

From the University Council

THE EIGHTH REGULAR meeting of the University Council for 1983-84 was convened at 2:15 p.m. in Main Building 212 on Monday, April 16, 1984. President Peter T. Flawn presided.

Approval without correction was given to the minutes of the meeting of March 19, 1984. Secretary H. Paul Kelley (Educational Psychology) reported that, on April 11, 1984, President Flawn had sent the following request to Lear L. Ashmore (Speech Communication), chair of the Discipline Policy Committee:

The University Council discussed recently a motion introduced by Mr. Pearlman to investigate and make recommendations regarding scholastic dishonesty (D&P 9566-9567, March 19, 1984 meeting). In the course of that discussion you indicated that the Discipline Policy Committee was the proper body to conduct such a study and that the committee had recently discussed this issue. I ask the Discipline Policy Committee to undertake a formal review and investigation of academic dishonesty, taking into consideration the data presented in the Pearlman motion and such other information as may be presented by interested students and faculty, and to make such recommendations as are appropriate to the University Council. This is an issue of serious concern to the academic community. It would be helpful if the committee would make a progress report on its study to the University Council at the May meeting.

There was no discussion of the secretary's report.

On behalf of the Faculty Senate, John R. Durbin (Mathematics) had submitted the following questions to President Flawn:

With regard to the events surrounding the demonstration at the Presidential Library Conference on March 22: What court rulings have been made relating to the constitutionality of Appendix C, Chapter 10, of the General Information Bulletin? Has any disciplinary action been taken, or is any contemplated, against students or student organizations because of events at the demonstration?

At President Flawn's request, Ronald M. Brown (vice president for student affairs) responded by noting that the regulations in Appendix C reflect a long series of court rulings over many years. Shortly before the demonstration on March 22, a U.S. District Court judge issued a temporary injunction prohibiting UT Austin from taking certain actions but also allowing the University to prohibit the display of banners and signs in the auditorium. Vice President Brown announced that no disciplinary action would be taken against the CISPES organization, since no officers or members of that organization were arrested. Among the 53 persons arrested were 20 students, and disciplinary action will be taken against them. The vice president's staff is reviewing the court rulings with the University counsel in order to determine the effects of the rulings on the contents of Appendix C.

Also on behalf of the Faculty Senate, Mr. Durbin had submitted the following questions to President Flawn:

With regard to the Basic Education Requirements: What progress has been made in carrying out the goals of the Basic Education Requirements? Is there to be a University-wide committee to certify courses with a substantial writing component? Is there a limit on the size of classes certified as having a substantial writing component? Will funds be available to support properly trained TAs and AIs to assist those teaching classes with a substantial writing component?

At President Flawn's request, Gerhard J. Fonken (vice president for academic affairs and research) responded that the basic education requirements have been incorporated into the



**Report by
H. PAUL KELLEY,
Secretary**

degree programs through catalogue changes approved by the University Council. An ad hoc University-wide committee was appointed and recommended minimum criteria for certifying courses as having substantial writing components. President Flawn has approved those criteria and has charged the dean of each college and school with the responsibility for certifying courses which meet or exceed those criteria and for establishing appropriate oversight procedures within that college or school. A reasonable number of courses have been certified for the 1984 fall semester, and those courses will be so identified in the printed Course Schedule. The Vice President's Office solicited requests for funds to help implement the substantial writing component requirement, requests have been received, and the requests will be evaluated and funding decisions will be made soon.

Alan Friedman (English) asked why the new criteria say nothing about an upper limit on the size of classes certified as having a substantial writing component. Vice President Fonken replied that he felt we do not yet have enough experience with such courses to determine what the maximum size should be. The strategy is to put the new program in action, gain one or two years of experience with the substantial writing component courses, and then determine whether to impose a University-wide numerical limit on the size of such classes. President Flawn also endorsed that strategy statement.

James H. Sledd (English) had submitted the following questions to President Flawn:

The minutes of the Freshman English Policy Committee for Feb. 10, 1984, read in part as follows: "Ruszkiewicz reported on a conversation with the chairman concerning the offering of English 106/206. The decision not to offer the courses was confirmed by the dean and a vice-president." In On Campus for March 26-April 1, Paul Kelley reports on the University Council's meeting of March 19. "... James H. Sledd (English) asked which administrator had made the decision that English 106K and English 206L could not be offered. President Flawn replied that he was not informed on that matter and called on Dean Robert D. King (Liberal Arts) to respond. Dean King stated that he had told the chairman of the Department of English that it was up to the department when to begin offering those two courses." Is either or neither of those two statements true or are both, and if both, which vice president confirmed the decision not to offer two courses which had been described to the University Council as eminently feasible and potentially of special value to minority students?

