



... for later life not  
... (more or less), but  
... cultural nightmare  
... of process, and absurdity."

University, determined that the Trustees shall govern the operations of all facets of the University. (N.C. Gen. Stat. Sec. 116-3 et seq.) As provided by the bylaws of the Board of Trustees of the University of North Carolina, the operating responsibility for each component institution of the Consolidated University is delegated to the Chancellor of that institution. Section 3-3 of the Trustees' Bylaws provide that the Chancellor exercises

**'full authority in the regulation of student conduct and in matters of student discipline in that institution. In the discharge of this duty, delegation of such authority may be made by the Chancellor to faculty committees and to administrative or other officers of the institution, or to agencies of student government, in such manner and to such extent as may be the Chancellor be deemed necessary and expedient.'** (Emphasis added.)

The Chancellor has substantial responsibility invested upon him by the laws of the State of North Carolina. The history of UNCC clearly reflects the Chancellor's desire to delegate responsibility in the area of student conduct to appropriate student organizations and individuals. But when as in the case of Charlie, any member of this academic community becomes ineligible to retain his membership in the community, the Chancellor, or some official delegated by the Chancellor, has the primary responsibility for notifying all interested persons of the relevant circumstances. To this end, the Chancellor and Vice Chancellor Cone delegated authority to men, as Dean of Students, to notify Charlie that he was unable to continue to be president of the student body. Charlie was in fact notified on June 17, 1971.

"I trust that you will rally behind student government and make every effort to assist the new administration in the appropriate discharge of its responsibilities.

"Thank you for your interest in the University."

James Dennis Rash

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Unfortunately, students did not rally behind the pleas of Dean Rash as expected. Instead, more heated arguments erupted and the Student Legislature hired Charlie Sutton as a "counselor" until his status was further clarified.

Another part of the drama was enacted by the Administration on that same day. Dated July 7, 1971, they released to the news media a **Statement On Status Of Charles Sutton**. It was apparently in response to rumors that Charlie would try to govern the Student Body as a non-student. Charlie assured me on several occasions that this action was never considered as a viable alternative at any time. Their statement read as follows:

"The Administration of the University of North Carolina at Charlotte deeply regrets that the academic status of Mr. Charles Sutton and his resulting loss of a position in the Student Government Association have become an issue. His challenge on these points exposes his academic performance to public knowledge.

"Since Mr. Sutton has raised the issue, it must be pointed out that because of his academic performance in the Master of Management program of the College of Business Administration, he is no longer qualified to continue as a student. Also because of his total academic performance, he has been denied admission to other academic programs.

"The University has not disclosed the precise nature of Mr. Sutton's academic performance because of a normal practice of maintaining the confidentiality of student records except where the student is in accord with disclosure.

"We will reveal pertinent facts about Mr. Sutton's academic record with his concurrence or if circumstances necessitate.

"The constitution of the student body stipulates that a president of the Student Government Association must be a student and maintain an appropriate academic average to continue in office.

"Therefore Mr. Sutton is no longer an officer of the Student Government Association, and the vice president succeeds him in office.

"Furthermore, the rights and responsibilities of student officers derive from the delegation by the Chancellor to them of certain of his prerogatives.

"The Chancellor cannot in good faith and will not delegate responsibilities dealing with student funds, student discipline, and recommendations for appointment to key University committees to a non-student."

The statement was unsigned but the wording and tone implied that it was carefully prepared for public consumption. The University is tremendously publicity conscious, as we shall see.

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Charlie had been denied admission to the political science department as an undergraduate during this interim period. Dr. Loyns, head of the Department of Political Science, agreed to accept him as an undergraduate student. But, when the

offer was presented to Vice Chancellor McEniry, it was disapproved for "academic reasons." The writer had an interview with Dr. McEniry concerning these "reasons," but found we could not discuss them without Charlie's permission. Apparently, the answer was in Charlie's record of academic undergraduate work; I asked for and received from Charlie his undergraduate record. By studying it, a few ideas about why he was refused admission come to light. But, before this is brought out, another portion of the story was unfolding -- a side-track that didn't work.

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A mere six days after releasing their **Statement** on the status of Charles Sutton, the Administration sent a Memorandum to several student leaders (including this writer) asking for their participation on a Rathskeller Concept Committee. They must have felt that all the controversy over Charlie was settled and that it would be a good time to organize the Student Government and students into a new project, one they had expressed a valid interest in.

The Memorandum itself is a masterpiece of bureaucratic bumbling and is printed below in entirety:

"This memorandum is to request that you serve on the Rathskeller Concept Committee. The general charge of this committee is to prepare recommendations to be presented through appropriate channels concerning the proposed development of a rathskeller-coffee house in the basement of the dorm cafeteria.

