

THE UNIVERSITY OF MICHIGAN

SENATE ASSEMBLY

Minutes of Assembly Meeting, January 18, 1971

And Continuation Session, January 20, 1971

CALL TO ORDER

Chairman Weinberg called the meeting to order at 3:15 p.m in the Rackham Amphitheatre.

ATTENDANCE

Present: Abrams, Asgar, Barnes, Bassett, Birch, Bishop, Bowditch, Bowman, Brown, Castor, Coon, DeKornfeld, Dowson, Eggertsen, Frye, Galler, Gilbert, Goodman, Graebel, Handler, Hauenstein, Hinerman, Hooper, Huntington, Jensen, Kahn, Kish, Krachenberg, Lind, Rhodes, Magee, Marsden, Michelsen, Mills, Morgan, Nelson, Norman, Porter, Price, Richards, Rigan, Hildebrandt, Sandalow, Scherer, Dunn, Schuman, Sears, Shappirio, Cooperrider, Sonntag, Votaw, Wilkes, Yagle, Youngdahl, Yablonky, Weinberg

Absent: Alston, Bertolaet, Bett, Bole, Carter, Cornish, Crawford, Iglehart, Lloyd, Overseth, Hazlett, Rucknagel, Meyer

APPROVAL OF  
M<sup>T</sup> TES

The minutes of the meeting of December 14, 1971, were approved as distributed.

REPORT OF SACUA  
ACTIVITIES

Professor Hinerman, reporting on SACUA activities, noted that SACUA has held seven meetings since the last Assembly meeting. At its December 21 meeting, SACUA scheduled the semi-annual Senate meeting for April 5, referred a policy statement on nepotism from Vice President Smith to the Academic Affairs Committee, asked Vice President Fauri's advisory committee to appoint two members to a statewide committee of college faculties, and appointed an ad hoc committee on the Sports Service Building, with Professor Fred Scherer, who was designated as chairman.

At the January 4 meeting, a draft of the policy statement on nepotism was approved. Professor Wilfred Kaplan reported on the work of the Proper Role Committee which he chairs. He also discussed the role of the faculty in dealing with representatives of the Legislature. Professor Donald Rucknagel, Chairman of the Civil Liberties Board, cited the problem cases which had been reviewed by the Board. Professor Elmer Gilbert, SACUA liaison on the Committee on the Economic Status of the Faculty, reported on a move by the Committee to improve insurance benefits of younger faculty.

On January 9, President Fleming called SACUA together with the Vice Presidents and members of the Commission on Resource Allocation to discuss the acquisition of certain properties and the movement of certain units on the campus.

On January 11, 12 and 14, SACUA met with officers of the central administration for discussion of the AFSCME labor negotiations as they reflected on the possible loss of class time.

On January 18, SACUA met for a discussion of procedural matters relating to today's Assembly meeting.

Chairman Weinberg explained that on the basis of the action taken by the Assembly at its December meeting, the Regents had been asked by President Fleming to defer action for one month on the proposed construction of the Sports Service Building.

LEGISLATION ON  
OSS POLICY BOARD

Chairman Weinberg explained that the Assembly had not taken action on the subject of length of terms when it agreed to the establishment of the OSS Policy Board. He called attention to the resolution which was distributed with the call to the meeting which reads:

Section 7.05 (2c) of the Regents Bylaws provides that the Assembly sets the terms of the four faculty members of the OSS Policy Board to be not less than one and not more than three years, with staggered terms.

Be it resolved that the Assembly establishes faculty terms on the Office of Student Services Policy Board at two years, with two members to be elected by the Assembly each year.

Professor Kish moved approval of the resolution and it was seconded by Professor Dowson. On a voice vote, the resolution was approved.

LEGISLATION ON  
UNIVERSITY RELA-  
TIONS COMMITTEE

Professor Eggertsen, speaking as chairman of the University Relations Committee, called attention to the resolution which had been distributed with the agenda, providing for the addition of four student members to the Committee. He said for a long while the Committee did not think it was necessary to have students on the Committee since there was a separate student committee. The student committee had now been disbanded. Professor Eggertsen offered the following resolution:

It is proposed by the University Relations Committee that its membership be increased by adding four student members -- two to be appointed by SGC and two by Graduate Assembly.

The resolution was supported by Professor DeKornfeld and on a voice vote was carried.

UNIVERSITY  
JUDICIARY

Chairman Weinberg in turning to the discussion on the Judiciary called attention to a number of documents which had been distributed, including a cover resolution from SACUA, two copies of the University Record, one containing a past draft, a copy of the revised draft of January 14 and a proposed manual of procedures.

