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ABSTRACT

In its examination of the circumstances surrounding recent disorders and the closing of state colleges and universities in Ohio, the select committee held hearings at each institution, received testimony and exhibits from persons within and outside the academic community, and gathered information from studies conducted in other states. Directed to identify the main causes of student unrest, the committee found that most specific underlying reasons involve problems that arise from and must be solved by universities themselves. Findings and recommendations are presented in the areas of: standards of conduct and discipline, faculty rights and obligations, university operations, campus security and law enforcement, and organized efforts to disrupt. (JS)

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INTERIM REPORT
OF THE
SELECT COMMITTEE TO INVESTIGATE CAMPUS DISTURBANCES
TO THE
108TH OHIO GENERAL ASSEMBLY
PURSUANT TO AM. SUB. S. CON. R. NO. 34

As directed by Amended Substitute Senate Concurrent
Resolution No. 34, adopted June 1, 1970, your select committee
to investigate campus disturbances has been examining the facts
and circumstances surrounding the recent disorders and closing
of state colleges and universities in Ohio. Hearings have been
held at each state and state-supported university, and at the
Statehouse. Volumes of testimony and exhibits have been
received, from hundreds of persons from both within and outside
academic communities, and representing the entire range of
involvement and concern, knowledge and opinion. Your committee
has also received information on the subject of campus unrest
from other states studying the problem, and from various other
sources. In addition, it has examined materials prepared by
special staff and by staff of the Legislative Service Commission,
as well as others.

Pursuant to its charge, the committee directed its main
inquiry to pinpointing the causes of student unrest. It was
found that most of the specific underlying causes involve
problems arising from within the academic communities themselves.
While pollution, poverty, women's rights, racism, the Southeast

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Asian war, and other issues of national and international prominence are sources of deep and legitimate concern to students, just as they are sources of concern to everyone, they are by no means the exclusive origins of student restiveness. More closely related to campus unrest are frustrations over problems frequently peculiar to academic communities, and sometimes peculiar to individual campuses. Issues of national and international prominence, however, are often the catalysts which prompt some students to act out their frustrations in unruly behavior.

Although campus problems appear to be the primary causes of student unrest, it should be emphasized that they do not apply to or affect all campuses alike. This interim report is restricted, however, to a general discussion of the more immediate problems, and, with a few exceptions, no attempt is made to differentiate among universities.

Many of the problems mentioned in this report have been building for the past decade or so. In many instances, concerted efforts of administrators, faculty, and students have successfully resolved problems as they have arisen, and the committee commends these efforts. Obviously, however, many serious problems have so far eluded successful solution by the academic communities.

The committee recognizes that most of the problems besetting our campuses can be solved without legislative action, inasmuch as existing law grants broad powers to state university

authorities to govern the universities. It is therefore apparent 57
that legislative mandates aimed at solving campus problems must 58
amount in most cases to limitations on the power of the 59
universities to manage their own internal affairs. Moreover, 60
it is undesirable for any legislature to attempt the actual 61
management of the universities. 62

It is appropriate, therefore, that the academic communities 63
themselves solve those problems for which the remedies are 64
within their power to administer. Failure will mean total loss 66
of public confidence in the ability of administrators to govern 67
the universities, of faculty members to fulfill their obligations 68
as educators, and of students to pursue their studies with 69
diligence, mature judgment, and self-restraint. In that 70
melancholy event, direct legislative involvement would be 71
inevitable.

It should be emphasized in the strongest possible terms 72
that however enormous a problem appears, whatever the vexation 73
it causes, however slow its solution seems to be in forthcoming, 74
it neither justifies nor excuses disruption or violence. Such 75
conduct not only creates problems in itself, but also prevents 76
rational assessment of the justice of particular grievances, 77
and, in a larger sense, is destructive of the true purposes of 78
a university. Those guilty of such conduct do not belong in 79
the academic community, and should be excluded without 80
equivocation.

Also, debate and expressions of concern by members of the academic community over political and social issues are not only legally protected activities, but are encouraged and expected. As an institution, however, a state university should not be used as a political instrument -- such use is incompatible with its public character. No matter how representative of the academic community they may be, those who attempt to politicize a state university seek the betrayal of its broader responsibility to all the citizens of this state, and hinder fulfillment of its primary mission of education.

Finally, it should be made clear that although the potential for mass disorder may have abated somewhat over the summer, evidence indicates the existence of organized efforts by a few persons to destroy our universities, and there is a very real possibility that attempts at disruption and violence will be renewed. To prevent this, each member of the academic community must avoid involvement with any person or group holding that such tactics are proper or necessary tools of reform. Each member must exercise continuing vigilance to see that his own expressions of legitimate concern are not turned to the use of any such person or group.

