

THE UNIVERSITY OF MICHIGAN

SENATE ASSEMBLY

Minutes of Special Meeting, April 1, 1971

ATTENDANCE

Present: Barnes, Bole, Bowman, Crawford, Frye, Galler, Gilbert, Goodman, Hauenstein, Hinerman, Hooper, Huntington, Kahn, Kish, Lind, Marsden, Meyer, Michelsen, Morgan, Nelson, Norman, Porter, Price, Richards, Rigan, Rucknagel, Scherer, Dunn, Schuman, Cooperrider, Votaw, Wilkes, Yagle, Youngdahl, Yablonky, Weinberg

Absent: Abrams, Alston, Asgar, Bassett, Bertolaet, Bett, Birch, Bishop, Bowditch, Brown, Carter, Castor, Coon, Cornish, DeKornfeld, Dowson, Eggertsen, Graebel, Handler, Iglehart, Jensen, Schaefer, Lloyd, Rhodes, Magee, Mills, Overseth, Hazlett, Hildebrandt, Sandalow, Sears, Shappirio, Sonntag

Guests: Members of Committee on a Permanent Judiciary; Members of Housing Policy Board; Vice-President for Student Services, Robert L. Knauss

CALL TO ORDER

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

Chairman Weinberg explained that this special meeting is being held to take up some questions which will come before the April meeting of the Regents and this is our only chance to take up these matters.

He called attention to the distribution of material at the meeting regarding the proposal for new student housing from Professor_s Bishop and Votaw and a resolution from SACUA.

COMMITTEE OF THE WHOLE

On a motion which was seconded and carried, the Assembly convened as a Committee of the Whole to discuss the proposed new housing.

DISCUSSION OF PROPOSAL FOR NEW HOUSING UNITS

During the discussion, a number of persons spoke, including Professor John Nystuen, LS&A (Geology), Mr. John Feldkamp, Director of University Housing, Mr. Val Spangler, a student and resident of Northwood IV Apartments, and Vice-President for Student Services, Robert Knauss.

Professor Nystuen, while supporting a self-supported, HUD-financed housing project, expressed a number of concerns, among them that general funds that might be used should be protected against a poor investment similar to the Crisler Events Building. He said he opposed subsidizing housing for staff members and proposed a central campus high rise structure rather than the proposed complex on the edge of the city. He said he wants to promote a facility which won't require the use of cars.

Housing Director Feldkamp, responding to some of the concerns raised by Professor Nystuen, said it is not legal to pledge general University funds but there would be indirect costs, such as bussing, which would come out of general University funds. As to staff eligibility for housing, he said staff members are in among family housing units with a limit of 12 1/2 per cent, a limit, he said, which has never been reached. On the question of a high rise facility, he said this would involve two major problems: 1) cost and 2) there's not a campus site available.

Mr. Spangler, while saying that he supported the idea of increased student housing, said that this project should be considered in the largest context of community - school relations. He said the proposed units would place increased pressure for additional schools in the already over-burdened existing schools in the area.

Vice-President Knauss said the proposed project raises broader issues. The specific project is directed to single-student housing primarily and will not add to the problem of school-aged children. Transportation is one of the serious problems; bussing now costs the University in excess of \$500,000 a year. He said that perhaps we should re-examine the site location, perhaps one adjacent to existing bus lines.

In response to a question as to why a child day care center was attached to the project, Vice-President Knauss replied that the day care center is a broader problem intended to serve other existing units.

Professor Scherer asked a number of questions: What about the 12 1/2 per cent use by staff? Mr. Feldkamp said the figure had never been met. What about the opportunity to get 3 per cent money from HUD? Vice-President Knauss said if the money is not forthcoming and at that rate, the project stops. He also said we have not had a problem with occupancy. He said the project would not affect dorm occupancy, that the project is directed towards students living outside the dorms. He said there still is an extended waiting list for University housing. If dorms are not filled in the future, he said, we can make office and classroom use of them on the central campus as we have.

