



WESTERN *Official* NEWS

Volume 2, Number 1

September 6, 1973

TRUSTEES APPROVE CHANGES IN RESIDENCY POLICY

WESTERN FAMILY

Editor's Note: Members of the Western Michigan University community have been most active since the last issue of Western (Official) News. We are attempting to bring our readers up to date on these events as well as to inform them of current activities.

DR. CLYDE R. WILLIS, professor of Speech Pathology and Audiology, discussed "Oral Panendoscopic Evaluation of Velopharyngeal Insufficiency" before the International Congress on Cleft Palate, held at Copenhagen, Denmark . . . DR. PAUL T. MOUNTJOY, professor of Psychology, is the author of "Jean Henri Masers de Latude: An Unappreciated Practical Psychologist" which was published in *The Psychological Record*. With DENNIS P. MALTAIS, a former student, he co-authored "Recognition Threshold as a Function of Learning" which appeared in a later issue of the same publication . . . "Return," a film produced by the Division of Instructional Communications, was awarded the Coni Silver Medal at the International Film Festival held at Cortina, Italy . . . DR. NEIL LAMPER, associate professor of Counseling and Personnel, presented a demonstration of Gestalt group therapy at Philadelphia . . . DR. RALPH K. STEINHÄUS, associate professor of Chemistry, is the author of "Molecular Weight Determination of Aldehydes and Ketones—A Quantitative Organic Experiment" published in the *Journal of Chemical Education* . . . Two members of the Art Department faculty, ROBERT P. JOHNSTON, associate professor, and ELIZABETH DULL, an instructor, are co-authors of "The Teaching of Art History in Michigan's Two-Year Colleges" which appeared in the *Art Journal* . . . HERBERT BUTLER, professor of Music, has been named director of the Jackson Symphony Orchestra

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TEED 300 Meeting

An orientation meeting for all students enrolled in Teacher Education 300 will be held at 10 a.m. Tuesday, September 11, in Room 2303 Sangren Hall. The meeting serves as a make-up session for TEED 300 students who did not attend a participation meeting in April and who have not filed participation applications with the Department of Directed Teaching.

1973-74 Budget Set at \$43,769,000

The Finance Committee of this Board of Trustees, after lengthy study of University needs and available funding, recommends a budget of \$43,769,000 for fiscal 1973-74.

The appropriation of \$30,228,000 by the Legislature for Western Michigan University falls short of our request of \$32,306,300, but it is \$3,405,000 higher than the appropriation for the year just completed. The Legislative action permits the continuing of our present quality programs. However, certain improvements which we consider most important, and others which are highly desirable, must be delayed.

In reckoning our finances for the year which began July 1, we must give a realistic reading to local revenue. For the last few semesters total enrollment has shown some decline. However, in each of the last three years, Western has experienced an annual increase of about five per cent in the number of graduate students. We must realize that while the number of students enrolled has shown only a slight decrease, they are carrying lighter academic loads. This means less tuition income, inasmuch as tuition income depends on the number of credit hours taken.

Consideration was also given to the change in residency qualifications which permit, under certain conditions, out-of-state students to gain Michigan residency while attending the University. We can see an adverse effect approaching \$200,000 annually.

In light of these factors we are basing our local revenue estimate on an attainable enrollment and a realistic credit hour factor, a combination which has led us to anticipate that tuition will be \$11,736,000 which is \$858,000 less than that collected last year. This expected drop in local revenue means that our budget cannot be increased over that of last year by the full amount of the State appropriation.

There has been strong pressure from several groups to increase tuition for the new year. It is this Committee's position that Western Michigan University must maintain tuition at the present level for the current year. The Committee strongly recommends that tuition remain unchanged.

The State appropriation for West-

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REVENUE

Student Fees

	Budget 1972-73	Increases (Decreases)	Budget 1973-74
On-Campus	\$12,253,000	(1,158,000)	11,095,000
Off-Campus	497,000	93,000	590,000
Applied Music	51,000		51,000

State Appropriation	12,801,000	(1,065,000)	11,736,000
Investment Income	26,823,000	3,405,000	30,228,000
Departmental Revenue	300,000	150,000	450,000
Application & Graduation Fees	452,000	95,000	547,000
Indirect Cost Recovery	200,000		200,000
Carry-Over from Prior Years	265,000		265,000
	375,000	(32,000)	343,000
	\$41,216,000	2,553,000	43,769,000

