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Senate Minutes

Kutztown University Senate

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Spring 3-2-1972

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Commonwealth of Pennsylvania  
Kutztown State College  
Kutztown, Pennsylvania

Minutes of the Faculty Senate Meeting  
March 2, 1972

The Faculty Senate met on Thursday, March 2, 1972, in the Library Science Reading Room, Rohrbach Library, at 4:00 p.m.

Present were: Prof. Helen Berg, Prof. Walter Bleckmann, Prof. Gino Calcagni, Dr. William Collier, Dr. Kenneth Cook, Vice President Dodson Dreisbach, Prof. Henriette Engelson, Dr. Edward Evans, Prof. Earnest Foust, Dr. Lorraine Harvilla, Prof. Paul Kendall, Prof. William Klucsarits, Dean Richard Law, Prof. Sara Mack, Dr. Anthony Mazzaferri, Prof. Mary Mobley, Dr. George Monroe, Dr. Arnold Newman, Prof. Samuel Ottinger, Dr. Earl Reeves, Prof. George Burwell for Prof. Dennis Roth, Prof. Edwin Schatkowski, Dr. Thomas Sexton, Prof. Betty Snyder, Dr. Walter Warzeski, Dr. Glenn Webb, Prof. Esther Willits, and Robin Anlian representing S.G.B. Present as observers were: Prof. John Amrhein, Domenic Incollingo, and Bob Millar. Present as technical advisors were Dr. Frank Bucci and Dr. Raymond Ford.

The minutes of the meeting of February 3, 1972, were presented for approval. On page 2, the last item of old business was omitted. This should be included as follows:

Dr. Cook reported for the Subcommittee on Faculty Affairs. The Committee had reviewed a resolution passed by the Shippensburg State College Senate on December 9, 1972, calling for APSCUF/PAHE to modify the wording in the paragraph on local governance in its publication, "Program for Progress."

Prof. Curry moved that the Kutztown State College Faculty Senate go on record as supporting the Shippensburg proposal. The motion was seconded by Prof. Klucsarits, and it carried.

Prof. Engelson moved that the minutes of February 3 be approved. The motion was seconded by Prof. Schatkowski, and it carried.

A memorandum was received from Dr. Robert Wolff, President of the Faculty Organization. He had been informed by the executive committee of the Faculty Association that it was not interested in meeting with its counterpart in the Faculty Organization as requested by the Faculty Senate.

Dr. Webb requested that motions placed before the Senate be submitted to him in written form.

Old Business

Dr. Cook presented the report of the Faculty Affairs Subcommittee, "Guidelines for Sabbatical Leaves". After discussion, Dr. Cook moved that the report be rereferred to the Subcommittee for clarification. Dr. Sexton seconded the motion, and it carried.

New Business

Dr. Drumm reported for the Graduate Council, and presented two proposals. Prof. Ottinger moved approval of the proposals: that the concentrations in French, German, Russian, and Spanish under the Master of Education Degree be discontinued as soon as all students who currently wish to graduate in any one of these programs have finished; and that the post master's program for certification of reading supervisors be removed from the curriculum. The motion was seconded by Prof. Willits, and it carried.

Dr. Monroe distributed materials citing efforts in New York and California to stop the sale of term papers to college students. He noted that the Keystone had been carrying advertisements for term papers and brought the matter before the Senate.

Dr. Dreisbach moved: The Faculty Senate urges the President of the College to contact the Attorney General and ask that steps be taken to ban the sale of theses and term papers in Pennsylvania. The motion was seconded, and carried.

Dr. Warzeski reported on the parking situation. Information from Dr. Stratton and Mr. Thomson is that campus security personnel receive a given number of traffic tickets from the Maxatawny police to enable our personnel to deal more effectively with persistent violators.

Dr. Dreisbach reported that the need for the Allentown campus of Penn State University was under study. He, as a member of the study board, had been able to represent the point of view that another undergraduate facility in the area was superfluous, and he had gained support. The report of the study group was to be completed by May 1.

Work on the Student Bill of Rights was resumed.

(1) Prof. Ottinger, (2) Prof. Willits, to accept the Student Affairs Subcommittee's rearrangement of subsections in section 4.4.6. PASSED.

#### 4.4.6 Penalties

4.4.6.1 The judiciary or college official shall determine the guilt of the defendant(s) and may impose the following under the provisions of 4.4.6.2.

- a. Review probation: a probationary period for students charged may be established and students may be referred to the counseling and development center. This probationary period is not to exceed one college semester and may be terminated at any time by the judiciary upon recommendation of the student's counselor.
- b. Restitution: reimbursement and compensation in a manner to be decided by the judiciary or college official for injury to person and/or property. Physical labor may not be required of any student. Restitution may be applied only where civil or criminal law is not being applied.
- c. Warning: written notice that continuation of a violation of a college regulation will be cause for more severe disciplinary action.

