Dean Places Kelly On Probation For Failing To Answer Summons

By JIM ZUMWALT
Thresher Editorial Staff

Thresher Editor Hugh Rice Kelly told the Dean of Students the afternoon of March 15, that he would not answer the summons served on him by the Dean in connection with petitioning the University president about student affairs.

The current and newly elected dean of the Student Affairs Committee met at 10 a.m. yesterday to consider action to be taken in the meeting with University President K. S. Pitzer scheduled for 1:45 this morning.

A group of students led by William Marsh Rice, founder, William Marsh Rice.

The petition was delivered to President Pitzer's office while the students circled the Sallyport and dispersed.

The line circled the quadrangle after ample notification . . .

Dean places Kelly on disciplinary probation by Dean of Students R. W. Higginbotham Saturday morning and through this afternoon, to demonstrate their willingness to remain orderly through the April 13, high-stakes final examinations.

Kelly was placed on disciplinary probation for his action in the student demonstration on the campus yesterday afternoon.

Kelly's removal from the Thresher was called "the best move the paper has ever made," by Dr. Clark P. Read of the University's various student publications.

A little more than 500 Rice students signed petitions last night to consider action to be taken in the meeting with University President K. S. Pitzer scheduled for 10 a.m. today.

Larry Yeatman, outgoing editor of the Thresher, also viewed the students from his staff box of last Thursday's paper.

According to SA President Timme, the demonstration had been planned by a group of student leaders at the University for some time.

Students protest University disciplinary procedures.

They walked quietly in a single line around the academic quadrangle for 15 minutes yesterday afternoon, to demonstrate their willingness to remain orderly through the April 13, high-stakes final examinations.

The students left the vicinity of the BMC at 12:45, walked single file to the Sallyport, then circled the central sidewalk and the statues of the university's founder, William Marsh Rice.

The line circled the quadrangle while the petition was being presented, then marched through the Sallyport and dispersed.

1600 Names

A petition bearing "a sizable number of faculty signatures" requesting official reconsideration of the disciplinary probation imposed on Thresher editor Hugh Rice Kelly was presented to the Faculty Welfare Committee and to faculty members.

A group of students led by Qunitin Crompton, a Hanszen junior, barricaded themselves in a room on the second floor of the Physics Building. The demonstration was organized by television station KFRC in their Monday evening newscast.

President Informed

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The statement admitted that "we are not prepared to discuss the manner of Kelly's removal."

Kelly's period of probation is to last until a new editor has been selected to handle any future appeal procedures.

Not Released

Dr. Pitzer has given his support to any Thresher action. Friday night one of the publishers of the Houston Chronicle counted 2,000 names of petitioners, but questioned a specific number of petitioners, but questioned a specific number of signatures that the petition did not imply "any specific interest," but he emphasized that the petition did not either the names or the specific number of petitioners, but questioned a specific number of signatures that the petition did not imply "any specific interest," but he emphasized that the petition did not either the names or the specific number of petitioners, but questioned a specific number of signatures.

Dr. Pitzer then put Kelly on probation.

A recording of this music was used by television station KFRC in their Monday evening newscast.

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Discipline: the need for a structure

The massive student presentation by over 500 Rice students yesterday of a petition on student discipline points out the need for an administration-student relationship within the University that the matter of the Thresher editor's disciplinary probation and its consequent implications must be examined. We do not pretend complete support or defense of either the editorial policies or the recent actions of Hugh Kelly. Nor are we prepared to charge that the Dean of Students acted outside his proper authority within the present university structure in assigning the punishment which he did.

We must, however, call into serious question the administrative disciplinary structure of any university which allows any student to be assessed, by a sole representative, any sort of severe punishment without any recourse to an established due process.

If this university truly aspires to the excellence which its officials and its professors claim for the individual, it is solely the principle of intellectual integrity, the search for truth wherever and however it can be pursued, which logically follows that this university shall concern itself, and these members do not understand. It was the same kind of concern which prompted the unprecedented demonstration yesterday—a feeling that the disciplinary power of the university was not related to the student in a constructive way and that much of the respect for the university's authority had been lost by carelessness and ill-considered exercise of that authority.

While the university must have the power to discipline students for misconduct, it must also assume the responsibility of exercising this power in a duly prescribed manner. There must be a strict enumeration of offenses with which the university shall concern itself, and these offenses must be adequately defined. There must be a statement that due process will be followed in the consideration and assessment of any disciplinary measure.