Chairman Weinberg suggested the Assembly convene as a Committee of the Whole for thirty minutes or so for general comments and questions and to hear from those who have specific motions. After that, he

suggested we take a few minutes to decide on the sequence. With such an approach, he said, we would have an agenda when we got out of the Committee of the Whole. If necessary, if action is not completed, Chairman Weinberg said, the Assembly will meet Wednesday evening to wind up action on the Judiciary.

Chairman Weinberg also called attention to the agenda items on the Sports Service Building, which the Regents will take up at their monthly meeting later this week, and some nominations and appointments.

COMMITTEE OF  
THE WHOLE

The Assembly convened as a Committee of the Whole from 3:35 p.m. to 4:35 p.m. During the hour, Professor Norman spoke in behalf of the SACUA resolution. Professor Price presented the LS&A faculty view and the resolution the LS&A faculty had approved, which he said accepted the spirit of the proposed judiciary but suggested certain revisions. Professors Sandalow, from the Law School, Brown from the School of Public Health, and Abrams, from the Medical School, offered proposals approved by their faculties.

Chairman Weinberg proposed a procedure when the Committee of the Whole rises, that we start with the SACUA motion proposed by Professor Norman, that the LS&A motion might be offered as a substitute and that further discussion and action on the Judiciary question be deferred to a recessed meeting Wednesday night.

THE COMMITTEE OF THE WHOLE ROSE AT 4:35 p.m.

It was agreed that the Judiciary question be taken up at the meeting Wednesday night at 7:30 o'clock.

RESOLUTION ON  
A COMMITTEE ON  
THE RIGHTS AND  
RESPONSIBILITIES  
OF FACULTY MEMBERS

Professor Eggertsen said he has been reviewing the work of a committee appointed in February, 1961, under the chairmanship of Professor John Reed. The committee worked for five years with various personnel changes and it took five years to come to the Senate to bring about the approval of the present organization of faculty government, with the creation of the Assembly. He said now is the time to look once again at the effectiveness of our present organization, whether modifications are in order for the problems of years ahead.

Professor Eggertsen offered the following resolution which had been distributed with the agenda. The motion was seconded:

I. The resolution in paragraph II is made in response to frequent inquiries from individuals and groups of Senate Members, about proposals to create a stronger faculty voice in University of Michigan decision-making, particularly on economic matters, and in recognition of the factors, among others, that:

1) long accepted rights and responsibilities of Senate Members,

especially in areas of University governance and in relation to the rights and responsibilities of students, are now subject to wide-spread examination,

2) changes in the financial support for higher education in general and for the University of Michigan, in particular, have brought about challenges to accepted priorities,

3) the participation of state legislators in setting conditions of work in relation to costs has affected the role of governing boards, and that,

4) some faculties in higher education in Michigan and elsewhere have affiliated with such organizations as the American Association of University Professors, the Michigan Education Association-National Education Association, or the American Federation of Teachers in attempts to strengthen their position in negotiation.

II. It is proposed that a "Committee on the Rights and Responsibilities of Faculty Members, 1971," be created to report on the present and future nature of faculty organizations, chiefly in relation to the following questions:

1. whether University of Michigan faculty government, in its present, or in a revised form, can more decisively affect University of Michigan financial and organizational policies, and,
2. whether an even more effective participation in governance and support plans, might be attained through the formation of a unit affiliated with a state or national organization, and,
3. whether the Senate-Assembly should authorize further action.

It is also proposed that the Committee be composed of nine members, to be nominated by SACUA, one to be designated as Chairman, that one or more members of SACUA serve as ex-officio members, and that a report be submitted no later than March, 1971.

Professor Sandalow said the resolution seems to deal with two quite distinct issues: one, whether the faculty government ought to be reconstructed and, two, to launch an investigation whether the faculty should unionize. The latter question, he said, is an inappropriate place for the question to be dealt with. Our concern here, he said, is with faculty governance. The latter question, he added, is for outside organizations.

Professor Sandalow moved to strike Section 2 from Part II of the resolution. Professor Dowson seconded the motion.

Professor Eggertsen said we've tried to separate the two questions in SACUA but find we can't separate them. He said a petition with thirty per cent of our names would bring an outside agency as a collective bargaining unit. He said the Assembly is exactly the kind of body that should make the determination. He said we owe it to our constituency to make this kind of study. Many would like us to move in the direction of AFT or the AAUP, he said, but we should make such an analysis ourselves.