Many facets of the subject of campus unrest require further, intensive examination. In addition, this committee, on behalf of the General Assembly, shall continue to observe the progress being made by the academic communities in effecting internal reforms, and to remain alert to possible future acts

of disruption and violence. As the fall term is now upon us, 107
 however, your committee considers it timely to state those 108
 tentative findings and conclusions dictated by the evidence now 110
 in hand. Accordingly, your committee respectfully submits the 111
 following as its Interim report, pending further study.

1. Standards of Conduct and Discipline 114

A. Findings. 116

1. The committee found a substantial lack of unanimity 118
 among and within academic communities as to the minimum standards 119
 of conduct to be expected of students. In addition, there is 121
 some confusion on the part of administrators and faculty members 122
 as to their duties and responsibilities in providing guidance 123
 and leadership in the enforcement of proper conduct. Further, 124
 there is a marked tendency to excuse or ignore misconduct. 125
 Consequently, there is a significant amount of equivocation 127
 with respect to imposing discipline for misconduct, and, when 128
 disciplinary action is taken, an inclination to bow to pressures 129
 to grant amnesty.

2. Substantial testimony revealed that academic 130
 communities often attempt to shield their members from 132
 prosecution for criminal conduct. This is manifested most often 133
 by a reluctance to report even some serious crimes to law
 enforcement authorities. There is also a widespread 134
 misconception that criminal prosecution does, or should, preclude 135
 university disciplinary action, and that the academic community 136

has no legitimate concern with the off-campus conduct of its members. In cases where it is determined that particular criminal conduct of a student ought to be the subject of disciplinary action, the usual practice is to make such action dependent upon the outcome of criminal prosecution, despite the fact that the offender frequently may still be guilty of misconduct meriting university disciplinary action even though he is found not guilty of a specific criminal offense.

3. It was found that, among universities, there is often a vast difference in the range and application of sanctions for misconduct. Although it is legally permissible and may be appropriate in some cases, summary suspension is seldom used. It was also found that Ohio law is not clear that students guilty of serious misconduct should be denied state financial assistance.

4. The committee found that disciplinary procedures vary considerably among institutions, but that all appear to be cumbersome in some respects, and particularly ill-suited to handling mass misconduct, such as ordinarily occurs during a campus disturbance. Also, the manner in which due process requirements in disciplinary matters are met varies, but most universities have a tendency to adopt the elaborate requirements of criminal due process, despite the fact that established legal standards do not impose such requirements in an academic setting.

5. Although the disciplinary procedure outlined in Am. Sub. H. B. 1219, 108th General Assembly, applies only in the case of arrest for enumerated crimes committed under specific circumstances, it was found that the Act is commonly misconstrued as providing a complete substitute for, rather than a supplement to, established university disciplinary authority with respect to the enumerated crimes, whether or not arrest for a criminal offense is involved.

B. Recommendations.

1. The committee recommends the adoption of a code of minimum standards of conduct and discipline, applicable to all students in state or state-supported institutions of higher education. This might be done by direct legislative action, by requiring the Board of Regents to promulgate such a code, or by requiring that universities submit proposed codes to the Board of Regents for final approval for purposes of standardization.

The code should specify minimum standards of conduct for students, the range of sanctions which may be applied for misconduct as well as guidelines for imposing such sanctions, and model disciplinary procedures designed to insure both fundamental fairness and dispatch. The code should also require universities to provide competent personnel for its enforcement.

The minimum standards of behavior contained in the code should at least provide that students are required: to abide

by the law and the rules of the institution; and to refrain 189
 from culpable conduct which tends to disrupt lawful activities 190
 at such institution, interfere with the rights of others, or 191
 bring discredit upon the academic community. 192

The range of sanctions provided in the code should at 194
 least include expulsion, summary suspension, suspension, 195
 disciplinary probation, reprimand, and warning. The guidelines 196
 for imposing disciplinary sanctions should be designed to impose 197
 sanctions commensurate with the gravity of the misconduct, but 198
 it should be provided that at least the following merit expulsion 199
 or suspension: felonious misconduct; misconduct involving moral 200
 turpitude; drug abuse; misconduct involving or threatening 201
 disruption or injury to persons or property; cheating; 202
 plagiarism; and persistent misconduct whatever its gravity. 203
 The guidelines should also provide that summary suspension may 204
 be imposed when a university official having disciplinary 205
 authority witnesses the offense, or when any such official has 206
 reasonable cause to believe that the good order and discipline 207
 of the institution or the safety of persons or property require 208
 that the offender be summarily suspended.

The code should also provide for the following due process 210
 requirements: reasonable notice to the accused of the misconduct 211
 with which he is charged; a fair opportunity to defend himself 212
 before an impartial board or disciplinary officer, and one 213
 administrative review to determine the regularity of the 214

proceedings and of the sanctions imposed. When summary 215
 suspension has been imposed, the hearing and review should 216
 follow promptly.

