

February 14, 1969

TO: SENATE MEMBERS

FROM: VERA JENKINS
Secretary of the Senate

The Senate Council is calling a Special Meeting of the Senate
for Friday, February 21, 1969 - 4:00 p.m. IN THE ENGINEERING SCIENCE
AUDITORIUM (ROOM 273).

PURPOSE: The Faculty Affairs Committee having met with the Student
Affairs Committee is ready to present a Resolution for
consideration by the Senate; to discuss and to vote on
the proposed revision of the Board of Trustees Resolution
of November, 1968.

MINUTES
YOUNGSTOWN STATE UNIVERSITY
SPECIAL SENATE MEETING
Friday, February 21, 1969

PRESIDING: PRESIDENT ALBERT L. PUGSLEY. TIME: 4:00 p.m. (ES AUDIT)

The Faculty Affairs and Student Affairs Committees, as instructed by the Senate Council at its meeting of January 15, 1969, have examined critically the Youngstown State University Board of Trustees Clarification Resolution of November 1, 1968. This report is presented for consideration of the Senate at today's Special meeting called by Senate Council.

The Special meeting of the Senate today is limited to this particular item - the Clarification Resolution of the Ohio Code 3345.21 adopted by the Board of Trustees at its meeting November 1, 1968. The two Committees above proposed to the Senate that it adopt the statement with regard to the Clarification Resolution (copies of this were distributed earlier to Senate members) and request the President of Youngstown State University to present it to the Board of Trustees for appropriate action at the next meeting of the Board,

Dr. Morris Slavin presented the material on behalf of the Faculty Affairs Committee and Student Affairs Committee, He stated they wanted to dispose of the matter at this meeting, if at all possible. The two Committees, he stated further, are not interested in making points in a debate,

- 1) MOTION: Dr. Morris Slavin moved that the Senate adopt the proposal of Item 1: DELETION OF THE WORDS IN PARAGRAPH (2) item (7), "or lewd, indecent or obscene conduct or expression", the item then to read:

"Disorderly conduct, breach of the peace, or aiding, abetting, or procuring another to breach the peace on University owned or controlled property or at University sponsored or supervised functions."

Seconded.

MOTION PASSED UNANIMOUSLY.

- 2) DELETION OF THE PARAGRAPH FOLLOWING ITEM (11), which paragraph reads:

"The University regards student behavior on or off the campus as its concern, and expects all students and faculty members to conduct themselves on or off campus as responsible adults."

(CONT'D. NEXT PAGE)

SPECIAL SENATE MEETING MINUTES CONT'D. (February 21, 1969)

MOTION: Dr. Morris **Slavin** moved that the Senate adopt the Resolution as follows:

"The University regards student and faculty behavior on campus as its concern, and expects all students, faculty and staff members to conduct themselves in public as responsible adults, in order to preserve and promote the good repute of the **institution.**"
Seconded.

COMMENTS:-

1) One Senate member mentioned he thought there was no question but the conduct of students, faculty and staff should be the concern of the University on campus. The conduct of faculty, students and staff are also expected to be those of responsible adults. He felt he would conduct himself as a responsible adult regardless.

It was his opinion that the statement does not fall very naturally into paragraph #1; this does not remove in any way the term responsibility (which is very difficult term to define). **Not** any better at the **beginning** or end of Item #11. Conclusion of such a statement is unenforceable off the campus. Seems to give the University an obligation which is unenforceable. Inter-University Council which formulated this did not include this statement - which was his understanding.

2) Does not think it adds anything.

AMENDMENT TO MOTION: Delete entire paragraph as added at beginning,
Seconded,

PARLIAMENTARIAN: Mrs. **Dykema (Parliamentarian):** You cannot amend a Motion to change its character. It is unparliamentarian. The Motion is out of order.

MOTION: Raymond Hurd moved the University regards behavior on the **campus** of students, faculty and staff as its concern, These personnel should recognize that their conduct elsewhere does contribute to preserving and promoting the good repute of the University.

COMMENTS:-

- 1) Can see no significant difference from wording on the paper. Just a matter of words.
- 2) It will be between words 'University'; been a shift of emphasis to the Board of Trustees. What does the 'University' mean as the subject? Bad writing; it chases the tail.

(CONT' D. NEXT PAGE)

SPECIAL SENATE MEETING MINUTES CONT'D. : (February 21, 1969)

COMMENTS CONT'D. :

- 3) 'The conduct elsewhere' might contribute or **it** might not contribute.
- 4) Becoming an exercise in rhetoric.

