

Queens College

Dean's Report

March 31, 1969

In consultation with others, I have prepared this document for the purpose of giving facts to the Queens College community concerning the recent Court case and protests on the campus. The document contains a chronology of events, an explanation of some of the governing principles involved, as well as reprints of pertinent materials.

GEORGE A. PIERSON
Dean of Students

For your immediate information, you should know:

SUSPENSIONS LIFTED. On March 28, following the recommendation of the Student Court, the Dean of Students lifted the suspension of the three students who had been cited for contempt of court.

THE OFFICE OF THE DEAN WILL CONTINUE TO PRESS CHARGES against the three students for violating the College's regulations governing peaceful protest or dissent. It is the responsibility of the Dean's Office to do this on behalf of complaints registered with it by students, faculty, or staff members.

THE STUDENT COURT HAS REFERRED THE MATTER back to the Faculty-Student Committee on Student Conduct.

THE DEAN OF STUDENTS THEN SAID THAT HE WOULD ABSENT HIMSELF FROM THE COMMITTEE if the Committee heard the case.

THE DEAN'S STATEMENT WAS ANNOUNCED on Thursday, March 27.

THE DEAN OF STUDENTS HAS NOW RELINQUISHED HIS MEMBERSHIP ON THE FACULTY-STUDENT COMMITTEE ON STUDENT CONDUCT and has asked the Committee on Committees of the Faculty Council to appoint a replacement for him on this committee.

CHRONOLOGY OF EVENTS

1. Tuesday, March 11 - A student rally was held to protest presence of General Electric recruiters on campus.
2. A group of students went to the College Placement Office and allegedly disrupted recruitment activities. The General Electric representative decided that he was unable to conduct interviews with interested students in this situation and the Dean assisted him in leaving the campus.
3. In accordance with the Policy on the Right of Peaceful Protest or Dissent, the Office of the Dean of Students brought charges against three students to the Faculty-Student Committee on Student Conduct.
4. The Committee subsequently acceded to the request of the Student Court to try the case. The Student Association president cooperated by appointing a prosecuting attorney. This appointment did not constitute an endorsement of the charges, according to the Student Association president.
5. Monday, March 17 - The defendants were notified by certified mail that they were to appear in Student Court on Wednesday, March 19.
6. On Wednesday, March 19, Student Court attempted to convene an open hearing but only one defendant was able to appear. The case was rescheduled for Thursday, March 20.
7. On Thursday, the Court met again in open session in a room in Remsen and then moved to a larger room in the same building. After a time, the Court attempted to recess to SS128, the Dean's conference room, because, in its opinion, under the circumstances prevailing "a fair trial for the defendants would be impossible." The conference room proved too small, and, in addition, there was a meeting going on in the room. In the words of the Chief Justice: "near riot conditions resulted." The Court decided "in all fairness to the Court and to the defendants, to hear the case the following Monday and to broadcast it over closed-circuit television in the CMC and in other locations on campus."
8. There is disagreement concerning the events surrounding the hearing scheduled for Monday. However, the Chief Justice of the Student Court reported that at Monday's hearing "The defendants refused to enter the room unless all their supporters were allowed to enter also. The Student Court refused because it felt that if at this point they allowed students in, they would not only risk another chaotic situation, but also that it would be unfair to those students who wanted to attend an open hearing but had agreed to watch the proceedings over television. In the end, the defendants and their supporters forced their way in, and the Court decided to adjourn for fifteen minutes." During this adjournment, the Court decided, in its words, "to recommend the suspension of the three students, UNTIL THEY CONSENTED TO APPEAR BEFORE THE COURT. We did this for the following reason:

The defendants were given ample opportunity to appear before the court. Many attempts were made, including one by Student Body President Glen Brunman, to convince them to come into the room. They were warned that they risked suspension. Nevertheless, they and their supporters refused. THE [recommendation for] SUSPENSION HAD NOTHING TO DO WITH THE CHARGES AT HAND. IT WAS BASED SOLELY ON THE STUDENTS' COMPLETE REFUSAL TO COOPERATE WITH THE COURT."

9. That evening, the Dean acted upon the recommendation of the Student Court, and notified the three students that they were suspended.