The code should specify that disciplinary proceedings 218
 must be expeditious, and that during the pendency of any such 219
 proceedings the award of any grades, course credits, honors, 220
 or degrees shall be stayed. The code should make it clear that 221
 university discipline is an administrative matter, entirely 222
 separate from the criminal law. University disciplinary action 223
 and criminal prosecution are independent proceedings, and neither 224
 depends upon the outcome of the other, substantively, 225
 procedurally, or in point of time. The imposition of a criminal 226
 penalty does not and should not prevent the imposition of 227
 disciplinary sanctions, or vice versa.

2. Financial assistance should not be given to any student 228
 guilty of serious misconduct, regardless of his academic 230
 standing. Because of the many different kind. of assistance 231
 available, and the interplay of state and federal statutes and 232
 regulations in this area, further study is needed to determine 233
 precisely what legislation may be necessary to effect this 234
 policy.

3. A general statute, similar to statutes in effect in 235
 a number of states, should be enacted requiring the reporting 236
 of serious criminal conduct to appropriate law enforcement 237
 authorities, and providing a penalty for the deliberate and 238

unexcused failure to do so.

4. The committee reminds all administrators that Am. 239
 Sub. H. B. 1219, 108th General Assembly, does not replace normal 240
 university disciplinary procedures, but supplements such 241
 procedures only when an arrest is made for a comparatively 242
 narrow range of crimes committed under specific circumstances. 243
 Furthermore, such act does not provide for summary suspension. 244
 The committee urges all universities to immediately review their 246
 codes of conduct and discipline, in light of both section 3345.21 247
 of the Revised Code and Am. Sub. H. B. 1219. Such codes should 248
 provide for summary suspension as well as other sanctions, and 249
 should cover the types of conduct contained in Am. Sub. H. B. 250
 1219.

II. Faculty Rights and Obligations 253

A. Findings. 255

1. The committee received a number of complaints that 257
 some faculty members and teaching assistants have been derelict 258
 in their responsibilities to meet instructional obligations, 259
 to provide guidance in proper conduct to students, and to 261
 maintain order. Instances were reported where faculty members 263
 had condoned or actively encouraged disruptive activities by 264
 students and had even participated in such activities, had 265
 failed to teach the scheduled course content, had failed without 266
 excuse to meet scheduled classes, had made unwarranted and 267
 repeated use of obscene language in open class, and before other 268
 .. 269

students had ridiculed and degraded students holding political 269
and social opinions opposed to their own. 270

2. It was found that although responsible faculty members 271
generally deplore derelictions in professional obligations by 272
their colleagues, there is little or no enforcement of 273
professional discipline. In part, this stems from a fear that 275
discipline in such matters would interfere with academic freedom. 276
The committee also found lack of uniformity in disciplinary 277
procedures for faculty misconduct.

3. The committee received a substantial amount of 278
testimony and evidence revealing a marked tendency to de- 279
emphasize teaching in favor of research and publication. In 280
part, this appears due to the fact that research and publication, 281
and not teaching, weigh most heavily in gaining professional 282
recognition and advancement. Since teaching and counseling 283
graduate students provide the best opportunities for research 284
and publication, it was found that graduate students tend to 285
monopolize a disproportionate share of many faculty members' 286
time, and that undergraduate courses, and particularly freshman 287
and sophomore courses, tend to be left more to junior faculty 288
members and teaching assistants. 289

4. A number of complaints were received concerning the 290
quality of the instruction in certain courses, and it appeared 291
that such complaints most often centered about junior faculty 292
members and teaching assistants. It was found that university 293

teachers, unlike elementary and secondary school teachers, are 294
 not required to undergo even rudimentary training in techniques, 295
 and whether or not they have any training or experience in 296
 teaching at the outset is usually a matter of chance. Further, 297
 they receive little or no supervision in their instructional 299
 duties.

5. One criticism frequently leveled at faculty members 300
 is that many do not make themselves sufficiently accessible to 301
 students for guidance and consultation. The committee found 303
 justification for this criticism, but it also found that most 304
 faculty members conscientiously try to hold themselves available 305
 to students, but that students frequently do not trouble 306
 themselves to seek out faculty members for consultation. Also, 307
 large class size sometimes makes it impossible for faculty 308
 members to give more than token individual attention to students. 309

6. It was noted that in many universities the employment, 310
 advancement, and discharge of faculty members has largely been 311
 assumed by department chairmen and academic deans, with little 312
 supervision being exercised from higher administrative levels. 313
 Further, the methods for monitoring the performance of faculty 314
 members are haphazard, and at many institutions apparently 315
 little or nothing is done in this regard. Classroom performance 316
 is seldom monitored. Some universities provide for student 317
 critique of faculty performance, and some do not. 318