Professor Brown said we would defeat the issue to pass this amendment now. He said he would like such a study made.

Professor Sandalow said if the faculty were to decide on an appropriate unit, the fact of that action would be to constitute the decision on an outside unit. He said we want to keep separate our financial and professional interests.

In a vote on the Sandalow amendment, the motion was defeated.

In returning to a discussion on the original motion, Professor Price questioned whether the main motion is necessary. He noted that the present form of government is only five years old and that it may be a bit early for such a study.

In a vote on the main motion, by a show of hands, the motion was carried.

REPORT FROM  
COMMITTEE ON  
PROPOSED SPORTS  
SERVICE BUILDING

Chairman Weinberg called attention to the report which was distributed prior to the meeting from the ad hoc committee named to review the proposed Sports Service Building. He said we owed a vote of gratitude to the members of the committee. He said that all members who had been asked to serve had accepted the assignment. He suggested that we get the essence of the report from the committee chairman, Professor Scherer, and that we reserve thirty minutes for action on the report at the Wednesday night meeting.

Professor Scherer used visual aids to present details on the use of the proposed building. He said the ad hoc committee addressed itself to two issues: the substantive merits of the building and the overall financial status of the Board in Control of Intercollegiate Athletics.

He said the proposed interior plan of the structure called for four or five classrooms, two locker room complexes to be used during the season by the football teams, and at other times by clubs, and a training room to be moved from Yost Field House. As to the cost, the Board in Control had a firm bid for \$375,000, with expectation that it may be lower. Professor Scherer said the financing would be on a five year mortgage, with financing of \$66,000 per year. For the next

three years, he said, the sum is easily digestible within the Board.

The broader question, he said, is whether the Board in Control is financially self-supporting. Costs have risen and the University has transferred sums for the support of intramural programs, as opposed to intercollegiate varsity programs. He said the Committee found that the intercollegiate program is self-supporting but that it is not clear that the intercollegiate program is making adequate provisions for long-run replacements of facilities. He said the Board is severely handicapped by the Crisler Arena. This facility, he said, is adding about \$320,000 each year to the costs of the intercollegiate program. The report, he noted, goes into more detail.

As to the Committee's conclusions and recommendations, Professor Scherer noted that the Committee supported the proposed construction of the Sports Service Building with one dissenting vote. He said it was not an easy choice. But he said it is clear that the building itself is austere and meets some genuine needs. He said there are competing demands from the general fund and from the intramural program. He said the primary benefit of the building will be to intercollegiate sports but one has to recognize that football is the financial mainstay of the whole athletic program. He said the football profit last year was about \$650,000. If the intramural program is to get aid, it's going to have to come out of intercollegiate revenues and mainly football receipts.

Professor Scherer said the Committee feels that Don Canham has done an excellent job as Athletic Director. He said Athletic Director Canham has opened up intramural services that didn't exist and has gone out and generated new sources of revenue. Professor Scherer said we feel his judgment should be recognized.

Professor Scherer said the Committee has also faced up to University budgeting. He said a more promising way of generating funds for intramurals is to retain any surpluses in the Athletic budget. To this end, he said, the Committee had made five recommendations as outlined in the report.

Professor Scherer noted that the Committee consisted of six faculty members, two students with one of the students dissenting. Also, the Michigan Sports Club voted not to approve the proposal unless the clubs have access to locker facilities during the off-football season.

Professor Brown said he was a member of the Board in Control when the Crisler Arena was being debated. Over three years of debate, he said, the costs of the proposed arena went up \$1 million dollars each year. Mr. Crisler, he said, was trying to prevent construction of the arena. The pressure, he said, came from students, faculty, the alumni, administration and the Regents right after the Cassie Russell era. The Board at that time had a kitty of about \$1 million, for various

renovations, he said. He said the Board was told it could not keep one red cent in a separate account, that it had to be earmarked for the Crisler Arena.

Professor Kish asked what good the classrooms would be in the proposed building. He also said he did not recall any pressure for the Crisler Building.

Professor Scherer said with respect to classrooms, there would be immediate displacement from the Waterman Gym and other places. In the longer run, he said, Waterman and Barbour will be razed. He said students would have to spend more time getting down to the new building but, on the other hand, there will be benefits.

At the conclusion of the discussions, Chairman Weinberg said the matter would come up for action at the Wednesday meeting.