On a question as to whether there is any quota for students from abroad, Vice-President Knauss said we do need to provide them with much better housing information, particularly in the first year. Mr. Feldkamp said thirty apartments are reserved each year at the request of the International Center, and the Center feels this number is adequate.

Professor Cooperrider wanted to know why this question was brought before the Assembly. Chairman Weinberg said the question is a broad policy question as to whether the Assembly wants to offer a general view. The Regents, he said, must act by May 1.

Professor Price asked about the attitude of the University Planning Office regarding this particular piece of land. The response was that the land was designed for use for housing units.

Professor Scherer objected to such a proposal which he said had many holes in it.

COMMITTEE
OF THE
W E
RISES

On a motion, which was seconded and carried, the Committee of the Whole rose and the Assembly resumed its normal operation.

Professor Lind, with Professor Kahn seconding, offered the following motion:

The Assembly endorses in principle the proposal of the Housing Policy Board to construct with low-interest-rate federal funds approximately 250 housing units, subject to review of alternative sites and of the costs to the University of transportation.

Professor Votaw, with Professor Bole seconding, moved to amend the proposal to provide for the inclusion of an elementary school site and for the commitment by the University to enter into negotiations with the Ann Arbor Board of Education for the financial support of the building of an elementary school.

In a vote on the Votaw amendment, the motion was carried.

In the vote on the original motion, as amended, the proposal was adopted.

UNIVERSITY
JUDICIARY

Chairman Weinberg called attention to President Fleming's cover letter along with the proposed Judiciary as revised by the Regents. He said the Assembly now has to consider whether the new document is sufficiently close to endorse or not, or whether new changes are in order. He said he sees little purpose in going over the document in detail. He suggested that Professor Lind call attention to areas where changes have been introduced, to be followed by convening as a Committee of the Whole, then resumption of the formal session and finally a vote on the document.

Professor Crawford said he was concerned about being pressured to act on a document which has just been distributed tonight. He questioned that the Regents had to act on the document at the April meeting.

Professor Lind, in citing changes made by the Regents, called attention to sections dealing with the matter of hung juries, unanimity among judges, selection of appeals judges and the power of the Judiciary. These, he said, were the major changes proposed. Other changes, he said, are primarily changes in wording.

COMMITTEE
OF THE
WHOLE

Professor Price moved -- and his motion was seconded and carried -- that the Assembly move to the Committee of the Whole.

While the Assembly sat as a Committee of the Whole, some reservations were expressed by individual members with the Regental changes and some members suggested that no action at all be taken. An informal straw poll, however, indicated that a substantial majority supported action tonight.

COMMITTEE
OF THE
WHOLE
RISES

After the Committee of the Whole rose and the Assembly resumed its normal procedure, Professor Norman moved and Professor Price seconded in offering the following resolution:

The Assembly has examined the revised judiciary proposal of March 31, 1971. Although we would prefer a plan closer to that previously urged by the Assembly, we consider the present proposal an acceptable and feasible plan, and support its adoption.

Professor Gilbert offered a substitute proposal, and it was seconded. It reads: "The Senate Assembly expresses its general approval of the revised judiciary proposal of March 31, 1971."

Professor Rucknagel offered an amendment to the Gilbert proposal, with the following additional wording: "We would suggest, however, that the Regents consider providing for a majority vote of the presiding and associate judges on all procedural matters." His proposal was seconded.

Professor Scherer, with Professor Galler seconding, moved that the Assembly go into executive session for ten minutes. His motion was carried.

When the Assembly returned to its regular open meeting, a vote on the Rucknagel amendment to the Gilbert substitute proposal was taken and was defeated, 16 in favor, 17 against.

In the vote on the Gilbert substitute, the proposal was defeated.

After a brief discussion, Professor Gilbert moved for a reconsideration of the Rucknagel amendment.

In a vote to reconsider, the motion was carried.

In a vote on the Rucknagel amendment, the motion was carried.

In a vote on the Gilbert proposal as amended, the proposal was adopted.

The meeting was adjourned at 11:07 p.m.

AL JRN-
MENT

Ben Yablonky
Secretary