10. About fifty persons went to the twelfth floor of Academic II and several of them reportedly tried to force their way into the offices of the President. The President came out into the hall on his way to attend a meeting of the Board of Higher Education. The President was asked to stay in the hall to hear demands and he did. After about twenty minutes, a vote was taken and the President was permitted to leave, although several persons reportedly disagreed with the decision and attempted physically to prevent him from entering the elevator.

11. On Tuesday, March 25, two rallies were held to protest the suspension.

12. On Wednesday, a group of students attempted to interfere with the Honeywell recruiters but were turned away by campus guards. There were then reportedly a number of scuffles between students, and the SDS office was reportedly entered and a mimeograph machine removed. Later that day, there was a sit-in outside the Dean of Students' office. That evening, the Dean met with a delegation protesting the suspensions. He repeated to them that he would not override the Student Court.

13. On Thursday, there was another rally. About 300 students then sat in at about 2:00 p.m. outside the Dean's office. At about 4:00, some of these students entered the Dean's office, the Conference Room, the counselors' offices, the financial aid office, and the testing office. Students then presented three demands to the Administration:

- a - To lift the suspensions against the three students.
- b - To drop all charges against the three students.
- c - To re-hire Professor Sheila Delany.

14. At about 3:45, after a Faculty Council meeting in Remsen 101, about forty persons informed the President of the sit-in taking place in the SS Building and that the Dean of Students was not in his office. They urged the President to make an appearance at the sit-in. The President spoke with the group and said he was certain that the Dean of Students would see them as soon as he came on campus the following morning. Shortly after that, the President was able to contact the Dean of Students.

15. At about 7:00 p.m., the Dean spoke at the sit-in and said again that he would not override the duly constituted Student Court. He reminded the defendants that they had the right of appeal to the Faculty-Student Committee on Student Conduct, and that if the Committee heard the case, he would absent himself from the Committee.

16. The students read the Dean their list of demands, to which they added the repeal of the Max-Kahn report.

17. The students stayed overnight.

18. Friday, March 28. - At 9:30 a.m., the Student Association president said that the Court had lifted the contempt citation. His statement follows.

STATEMENT BY STUDENT BODY PRESIDENT, GLEN BRUNMAN - 9:30 a.m. March 28, 1969

I have been asked by the Student Court to make the following announcement on their behalf:

1. The Court has decided to lift the contempt citation against Richard Freeman, Bengt Sward, and Herbert Bleich.
2. The Court will recommend to Dean Pierson, with full expectation of his acceptance, that the suspensions against the defendants be lifted.
3. The Court will hold an open, pre-trial hearing on Tuesday, April 1, at 1 p.m. to determine, in fact, whether or not charges should indeed be pressed against the three defendants. The question will be whether or not the Court should even hear the case of Pierson vs. Freeman, Sward, and Bleich. The issue of contention will be, among others, whether the Court should hear and try a case based on regulations not made by students. The hearing will be open to all members of the academic community and will be held in a large room.

GLEN BRUNMAN
Student Body President

19. At 11:30, the Dean of Students made an announcement lifting the suspension and stating that his Office would continue to press charges (see full statement below).

March 28, 1969

STATEMENT FROM DEAN PIERSON

On March 24, the Student Court recommended to me that I suspend three students for contempt of the court. Today, the Court recommended that I lift these suspensions. I again follow the recommendation of the Court and I lift these suspensions immediately.

I must continue to press charges against these three students for violating the College's regulations governing peaceful protest. These charges were made by the Office of the Dean of Students and presented to the Faculty-Student Committee on Student Conduct. It was this committee which referred the matter to the Student Court.

20. President McMurray issued a statement about Professor Delany and the Max-Kahn report (see text of statement below).

March 28, 1969

STATEMENT FROM PRESIDENT McMURRAY

I have been advised that Professor Sheila Delany has appealed to the Queens College Committee of the Board of Higher Education. I assume her case will be acted upon quickly.

The question of the Max-Kahn report is scheduled to be discussed by the faculty at the next meeting of the Faculty Council, April 17, at the recommendation of concerned faculty members.

21. Students read these announcements at a rally at 1:00 p.m.; went to Jefferson Hall, where they posted their demands on a door; and returned to the Dean's office in the Social Sciences building.