Motion then:

Changed to read as follows:

MOTION: One Senate member moved the University regards behavior on the campus of the students, faculty and staff as **its** concern. These personnel should recognize that their conduct elsewhere affects the good repute of the University.
Seconded.

Mr. Raymond Hurd said he would accept the change in the Motion to the above,

COMMENTS:

- 1) One Senate member stated he liked the word 'expects'. The University does have a right to expect us to conduct ourselves as ladies and gentlemen. Thinks the word "expects" very well chosen. **Does** not think **it** changes the original one.
- 2) What if someone does do something off the campus and breaks the law?
Dr. Slavin answered: **It** depends on the nature of the crime, **Man** says behave as a possible adult.
- 3) **Can** see little difference between "expects or "**concern**".
- 4) **The** intention of the Committee in the substitute paragraph is based on the assumption that a serious offense would be turned over to the legal authorities.

MOTION: TO CLOSE DEBATE.
AYES HAVE IT.

SUBSTITUTE MOTION: NO'S HAVE IT.

(VOTE ON)

AMENDMENT: BACK TO ORIGINAL MOTION:

"The University regards student and faculty behavior on campus as **its** concern, and expects all students, faculty and staff members to conduct themselves in public as responsible adults concerned for the good repute of the institution."

MOVED AND SECONDED THAT DEBATE BE CUT OFF, (Requires 2/3 vote).
CARRIED.

(CONT'D. **NEXT** PAGE)

SPECIAL SENATE MEETING MINUTES CONT'D,: (February 21, 1969)

MOTION: is adoption of this **Amendment** to the Original Language.
NO'S HAVE IT.

COMMENTS:-

1) Well known principle that after question has been moved must have 2/3 approval.

Discussion for Original Motion as presented by Dr. Morris Slavin.
Moved and Seconded.

President Pugsley read from the Resolution, The Board of Trustees is cognizant to keep Law and Order on the campus.

2) How will Code be listed in the Catalog? One Senate member concerned about this.

3) University is responsible to the Board of Trustees.

One Senate member mentioned: asked for deletion of paragraph following #11. Wanted to know if this would come under the present Motion.

Parliamentarian ruled (OUT OF ORDER),

4) Decide whether or not it is Board of Trustees or University.
Dr. Slavin stated all of us are anxious and concerned with behavior as the Board of Trustees are; he does not exclude anyone.

AMENDMENT: 'Board of Trustees' in favor of 'University',
NO'S HAVE IT.

BACK TO ORIGINAL MOTION:

Comment: 1) Statement is vague; get rid of it.

MOVED THE PREVIOUS QUESTION: THIS IS TO CLOSE DEBATE.
Seconded,
AYES HAVE IT.

MOTION: Original **Motion** to adopt **Resolution** as printed (NO DEBATE OR AMENDMENT):
(RECOPIED)
(AT THIS POINT) "The University regards student and faculty behavior on campus as its concern, and expects all students, faculty and staff members to conduct themselves in public as responsible adults, in order to preserve and promote the good repute of the institution,"
AYES HAVE IT.

President Pugsley thanked all the members of the Committees for the careful attention they have given these matters,
The President stated he will convey these two (2) MOTIONS to the Board of Trustees at their next meeting in April, 1969.

Respectfully submitted,

Vera Jenkins
SECRETARY OF THE SENATE

YOUNGSTOWN STATE UNIVERSITY

SPECIAL SENATE MEETING

Friday, February 21, 1969

IN ATTENDANCE:

Frank G. Fort, ^{pres} ~~pres~~
 John R. Gurn
 M. Hanks
 Terry Deiderick
 Harold R. Curtis
 Clyde A. Painter
 Mrs. Boyer
 Clyde Harkey
 Christine Dykema
 Chris John
 Helma S. Miner
 Margaret Pfau
 Ward L. Miner
 Esterenberg
 Ed Reilly
 Ed Roberts
 Hugh H. Cambant
 Mehen
 S. S. Roberts
 DW Byr
 John J. Coffelt

Esther Niemi
 Marilyn Solak
 Paul Henkel (guest)
 Paul E. Dalbec (guest)
 Richard M. Wagner
~~James~~
 S. E. Esterly
 Fred Dill
 Paul E. Suprabell
 Nick Paraska
 John Grunico
 Joseph S. Hook
 George Lettworth
 Sanford N. Hatcher
 Phillip G. Snyder
 Warren Young
 L. S. Donovan Kos
 M. Ellis
 Fred [unclear]
 John [unclear]
 Jim M. [unclear]
 David S. Ives
 John P. Gillespie
 L. B. Spiesel

