

# THE JOURNAL

Nov 15-16

Up to you

by michael mcculley

A proposal by Student Senator Ed Wayson, which passed the University Senate September 15 despite strong faculty opposition, will be up for voter approval on November 15-16.

The effect of the proposal, if passed, will raise the number of senators by ten, from 36 to 46: 19 faculty, 18 student, 2 non-academic senators (1 from maintenance and custodial personnel and 1 from other non-academic personnel), and leave 7 appointees to be made by the Chancellor.

The Senate Executive Committee has requested that the two current constituencies (students and faculty) hold hearings on this proposed amendment this week. As of presstime, the Journal had received no notice of a student hearing but the faculty will probably discuss the matter at their general meeting Wednesday at 11:30 a.m.

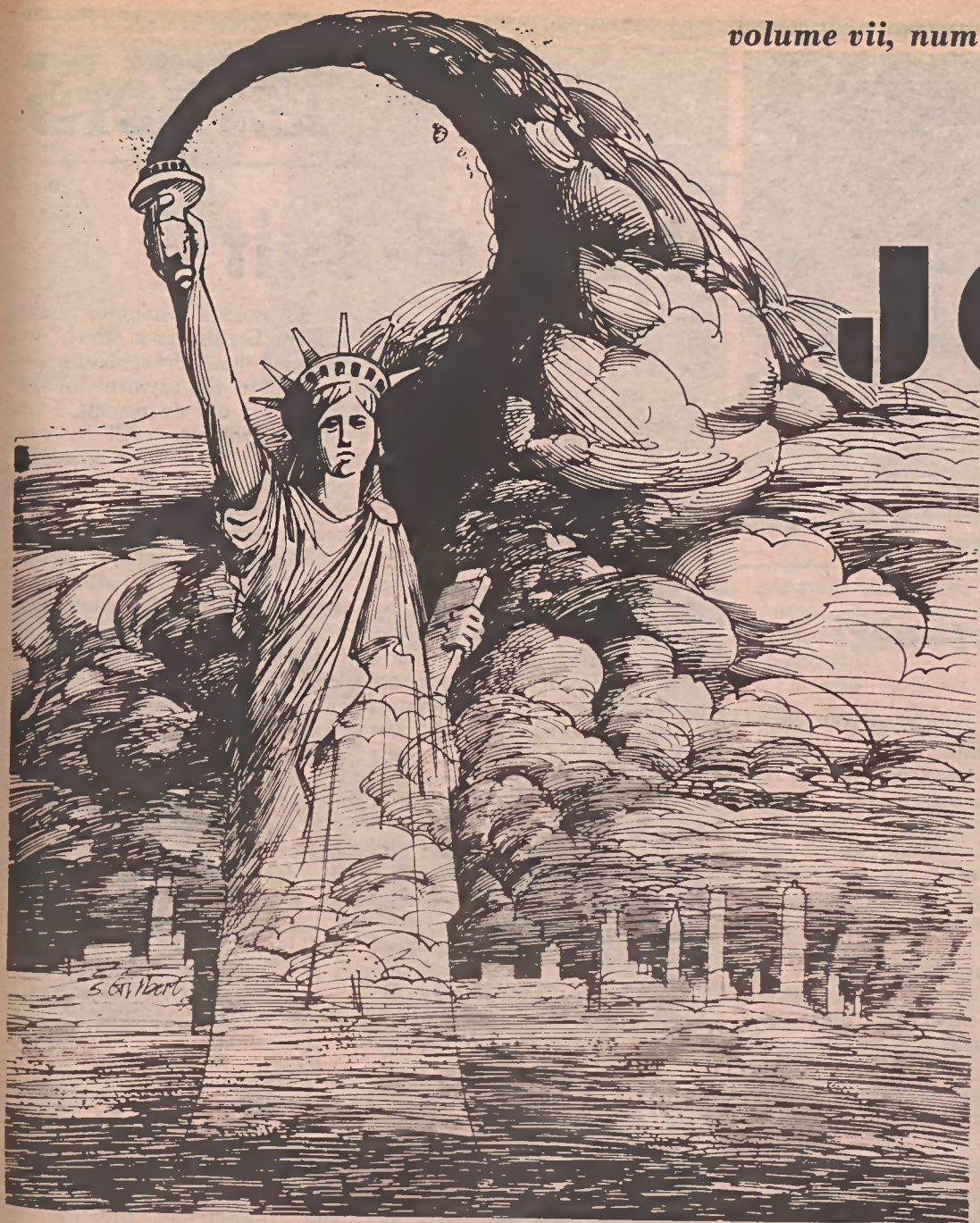
The Executive Committee itself will hold open hearings for the entire University Community on Wednesday, November 10, at 4:00 p.m., in the University Center Parquet Room.