22. Late in the afternoon, students announced that they would sit in over the week-end.

23. The Dean of Students announced that he was resigning from the Faculty-Student Committee on Student Conduct and would ask the Committee on Committees of the Faculty Council to appoint a replacement for him on the committee.

WHAT IS THE COLLEGE'S JUDICIAL SYSTEM CONCERNING STUDENT AFFAIRS?

----The Board of Higher Education Bylaws make the faculty responsible for the regulation of student affairs.

----The Faculty Council is the representative body of the faculty.

----Faculty Council has delegated to the Faculty-Student Committee on Student Activities and Services the responsibility for developing policies about student affairs.

----Faculty Council has delegated responsibility to the Faculty-Student Committee on Student Conduct to develop policies on student conduct and also to judge cases brought before it. Usually, these are cases involving just one individual, such as cases of cheating or plagiarism.

----The Committee on Student Conduct may refer cases to the Student Court. Usually, cases referred to Student Court involve disputes between student organizations or between an individual and an organization.

----A student may be represented by counsel or may defend himself.

----Both committees have equal numbers of voting students and faculty members.

----It is the responsibility of the Dean of Students to enforce policy, and act on the decisions of the Student Court, on matters of conduct. It is the responsibility of the Office of the Dean of Students to press charges on behalf of complaints made by aggrieved students, staff, or faculty members.

----Any person, organization, or committee however, may bring any matter to the attention of the Committee on Student Conduct or the Student Court.

----The Faculty-Student Committee on Student Conduct acts as a court of appeals for defendants found guilty by the Student Court.

----Faculty Council action is subject to ratification only by the Board of Higher Education and only on certain matters, such as curriculum.

----In matters in which student affairs are involved, the College's judicial policies are to be administered by the Dean of Students and his staff. In addition, as stated in the Board of Higher Education bylaws, the Dean has such duties and responsibilities as may be assigned to him by the President or referred to him by the faculty.

----The entire question of how the College is governed is currently being looked into by the Faculty-Student Committee on Governance.

WHAT IS THE COMPOSITION OF THE FACULTY-STUDENT COMMITTEE ON STUDENT CONDUCT?

The Faculty-Student Committee on Student Conduct consists of 14 voting members: 7 faculty members nominated by the Faculty Council's Committee on Committees and approved by the Council and 7 student members appointed in accordance with a procedure set up by the student government. Three students are members of honor societies or departmental clubs selected by the President of the Inter Club Council with the advice and consent of that Council. One SGS student is selected by the SGS Council. The Chief Justice of the Student Court is a member by virtue of his office. The other two members are selected by the Student Association president with the advice and consent of the Student Senate. The Dean of Students traditionally has been Chairman of the Committee.

WHAT ARE THE COMPOSITION AND FUNCTIONS OF THE STUDENT COURT?

Students may apply for positions as justices of the Student Court. Those who meet certain qualifications are interviewed and selected by a process outlined in the Student Association constitution. The selection committee consists of the President of the Student Association, the outgoing Chief Justice, the Chief Officer of the Student Senate, the faculty adviser to the Court, the Dean and Associate Dean of Students. (It is the practice of the Dean of Students and the Associate Dean of Students to sit as non-voting members of the selection committee.) There are seven justices, elected for overlapping one-year terms: four in May for a year's term and three in January for a year's term. The Chief Justice is elected by the Court.

According to the Student Association Constitution:

"The following are among the powers of the court:

"a - to rule on the eligibility of candidates for office in the Student Association

"b - to summon members of the student body and the officers of chartered organizations and to require the submission of pertinent records

"c - to recommend the suspension of a student for cause

"d - to assess monetary fines within established regulations

"e - to recommend to the Senate the suspension or revocation of the charter of a student organization."

The Court exercises the power of interpretation of the Student Association Constitution and its by-laws. The Court has jurisdiction over regulations governing student and student organization behavior.

Any person, organization, or committee may bring any matter to the attention of the Court after informing the Chief Counsel. The Chief Counsel is a member of the Student Association president's cabinet and is appointed by the Student Association president with the advice and consent of the Senate.

