and the beginning of the first summer session (June 15). Thus a professor who gives an exam on Friday must spend the weekend grading it and figuring grades, submit the grades Monday, and start teaching Tuesday. Those of us who have done so know that this arrangement is unsound. Why can we not have at least a few days between the end of one term and the start of the next? We have never heard a good answer to this question.

**THOMAS CLAYTON**  
**Assembly Member on behalf of**  
**faculty members, Edward Griffin**  
**and Robert Solotaroff**

*Defeated*

**B. AMENDMENT, 1980-81 CALENDAR**

**MOTION:**

That December 24, 1980, be designated a University holiday.

**COMMENT:**

In May 1979 the state legislature authorized a tenth holiday for state employees. On the recommendation of the University's Civil Service Committee, the Calendar Committee is asking the Assembly to amend the approved calendar to include December 24, 1980, as a designated University holiday.

**JOHN PRINTZ**  
Chairperson

*Approved*

**VI. ASSEMBLY COMMITTEE ON STUDENT AFFAIRS**

**A. BOARD OF STUDENT PUBLICATIONS**

**B. SMOKING PARAPHERNALIA**

*Deferred until the May 29 meeting*

**VII. ASSEMBLY COMMITTEE ON INTERCOLLEGIATE ATHLETICS**

**ANNUAL REPORT**

*Deferred until the May 29 meeting*

**VIII. CAMPUS COMMITTEE ON TRANSPORTATION & PARKING  
ANNUAL REPORT**

*Deferred until the May 29 meeting*

**IX. MOTION BY INDIVIDUAL SENATOR  
STUDENT SERVICES FEE, MINNESOTA DAILY**

**MOTION:**

That the Assembly recommend to the administration and the Board of Regents the following resolution: Be it resolved, that the Minnesota Daily continue to be included in the mandatory student services fee, and that no refund be provided.

**COMMENT:**

The recent unilateral action of President C. Peter Magrath in deciding to recommend to the Board of Regents at their May meeting changes in mandatory fee support for the Minnesota Daily raises troubling and complex questions. Clearly, faculty and students should have an opportunity to address this question in an official University forum.

The Daily is the primary communication source and the only daily outlet for information to students, faculty, and staff on this huge, impersonal, and anonymous campus. To buckle to political pressure and take action which could well result in the contraction of that role (a development which would adversely affect the entire University community) seems regrettable.

However, a troubling question of academic freedom is involved here also. In light especially of outside harassment, any action to change Daily fee status gives at least the appearance of censorship and represents a diminution of academic freedom and the atmosphere of free expression of ideas on campus. There is no time when free expression

should be compromised, or even appear to be compromised, in response to such pressures.

The resolution is introduced, therefore, in order to evoke the sense of the Faculty-Student Assembly on this issue, with the expectation that the vote on this question be reported to the Regents.

**PAUL L. MURPHY**  
Senator

*Professor Murphy agreed to a friendly amendment to exclude the phrase, "and that no refund be provided unless such refund option apply to all services covered by the student fees." The Assembly then reinstated the words, "and that no refund be provided," and approved the motion as amended.*

## **X. TRIAL COMMITTEE REPORT**

### **Executive Session**

#### **REPORT ON THE TRIAL OF TCSA/TCCA MEMBERS STEPHEN CARLSON AND RICHARD COOKE CONDUCTED DURING WINTER QUARTER 1980 BY THE AD HOC COMMITTEE OF THE TWIN CITIES CAMPUS ASSEMBLY**

- 1 Pursuant to resolutions adopted by the Twin Cities Campus Assembly on November 29, 1979, the ad hoc trial committee constituted by University President C. Peter Magrath conducted a "trial of Stephen Carlson and Richard Cooke to determine whether disciplinary action should be taken against them for their actions as TCSA officers, and in the case of Mr. Carlson, for his general conduct at University Senate and Committee meetings" (letter from President Magrath to members of the committee, December 6, 1979). The committee did not attempt to determine for itself whether trying the accused was properly within the jurisdiction of the TCCA (the "parent" organization), a question in some dispute; it accepted the ruling of the parliamentarian, Professor James E. Connolly, that it was within jurisdiction, and proceeded to conduct the trial as expeditiously as circumstances permitted but as patiently and equitably as an unbiased, but not necessarily infallible, committee could. The committee took under advisement TCCA Motion 2, to the effect that the accused must "show cause why they should not be censured, suspended, or expelled," but it proceeded on the assumption that the accused were innocent until proven guilty.
- 2 Robert's Rules of Order specify that "an accused should be found guilty of a charge only when . . . guilt by its nature, has created a situation such that the best interests of the organization . . . require a finding of guilty and imposition of penalty. A member who votes for a finding of guilty . . . should be morally convinced of the existence of this kind of guilt on the part of the accused, on the basis of the evidence he has heard" (p. 553). Members of the committee observed the letter and acted as fully as possible in the spirit of these specifications in their deliberations and voting. They ended with the conviction that the accused *had* "show[n] cause why they should not be censured, suspended, or expelled" on the basis of the entire Charge and Specifications used to bring them to trial, but that they were nevertheless guilty of improprieties that warrant disciplinary action.
- 3 On the basis of a careful consideration of written and oral testimony provided by witnesses, the managers Ms. Judy Nord and Mr. Allen Senstad, and the accused, during a pre-hearing and seven trial meetings lasting about forty hours in all, the committee found Stephen Carlson and Richard Cooke guilty of a Charge (1) and Specification—as "*amended to conform to facts brought out in the trial*"—that in the committee's best judgment are "wholly included within charge(s) for which [they have] been tried" (Robert's Rules, p. 552, emphasis added), and recommends *censure* as an appropriate disciplinary action. The committee found Stephen Carlson guilty of a

second Charge (2) and Specification, again as *amended* and "included within charge(s)," and recommends, as appropriate disciplinary action, *suspension* during Spring Quarter 1980, with the stipulation that suspension from office not disqualify him from running, during the quarter of suspension, for any office to be held after the quarter of suspension. The Charges, Specifications, Findings, and Recommendations are:

CHARGE 1: Conduct, as TCSA officers, below strict standards of organizational propriety.

Specification: In this, that Stephen Carlson and Richard Cooke on occasion acted precipitately and with insufficient consultation of parties concerned, chiefly in making preparations for the "Eve of the Eighties" homecoming program; and that they were often administratively remiss.

Finding: Stephen Carlson guilty of Charge and Specification.  
Richard Cooke guilty of Charge and Specification.

Recommended Disciplinary Action:  
Censure for both Stephen Carlson and Richard Cooke.

5 CHARGE 2: Conduct unworthy of a member of the Assembly.

Specification: In this, that Stephen Carlson has disrupted meetings and impeded the work of groups of which he is a member by willfully pursuing his own agenda to the neglect of business scheduled and otherwise important to the group; that he has acted in contempt of the rights of other individuals; and that he has used harsh and abusive language likely to give offense and intimidate, and which was interpreted in some cases as physically threatening.

Finding: Guilty

Recommended Disciplinary Action:  
Suspension from office during Spring Quarter 1980, with stipulation that during the quarter of suspension he not be prevented from running for any office to be held after the quarter of suspension.

6 Robert's Rules direct that a trial committee's "report. . . should include, to the extent possible and without disclosing confidential information which should be kept within the committee, a summary of the basis for the committee's finding" (p. 553). The basis properly includes a review of the Charge and Specifications used to bring Stephen Carlson and Richard Cooke to trial and the committee's reasons for substantially amending and reducing them. Given here are the original Charge and Specifications, with sub-divisions identified in square brackets by the committee:

7 CHARGE: Conduct unworthy of a member of the Assembly.

Specification 1: In this, that Richard Cooke and Stephen Carlson have allegedly failed to fulfill their responsibilities as officers in the TCSA in [a] handling budgetary items, [b] clearing their actions with appropriate elements of the TCSA, and [c] carrying out properly such other duties as are delegated to them by the Student Assembly.

Specification 2: In this, that Stephen Carlson's actions have allegedly followed a pattern of conduct that [a] has been disruptive of University [a(1)] Senate and [a(2)] committee meetings, that [b] has impeded the work of groups of which he is a member, and [that c] has lost for him the confidence of his colleagues.

Discussion of Original Charge and Specification 1, and of Amended Charge 1 and Specification. Accused: Stephen Carlson and Richard Cooke

- 8 The committee was not "morally convinced" by testimony and documentation that Messrs Carlson and Cooke were guilty of the Charge or of the particulars of Specification 1, even as amplified in a detailed "Elaboration of Charge & Specification" provided by the managers. In general, it appeared to the committee that the accused were not guilty of "conduct unworthy of a member of the assembly" (the Charge), but that in fact they fulfilled many of their responsibilities as officers in the TCSA as well as circumstances permitted them to. Their efforts seem to have been made according to their own best judgment of their responsibilities, authority, and obligations, broadly political as well as organizational, but this judgment was sometimes open to legitimate and even serious question and sometimes clearly in error, in the committee's judgment.
- 9 In terms of the details of Specification 1, the committee found some imprudence, precipitancy, arrogating of authority, and failure to consult sufficiently in Messrs Carlson's and Cooke's (1a) "handling [of] budgetary items;" but it was not "morally convinced" that their demonstrated faults proved that they categorically "failed to fulfill their responsibilities as officers in the TCSA." As a mitigating consideration, their actions appeared to have been due in substantial measure to excessive zeal and conviction; but of course actions cannot be justified on these accounts alone, because means as well as ends and motivation are subject to judgment.
- 10 About the question of the accused's (1b) "clearing their actions with appropriate elements of TCSA" there was considerable confusion, and the committee was not "morally convinced" that the actions or inactions of the accused were assuredly, much less consistently, culpable. They evidently consulted less often and consulted fewer legitimately interested parties than they should have in ideal and even ordinary circumstances, but all the pertinent evidence suggested how far from ideal or even ordinary the circumstances were.
- 11 Messrs Carlson and especially Cooke seem to have made an effort to work cooperatively with other officers in student government but not to have had much success, for a variety of reasons not all discreditable to themselves alone. Between the accused and their student-government adversaries there were extensive and serious differences of belief, political persuasion, background, and personality of a kind that often result in friction and sometimes in disorder and impasses. Such differences are unfortunately seldom—and were not here—so helpfully distributed as to justify the convenient finding of simple guilt on one side and total innocence on the other. The committee was not "morally convinced" that the accused "failed to fulfill their responsibilities" in this sub-specification, or that they were in this way guilty of "conduct unworthy of a member of the Assembly."
- 12 As to (1c), the committee was not "morally convinced" that the accused failed to carry "out properly such other duties as are delegated to them by the Student Assembly," which is inspecific in itself. Even as this sub-specification was amplified in the managers' Elaboration, a finding of guilty, in accordance with the specifications of Robert's Rules of Order, did not seem warranted by the testimony and documentation, although the committee did not find the conduct of the accused blameless in this and other areas.
- 13 The committee heard what it considered ample evidence that the accused were lax and remiss in conducting meetings, in not giving appropriate and sufficient advance notice of meetings, in failing to call meetings when it was appropriate and desirable to do so, in often failing to attend meetings of the Senate Consultative Committee (Mr. Cooke), in expending TCSA funds somewhat lavishly on Daily advertisements and in sometimes—for the most part technically and not for personal purposes—misusing funds, in misrepresenting the kind and degree of organizational support and other resources they had for their planned "Eve of the Eighties" homecoming program, and in substantially exceeding their authority in negotiating for speakers with the American Program Bureau. On the basis primarily of a mailgram in which Messrs Carlson and Cooke "do hereby formally confirm the offer of the Twin Cities Student Assembly to contract with the American Program Bureau for the following speakers," etc. (September 17, 1979), it was alleged that the accused had "attempted to bind the organization" to financial liability for a very costly program involving a number of prominent speakers. Persistent disagreement centered especially on the question whether an "offer to contract"

constituted in itself a legally binding contract or was sufficient proof of an attempt "to bind the organization"; by the evidence presented the committee was persuaded that it did not. There was no legal action to suggest that there was a binding contract, but the committee did find injudiciousness and exceeded authority in the negotiations conducted by the accused with the American Program Bureau somewhat secretly and hastily not long before the beginning of Fall Quarter 1979.

- 14 After carefully reviewing the testimony given by numerous witnesses, the managers, and the accused themselves, the committee agreed unanimously that the original Charge and Specification 1 could not be sustained, but that the amended Charge 1 and Specification were warranted.

