

Court hears recall act, due process arguments

By Liz Crumley

Due process and legitimate recall procedures were the contentions of legal counsel for Council on Student Life (CSL) members Chip Lowe and Dennis Synder and the ASUN Senate in an open hearing Sunday to determine the legality of the senate's Nov. 19 rescission of its CSL student appointees.

Bruce Smith, first year law student and legal counsel for Lowe and Synder, stated in his opening arguments that the rescissions should be void because the senate gave no specific reasons for its action.

He also said the senate is "attempting to interfere with student's legitimate right to take a stand."

John Recknor, second-year law student and legal counsel for ASUN, said the matter is defining where "power lies in making certain political moves."

Recknor said the senate's action was based on power recall procedures according to the NU Board of Regents Bylaws, the NU Bylaws, the ASUN constitution and the Senate's Resolution No. 1.

Resolution No. 1 states that the senate's Appointments Committee shall be "responsible for the filling of and follow through and decision of recall on ASUN appointments other than standing committee chairpeople and sub-committee chairpersons."

Recknor said he contends that Lowe and Synder's de-

fense is based on the assumption that ASUN did not follow CSL's rules and procedures.

Smith contended that Lowe and Synder had not been notified of recall procedures against them.

At press time, Lowe, Synder and ASUN President Jim Say had been called as witnesses.

When testifying, Lowe and Synder were questioned if they, at the time of the appointment to CSL, thought they were supposed to vote and express the senate's policy at all times.

According to Recknor, a statement on their application form said they were expected to voice the senate's opinion while serving on the committee.

One of the apparent disputes is whether Resolution No. 42 was passed because the student appointees allegedly were not representing ASUN's opinion.

Both said they thought, at the time of their appointment to CSL, that it was not mandatory that they represent the senate's opinion.

Say, when testifying, said the purpose of the rescission was to help direct CSL through a transition period while it was being revised. The senate was concerned about jurisdictional disputes between the two groups, Say said.

The court has not made a final ruling.

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UNL's 'programs' impress chancellor candidate

By Gail Smith

Roy Young, reportedly the prime candidate for new UNL chancellor, said Friday he was "quite impressed with the breadth of programs" at UNL and the people he met during his visit to Lincoln last week.

In a telephone interview from Corvallis, Ore., where he is vice-president for research and graduate studies at Oregon State University (OSU), Young said his candidacy for the chancellor position is "still in discussion."

NU President D.B. Varner has said Young is "one of three very strong possibilities for the position," but Scottsbluff NU Board of Regents member Robert Simmons and sources close to the selection have confirmed that Young is the leading candidate.

Salary issue

According to the Feb. 6 Lincoln Star, "One issue still under negotiation is pay." UNL Comptroller Robert Lovitt said he only can cite the figure that has been budgeted for the chancellor's salary, which is \$42,458 annually. The chancellor also receives a car and a rent-free house, he said.

Former chancellor James Zumberge received that salary before leaving UNL to become president of Southern Methodist University. However, Lovitt said, the house was given to the university this past summer so Zumberge did not live in it before leaving. Zumberge did, however, receive \$400 monthly housing allowance approved by the regents, Lovitt said.

Young's salary at OSU this year is \$43,508, said Linda

Berdot, OSU budget officer. Next year's salaries are still undecided, she said, but average increases in academic personnel salaries are expected to be 10 to 11 per cent, making Young's salary between \$57,858 and \$48,293.

The Star also reported a Corvallis newspaper spokesman as saying Young is "effective" in obtaining federal funds for OSU. Young said he is unfamiliar with UNL's budget and federal financing situation, but said he thinks universities need an administrative office to help faculty members obtain federal grants. He said three people at OSU work in new program development and help faculty members receive federal funds.

Concerning state legislative financing for universities, Young said he thinks most universities ask for more money than they eventually receive from legislatures.

Similar programs

Young said OSU and UNL have some similarities. For example, he said, both are land-grant schools, and he said he thinks both emphasize science, engineering and agriculture.