7. The committee found that although in most universities 319
 tenure is granted to faculty members only after they have 320
 completed a more or less extended period of service, in some 321
 cases it is granted without any probationary period at the 322
 institution granting it. It was also suggested to the committee 323
 that tenure is used to protect a faculty member from the 324
 consequences of incompetence or misconduct. 325

8. It was asserted to the committee that some research 326
 projects are undertaken by the universities, which projects are 327
 either unrelated to the educational function, or hinder its 328
 performance in some degree. In this connection, it was stated 329
 that in many cases time spent on research by faculty members 330
 is time which would do greater service if spent in teaching. 331
 At one university, it was revealed that nearly one-third of the 332
 total complement of faculty members do not teach, because their 333
 full time is occupied in research. 334

B. Recommendations. 337

1. The committee recommends the adoption of a code of 339
 minimum standards of professional conduct and discipline. Like 341
 the code of student conduct and discipline recommended in this 342
 report, such code might be adopted by direct legislative action, 343
 or the Board of Regents might be required to promulgate such 344
 a code, or universities might be required to submit proposed 345
 codes to the Board of Regents for final approval for purposes 346
 of standardization. 347

Such code should set forth the obligations of faculty members to their schools, with particular reference to their instructional obligations, and also to their duties to provide students with guidance in proper standards of conduct, and to maintain order. The code should define academic freedom, and state with some particularity the rights and responsibilities embraced by the concept. Such code should also reflect the fact that the personal behavior of faculty members cannot entirely be disassociated from their professional lives.

The code should provide appropriate sanctions for professional and personal misconduct, together with guidelines for imposing such sanctions.

Adequate provision should be made in such code to insure that faculty members accused of misconduct have reasonable notice of the charges against them, are afforded a fair opportunity to defend themselves before an impartial board or officer, and that one administrative review is available to determine the regularity of the proceedings and the sanctions imposed. Provision should be made for the privacy of the proceedings at the accused's request.

The code of faculty conduct and discipline should provide that whether an offender is tenured or not is irrelevant to the imposition of appropriate sanctions for misconduct.

2. The committee recommends that tenure not be granted to a faculty member until he has demonstrated his competence

and suitability during a probationary period at such institution. 375
 In the case of an experienced faculty member coming from another 376
 institution, the probationary period should not be less than 377
 one academic year, with longer minimum periods specified in 378
 other cases.

3. The committee recommends that at least some instruction 379
 in teaching techniques or experience in teaching should be 380
 required to qualify prospective faculty members and teaching 381
 assistants for their positions. Senior faculty members charged 382
 with supervising junior faculty members and teaching assistants 383
 should take appropriate measures to monitor and evaluate the 384
 performance of those under their supervision, and to insure 385
 that they acquire increasing competence as teachers. 386

4. The committee recommends that universities immediately 387
 evaluate the effectiveness of their respective policies, methods, 388
 and procedures in regard to the accessibility to students of 390
 not only faculty members but administrators at all levels, for 391
 guidance and consultation. Every effort should be made to 392
 maintain a high level of personal contact and to provide students 393
 with as much personal attention as possible. In this regard, 394
 the committee reminds administrators and faculty members that 395
 it considers undergraduate programs to be of primary importance
 to any university, and suggests that senior faculty members 396
 should give increased attention to such programs, and should 397
 give particular attention to freshmen and sophomores, who in 398

the committee's opinion are often those most in need of mature 399
 guidance and counseling. Further, the committee suggests that 400
 universities should emphasize their instructional functions, 401
 and consider research functions as important, but clearly 402
 secondary.

5. The committee recommends that additional study be 404
 given to the employment, advancement, performance, and discharge 405
 of faculty members, with a view to determining the best methods 406
 of insuring that adequate supervision is exercised in such
 matters, that teaching performance is given due recognition, 407
 and that faculty members have at the outset, and maintain, a 408
 high level of competence. In this connection, also, the 409
 alternatives for *monitoring faculty performance* should be 410
 examined.

6. The committee recommends that further study be given 411
 to research projects being carried on by the universities, with 413
 particular attention to: the origins of such projects; how 414
 such projects relate to the main mission of the university; the 415
 number of faculty members engaged in such projects; and the 416
 extent to which research projects may unduly limit the
 availability of faculty for teaching duties. 417

