

SUMMER SPECIAL

THE JOURNAL

Jordan case decision due

"What I see here is a lot of people involved in a situation they would like to let go of if they knew how."

This closing assessment by Judge McMillen of the day long hearing of the Jordan case on June Ninth was directed at the defendants in Jordan's suite; Dr. McEniry, Dr. Schul and Dr. Goodnight.

(Dr. McEniry is the Vice Chacellor of Acedemic Affairs. Dr. Schul is Dean of the College of Social and Behavioral Sciences. Dr. Goodnight is Chairman of the Department of Sociology.)

Dr. Jordan, who was characterized during the hearing by McMillen as, "a man who says what he thinks and doesn't sweet talk anyone," has charged that his civil rights (especially the right to be outspoken) were violated in the reasons the defendants gave for terminating his contract as Assistant Professor of Sociology here.

Jordan's suit is being handled by Charlotte Attorney George Daley. The defendants are being represented by a member of the State Attorney General's Office staff, Charles Lloyd.

Daley is also representing Jordan in an appeal of his termination that has proceeded through the University channels and is now in Dr. Friday's office.

The procedures (mostly unwritten) require that an appeal follow the same channels through which the decision being appealed proceeded. McMillen used the expression "military discipline" several times during the hearing to describe the appeals procedures and the authority structure of the University. He further described the process as being a "procedural problem" and commented that; "It's a known fact that you can't get a fair hearing from the man who is arguing with you."

McMillen seemed distressed about the apparent lack of interest on the part of McEniry in determining whether or not there was any factual basis for the reasons given for Jordan's termination by Department Chairman Goodnight and former Chairman James Greene. According to McEniry's testimony, there are no provisions in the "University code" which require him to do any investigating in situations like this one.

The only attempts at an investigation were by an "ad hoc" committee, assembled by Schul and given "advisory" powers only. The committee, composed of three department chairman and one tenured professor (who later withdrew) were unable to arrive at any decisions and made no definitive recommendations.

At the close of the hearing, McMillen invited Daley and Lloyd to submit briefs. As of this date, the briefs have been submitted and a decision by McMillen is expected to be forthcoming.

(Any new developments will be reported in the next edition of this paper.)

Summer conference

Presidents of North Carolina's community colleges and technical institutes will return to UNC-C for their 7th annual summer conference on July 23-26.

The conference will open at 7:30 p.m., Sunday, July 23 with an address by Dr. Gordon L. Lippitt, a nationally known consultant to industry, government and education and professor of behavioral science at the George Washington University.

Dr. Lippitt will lead sessions on "Coping with Change and Conflict" during the day on Monday. On Monday evening there will be a session on opportunities for cooperation between community colleges and senior institutions. It will be led by Dr. A. K. King, special assistant to President William C. Friday of the University of North Carolina system.

On July 25, Dr. Barbara P. Washburn, dean of educational development at Mitchell College, will lead sessions on "Leadership in a Changing Environment." She has conducted numerous workshops on individualization of instruction and other topics of concern to community college administrators.

Dr. Ben Fountain, president of the North Carolina Department of Community Colleges, will hold a session with his presidents at 9:30 a.m. Wednesday, July 26.

The concluding speech will be delivered by Dr. David S. Bushnell, senior staff scientist at the Human Resources Research Organization in Alexandria, Virginia. He has spent a year exploring alternative futures for the nation's community and junior colleges.

The conference is sponsored by UNCC and the North Carolina State Board of Education and is coordinated by Dr. Bonnie E. Cone, vice chancellor for student affairs and community relations at UNCC, and Dr. Ben H. Hackney, Jr., associate professor of education at UNCC.

Dobson named editor by court

—by sharon deck

The University Court has named Michael Dobson editor of Sanskrit and has denied the Elections Committee the right to rule on publicity violations, in the latest -- but perhaps not the last -- phase of a controversy that began in early March.

Some sources have said that Dean Duncan, who lost to Dobson in the first election for the editorship of the literary magazine, may initiate a recall petition when classes resume in the fall, in a final attempt to oust Dobson. Duncan could not be reached for comment on his plans.

Dobson's long trek through the court system began after he defeated Duncan by only seven votes in the bitterly fought March election. During the campaign, Dobson had distributed the second issue of Sanskrit along with his campaign material, a tactic that many students considered unethical. WVFN station manager Steve Garrett complained to the Elections Committee on the grounds that Dobson had used material paid for by student fees, the magazine, as campaign material. The Committee ruled that Dobson had violated no publicity regulations by doing so.

During the campaign, two of Dobson's campaign workers had mounted a poster on a window of the dorm cafeteria. Placing posters on windows is a violation of the publicity rules and regulations.

Duncan complained to the Elections Committee that the poster on the window may have swayed four votes to Dobson and changed the outcome of the election. The committee ruled unanimously that Duncan had been placed at a disadvantage by illegal publicity, and threw out the election. It was rescheduled for April 19 and 20.

Dobson appealed the committee's decision to the Student Superior Court for three reasons. First, he maintained, he was not responsible for the sign having been placed on the cafeteria window, since it had been done without his knowledge. The two staff members testified that they had put up the sign without informing Dobson and in ignorance of publicity regulations.

Dobson also charged that the Elections Committee did not have jurisdiction over matters involving publicity violations. The publicity rules and regulations state that the Publicity Committee should enforce those rules and refer offenders to the Student Superior Court. Thus, he maintained, the complaint had been filed with the wrong committee and the wrong decision -- nullifying the election -- had been made, since the committee had the power only to refer the case to Student Court.

Third, Dobson said that the sign itself, rather than the placement of it, may have been responsible for swaying votes.

The court ruled against Dobson and upheld the Elections Committee ruling, stating that Dobson was responsible for all actions of his staff. They said that the Elections Committee has original jurisdiction in all matters concerning student elections, including publicity. They also assessed Dobson \$5 in court costs.

Shortly afterward, the April elections were held. Because of violations by the Elections Committee, however, they were thrown out and rescheduled. Duncan won the third election for the office a week later, by a two to one margin.

Dobson then appealed to the University Court, the top court on campus. The grounds for his appeal were the same as those he made to Student Court.

The Court ruled in favor of Dobson, declaring the March election to be the only legal one and denying any future contest of the election. They also required Student Superior Court to return the court costs Dobson had paid.

In its opinion, the Court stated that the Publicity Committee should have enforced the publicity rules, rather than the Elections Committee. The Court also questioned whether Dobson had been allowed due process because of the vagueness of the election and publicity regulations, and because spheres of authority were not clearly designated.

"The question of a single poster carrying such major weight in a decision as serious as the annulment of an election with no opportunity for due process was an important consideration in our decision," the Court said in its opinion. "The punishment seemed excessive in view of the fact that the placement of said poster was not petitioner's (Dobson's) own doing, but was that of his staff."

Since the Court's decision cannot be appealed except to the Chancellor, an event unlikely to occur, Dobson will probably keep the position it took him three months to get. He can be removed from office only by a recall election, or by impeachment proceedings initiated by his staff.

Dobson may not be out of court yet, however. The Student Superior Court, which was ordered to return to Dobson his \$5 in court costs, has given him only \$4. A dollar was subtracted for duplicating costs connected with the case. Dobson is considering another appeal to get his dollar back.



THE ONE THAT WOULDN'T GO AWAY.