NOMINATIONS AND  
APPOINTMENTS

The following nominations to committee assignments, proposed by SACUA, were approved:

Economic Status of the Faculty -- Professor Frank Stafford, for one term, replacing Professor Saul Hymans.

Academic Affairs -- Mrs. Connie Dunlap, Graduate Library, one term, replacing Professor Eugene Litwak.

Committee on Communications -- three month term, replacing Professor Meyer Ryder. Chairman Weinberg explained that under the procedure for naming faculty members to the Committee, two names had to be submitted, from which SCG would choose one. SACUA's recommendations included Professors Tom Sawyer, Engineering English, and Paul Gikas, Medical School.

RECESS

The meeting recessed at 5:20 p.m to resume deliberations at 7:30 p.m. Wednesday, January 20, 1971, in the Rackham Amphitheatre.

CONTINUATION SESSION JANUARY 20, 1971

CALL TO ORDER

Chairman Weinberg called the continuation session to order at 7:45 p.m. in the Rackham Amphitheatre.

ATTENDANCE

Present: Abrams, Barnes, Bassett, Birch, Bole, Bowditch, Brown, Castor, Coon, DeKornfeld, Dowson, Eggertsen, Frye, Galler, Gilbert, Goodman, Graebel, Handler, Hinerman, Hooper, Huntington, Jensen, Kahn, Kish, Lind, Marsden, Michelsen, Mills, Morgan, Nelson, Norman, Porter, Price, Richards, Rucknagel, Hildebrandt, Sandalow, Scherer, Dunn, Sears, Shappirio, Cooperrider, Sonntag, Votaw, Wilkes, Yagle, Youngdahl, Yablonky, Weinberg

Absent: Alston, Asgar, Bertolaet, Bett, Bishop, Bowman, Carter, Cornish, Crawford, Hauenstein, Iglehart, Krachenberg, Lloyd, Rhodes, Magee, Overseth, Hazlett, Rigan, Schuman, Meyer

REPORT OF COMMITTEE  
ON PROPOSED SPORTS  
SERVICE BUILDING

Professor Hildebrant moved to approve adoption of the report of the ad hoc Committee on the proposed Sports Service Building. The motion was seconded by Professor Brown.

Professor Bowditch said the best thing was to approve the report. He said he was still concerned about the University's allocation of funds. He said he saw no reason why we can't recommend that surplus funds of the intercollegiate athletic program could not be put to better use than by lying in the bank.

Chairman Weinberg proposed that the way to raise this would be to amend the report with recommendations.

Professor Galler said he learned a lot on the Committee, that he learned that by and large the intercollegiate athletic program is supporting itself, that the University is supporting the intramural program. He noted that the Committee's proposal says that in times where there is a surplus, it is appropriate for the intercollegiate program to support intramurals. He said the question is to what extent general funds should support intramural program.

Professor Kish suggested we pass the resolution. The best thing, perhaps, would be to form another committee to work with the Physical Education Department to stress intramural needs.

Professor Hinerman noted that the faculty has a majority on the Board in Control of Intercollegiate Athletics, that the members of the Board in Control are well aware of these things, that we'll try to do our level best. He pointed out that there is another committee for intramurals with faculty representation, along with student members. He asked, do you want another committee?

Professor Bowditch said he didn't want to make another amendment, that he hoped that his sentiments would be passed on to the members of the Board in Control of Intercollegiate Athletics.

In a vote on the adoption of the Committee's reports and amendments, the motion was adopted unanimously.

UNIVERSITY  
JUDICIARY

Chairman Weinberg, in turning to the question of the Judiciary proposals, said we would start with the cover SACUA motion proposed by Professor Norman and then take up the substitute motion embodied in the LS&A recommendations. He proposed that we get through with the variety of points by 10 p.m. and thereafter follow a two-minute-and vote-rule. That would be followed by a final discussion on the broad issues, with a vote by 10:30 p.m., or earlier. He noted that we have on the agenda one item dealing with nominations.

Professor Norman introduced, on behalf of SACUA, the resolution introduced at the Assembly meeting January 18, 1971. The motion was seconded by Professor Brown. The resolution, distributed with the call to the January 18 meeting, reads as follows:

The Senate Assembly endorses the report of the Committee on a Permanent Judiciary for approval by the Regents as a replacement for the disciplinary procedures established under the Regents' "Interim Rules and Disciplinary Procedures" (dated April 17, 1970).