III. <u>University Operations</u>	420
A. <u>Findings.</u>	422
1. The committee received substantial testimony and evidence indicating that while large size may of itself create problems, many of the problems currently besetting our campuses are directly traceable to rapid growth, coupled with a lag in the development of administrative and academic policies and procedures necessary to effectively assimilate the greater number of students.	424 425 426 428 429 430
A number of factors, in addition to population growth, were cited as contributing to the size and rapid growth of state universities. These included the open admissions policy contained in state law, an inclination on the part of parents and students to opt for four-year degree programs, shortcomings in career guidance programs on the secondary school level, and the method of allocating appropriations among the universities.	431 433 434 435 436 437 438
The open admissions policy contained in Ohio law requires state universities to admit any resident who is a graduate of an accredited high school, regardless of his academic promise. Although this requirement undoubtedly affects the growth and size of state universities, the committee observed that its full potential impact is modified in practice. For example, students whose academic standing or promise is low are frequently placed at branch campuses or in special programs, or granted a delayed admission. Also, there is an early and high attrition	439 440 441 442 443 445 446 447 448

rate due to academic failure. 449

Another factor contributing to the growth and size of 450
state universities was stated to be a tendency of students and 451
their parents to look upon a bachelor's degree as a prerequisite 452
to future success, and thus to overlook the educational and 453
career possibilities in two-year associate's degree and technical 455
training programs. It was asserted that career guidance programs 456
in the secondary schools place undue emphasis on four-year
college degrees, but that at the same time many high school 457
graduates entering four-year degree programs are not suitably 458
prepared to undertake them. It appears probable that many 459
students, for whom other types of institutions might be better 460
suited to their career goals, educational needs, and aptitudes, 461
are prompted by these conditions to seek admission to the 462
universities.

Another element to which the growth and size of the state 463
universities was attributed is the method of allocating state 464
funds among these institutions on a per student basis with a 465
premium for graduate students. This encourages the universities 466
to enlarge their graduate programs as well as increase their 467
overall enrollment, in order to secure more funds, despite the 468
risk that the increased size might be at least temporarily 469
unmanageable.

The committee noted that the Ohio Board of Regents, in 470
connection with its duty to plan the course of higher education 471

in Ohio, is engaged in a study involving, among other things, 473
the effects and relationships of the foregoing factors.

2. The committee found that an increasingly annoying 474
problem with respect to university administration is the 475
diffusion of authority, whereby major decision-making functions 476
are parcelled out to committees variously composed of students, 477
faculty members, and administrators. Although any such committee 478
can legally have only an advisory status, it was found that 479
their decisions often are relied upon as substitutes for 480
decisions on the part of the administrators having the legal 481
responsibility and authority for making them. In part, this 482
appears due to bona fide efforts by university administrators 483
to secure necessary information and advice from faculty and 484
students. In part, it appears to represent administrative 485
surrender to increasingly clamorous demands by faculty and 486
students for control of university affairs. It was pointed out 487
that such committees frequently deal with matters beyond the 488
experience or competence of some or all of their members, and
require weeks and even months to reach decisions which a 489
competent administrator might make in a matter of hours or days. 490
Further, it appeared that such committees often exceed the scope 491
of their commission. A number of instances were related in 492
which university administrators had been subjected to immoderate 493
abuse for rejecting the recommendation of a committee, or for 494
taking a course of action disapproved by, or without the prior 495

approval of, a body of students and faculty. As a result, ~~many~~ 496
 administrators appear to have found it more and more expedient 497
 to delegate many responsibilities and de facto authority to 498
 such bodies.

3. The complaint voiced most often in the course of the 499
 committee's hearings was that there is a lack of communications 500
 among and between the members of the academic community. The 502
 committee finds that administrators, faculty members, and 503
 students must all share a portion of the responsibility for the 504
 failure. On one campus, an instance of failure of proper liaison 505
 of faculty members among themselves and with administrators, 506
 was possibly a key factor in renewed violence and the ultimate 507
 closing of the university. In several other cases, feelings 508
 were bitter over apparent administrative failure to recognize 509
 or deal with various campus problems, when in fact the failure 510
 was not over the problems themselves but a failure of public 511
 relations, and particularly of keeping students reliably 512
 informed. At some universities, for example, the administrations 513
 appear unable to effectively use available campus news media. 514
 Further, instances were reported in which responsible students 515
 attempted to secure from university officials information 516
 necessary to prove or disprove various accusations by radical 517
 elements concerning university affairs, but were unable to 518
 secure such information due to administrative inertia or outright 519
 antagonism. The end result was that the disruptive elements 520

received undeserved support, because many students interpreted 522
the posture of university officials in such cases as lending 523
credibility to the accusation. The committee observed that the 524
level of disruption at a university appears to be inversely 525
proportional to the degree of success with which administrators, 526
faculty members, and students rationally exchange and evaluate 527
information and opinions. The committee also observed that 528
many students who complained that the university did not listen 529
to them based their accusations on the fact that the university 530
disagreed with them, had not acceded to their demands, or had 531
not acted on reasonable suggestions in an unreasonably short
time.