Discussion of Original Charge and Specification 2, and of Amended Charge 2 and Specification. Accused: Stephen Carlson

- 15 The committee accepted the original Charge (now 2) but not the original Specification (2; amended Specification unnumbered). On Specification 2 there was, first of all, difference of opinion in the committee on the question whether testimony and documentation warranted finding that "Stephen Carlson's actions . . . followed a pattern of conduct," etc. (emphasis added). It was unanimously agreed that Mr. Carlson's actions were frequently or even persistently objectionable to many, often gratuitously so; but doubt was expressed whether they were consistently objectionable and could be expected certainly to continue so, as some members thought they could. There was not sufficient agreement on this point to include it in the amended Specification accompanying Charge 2.
- 16 As to the matter of disruption (2a), no evidence was presented that Mr. Carlson had (2a[1]) disrupted University Senate (or TCCA) meetings; and, in the personal experience of members of the committee who had attended these meetings, Mr. Carlson's contributions may not always have been welcome but he had not been "disruptive." On the other hand, ample evidence was presented for the committee to be "morally convinced" that Mr. Carlson has indeed (2a[2]) disrupted other meetings and (2b) "impeded the work of groups of which he is a member," though not always without provocation or so regularly that finding "a pattern of conduct" was warranted beyond reasonable doubt.
- 17 As to the sub-specification that Mr. Carlson's actions have (2c) "lost for him the confidence of his colleagues," the committee found the allegation too vague and sweeping to be sustained. Generally speaking, he appeared to enjoy the continuing esteem and "confidence" of persons who were friendly with him before he took office, and to be the object of continuing dislike and opposition by those who were not. Testimony about significant loss of confidence came mainly from the managers and their witnesses. Supposed evidence of the feelings of the membership of TCSA at large was mainly circumstantial and inferential. Testimony strongly suggested that Mr. Carlson had indeed lost credibility as a result of his actions over the summer of 1979, especially those connected with the "Eve of the Eighties" program, but little could be made of the "confidence" his friends still have in him and his opponents never had and therefore couldn't "lose."
- 18 Testimony and documentation presented by witnesses, managers, and the accused, and occasionally Mr. Carlson's conduct at the trial itself, in the early stages, "morally convinced" the committee that he was guilty of conduct which, "by its nature, has created a situation such that the best interests of the organization . . . require a finding of guilty and imposition of penalty" (Robert's Rules, p. 553). By no means all of his objectionable conduct seemed unprovoked or such as to preclude all sympathy and understanding from a disinterested judgment, but in general the committee found him frequently and reprehensibly guilty of failing to abide by the reasonable rules, written and unwritten, without the general observing of which no organization can function in a civilized, humane, and efficient manner. Ample specific, detailed, documented, and dated evidence of particular instances was presented to leave the committee "morally convinced" that Mr. Carlson is guilty of the original Charge, "Conduct unworthy of a member of the Assembly," and also of the Specification as amended by the committee.

- 19 In summary, witnesses testified that Mr. Carlson had disrupted and unduly protracted meetings of University committees, frequently being called out-of-order and refusing to come to order; that he was sometimes (as one witness said) "calculatedly obstructionist" and made it difficult or impossible to conduct or conclude important business; and that he used abusive or threatening language to individuals, calling fellow committee-members "fascist pig," "bigot," and the like, and saying such things as "I hate you" or "I don't like you," "It would be healthier for you if you left the meeting" (to a female member of student government), and "I'm going to get you." Arguments offered in defense were that Mr. Carlson's disorderly behavior was (sometimes) provoked and thus justified, that it reached but did not exceed the "limits of decorum," that his persistently "dissenting" from University policies and practices was misinterpreted and misrepresented as "disruption," and that his vigorous and aggressive style was misunderstood and exaggerated by persons of different background and style. The committee recognized a degree of validity in all these arguments, but it was nevertheless "morally convinced" that even by generous measures Mr. Carlson had been guilty of behavior which was disruptive and obstructive, and of saying things to individuals which were bound to be taken as insulting or even physically threatening, and that contempt for due process and the rights and feelings of others seemed apparent in a number of his actions.
- 20 As already noted, a finding of guilty of Charge and amended Specification, and the recommendation of a penalty, seemed to the committee to be warranted.

#### General Comments on the Climate, Context, and Content of the Trial and the Conduct of the Principals

- 21 Members of the trial committee thought it appropriate and necessary to put its findings and recommendations in a somewhat larger perspective, in terms of informal "findings" that were not solicited with the original Charge and Specifications but are nevertheless pertinent to the case. A majority agreed on the inclusion and content of all five sections following, but members were not unanimous on all. There was unanimous agreement on sections 1, 3, and 5.\* Two members did not favor including most or all of sections 2 and 4. The other four members in general shared the view that the additional details provide a useful and relevant background and context for the trial and the committee's findings and recommendations.

1

- 22 In view of the committee's findings of guilty of Charges and Specifications and its recommendations of disciplinary action, it is important, in the interests of balance, to say what must be said in favor of Messrs Carlson and Cooke, for whom members of the committee came to have more than a little (not unremitting) respect and some liking in the course of the trial. Mr. Cooke seemed to be genuinely and ingenuously devoted to his beliefs and his causes and to pursue them with some circumspectness as well as dedication, and he expressed them persuasively as a witness and defendant. If he is not "procedurally 'gifted'" and has not been punctilious, in that he shares a shortcoming with many of us, who in our own cases would be quite prepared to call the fault a virtue, arguing that more work is done at desks heaped high than on those with shining surfaces. Furthermore, some of his administrative problems seem to have been due to opposition and lack of cooperation from his political adversaries from the time he took office.
- 23 Mr. Carlson, the object of many of the allegations and the primary defendant in the trial, showed himself a person gifted in many ways, who therefore has the capability of making significant contributions to any enterprise he lends his ingenuity, intensity, and efforts to. He has in fact received awards in recognition of his service to the University in each of the past three years, and no testimony suggested that these were unearned or undeserved. The causes he espouses he serves relentlessly. At the same time, ample evidence was presented to suggest that some of his actions are due less to enthusiasm

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\*Excepting par. 24, sentences 4-8; and par. 28, sentences 3-4.

for his causes than to the pursuit of a ruthless satisfaction he seems to find in obstruction and intimidation for their own sakes. If conduct suggesting this were merely a petty nuisance or a matter of misguided tactics, he could be advised to "shape up" and better serve his causes. But the conduct is "disruptive" on occasion, and seriously so, and sometimes it seems both childish and downright inhumane. A limited amount of such behavior can be tolerated in a civilized organization, and Mr. Carlson clearly has exceeded the tolerable limit.

- 24 In mitigation of some of Mr. Carlson's strong words and "outbursts" (a word used more than once in testimony), it should be noted that members of the committee were persuaded that on occasion he *has* been baited, as he claimed he has. There clearly has been an adversarial pattern in the personal interactions of members of student government, with tit-for-tat and point-counterpoint characterizing a fair amount of therefore self-defeating and wasted activity. Mr. Carlson was obviously responsible for some of this, but testimony and documentation have not "morally convinced" the committee that he (with Mr. Cooke) was responsible for all of it. An example of the prevailing drawn-swords atmosphere is a mimeographed and widely circulated "satirical" playlet *Sabotage*, in which Mr. Carlson as Julius Caesar is assassinated by opponents in student government. This may have been no more than a political joke, but a joke less easy for the victim than for the "assassins" and their friends to take lightly. Nevertheless, it was repudiated by one of the managers' witnesses, who had been made to figure in it without notice or permission. Had *Sabotage* been seen as entirely harmless, there should be no reason to dissociate oneself from it. It was in any case scarcely a gesture calculated to lead to better understanding, greater cooperation, and improved productivity in student government.

2

- 25 The committee naturally assumed that the investigative committee thoroughly considered the appropriateness and necessity of this trial before recommending it to the Twin Cities Campus Assembly. After considering the evidence in full, the committee agrees that there were irregularities probably warranting pursuit specifically in this way, but it nevertheless wonders whether the irregularities were proportional to the effort likely to be—and in the event actually—expended in formally trying Messrs Carlson and Cooke; to finding the accused guilty of charges and specifications proved, as the committee is agreed they were proved, in terms different and reduced from the Charge and Specifications given to the committee; and, perhaps most importantly, in relation to and by comparison with practices probably common and perhaps even usual in student government before Messrs Carlson and Cooke were elected to office (this with reference especially to original Specification 1). Committee members also wondered whether the persons bringing charge were as much interested in seeing dispassionate justice done as they were in securing disciplinary action as such against the accused as individuals, especially Mr. Carlson.
- 26 The managers and their witnesses gave generously and conscientiously of their time and effort in pressing charges against the accused. They also summoned a considerable amount of time and effort on the parts of the accused, their advisors, and the members of the trial committee, which included an undergraduate (like the accused and the managers), a graduate student and fulltime public-school teacher, and four fulltime University faculty members. All together, the six committee members alone gave a minimum of 240 hours, or six regular working weeks, including a full month of "FTE" University-faculty time, to in-trial hearings and deliberation, and many, many more hours to reading written testimony and weighing the evidence. Such time can never be and in this case emphatically was not begrudged to the cause of justice in general, much less to the needs of the accused in particular. But it rests with the conscientious judgment of accusers and their proponents to determine what actions justice demands—sometimes suggests redirecting or forgoing—in the real interests of the common good.
- 27 In view of the findings, on Charges and Specifications considerably different from (even though "included within") the original Charge and Specifications, the committee is of

the opinion that the original could have been more carefully defined before being brought for trial by the Twin Cities Campus Assembly, and that the entire matter could perhaps more appropriately have been dealt with elsewhere and otherwise (within TCSA or by the Campus Committee on Student Behavior, for example). Members are therefore inclined also to bring into moderate and reasonable question the circum-spectness if not the motives of some of those concerned in bringing the original Charge and Specifications before the TCCA.

3

- 28 In finding the accused guilty of Charges and Specifications, members necessarily found in effect that there was a legitimate case to be brought. But they also thought that some of the allegations made against Messrs Carlson and Cooke, as student-government officers, were essentially frivolous, politically motivated, personal, and made with insufficient regard for time to be consumed by individuals not only at their own expense but at the expense of others whom they might have been serving better otherwise than in adjudicating matters inflated out of proportion to their real substance. In addition, they thought there were some grounds for the view, held not only by friends of the accused but by some disinterested students and faculty members, that Messrs Carlson and Cooke have been the quarry in something of a "witch hunt." Nothing said in this vein is meant to exonerate the accused, but in the committee's judgment these considerations might be taken to be mitigating factors.
- 29 The committee believes that some of Messrs Carlson's and Cooke's questioned actions as TCSA officers were understandably and excusably—if sometimes too "conveniently"—expedient, and that they were prompted and directed not merely or solely by their own special interests but by organizational precedent and common sense. The committee was not "morally convinced" that their much-questioned parliamentary and organizational practices were dramatically worse than or very different from common student-government practices in effect long before and even immediately before they came to office. In other words, Messrs Carlson and Cooke were found guilty not because they were necessarily the first or only persons in student government ever to conduct themselves in a cavalier and high-handed manner, but because *they* happened to be brought to trial.

4

- 30 Testimony and circumstances made it impossible for the committee not to suppose that Messrs Carlson's and Cooke's procedural shortcomings and downright abuses looked worse under close scrutiny than they might have seemed or perhaps even were in context at the time, and that the practices of other student-government officers may not have been comprehensively superior to theirs. Many political actions, taken with the best intentions but without the most careful forethought and circumspection, can be made to look damnable indeed in retrospect, when evidence is selected, mustered, and deployed in a certain way, either journalistically or in a trial. In past issues of the *Daily*, for example, Mr. Senstad, one of the managers, himself was faulted for unsatisfactory performance beginning shortly after he took office in 1978.
- 31 Since parliamentary maneuvering, misbehavior, and disorder at TCSA meetings figured prominently in the "conduct unworthy" charge brought against Messrs Carlson and Cooke together, and much was said at the trial about significant improvements in achieving and maintaining quorum and in the conduct of student-government meetings after the accused were suspended in December 1979, pending and during trial, the committee was much interested in an article printed in the *Daily* on February 15, 1980, "ACC reps fight over D.C. junket." This reported that "the council killed [Mr. Allen] Senstad's motion . . . when Senstad, well-schooled in parliamentary maneuvers, called for a quorum . . . That's when the feathers flew. Reeder and Institute of Technology representative Tim Born accused Senstad of manipulating the rules, charging that at an earlier ACC committee of the whole, he had called the rules committee together. 'You play games only when it's in your favor,' Born shouted at Senstad. 'Regardless of quorum, if you break the rules, you break the rules. . . .' After the meeting, student government adviser Mary Jane Plunkett said she'd 'been here ten years and I haven't

seen anything like this.' 'I don't think normal students know the games that go on here,' said Intrafraternity Council representative Mark Schroeder. 'I almost made a motion to adjourn. It was nothing but a bullshit session.' "

- 32 The article was followed by a letter in the *Daily* from Mr. Senstad, who wrote that if ACC members "don't appreciate minor parliamentary rules, it's because they prefer providing more substantial benefits to students to studying Robert's Rules of Order" (Feb. 25); and another from Mary Jane Plunkett, who explained that what she had meant by saying "I have been here 10 years and I've never seen anything like this" was that "the meeting was chaotic, but the democratic process was working, and I was delighted to see members of the council recognize they had the right to enjoy certain privileges, including those of discussion, debate, and the dissemination of their personal point of view" (Feb. 26). It is impossible to be sure whether none, one, two, or all three of these communications were written with an eye on the trial. Whatever the core of truth in the reporting and subsequent explaining, however, a neutral observer would be put in mind of the goose-gander principle in comparing the conduct of Messrs Carlson and Cooke with that of student-government members otherwise.

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- 33 Because Messrs Carlson and Cooke were found guilty of Charges and Specifications of some seriousness, the committee believes that the Twin Cities Campus Assembly should take the recommended disciplinary actions. It is a theoretically distinct but nevertheless noteworthy consideration that the present trial, findings, and recommendations have implications for and could have a broadly beneficial effect upon the workings of student government generally; the committee of course hopes they will.
- 34 Finally, the committee wishes to make two concluding observations, peripheral in the first case but nevertheless pertinent. Mr. Carlson's lesser "breaches of decorum" in the form of irrelevant and irreverent asides could easily be faulted by a strict application of parliamentary rules, but *within limits* they seemed to the committee harmless spices of a kind that give piquancy and life to discussions which without them could sometimes put insomniacs and even saints to sleep. There probably is no section on wit in *Robert's Rules*, but wit has social value, even impertinent wit, and it is not in such long supply that we ought to be strangling it whenever it rears its saucy head, even if it seems heretical and "out of order" to some persons. Second, the sum total of the evidence presented had the effect of leaving members of the committee "morally convinced" that Messrs Carlson and Cooke, though guilty of Charges and Specifications warranting disciplinary action, are nevertheless a pair of dedicated and even remarkable persons who are in many ways a real credit to the University and State of Minnesota. The committee would like to see them continue to make contributions to our collective intellectual and political life, with better understanding, cooperation, and effectiveness, not only on their parts but all around.

