

Minutes of the University Senate, March 24, 1969 (Cont'd)

Dr. Adelstein resumed the Chair and further discussion of Article II A, and B and C followed.

On behalf of the Senate Advisory Committee for Student Affairs Dr. Adelstein presented a motion that the University Senate continue the meeting until 5:30 p.m., adjourn until 7:30 p.m. and continue to 9:30 p.m. at which time it adjourn until 4:00 p.m., Tuesday, March 25, adjourn at 5:30 p.m. and reconvene at 7:30 p.m. and continue to 9:30 p.m., then reconvene again on Tuesday, April 1, at 4:00 p.m. Following a second to this motion discussion followed out of which an amendment to the motion was presented that the Chairman be asked to decide a suitable meeting time not more than two weeks from the present meeting or less than one week from the present meeting. The Senate approved this amendment. The Senate then approved the original motion as amended.

Discussion of the Bill of Rights then continued to 5:34 p.m. when the Senate adjourned to meet next at a time to be called by the Chairman to be not more than two weeks nor less than one week from March 24th.

Elbert W. Ockerman
Secretary

MINUTES OF THE UNIVERSITY SENATE, APRIL 1, 1969

The University Senate met in special session at 3:00 p.m., Tuesday, April 1, 1969, in the Court Room of the Law Building. Chairman Ogletree presided. Members absent: Clifford Amyx, Charles Auvenshine*, Harry V. Barnard, Norman F. Billups, Harold R. Binkley, Ben W. Black*, Gifford Blyton*, Frederick J. Bollum, Eugene B. Bradley, Wallace N. Briggs, William R. Brown, C. Frank Buck*, Virgil L. Christian, David B. Clark*, Robert L. Cosgriff, Emmett R. Costich*, Eugene C. Crawford*, George F. Crewe, M. Ward Crowe*, W. C. DeMarcus, Stephen Diachun*, Henry F. Dobyns, John P. Drysdale, Louis D. Dubilier*, Phillip A. Duncan, W. G. Duncan, W. W. Ecton*, Roger Eichhorn*, Robert O. Evans*, Thomas R. Ford, Eugene B. Gallagher*, Art Gallaher*, Jess L. Gardner, Wesley P. Garrigus, Milton E. Gellin*, James L. Gibson, Anna M. Gorman*, Joseph J. Gruber*, Holman Hamilton*, Omer Hamlin, Rebekah Harleston*, A. J. Hiatt, Meryle Hutchison, Donald W. Ivey*, Robert D. Jacobs*, Don R. Jacobson, Mary F. James, Catherine Katterjohn*, John E. Kennedy, James B. Kincheloe*, Robert W. Kiser, Aimo Kiviniemi*, John A. Koepke*, James F. Lafferty*, Nancy Lair*, Carl E. Langenhop, John F. Lienhard, C. Oran Little*, James W. Little, L. Mae McPhetridge*, John L. Madden, Ray Marshall*, Gene L. Mason*, William G. Moody*, Arthur K. Moore, James T. Moore, Dean H. Morrow*, Vernon A. Musselman, Jacqueline Noonan*, Horace A. Norrell*, Louis A. Norton*, Harold F. Parks*, Bobby C. Pass*, J. W. Patterson, Ronald E. Phillips, James Prestridge*, William R. Proffit, Stephen Puckette, John L. Ragland, J. G. Rodriguez, Robert W. Rudd, Myron G. Sandifer, Gerard E. Silberstein*, Robert H. Spedding*, K. M. Stevens*, Norman L. Taylor, W. C. Templeton*, Sidney Ulmer*, Daniel L. Weiss, D. R. Wekstein*, James H. Wells, David C. White*, Martin M. White*, Raymond A. Wilkie, Fred Zechman, Claudia Wells*, Annie R. Brownlie*, Alfred Hu*, Lawrence S. Thompson*, Robert L. Lester*, John W. Schaefer, Ralph Shabetai, William A. Gordon, Michael L. Furcolow, Herbert Greene, Richard P. O'Neill, J. W. Roddick*, A. D. Albright, William R. Willard*, Glenwood L. Creech, Lewis W. Cochran, Lawrence A. Allen, Harry M. Bohannon, Leonard V. Packett*, Marcia A. Dake, George W. Denmark, Robert

*Absence excused

M. Drake, Jr., Harold D. Gordon, Jack B. Hall, Joseph Hamburg, Ellis F. Hartford, Charles F. Haywood, Raymon D. Johnson*, William S. Jordan*, Paul C. Nagel, J. P. Noffsinger, Howard C. Parker*, Doris M. Seward, John L. Sutton, Joseph V. Swintosky*, Wallace Bryan, John C. Robertson*, Robert F. Kerley.