4. The committee found that at some universities, course 532
registrations are on a first-come-first-served basis and limited 533
by quota, and this works a hardship on some students who are 534
unable to get into a course but need it to graduate and are 535
obliged to attend school an extra quarter or more. To some 536
extent, this problem arises out of a shortage of available 537
faculty coupled with large overall enrollment. In part, the 538
problem is due to inflexible or antiquated procedures for 539
forecasting course demand and registering students.

5. It was found that overcrowded and substandard housing 540
is a serious source of irritation to students on many campuses. 541
Dormitory rooms frequently house half again or double the number 543
of occupants for which they were originally designed. In 544

addition, the committee heard complaints that off-campus housing 545
is scarce, and that high rents are charged for sub-standard 546
quarters.

6. The committee found substantial evidence that drug 547
abuse is a serious problem at universities in this state. 548
Instances were reported of faculty members encouraging drug 549
use, and even engaging in illicit drug traffic. At least one 550
instance is known of drugs being distributed openly and in 551
quantity in the midst of a large, unruly gathering. It was 552
also observed that when apparent drug abuse or drug traffic is 553
observed, it is frequently not reported to law enforcement 554
authorities. Although a few universities are making efforts 555
to provide counselling for drug users, the problem generally 556
is ignored on other campuses.

7. A number of witnesses asserted that the movement to 557
close the universities last May received more support than it 558
would have received had the universities insisted that no credit 560
could be given for incomplete work. Instead, various devices 561
were used to permit students to receive grades and course 562
credits, even though course work was stopped short of normal 563
completion when the institutions closed. In addition, on some 564
campuses, fee refunds were made. The committee notes that 565
pursuant to a recent amendment to its rules, the Board of Regents 566
intends to withdraw all state funds from universities shut down 567
by reason of disorder.

B. Recommendations. 570

1. The committee recommends additional in-depth study 573
to determine, among other things: the effect campus size has 575
on academic quality and administrative operations; whether the 576
open admissions policy contained in Ohio law should be retained,
modified, or repealed; whether individual universities should 578
be assigned areas of emphasis in educational programs; the 579
impact of instructional grant programs; how and in what way the 580
role of branch campuses, community colleges, technical 581
institutes, and other educational institutions can or should 583
be expanded; and how impetus may be given to two-year programs
for those whose educational needs do not require four-year 584
programs. In addition, an examination should be made to 587
determine the effectiveness of secondary schools in preparing 588
students for higher education, and in guiding them into advanced 589
programs best suited to their goals, needs, and aptitudes. 590

In connection with these and other questions related to 592
the effectiveness of higher education in Ohio, the committee 593
requests that the Board of Regents accelerate its studies under 594
H. R. 180, H. R. 245, and related areas, and make its report 595
to the General Assembly at the earliest practicable moment. 596

2. It is recommended that boards of trustees take 597
immediate action to eliminate the diffusion of authority and 598
responsibility in the administration of the universities. Areas 599
in which responsibility and authority may be delegated, and to 600

23

whom, should be clearly delineated, and appropriate procedures 601
instituted to insure that delegates properly and promptly perform 602
their assigned tasks. There should be no question that ultimate 603
authority and responsibility to govern the university rests 604
with the board of trustees, and that the president is the 605
university's chief executive. While committees composed of 606
students or faculty, or both, are useful forums whereby the 607
governing authorities of a university may gain perspective on 608
the needs of the academic community, it should be made clear 609
that such bodies can only function in an advisory capacity, and 610
have no authority to mandate action. They may request and 611
suggest, but not require. Administrators should have no 612
hesitation in rejecting the advice of any such committee if in 613
their judgment such advice would not be in the best interests 614
of the academic community. Further, administrators should not 615
refrain from taking necessary action pending advice from any 616
committee appearing disposed to inordinate delay. 617

3. The committee recommends that administrators use all 618
the methods, techniques, and media at their disposal to see 619
that faculty members and students are regularly and reliably 620
informed of policies, decisions, and work in progress on issues 621
and problems of importance to the academic community. When 622
students or faculty members seek information relating to matters 623
of interest on campus, the committee sees little reason for 624
administrators to be secretive. In addition, administrators 625

should insure that they are currently informed on the problems 626
and needs of the academic community and all its members. 627
Further, students and faculty members should take an active and 628
responsible part in university affairs, and should also take 629
the initiative to see that administrators are kept informed of 630
their problems and needs, as well as those of the academic 631
community as a whole, bearing in mind the necessity for acting 632
toward others at all times with courtesy, consideration, and 633
respect.

4. The committee urges that efforts to relieve the 634
problems of overcrowded classes, registration, and close-out 635
of registration be accelerated. Computer technology and other 637
modern methods and equipment should be utilized to provide 638
effective pre-registration, and to aid in forecasting course 639
demand. Priority should be accorded advanced students in 640
registering for courses required for their graduation.