**Ad hoc Twin Cities Campus Assembly Committee:**  
**Keith Wharton, Chair, College of Agriculture**  
**Paula Berry, College of Home Economics**  
**Thomas Clayton, College of Liberal Arts**  
**Ron Iverson, student**  
**Shirley Moore, College of Education**  
**Margo Tech, student**

*Approved, with following abstentions: Mark Foster, Paul Walker, Donald Kahn, Roy Carter, Howard Morris, Elise Krueger, Lewis Hendricks, Brenda Johnson, Auke Tellegen.*

## **XI. ADJOURNMENT**

## ABSTRACT OF DISCUSSION

The Assembly was called to order at 3:15 p.m. by Richard Kottke, vice chairman, in 25 Law Building. He reminded members of the traditional Assembly practice of alternating speakers pro and con and proposed that debate be limited to three on each side. Richard Purple, professor of physiology and chairperson of the Steering Committee, said the agenda would be reordered so that new business could be taken up before old business, inasmuch as the latter item was to be considered in executive session.

The minutes of the last meeting were approved.

*Committee on Committees Nominees*—The slate of nominees to fill next year's vacancies on the Committee on Committees was approved and, by written ballot, Virginia Gray, associate professor of political science, and James Houck, professor of agriculture and applied economics, were elected.

*Election of Vice Chairman*—Russell Hobbie, professor of physics and director, space science center, was unanimously elected vice chairman for next year.

*Campus Calendar*—The presentation by John Printz, admissions officer and chairperson of the Calendar Committee, of the 1981-82 calendar was followed by an amendment proposed by Thomas Clayton, professor of English, on behalf of two of his colleagues. It called for delay in beginning the first summer session to ease the difficulties encountered by those faculty members who must process examinations and grades over a weekend and commence classes the next Tuesday. Robert Beck, Regents' professor of history and philosophy of education, said he sympathized but that it was important to remember the large number of teachers participating in summer session courses who must report back to their schools in mid-August and would therefore be precluded from attending. Willard Thompson, director of summer session, reminded the Assembly that two five-week terms were needed. The amendment was then defeated, and the original motion approved. An amendment to designate December 24, 1980, as a University holiday was approved.

*Reports from 3 Assembly Committees*—Mr. Purple called attention to reports from the Assembly Committee on Student Affairs (ACSA) on the Board of Student Publications and on smoking paraphernalia; from the Assembly Committee on Intercollegiate (ACIA); and from the Campus Committee on Transportation and Parking. Noting that some of the items contained in the reports were policy decisions on which the Assembly should act, he announced that they would be deferred to a special meeting of the Assembly to take place on May 29. Steve Carlson, student and member of the Board of Publications, reported that the Board had passed a resolution that the Regents be asked to abide by the constitution of the Board of Publications and recognize that establishment of the subcommittee that drew up the report was a violation of the Board's freedom of speech and that its constitution should be respected.

Mr. Purple went on to point out that some items in the other two committee reports might also be viewed by his committee as action items for the May 29 meeting. Russell Adams, professor of soil science, objected to the return to single permits per parking lot contract holder that was reported in the Transportation and Parking Committee report, calling it a disservice to car poolers. Jim Clark, student, urged that the matter appear as an action item on May 29.

*Minnesota Daily Fee*—Paul Murphy, professor of history, introduced a resolution recommending that the Minnesota Daily be retained in the mandatory student services fee and that no refund be provided unless that refund option applied to all services covered by the fee. This was in response to a recent recommendation by the president to the Regents that the Daily fee be retained but be made refundable during the first two weeks of each quarter. Mr. Murphy contended that the proposed action affected the entire University community, that it was a political decision on the part of the president, and that his reasons should be examined. He accused the president of cavalierly bypassing University committees, and said it appeared that he had a cynical view of faculty-student governance at the University. To cave in to outside political pressures was "to threaten us all" and raised serious questions of academic freedom, he concluded, and he urged that the Assembly's

view, as well as the president's, be forwarded to the Regents. At this point a motion to suspend the rule requiring three speakers for and three against was approved. Krishna Seeley, student, accused the president of interfering with student rights and said that he had, by not going through proper channels, exceeded his power. Mr. Carlson maintained that the president had decided in the fall that he would recommend the option regardless of what other committees decided and that he should not be permitted to circumvent due process. Leonid Hurwicz, Regents' professor of economics, said that what was done by the Assembly would determine the climate of academic freedom at the University and would be an act that would be widely noted. He pointed out that members of the University community were sometimes obliged to finance activities to which they were opposed and that he believed the case for making a refund option for any service was very weak. Thus, he said, the provision in the resolution that the refund could be provided if the option were to apply to all services covered by the fees should be deleted. Mr. Murphy agreed to that change. George Hage, professor of journalism and mass communication, pointed to the findings of three separate commissions in recent history that had reached identical conclusions, i.e., that the Daily fee was in the best interest of the University community, which he said represented affirmation by prestigious independent bodies. Kent Bales, associate professor of English, said that, if he were a student and found that he could scream for a refund of fees, he would be more inclined to scream about the defacing of Coffman Union which student fees supported. David Lawson, student, called the Daily a public good and reported that his committee, an ACSA subcommittee studying the structure of the Board of Student Publications, supported the mandatory fee.

Frank Wilderson, vice president for student affairs, responded, he said, from the president's perspective to charges of unilateral action. Fee setting was an elaborate process, he explained, starting with the Student Services Fees Committee and proceeding through the Twin Cities Student Assembly to the administration, which could then make its own recommendations. The administration in the past had made changes in the fee schedule, so the president's recommendation was not setting any precedent. Sue Pribyl, student and Steering Committee member and acting speaker of TCSA, reported that the Daily fee recommendation had proceeded from the Fees Committee to TCSA where it was debated at great length. She called the president's action a slap in the face which shook her belief in representative government. Constance Sullivan, associate professor of Spanish and Portuguese, called attention to the absence of the "author of the problem," and accused the administration of frequently going against the principles that the Senate had upheld. She thought the president should be reminded that it was an issue of freedom of speech for faculty and students and she urged unanimity in the Assembly's vote and the hope that the Regents could be persuaded to contravene the president's decision. Russell Hobbie, professor of physics and director, space science center, reminded the Senate that when, in the 60's University President Wilson had upheld academic freedom in what was considered an unpopular decision in some quarters he had received the Mikeljohn Award; Mr. Hobbie hoped that President Magrath would ensure that the University could come out of this with its head up.

Steve Hauser, student and member of the Board of Publications did not agree with the allegations of political overtones and said the best way to serve the student was to let that student choose whether he or she wanted the Daily. He said the fact that there were students who do not want to pay for the Daily had not been publicized and that, although they were not present, their position should be considered. Mr. Clark proposed that the phrase, "and that no refund be provided," be left in the recommendation and the Assembly approved, after which it approved the main motion as amended, 99 to 7.

The Assembly recessed; members were asked to leave, return, sign in once more, and sit in executive session.

*Trial Committee Report*—The Assembly sat in executive session to consider the report of the trial committee that had been appointed by the president at the request of the Assembly to determine whether disciplinary action should be taken against students Stephen Carlson and Richard Cooke for their actions as TCSA officers and for Mr. Carlson's general conduct at committee meetings. The report having been mailed to Assembly members, James Connolly, professor of rhetoric and parliamentarian, made

some introductory remarks on procedure. He explained that the committee had functioned under Robert's Rules (newly revised), and accordingly the Assembly should sit in executive session to consider its findings and to vote. Five minutes would be allowed the accused; five minutes for the committee, after which the vote would be taken on the two charges. He added that the specifications, findings, and recommendations for the first charge (censure for both) were not debatable, but that the second (suspension from office for Mr. Carlson during spring quarter) was amendable. The committee having amended the first charge "to conform to facts brought out in the trial," Mr. Carlson contended that the vote should be taken on the original charge brought by the Assembly and then it should deal with the amended charges. Mr. Connolly said the committee was able to alter the charges provided that it did not introduce any charges that were not in the original and that the changes were based on evidence brought out in the trial. Mr. Carlson disagreed as to the procedure; the chair ruled that the vote should be taken, and Mr. Clayton moved the report. Mr. Carlson requested 15 minutes, not five; the Assembly on a voice vote held to the five. Mr. Carlson introduced Linda Ojala, legal counsel for the Minnesota Civil Liberties Union, to speak in his behalf. Ms. Ojala deplored the fact that the trial was secret and that a committee of a public institution would use Robert's Rules. She said the proceedings had resulted in a deprivation of liberty in the form of attacks on the reputations of the individuals involved, and she urged the Assembly not to adopt the report because the rights to due process had been violated. She said the specifications were unconstitutionally vague and that the original charges were arbitrarily amended. Shirley Moore, professor of child development and trial committee member, indicated that the committee had tried to be fair about the charges and specifications before hearing testimony and she believed had been both fair and open in that procedure. Mr. Carlson protested that he was not able to speak following Ms. Ojala's defense, which had used his allotted time.

At this point, Mr. Carlson was asked to leave while the vote was taken. (Mr. Cooke was not present.) The Assembly then voted to adopt the report with a substantial number of abstentions (see the minutes), and the body adjourned at 5:00 p.m.

**MARILEE WARD**  
**Abstractor**

## UNIVERSITY OF MINNESOTA

### TWIN CITIES CAMPUS ASSEMBLY MINUTES

**May 29 and June 5, 1980**

The fifth meeting of the Twin Cities Campus Assembly was convened in 25 Law Building, Minneapolis campus, on Thursday, May 29, 1980. Checking or signing the roll as present were 72 voting members of the faculty, 9 voting members of the student body, 0 members of the Council of Academic Officers, and 8 nonmembers.

The sixth meeting of the Twin Cities Campus Assembly was convened in 45 Nicholson Hall, Minneapolis campus, on Thursday, June 5, 1980. Checking or signing the roll as present were 79 voting members of the faculty, 18 voting members of the student body, 1 member of the Council of Academic Officers, and 16 nonmembers.

Vice Chairman Richard Kottke presided.

#### I. ASSEMBLY AND CAMPUS COMMITTEES, 1980-81

##### Action (5 minutes)

**ASSEMBLY COMMITTEE ON ACADEMIC STANDING:** Thomas Kraabel (Chr.), Adele Donchenko, Bernadine Feldman, Mary Klaurens, James Preus (ex officio), Charles Sigmund, Frank Ungar, James Werntz (ex officio), 1 faculty member to be named.

**CAMPUS COMMITTEE ON BUSINESS & RULES:** Constance Sullivan (Chr.), James Connolly (ex officio), Robert Eyestone, David Giese, John Muller, Marilee Ward (ex officio), David Weissbrodt.

**CAMPUS COMMITTEE ON PLACEMENT SERVICES:** Gary McGrath (Chr.), Ellen Betz (ex officio), Barbara Killen, John F. Miller, Richard Moore, Deane Turner, Arnold Woestehoff.

**CAMPUS CALENDAR COMMITTEE:** Peter Robinson (Chr.), Francis Busta, Arnold Caswell, Eleanor Fenton (ex officio), John Fisher (ex officio), Eloise Jaeger, Willard Thompson (ex officio), Donald Vesley, James Werntz (ex officio).

**ASSEMBLY COMMITTEE ON EDUCATIONAL POLICY:** Stanford Lehmberg (Chr.), Robert Carr, Carol Carrier, Evelyn Hansen, Nils Hasselmo (ex officio), James Jensen, Richard Leppert, Al Linck (ex officio), James Terwilliger, 1 faculty member to be named.

**CAMPUS COMMITTEE ON CONVOCATIONS & THE ARTS:** Melvin Waldfoegel (Chr.), J. Margaret MacInnes, Susan McClary, Elizabeth Nash, Edward Savage, Ross Smith (ex officio), 1 faculty member to be named.

**CAMPUS COMMITTEE ON HONORS PROGRAMS:** Paul Murphy (Chr.), F. R. Akehurst, Stephen Blake (ex officio), Marjorie Cowmeadow (ex officio), Saari Csallany, James Jensen (ex officio), Kenneth Winsness (ex officio), Eugene Wright (ex officio), 2 faculty members to be named.

**ASSEMBLY COMMITTEE ON INTERCOLLEGIATE ATHLETICS:** Charles Scott (Chr.), Barbara Banoff, Vivian Barfield (ex officio), Keith Buckley, Paul Giel (ex officio), Chet Grygar (ex officio), Nils Hasselmo (ex officio), Robert Jordan, March Krotee, Sander Latts, Mariah Snyder, Charles Walcott, 2 faculty members to be named (faculty representatives for Men's and Women's Intercollegiate Athletics).

**ASSEMBLY COMMITTEE ON STUDENT AFFAIRS:** Ruth Aberwald, Warren Gore, Mary Ann Guadagno, Gary Leske, Sharon Satterfield, Steve Simmons, Auke Tellegen, Candido Zanoni, 2 faculty members to be named.

CAMPUS COMMITTEE ON RECREATIONAL SPORTS: Adele Donchenko, Roger Harold (ex officio), Timothy Knopp, Pat Mueller (ex officio), Norman Sladek, Mary Walsler.

CAMPUS COMMITTEE ON INTERNATIONAL STUDENTS: Roger Benjamin (Chr.), Hans Courant, Edward Dvorak (ex officio), Betty Hackett (ex officio), Karen Lukas (ex officio), Michael Paige (ex officio), Andrea Scott (ex officio), James Sentz, Ray Wakefield, 1 faculty member to be named.