"After this committee has developed its recommendations, it will present its findings to Vice Chancellor Cone who, in turn, will consider the findings and proposals with Vice Chancellor Vaughn before seeking approval of the Chancellor. If the Chancellor approves the recommendations, the program will be referred to Vice Chancellor Vaughn who is the University's liaison with the Department of Administration-Division of Property Control.

"Unless you advise Dean Rash's office to the contrary, we will assume that you are willing to serve on this committee. The first committee meeting is scheduled for 7:30 p.m., Tuesday, July 20, 1971 in Room 233 of the University Center.

"We thank you in advance for your assistance in this project."

The letter originated from the Dean of Students Rash and Stan Patterson, although Stan merely signed it; the writing is clearly Rash's. Below was my reply to the Memorandum, dated July 19, 1971, and forwarded to the originators:

"Thank you for asking me to serve on the Rathskeller Concept Committee. However, I must decline for two reasons: first, I feel my position is such that a conflict-of-interest could develop from my serving; and, secondly, I cannot in good conscience serve on what I believe is a red-tape machine that neither significantly adds to the institution or its already cumbersome committee overkill.

"Unfortunately, I very strongly view this committee, and all attempts to organize interest in it, as a part of the blossoming bureaucracy at UNCC. The idea of a Rathskeller -- regardless of its recreational value -- is not consistent with the more pressing problems at this institution which should be receiving our full attention. Students desire to work, with power and significant influence, in the academic decision-making that takes place daily, without our advice or consultation. To attempt to channel our energy and interest into a purely social and inane setting such as organizing a Rathskeller is condescending to our abilities. To think that we wish to forget, or would forget, very important questions such as monies, academic grades, testing methods, student government of student affairs -- I believe this is implied in this type of committee organization.

"Look at the approval/disapproval scheme of the committee. Is there any chance that what they want to do will be allowed? Yes, if all those who have nothing to do with the Rathskeller approve. **In loco parentis** is dead. We neither wish for games to play while Administrative officials determine the future of our education nor will intelligent, perceptive students be duped into such petty "childplay."

"The time has come for UNCC to realize its students are not children; the feelings of a growing group, soon to be a majority, is that a confrontation of goals and values is beginning. If we remain the way we are now, education at UNCC will continue its fated development into a traditional, ivy-covered group of buildings with rules and dogmas unrelated in space and time to now. The difference is in the desire, the belief that the worst thing that could happen to this potentially beautiful and creative environment is let the same ideas that built all Universities of the past set in here.

(continued on opposite page)

"The receipt of the grade 'N' or 'NC' (no credit) is not valued in the same manner as these grades are in the undergraduate curriculum. Receiving these grades on an undergraduate course simply indicates that the students has an absence of credit and is considered in the same manner as if the undergraduate student had never enrolled for the course.

"In the University's graduate program, however, the grade of 'N' or 'NC' carries a drastically different value. For graduate work, these grades may indicate that the student has in fact taken the course and has been awarded the academic value of zero on the numerical scale. On this basis, the Graduate Committee of the University on January 15, 1970, determined that: upon receiving two grades of 'NC' the students advisory committee shall review the progress of the student and must recommend a course of action which may include probation (to be defined by the committee) or termination of enrollment.

"The committee of the Graduate Faculty of the College of Business Administration reviewed the work of its students whose professors had reported their substandard work by the award of the grade 'N' and the committee concluded that the level of academic performance of Charlie Sutton was such that he should be terminated from the graduate program.

"For that reason, Charlie was notified by Dr. Daymond Turner, the Director of Graduate Studies, by letter dated June 10, 1971, that his enrollment in the graduate program was in fact terminated for failure to meet the graduate program standards for continued enrollment.

"Charlie then applied for admission to the University to the undergraduate curriculum leading to a second baccalaureate degree. His application and his previous academic records, both as an undergraduate student and in the University's graduate program, were reviewed in the manner provided in the catalogue (pages 64-65). As a result of that evaluation, Charlie's application was denied for academic reasons.

"Charlie also applied for admission as a special student, as his Report indicated that he planned to do. His application for special student was denied by reason of an admissions policy established December 12, 1969 by the Admissions Advisory Committee, which excludes any applicants for special student status who are academically ineligible to return to their previous institutions.

"This review of the background behind academic termination is not intended in any way to embarrass Charlie personally. A number of people have, however, implied that there was some insidious plot on the part of the administration to remove Charlie from office. This is clearly not the case; rather it is an unfortunate example of a student's removal of himself from office by virtue of his termination from the University for academic reasons.

"The remaining issue raised by the Report to the Student Legislators is the question of whether the administration has any responsibilities to the University and the students with respect to notification when an elected official of student government becomes ineligible.

"The law of the State of North Carolina in this area is clear. The General Assembly, which established all branches of the Consolidated