However, he said, OSU does not have law or architecture programs because they are at the University of Oregon at Eugene.

OSU also allows alcohol on campus, said Ara Severin, receptionist in the OSU student services office. OSU students of the legal drinking age (21) may consume alcohol in their private rooms on campus, but not on any other university-owned property, such as the student

union, residence dining halls or the football stadium, Severin said.

Young said he had "no comment" about alcohol on UNL's campus until he knows more about the issue.

Varner said last week he hopes the chancellor nomination process will be finished before the regents' Feb. 14 meeting. Young said he has no plans now to return to Lincoln before or on Feb. 14.



Photo by Kevin Higley

The aftermath of picketing sympathizers of Local 151 of the International Alliance of Theatrical Stage Employees and Motion Picture Operators outside of the Stuart Theatre Friday night resulted in three arrests. Lincoln Police Lt. Ron Bruder said that the three, including Doug Hoard and William Seymour, were arrested for violating state picket laws requiring persons to be at least 50 feet from the entrance of the place being picketed, and, when more than one person is involved, requiring that they be at least 50 feet from each other. Bruder said one of the arrested men was a member of the union. Union members have been boycotting the theater and others owned by the Dubinsky Brothers since Aug. 29 because of labor disputes.

Panel debates AAUP bargaining

By Joe Hudson

The desirability of a UNL faculty member collective bargaining unit in light of the new representative Faculty Senate which has met once was discussed Friday by a panel presenting the pros and cons of the approaching Feb. 16 faculty member vote.

Representing the con side of the issue, UNL agricultural economics professor Everett Peterson and food science chairman Roy Arnold said the Faculty Senate, which charges no dues, deserves a chance to prove its effectiveness.

Arguing for unionization were UNL horticulture prof. Dermot Coyne and James McKay, mathematics professor at Oakland University in Rochester, Mich. They said the American Association of University Professors (AAUP), the proposed UNL bargaining unit, would enhance the Faculty Senate and added that the estimated \$100 annual dues are more than compensated for by salary increases and more active participation in decision-making.

38 per cent salary increase

McKay, executive committee member of the Oakland AAUP chapter, said Oakland University salaries have increased 38 per cent since it accepted AAUP, while UNL salaries have increased 20 per cent in that time. He said the average full professor at Oakland receives a three per cent salary boost annually, independent of cost of living and merit increases. The Oakland University merit component of salaries is as much as 40 per cent, McKay said.

Last year, UNL faculty members received a five per cent plus \$468 general salary increase, which was approved by the Nebraska Legislature as part of the university's budget, Peterson said. He said UNL has no specific fund

for merit increases and that these increases must be processed through the individual's department, the chancellor's office and the NU Board of Regents.

Coyne discounted fears that Nebraska public opinion would be against a faculty union.

"I would never join a union," Coyne said. But the AAUP is perceived as a professional association like the American Medical Association, he said.

However, Peterson said that the AAUP is listed on page 58 of the U.S. Labor Dept. Direction of National Unions. Public support for the university may dwindle, he said, causing NU Foundation fund drives to fall short.

Questionable student role

Arnold said unionization is untimely because of what he called the Faculty Senate's infancy and the change in the UNL administration. He also said the students' role in the bargaining process is "a big unknown." Both Arnold and Peterson said they feared tuition increases, which they said might pit students against faculty members. Student fees at Oakland are \$100 more a year than fees at non-union Michigan and Michigan State Universities, Peterson said.

McKay, who said he was anti-union before the AAUP was accepted at Oakland, said what he termed salary inequities between UNL, the University of Nebraska at Omaha and the University of Nebraska Medical Center could be ironed out by AAUP. Women professors' salaries also would be raised to the level of male professors, McKay said.

Cooperative Extension agents, whose absentee ballots must be postmarked by midnight tonight, listened to the discussion and phoned questions in from three outstate extension service stations.