CAMPUS COMMITTEE ON HOUSING: Joan Leigh (Chr.), Neil Bakkenist (ex officio), Sarah McBride, Margaret Space (ex officio), 1 faculty member to be named.

CAMPUS COMMITTEE ON UNIVERSITY HEALTH SERVICES: Helen Dahl, Joyce Funke, Margaret Grindering, Isabel Harris, Donald Hunninghake, Jeffrey Monroe, Barbara Pillingier (ex officio), Paul Rupprecht (ex officio).

CAMPUS COMMITTEE ON STUDENT BEHAVIOR: Martin Snoke (Chr.), Silvia Azar, Nick Barbatsis (ex officio), Anita Brooks, William Charlesworth, Gail Crellin, Margaret DiBlasio, Harlan Hansen, Martha Hillel, Ted Kellogg, Leslie King, Warren Loud, Garland Meadows, Diedre Nagy, Chester Oden, John Romano, Marilyn Rossman.

CAMPUS COMMITTEE ON TRANSPORTATION & PARKING: Robert Jordan (Chr.), C. Luverne Carlson (ex officio), Corinne Ellingham, Donald Harper.

#### **INFORMATION:**

In the recent election to fill 1980-83 vacancies on the Assembly Committee on Committees, Virginia Gray and James Houck were elected. Continuing members on the committee are Paula Berry (1978-81), Mary Corcoran (1979-82), John Howe (1979-82), and Pearl Rosenberg (1978-81).

*Approved*

## **II. ASSEMBLY COMMITTEE ON STUDENT AFFAIRS**

### **STUDENT PUBLICATIONS**

#### **MOTION:**

That Recommendations 1, 3, 4, 6, 7, 8, 19 (below), which concern changes to be incorporated into a new constitution, be approved by the Twin Cities Campus Assembly and referred to the Assembly Committee on Student Affairs (ACSA) for appropriate action and implementation.

The Assembly directs the ACSA, in its formulation of a new constitution:

- (1) not to alter provisions of the current constitution that protect the editorial freedom of the Daily by (a) prohibiting dictation of specific editorial content by other than the publications' editors, and (b) limiting the power of establishment of editorial policies to the board.
- (2) not to alter the relationship between the School of Journalism and the board or its publication(s), specifically the nonvoting status of the Daily's advisor on the board.
- (3) to specify that the method of selection for student members of the board be as follows: A nominating committee made up of 3 student and 2 faculty members of the Assembly, elected by the Assembly, shall select a number of candidates, from those filing, not more than 200% and not less than 140% of the available positions. These selected candidates will then appear on the all-campus elections' spring ballot. The effect would be 5 positions, 7-10 candidates, in even numbered years, and 4 positions, 6-8 candidates, in odd numbered years.
- (4) not to prohibit the board from funding new publication efforts through a grant fund, using board income as the board sees fit.
- (5) not prohibit the board from entering into support or publishing agreements with student publications.

*Approved*

**MOTION:**

That Recommendations 2, 5, 9, 10, 11, 18 (below), which are matters of Assembly policy, be approved and referred to the ACSA for appropriate action and implementation.

*Approved*

**MOTION:**

That Recommendations 12, 13, 14, 15, 16, 17 (below), which describe actions for the publishing board to take in regard to the Daily, be presented for information and discussion by the Twin Cities Campus Assembly.

*Approved*

**RECOMMENDATIONS:**

1. That there be established a permanent position of board secretary.
2. That this person's office, or the office at which the board records are kept, become the official location of the publishing board and that all official business of the board should pass through this office.
3. That the organization that is now called the Board of Student Publications be reconstituted as the Minnesota Daily Student Publishing Board, whose sole purpose would be the publication of the Minnesota Daily.
4. That the Enclitic be established as a publication separate from the publishing board.
5. That the publishing board meet in accordance with an established schedule of meetings, prepared an academic quarter in advance. During no quarter shall the board meet less than twice nor more than 7 times.
6. That, when the Board of Student Publications is reconstituted as the Minnesota Daily Student Publishing Board, its membership consist of the following: 1 Daily editor-in-chief (ex officio); 1 Daily business manager (ex officio); 1 secretary (ex officio, appointed by the Office for Student Affairs); 2 voting faculty members (1 at large, and 1 appointed by the director of the School of Journalism & Mass Communication); 1 faculty advisor of the Daily (ex officio); 9 students; 1 representative from the University administration (ex officio).
7. That the selection of the publishing board student members be by all-campus student election.
8. That the student membership of the publishing board include 7 at-large student members and 2 St. Paul campus student members.
9. That the publishing board, however constituted, should present the ACSA with an annual report of activities, progress, problems, and fiscal matters at the beginning of spring quarter of each academic year.
10. That an ombudsman position be created in order to provide a neutral and readily accessible avenue to the publishing board for those persons of the University community who have concerns or other interests which require such contact.
11. That an annual report of the activities of the ombudsman be submitted to the ACSA.
12. That the Daily be required to prepare an annual printed report covering fiscal matters, activities progress, and plans for the future.
13. That the duties and authorities of the editor-in-chief and the business manager be re-examined and clarified.
14. That the business staff and the editorial staff be immediately united in one building rather than separated in different ones as they currently are.
15. That they return to the consideration of an annual budget which would be approved once a year, rather than the current quarterly budget review and approval process.
16. That, in order to integrate the editorial functions, a weekly meeting routine be established, which the senior editors and the faculty advisor would attend.
17. That the plan for the overlapping of terms for the editor-in-chief be adopted.

18. That one voting member of the publishing board be given the responsibility of an affirmative action representative.
19. That the membership of the proposed Minnesota Daily Student Publishing Board be amended to include one representative from the University administration who would retain ex officio status on the board, with the full speaking rights such a position would include.

**TIMOTHY MEEHAN**  
**Chairperson, ACSA**

**DAVID LAWSON (Chr.), Kent Bales,**  
**Warren Gore, Joseph Kueppers**  
**Members, Working Committee**

*The foregoing is the final, approved version. The committee amended the original first motion by changing referral of those items to the regents to referral to the Assembly Committee on Student Affairs (ACSA); amendment approved. A recommendation " that the School of Journalism and Mass Communication consider the responsibilities incurred by the advisor to the Daily as equivalent to one class-hour and that such responsibilities be recognized as a part of that faculty member's contracted workload" was withdrawn by the committee. A motion to refer the report to the ACSA for further study in conjunction with representatives of the Board of Student Publications and the Minnesota Daily and a report back to the Twin Cities Campus Assembly at its first meeting in the fall was substituted for a motion to table; motion defeated. Items (1) and (2) under the first motion were accepted as friendly amendments by the committee. Recommendation 6 was amended to add a faculty member "appointed by the School of Journalism and Mass Communication director." A recommendation " . . . that the selection of Board of Student Publications members be removed from the current electoral process and be placed under an appointive process" was amended to read as in Recommendation 7 above. Addition of Item (3) to the first motion was approved. A recommendation " . . . that the student membership be separated, for selection purposes, into three distinct groups. Of the nine student members, three would be selected from the School of Journalism and Mass Communication; three from the School of Business; and three students would be selected at large" was amended to read as in Recommendation 8 above in a friendly amendment accepted by the committee. Addition of Item (4) to the first motion was accepted as a friendly amendment by the committee with the understanding that the board would not be responsible for the publication. Addition of Item (5) to the first motion was approved. A motion to delete Recommendation 13 was withdrawn in favor of a motion to delete " . . . In anticipation of this process, the working committee strongly recommends that ultimate authority over everyday disbursements at the Daily be placed in the hands of the business manager, whose title would be changed to that of general manager"; motion approved.*

### **III. ASSEMBLY COMMITTEE ON INTERCOLLEGIATE ATHLETICS** **(25 minutes)**

#### **A. SPORTS, ADDING OR DELETING**

##### **MOTION:**

That the Assembly approve the policy on adding or deleting sports in a Department of Intercollegiate Athletics.

##### **INFORMATION:**

The Assembly Committee on Intercollegiate Athletics (ACIA) has approved the following policy and submits it to the Assembly for action with its recommendation for approval:

## POLICY ON ADDING OR DELETING SPORTS IN A DEPARTMENT OF INTERCOLLEGIATE ATHLETICS

### I. INTRODUCTION

Recognizing that the sport composition of the athletic departments need not remain forever unaltered, the Assembly Committee on Intercollegiate Athletics (ACIA) establishes this policy and set of procedures to add to or subtract from the varsity sports\* which comprise a department.

### II. DEFINITION

- A. A varsity sport is one in which the team members compete under the auspices of the rules and policies of ACIA as well as the National Collegiate Athletic Association (NCAA) and affiliated governing organizations if a men's sport and the Association for Intercollegiate Athletics for Women (AIAW) and affiliated governing organizations if a women's sport.

- B. Current rules of the NCAA impose on member institutions certain requirements which must be met before a sport can be legitimately considered to be varsity. The following excerpt from the 1979-80 NCAA Manual delineates those requirements:

O.I. 12. The constitution, bylaws and other legislation of this Association, unless otherwise specified therein shall apply to all sports recognized by the member institution as varsity intercollegiate sports and which involve all-male teams and mixed teams of males and females. To be so recognized, a sport must be one in which the Association conducts championships or for which it is responsible for providing playing rules for intercollegiate competition, which officially has been accorded varsity status by the institution's chief executive officer or committee responsible for intercollegiate athletic policy, which is administered by the department of intercollegiate athletics, for which the eligibility of the student-athletes is reviewed and certified by a staff member designated by the institution's chief executive officer of committee responsible for intercollegiate athletic policy and in which qualified participants receive the institution's official varsity awards. (p. 25)

If those conditions are met, and the institution also forwards annually to the Big Ten Conference a list of names of individuals certified to be eligible for competition under its rules and those of the NCAA, then the male students competing in the particular sport will be considered to be varsity athletes.

- C. Although the rules of the AIAW are less specific in setting forth such requirements, it is clear from the rules, as written, that the Association is primarily concerned with institutional control and eligibility standards, thus permitting ACIA to establish uniform standards applicable to both men and women.
- D. Inasmuch as the NCAA requirements are most explicit, are logical in their implications, do not conflict with AIAW regulations and are in accord with them in spirit, they will set the conditions which must obtain if a sport is to be granted varsity status.
1. The sport must be one recognized in some fashion by either the AIAW or NCAA, as appropriate.
  2. ACIA must officially declare the sport to be varsity, thereby rendering it subject to all rules, regulations, and policies adopted by the Committee and the appropriate athletic governing organizations of which the University is a member.
  3. The sport will be administered by one of the departments of athletics.
  4. The eligibility of all athletes competing in that sport will be certified by the department to the appropriate athletic governing organization in the manner prescribed by its rules.

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\*For the purposes of this policy, "varsity" is understood to refer to both full-fledged varsity status and varsity club status. See the "Policy on Varsity Club Status" for differentiation between the two and applicable governing University policy.

5. The athletes who compete in the sport and who meet criteria set by ACIA will be eligible to receive the varsity "M" award.

### III. PROCEDURES FOR ADDING SPORTS

- A. Initial inquiries about acquiring varsity status should be brought to the appropriate Director of Athletics and the Chair of ACIA.
  1. The Director will consult with his or her staff to determine whether or not the Department believes it feasible and appropriate for the sport to be added to the program.
  2. The Chair of ACIA will provide the representatives of the sport with the criteria to be used by the Committee in judging whether or not to act positively to the request. In addition, the representatives will be provided with a set of specific questions which will need to be addressed. (The criteria are attached to this policy as Appendix A; the questions as Appendix B.)
- B. A preliminary presentation to ACIA by the representatives of the sport should be scheduled as soon as convenient. The Committee reserves the right to set all terms and conditions of such a presentation.
  1. Representatives of the sport should be prepared to respond generally to the questions (although extensive research into costs, schedules, facilities, and the like need not have been done) and to discuss the extent to which their sport fulfills the criteria.
  2. The Director of Athletics will also then make a recommendation.
- C. ACIA will then vote on whether or not to recommend further research and discussion.
  1. If ACIA votes not to consider the matter further, that decision will be final.
  2. If ACIA votes positively on the request, Sections III (D)-(F) shall govern.
- D. When further consideration is to take place, detailed written responses to the questions shall be circulated to ACIA members. This document should be prepared in consultation with the Director of Athletics and the Athletic Facilities Coordinator.
- E. A final presentation shall be scheduled to discuss the request. A group consisting of the Vice President for Administration and Planning, the Chair of ACIA, the Director of Athletics, the Faculty Representative, the Athletic Facilities Coordinator, and other individuals designated by the Chair of ACIA shall evaluate the presentation, with the option of excluding the representatives of the sport.
- F. The Chair of ACIA will report back to the full Committee on the nature of the discussion and the recommendation of the group. ACIA will then vote whether or not to give final approval to the request.
  1. If ACIA denies the request, that decision shall be final.
  2. If ACIA votes to approve the request, Section III (G) shall govern.
- G. A positive recommendation from ACIA to add a sport shall be forwarded to the Vice President for Administration and Planning. The Vice President may approve or deny the request; that decision will be final. The Vice President will be responsible for notifying ACIA and representatives of the sport of the decision and the reasons for it.

### IV. WITHDRAWAL OF VARSITY STATUS FROM A SPORT

There may be an occasion when, for a variety of reasons, it is determined that a sport should no longer retain varsity status. In those instances, the following procedures shall govern:

- A. A request that a sport be discontinued at the varsity level must come from either the Director of Athletics of the program in which the sport is offered or the Vice President for Administration and Planning. The request must be made to ACIA.
  1. The Director or the Vice President will present a written report to ACIA explaining the reasons for the request.

