



# OAKLAND UNIVERSITY SENATE

## Oakland University Senate

3d Meeting  
Wednesday, December 15, 1971  
3 p.m., 128-130 Oakland Center

### AGENDA

Submitted by Frederick W. Obear, for the Steering Committee

#### A. Old Business

##### 1. Motion from the Steering Committee (Mr. Obear)

a. THAT THE DATE OF COMMENCEMENT BE CHANGED FROM "THE SATURDAY AFTER MEMORIAL DAY" TO "THE WEEKEND AFTER MEMORIAL DAY." Second Reading, eligible for final vote.

##### 2. Proposed Constitutional amendment from the University Congress. (Mr. Schultz)

ARTICLE V, SECTION i, OF THE UNIVERSITY CONSTITUTION SHALL BE AMENDED AS FOLLOWS: THE SENTENCE "THREE SENATORS SHALL BE CHOSEN BY THE STUDENTS OF OAKLAND UNIVERSITY" SHALL BE CHANGED TO: "THE STUDENTS OF OAKLAND UNIVERSITY SHALL ELECT THREE SENATORS FOR EVERY 1,000 FULL-TIME STUDENTS ENROLLED IN THE WINTER SEMESTER PRIOR TO THE ELECTION OF A NEW SENATE." Second Reading, eligible for final vote.

Comment: Mr. Schultz has indicated that he intends to withdraw the above motion and to offer the following substitute motion;

ARTICLE V, SECTION i, OF THE UNIVERSITY CONSTITUTION SHALL BE AMENDED AS FOLLOWS: THE SENTENCE "THREE SENATORS SHALL BE CHOSEN BY THE STUDENTS OF OAKLAND UNIVERSITY" SHALL BE CHANGED TO: "THE STUDENTS OF OAKLAND UNIVERSITY SHALL ELECT SEVENTEEN SENATORS."

#### B. New Business

##### 1. Recommendation from the Steering Committee (Mr. Obear)

a. THAT THE FOLLOWING MOTION BE MADE ELIGIBLE FOR FINAL VOTE.

(Procedural Motion.)

b. THAT THE FOLLOWING CHARGES AND MEMBERSHIP SPECIFICATIONS FOR SENATE COMMITTEES BE ADOPTED.

1. Admissions Committee

Charge: To consider and recommend standards and requirements for admission to undergraduate programs of the University and to evaluate such individual applications for admission as may be referred to it by the Director of Admissions.

Membership: 4 faculty; 4 students; the Director of Admissions, *ex-officio* and nonvoting; and the Vice President for Student Affairs, the Dean for Student Services, and the Director of Financial Aids, each of whom shall be *ex-officio* and voting.

2. Financial Aids Committee

Charge: To recommend policies governing all financial aid to students.

Membership: 4 faculty; 4 students; the Director of Financial Aids, *ex-officio* and nonvoting; and the Director of Admissions, the Vice President for Student Affairs, and the Special Accounts Supervisor in the Accounting and Payroll Office, each of whom shall be *ex-officio* and voting.

3. A Planning Committee

Charge: To monitor ongoing academic, budgetary, building, and administrative programs for significant long-range implications; and to investigate briefly, to report promptly and to disseminate widely information on the costs and benefits of alternate approaches.

Membership: 5 faculty; 5 students; 5 administrative- professionals; and the Assistant President for Planning who shall be *ex-officio* and nonvoting.

4. Spring and Summer Sessions Committee

Charge: To advise the Dean of Spring and Summer Sessions on all policy matters relating to these terms.

Membership: 5 faculty; 3 students; and the Dean of the Spring and Summer Sessions, the Director of Administrative Services, and the Vice President for Student Affairs, each of whom shall be *ex-officio* and nonvoting.

