

# Behrend Collegian

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## Behrend Briefs

5.5 grams confiscated

# 17 Busted for Pot

**Congratulations to Clifford Fiscus, former Behrendite, who has been named Penn State's official Nittany Lion for the '77 football season. Following each PSU touchdown, Cliff will do one pushup for each Penn State point. Good luck!**

**LOST—A size 5 diamond ring in a gold setting in the vicinity of the Nick building Friday, March 18. If found, please call 454-1152 or stop in at the Collegian office located in the SGA suite in the RUB. This would be greatly appreciated as the ring is of great sentimental value.**

**On Tuesday, April 5, there will be a meeting of the Student-Faculty Forum during common hour in Nick 110. The topic of discussion, "Depersonalization and Loneliness, the College Experience," will be moderated by Professors Cottle and Quarton. Everyone is invited and encouraged to attend.**

**DAVE MASON will appear at the Erie County Fieldhouse March 30 at 7:30 p.m. Tickets are \$5.50 in advance and \$6.50 at the door, and are available at the Fieldhouse and at the door.**

**Tryouts and casting for the Behrend Players Spring production, "The Birthday Party" by Harry Pinter, were held at the end of the winter term. The production is scheduled for performance April 27-30 and May 4-7 at 8 p.m. in the Behrend College Studio Theatre. Tickets go on sale April 20 and cost \$2.50 for the public and \$1.50 for Behrend College students, staff and faculty.**

by Kristen Hartzell  
Collegian Staff Writer

On February 13 a raid was held in room 315 of Lawrence Hall. Seventeen Behrend students were charged, in varying degrees, with contributing to the consumption of marijuana.

During dinner at Dobbins Hall earlier that night, one student invited all those within hearing to an "ouner," which Dean Bainum said the administration did not appreciate. Students, however, maintain that the student was joking and that most of the people eating dinner at the time realized that.

After dinner students gathered in room 309 of Lawrence Hall and began smoking marijuana. They later moved to room 315 and continued their party there. One occupant of room 315 came to his room at approximately 9:40 after studying in the library. Finding a party going on, he gathered some books and then asked two students at the party if he could use their room (309). They agreed, so he went to 309 and began writing a speech. He says, "There was incense burning when I walked into that room; I didn't smell pot, and had no idea that the people in my room began their party in 309 first."

Approximately ten minutes later, Mr. Giesmann, Ms. Haskell, and two R.A.'s came to 309 and asked the student to open the door. They said they smelled marijuana coming from the room, and asked him where his roommate was. He told them that his room was 315 and that the

occupants of 309 were in 315. Mr. Schaefer joined the residence staff at this point. While some remained in 309, the rest of the staff proceeded to 315 and, when they smelled marijuana, ordered the people to open the door. The staff then confiscated several pipes, bongs, paper clips, a cigar box, hemostats, a prescription vial containing Noxema, a pocket knife, razor blades, and various ashtrays that held some "marijuana" ashes.

The residence staff returned to 309 and asked the student writing a speech to go to his room. From 309 the staff confiscated some plants and a few bongs. In total, 53 items were gathered from the two rooms, as well as 5.5 grams of marijuana. The staff returned to 315 to find the occupants of 309. When the student in 309 returned to 315, he was asked to surrender any marijuana he might have before a search, since it would be in his favor at the trial. He then turned over an old vial of marijuana which contained about 1½ grams. He was written up for breaking conduct code numbers 2, 11, and 15. The process took about two hours.

Article 2 of the Student Handbook prohibits "Violation of local, state, or federal law on Univ. property, or off campus when such violation of the law has an adverse effect upon the Univ. or upon individual members of the Univ. community."

Article 11 forbids "Use, possession, distribution, or being under the influence of narcotics or dangerous drugs, except as

permitted by law."

Article 15 prohibits "Aiding, abetting, or attempting to commit an act or action which would constitute an offense under any types of misconducts stated under 1-14 above."

