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WEATHER:

Wednesday, cloudy and cold with chance of flurries, temperatures steadily declining from 35, north winds 5 to 15 miles per hour. Wednesday night, cloudy and cold with chance of flurries, low of 10 to 15. Thursday, partly cloudy and cold, high of 25.

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Professor sues for reinstatement of voting rights

By Victoria Ayotte
Senior Editor

A UNL professor in the Department of Modern Languages and Literatures is suing the department chairman and the NU Board of Regents for depriving him of his constitutional rights when he was not allowed to vote on departmental matters with other faculty.

Bruce Erlich, professor of English and modern languages, is suing Helmut Pfanner and the regents to allow him to vote on departmental matters and to give him general damages, which are unspecified.

Erlich states in a lawsuit filed Sept. 20 in U.S. District Court that Pfanner was behind the action not allowing him to vote on departmental matters within modern languages.

Erlich has devoted one-third of his employment to the modern languages department and two-thirds to the English department since 1973. He was granted tenure in 1979.

According to the lawsuit, the College of Arts & Sciences University of Nebraska-Lincoln Faculty Handbook states that "recommendations for tenure are voted on by all faculty members in a department or school whose tenure has been approved by the Board of Regents, and only by them."

Erlich voted on tenure and promotion matters in modern languages and English since he received tenure in April 1979, the lawsuit said.

On Nov. 1, 1988, tenured and non-tenured faculty of the modern languages department voted to change the tenured faculty members' rights.

Since then only those faculty members, tenured or non-tenured, who spend 50 percent of their time in the modern languages department are allowed to vote on personnel decisions.

This rule, in effect, eliminated Erlich from the decisions since he spent only one-third of his time in modern languages.

Erlich states in the lawsuit that the arts & sciences handbook lets departments adopt their own rules, but those rules must agree with the college's rules and the bylaws of UNL and the regents.

Because the modern language rule change does not agree with the arts & sciences rule that tenured faculty vote on personnel matters, Erlich said the change "is violative of the university bylaws and was arbitrary and

capricious."

A significant number of the faculty members voting for the modern languages rule change were non-tenured, the lawsuit also states.

The lawsuit says the bylaws of the regents are a contract which gave Erlich "a property interest in his rights to tenure." One of the rights is to vote on departmental matters, it said, and that right "was taken away from plaintiff without due process and in contravention of the regents' bylaws."

"The acts and omissions of defendant Pfanner, including but not limited to orchestrating and allowing the faculty under his direction to deny to the Plaintiff voting privileges on tenure and promotion issues, were taken under color of law."

Pfanner's alleged actions also

were ratified by the Board of Regents through its policymakers, the lawsuit states.

Erlich alleges that the actions of the modern languages department deprived him of his right to property, due process and equal protection of the laws as guaranteed by the Fourteenth Amendment of the U.S. Constitution and the Nebraska Constitution.

Erlich is suing for treble, or triple damages, from Pfanner and the regents under Nebraska Rev. Statute 28-926 which states that any public officials who "willfully . . . injure, decline, harm or oppress any persons . . . commits oppression under color of office and shall be answerable to the party so injured, deceived or

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Renovation shuffles employees

By Victoria Ayotte
Senior Editor

One month into the University Health Center's renovation, employees are "doubling and tripling" up on space, Director Kunle Ojikutu said Tuesday.

"We play what we call musical chairs now," Ojikutu said.

The mental health department has moved into four unused patient rooms, the program analyst is in a basement storage room and the administration has moved to other unused basement space.

The \$467,300 renovation by Shanahan Mechanical and Electrical of Valparaiso will put a "penthouse" on top of the health center to house a new heating and cooling system for parts of the two-story building.

Dick Chase, construction engineer for the UNL Physical Plant, said construction is scheduled for completion about April 1. Contractors are working on the second floor now and then will do the first floor and the basement.

Ojikutu said the health center will maintain the same level of student services during the renovation.

Even though the renovation caused health center employees the inconvenience of moving, Ojikutu said, they know it is worthwhile.

"We manage and we know this will just be a temporary inconvenience," he said.

Doris Johnson, director of the clinical lab, said her employees were inconvenienced when they moved the lab to the basement before Thanksgiving, but student services have not been affected.

The day of the move, the lab had 30 patients' lab work to do.

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William Lauer/Daily Nebraskan

Jerry Dvorak solders hot-water pipes being installed at the University Health Center.

Despite UNL gains, low TA pay remains problem, Yost says

By Jana Pedersen
Senior Reporter

Although a two-year-old study ranks UNL near the bottom of eight institutions for graduate teaching assistant salaries, Vice Chancellor for Graduate Studies John Yost said low salaries are not just a UNL problem.