5. Campus Environment Committee

Charge: To consider the esthetic and ecological effects of both present practices and future plans for the physical maintenance and development of the campus, and to recommend policies in these areas. Such issues as new construction, location of

utilities and parking facilities, esthetic accouterments, maintenance practices, and the identification of areas for outdoor education shall fall within the purview of this committee.

Membership: 5 faculty; 4 students; 4 administrative- professionals; and the Assistant President for Campus Development, *ex-officio* and nonvoting.

6. (Possibly, additional committee proposals will be distributed at the meeting.)

## 2. Proposal from the Steering Committee (Mr. Obear)

THAT THE UNIVERSITY SENATE RECOMMEND TO PRESIDENT O'DOWD THAT A HEARING OFFICER WITH SUBSTANTIAL LEGAL EXPERIENCE BE APPOINTED TO ADJUDICATE CASES OF STUDENT CONDUCT INVOLVING SERIOUS INJURY TO PERSONS, OR THEFT OF OR DAMAGE TO PROPERTY, OR SUCH OTHER CASES THE PRESIDENT SHALL CHOOSE TO SUBMIT TO THE HEARING OFFICER. IS SUCH CASES THE HEARING OFFICER SHALL BE EMPOWERED TO ACT FOR THE UNIVERSITY IN LIEU OF THE STUDENT CONDUCT COMMITTEE. First Reading.

Comment: The Steering Committee has considered this resolution for several weeks, and has not yet reached agreement on a recommendation. However, in view of the great importance of the issue, the Steering Committee has agreed to place the resolution on this Senate agenda to permit broader discussion.

The problem is the disposition of very serious incidents involving students which might also involve prosecution in the courts. Both for the protection of the University Community and of the accused students, there must be a procedure which will provide due process. The University Attorney has advised the Steering Committee that a procedure which provided for automatic supervision of any students indicted for criminal conduct, without some sort of hearing, would not satisfy the requirements of due process. Furthermore, in many cases indictments are impossible to obtain, since witnesses will frequently testify in campus disciplinary proceedings but are unwilling to go to court. Also, court proceedings may in many cases linger on for months or years. Obviously there must be an internal procedure of some sort for dealing with such cases. At present such cases, along with other conduct cases, are heard by the University Student Conduct Committee.

Some faculty have questioned strongly whether any faculty-staff- student committee should hear cases of such seriousness. They have argued that the student's rights could be seriously compromised if the committee records or members of the committee were subpoenaed to appear in a criminal proceeding. On the other hand, the Steering Committee is not completely convinced that a Hearing Officer is the answer either. Such a procedure would necessarily involve a certain loss of community involvement in the decision-making process, and might result in a significant loss of community acceptance of the legitimacy of the Examiner's decision.

The Steering Committee trusts that thoughtful discussion will develop on this issue, and that possibly some other more satisfactory solutions will emerge.

### 3. Report of Steering Committee Activities (Mr. Obear)

a. Senate Elections Committee. As empowered by the constitution, the Steering Committee has appointed the following senators: Richard Light (Chairman), Carroll Hill, and Harvey Arnold.

b. Academic Conduct Committee and Student Conduct Committee. Pending further studies, the Steering Committee has made no changes in the charges and membership specifications of these committees, and has asked the members who served on these committees last year to continue serving temporarily, with the following exceptions: Gertrude White to replace David Mascitelli as Chairman of the Academic Conduct Committee and Carl Barnes to replace Henry Kennedy; and Earl Ettienne to replace Vernon Gray on the Student Conduct Committee. The University Congress will fill vacancies in the student membership.

c. University Congress. The Steering Committee has appointed Dolores Burdick, Lon Polk, Bob Stern and Max Brill to the nonvoting seats in the University Congress which are provided by the Congress constitution.

d- University Governance Commission. The Steering Committee has appointed Roger Marz, Anne Tripp, and Ron Cramer to this commission.

e. The Steering Committee has decided not to reestablish the Library Committee or the Professional Affairs Committee since their duties have been assumed by other bodies.

f. Other items.

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