The Senate approved the request of Mary Angela Mueller of the Kernel to attend the meeting.

Dr. Adelstein assumed the chair to continue discussion of the proposed Student Bill of Rights and recognized Dr. Stuart Forth, Acting Vice President for Student Affairs. Dr. Forth read the following statement concerning the proposed Bill before the Senate for discussion and asked that it be made a matter of record in the minutes.

1. The Student Bill of Rights is only partly that. It is also an administrative document which suggests, as it is presently proposed, that an ombudsman is necessary for the protection of these rights. The whole concept of a university ombudsman is one which, in effect, will arouse expectations of action, assistance, and effectiveness which will not be fulfilled. It will:
 - a. Create yet another officer to whom students will be referred and who may or may not be able to help him.
 - b. Establish a curious three-way relationship with the President as the apex and make him, in effect, the student affairs man on campus.
 - c. Be dependent on a weak reed who will not know upon the basis of day-to-day work over a period of years what student problems are likely to be, what solutions are possible, or even, whom to see for help.
 - d. Related to this is the fact that he will not have a staff intimately involved with students on a continuing day-to-day basis. The structured experience of the classroom, the library, and the research laboratory does not provide even the most sensitive and carefully selected ombudsman with the kind of knowledge of a student's non-academic problems he needs to be effective.
2. The effect of this total document, since it has become an administrative instrument as well as a statement of principles, is to expect the Office of Student Affairs to have major responsibilities for student life -- for which it was created in 1966 -- without the authority to implement its program.
3. I would remind you that we are concerned with most aspects of student life -- intramurals, residence halls, counseling and testing, placement, the Student Center, student programs and activities, and student discipline -- and that an enthusiastic and experienced staff devote all their time to this work. It is not an area in which amateurs can lightly tread with any degree of effectiveness.

*Absence excused

4. The document in toto -- and again, it has become an administrative document, not a general statement of the principles to which we all subscribe -- is a strong assertion of "no-confidence" in a total student affairs office which has been successful in relating to students, in working for their general welfare, and even, albeit with proper reluctance, in their relations to some academic situations. It also implies that our faculty have become so irresponsible in their academic dealings with students that a special officer is necessary to handle the problems this has created.
5. My feeling is that, as we discuss each minor point, the Senate is involving itself more and more in purely administrative matters which the faculty as a whole are not interested in working with. The Senate, if it adopts this as it stands, will have assumed authority in non-academic student personnel work delegated by the Trustees and the President to the Office of Student Affairs.

I should note, too, that the Senate Committee on Student Affairs, as an advisory committee, has gradually come to be a policy-making group -- if this statement is adopted as it is -- without a sufficient or sophisticated awareness of what this means to the University community.

6. Most important of all, having had my day in court, I want to re-assert that I and my entire staff are in agreement with the idea that principles of students rights can and should be promulgated. Such a statement can be of positive value in the work of the University community with students but the document must, in my thinking, stick to just that -- a statement of principles which has the support of the whole University community. The faculty should concern itself with these principles, and it should remain the responsibility of the President and Student Affairs to see that they are implemented.

Extensive discussions of Article II, D, Article III, A, and Section I, the University Ombudsman, were held until 5:23 p.m. when the Senate recessed until 7:30 p.m.

The Senate reconvened at 7:30 p.m. with the Acting Chairman, Dr. William K. Plucknett, presiding. Members absent: Clifford Amyx, Charles Auvenshine*, Harry V. Barnard, Wendell E. Beals, Norman F. Billups, Harold R. Binkley, Ben W. Black*, F. J. Bollum, Eugene B. Bradley, Wallace N. Briggs, Herbert Bruce, C. Frank Buck*, Jacqueline Bull, W. Merle Carter, Virgil L. Christian, Jr., David B. Clark*, Maurice A. Clay, Arthur L. Cooke, Robert L. Cosgriff, Emmett R. Costich*, Alfred L. Crabb, Jr.*, Robert J. DeAngelis, Wendell C. DeMarcus, Loretta Denman*, Stephen Diachun*, D. F. Diedrich, Henry F. Dobyms, Richard M. Doughty, John P. Drysdale, Louis D. Dubilier*, Phillip A. Duncan, W. G. Duncan, W. W. Ecton*, Fred Edmonds, Roger Eichhorn*, Joseph Engelberg, Frank J. Essene, Robert O. Evans*, [redacted] Thomas R. Ford, Eugene B. Gallagher*, Art Gallaher*, Jess L. Gardner, W. P. Garrigus, Milton E. Gellin*, James L. Gibson, Will D. Gilliam, Jr., Anna M. Gorman*, Joseph J. Gruber*, Holman Hamilton*, Omer Hamlin, Rebekah Harleston*, Robert D. Haun, Virgil W. Hays, A. J. Hiatt, James F. Hopkins, Meryle Hutchison, Robert D. Jacobs*, Don R. Jacobson, William H. Jansen, Catherine Katterjohn*, James D. Kemp, John E. Kennedy, James B. Kincheloe*, Robert W. Kiser, Aimo Kiviniemi*, John A. Koepke*, Robert A.