2. Although not delimiting the reasons for which such a request might be made, it is assumed that at least one of the following three factors would play a part in it:
  - a) Financial exigency; the Department is financially constrained and unable to support the sport(s);
  - b) Withdrawal of recognition of the sport by an athletic governing organization; or
  - c) Declining student interest in participating in the sport.
- B. Upon receipt of such a request, ACIA shall schedule a meeting with the Director, the Vice President, the coach(es), and athletes representing the sport to discuss the proposal.
- C. Following the meeting, ACIA will vote on whether or not to remove varsity status from the sport. The decision of the Committee shall be final.

APPENDIX A  
CRITERIA FOR REQUESTING THE ADDITION OF SPORTS  
TO A DEPARTMENT OF INTERCOLLEGIATE ATHLETICS

I. Minimum Criteria

- A. That the sport be a recognized intercollege sport by the AIAW or NCAA.
- B. That adequate and appropriate competition exists within a reasonable distance.
- C. That strong student interest in participation be demonstrated over a period of time (e.g. through club sports or intramural sports).
- D. That appropriate facilities be potentially available.

II. Supplementary Criteria: Preference will be accorded when:

- A. Participation in the sport in Minnesota secondary schools is relatively high.
- B. Projected costs for the sport are relatively low.
- C. Potential spectator interest in the sport exists.
- D. The sport involves a substantial number of competitors at the varsity level.
- E. The sport is played at schools with whom University of Minnesota teams have traditionally competed.

APPENDIX B  
QUESTIONS TO BE ADDRESSED TO PROPONENTS  
OF PROPOSED NEW VARSITY SPORTS

1. How many total participants are expected (varsity plus varsity reserve, if any)?
2. What is your projected schedule? How far away are your road games likely to be? How many games will you play? What are typical days and times?
3. Will you require assistant coaches?
4. Where do you anticipate practicing and playing home games? What are probable practice times length of practices?
5. Where would the team dress for practice?
6. What kinds of demands would you anticipate making upon training facilities and personnel?
7. What new equipment and supplies would be required for next year? What would be annual, ongoing costs of team equipment and supplies?
8. Do you anticipate any recruiting expenses? If so, please estimate. Would team members recruited generally be in-state, regional, national, or international in origin?
9. What future grant-in-aid requirements do you anticipate?
10. What kind of contribution could your program make to Athletic Department fund raising?

## B. RESPONSIBILITY TO INJURED ATHLETES

### MOTION:

That the Assembly approve the policy on University responsibility to injured athletes.

### INFORMATION:

The ACIA has approved the following policy and submits it to the Assembly for action with its recommendation for approval:

#### POLICY ON UNIVERSITY RESPONSIBILITY TO INJURED ATHLETES

Participation in intercollegiate athletics carries with it the inherent risk of injuries. Students participating as athletes assume certain risks that he or she may suffer injuries in connection with intercollegiate athletic activities. When such injuries occur, the University cannot assume indefinite responsibility for continuing medical care that might be subsequently required. Subject to the limitations stated hereinafter, however, the University does choose to accept certain obligations.

I. UNIVERSITY OBLIGATIONS. In addition to any health insurance coverages, when a student-athlete is injured during practice, competition, or University-sponsored travel to or from competition under University Men's or Women's Intercollegiate Athletic Department auspices, the University will provide the following assistance to the injured student. For the purposes of this policy, University-sanctioned activity includes all practices on University facilities of which the coach knows or should have known, and any events to which an athlete travels with University support or financial assistance.

A. Student athletic financial assistance in an amount no less than that the athlete was receiving at the time of the injury will be continued until the student receives his or her baccalaureate degree or through the fifth year of enrollment, whichever comes first.

B. Approved medical costs associated with the injury will be covered by the University during the period the student is enrolled as well as summers and breaks between quarters. The University reserves the right to obtain independent opinions from medical staff of its choice about the necessity and reasonableness of any particular treatment of an injury.

II. LIMITATIONS. The foregoing is subject to the following limitations:

A. Any athlete who sustains an injury or has a diagnosed illness prior to enrollment at the University must so notify his or her University coach and athletic trainer. Without such notification, subsequent reinjury or exacerbation of the illness will not entitle the student to the benefits described in Part I of this policy.

B. If appropriate University medical staff certify that an injured athlete has recovered sufficiently to reasonably permit him or her to compete, and that student-athlete nonetheless voluntarily chooses not to participate in athletics, the obligation of the University to provide medical care and financial aid is simultaneously terminated.

C. All treatment of injuries must be authorized or administered by the University. Any outside treatment obtained by an injured athlete without University authorization will not create an entitlement to reimbursement from the University.

D. An athlete injured in events or competition not conducted or sanctioned by the Men's or Women's Intercollegiate Athletic programs of the University is not eligible for continued assistance.

E. Subject to the provisions of the prevailing play or practice accident insurance policy, if an injured athlete withdraws or graduates from the University, provision of medical care and financial aid will be terminated.

F. When an injured athlete completes a baccalaureate degree or fifth year of enrollment, the University will consider its obligation to provide medical care and financial aid to terminate.

G. No provision of this policy shall be interpreted to conflict with applicable AIAW, NCAA, or Big Ten Conference rules and regulations.

### III. GENERAL PROVISIONS

A. This policy is intended to be minimal, setting the limits to entitlement. The Athletic Directors may, at their discretion, extend aid to students whose coverage by this policy is doubtful or for other reasons they deem appropriate. In no event, however, may aid of any sort be extended beyond the fifth year of enrollment or a point at which the student receives a baccalaureate degree.

B. Copies of this policy are to be distributed to members of the coaching staff and to student-athletes at times and places deemed appropriate by the directors of athletics.

## C. FINANCIAL AID TO ATHLETES

### MOTION:

That the Assembly approve the policy on financial aid to athletes.

### INFORMATION:

The ACIA has approved the following policy and submits it to the Assembly for action with its recommendation for approval:

#### POLICY ON FINANCIAL AID TO ATHLETES

No student participating as a varsity athlete may receive financial aid, excluding loans, which exceeds the cost of education as determined by the University of Minnesota Office of Student Financial Aid.

## D. OUTSIDE CONSULTING, SERVICE, EMPLOYMENT BY STAFF MEMBERS

### MOTION:

That the Assembly approve the policy on outside consulting, outside service activities, and other employment by staff members holding appointments in the Departments of Intercollegiate Athletics.

### INFORMATION:

The ACIA has approved the following policy and submits it to the Assembly for action with its recommendation for approval. It will be submitted to the Board of Regents for action.

#### POLICY ON OUTSIDE CONSULTING, OUTSIDE SERVICE ACTIVITIES, AND OTHER EMPLOYMENT BY STAFF MEMBERS HOLDING APPOINTMENTS IN THE DEPARTMENTS OF INTERCOLLEGIATE ATHLETICS

Individuals who hold appointments in the Departments of Men's and Women's Intercollegiate Athletics at the University of Minnesota serve an institution of higher education which is committed to three primary missions: teaching, research, and service. The intercollegiate athletic programs contribute primarily to the public service mission of the University, and the staff duties and responsibilities are committed to that mission. Out of this affiliation with the University of Minnesota Intercollegiate Athletic programs arise special and sometimes unique opportunities and demands for the expertise and/or personal representation of staff members in a wide range of activities. Some of these activities may be subsumed as part of the individual's contractual arrangement; others fall more clearly outside of employment responsibilities. This document sets forth the policies on outside consulting, outside service activities, and other employment by staff members holding appointments in the departments of intercollegiate athletics.

The staff members who are to be governed by this policy include the following

individuals: all coaches in both Departments of Athletics, the Directors of the fund-raising efforts in both Departments, the trainer and assistant trainers in both Departments, the Sports Information Directors and their assistant(s) in both Departments, the Ticket Office Manager, the Study Skills Coordinator(s), the Athletic Facilities Coordinator and his assistant(s), and the Directors of Athletics for both programs and their assistant and associate director(s). The Vice President for Administration and Planning may determine that other employees in the athletic departments are also governed by the provisions of this policy.\*

The policies outlined herein are not intended to abridge the rights of these individuals as citizens in any way.

#### I. GENERAL PROVISIONS

- A. Policies of the Board of Regents regarding the consulting and outside service activities of the faculty and general administrative officers of the University which are currently in force are generally applicable to individuals in the Athletic Department; the provisions which follow are a comprehensive adaptation of the current policies on consulting and outside service of the Board of Regents, which apply to faculty and general administrative officers, to Intercollegiate Athletics staff members who do not hold faculty appointments.
- B. All recurring outside activities, whether compensated or not, shall require prior approval by the appropriate Athletic Director and the Vice President for Administration and Planning before consideration by the Board of Regents. The Vice President for Administration and Planning may consult with the Assembly Committee on Intercollegiate Athletics on issues concerning outside activities or arrangements. Outside activities include consulting, advising, representation, or other work for any non-University entity, whether or not performed on the University campus. Citizen-related activities in the community are not included within this meaning. The form to be used in requesting approval is the President's Form 14.\*\* The President's Form 15\*\* shall be used to report annually those consultantships and outside activities which are recurring. Outside activities which are not recurring, such as the writing of books or papers, giving of occasional speeches, lectures, single consultations, etc. need not be presented for prior approval but must be reported according to the provisions of Section II of this policy.
- C. The appropriate Athletic Director will determine whether any proposed recurring outside activity is compatible with the contractual obligations of the individual and also whether such activity is appropriate to the dignity, public character, and missions of the University. If the Athletic Director denies a request, the individual may appeal to the Vice President for Administration and Planning, whose decision shall be final.
- D. When engaging in outside activity, an individual may identify his or her position at the University (e.g. Men's/Women's Head Basketball Coach, University of Minnesota, Twin Cities). Special care must be taken to establish that he or she is not speaking, acting, or making representation on behalf of the University. Under no condition shall institutional endorsement be either expressed or implied in relation to the activity.
- E. Time of Appointment
  1. For individuals employed full time, the general restriction on outside time commitments shall not exceed an average of one eight-hour day per seven-day

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\*Particular attention in this respect may need to be given to women's intercollegiate athletics as its staff continues to develop.

\*\*President's Forms 14 and 15 were prepared for use by individuals holding faculty or general administrative rank, a class of employees which, defined in the Faculty Information Handbook, does not include coaches (unless they also hold faculty rank) or the other employees of the athletic departments. Rather than institute the use of another form, however, this policy is to be read as specifically adopting Forms 14 and 15 to be used in meeting its reporting requirements.

week; the eight hours need not be limited to one calendar day. The scheduling of such activities must be approved by the appropriate Athletic Director and must be compatible with the individual's departmental obligations.

2. For individuals employed less than full time, the restrictions on outside time commitments shall be adjusted to reflect the portion of time under contract to the University. The scheduling of such activities must be approved by the appropriate Athletic Director and must be compatible with the individual's departmental obligations. Regular outside employment of individuals holding less than full-time appointments does not require prior approval but must be reported. All other provisions of this policy apply with equal force to full- and part-time staff members.
- F. Where the seasonal demands on the time of the individual fluctuates, flexible arrangements concerning the scheduling of outside activities may be made which do not adhere to the one-day-per-week maximum, so long as the annual amount of time required by such commitments does not exceed the annual allowable maximum contained in Section I(E) (1) or (2). Such special arrangements will require prior approval of the appropriate Athletic Director and the Vice President for Administration and Planning.
- G. Individuals who engage in outside activities shall not use the official stationery of the University or the Department or give as a business address any building or department of the University, nor shall individuals use University equipment or services for outside activities without approval from the appropriate Athletic Director and the payment of a reasonable fee for the privilege enjoyed.
  1. Use of the University logo and the block "M" is prohibited.
  2. Reliance upon University Civil Service staff members for clerical services is prohibited.
  3. Use of a University telephone number in promotion or advertising is prohibited.

## II. SPECIFIC PROVISIONS

- A. Individuals shall not give written, oral, or pictorial endorsements or testimony solicited for the promotion, advertisement, sale, or use of commercial products or services. Individuals may accept remuneration, donations of products or services from non-University or commercial enterprises, or receive products or services at reduced rates which may be used in the Intercollegiate Athletics programs, or for possible personal use, only if there is no reciprocal responsibility on the part of the Department or the program to agree to use the product or service to the exclusion of others or otherwise endorse the product or service.
- B. Appearances at banquets and similar functions sponsored by the University, other educational institutions, or other non-profit or governmental organizations are not within the purview of this policy. If, however, the time involved in this activity exceeds eight hours per week, on average, the individual should discuss his or her proposed schedule with the appropriate Athletic Director to assure that primary responsibilities are being fulfilled.
- C. Individuals may conduct summer camps and clinics as such activities are commonly understood. The use of the name of the University or any title which would imply University endorsement or sponsorship (e.g., "Gopher" or "Golden Gopher") is specifically prohibited unless the camp or clinic is developed and presented as a University-sponsored program. If involvement in such camps and clinics, conducted by individuals as private activities, exceeds the time limitations provided in Section I(E) (1) or (2), or available vacation periods to which the individual is entitled under the terms of his or her University appointment, he or she shall consult with the appropriate Athletic Director to determine whether the activity might better be managed within University policies governing leaves of absence. All camps and clinics are subject to the provisions of the "Policy on the Use of University Facilities for Camps and Clinics."

- D. Under provisions of applicable state statutes governing conflicts of interest, when a coach or other athletic department employee accepts a position as a sales representative for a company which does business with the University, that individual may not be involved in sales to the University which bring commissions or other income to him or her.
- E. Because individuals holding appointments in Intercollegiate Athletics have opportunities to receive benefits of a type frequently unavailable to other University staff members, the corresponding need for accountability to the institution becomes greater. The following requirement of a comprehensive inventory of private activities, perquisites, or arrangements related to employment is predicated on the high public visibility of the athletic departments and the ethical responsibilities of individuals holding appointments in them. All activities, perquisites, and other arrangements, recurring or non-recurring, with non-University organizations or individuals, primarily resulting from holding a position in Intercollegiate Athletics, shall be reported to the appropriate Director of Athletics on an annual basis. The receipt of compensation, but not the specific amount, shall be reported. This report shall be appended to the President's Form 15.