Professor Price moved to substitute the resolution passed by the LS&A faculty on January 12, 1971. His motion was seconded by Professor Nelson. The text of this motion reads as follows:

The faculty of LS&A expresses its appreciation of the efforts of the committee of faculty, students, and administrators who have prepared the proposed judiciary bylaw. It recognizes the difficulties involved in devising a plan that is just, workable, and acceptable to all elements in the University community.

The faculty of LS&A expresses its general endorsement of the plan but notes the following provisions that appear to present problems:

(A) 7.032 (C) (3), the requirement for unanimity in jury decisions. This can and probably will result in many "hung juries." Decision by a vote of four of the six jury members is clearly preferable.

(B) 7.032 (A) (4), unanimity among the Judges for some critical procedural decisions. This provision opens the way to "political" defenses and to the possibility of deliberate prolongation of the proceedings. A majority vote on such matters is preferable.

(C) 7.032 (BB) (1), to define the panel of Judges during the second six months as including two representatives of the defendant's constituency plus one from the complainant's and the trial judge. When combined with the requirements for majority votes on procedural matters, this provision permits the defendant's constituency indefinitely to delay the proceedings. A judicial panel composed of the judicial officer plus an equal number of representatives--preferably one each--from the faculty and students would correct this shortcoming.

(D) 7.033 (A) (1), on selection of the University Court of Appeals. If the Appeals Court and the presiding Judge are not initially appointed through the regular process of interviewing and selection, there will be no court. After a specified time, the President of the University should be empowered to make the necessary appointments.

The LS&A faculty advises the Regents to approve the judiciary plan and to seek to meet the objections raised above.

Chairman Weinberg suggested that we focus on each of the four points in the substitute motion and that the other points be discussed later. After that, he suggested, we can come back to the introduction and the conclusion at the end.

Professor Lind moved to strike section (A), and his motion was seconded by Professor Eggertsen. Professor Lind said the central theme in the design of the judiciary has been acceptability among all compliant parts of the University community. In this respect, he said, the 4-2 vote would be harder to take all around.

Professor Sandalow said he supported Professor Lind's motion. He said the closest model for proceedings is the model of criminal law where the tradition of unanimity is very strong.

Professor Bradford Perkins, speaking as a member of the Reform Coalition and as one of the framers of the LS&A resolution, said the analogy to criminal justice breaks down. He said the only serious argument for accepting the proposal of the commission is that it's the only plan acceptable to students. He said this is a form of blackmail. The real problem with jury unanimity, he said, is that it's likely to produce hung juries.

Professor Price said, regarding the analogy in criminal cases, that there are two specific instances where the analogy does not apply. He said there isn't equivalent homogeneity and this plan has functions different from criminal cases. This jury, he pointed out, determines not only facts but assigns punishments; it has far more discretionary and policy-making functions.

Professor Dunn said one further difference is that there is no provision for isolating the jury as in criminal cases.

Professor Sandalow said some juries do set penalties in some states, that juries have responsibilities more complex than finding the fact. He said a relevant matter is trial procedure as a whole, it might be relevant to turn to sections (B) and (C) before deciding on Section (A).

Professor Lind said he did not accept the notion of blackmail, that this was the only plan to which other members of the community could agree. He said he was not prepared to accept the idea that there will be hung juries under the unanimity rule.

Professor Galler suggested we discuss all of the points before voting on each.

Professor Sandalow said sections (B) and (C) focus on the matter of associate judges. He said the legal system offers two models, with a presiding judge and jury or a model of arbitration. The procedure proposed by the Committee attempts to use both of these procedures. The consequence will be an infusion of community attitudes but there will be too little law. He asked: can a procedure of this type work in an orderly fashion? He said the discussion with inexperienced persons in law may prolong the procedure. One reason arbitration proceedings work well is that there is an understanding that the proceedings operate in an informal way, but this is not the model the Committee has set up for us with an enormously elaborate procedure. There is not an understanding in the Committee proposal for such informality. For that reason, Professor Sandalow said he would propose that the trial be presided over by a single legally-trained person, as proposed by the Law School faculty.

Professor Theodore St. Antoine, speaking for the Committee on a Permanent Judiciary, said Professor Sandalow's suggestion that the notion of having side judges representing a community point of view in addition to a trained judge was critical. He said it was only the Law School that has seized upon this particular objection, that only a trained judge can preside. He said that throughout the country there are university judiciaries in which students and faculty are involved. He said this is a critical issue, that rejecting it may be fatal to the whole proposal.

Professor Galler said he appreciated Professor St. Antoine's position but that he felt associate judges should not have veto power under the unanimity rule. He said he was supporting (B) and (C) of the LS&A proposal.