"It has to be seen as a national problem," Yost said. "It's a tremendous sacrifice to pursue graduate students with that level of stipends when they could earn much more in business and industry."

According to a 1987-88 study done by the University of Nebraska-Lincoln, Yost said, UNL ranked seventh among eight peer institutions in stipends given out as graduate teaching assistant salaries. UNL's peer institutions are land-grant, research-oriented universities of comparable size belonging to the Association of American Universities.

The highest ranking UNL attained was fifth in the area of agricultural stipends for graduate teaching assistants, Yost said. The lowest was in the physical sciences area, he said, where UNL ranked last.

Average UNL salaries ranged from \$4,523 a year in education to \$6,185 in engineering, not including the waiving of tuition and fee charges, Yost said.

"I want to emphasize the fact that this study is two years old," he said. "There's no way to determine how we rank now . . . but I'm optimistic that we have gained over the past two years."

Despite UNL's probable gains, Yost said, low graduate teaching assistant salaries remain a national problem.

He said the lack of adequate support for graduate teaching assistant salaries means that fewer undergraduate students are choosing to continue into graduate studies.

Recruiting high-quality undergraduates for careers in higher education will become increasingly important as the number of students selecting that route continues to decline, Yost said.

In the next decade, he said, the expected increase in openings in the higher education profession won't be caused by an actual increase in the number of positions, but by a lack of qualified individuals to fill those positions.

"Those won't be new positions opening up," Yost said. "They'll be vacancies."

By 1997, he said, some areas of graduate study will have only one student to replace each faculty opening.

"But where will graduate students come from unless we make their stipends greater?" he said.

Until graduate salaries nationwide are increased to attract more students, he said, universities will find few students willing to make the sacrifices necessary to continue in graduate studies.

"It comes to a matter of public policy," Yost said. "I don't think we'll see an expansion in higher education, (but) just the opposite. I think we face an era of increasingly restrained resources."

But universities won't be able to increase salaries on their own, Yost said.

He said he thinks UNL has made gains in recent years partly because of the Nebraska Research Initiative, which has provided additional support for graduate assistant salaries.

It will take combined efforts from both universities and government to get the money needed to attract more high-quality graduate students, Yost said.

"It is of crucial importance that we strengthen the quality of elementary education, secondary education and the general education that we offer at institutions like UNL," he said. "That's the best way to prepare talented youth for the prospect of graduate study and a career in higher education."

Although graduate teaching assistants at UNL said they wouldn't mind a pay raise, they said they don't view salaries to be as big of a problem as the amount of time required to teach.

Arden Aspedon, graduate teaching assistant for three lab sections of Biology 101, said he probably won't be a teaching assistant after this semester because of the time involved.

"Being a TA does cut into my time dramatically," Aspedon said.

He said he has been unable to pursue substantial research this semester because of his teaching load.

"I can hardly get anything started in the lab before I have to go teach," he said.

But the pay, he said, is adequate. "It works out to about \$10 an hour, which is OK by me," he said.

"I think it's a pretty good deal." John David, graduate teaching assistant for Microbiology 314, said

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Student leaders back report's findings

By Lisa Bolin
Staff Reporter

Some student leaders at the University of Nebraska-Lincoln say they strongly support the recommendations for changes in the post-secondary education governance made to the Legislature's Higher Education Committee last week.

The report, made by the Chicago-based consulting firm Widmayer and Associates, touts eliminating the NU Board of Regents and the Nebraska State College Board of Trustees and reorganizing the governing bodies.

Seven boards of trustees, for each of the three branches of the Univer-

sity of Nebraska system, and Wayne, Peru, Chadron and Kearney state colleges would be responsible for governing their respective campuses.

A new board of regents would be responsible for coordination of those bodies at a state level.

The part of the report that is of particular interest to student leaders is the recommendation for the composition of the boards of trustees, said Deb Fiddelke, chairperson of the UNL's Government Liaison Committee.

The report given to the Higher Education Committee provides for a student to be on the board of trustees at each campus, she said.

Fiddelke, also a member of Stu-

dents for the Right to Vote, said it is important that the student members on the boards would be voting members.

Students for the Right to Vote is an ad hoc student organization formed earlier this semester to advocate a student vote on the current NU Board of Regents.

Devi Bohling, first vice president for the Association of Students of the University of Nebraska, said she supports having student representatives on the boards. But, Bohling said, she would like to see the student clarified as a voting member.

J. Matt Wickless, another member

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