The proposal will increase student representation to nearly equal that of faculty and give a previously ignored group (non-academic employees) a voice in the University governance.

The referendum amendment is printed below in entirety:

**Article V. Section 1. Membership:** Item (d) insert between the words One and Senator the word faculty so as to read... "One faculty senator from each major academic unit (Business Administration, Engineering, Human Development and Learning, Humanities, Library, Nursing, Science and Mathematics, Social and Behavioral Sciences, and Student Affairs, at this time)."

Substitute the present (continued on page 2)



SGA, University

## Into court over housing contract

analysis

—by charlie herndon

Exactly one week after the residence halls opened for the '71 fall semester, an elevator in Moore Hall was damaged extensively in the early morning hours. On Oct. 15, the residents in Moore Hall were assessed at \$2.00 each to pay the cost of repair.

Since the issuance of these bills 10 days ago, a furor has developed between the Moore Hall residents and the Housing Office/Office of Student Affairs over the legality of these assessments, and the beginnings of organized refusal to pay the bills has become apparent. The following article is the result of a hurriedly-conducted investigation into the situation, its facts, and the principals (administrators) involved in it. Admittedly, the investigation is somewhat incomplete and the situation is far from being resolved; subsequent articles in future Journals will follow development.

It took very little investigating before it became apparent that there are very few facts concerning the incident, while there are a great many assumptions on the part of the principals — Dean Dennis Rash, Dean of Students, Mr. Lon Weston, Assistant Dean of Students and Director of Housing, and Mrs. Mahlon Adams, Director of Housekeeping Services for the University. Gradually another figure is becoming more and more prominent in the situation — Mr. Stan Patterson, President of the SGA.

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At approximately 5:30 a.m. on Sunday, August 29, 1971, the number two elevator (which serves every floor except the eleventh) in Moore Hall came to a jarring halt on the second floor, sending vibrations throughout parts of the building and causing a

noise so loud as to arouse the night watchman, awaken numerous students, and Dean Rash and his wife. (Rash and his wife were acting as temporary Dorm Administrators until Dick Day arrived.)

Rash, thinking that the noise was merely that of loud fireworks, dismissed it and went back to sleep. The night watchman investigated the noise, found the jammed elevator and reported it to Campus Security. It wasn't until students started complaining to Rash and Mrs. Adams around 7:30 a.m., Monday, Aug. 30, about the elevators not working that the trouble was discovered and the servicemen sent for. (Actually both elevators were not working that morning; the number one elevator was jammed on an upper floor for some obscure reason which no one seems to remember.)

When the servicemen arrived, it was discovered that the metal covering to the escape hatch (in the roof of the elevator compartment) had become lodged between the compartment doors and the outside doors on the second floor, severely bending the compartment doors and causing the compartment itself to become disengaged from its tracks. It was estimated then that the repair cost would be somewhere between \$500 and \$1,000.

Westinghouse Elevator Service is contracted to service and make all repairs on the elevators which may be encountered during normal usage. Not included in that contract is what is called malicious damages; any repairs of malicious damage must be paid for outside of the contract. The servicemen termed the damage of Aug. 29, to elevator 2, malicious damage. They cited the fact that there was

evidence of tampering with the wiring above the elevator compartment.

