

Of Courts And Colleges

PROCEDURAL DUE PROCESS CAN BE REQUIRED AT BOSTON UNIVERSITY. *Sturm v. Boston University, Eq. No. 89433 (Sup. Ct., Suffolk Cty., 1969).* Plaintiff student was charged by one of his professors with academic dishonesty. The court reinstated the student, voided his expulsion, and held that the disciplinary proceedings had not been fair. Apparently, the student had received no specific charges, no advance notice of his hearings, no right of representation, and no opportunity for cross-examination. Also, BU had never published the rules and regulations which the student allegedly violated.

PROBATION DOES NOT REQUIRE FULL DUE PROCESS. *Sill et al. v. Pennsylvania State University et. al, No. 70-315 (M.D. Pa. 1970).* Certain students had been placed on probation under University regulations. Their action challenged the constitutionality of their disciplinary proceedings. The court held that probation, being a minor sanction, does not require full due process before being imposed.

RIGHTS OF PRIVATE COLLEGE UPHELD BY COURT. *Torres v. Puerto Rico Junior College, 298 F. Supp. 458 (D. Puerto Rico 1969).* A group of suspended students brought suit against the College, claiming that due process had not been afforded. The court upheld the College, pointing out (1) that governmental support was insignificant, (2) that government authorities did not control the institution, and (3) that Fourteenth Amendment standards would not be required to protect student rights at a private college.

DISCIPLINARY ACTION BY VOORHEES COLLEGE UPHELD. *Counts v. Voorhees College, No. 14, 853 (4th Cir. 1971), affm., 312 F. Supp. 598 (D.S.C. 1970).* In the spring of 1970, the Voorhees campus was occupied by state police and national guard troops. Disciplinary action was taken against 163 students. The complaint alleged that the students had been placed on probation or suspension in violation of the student handbook and without due process. The court held (1) that the students had not proven a denial of due process or free speech, and (2) that federal financial assistance for construction, scholarships, and student aid was not sufficient to invoke federal jurisdiction.

COMPLAINT AGAINST MILLS COLLEGE DISMISSED. *Gunston v. Mills College of Oakland, No. 411661 (Sup. Ct. Alameda Cty. 1971).* Plaintiff's father alleged that Mills College was required to adhere to its rules governing signing in and out of dormitories and that in fact the College did not enforce these rules. The College demurred (a reply which states that even if the allegations are true, so what) and this action was sustained by the court which gave the plaintiff 20 days to amend his complaint.

REFUSING A DEGREE. *Frank v. Marquette University, 245 N. W. 125 (1932).* The University was upheld in refusing a degree to a student as a penalty for misconduct.

(Citations extracted from *The School Law Newsletter*, Vol. 2, No. 3, November, 1971.)

Distinguished Lecturers Discuss Just About Everything

The past half - semester has brought to the College, in addition to its fine-arts and entertainment series, a steady stream of high - quality visiting lecturers. On November 9, Leslie Fiedler, one of the country's liveliest and best-known literary authorities, spoke on "The Death of the Novel."

On November 16 (five days after Mr. Fiedler's very well received memorial service), Kenneth McGee, a nationally - known political strategist, discussed "The Students' Stake in Politics" in an afternoon lecture; at 7:30 on the same evening, Robert T. Handy, an eminent church historian from Union Theological Seminary, addressed himself to "Perspectives on the Predicaments of Organized Religion in America."

On December 8, Weston La Barre, a well-known Duke University Anthropologist, lectured on "Human Biology and Human Society."

On December 9, the Director of the Savannah River Ecology Laboratory, Robert J. Beyers, took up "Some Contemporary Problems - An Ecological View."

Collectively, these speakers have written enough important books and articles to sink a good - sized rowboat, won enough first - rank awards and prizes to decorate the Harvard Faculty

club, and influenced enough students to be classed among the real architects of the American future. The presence here of such lecturers has become a significant element in the College's total educational program. The frequency, variety, and quality of the talks listed above pretty well demonstrate that the recent lecture series has offered something good for virtually every interest.

FATHER PHILIP TIERNEY, O. S. B.

The Reverend Philip Tierney, O. S. B., a member of the monastic community at Belmont Abbey, died on December 8, 1971 at the age of 69, after a prolonged illness.

Ordained a priest in 1929, Father Philip worked as Assistant Pastor in St. Peter's Parish in Charlotte, North Carolina from 1930 to 1949. He then traveled to Georgia, where he worked from 1949 to 1959. He returned to Belmont Abbey in 1959, where he has been in continued poor health.

He is survived by three cousins, Miss Marcella M. Tierney, Mr. Joseph A. Tierney, and Mrs. Charles Hawley, all from Massachusetts.

Richmond Chapter Cheers Crusaders

Over fifty people attended the cocktail party high atop the Fidelity Building in the Chalet at the Bull & Bear Club. From there, they were taken by bus to the Coliseum, where they met a rousing crowd of Abbey rooters from the Washington, D.C. Alumni Chapter, from Tidewater, and of course, from the Metropolitan Richmond area.

In the Richmond Coliseum, they joined approximately 300 other Abbey rooters to cheer on the Belmont Abbey Crusader Basketball team in its opening game against the University of Richmond on December 2nd.

Although the Abbey out-hustled the Richmond team on the floor and out - yelled the Richmond supporters from the stands, we lost by one point. Nonetheless, the report from the Richmond Alumni Chapter makes it clear that the Crusader team made all of the Alumni proud of being Abbeymen.

The great trouble with the school of experience is that the course is so long that the graduates are too old to go to work. Anonymous

Academic Reform

There are so many things that need to be done if meaningful opportunities for post-secondary education are to be opened to the fifty percent of college-age students who will not be in our colleges in 1975, and opened also to the much larger percentage of those beyond college years whose education stopped with high school, that recent studies have been able only to begin their enumeration. The Assembly on University Goals and Governance of the American Academy of Arts and Sciences has produced a list of eighty-five theses to stimulate academic reform, and each of these theses could generate one or a dozen specific innovations in the procedures of American higher education.

Some of the new models of education being imagined are, of necessity, radical departures from current practice. Schools are envisioned in which students of all ages are free to come and go as the varying demands of their work experience dictate - schools which, in other words, offer not a pre-packaged program terminating in a degree and a push out the door, but rather give a continuing open opportunity for educational experiences which parallel the changing needs of a person's life and career patterns. Other schools are envisaged which have no buildings or classrooms but offer instruction over cable television to everyone who cares enough to tune to the proper channel, and which then offer degrees to those who can meet the standards of certain examinations. Even other schools are projected which have no specific curriculum or list of courses, no examinations, and no degrees but only a faculty and a student body that encounter one another in whatever ways they find most intellectually exciting and stimulating.

To implement any one of these new models of education requires such a change in the way colleges - and the faculty, administration, alumni and donors who make them possible - are accustomed to operate that one has the strongest doubts these models can be created out of the environment of existing structures of American higher education. Our experience thus far with academic reform shows, for example, that any change which would involve

Please Turn To Page 8, Col. 4