President Flawn replied that "our decision was that it is a faculty matter. It must be decided by the faculty of the Department of English." Vice President Fonken added:

"To our knowledge, no decision on this matter was made by any dean or member of the central administration. As President Flawn mentioned, the prerogative to offer a course or to not offer a course rests with the faculty in the given departmental area and is subject then, of course, to review by the college or school course committee. This matter, as far as we can determine, has been a decision, if you will, of the Department of English to not offer these courses at the present time. That decision requires no confirmation, no further approval, no ratification by anyone beyond the Department of English."

Mr. Sledd drew the conclusion that "the statement of the English Department is false."

The next item of business was a resolution on South Africa submitted by Trevor L. Pearlman (student representative) that read as follows:

WHEREAS, The ruling Nationalist party in South Africa recognizes full citizenship rights to only 18 per cent of that nation's people who are white; and

WHEREAS, The system of oppression is codified in thousands of laws collectively known as apartheid which are discriminatory laws and regulations which equate the rights of inhabitants solely to the pigment of their skin; and

WHEREAS, The South African government suppresses organized opposition groups who seek, even by peaceful exercise of fundamental rights of speech and assembly, to challenge

the existing system; and

WHEREAS, The system of apartheid imposed by the Nationalist regime is contrary to the principles of democratic government, and equality of opportunity and justice held dear by all Americans; and

WHEREAS, Measures have been introduced in the Texas State Legislature seeking to sever investment ties between South Africa and various funds administered by agencies and institutions of the State of Texas; and

WHEREAS, The black African majority (who make up nearly 75 per cent of the population) are subjected to severe deprivation and degradation in their daily lives; and

WHEREAS, The University of Texas presently has about \$300 million invested in companies in South Africa or companies having subsidiaries in South Africa; and

WHEREAS, Members of the University community are benefiting from profits generated from the exploitation of the black inhabitants in South Africa (the average black wage is less than one-fifth of that of the white wage); now, therefore, be it

RESOLVED, That the University Council of the University of Texas at Austin condemns the oppressive policies and laws that violate the human and civil rights of all non-white inhabitants of South Africa; and, be it further **RESOLVED**, That the University Council goes on record requesting the Board of Regents of the University of Texas System to withdraw its investments from companies in South Africa or companies having subsidiaries in South Africa.

President Flawn pointed out that the University Council exercises the authority of the General Faculty, which is specified in the Regents' Rules to include only the following areas:

General academic policies and welfare.

Student life and activities.

Requirements of admission and graduation.

Honors and scholastic performance generally.

Approval of candidates for degrees.

Faculty rules of procedure.

Accordingly, President Flawn stated that he felt compelled to rule that the proposed resolution was not within the scope of the University Council. He noted that there is some parliamentary uncertainty as to whether it requires a two-thirds vote or only a simple majority vote to reverse such a decision of the chair, but he ruled that only a simple majority vote would be required.

A motion to appeal the decision of the chair was made and seconded. Mr. Pearlman noted that the Council had at various times in the past adopted resolutions on similar topics, and he also called attention to a resolution adopted by the Council in 1965 that said, in part:

"We, the Faculty Council of The University of Texas, resolved that discrimination on the basis of race is inconsistent with the aims and ideals of a university, do hereby declare ourselves opposed to all such discrimination wherever it may occur in any area of University life."

Mr. Durbin also noted that in the past the Council had adopted resolutions about how the University spends its money. By an uncounted show of hands, the decision of the chair was then reversed.

It was then moved and seconded that the resolution on South Africa be approved, and Mr. Pearlman spoke in its favor. He noted that the South African government refuses to allow any expression that opposes its philosophy that white people are genetically superior to black people; no opposition is tolerated. His knowledge of South Africa came from firsthand experience; his family immigrated to America from there four years ago. However, this resolution was speaking not just for himself but for many students at this University who oppose the investment of our institutional funds in companies that do business in South Africa.

Mr. Pearlman made three main points. First, the issue of investment in South Africa is of direct concern to the University community; we are sharing the profits made by firms that are exploiting with slave wages the black workers in South Africa. Second, it is in the best interest of the University to adopt the resolution; there are many students here, particularly

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