In the vote on the proposal for a single judge, the motion was defeated.

In separate votes to strike sections (B) and (C) of the LS&A proposal, the motions to strike were defeated and the sections as a result stand.

In discussion on section (A) of the proposal, Professor St. Antoine emphasized that the Committee felt that students should be accorded the same rights as in criminal trials where unanimity is the traditional rule. He said unanimity would command more respect in a community.

Professor Dunn said there was no compulsion on a jury to reach a unanimous decision, nor was there any compulsion for a randomly-selected jury to show up.

Professor Rucknagel said he would like to see the jury composed of four students and two faculty members when both parties are students and four faculty and two students when both parties are faculty. He said he wanted to offer that as an amendment. His proposal was supported.

Professor Norman said he didn't see any rationale for Professor Rucknagel's proposal. He said there is justification for sticking to the proposal for mixed constituencies. One of the virtues, he said, is that we're working with groups of peers.

On the vote to substitute the amended language of Professor Rucknagel's proposal, the motion was defeated.

On the vote on section (A), the motion to strike was defeated and the section as a result stands. It was also agreed to strike the phrase "and probably will" from the section line of that paragraph.

In the vote on section (D) of the LS&A proposal, the motion to strike was defeated and the section as a result stands.

Professor Bole said there's an open question as to whether the judiciary will replace the faculties in professional schools in matters regarding professional standards and ethics. He offered as section (E) to the LS&A proposal the following, as adopted by the Medical School:

Nothing, however, in this document should be construed as superseding the authority and responsibility of the several faculties of professional schools to take action in matters which involve professional standards and ethics required as part of their respective fields of endeavor.

The motion was seconded.

Professor Lind said he didn't see where the issue of preemption comes up, where any action in the judiciary precludes attention by professional school faculties.

Professor Abrams said the language seems to give original jurisdiction to the Council and judiciary. He said the Medical School has an obligation to deal with such matters.

In the vote on the proposal to add section (E), the Medical School proposal, the motion was carried.

Professor Yagle asked whether the Committee has made other changes that the faculty had not had a chance to consider.

Professor Lind cited changes which he said were mostly ones concerning wording.

In a vote to amend section (D) which would empower the University President rather than the Vice President for Student Services

when there is a deadlock, the motion was carried. The motion had earlier been moved and seconded.

Professor Galler offered as section (F) the following section from the revised judiciary plan:

7.034. Clemency. Any defendant shall have the right to appeal any conviction or penalty to the governing faculty of his college and/or to the President of the University on the grounds that the conviction or penalty is unjust or inappropriate under the circumstances.

The motion was seconded and on a vote was defeated.

Professor Sandalow proposed as a new section (F) that "in the exercise of its removal in appellate jurisdiction, the Court of Appeals should be authorized to act without regard to the number of members present, provided that appropriate notice be provided to the membership. The same should apply to the presiding panel."

The motion was seconded and on a vote was defeated.

Professor Sandalow offered another proposal as section (F) that "the Assembly nominate faculty, SGC and GA each nominate students, a larger number than necessary, to serve on the Court of Appeals to the President or Regents."

The motion was seconded and on a vote was defeated.

Professor Dunn proposed replacement of the first two paragraphs and the last section of the LS&A statement with the following statement:

"The Senate Assembly is resolved that the Judiciary Plan as proposed by the Julin Committee shall be adopted only if the following changes are made."

The motion was seconded and on a vote was defeated.

Professor Nelson moved the following substitute wording in the final paragraph of the LS&A statement:

"The Assembly advises the Regents to approve the Judiciary Plan after meeting the objections raised above."

Professor Lind said he thought the last sentence was strong enough. He said the proposal has too much of a directive in it. He said the discussions with the Regents indicate they actually prefer deviations from the plan.

In the vote on the proposed new wording, the motion was carried.

In the vote on whether to substitute the LS&A proposal for Professor Norman's original motion, the motion was carried.

In the vote to adopt the substitute motion, a show of hands produced the following tally:

For	45
Against	1
Abstentions	1

Professor Galler urged that the Assembly express its thanks to Chairman Weinberg for his very efficient handling of the meeting. A round of applause followed.

The following nominations of two faculty members to the Martin Luther King Committee, as proposed by SACUA, were approved:

Professors Willis Patterson, School of Music, and John Field, LS&A (Journalism).

NOMINATIONS  
AND APPOINT-  
MENTS

ADJOURNMENT

The meeting was adjourned at 11:30 p.m.

Ben Yablonky  
Secretary