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GADFLY

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T H E G A D F L Y P A P E R S

A weekly journal of comment, criticism, and satire
concerning the activities of the Bard College Community

Vol. I. No. 2

March 3, 1966

QUOTE OF THE WEEK

"I'd like to ammend that ammendment"

Bill Bernstein

Staff Additions

The Gadfly is proud to announce that John Faylor is now a co-editor of the Gadfly. It was Mr. Faylor's idea that there should be a way of reaching the student body on matters of Community interest that first gave us the idea for the Gadfly.

The Editors

COUNCIL PROPOSES "DUE PROCESS" MACHINERY; FLEETWOOD NAMED TO FILL VACANCY

Community Council Monday night named a committee of six to propose machinery for a social and academic "due process" system at Bard. Chairman of Council Craig Livingston, who suggested the motion, explained that the purpose of a "Due Process" system is to ensure a student who is being held liable for suspension or expulsion of the same rights that the accused enjoys in a court of law.

Mr. Livingston read statements from the American Civil Liberties Union and the National Student Association in which the rights an accused student should enjoy are set forth, as well as the responsibilities of the university in such cases. The text of the statements follow this article.

After reading these statements, Mr. Livingston commented, "Such a procedure guarantees on the part of the student body a great deal more security in the belief th t there is no arbitrary action."

There was considerable discussion as to the makeup of the study committee and the method of its selection. Mr. Livingston suggested that there be two faculty members, one member of the administration, one member from House Presidents' Committee, one member of the Educational Policies Committee, and one member of Council.

Most members of Council seemed to feel this was an equitable distribution, although Jeffrey Schwartz, a member of the Community who was present, felt that some qualifications other than membership on certain committees should be used to determine who would be on the study group. This would insure that committee members would not be chosen indiscriminately and that there would be no "goons" on it, he added.

The distribution suggested by Chairman Livingston was agreed upon and, after an objection by Councilman Krieger that each organization should choose its own representatives, it was decided that Council should appoint the committee. In answer to Mr. Krieger, Councilman Bernstein pointed out that having Council appoint the members would expedite the handling of the "due process" question and Council could change the membership if the present makeup proved unsatisfactory. "The proposals of this committee are going to be examined thoroughly by Council anyways, so there is little chance of bad ideas finding their way into the final document," Mr. Bernstein added.

The following members of the committee were chosen: Tony Marzani, representing Council; Dean Hodgkinson, administration; Robert Koblitz and William Lensing, faculty; Harvey Fleetwood, House Presidents; and Tom Noonan, EPC.

The vacancy created when Peter Lee did not return to school was filled when Council elected Harvey Fleetwood to take his place. Other nominees were Matthew Perlstein, Peter Irwin, and Jeffrey Schwartz. Mr. Fleetwood finished eighth in balloting for Council last December.

The Red Balloon concession was again granted to Jim Fine, Steve Tremper, and Bob Levinson, after a great deal of discussion concerning the financial affairs of the coffee house.

Mr. Fine, speaking on behalf of the Balloon, asked for an additional appropriation of \$500 from Council. He said the money was needed to buy an electric meat slicer, whipped cream maker, another toaster, glasses, silverware, and insurance and that the Balloon could not open until it possessed these items.

Councilman McCune pointed out that the Balloon had been given a loan and a grant last term and that the loan had later been changed to a grant and that further Council had already invested well over a thousand dollars in the Balloon. The Dean indicated that the administration had offered \$500 to the Balloon and had so far invested \$1,727.

Mr. Fine explained that the money was needed to expand services, that all the equipment purchased would belong to Council, and that receipts for all items purchased would be presented to Council.

Council voted to approve expenditures for the items listed by the Balloon in an amount not to exceed \$500. If there is any money left from this appropriation it will be returned to Council.

The sandwich concession was awarded to Keith Smith, and the laundry concession to Dan Grady.

The newspaper concession was again given to Dan Friedman, after he promised to attempt delivery of the papers through the mail room rather than leaving them on a table for open distribution.

The cigarette concession is once again under the aegis of George Janto.

In a novel move, Council granted permission to Marya Liebensohn to sell imported cheese in Dining Commons three evenings a week during dinner. Miss Liebensohn explained that she had already received permission from the Slater system to do this, and wanted no money from Council, only its sanction.