There are the facts concerning the actual damage to the elevator; anything else is, at best, theoretical guesswork. And there has been plenty of that. Basically, Rash, Weston, and Adams all agree that one or two persons either gained access or were attempting to gain access to the roof of the elevator compartment in an attempt to tamper with the wiring there. No reason for this "playing" is offered. And, that in this attempt, the door to the escape hatch (probably inadvertently became lodged between the compartment and the shaft, causing the damage. Furthermore, they all assume that this person(s) was a student, apparently because of the rule allowing no non-residents in the dorm after certain hours.

On Monday August 30, it was decided that the residents of Moore Hall would be assessed \$2.00 each to pay for the cost of repair. Rash met with each house in Moore Hall that night and informed everyone of the action that was to be taken.

The immediate reaction was adverse, and was reflected in the Student Legislature's passage of a resolution protesting the decision. However, this (symbolic) protest was overlooked and the bills were issued as soon as the overloaded Business Office could get them out, Oct. 15.

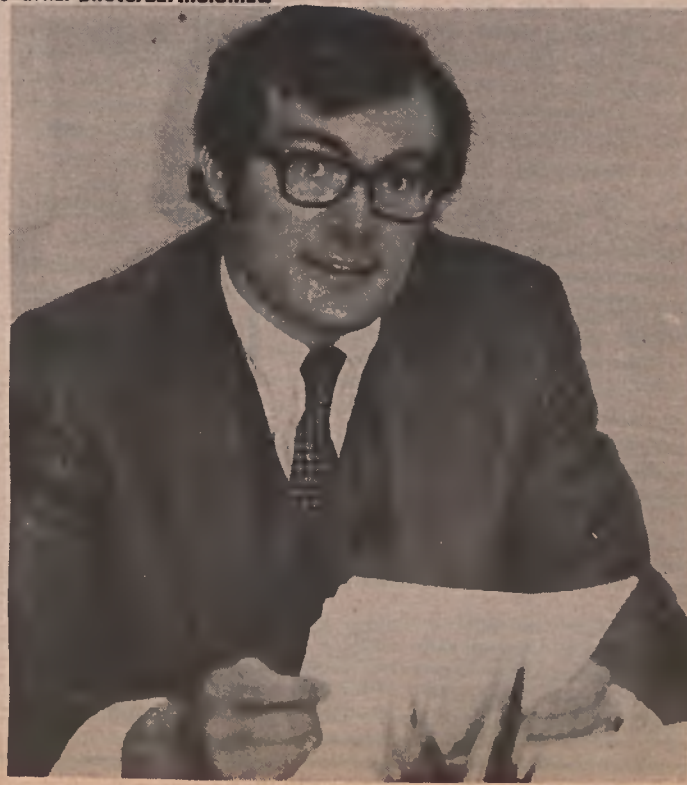
When the Moore Hall residents received the bills, enormous displeasure with the action was evident and it took form in various ways: The newly elected president of Moore Hall, James Cuthbertson, posted a sign in the dorm lobby urging all residents to withhold payment until the situation could be investigated; on

at least one floor, the 9th, the bills have been attached to the wall in obvious defiance of the two-week deadline for payment. This action was led by that floor's Resident Advisor, Charles Bridges.

But the most constructive action has been taken by Stan Patterson, SGA President, who has contacted a lawyer concerning possible court proceedings to determine the legality of the assessments and the actual housing contract itself.

When interviewed, Patterson said, "I am not terribly concerned with the actual bill of two dollars; what I am emphasizing is the total lack of due process in the Administration's action. Under our present system of governance, only the students should impose bills or fines upon themselves.

Journal photo/bartholomew



Rash

This means settling the issue through the Student Court system; this is clearly the only way that due process can be obtained in this situation. I urge all students to refuse to pay this bill until due process can be achieved."

When asked about his rumored association with a lawyer concerning the assessments, he replied, "Yes, I have contacted a lawyer on the basis of being an individual student. The lawyer gave indication that the students do have a legitimate case in this instance and that possibly the housing contract is illegal also. I plan to ask the Student Legislature on Monday (Oct. 25) to retain a lawyer to represent the students' interest in this matter."

(continued on page 2)