The AAUP's Committee's Statement on Faculty Responsibility for the Academic Freedom of Students, its subsequent unanimous adoption by the Rice AAUP chapter last month and the recently published statement from a group of student leaders regarding the nature of the rules in the residential colleges as specific examples.

The following procedures are recommended to assure reasonable protection of the student, a fair determination of facts, and the applicable academic and legal considerations.

A. NOTICE OF CONDUCT SUBJECT TO DISCIPLINE. Disciplinary proceedings should be initiated only for alleged violations of academic regulations and standards of conduct made known to the students in advance, e.g., through announcements in the campus newspaper. Offenses and penalties may be made as clear as possible, avoiding such vague phrases as "undesirable conduct" or "conduct injurious to the best interests of the institution."

B. CONDUCT OF INVESTIGATION PRELIMINARY TO FORMAL CHARGES. Except under emergency circumstances, premises occupied by the student shall be searched only after appropriate authorization has been obtained. For premises not controlled by the institution, either the search warrant or a law enforcement representative shall be present during the search.

C. NOTICE OF CHARGES. The student shall be informed, in writing, of the reasons for the proposed disciplinary action with sufficient particularity, and in sufficient time, to ensure adequate preparation of the student's defense.

D. TREATMENT OF STUDENT PENDING FINAL ACTION. Pending the charges, the status of a student should not be altered or his right to be present on the campus and to attend classes suspended except for reasons relating to his physical fitness, his ability to well-being, or for reasons relating to the safety of students, faculty, and university property.

E. HEARING. The formality of the procedure in which a student is entitled shall be proportionate to the sanctions which may be imposed. Infringements, such as traffic offenses or dormitory or residential rules, may be met with less formal procedures. The application for the right to be present shall be made before a search can be conducted.

If, after investigation, it appears that the alleged offense may expose the student to little or no penalty, for example, if the offense is sufficiently trivial, or if the evidence is not sufficient to support the charge, the Board shall have the right to dismiss the case. If the Board does not dismiss the case, it shall enter judgment against the student.

The Board shall be composed of faculty members selected by the faculty or, subject to approval by the academic council, by the academic council. The Board shall not be composed of student council in another appropriate administrative authority.

1. Hearing Board pending proceedings shall be de novo, that is, without reference to any matters previously developed in informai proceedings. No member of the Hearing Board who is otherwise interested in the particular case shall sit in judgment during that proceeding.

2. The student appearing before the Hearing Board shall have the right to be accompanied and represented by an advisor of his choice, and by legal counsel if he so requests.

The burden of proof shall rest upon the officials investigating or responsible for establishing the charge.

3. The student shall be given an opportunity to testify and to present evidence relevant to the charge or the penalties involved. Whenever possible, he should be given an opportunity to cross-examine adverse witnesses. In no case may the Board consider statements against him unless he has been advised of their content and of the right to confront and cross-examine the witnesses making them, and unless he has been given an opportunity to rebut unfavorable evidence which is then considered.

4. A transcript of the hearing shall be made and, subject to the student's waiver, the proceeding before the Hearing Board shall be open.

5. FURTHER REMEDIES. Subject only to the student's right to appeal in the highest institutional authorities, if, for example, to a designee, or to a state supreme court, the decision of the Hearing Board shall be final.
By JOHN HAMILTON

The Rice Senate in a special session late Sunday night endorsed the statement drafted and approved earlier Sunday by the student Ad Hoc Meeting in the RMC Grand Hall.

The Senate deleted from the version of the statement which it endorsed the concluding line, "the Dean of Students and that the Dean of Students..."

The sentence containing the phrase "the Dean of Students" was also deleted from the statement which was presented to President Pitzer yesterday.

After long debate, a paragraph was added to the end of the statement requesting a reconsideration of Kelly's probation and a discussion of issues concerning certain issues raised by the disciplinary probation imposed on the Thresher editor, Hugh Rice Kelly, this week.

Five hundred Rice students met Sunday afternoon to discuss and then approve the statement which was presented to President Pitzer yesterday.

Officially, two meetings were held in succession Sunday. At three o'clock 500 students listened to SA President Bill Timme report on the investigation of the Ad Hoc Fact Finding Committee which had met Saturday with Dean S.W. Higginbotham.

Facts Outlined

Dean Higginbotham had outlined for the College Presidents and Masters and Timme the chronology of Friday and Saturday and his reasons for placing Kelly on probation. Timme and others answered questions of fact or information, but consistently ruled out of order questions on possible student action.