## **E. FACULTY REPRESENTATIVES**

### **MOTION:**

That the Assembly approve the policy on the selection and responsibilities of the Faculty Representatives for the Departments of Intercollegiate Athletics.

### **INFORMATION:**

The ACIA has approved the following policy and submits it to the Assembly for action with its recommendation for approval. It will be presented to President C. Peter Magrath. Three years ago, he approved similar procedures.

### **POLICY ON THE SELECTION AND RESPONSIBILITIES OF THE FACULTY REPRESENTATIVES FOR THE DEPARTMENTS OF INTERCOLLEGIATE ATHLETICS**

#### **I. INTRODUCTION**

The role and responsibilities of the faculty representatives have never been adequately clarified. For a considerable number of years various groups have been grappling with the issue without reaching final conclusions which have been adopted as formal policy. Since 1975 there have been at least eight documents of importance addressing the questions.

- 7/24/75 The Council of Ten adopted the "Strotz Resolution."
- 12/9/75 The "ACIA Report Recommending Punitive and Corrective Actions in Response to the NCAA Allegations."
- 12/16/75 Letter from C. Peter Magrath to David French and David Giese.
- 2/5/76 Letter from Walter H. Bruning to Andrea Hinding.
- 3/4/76 Letter from Walter H. Bruning to Andrea Hinding.
- 6/9/76 The Loken memo on "Duties and Responsibilities of the Faculty Representative."
- 10/25/76 Letter from C. Peter Magrath to Merle Loken clarifying the role of the faculty representative.
- 11/2/76 The report of the ad hoc Committee of Faculty Representatives.
- 11/24/76 The "Report of the ACIA Subcommittee on the Duties and Selection of the Faculty Representatives."
- 6/8/77 Guidelines: Duties and Selection of the Faculty Representative.
- 4/26/78 The "Report by the Task Force on Intercollegiate Athletics."

In each instance, the development and implementation of final policy was left incomplete.

This policy, when adopted by the Assembly Committee on Intercollegiate Athletics (ACIA) and the University administration, will set forth the reporting and consulting responsibilities of the faculty representatives, the obligations of individuals appointed to those positions, and the locus of final authority for institutional decision-making.

The faculty representatives for the two intercollegiate athletic departments have, as their principal duty, the representation of the University of Minnesota—Twin Cities at all the athletic governing organizations of which the institution is a member. In fulfilling that responsibility, as well as performing other duties enumerated in this policy, the faculty representatives act at the direction of the University faculty as given voice through the deliberations and instructions of ACIA.

It is understood that the authority and responsibility of ACIA, and its faculty representatives, is derived from the President and the Board of Regents. This policy, which establishes the faculty representatives as creatures of and responsible to ACIA, is adopted giving due recognition to the ultimate authority which must reside with the President and the Board of Regents.

## II. LIMITATIONS ON AUTHORITY

As the "Strotz Resolution" makes clear, the Big Ten Conference is an association of college presidents with its role limited to delegations of authority from them. "The Intercollegiate Conference of Faculty Representatives (the 'Big Ten') was conceived in, and has proceeded on, the fundamental assumption that the governance and administration of athletic competition in the Big Ten are under the control of the faculty. Faculty control was, and still is, thought to be the mechanism most consistent with the proper position of intercollegiate athletics in the framework of higher education. The Conference was brought into being by a group of university presidents. . . . The powers and duties of the Faculty Representatives derive from the delegation thereof by the Members of the Council of Ten."

Because the President and Board of Regents are responsible first and foremost to the people of Minnesota for the activities which comprise the University, including intercollegiate athletics, the ultimate authority for making decisions must also rest with them. The 11/24/76 ACIA Subcommittee Report recognized this when it observed that "full and complete faculty control" could not be interpreted literally in light of the legal duties of the President and Board of Regents. In this regard, creation of the Big Ten and the concept of faculty control did not mean that the President permanently and irreversibly delegated his authority over athletics to the faculty; such a delegation is not within the prerogatives of the President. Under the Constitution of the State of Minnesota the power of the Regents is plenary; no officer they choose can deprive them of that power.

The NCAA definition of institutional control of athletics differs from that of the Big Ten Conference in that it recognizes the chief executive officer of each member institution as the locus of final authority to determine the voting delegate representing it to the NCAA. That voting delegate can be, and has been for a number of institutions of late, the chief executive officer—not a faculty representative. In order that the University of Minnesota—Twin Cities Campus faculty representative not be put in the position of having split accountability (to ACIA in Big Ten matters and to the President in NCAA matters), he or she is established by this policy to have a single responsibility regardless of the group or entity to which he or she is representing the University: to ACIA. And, just as the President retains the authority to overrule ACIA and the faculty representative in matters related to the Big Ten, so may the President do so in all other spheres where the faculty representative presumes to act or speak on behalf of the institution.

The language of the AIAW resembles that of the NCAA insofar as it recognizes the chief executive officer as the individual who chooses the voting delegate and represents the institution. As the 11/24/76 ACIA Subcommittee Report points out, even though faculty control originated with the Big Ten Conference and men's athletics, "it can hardly be argued that faculty control is therefore limited to men's intercollegiate athletics. If faculty control of men's intercollegiate athletics is desirable, as was acknowledged when the University joined the Big Ten Conference, then so is faculty control of women's intercollegiate

athletics. The argument is the same." It is the intention of ACIA and the President that there be a faculty representative for women's intercollegiate athletics who holds a position exactly analogous to that of the men's vis-a-vis the President, ACIA, and the appropriate athletic organizations governing women's athletics.

It is clear, therefore, that the President may overrule both ACIA and the Faculty Representative on matters athletic. Neither ACIA nor the President, however, believe that such a direct confrontation will very often, if ever, occur. It is assumed that the consultative processes of the University will serve as the mechanism by which differing positions will be reconciled and legitimate disagreements resolved. Although it cannot be incorporated in specific provisions, both ACIA and the President agree that continuing consultation on issues in intercollegiate athletics is appropriate and necessary, especially with respect to agenda items of the AIAW, the NCAA, and other athletic governing organizations.

### III. RESPONSIBILITIES

The responsibilities of the faculty representatives are as follows:

- A. Serve as a voting member of ACIA.
- B. Serve on the ACIA Subcommittee on Eligibility.
- C. Serve as the University's representative to all athletic governing organizations, as appropriate, and in that capacity perform these tasks:
  1. Vote as instructed by ACIA on all matters to be decided by those organizations;
  2. Keep ACIA informed about all issues brought to the organizations;
  3. Ensure that the appropriate department of athletics, its coaches, staff, and student-athletes comply with all applicable rules and regulations; and
  4. Serve as petitioner for student-athletes before the appropriate governing organizations.
- D. Inform ACIA about matters related to the academic progress of student-athletes.
- E. Serve on the ACIA Subcommittee on Awards.
- F. Consult with the Athletic Director on all matters related to intercollegiate athletics.
- G. Consult with the President or his designee on all matters athletic which affect the institution.
- H. When the faculty representative encounters issues which have legal ramifications for the University or financial implications beyond normal changes in athletic department expenditures brought about to routine rules changes of athletic governing organizations, he or she must consult with the President and act as directed.

### IV. SELECTION OF THE FACULTY REPRESENTATIVES

Within the limits established by the foregoing sections of this policy, the faculty representatives are to be considered creatures of ACIA. They will be selected in accordance with the following procedures:

- A. The Chair of ACIA will appoint a search committee, the task of which will be to present to ACIA approximately five candidates. The search committee will include three faculty members and one student currently serving on ACIA, one at-large faculty member, one faculty representative from the Consultative Committee, one alumni member, one non-voting ex officio representative from the Office of the Vice President for Administration and Planning. The appropriate Athletic Director will also serve as a non-voting ex-officio representative on the search committee.
- B. The search committee will take whatever steps it deems appropriate to advise the faculty that the position is open. At a minimum, an advertisement should be placed in the Minnesota Daily.
- C. The search committee should, as a general rule, offer as candidates only those who have indicated a willingness to be considered. (And not necessarily only those who have indicated an eagerness or willingness to serve; if the search committee discovers someone who it regards as an extremely able prospect, it should submit the name to ACIA on the assumption that the Chair of ACIA [or the University President] has the task of persuading him or her to serve.)

- D. After evaluating the candidates, including interviews, the search committee will recommend to ACIA the candidates by submitting a list of names and appropriate dossiers.
- E. ACIA will then select the candidates it most favors (which it may decide by conducting its own interviews, if it wishes) and submit not less than three names to the President.
- F. The President will appoint the faculty representative from the list of candidates provided by ACIA.
- G. These same procedures will be used regardless of which faculty representative ACIA is choosing.

**V. REMOVAL OF THE FACULTY REPRESENTATIVE**

- A. Upon the motion of any voting member of ACIA, the removal of the faculty representative may be considered. If the motion is seconded and carries by a majority vote of all voting members of ACIA, the faculty representative is removed. A search committee to fill the vacancy will be appointed as expeditiously as possible.
- B. The President may remove the faculty representative. When such a vacancy occurs, a search committee to find a replacement will be appointed as expeditiously as possible.

NOTE: Upon the approval of the President of the University, this policy shall control the selection and responsibilities of the faculty representatives.

**F. TELEPHONE USE AND RECOVERY OF UNAUTHORIZED CHARGES INFORMATION:**

The ACIA submits to the Assembly the following procedures for information.

**SUPPLEMENTAL PROCEDURES ON THE USE OF TELEPHONES AND RECOVERY OF UNAUTHORIZED CHARGES, DEPARTMENTS OF INTERCOLLEGIATE ATHLETICS**

These procedures are intended to supplement the general University policy governing long-distance telephone calls improperly charged against departmental budgets. That policy, found annually in the Student-Staff Directory, reads in part: "University telephones shall not be used for personal long-distance calls. . . . Personal calls, when charged to the University, are clearly contrary to the proper usage of these facilities for University business only. . . . Departments are responsible for controlling and recording all long-distance calls made from their telephones."

These procedures are to be used in the recovery of unauthorized charges made against an athletic department telephone and to ensure adequate controls on the telephones and telephone numbers of the Department of Men's Intercollegiate Athletics and the Department of Women's Intercollegiate Athletics.

**I. GENERAL PROVISIONS**

- A. The authority to decide what calls and charges are unauthorized, and therefore to be recovered, shall rest with the Director of Athletics or his or her designee.
- B. The responsibility for notifying the student-athletes of the policies governing the use of University telephones for long-distance calls shall rest with the coaches in each sport. In addition, they shall notify the athletes of the penalties for violating those rules, which include possible ineligibility for competition, an obligation to repay, and possible criminal prosecution. The Assembly Committee on Intercollegiate Athletics (ACIA) Subcommittee on Eligibility shall also notify the athletes of the policies governing use of University telephones.
- C. Following the adoption of this policy, coaches in the athletic department will be required to charge all long-distance telephone calls to a credit card when they are calling from a location away from their office. Exceptions are to be permitted only

under conditions of urgency; at such times the coaches are requested to make a note of such calls in order that they may be noted on the itemized list of long-distance charges.

- D. Upon receipt of the itemized list of long-distance calls charged to the department each month, the appropriately designated administrator in each department will review the charges. When improper charges are suspected, they shall be immediately referred to the attention of the coach against whose telephone or credit card number the calls have been charged. If no improper charges appear, the entire list of itemized calls for each telephone shall be forwarded to the respective coaches.
- E. Upon receipt of that list, the coach will indicate each call which he or she either made or authorized. Any calls not so noted will be referred back to the administrator for recovery.
- F. When unauthorized charges are discovered, the department will obtain from the telephone company all information possible in order to attempt to identify the individual(s) who made the call(s).
  - 1. If the identity of the individual(s) can be ascertained, and it is discovered to be a present or former student athlete, the department shall attempt to contact the athlete and acquaint him or her with the existence of the charges.
  - 2. If the identity of the individual(s) can be ascertained, and it is discovered to be anyone other than a present or former student athlete, the department shall immediately refer the matter to the Department of Audits.
  - 3. If the identity of the individual(s) cannot be ascertained, the department shall immediately refer the matter to the Department of Audits.
  - 4. Each department of athletics will honor a finding by the other that individuals associated in any way with one department incurred unauthorized charges on the telephone lines of the other.

## II. CURRENT STUDENTS

- A. If a student, when notified of charges for telephone calls, does not dispute the obligation, the Director of Athletics is authorized to take one of the following steps:
  - 1. Secure immediate repayment in full for the improper charges.
  - 2. Obtain the signature of the athlete on a legally-binding promissory note committing him or her to repayment by a specified date and according to a prescribed repayment schedule.
  - 3. Request the Director of the Office of Student Financial Aid to deduct the amount of the obligation from any athletically-related financial aid which may have been awarded to the student. Such a deduction should take place at the next quarter at which the student enrolls and receives aid. In the case of larger amounts, the deductions may take place over a number of quarters if the Athletic Director reasonably believes the student will enroll for future quarters.
  - 4. In lieu of Section II (A) (3), the Athletic Director may request the Department of Admissions and Records to place a "hold" on the student's record.
- B. If a student disputes the charges and denies the existence of any obligation to the University, the Athletic Director shall immediately refer the matter to the Campus Committee on Student Behavior (CCSB) for review and resolution. The Athletic Director should emphasize to the chair of the Campus Committee on Student Behavior the need to act with dispatch. Simultaneously, the Athletic Director shall notify the Department of Audits for information and entry, if appropriate, into the CCSB hearings.
  - 1. If CCSB finds the student has no obligation to the institution, he or she will be absolved of any further responsibilities in the dispute. If CCSB finds the University is properly owed the amount in dispute—or some other amount—and the student accepts the finding, Sections II(A) (1)-(3) shall control.