POLICY ON RECRUITMENT

AT QUEENS COLLEGE MADE BY
FACULTY STUDENT COMMITTEE ON STUDENT ACTIVITIES AND SERVICES
ON FEBRUARY 2, 1968

A. PRINCIPLES:

1. That the current practice of inviting and allowing outside recruiters on campus be continued.
2. That any recruiting agency or its representatives invited to the campus be requested to engage in an open forum prior to recruitment if at least ten members of the Queens College academic community or any chartered student organization requests it by petition to the Placement Office, or that the Placement Director may initiate such forums as he has done in the past.
3. That the activities of those invited for recruiting purposes be restricted to the College Placement Office or the rooms normally used by it, except that in the case of open forums the Placement Office, like any other College department, may use any other available room with a capacity suitable to the number of those expected to attend. It is affirmed that the above shall in no way affect the current practices of the Office of Teacher Placement, a separate College agency, which arranges for campus interviews on the part of school systems seeking teachers.
4. We affirm and guarantee the right of peaceful protest, and reaffirm the right of any individual or group on the Queens College campus to voice dissent so long as such dissent does not physically or in any other way deny the rights of members of the Queens College academic community or guests, or violate Federal, State, or local laws or the regulations of the Board of Higher Education.

B. DEFINITIONS AND PROCEDURES:

1. An open forum is an open meeting, arranged as above in A, 2 and 3, at which a representative of a recruiting agency will explain the nature and purpose of such agency and be willing to engage in discussion or answer questions about his organization put to him by those present for the sake of clarification and information.
2. In order to give the opportunity to those wishing to request such forums and to give sufficient time to arrange them, the Placement Director shall give advance public notice of the date of arrival of recruiters at least two weeks in advance, as has been customary.
3. Petitions for such open forums shall be submitted to the Placement Director no later than one week before the scheduled arrival of a recruiter whose agency is involved. The Placement Director, if he has not already done so on his own, shall make the arrangements for the open forum and publicize it.

C. TRANSMISSION OF DECISIONS:

The decisions are to be reported to the Faculty Council and the Student Senate for their information.

Samuel Lieberman
Chairman

Marvin Milich
Secretary

The policy was ratified by both the Faculty Council and the Student Senate.

Proposal of Faculty-Student Committee on Student Activities and Services,
February 25, 1969.

A new policy on recruitment, to be reviewed by Faculty Council at its meeting of April 17, follows.

February 28, 1969

PROPOSAL REGARDING OUTSIDE RECRUITING AT QUEENS COLLEGE

" Made by Faculty Student Committee on Student Activities and Services on February 25, 1969 with a request that this matter be placed on the agenda for the next regular Faculty Council meeting, April 17, 1969.

" At the request of several students, the Faculty Student Committee on Student Activities and Services has reviewed the College's present policy on recruitment.

" We reaffirm that the current practice of inviting and allowing outside recruiters on campus be continued free from any conditions or restrictions which in any way may limit the rights of an individual student to seek an interview. Recruitment for job and career opportunities should take place in the College Placement Office or the rooms normally used by it. The Placement Bureau, like any other College department, may use any other available room with a capacity suitable to the number or need of those expected to attend those programs normally initiated by the Placement Bureau. It is affirmed that the above shall in no way affect the current practices of the Office of Teacher Placement, a separate College agency, which arranges for campus interviews on the part of school systems seeking teachers.

" Attention is called to the present SPEAKER POLICY of the College administered by the Student Activities Office under which organizations or individual students may directly request that an individual or representative from any organization speak on the campus through a mutually arranged format. Information concerning recruitment activities on campus is available through the Placement Bureau.

" We affirm the right of peaceful protest, and reaffirm the right of any individual or group on the Queens College campus to voice dissent so long as such dissent does not physically or in any other way deny the rights of members of the Queens College academic community or guests, or violate Federal, State, or local laws or the regulations of the Board of Higher Education."

A modified version of this proposal was passed by the Student Senate but vetoed by the Student Association president.

POLICY ON PEACEFUL PROTEST OR DISSENT

QUEENS COLLEGE
of the City University of New York

February 24, 1969

A statement on the right of peaceful protest or dissent was approved by the Faculty Student Committee on Student Conduct on March 5, 1968. At a special meeting of the Queens College Faculty Council on Wednesday evening, February 19, 1969, this statement was reaffirmed and President Joseph P. McMurray was asked to "publicize this statement and make clear that its provisions will be enforced by all proper means."