"I really couldn't believe it. I never thought I would get in so much trouble simply by writing a speech!" commented the student. His hearing resulted in probation for the remainder of his academic career, and he is currently awaiting his appeal.

His roommate was charged with breaking the same articles, and was given two terms of academic suspension. He is appealing that decision. "I had just arrived from a week-end trip 45 minutes before the bust itself and had no idea it was announced beforehand or that a posse was out after it. Among dorm students, it is common knowledge that marijuana parties occur frequently, and little fuss is made over them." He added that he had no previous record.

Speaking of the student who had issued the invitation at dinner, one student protested, "He didn't even specify when or where! How could he be serious?" But administrators thought differently, and dismissed him from the University for a minimum of one year with no promise that the student can return. Dean Bainum stated that "he had a previous record and was under doctor's medication at the time; we offered him rehabilitation at University Park during the time period of his dismissal, though I don't know if he plans to com-

ply."

Then two from room 309 who attended the party in 315 were given one-term suspension by the appeals court. They were charged with the violations stated above, and neither had any previous record.

Another student, who was in room 315 during the ten minutes before the raid, was given suspension for one-term because of previous violations.

Of the people remaining, according to Dean Bainum, ¾ will go before a hearing board and ¼ will go before Dean Bainum for sentencing.

Dean Bainum commented "this is indeed an unfortunate situation for all involved. But in keeping with University policy, we must recognize that these students broke a law and must accept the consequences."

"I have tried to be consistent with University policy; I have nothing personal against these students; in fact, I think we, the University, have been fair in not turning these students over to the local authorities. We saved them a criminal record that way."

But the students do not agree. Said one student:

"The entire thing was handled in such a way that I feel we are being used; we were 'Made examples of' and the sentences were far too harsh. This kind of partying goes on all the time, not only in the dorms but elsewhere. In order for the University to be at any way consistent, they would have to hold raids regularly and would end up busting nine-tenths of the Behrend campus. If that is what they want, an absence of students, then they are certainly going about it the right way."

Another student added: "The mere fact that they don't even know exactly how much marijuana was confiscated—they said a minimum of four grams and a maximum of six—and don't know to whom most of it belongs, proves to me that they are using these policies and rules to their own advantage; and we, the students, can't fight because of general rules that can be interpreted various ways."

The results of this trial spurred students into forming a grievance committee to investigate policies, to ascertain exactly what each policy states, and to protect students from "being railroaded," as one student phrased it.

## T. Clyde quit

by Janet Mazur

T. Clyde Kennedy resigned from the position of S.G.A. president March 11. He claims five factors were responsible for his decision.

"The first four factors gave me the potential to resign. The fifth, however, triggered by response."

He identified the five basic reasons: 1) time put into S.G.A. accomplished little; 2) insufficient student support; 3) "the president of S.G.A. usually ends up with the buck, and I'm tired of spending it"; 4) suffering grades; and, finally, 5) "The drug bust incident on third floor of Lawrence Hall . . . in disgust. I resigned."

When asked if he intends to disassociate himself entirely from S.G.A., he responded "I plan to maintain some S.G.A. contact in that I'm perfectly willing to continue working with them, yet not in the same capacity as president."

will students suffer?

# Faculty may unionize

by Colleen Gallagher  
Collegian Staff Writer

Next week, faculty at all Penn State Campuses will vote to determine the nature of future faculty-administration relations, which will profoundly affect students' position as well.

On Wednesday and Thursday, March 30 and 31, the faculty will decide whether to be represented in their dealings with the University by one of two unions, or to remain unrepresented.

At issue are power, which in Academe becomes "collegiality in governance," and economics, which means the ability to negotiate salaries. Those opposing unionization believe a union would destroy the faculty's traditional role in decision making and would rigidify pay and promotion structures, thereby undermining the faculty's incentive to strive for excellence. Union advocates, on the other hand, see nothing to lose, since they deny that collegiality exists at Penn State, and believe the administration evaluates faculty performance arbitrarily, often ignoring merit.