2. If CCSB finds the University is properly owed the amount in dispute—or some other amount—and the student nonetheless refuses to repay the University, it shall take whatever steps it deems appropriate in accordance with its own procedures. In addition, the following procedures will be activated:
  - a. CCSB will notify the Athletic Director and the Department of Audits of its findings, and actions it has taken, and will send a written notice of this step to the student.
  - b. The Director of Athletics shall request the Department of Admissions and Records to place a "hold" on the student's record and deny the extension of future services, such as subsequent registration, granting of transcripts and other certifications, and the like.
  - c. The Director of Athletics will also take one of the following actions:
    1. If the student is receiving athletically-related financial aid, he or she may, in lieu of Section II (B) (2) (b), above, request the Director of the Office of Student Financial Aid to deduct the amount of the obligation from the financial aid award if he or she reasonably believes the student is going to re-enroll.
    2. If the student has eligibility for future athletic competition remaining, he or she may refer the matter to ACIA in order that it may decide the student's eligibility for future competition.
  1. d. The Department of Audits, giving due consideration to the steps taken, will be authorized to institute action for collection through appropriate University departments and public or private agencies.
- C. If a student repeatedly engages in unauthorized use of athletic department telephone or telephone numbers, ACIA shall have the authority to consider revoking the student's eligibility for future competition.

### III. FORMER STUDENTS

- A. If the athlete is no longer enrolled at the University but acknowledges the obligation, the department shall attempt to secure repayment or obtain the signature of the former athlete on a legally-enforceable promissory note committing him or her to repayment by a specified date and according to a prescribed repayment schedule. If the former athlete refuses to sign such a note, and cannot repay immediately, the Athletic Director shall refer the matter to the Department of Audits, with written notification to the former student, for such steps as it deems appropriate, and shall request the Office of Admissions and Records to place a "hold" on the student's records.
- B. If the athlete is no longer enrolled at the institution and refuses to acknowledge the obligation or cannot be reached by the department, the matter shall be referred to the Department of Audits, with written notification to the former student if possible, for such steps as it deems appropriate. The Athletic Director shall also request the Office of Admissions and Records to place a "hold" on the student's records unless and until the Athletic Director reaches a satisfactory settlement with the student-athlete.

### COMMENT:

The committee has studied these policies and procedures for a year. Members of other University bodies were consulted when applicable. Those consulted were representatives of the Office of the University Attorney, the Campus Committee on Student Behavior, the central administration, and the Men's and Women's Intercollegiate Athletic Departments.

These policies were developed to aid in the functioning of the Assembly Committee and the University Intercollegiate Athletic program by explicating procedures and policies in areas of concern to student athletes, faculty, coaches, and administrators.

**MARION FREEMAN**  
Chair

*Approved*

## IV. CAMPUS COMMITTEE ON HOUSING

### ANNUAL REPORT

#### OFF-CAMPUS HOUSING SERVICES

The Campus Committee on Housing has addressed itself to a review of the off-campus housing services of the Housing Office. A recent report from Neil Bakkenist, Director of the Housing Office and ex-officio member of this committee, contains the following figures: In 1978-79, over 15,780 students visited the office to review their listings; 120 landlord/tenant complaints were mediated by the off-campus counselors; and 7,375 area listings of available housing were posted in the office. The Committee wishes to commend the members of the off-campus housing office for their role in facilitating availability of housing to the many students coming to this campus who are new to the metropolitan area and cannot find on-campus accommodations. (Waiting lists for dormitories, co-op student housing, etc. are indications of pressures for the on-campus facilities.) It is the Committee's recommendations that this valuable service be maintained without further reduction in operating staff or budget.

#### SHORTAGES OF RENTAL UNITS

The above report does not fully reveal the impact of declining rental units in and around the University area. Conversions to condominium ownership of many rental units have made it necessary for students to live farther and farther away from the campus. This adds to the cost of accessibility to the educational facilities of the University, both in money and time. With rising costs for commuting, more and more students are looking for housing choices closer to the campuses.

Should this trend continue to the point where it impacts adversely on enrollment at the University, it may become necessary for this institution to take steps to facilitate the construction of a variety of housing units both on and off campus. The following policy statement from the 1972 Committee seems in order today:

#### HOUSING POLICIES OF THE UNIVERSITY OF MINNESOTA

The following four policies are intended to provide direction for the development and implementation of a balanced housing program for the University of Minnesota. How the policies are implemented in a particular instance will depend on the circumstances of the situation, the resources available, and the judgment of the University officials concerned.

##### 1. Relationships with surrounding communities.

To meet the housing needs of students, staff, and faculty, the University will actively cooperate with organizations representing the communities surrounding the University and with municipal planning groups to develop and implement programs designed to:

- a. Increase housing in the communities surrounding the University in a planful way, encouraging the development of superior types of housing through affirmative action.
- b. Stabilize the owner-occupied housing component of the communities through zoning and through active partnership with community groups to facilitate the purchase of homes by University community members for their own use.

##### 2. Desirable types of new housing.

The University will work to facilitate the construction of housing types of superior quality both on and off campus which will meet the needs of the University community. The most desirable housing types include:

- a. Village housing composed of townhouses, apartments, and highrise developments which incorporate support facilities and are available to single persons and married persons with or without children.
- b. Highrise development
- c. Dormitory structures which provide flexible combinations of single rooms, apartments, and suite accommodations.

3. Housing developments on University land.
  - a. Housing will be developed on University land only when the private sector does not or cannot provide needed housing.
  - b. The University will take the initiative in building on University land but will seek to enter partnership with broadly based and representative student, faculty, and staff groups to meet needs as related to 3a above.
  - c. Private development groups not indigenous to the University community and groups representing only small segments of students, staff, and faculty will not be permitted to build housing on University land unless explicitly endorsed by the Board of Regents.
  - d. In principle the University will retain ultimate ownership of its land when it enters cooperative ventures through lease and other partnership agreements.
4. Management and operation of housing on and off University land.
  - a. The University will promote occupant control such as cooperatives of student, staff, and faculty housing to the extent financially and operationally feasible.
  - b. The University will foster the development of tenant organizations among students to help them gain some control over their housing.

An exception to statement 2b, concerning high rise development was made by one committee member. The committee member felt that high rise development would adversely impact on the surrounding neighborhoods. Otherwise, the committee approved the above report.

**VIRGINIA NAGLE**  
Chairperson

*Accepted*

## **V. OLD BUSINESS**

None.

## **VI. NEW BUSINESS** **(15 minutes)**

None.

## **VII. ADJOURNMENT**

## **ADDENDUM**

The following annual report was distributed at the April 24 Assembly meeting and consideration of it was deferred until this meeting. The Assembly Steering Committee decided against taking action on it.

### **I. CAMPUS COMMITTEE ON TRANSPORTATION & PARKING ANNUAL REPORT**

The committee membership is as follows: R. M. Jordan (chairperson), Corinne Ellingham, Elaine Greenfield, Donald Harper, Betty Jo Points, Edward Hellier, Kris Stellmachers (student), and C. Luverne Carlson and Walter D. Johnson, ex officio.

Committee has met periodically and discussed:

- a) Short-term visitor parking. Recommended to administration that this problem be addressed.
- b) Single permit per parking lot contract holder. Recommended to administration that the policy of two permits per contract be abandoned (it was much abused) and a policy adopted that provides only one parking permit per contract be adopted. Recommendation accepted.
- c) Department parking coupon books. The committee concluded that some efficiencies and cost-cutting would result if a department journal vouchered for a parking coupon book rather than submit a number of vouchers to cover the same number of parking fees. Recommendation forwarded to administration but was not approved.
- d) Committee is currently being apprised of the many implications of the establishment of a "bus route road" between the two campuses.
- e) Approved a modest increase in parking fees, effective July 1980.

**ROBERT M. JORDAN**  
Chairperson

### **II. ASSEMBLY COMMITTEE ON STUDENT AFFAIRS SMOKING PARAPHERNALIA**

The report to the Assembly on April 24, 1980, was deferred until the fall 1980 meeting of the Assembly.

**MARILEE WARD**  
Clerk

# Appendix

## ATTENDANCE OF MEMBERS

1979-80

The Twin Cities Campus Assembly met six times during 1979-80.

Faculty	Attended	Notified Clerk of Nonattendance of Alternate Attended
Adams, Carl	2	2
Adams, Russell	6	0
Anderson, J. Edward	4	0
Anderson, Robert	2	3
Awad, Essam	4	2
Baizerman, Michael	2	0
Bakdash, M. Bashar	2	2
Bales, Kent	6	0
Barber, Donald	1	2
Beck, Robert	1	3
Benjamin, Roger	2	1
Berscheid, Ellen	3	2
Blackshear, Perry	3	1
Bloedel, James	3	2
Bloomfield, Victor	2	1
Borich, Patrick	1	2
Bouchard, Thomas	3	1
Brede, Caroline	5	1
Brothen, Thomas	6	0
Brown, Alan	6	0
Brown, David M.	0	3
Cardwell, Vernon	6	0
Carter, Roy	6	0
Cavert, Mead	5	1
Chambers, Clarke	5	0
Clark, John P.	3	1
Clayton, Thomas	6	0
Cooper, Laura	3	3
Cooperman, David	5	0
Corcoran, Mary	3	2
Cox, Victor	1	2
Crookston, Kent (appointed 1/80)	3	1
Dahlstrom, Helen	4	1
Davis, H. Ted	2	1
Desborough, Sharon	5	0
Drage, Charles	0	1
Egan, Ellen	5	1
Egertson, Kenneth	4	0
Eicher, Joanne	3	2
Eidman, Vernon	5	0
Ellefson, Paul	3	0
Epley, Richard	4	1
Freier, Phyllis	4	1
Frenkel, Albert	3	2
Garetz, Floyd	4	2

Gatewood, Lael	5	0
Gentry, William	5	0
Glenn, Allen	2	1
Godzich, Wladslaw	3	0
Goldstein, Sheldon	6	0
Goodman, Lawrence	5	1
Gore, Warren	6	0
Grambsch, Paul	4	1
Grosch, Audrey	6	0
Hage, George	6	0
Ham, George	4	1
Hanley, Mary	3	2
Hansen, Evelyn	6	0
Hansen, L. Sunny	1	5
Hein, Andrew	3	3
Hendricks, Lewis	4	0
Herman, William	4	0
Hirschbach, Frank	6	0
Hobbie, Russell	6	0
Holt, Robert	3	2
House, Peggy	5	1
Howe, John	5	0
Humphreys, Roberta	3	1
Hurwicz, Leonid	5	1
Isbin, Herbert	3	2
Kahn, Donald	5	0
Keck, Steven	5	1
Kelly, Richard	6	0
Keynes, Harvey	2	2
Klaurens, Mary	4	1
Krivot, William	1	2
Kumar, K. S. P.	1	3
Larson, Roger	5	1
Lindsay, Malcolm	3	0
Lueschen, William	2	1
Mansfield, Elaine	5	0
McCubbin, Hamilton	2	2
Meyers, Susan	3	2
Miller, Daniel	2	0
Moller, Karlind	6	0
Mooney, Harold	3	1
Moore, Shirley	5	0
Morris, Howard	4	1
Moulton, Robert	3	1
Murphy, Paul	4	0
Newman, John	4	0
Olson, William	3	1
Parker, John	3	1
Pearsall, Thomas	5	0
Prager, Stephen	3	0
Pratt, Douglas	4	2
Prince, James	3	1
Quie, Paul	2	1
Rasmusson, Donald	5	1
Rose, Gordon	3	2
Rust, Joseph	3	0
Sawchuk, Ronald	4	2

Schofield, William	5	1
Shively, W. Phillips	5	1
Simmons, Roberta	1	3
Skaggs, Richard	6	0
Snoke, Martin	6	0
Sorauf, Frank	4	1
Spector, Janet	4	1
Spelsberg, Thomas	0	3
Spencer, Robert	4	0
Stein, Marvin	1	0
Stephanopoulos, George	3	0
Sullivan, Constance	4	1
Sutton, Everett	3	0
Tellegen, Auke	3	2
Ulstrom, Robert	1	1
Walker, Paul	3	1
Wallace, John	2	2
Wang, Yang	4	0
Ward, Gilbert	4	1
Ward, Jean	3	2
Warner, William	3	0
Welch, Wayne	5	0
Weller, Milton	4	1
Wertz, John	6	0
Wharton, Keith	4	2
Williams, C. Arthur	6	0
Zimmerman, William	2	2

**STEERING COMMITTEE**

Blake, George	4	0
Brasted, Robert	5	1
Eaton, Marcia	6	0
Hobbie, Russell	6	0
Morrison, Fred	3	2
Purple, Richard, Chr.	6	0
Schietzer, Vera	5	0
Scriven, L. E.	3	0

**STUDENTS**

Allen, Tracy	1	2
Arkan, Orhan (appointed 5/80)	2	0
Bates, Julie	6	0
Berg, Colin (terminated 1/80)	0	0
Berman, Mark	2	0
Bevard, Lise (terminated 1/80)	0	0
Brown, Alan (terminated 1/80)	0	0
Brown, Cheryl	4	0
Burshtein, Howard (appointed 2/80)	1	1
Carlson, Paul	3	0
Casey, Mark (appointed 5/80)	0	0
Claessens, John (terminated 1/80)	0	0
Coleman, Brendan (terminated 1/80)	0	0
Collins-Repke, Michele (appointed 5/80)	0	0
Enrooth, Richard (appointed 2/80)	3	0
Erickson, Kathy	5	0
Foster, Mark (appointed 3/80)	1	0
Grey, Teri	4	0