Following are the text of the statement, and the text of the resolution reaffirming the statement.

THE RIGHT OF PEACEFUL PROTEST OR DISSENT

A statement approved by the Faculty Student Committee on Student Conduct on March 5, 1968.

In light of disorders that have occurred recently on some college and university campuses, the Faculty Student Committee on Student Conduct has restudied the nature of protest and dissent. The Committee now wishes to reaffirm its belief in the right of all members of a college community to protest peacefully, as part of the right of freedom of speech. But the Committee also wishes to define peaceful protest and to describe the sanctions that may be used against students who exceed the bounds of peaceful protest. The following statement was approved unanimously by the Faculty Student Committee on Student Conduct.

DEFINITION OF PEACEFUL PROTEST

Freedom to assent or dissent depends upon mutual respect. For such freedom to exist, every member of the academic community must respect the freedom of his fellows to differ and to support or protest through legal and appropriate means the issues they believe to be important.

No Queens College student will be permitted to violate the peace or regulations of the College without being held responsible for such actions. Any student who impedes, obstructs, or in any way interferes with any college authorized activity, or with the rights and freedoms of others, will face disciplinary action. This includes impeding, obstructing, or otherwise interfering with free and safe movement into or out of, or in or upon the campus or any campus building or facility.

ENFORCEMENT

If any person goes beyond peaceful protest as described above, he should be asked to desist. If he fails to desist he should be asked to identify himself. If the person is a student, he should be told that a complaint will be made against him to the Faculty Student Committee on Student Conduct. If the person is not a member of the college community,

he should be treated as a loiterer. It must be assumed that any person who refuses to identify himself is a loiterer.

The above will be administered by the Dean of Students and his Staff.

The Faculty Student Committee on Student Conduct may itself act upon charges against a student or refer a student to the Student Court. Disciplinary action may range from reprimand to suspension for a full semester or a recommendation to Faculty Council, or to the President, that a student be suspended for a longer period or that he be expelled from the College.

This policy was not formally acted upon by either the Student Senate or the Faculty Council. However, at the meeting of Faculty Council on February 19, 1969, the following resolution was acted upon:

FACULTY COUNCIL RESOLUTION

Problems, difficulties and conflicts are, in great part, what a College or University community is all about. But what distinguishes a College or University--that which is its very reason for being--is the manner in which it struggles with its problems, difficulties and conflicts. Rational discourse and persuasion is, and must be, the characteristic activity of any college or University. We are, of course, aware that this is an ideal and goal which must continually be pursued by seeking better means, procedures and structures whereby rational discourse will become a reality rather than simply an ideal. At this very moment Queens College has a Student-Faculty committee charged with reviewing our present structures and suggesting changes which will better them.

Conflict and dissent, therefore, can and must be tolerated in any living, developing community and especially in any College or University community. What cannot be tolerated, however, is any attempt to settle conflicts by violent disruption of college activities. On March 5, 1968, the Faculty Student Committee on Student Conduct unanimously approved a statement defining both the right and limitation of dissent on the campus. We urge the President to publicize this statement and make clear that its provisions will be enforced by all proper means.

President McMurray accepted the recommendation of Faculty Council to publicize and enforce this policy.

WHAT IS THE "MAX-KAHN REPORT"?

The Law Committee of the Board of Higher Education worked, over some time, on a document that would establish standard personnel procedures with regard to members of the faculty. This document was presented to the Board of Higher Education about two years ago by the Law Committee chairman, Mrs. Gladys Dorman, and the procedures adopted. All colleges in the University must follow these procedures.

The procedures closely follow the positions of the American Association of University Professors in regard to such matters.

Under the procedures, reasons for failing to re-appoint non-tenured members of the faculty on annual contract are not disclosed.

Two staff persons assisted the Legal Committee of the Board: Mrs. Pearl Max, Coordinator of Institutional Research for the City University and Mr. Arthur Kahn, General Counsel for the Board of Higher Education.

In referring to the Board's procedures, some students have come to describe them as the "Max-Kahn Report."