*Absence excused [redacted]

Kuehne, James F. Lafferty*, Nancy Lair*, Carl E. Langenhop, Walter G. Langlois, Harold R. Laswell, Robert Lauderdale, Jr., Donald C. Leigh, Albert S. Levy, John F. Lienhard, C. Oran Little*, James W. Little, George L. Luster, Marcus T. McEllistrem, Michael P. McQuillen*, John L. Madden, M. K. Marshall, Ray Marshall*, Gene L. Mason*, William G. Moody, Arthur K. Moore, James T. Moore, Dean H. Morrow, Vernon A. Musselman, Jacqueline A. Noonan*, Horace A. Norrell*, Louis A. Norton*, Blaine F. Parker, Harold F. Parks*, Bobby C. Pass*, J. W. Patterson, Ronald E. Phillips, James Prestridge*, William R. Proffit, Stephen Puckette, John L. Ragland, Daniel R. Reedy, Donald A. Ringe, Thurlow R. Robe, Sheldon Rovin, Robert W. Rudd, Myron G. Sandifer, Donald E. Sands, George W. Schwert, Robert A. Sedler, Gerard E. Silberstein*, C. Leland Smith, Emily V. Smith, Robert H. Spedding*, K. M. Stevens*, Willis A. Sutton, Jr., Norman L. Taylor, Timothy H. Taylor, W. C. Templeton*, Richard Thurston, Sidney Ulmer*, Harwin L. Voss, William S. Ward, Gilbert T. Webster, Daniel L. Weiss, D. R. Wekstein*, James H. Wells, David C. White*, Martin M. White*, Raymond A. Wilkie, Charles G. Williamson, Jr., Fred Zechman, Cecil Bull, Claudia Wells*, Annie R. Brownlie*, Alfred Hu*, Lawrence S. Thompson, Hans Gesund, Robert L. Lester*, John W. Schaefer, Ralph Shabetai, William A. Gordon, Michael L. Furcolow, Herbert Greene, Richard P. O'Neill, A. D. Kirwan, A. D. Albright, William R. Willard*, Robert F. Kerley, Glenwood L. Creech, Lewis W. Cochran, Lawrence A. Allen, Harry M. Bohannon, Leonard V. Packett*, Marcia A. Dake, George W. Denmark, R. M. Drake, Jr., Harold D. Gordon, Jack B. Hall, Joseph Hamburg, Ellis F. Hartford, Charles F. Haywood, Raymon D. Johnson*, William S. Jordan, Jr.*, William L. Matthews, Jr., Paul C. Nagel, J. P. Noffsinger, Elbert W. Ockerman*, Howard C. Parker*, Doris M. Seward, John L. Sutton, Joseph V. Swintosky*, Wallace Bryan, Sheryl Snyder, Winston E. Miller, John C. Robertson*.

Dr. Plucknett turned the meeting over to Dr. Adelstein for resumption of discussion of the Student Bill of Rights. Extensive discussion of Article III, B, C, D, E, Article IV, A, C, and further discussion of Section I, the University Ombudsman, continued. In the discussion of Article IV, C, Right to a Free Student Press, a member of the Senate Advisory Committee on Student Affairs, presented a minority report as follows which he requested be included:

The student body has the right to a student newspaper that is free to publish news of general interest.

The Senate voted informally to include this minority report in Article IV, C and Dr. Adelstein indicated that it would be in the Bill of Rights when it is returned to the floor of the Senate for final consideration.

The Senate continued discussion to 9:37 p.m. when it recessed to meet again at 4:00 p.m., Wednesday, April 2, 1969.