Bob Edmonds, Doug Kabat, Roger Neustadter and Harold Stessel were elected to Safety Committee.

Ferry Boylan, Nancy Lovullo, Jui Arnir, John Goodman, Jonathan Wyner, Ward Feurt, Ann Pettibone, Justin Sabini, Matthew Perlstein, Ilene Rosen, Tony Marzani, Wilhelmina Martin, Victoria Ranks and Jeffrey Mortimer were elected to the Entertainment Committee. Chairman Livingston commented that "this appears to be a very good group of people."

Jeffrey Mortimer

TEXT OF THE STATEMENTS

National Student Association: "The university has the responsibility

- a. to state clearly which type of actions shall be considered violations of university regulations.
- b. to delineate and make public the penalties which could be imposed.
- c. to give the accused student adequate notice of the particular charges placed against him.
- d. to consider the accused student innocent until such time as he is proven guilty.
- e. to refrain from increasing the penalties imposed by the initial trial body.
- f. to assist the accused student in obtaining the testimony of witnesses necessary to a defense.
- g. to refrain from considering improperly obtained evidence.
- h. to refrain from punishing all members of a group for the actions of only some individual members of that group."

"The student has the right

- a. to have access to all relevant information, including the testimony of his accuser(s).
- b. to offer personal testimony and witnesses in his own behalf.
- c. to confront and question his accuser(s).
- d. to decline to testify against himself.
- e. to receive the rationale behind the decision.
- f. to be free from the possibility of more than one trial by the same body for the same offense.
- g. to be tried by an impartial body.
- h. to have free choice of counsel.
- i. to be prosecuted by someone other than a member of the trial body."

or suffer major disciplinary action for any offense other than failure to meet the required academic standards, without having been advised explicitly of the charges against him, which at his request should be in writing. He should be free to seek the counsel of a faculty member of his choice or other adviser. Should he admit guilt or consider the penalty excessive, or should he claim to be innocent, he may ask for a hearing by a review committee. After ample notice, such a hearing should be held by a faculty-student committee, or if the student prefers, by a faculty committee. The hearing committee should examine the evidence, hear witnesses as to the facts and the student's character, and weigh extenuating circumstances. The student should be allowed to call witnesses on his own behalf and confront and cross-examine those who appear against him. If the review committee's decision as to the student's innocence or guilt and in the latter case appropriate punishment, is not acceptable to the college administration, a final appeal to the board of trustees should be allowed."

THE BIG, NO-PRIZE "CRUSH" CONTEST

Bard students tend to react to the registration ritual in much the same way as everybody talks about the weather, all talk and no action. The Gadfly does not expect its fellow-students to take up cloud-seeding as a means of defeating the drought; but it does expect other Bardians to take an interest in the methods of registration. For no other reason than that the present system represents a threat to life and limb, the editors are initiating a no-prize contest. It seems that every semester the cry, "There must be a better way!!!" rises over the heads of the closely packed students, standing (if that is the word) in the front of the gym. This reporter experienced personally the bone-crushing effect of eighty or ninety people trying to get through the doorway at one time. Not only is it uncomfortable, it is downright dangerous!! So it is in the spirit of constructive criticism and humanitarianism that the Gadfly is offering itself as a forum of opinion and suggestions. Send us your ideas as to alleviating the crush in the gym and we will be only too happy to print them. Perhaps together we will be able to come up with a solution to this biennial problem.

Ilene Rosen

DUE PROCESS

At last Monday's Council meeting, Craig Livingstone put forward a motion, based on a letter from Dr. Koblitz. The motion, which was passed by Council, set up a committee which, in the coming weeks will be studying the possibilities of setting up a due process commission to review academic and social dismissals and suspensions. It is still too early to say exactly what form such a commission would take, but the study committee is working on it and will be most receptive to suggestions from the community.

While, as the committee has yet to submit its report and so, of course, it is too early for editorial comment, I think a few reflections on the subject of a due process committee in general are in order. In a small, close, college community such as we have at Bard, the administration, the faculty and the student body are not completely severed from one another as they are at many larger schools, either personally or in function. Here, there is excellent communication between all three. And so, when one of these offers to help the others in carrying out their duties more fairly and justly, this offer should be considered in the same serious light that it is made. Suspensions and dismissals are an important business and I sincerely hope that the report of the study committee and the commission that may well be set up as a result will reflect this importance.

Matt Perlstein