5. The committee recommends that universities should not 641
permit any dormitory room to be occupied in excess of its 642
designed occupancy. Concurrently, the committee recommends 644
that further study be given to the operation of Ohio's dormitory 645
financing law, to determine its precise impact on the problem 646
of overcrowded housing. In addition, the committee suggests that 647

universities should take appropriate action, within their 652
 authority, to regulate off-campus housing of students, to see 653
 that such housing meets reasonable standards of decency at fair
 rentals. 654

6. The committee recommends that all universities 655
 institute an immediate, intensive, and continuing program to 656
 eliminate drug abuse on campus. Such program should at least 657
 include instruction in recognizing the signs of drug abuse, in 658
 the dangers of the practice, and in the treatment and 659
 rehabilitation facilities and programs now available in Ohio. 660
 The necessity for reporting drug use and traffic to appropriate 661
 authorities should be stressed.

7. The committee will give further study to the question 662
 of prohibiting the awarding of grades or course credits for 663
 work not regularly completed, and, in the case of a university 664
 forced to close because of disorder, of the propriety of 665
 refunding fees for an unfinished academic period, and of paying 666
 wages and salaries, except to essential personnel. 668

IV Campus Security and Law Enforcement 671

A. Findings. 673

1. The committee found that although there are many 676
 competent men employed as campus security officers, as a general 677
 rule campus security officers are underpaid and insufficiently 678
 trained. In addition, campus security agencies are seriously 680
 understaffed.

2. The committee also found that although campus security officers have police responsibilities, their authority to make decisions normally associated with such responsibilities is in question, since they are answerable to a university administrator or, in some cases, to several administrators at once. A number of instances were reported of security officers observing criminal conduct and placing the offender under arrest, but being subsequently directed to drop all charges. One such instance involved serious, multiple acts of vandalism. In a similar vein, the committee found that some university authorities often discourage local law enforcement officers from coming onto campus to enforce the law. In one instance, city officials and university authorities had agreed, in writing, that city police would not come onto campus to enforce the law without the prior approval of university officials, with certain exceptions.

3. Much testimony was received on the effectiveness of the Highway Patrol in dealing with campus disturbances, even though its numbers were comparatively small at each place where it was employed. The training and discipline of the Patrol was the subject of almost universally favorable comment, and it was repeatedly suggested that its jurisdiction and strength be expanded to aid in dealing with disorder not only on campuses, but also in adjacent and related areas. It was noted by the committee that the Patrol's existing jurisdiction in this respect

is strictly limited by law. 705

4. The committee noted that Ohio law provides that 706
 concurrent duty and authority to enforce the law on state 707
 university campuses rests with campus security forces, municipal 709
 police, the county sheriff, and the Highway Patrol, with the 710
 Ohio National Guard to act in aid of these when directed. The 711
 law, however, does not make clear the duty and authority of 712
 such agencies when two or more are engaged in law enforcement. 712
 The committee found that the absence of a clear understanding 714
 of duties for the various agencies involved on campuses during 715
 the May disorders as well as the frequent absence of effective 716
 prior planning, often resulted in serious lack of coordination 717
 among law enforcement agencies, and a consequent reduction in 718
 the effectiveness of their overall efforts.

5. It was found that intelligence -- collection, 719
 collation, evaluation, and dissemination of information -- is 720
 a vital police function, and a necessary part of forecasting 721
 and preventing or controlling disorders. In many police 722
 agencies, however, this function is either not performed, or 723
 is performed by non-specialists in addition to their other 724
 duties. Statewide, the intelligence function is inadequate. 725

6. The committee found that identification of offenders 726

during a disorder is a difficult problem in law enforcement. 727
 The most successful efforts in this regard occurred at those 728
 campuses where photographers were employed throughout the 730
 disturbances in May.

7. It was found that the free access to campus of persons 732
 who have no legitimate business there is the source of a number 733
 of problems not only during campus disturbances, but at other 734
 times as well. Judging by arrest records, over half of the 735
 participants in some of the recent disorders were nonstudents. 736
 Around many of the larger campuses are enclaves of persons 738
 living in what is termed a "subculture." It was reported to 739
 the committee that these enclaves present a disproportionate 740
 number of police problems, and that their members make free use 741
 of the nearby campuses. Also, it was reported to the committee, 742
 that non-students are sometimes living in dormitories, and make 743
 use of university eating facilities. The committee notes that 744
 Am. Sub. H. B. 1219 addresses itself to trespass on campuses 745
 during a disorder. It was frequently suggested to the committee, 746
 however, that the trespass laws of Ohio are inadequate to control 747
 unauthorized access to university property. 748