The Senate reconvened at 4:05 p.m., Wednesday, April 2, 1969, in the Court Room of the Law Building. Chairman Ogletree presided. Members absent: Clifford Amyx, Charles Auvenshine*, Harry V. Barnard, Harold R. Binkley, Ben W. Black*, Frederick J. Bollum, Eugene B. Bradley, Wallace N. Briggs, William R. Brown, Herbert Bruce, C. Frank Buck*, W. Merle Carter, Richard A. Chapman, Virgil L. Christian, Jr., David B. Clark*, Carl B. Cone*, Arthur L. Cooke, Robert L. Cosgriff, Emmett R. Costich*, Robert J. DeAngelis, Wendell C. DeMarcus, Loretta Denman*, Henry F. Dobyms, Louis D. Dubilier*, Phillip A. Duncan, W. G. Duncan, W. W. Ecton*, Fred Edmonds*, Frank J. Essene, Robert O. Evans, Joseph B. Fugate, Eugene B. Gallagher*, Art Gallaher*, Milton E. Gellin, James L. Gibson, Anna M. Gorman*, Joseph J. Gruber*, Holman Hamilton*, Omer Hamlin, Virgil W. Hays, A. J.

*Absence excused

Minutes of the University Senate, April 1, 1969 (Cont'd)

Hiatt, Meryle Hutchison, Donald W. Ivey*, Robert D. Jacobs, Don R. Jacobson, William H. Jansen, Catherine Katterjohn*, James D. Kemp, James B. Kincheloe*, Robert W. Kiser, John A. Koepke*, R. A. Kuehne, Nancy Lair*, Carl E. Langenhop, Walter G. Langlois, Harold R. Laswell, Robert Lauderdale, Jr., Albert S. Levy, John F. Lienhard, C. Oran Little*, James W. Little, George L. Luster, Marcus T. McEllistrem, John L. Madden, M. K. Marshall, Ray Marshall, Gene L. Mason, William G. Moody*, Arthur K. Moore, James T. Moore, Dean H. Morrow, V. A. Musselman, Vincent E. Nelson, Jacqueline A. Noonan*, Horace A. Norrell*, Louis A. Norton*, Blaine F. Parker, Harold F. Parks*, Bobby C. Pass*, Ronald E. Phillips, James Prestridge*, William R. Proffit, Stephen Puckette, John L. Ragland, J. G. Rodriguez, Myron G. Sandifer, Gerard E. Silberstein*, C. Leland Smith, Robert H. Spedding, K. M. Stevens*, Paul Street*, Norman L. Taylor, Timothy H. Taylor, W. C. Templeton*, Richard Thurston, Duane N. Tweeddale*, Sidney Ulmer*, Harwin L. Voss, William F. Wagner, Gilbert T. Webster, Daniel L. Weiss, D. R. Wekstein*, James H. Wells, David C. White*, Martin M. White*, Raymond A. Wilkie, Claudia Wells*, Annie R. Brownlie*, Alfred Hu, Lawrence S. Thompson, Robert L. Lester, John Schaefer, Ralph Shabetai, William A. Gordon, Michael L. Furcolow, Herbert Greene, Richard P. O'Neill, J. W. Roddick*, Albert D. Kirwan, A. D. Albright, William R. Willard, Robert F. Kerley, Glenwood L. Creech, Lewis W. Cochran, Lawrence A. Allen, Harry M. Bohannon, Leonard V. Packett, Marcia A. Dake, George W. Denemark, R. M. Drake, Jr., Harold D. Gordon, Jack B. Hall, Joseph Hamburg, Ellis F. Hartford, Charles F. Haywood, R. D. Johnson, William S. Jordan, Jr.*, William L. Matthews, Jr., Paul C. Nagel, J. P. Noffsinger, Elbert W. Ockerman*, Howard C. Parker, John L. Sutton, Joseph V. Swintosky*, Wallace Bryan, Sheryl Snyder, Winston E. Miller, John C. Robertson*.

The Senate approved the requests of Michael Farmer, former Student Government ombudsman, and Dana Ewell of the Kernel, to sit in the meeting.

Dr. Adelstein assumed the chair to continue discussion of the Bill of Rights. The Senate completed its discussion at 5:05 p.m. and Dr. Adelstein announced that the Committee would like to retire for a period of review and incorporation of many of the suggestions that have been made in this series of discussions and to bring back to the Senate a final document for recommendation of its adoption.

Chairman Ogletree announced that the next meeting of the Senate would be the regular meeting of April 14 at which the annual reports of the standing committees of the Senate would be presented as well as a recommendation from the Rules Committee regarding the registration of freshmen and sophomores in colleges other than Arts and Sciences. He announced further that a special meeting of the University Senate would be held at 4:00 p.m., Thursday, April 24, 1969, to approve candidates for May degrees and to bring the revised Student Bill of Rights before the Senate for final consideration.

The Senate adjourned at 5:10 p.m.