EXPENSES

Instruction	\$23,353,000	804,000	24,157,000
Other Educational Services	2,299,000	201,000	2,500,000
Libraries	1,738,000	124,000	1,862,000
Organized Research	221,000	11,000	232,000
Continuing Education	810,000	35,000	845,000
Student Services	2,462,000	161,000	2,623,000
Student Aid	1,477,000	155,000	1,632,000
Public Services	341,000	39,000	380,000
General Administration	497,000	30,000	527,000
Business Operations	1,734,000	128,000	1,862,000
Maintenance of Plant	5,089,000	821,000	5,910,000
Debt Service	1,195,000		1,195,000

	\$41,216,000	2,509,000	43,725,000
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BALANCE

	\$	44,000	44,000
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1. Since normally a student comes to Western Michigan University for the primary or sole purpose of attending the University rather than to establish a domicile in Michigan, one who enrolls in the University as a non-resident shall continue to be so classified throughout his attendance as a student, unless and until he demonstrates that his previous domicile has been abandoned and a Michigan domicile established.

2. The residence of a student who is a minor follows that of his parents or legal guardians, except that a minor student who comes to the institution from another state or country cannot be registered as a resident of this state on the basis of having a resident of this state as a guardian except on permission of the Board of Trustees.

3. No student 18 years of age, or older, shall be eligible for classification as a resident unless the student shall be domiciled in Michigan and has resided in Michigan continuously for not less than one year immediately preceding the first day of the term for which classification is sought.

4. A student shall not be considered domiciled in Michigan unless the student is in continuous physical residence in this state for one year and intends to make Michigan his permanent home, not only while in attendance at the University but thereafter as well, and has no domicile elsewhere.

5. The residence of a student who otherwise would be classified as a non-resident will follow that of his or her spouse if the spouse is classified as a resident.

6. An alien lawfully admitted for permanent residence in the United States and who has obtained his permanent visa, his wife and minor children, who have met the other requirements herein for residence, may register as residents of this state.

IMPLEMENTATION OF RESIDENCY POLICY

Residency status shall be determined by the Controller of the University. The following facts and circumstances, although not necessarily conclusive, shall be considered in support of a claim for classification as a Michigan resident.

- Continuous presence in Michigan during periods when not enrolled as a student.
- Reliance upon Michigan sources for financial support.
- Domicile in Michigan of family, guardian or other relative or persons legally responsible for the student.
- Former domicile in the state

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Western Michigan University Judicial Procedures Approved

The University Judicial Hearing Procedures were adopted by the Student Services Council in February 1973. They in turn were submitted to the Student Senate and the Faculty Senate for review. Final approval of the document was given by the Board of Trustees on April 20, 1973.

Sec. 300.00—INTRODUCTION

The basic fundamentals of a fair hearing through due process of law will be provided for students charged with violating University rules and regulations. Disciplinary procedures, which are established for the enforcement of regulations, are expected to serve the important purpose of rehabilitation and re-education of the student. It is expected that members of the University from time to time will make recommendations regarding changes in these rules and procedures in a responsible fashion.

Any student accused of violating a regulation shall have the right to appear at his election either before an Administrative Official or before those members of a duly constituted judicial body who will be acting as judges on such hearings. Responsibility for disciplinary agencies and procedures to rule on infractions of University regulations shall rest with the Vice President for Student Services. All such officials and bodies shall adhere to the basic fundamentals of due process as stated below:

Sec. 301.00—DUE PROCESS

The following shall serve as procedural guidelines with respect to the conduct of formal hearings in disciplinary matters. The several duly constituted judicial bodies (or appropriate administrative officials, where the student so elects) shall implement these guidelines. (Note: Where the hearing involves a student group, the due process provisions herein shall apply to its designated student representative).

Sec. 301.01—
The student shall be notified by the Office of University Judiciaries that he is accused of violating a regulation as follows: Written notice shall be either delivered to the student or mailed to his registered student address stating 1) the charges (with sufficient particularity to enable him to prepare a defense); 2) a forewarning of possible consequences; 3) his rights to Hearings and other due process protections as set forth in this Article for Judicial Process.