Harkcom, Don (appointed 1/80-resigned 5/80)	1	0
Hellier, Edward (appointed 12/79)	1	0
Harty, Timothy (resigned 12/79)	0	0
Hernandez, Juan (terminated 4/80)	0	1
Hess, Greg	1	2
Hollinger, Lynda (resigned 1/80)	1	0
Hosch, Lark	5	0
Hovelson, Robert (appointed 1/80)	1	0
Kaiser, Margaret (terminated 3/80)	1	0
Kanter, Claudia (appointed 3/80)	2	0
Keller, Liz (resigned 3/80)	1	0
Kottke, Richard	5	0
Krueger, Elise	5	0
Kvam, Caroline (appointed 1/80-terminated 4/80)	0	0
Linden, Rick (terminated 3/80)	1	0
Mashak, Don (appointed 1/80)	2	0
McCurely, Sheryl (appointed 5/80)	0	0
McGinley, Sheila	1	1
McGowan, Perry	4	0
Meyer, Bruce (terminated 1/80)	1	0
Mollenhoff, Lori (resigned 2/80)	1	0
Nord, Judy	6	0
Nystrom, Carlye (resigned 4/80)	0	1
Ott, Lesley (appointed 12/79)	0	0
Peterson, David C. (resigned 1/80)	2	0
Peterson, Gary G. (resigned 1/80)	0	1
Peterson, Polly	0	4
Plunkett, James	3	0
Reiva, Greg	2	0
Ruminski, Paulette (appointed 1/80-terminated 4/80)	0	0
Schwartz, Lori	2	1
Seeley, Krishna	3	1
Senstad, Al (resigned 3/80)	2	0
Snyder, John	5	0
Thomas, Dianne (resigned 5/80)	0	1
Thorpe, Bruce (appointed 3/80)	3	0
Urbanski, John	3	0
Vagnini-Ferrari, Marilyn (terminated 1/80)	0	0
Will, Tom	4	0
Wsiman, Kit (appointed 5/80)	1	0

### STEERING COMMITTEE

Carlson, Scott	3	0
Carlson, Steve (suspended 12/79-6/80)	2	0
Cooke, Dick (suspended 12/79-4/80)	2	0
Kottke, Richard	5	0
Pribyl, Sue	6	0
Weis, John	6	0

## ABSTRACT OF DISCUSSION ON MAY 29

A special meeting of the Assembly was called to order by its vice chairman, Rich Kottke, at 3:30 p.m. in 25 Law Building. Committee memberships for 1980-81 were approved.

*Board of Student Publications*—Kent Bales, associate professor of English and member of the working committee that drew up recommendations for restructuring the student publications operation, provided the names of others on that committee: David Lawson, chairperson, Warren Gore, and Joseph Kueppers. He explained that the Assembly Committee on Student Affairs (ACSA) had been requested by the vice president for student affairs, Frank Wilderson, to make a study of the Board of Student Publications; thus the working committee was working for ACSA and not for the administration. Among its features, in recognition of the relationship between the Daily and the School of Journalism, was the recommendation that the services of an advisor should be considered as part of his or her teaching load. However, the ACSA recognized that it was not appropriate to specify teaching assignments and it was therefore withdrawing that proposal. He indicated that the Regents had said they wanted a restructuring plan by July and that the recommendations were being brought to the Assembly by the faculty-student working committee to preclude action by the Regents. He said it had been a difficult report to write and that many people participated in its completion. He then moved to change the original motion that called for presentation of certain constitutional recommendations by ACSA to the Board of Regents for action to referral instead to the ACSA for action. A second set of recommendations, which he indicated were matters of Assembly policy, would also be referred to ACSA, and a final set, which described potential actions for the publishing board, would be presented for information and discussion to the Assembly. His motion for substitution was approved.

Richard Purple, professor of physiology and chairperson of the Steering Committee, explained that the Board of Student Publications, which would be replaced by a publishing board, and the Enclitic would be established as separate entities. A new constitution would have to be drawn up, he said, and ACSA would oversee that development. It would develop temporary constitutions in order to enable the establishment of new boards, which in turn would put together the permanent constitutions and send them to ACSA for approval. He said his committee supported the proposals while recognizing that there was room for negotiating.

David Lawson, student and chairperson of the working committee, then moved the first motion. Gerald Kline, professor and director of journalism and mass communication, deplored the haste with which the working committee had had to reach its conclusions. He said he had not been asked to appear before the committee, that speculation that the Regents would act precipitately was guesswork, and that all in all he thought it would be foolish for the Assembly to act on an ad hoc document. He said there were several salient elements to be considered, such as the extent to which the document was a punitive measure resulting from the expression of unpopular notions in the Daily last year. He accused the committee of eliminating democratic procedure with its proposal for a board whose members would be appointed. He contended that student control was essential and that the report suggested to him that there would be loss of that control. Finally, he said, appointment of a faculty advisor would result in loss of editorial autonomy. He called the proposals a "band-aid" operation, maintaining that the current climate was a bad one in which to make the kinds of changes proposed, and he moved to table the motion.

Mr. Bales pointed out that the proposals were in and of themselves not the constitution but rather statements of policy drawn up following the gathering of testimony over a period of time. He reminded the Assembly that the proposal to recommend to the Journalism School that service as a faculty advisor should be recognized as a teaching responsibility had been withdrawn. He said he considered the Daily a high quality publication, but the committee had found that faculty advising had simply been an insufficient presence to ensure that mistakes of a sufficient order to offend large numbers of people would be dealt with as soon as possible. However, it recognized that it could not impose the faculty commitment on the School. As to the accusation of elimination of the democratic process, he retorted that the committee had found that direct election was not successful in getting

board members because of the difficulty of finding members who would realize sufficient benefit to their education and future. Finally, he said, there was no intent to abridge the autonomy of the editorial board of the Daily.

Jim Clark, student and president of the Board of Student Publications, then offered a number of motions for consideration, indicating that he sympathized with Mr. Kline's aims but not his means. He said the ACSA had brought the proposals to the Assembly in good faith, but that it could go ahead and enact the plan if the Assembly tabled the report, and moreover the Regents could take separate action. He said he believed he could get a better deal from the Assembly than from the Regents. The chair ruled that the ACSA could not take action without Assembly approval, indicating that the Assembly had the authority to alter, modify, or otherwise change the recommendations of any of its committees. Warren Gore, assistant professor of rhetoric and working committee member, explained that the group was trying to provide the general outlines for the restructuring. He said that, although testimony from former board members had revealed that the board had had problems for some time, the proposals were not intended to weaken the board, and that the appointive procedure was a move to get better members. He urged the Assembly not to table the motion. Sue Pribyl, student and speaker of the student assembly, said she had been shocked at a recent meeting of the Regents where the obvious intent was to restructure the publishing board, and she assured the Assembly that they would act.

Mr. Lawson countered Mr. Kline's accusation that the proposals would strip the Daily of its role as a learning tool by saying that it was irrational to think that students would not make mistakes. His committee, he said, was concentrating on a publishing board structure that would be efficient and effective. As to the claim that the democratic process would be undermined, he noted that only 6 percent of the student body participated in a recent all-campus election, and in Board of Publications elections the figure had been less than one percent. He said what was needed was a responsible selection process, and he said tabling would be a grave mistake. He urged that a vote be taken, "If it dies, it dies; if it flies, it flies." Leonid Hurwicz, Regents' professor of economics, warned that action taken under the threat of possible future action by the Regents could be viewed by them as being a case of "once we have been chastised, then we will behave." But he was not sure that tabling was the best move and hoped that the Assembly could still take action in a judicious way instead of responding to a perceived threat. As to substance, he said replacing the elective procedure with the appointive process could be perceived as a punitive measure, and he hoped that there could be some kind of election by a smaller body. Mr. Clark then moved that, instead of tabling, the report be referred back to the ACSA for further study in conjunction with representatives of the Board of Publications and the Daily and a report to the Assembly next fall. At this point, Mr. Kline said he wanted to apologize if he had given the impression that he was impugning the motives of the committee. Frank Sorauf, professor of political science, thought the report was a well considered document that addressed a problem that most people knew existed long before the "celebrated" issue of last year. He thought the democracy issue was a red herring, and said he was concerned that the Assembly might deal in a world of images rather than substance. Mr. Clark's motion was then defeated, and the Assembly moved on to Mr. Clark's original series of motions.

The first motion directed the ACSA not to alter those provisions of the constitution that protect the editorial freedom by prohibiting dictation of specific editorial content by other than the publication's editors and limiting the power of establishment of editorial policies to the board. Mr. Lawson said his committee accepted the motion as an expression of the spirit of the report. A second amendment prohibited change in the non-voting status of the faculty advisor. It too was accepted as a friendly amendment. Mr. Clark had just introduced a third motion pertaining to faculty members on the board when a count of members present was requested. When it was determined that a quorum did not exist, Russell Hobbie, professor of physics, moved that the meeting be continued one week hence at the same time. The Assembly agreed and the meeting was adjourned at 5:10 p.m.

## ABSTRACT OF DISCUSSION ON JUNE 5

The June 5 continuation of the May 29 special meeting of the Twin Cities Campus Assembly was called to order at 3:30 p.m. by Rich Kottke, vice chairman, in Nicholson Hall auditorium. He suggested that comments be restricted to the substance of motions before the Assembly, and the discussion resumed where it had left off the week before.

*Board of Student Publications*—Jim Clark, student and president of the Board of Student Publications, reintroduced his motion to recommend addition of a faculty member from the Journalism Department to the board, which was approved. He then moved to recommend that students be selected by an all-campus election. David Lawson, student and chairperson of the working committee, opposed the measure, pointing out that members of other all-campus committees, such as the ACSA, were named through the appointive procedure. Bruce Thorpe, student and member of the Committee on Committees, proposed that a nominating committee of three students and two faculty members of the Assembly, who would be elected by the Assembly, should select student candidates from those filing—7 to 10 in even numbered years and 6 to 8 in odd numbered years. It was a compromise, he said, because it would provide responsible and dedicated students and still preserve the democratic process. Mr. Clark and George Hage, professor of journalism and mass communication, supported the amendment, and it was approved, after which the Assembly passed the Clark motion as amended.

Mr. Clark introduced a proposal to change the alignment of students from three each from journalism and business administration and three at large to seven at large and two St. Paul campus students. The committee accepted it as a friendly amendment. He then introduced a proposal that would permit the board to grant seed money to new publications from student fees income and surplus income, a suggestion that the working committee accepted with the understanding that the board would not be responsible for the publication. The final Clark recommendation was to permit the board to enter into support or publishing agreements with other student publications. Kent Bales, associate professor of English and working committee member, asked how long it would be wise for the board to serve as the publishing board for other publications. He said the working committee agreed that seed money should be available but was divided as to whether there should be a time limit after which the publication should compete for funds. Mr. Clark said the association with *Enclitic*, a student journal of literary criticism which the board published, had worked well and the board wanted to continue it. Mr. Lawson reported that the committee believed that *control of the Daily* was such a big job that the board could behave more responsibly if it were limited to the *Daily*. Gerald Kline, professor and director of journalism and mass communication, said it would be important to have an elective body if funding authority were to be given to the board. On a 38 to 35 vote the Clark proposal was approved.

The motion from the working committee calling for referral to the ACSA of those recommendations related to changes in the constitution as amended was then approved. A second committee motion that those recommendations pertaining to Assembly policy be referred to the ACSA was also approved. The last motion specified that the six recommendations describing actions for the board to take in regard to the *Daily* should be presented to the Assembly for information and discussion. Mr. Bales explained that the intent was to provide the board with the thoughtful opinion of the body. At this point Mr. Hage moved to delete the recommendation for establishment of a general manager who would have ultimate authority over everyday disbursements, declaring that it would turn over the editorial policy to the business side of the operation. Richard Purple, professor of physiology and chairperson of the Assembly Steering Committee, reminded the Assembly that the recommendations were to be passed along to the new board, which would make such decisions, that what was important at present was to get a feeling for the opinions of the Assembly. Mr. Lawson thought that Mr. Hage was reading too much into the proposal, that the general manager would not have input into the editorial policy, and that, if there were conflicts with the editor, the board would resolve them. Mr. Kline suggested that the recommendation be limited to a statement that the duties and authority of the editor and the business manager should be re-examined and clarified. He maintained that the general manager would come between the board and the editor if the recommendation stood as

proposed. The working committee did not accept that suggestion as a friendly amendment, indicating that it wanted a clearcut vote from the Assembly. Mr. Hage withdrew his motion, and the Kline motion was approved, after which the Assembly approved the final motion.

*Intercollegiate Athletics Action*—Marion Freeman, assistant professor, Student Counseling Bureau, and chairperson of the Intercollegiate Athletics Committee, presented six motions pertaining to policy in the Departments of Intercollegiate Athletics: adding or deleting sports, responsibility to injured athletes, financial aid to athletes, outside consulting, service, and employment by staff members, faculty representatives, and telephone use and recovery of unauthorized charges, all of which were approved without debate.

Mr. Purple expressed appreciation to Assembly members for coming to a second meeting. In the past, he said, the Assembly had been accused of not having interesting meetings but that that may have been remedied this year. Mr. Kottke said his experience as vice chairman had been an educational experience, that it was regrettable that the past year of activity had been the exception rather than the rule, and he encouraged the Assembly to become more active or it would lose what it had. With that, he adjourned the meeting at 4:30 p.m.

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