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CLEVELAND, OHIO— Two children are being passed overhead to their mothers to avoid emergency assistance for fuel, clothing and bedding to offset federal cutbacks in aid to poor families. Cleveland has appropriated \$1 million in (UPI photo)

Scagnelli case Judge orders retrial

Compiled from reports by The Durham Morning Herald and the Associated Press

A federal judge ordered a new trial Tuesday, in the Paul Scagnelli tenure case, despite a jury verdict that awarded the former NCCU psychology professor \$500,000.

Saying the jury's verdict "shocked the conscience of the court," U.S. District Court Judge Hiram Ward ordered a new trial. No date has been set for the second trial.

Scagnelli said, "As a matter of principle I don't think any citizen should have to tolerate this kind of treatment. How many times do I have to win it."

Ward told the jury to deal with five major issues: (1) whether NCCU denied Scagnelli tenure in retaliation for his handling of a plagiarism incident, (2) whether Scagnelli's conduct had disrupted discipline at the university, (3) whether NCCU administrators had unknowingly acted unlawfully, (4) whether Scagnelli was entitled to compensatory damages, and (5) whether he was entitled to punitive damages.

The jury found in favor of Scagnelli in all five issues.

The verdict called for \$200,000 in punitive damages to Scagnelli to be paid equally by Chancellor Albert N. Whiting; Cecil L. Patterson, vice chancellor of academic affairs; Joseph A. Pittman, dean of the graduate school; and Leslie Brinson, chairman of the psychology department. Another \$300,000 was awarded as compensatory damages.

Scagnelli, now a practicing clinical psychologist in Durham, alleged that he was denied tenure in 1979 because he failed a graduate student for plagiarism against the advice of his superiors. Tenure protects professors from being dismissed except for cause.

Earlier in the trial, Edward Speas, an assistant state attorney general

defending NCCU, argued that tenure was denied on grounds other than the plagiarism case.

Speas said that as early as November 1978, Brinson had expressed to Patterson his doubts about recommending Scagnelli for tenure, and that in February 1979, Pittman said he would not support tenure for Scagnelli.

The defense also argued that in March 1979, Patterson told Brinson he saw no problem in reversing the

decision to give Scagnelli tenure, and on April 5, 1979, Brinson wrote a letter to another faculty member saying that he would recommend against tenure for Scagnelli.

Brinson told Scagnelli at a luncheon meeting early in April that he would not recommend him for tenure, Speas added. The plagiarism case did not come up until May.

On the other side, Scagnelli's See CASE, page 3

Prof awarded one penny in libel suit

By Randy G. Vestal

Dr. Vernon Clark, associate professor of biology, was awarded one penny in his libel suit against a student for writing a libelous letter about him and sending copies of it to several university administrators.

A jury in Durham County Superior Court ruled on Thursday, Nov. 4, that Clark had been libeled in a letter written by Dan Otis Davis, 23, of Washington, D.C. The jury also ruled that Davis had not acted in good faith in writing the letter.

But, on the question of what damages Clark was entitled, the jury wrote: ".01"—a penny.

Clark filed the suit in November 1980, claiming that Davis had raised false charges against him in a letter sent to three NCCU officials—Dr. John Ruffin, chairman of the department of biology, Dr. Walter H. Patillo, dean of the undergraduate school, and Dr. James F. Blue, former vice chancellor for student affairs.

In the letter, Davis complained that Clark had humiliated him at an April 21, 1980, meeting of the Pre-Professional Health Society, a student organization. At the time, Davis was a candidate for president of the club.

Davis claimed that Clark came to the meeting and spoke against his election, making references to his grade point average and saying he would be used by other faculty members who wanted to control the club.

Davis asked the university administrators to investigate the incident and possibly remove Clark as sponsor of the health society.

The letter caused him "immense personal and professional embarrassment" and hurt his career, said Clark in the suit. He offered affidavits from other students at the club meeting to show he never said the things Davis claimed.

Clark asked for \$25,000 plus an unspecified amount of punitive damages. Davis said in answer to the suit that his statements in the letter were true, that they were part of an administrative procedure, and that he had an absolute privilege to write them.

Earlier this year, Clark filed an unrelated suit against Chancellor Albert N. Whiting and other university administrators for allegedly denying Clark a promotion which he felt he deserved. During the summer, the case was dismissed.

Angelou discusses the plight of women writers in lecture

By LaTanya A. Isley

Amid applause, standing ovations and cheers, Maya Angelou sang, danced, laughed, recited poetry and read from her works in her second appearance on N.C. Central University's campus Thursday, Nov. 11.

Speaking on "Women Writers in the Harlem Renaissance," Ms. Angelou stirred members of the audience as she told them about the trials and tribulations of black women writers and the efforts that have been made to keep them almost non-existent to the public during a period that was considered by some as an era of emergence for black poets, writers and artists.

"One of the reasons people don't know about the women poets is because of the hostility, jealousy, struggle and strife among writers of that period," she said. "Male poets and writers were active and effective in developing that schism."

Ms. Angelou listed Georgia Douglas Johnson, Anne Spencer, Jessie Faucette, Zora Neale Hurston and Angelina Grimké as some of the black women poets who were "essential to the growth and productivity of women in the 20th century."