Elbert W. Ockerman
Secretary

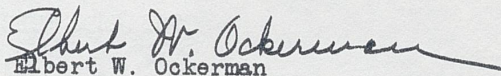
*Absence excused

UNIVERSITY OF KENTUCKY
Lexington

March 25, 1969

TO MEMBERS OF THE UNIVERSITY SENATE

As directed by the University Senate at its meeting of March 24th the Chairman of the Senate Council is calling a meeting of the University Senate for 3:00 p.m., Tuesday, April 1, 1969, in the Court Room of the Law Building. This meeting will recess at 5:30 p.m. and reconvene at 7:30 p.m. If consideration of the proposed Student Bill of Rights has not been completed at the close of that meeting, the Senate will again meet the following day, Wednesday, April 2, at 4:00 p.m., adjourn at 5:30 p.m. and, if necessary, reconvene at 7:30 that evening.


Albert W. Ockerman
Secretary

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NEWS FROM THE UNIVERSITY OF KENTUCKY

Public Relations Department

U.K. Copy 2

4-1-69

For release upon receipt

The University of Kentucky is in the process of adding a student bill of rights to its student code which was adopted in 1967.

The document is being debated in the UK Senate--item by item--in weekly meetings.

Three principal features are evident in the bill: (1) giving the student recourse in meeting what he thinks has been an unjust decision by an administrator or a faculty member, (2) establishing an office of ombudsman, a spokesman to whom students can appeal for assistance on matters pertaining to the students' rights, (3) placing in writing many provisions heretofore understood, or implied, so that students would be better informed about them.

Work on the Bill of Rights began in the summer of 1967 shortly after the student code was adopted. The bill is a supplement to the code. It is composed of an introduction, a preamble and four articles. Each of the articles is sub-divided into alphabetical designations...A,B,C, and D.

Article I is entitled Right of Admission and Access. It bans discrimination in admission policy, scholarships, grants-in-aid, and financial aid; guarantees the student's right to use facilities and services at UK; and provides that "a student has the right to expect the University to exert its influence both on campus and in the community to eliminate discrimination on the basis of race, religion, color or national origin."

(more)

Prof. Paul Oberst of the UK College of Law has noted that exerting such influence is part of the University's responsibility, since "the governor has issued a statement asking all state agencies to utilize whatever power they possess to eliminate discrimination."

The new provision of the bill is Article II, known as Rights in the Classroom. It provides that a student shall have the right to know the content and standards of a course, to take a "reasoned exception" to the teacher's views without suffering penalty, and to receive a grade based only upon a fair and just evaluation of his performance. This article was deemed a solution to those relatively few instances where professors have been hostile toward particular students for petty or personal reasons.

Right of privacy is guaranteed in Article III. It bans unreasonable intrusions upon the student, illegal search and seizure, and grants the student the right to have his academic, counseling and disciplinary records held confidential unless he gives his written permission. The article also stipulates that "a student has the right to have his character evaluated only by individual with a personal knowledge of him." Exceptions to the disciplinary, academic and counseling records are granted when "the information is required by authorized University personnel for official use."

Article IV is entitled Right to Learn. It grants freedom of speech, including peaceful picketing, the right (to registered student groups) to invite and hear guest speakers, and the right to a free student press. Section I of Article IV provides for the appointment of an ombudsman who will hear grievances, report directly to the president any significant problems, recommend policies, and submit an annual report to the UK Senate Council.

(more)

Section II of the article encompasses the Student Rights Board, to be formed on the same basis as the present University Appeals Board, which is composed of three student representatives and six faculty members.

Under the heading of jurisdiction, the section states that "the Student Rights Board shall have jurisdiction over all cases involving violations of rights provided students in this document." Authority is given to deal with any violations as stipulated in the Bill of Rights.

The document was formulated by the University Senate Advisory Committee for Student Affairs. Faculty members are: Michael E. Adelstein, chairman; Robert G. Lawson; James D. Kemp; Richard Hanau; Ellwood Hammaker; Charles Dickens; Thomas Olszewsky, and Raymond Wilkie. Student members are Taft McKinstry, Winston Miller, Sheryl Snyder, and O. K. Curry.

Earlier consideration by the UK Senate included approval of two additional disciplinary offenses to the student code. They were unauthorized interference with University activities or preventing passage in or out of buildings, and forging, altering or falsifying official University records or documents. A previous report that these two provisions received an affirmative vote by a narrow margin was in error, Chairman Adelstein noted. He said the vote was nearly unanimous. The split vote was on the particular wording of a sentence in the Bill of Rights, not in the disciplinary offenses, he said.

4/1/69

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