Sec. 301.02—
The student shall be notified that he may elect one of three courses of action.

a. Within three school days the student may voluntarily admit the alleged violation, waive in writing his rights to student hearing and such other due process protections and request, in writing, that the Administrative Official take whatever action seems appropriate. Note: Such student may revoke his admission during the following 24 hour period (excluding Saturdays, Sundays, and Holidays) by delivering a written revocation thereof to either such Administrative Official or to his office on campus. Should the student so elect to admit such violation, he shall be notified that he is entitled to appeal to the Court of Four for a de novo hearing on the question of the propriety of the penalty, which appeal must be filed within five (5) school days of such Administrative Official decision.

b. The student may admit the alleged violation and request a hearing within three school days before

the appropriate Judicial Body or Administrative Official.

c. The student may deny the alleged violation, in which case the Administrative Official either shall dismiss the charge or shall refer the charge to the appropriate Judicial Body (unless the student elects in writing to have the Administrative Official hear the case).

Sec. 301.03—

Except where immediate suspension is deemed necessary under circumstances described hereafter, the student shall be entitled to the following at least 72 hours (10 school days if suspension or expulsion is a possible consequence) prior to the hearing:

a. Mailing of written notification of the time and place of the hearing to the registered student address.

b. A written statement of the charges with sufficient particularity to enable the student to prepare his defense, which statement shall include a warning of possible consequences.

Sec. 301.04—

The student shall be permitted to inspect at the Office of University Judiciaries not less than 24 hours prior to hearing, any affidavits or exhibits which the University intends to submit at the hearing.

Sec. 301.05—

The student shall be entitled to appear in person and to present his defense to the Judicial Body, or Administrative Official, and may call witnesses in his behalf. The student may also elect not to appear before the Judicial Body or Administrative Official. Should he elect not to appear, the hearing shall be held in his absence. The failure of a student to appear shall not be taken as indicative of guilt and must be noted without prejudice.

Sec. 301.06—

A student shall have the right to the assistance of a person of his own choosing, including legal counsel.

Sec. 301.07—

The student shall be permitted to hear the evidence against him and shall be given the names of the witnesses against him and an oral or written report on the facts to which each witness testifies.

Sec. 301.08—

The student shall be entitled to refuse to answer questions.

Sec. 301.09—

Those who hear the case shall determine the facts of each case solely on the evidence presented at the hearing.

Sec. 301.10—

It is the responsibility of the chairman of each of the disciplinary committees to make a record of the events at the hearing.

Sec. 301.11—

The student is entitled to a fair and expeditious hearing before a person or judicial body which is impartial.

Sec. 301.12—

The student shall be entitled to an explanation of the reasons for any decision rendered against him.

Sec. 301.13—

No disciplinary action shall be taken on grounds which are not supported by any substantial evidence.

Sec. 301.14—

The student shall be notified of his right to appeal in writing from the decision of the Judicial Body or Administrative Official. Should the student appeal, any decision by the Judicial Body or Administrative Official shall be held in suspense until acted upon by a higher body or person except in cases of summary suspension.

Sec. 301.15—

All hearings coming before the Student Judiciary, or Court of Four shall be closed unless the person charged asks for an open hearing. In such cases, those persons that are observers shall adhere to the role of an observer. The defendant shall notify the Office of University Judiciaries when he answers the charge if he wishes an open hearing. The chairman of the various judicial bodies shall make the arrangements to provide a place for the open hearings.

Sec. 301.16—

The student shall be entitled to ask questions of the witnesses who give testimony. At the discretion of the chairman or the judicial body, the student's advisor may also question the witnesses.

Sec. 302.00—JUDICIAL STRUCTURE

The guidelines herein above stated shall be implemented by the following judicial bodies and administrative official procedures.

Sec. 303.00—STUDENT JUDICIARY

Sec. 303.1—Composition:

The Student Judiciary shall consist of nine (9) justices and eleven (11) alternates, any five (5) of whom will constitute a quorum.

a. The Student Judiciary Selection Committee, which is composed of students selected by the presidents of the major student organizations, shall select the student justices and alternates. Four (4) justices to serve a term of one year and five (5) justices to serve a term of two (2) years. Alternates shall serve one (1) year terms.

b. Alternates shall be selected in the same manner as regular justices and shall appear on an established list in numerical order. They shall be contacted to serve in order of their appearance on the list but only enough will be contacted to secure a quorum.

c. To be eligible to serve, student justices shall be carrying at least ten (10) credit hours, during each Fall and Winter Semester, and shall not be on academic or disciplinary probation.

d. Appointments should be accomplished in the spring, following the election of the student body officers to take office the following September.

e. Student Vacancies: The Student Judiciary Selection Committee shall make interim appointments to fill vacancies.