- d. Social Restriction: suspension of attendance at extra-curricular events for a specified period of time. The action determined by the judiciary (or official) may not include restricting a student's participation in a campus organization or restricting a student to room, dormitory, or campus. The specified period of time is not to exceed thirty calendar days. A temporary I-D card (and possibly meal ticket) will be issued to the student for identification purposes, and for admittance to those activities which he is permitted to attend.
- e. Dormitory Suspension: a student may be excluded from campus housing for a specified period of time if judged guilty by a judicial process. A student may only be excluded for repeatedly breaking dormitory regulations or for some very serious breach of dormitory regulations.
- f. Suspension from College: the judiciary (or college official) may recommend to the president the exclusion of a duly registered student from the college for a specific period of time.

Sections c, d, and f had been passed on February 17.

Motion to approve 4.4.6, 4.4.6.1 (a,b,e): (1) Prof. Ottinger, (2) Prof. Klucsarits. PASSED.

- 4.4.6.1.1
  - a. All penalties imposed upon a student should be kept on file in the non-academic records to determine future penalties, if any, for that student. Files may not be examined before guilt or innocence has been determined.
  - b. Penalties may include any combination of a,b,c,d, and e of 4.4.6.1; but penalty f is to be given alone.

Section a had been passed on February 17.

Motion to approve b: (1) Prof. Ottinger, (2) Dr. Mazzaferri.

Amendment (1) Prof. Ottinger, (2) Dr. Monroe: to add to b ", or in combination with 4.4.6.1.b." PASSED.

Amended motion PASSED.

#### 4.4.6.2 Jurisdiction for the Issuance of Penalties

- a. Lower courts may impose all penalties and alternate decisions except recommendations for suspension or expulsion from college.
- b. The Student Judiciary, Administrative Hearing Panels, and Student-Faculty Judiciary may impose all penalties and alternate decisions.
- c. Only the Traffic Court may issue fines. No other judiciary covered by this document may issue fines unless specifically authorized to do so by regulations of the college community.

(1) Prof. Ottinger, (2) Prof. Engelson.

Amendment (1) Prof. Klucsarits, (2) Dr. Collier: to delete "and alternate decisions" and "or expulsion" in a, and "and alternate decisions" in b. PASSED.

Amended motion PASSED.

4.4.7 Appeals

4.4.7.1 Filing of an appeal

- a. All students and groups after having their case heard and decided by the appropriate judiciary or college official may appeal the decision to the next higher judiciary. Within two college calendar days, after being officially informed in writing of the decision, a written request of appeal shall be submitted to the chairman of the next higher judiciary, as well as to the Vice President for Student Affairs. The judiciary or college official shall inform the appellant verbally of the decision.
- b. All decisions of the Faculty-Student Judiciary are final works unless appealed to the college president within 48 hours of the appellant's receipt of official notification.
- c. The majority vote of the higher court shall determine whether there are grounds for an appeal.
- d. Appeal from an administrative hearing panel will be to the Student-Faculty Judiciary.

(1) Prof. Ottinger, (2) Dr. Collier.

Amendment (1) Prof. Schatkowski, (2) Prof. Ottinger: to replace "Faculty-Student" in b with "Student-Faculty". PASSED.

Amendment (1) Dr. Newman, (2) Prof. Schatkowski: to replace "verbally" in a with "orally, if possible, and in writing". PASSED.

Amendment (1) Prof. Ottinger, (2) Prof. Klucsarits: to delete "works" in b. PASSED.

Amendment (1) Prof. Ottinger, (2) Prof. Klucsarits: to add "on the appeal" to the last sentence in a. PASSED.

Motion to end debate (1) Prof. Ottinger, (2) Dr. Collier. PASSED.

Amended motion PASSED.

4.4.7.2 Grounds for appeal

The judiciary shall decide to accept an appeal only:

- a. when it considers the previous hearing was not conducted in such a manner as to provide the student(s) with procedural due process.

- b. when it appears that the evidence presented in the hearing was not sufficiently substantial to justify the decision, or
- c. when new evidence would appear to have some bearing on reversal of the decision and/or reduction of the severity of the penalty.

(1) Prof. Ottinger, (2) Dr. Harvilla.

Amendment (1) Prof. Klucsarits, (2) Prof. Mack: to add "as outlined in this document" to a. PASSED.

Amended motion PASSED.

#### 4.4.7.3 Decisions on appeals

After hearing and reviewing all evidence presented in the appeal by the defendant, the reviewing authority shall decide to do one of the following:

- a. uphold the previous decision.
- b. lower the penalty which had been previously imposed.
- c. overrule the previous decision and (1) dismiss the case, (2) as a judiciary, rehear the case or (3) send the case back to the judiciary of original jurisdiction for rehearing.

(1) Prof. Ottinger, (2) Dr. Collier.

Amendment (1) Prof. Kendall, (2) Dr. Collier: to replace c as follows:

- c. overrule the previous decision and dismiss the case.
- d. overrule the previous decision and, as a judiciary, rehear the case.
- e. overrule the previous decision and send the case back to the judiciary of original jurisdiction for rehearing.

PASSED.

Amended motion PASSED.

Motion to adjourn (1) Prof. Klucsarits, (2) Dr. Harvilla. PASSED.

Compiled November 6, 1972.

George K. Monroe  
George K. Monroe  
Chairman, Faculty Senate

Arnold E. Newman  
Arnold E. Newman  
Secretary, Faculty Senate