B. Recommendations. 751

1. The committee recommends legislation designed to 753
 provide a high level of competence in campus security forces, 754
 by establishing minimum training and other requirements. Such 756
 legislation should also provide that the chief of campus security 758

must be an experienced, professional law enforcement officer. 759
 Also, it should be clearly provided that campus security officers 760
 have the same obligation and authority to arrest offenders as 761
 other law enforcement officers, and university administrators 762
 and faculty members should be prohibited by law from interfering 763
 with the normal processes of arrest and prosecution for criminal 764
 conduct. Such legislation should also encourage cooperation 765
 between university authorities and local government officials, 766
 but it should be clear that campus authorities have no authority 767
 to hinder or prevent local law enforcement officers from 768
 enforcing the law within their jurisdictions, including on 769
 campus. 770

2. The committee recommends that all universities 771
 immediately evaluate their campus security program, with a view 773
 to increasing the number and competence of security forces to 774
 an effective level. Pay scales for officers should be designed 775
 to be competitive with pay scales for other law enforcement 776
 officers.

3. The committee recommends that the strength of the 777
 State Highway Patrol immediately be expanded. In addition, the 779
 committee recommends legislation to expand the jurisdiction of 780
 the Highway Patrol to permit it to operate effectively during 781
 campus disorders.

4. The committee recommends legislation clarifying the 782
 duties and authority of the various law enforcement agencies 783

having jurisdiction on state university campuses. Such 784
legislation should spell out the duties and authority of each 785
of such agencies when more than one is involved in a police 786
action, and should require all such agencies to coordinate their 788
efforts in advance through planning.

5. The committee recommends legislation providing for 789
the establishment and efficient operation of an intelligence 790
network within and among all law enforcement agencies in Ohio, 791
and providing for the collection, collation, evaluation, and 793
dissemination of information on criminal activity in this state. 794
Such network should be coordinated with similar efforts in other 795
states and the federal government. In addition, the committee 796
strongly recommends that intelligence services now being 797
performed by the State Highway Patrol immediately be expanded 798
and intensified, and that particular emphasis be placed on 799
information related to campus unrest and the possibility of 800
future disruption.

6. The committee recommends that law enforcement agencies, 801
including campus security forces, maintain photographers on 802
call for service during disorders, to aid in the subsequent 803
identification of offenders. 804

7. The committee recommends legislation to control 805
trespass upon university property, for use as a law enforcement 806
tool in denying access to campuses to persons having no 807
legitimate business there. 808

31

V Organized Efforts to Disrupt 811

A. Finding. 813

The committee received evidence indicating that the May 817
 disorders were not entirely spontaneous, but were in part the 818
 result of deliberate, planned attempts at fomenting violence. 819
 There was testimony that the number of persons involved in 820
 deliberate violence is small, but that some are well-trained
 and financed, and that elements of a conspiracy exist. Also, 822
 there is information that attempts will be made to renew 823
 disruption and violence at the universities.

B. Recommendation. 826

The committee recommends that further, intensive, immediate 828
 study be given to determine whether and to what extent the 830
 recent campus disorders were planned or managed, to what extent, 831
 if any, such efforts are part of a statewide or nationwide 832
 conspiracy. In addition, an investigation should be instituted, 834
 giving particular attention to evidence of plans for future 835
 disruptions. The Ohio laws respecting incitement, criminal 836
 syndicalism, and conspiracy should be studied to determine their 837
 adequacy with respect to the types of conduct found to be 838
 involved.

VI Conclusion

In its interim report, the committee has stated that
 further study is needed at least in the following areas: the
 nature of legislation needed to insure that financial assistance
 is not wasted on students guilty of serious misconduct
 (Recommendation I-B-2); the employment, advancement, performance,
 and dismissal of faculty (Recommendation II-B-5); the conflict
 between teaching and research (Recommendation II-B-6); questions
 related to the future directions of higher education in Ohio
 (Recommendation III-B-1); dormitory financing (Recommendation
 III-B-5); the awarding of grades and course credits for
 incomplete work, and the refund of fees when campuses are closed
 due to disorder (Recommendation III-B-7); and evidence of a
 conspiracy to disrupt higher education (Recommendation V-B).

The committee has further stated, with respect to those
 campus problems which ought to be solved by the academic
 communities themselves, but which are not or cannot be solved
 by them, that legislative solutions will be necessary.

In addition to the issues discussed in this interim report,
 there are other matters which have been before the committee,
 and to which the committee will be giving further consideration.

Accordingly, the committee will continue its work, and
 in this connection will visit the campuses of the state
 universities, first, to pursue those inquiries concerning which
 further study is needed, and second, to consult with

administrators, faculty members, and students on what progress 864
has been and is being made by the academic communities in 865
resolving their own problems. In addition, the committee intends 866
to acquire immediate and first-hand knowledge with respect to 867
any campus disorder which may occur. If in the course of its 869
continuing inquiries the committee determines that legislation 870
is urgently needed to correct any problems or prevent disorder 871
and prosecute offenders, it will request the Governor to call 872
a special session forthwith.