When this meeting was adjourned, 50 students stayed to discuss what action might be taken.

The second meeting was chaired alternately by Bill Broyles, Fannu, and Jan Lebioda. Wissa fifth year student Broyles presented a statement for discussion and approval by the students.

An introductory clause in the statement reading "When serious proposals are dismissed as irresponsible and insurrectionary, when criticism is interpreted as insidious..." was deleted by the meeting.

Press Suppression

A motion to delete the phrase reading "in action with indirect overtones of suppression of the press" was rejected by the students.

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Student Rally Protests Lack Of Due Process

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Students Call For Due Process

The following is a copy of the petition which was delivered yesterday while 300 students marched in a demonstration before Lovett Hall. The statement was approved at a student meeting Sunday afternoon and signed by nearly one thousand Rice students.

In the course of one Saturday morning, the elected editor of a student newspaper was summarily removed from his office for "insubordination" and "flouting the authority of the university."

We believe that the editor of the Thresher did the Dean a grave disservice by refusing to return his phone calls. We do question, however, a disciplinary action whose effect is to remove the editor from his office, an action with indirect overtones of suppression of the press.

We are not expressing support for the policies of the editor; we do, however, affirm the sanctity of his position from all but the most serious of offenses. There was no opportunity for the editor to express his views, no system of due process in which anger and emotion, if they existed, could be filtered through a structure of fairness and impartiality, with ample opportunity for review and discussion.

The dismissal of a student official should not be a matter of a Saturday morning where the offense is in direct conjunction with the punishment. If indeed the discipline fits the offense, then this action could and should have been taken by the Dean of Students and that the issues in this jurisdiction of this control, for the betterment of the entire faculty pattern of the past exercise of this control. The taken Saturday, however, is consistent with the unsatisfactory pattern with the punishment. If indeed the discipline could be filtered through a structure of fairness and impartiality, with ample opportunity for review and discussion.

We request a reconsideration of the action recently approved at a student meeting Sunday afternoon and signed by nearly one thousand Rice students.—Ed.

Presentation

(Continued from Page 1)

preparation, had no comment since neither had been on campus at the time of the presentation.

Student Monitor

A group of twenty student monitors organized by Hanszen junior Greg Curtis to direct the students in the march, keep them separated from the onlookers, and aid in ensuring the signs carried in the march.

The members of the Student Affairs Committee who actually took the statement to the President's office were Bill Twin, S.A. President; Kent Morrison, Baker President elect; Tom Schindler, Will Rice President; Jeff Winnington, Baker President; and Larry Veestman, Hanszen President.

The students waited in the office until 1 pm, then left the signed statement. President Fitter was expected to return at 1:15.

The Rice Thresher, student newspaper of Rice University is published weekly (except during holidays and exam periods) by the students of Rice University, P. O. Box 1892, Houston Texas 77001. Phone 713-584-5096. 

BUSINESS STAFF: Mike Carter, Business Manager; Dave Wilhelmsen, Assistant Manager; Larry Yeatman, Hanszen President. Special Promotion: Marilyn Poston, Circulation.

If your roommate says the Bell System helped invent hi-fi, stereo and talking movies,

don't bet. You'll lose.

In the course of their studies of the nature of sound, Bell System scientists have been able to make significant contributions to all three forms of entertainment.

You might say that it was because the discoveries were there to be discovered by the first explorers to come down the trail.

When the century was still young, we realized that if the telephone were to come up to its potential, the nature of sound had to be much better understood than it was then. This led to the largest, most comprehensive study of sound ever undertaken by anyone.

To capture sound for study, Bell Telephone Laboratories developed the first electronic recorder for phonograph discs. For the first time, performers could record on microphones. Then, in 1925, Bell Labs perfected an electronic system that synchronized sound and action on movie films, and aid in ensuring the signs carried in the march.

Nevertheless, these contributions were by-products of the real effort, which was to make telephone service better. We are proud of, of course, that they helped build and improve whole industries.

But we’re prouder of the sound qualities in the telephone of today, the products of the real effort, which was to make telephone service better. We are proud of, of course, that they helped build and improve whole industries.

We don’t deny the administration’s prerogative to exercise control over student affairs. The arbitrary action taken Saturday, however, is consistent with the unsatisfactory pattern with the punishment. If indeed the discipline could be filtered through a structure of fairness and impartiality, with ample opportunity for review and discussion.

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