Using Anne Spencer, whom she described as "one of the finest writers in English," as an example

of one whose literary talents were buried beneath the glory of the men of that period, Ms. Angelou said, "A number of people teach and a number of people study American poetry, yet know nothing about her."

Ms. Angelou used her poem "And Still I Rise" to lay the groundwork for her discussion of the struggle that blacks have been going through since they were first brought to the United States as in-

dentured servants in 1619. She talked about the years of the slogan "Black Is Beautiful" and how it related to the need to survive the odds and continue the struggle.

"To survive with some dignity is a success. When black people went around saying 'Black is Beautiful,' they encouraged black people to survive, thrive with passion, compassion, humor and style," she said.

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Authoress Maya Angelou (third left) discusses her lecture on "Women Writers of the Harlem Renaissance" with NCCU's English Department Chairman Dr. Patsy B. Perry (left) and students LaTanya Isley (second left) and Dumery Stockton (right) after her appearance in B.N. Duke Auditorium.

Profs to vote on chancellor picks

By Edwin Horsley

The N.C. Central faculty will vote to accept or reject the names of the four finalists for chancellor at the next Faculty Senate meeting.

The date for the meeting has not been decided.

The vote is the result of a motion by Dr. Rose E. Vaughn at the Oct. 8 meeting of the Faculty Senate.

Vaughn's motion came at the end of a meeting highlighted by criticism of the procedures thus far used by Central's Chancellor Search Committee.

Instructor Mae W. Freeman-Reid complained that there has been a lack of communication between the senate representatives and the senate body. According to Freeman-Reid, the senate representatives made decisions on behalf of the senate without consulting the senate body for input.

Responding to Freeman-Reid's complaint, Dr. Arthrell Sanders, one of the Faculty Senate representatives to the Chancellor Search Committee, said the senate had had an opportunity to make suggestions to the Search Committee at a hearing last March.

But some senators apparently were not satisfied with Sanders's response.

Dr. Woodrow Nichols said the search committee's work was completed during the summer when the Faculty Senate does not meet. That fact, suggested Nichols, suggested the senate had not been an active participant in the chancellor selection proceedings.

Senator Winston Burton Jr. complained of restraints placed on the senate representatives by the Search Committee which prohibited discussion of Search Committee activities with other senators.

Concurring, Senator Stephen

Fortune said that faculty and senate members felt "sighted" after the Carolina Times accurately reported the names of the chancellor finalists before those names were disclosed to the senate body. Fortune asked, "How could such information which could not be revealed to the

senate because it was supposedly confidential, be leaked to the press for all of Durham to read?"

Senator Sandra Belforn also complained that senators were not able to report the Search Committee's activities to faculty members in their

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Thorne hears student complaints on mail room

By Randy G. Vestal

Fiery denials highlighted an informal meeting between postal employees of Shepard Station and students dissatisfied with the station's mail service.

After the meeting, George T. Thorne, vice chancellor of Financial Affairs—under whose responsibility the mail room falls—said that from the testimony of the students there is "no evidence that persons in the mail room are opening mail and taking money out of the mail."

However, Thorne did order Chester Ray, the supervisor of Shepard Station, to investigate two mail room employees charged with minor violations of mail room regulations.

Responding to a letter written by Deborah Browner, a senior, complaining of her years of problems with the station's mail service, Thorne ordered the meeting to be held in a conference room of the Hoey Administration Building for Thursday, Oct. 28.

The Browner letter is the first written complaint he has received regarding Shepard Station, Thorne said. During the meeting, Browner exhibited several crinkled envelopes of letters she had received through the station.

She had taken the envelopes to J. R. Moore, the manager of customer services at the Durham Post Office, who confirmed that the envelopes appeared to have been steamed opened and resealed.

Moore reported the suspicious envelopes to the Postal Inspection Service for investigation but he said that it is impossible to tell at what point during the processing of the letter that the envelopes had been tampered with.

Several unidentified students also alleged that they had received letters whose envelopes had been opened and money had been removed.

Ray and the two full-time postal clerks, Dominique Walker and Laura Pierce, denied tampering with any mail.

Durham Postmaster Frank E. Copeland Jr. noted that all mail addressed to NCCU goes through many different hands before reaching Shepard Station. The mail could have been tampered with anywhere along the route.

See MAILROOM, page 3

Proctor stresses power of education

By Veronica M. Cogdell

"I challenge you to get an education. Go out and make a difference. You've got a mind and a mind is a terrible thing to waste," said Dr. Samuel DeWitt Proctor, professor of the graduate school of education at Rutgers University, told students at N.C. Central University's 35th Founder's Day Convocation in B.N. Duke Auditorium, Friday, Nov. 5. Proctor's theme was the task of education for blacks, highlighted Central as a school which has survived it all and is better now more than ever.

In stressing black people's hunger for education, Proctor, also holder of the Martin Luther King Memorial Chair at Rutgers, said, "Blacks have never enjoyed being semi-illiterate or poorly trained."

Proctor outlined the hazardous quest of black educators, using the example of Alex Hayes who in 1850 attempted to build a school in Washington, D.C. which was immediately burned to the ground.

See DR. PROCTOR STRESSES on page 4