For students, however, power and economics have other aspects. To students economics also means that if collective bargaining increases faculty pay, higher tuition and cut-backs in programs could result. And if an organized faculty is unable to negotiate a satisfactory contract, it could exercise its right to strike.

"Very, very unlikely," says Dr. Richard Tomsic, Assistant Professor of Psychology and President of the Branch Campus caucus of the Pennsylvania State University Professional

Association (PSUPA), one of two groups vying for the right to represent the faculty. "It's one of those scare things. The number of institutions of higher education engaging in strikes is extremely small. It's the farthest thing from our minds."

Faculty contracts negotiated through collective bargaining at other institutions have occasionally limited the use of student course evaluations to determine promotion, pay, tenure, and firing of faculty. However, it is almost impossible to discern how much weight students' opinions of teachers presently carry at Penn State since, under current faculty-administration relations, the reasons for such decisions may remain undisclosed.

In addition, Pennsylvania Public Law 195, under which all state bargaining units must operate, prohibits third party (in this case, student) participation in contract negotiations. Of course, students have no such voice now, but if the faculty's power over its affairs increases under unionization, would faculty concerns about salaries and job security take precedence over student concerns about tuition and quality education?

Tomsic doesn't think so. "Right now," he points out, "those who have final say in the administration are those farthest removed from the students. An organized faculty would have direct contact with students. And with collective bargaining, the faculty would have greater say in the affairs of the University."

But PSUPA executive board member Robert Olsen regards the prospective situation in a

somewhat different light, as reported in University Park's Daily Collegian: "It's between the faculty and the University, their employer," he said. "If students are concerned about their rights they should join together into their own union—like a consumer's union. . . They should have rights they don't have, but they have to get them themselves."

Tomsic, however, believes PSUPA's affiliation with the Pennsylvania State Education Association's (PSEA) powerful Harrisburg lobby is likely to ensure Penn State greater allocations with the state legislature, which Tomsic says has been and will continue to be responsible for compelling the University to raise tuition, unless the faculty organizes. "When teachers organize they essentially have to be treated as a bloc of votes, where they can hit the legislator where he has to worry most." During the last election Tomsic maintains, "the PSEA endorsed a number of candidates and 80 per cent were elected."

But Edwin C. Masteller, tenured Associate Professor of Biology and member of the steering committee of the Penn State Independent Faculty, spearheaders of the "no-representation" drive, doubts PSUPA's ability to influence Harrisburg. "Higher education is not looked upon favorably (for funding) because we have a declining population," he says.

University President John Oswald last month predicted a tuition hike by next fall, making no mention of any impact of a faculty union. Oswald also blamed Harrisburg for the im-

pending increase.

But if the faculty organizes, the mandatory exclusion of students from bargaining further raises the likelihood of a tuition hike. According to last year's figures in the Monthly Labor Review of the U.S. Bureau of Labor Statistics, "Tuition and fees have increased significantly more for unionized, public, 4-year institutions without student involvement than for those that are unionized and have student involvement" in the bargaining process. But student involvement could occur away from the negotiating table, or conceivably, as Olsen would have it, in a union of the students' own.

Public Law 195, which prohibits third party participation, would also create an antagonistic relationship between faculty and administration, according to the anti-union faculty. They claim that academic decision making has traditionally been an area of faculty input, whereas a union would label faculty members "employees" and the University "employer", leaving "inherent managerial policy" to the administration.

Masteller says a union would wipe out faculty input such as that emanating from the Faculty Senate, because "the employee doesn't tell management how to run its business."

Tomsic, however, maintains that "inherent managerial policy" is limited to actual administrative structure. "We can't tell the University the number of administrative assistants it can have. We can't tell President Oswald how to deal with the Board of Trustees," he says. He sees decisions about academic policy and programs, however, as being well within the area of "working conditions" and

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