YOUNGSTOWN STATE UNIVERSITY
SPECIAL SENATE MEETING
Friday, February 21, 1969

IN ATTENDANCE CONT'D.:

Maurice Crisp
Wm Swan
W. Coppell
Kend
E. C. Cogan
M. H. Greenman
Matthew Siman
Frank Tarantini
Ray Huff
Rudy Keena
F. von Ostwalden
Elmer Foldvary
L. Ayler

Nellie G. Dehnbostel
C. M. R. DeMata
Chaplain W. Morrison

30 LA —

W. L. Webster
Mae Turner
Catherine Bridgman
Paul Beckman
Jane Cunningham

Date: Refer to Feb 21, 1969 Minutes for
results. W. Jenkins
etc.

REPORT TO THE UNIVERSITY FACULTY SENATE

from

FACULTY AFFAIRS AND STUDENT AFFAIRS COMMITTEES

The Faculty Affairs and Student Affairs Committees, as instructed by the Senate Council at its meeting of January 15, 1969, having examined critically the Youngstown State University Board of Trustees Clarification Resolution of November 1, 1968. In a genuine desire to contribute to the welfare of the University and to help maintain and enhance its reputation, we respectfully present our report for consideration of the University Senate.

The Faculty Affairs and Student Affairs Committees are aware of the pressures exerted upon educational institutions and their members today, resulting partly from contemporary attitudes toward dissent and partly from excessive protests by students on various university campuses. The Committees feel, however, that no board, administration, faculty, or student body should embrace objectionable and unacademic regulations in hope of preventing aroused legislatures from adopting more stringent disciplinary measures. On the contrary, the Committees feel that it is precisely at such a time that boards, administrations, and faculty bodies should stand firm and not capitulate to unreasonable public pressures.

Motivated by these considerations the two Committees propose to the Senate that it adopt the attached statement with regard to the Clarification Resolution and request the President of the University to present it to the University Board of Trustees for appropriate action.

Date: Refer to Minutes Feb. 21, 1969 for results v. Jenkins et al.

PROPOSED STATEMENT REGARDING CLARIFICATION RESOLUTION

Section 13 of the "regulations of the Board of Trustees Governing Academic Administration, of September 28, 1967", provides, among other powers granted the University Senate, the power to "formulate suitable rules (for the)....government, control of students...and other internal affairs of the institution." Mindful of this responsibility, the Senate has studied the Clarification Resolution adopted by the University Board of Trustees November 1, 1968. After due consideration, the Senate now recommends that the Clarification Resolution be amended as set forth below, and urges that the Board consult, through the Office of the President, with the authorized representatives of the faculty and students in any future decision affecting such matters.

- I. DELETION OF THE WORDS in Paragraph (2) item (7), "or lewd, indecent or obscene conduct or expression", the item then to read:

"Disorderly conduct, breach of the peace, or aiding, abetting, or procuring another to breach the peace on University owned or controlled property or at University sponsored or supervised functions."

"Lewd, indecent, or obscene conduct is difficult to define. In the light of Supreme Court rulings "lewd, indecent, or obscene expression" is even more difficult to determine. Faculty members are cognizant of outside groups who would impose their own standards on the academic community. To minimize this possibility, the Senate urges deletion of these words of imprecise meaning. Moreover, the phrase can be considered redundant, following as it does the prohibition of "disorderly conduct" or "Breach of the peace."

*Date: Refer to Feb. 21, 1969 Minutes for
Results.
v. Jenkins
lee*

2. DELETION OF THE PARAGRAPH following Item (11), which paragraph reads:

"The University regards student behavior on or off the campus as its concern, and expects all students and faculty members to conduct themselves on or off campus as responsible adults."

INSERTION as the first sentence in the opening paragraph of the Resolution the following statement:

"The University regards student and faculty behavior on campus as its concern, and expects all students, faculty and staff members to conduct themselves in public as responsible adults, in order to preserve and promote the good repute of the institution."

No regulation has been the subject of so much criticism as the paragraph recommended for deletion. Recent legal decisions tend to erode the concept that universities must act in loco* parentis toward their students. The insertion of a positive statement of joint responsibility for the reputation of the institution would provide an appropriate introduction to the regulations designed to preserve it.