f. The Chairman of the Student Judiciary shall be elected by the Judiciary to serve during the academic school year. The Chairman, any two (2) justices, the Dean of Students or his designate, may call meetings of the Judiciary and the Chairman shall chair all hearings, unless he appoints a substitute chairman.

g. As used in this article the following are major organizations: Associated Student Government, Associated Women and Men Students, Men's Union Board, and University Student Center Board. In addition to those organizations the following shall be major organizations subject to annual review and/or change by the Student Services Council with the advice of the Director of Student Activities: Ski Club, Sky Broncos, Panhellenic Council, Black Action Movement, Pre-Law Society, Inter-Fraternity Council, Chicano Student Movement, Vet Club, and Alpha Phi Omega.

Sec. 303.02—Jurisdiction:

The Student Judiciary shall have original jurisdiction over:

a. Cases involving students accus-

ed of violating regulations established by the University.

b. Alleged organization violations of the university regulations or of regulations specific to the Office of Student Activities.

c. Alleged violations of the University regulations applicable to members of, and students participating with, such organizations.

Sec. 303.03—Procedures:

Complaints to the Judiciary are brought by the Dean of Students or his/her delegate (herein termed the Administrative Official) either upon his/her motion or upon the request of any member of the University community, or by the accused student or student group. At the student's election, such complaint may be heard by the Administrative Official (who shall be the Dean of Students or his/her delegate) instead. Details as to the procedures for hearings shall be specified in the Student Judiciary Court Rules adopted by this Judiciary and approved by the Student Services Council.

Sec. 303.04—Appeals:

Either the student, the student group or the Administrative Official may initiate an appeal to the Court of Four within five (5) school days of the Student Judiciary's decision or of the Administrative Official's decision. This appeal shall state in writing the grounds of appeal. Within ten (10) school days of receipt of notice of an appeal, the Court of Four shall: 1) grant a hearing de novo if the student (having admitted a violation) has appealed the propriety of the Administrative Official's penalty; and otherwise 2) review the case and decide as follows:

a. There are sufficient reasons for another hearing. In this case the Court of Four will conduct a hearing de novo if the appeal is either by the Administrative Official or if the accused student or student groups so request, otherwise the hearing will be on record from the hearing below.

b. There are not sufficient reasons for another hearing. In this case the decision of the Student Judiciary shall stand, unless the student, student group or Administrative Official appeals to the President of the University.

c. An appeal by a student from any disciplinary proceeding shall not result in a more severe penalty.

Sec. 303.05—Decisions:

After hearing a case, the Student Judiciary (or the Administrative Official) may decide as follows:

a. Not guilty: No violation of a regulation has been proven.

b. Guilty: A violation of a regulation has been proven and the Student Judiciary or Administrative Official may select from the following penalties:

i. Reprimand: An official written censure.

ii. Warning: An official, written reprimand plus the stipulation that further violations within a specified time period will result in more severe disciplinary action.

iii. Restitution for damages incurred.

iv. Disciplinary Probation: A probation indicating that further violations may result in suspension. In addition, they may withdraw any or all of the following privileges: (a) the operation of an automobile on campus; (b) the holding of an office in a campus organization; (c) the representation of the University.

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Court of Four—Right of Appeal—Emergency Cases—Rules of Evidence

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sity in any inter-University events.

- v. Suspension: The Judiciary, subject to an appeal to the Court of Four and then to the President, may suspend a student for a definite period of time or until a stated condition is met.
- vi. Dismissal: The Judiciary may dismiss a student for an indefinite period of time, subject to an appeal to the Court of Four and then to the President.
- vii. Other: The Judiciary may take other action that may seem appropriate for any given case.

Sec. 304.00—COURT OF FOUR

A Court of Four appointed as herein provided shall constitute the court of last resort in the University Judiciary system.

Sec. 304.01—Composition:

A Court of Four shall be convened upon receipt by the chairman of the Court of Four of a written appeal as required herein. The members of the Court, one from the faculty, one from the administration and two from the student body shall be appointed by the Faculty Senate, President of the University and Student Senate respectively. The Court of Four shall elect one of its members as chairman.

Sec. 304.02—Jurisdiction:

The Court of Four shall consider appeals from students or Administrative Official who objects to the ruling of a lower judicial body, or who have asked to appear before such a body and have been denied a hearing; or from students or student groups who elected an administrative decision by the Administrative Official in lieu of a hearing by the Student Judiciary and are appealing therefrom.

a. In the case of an individual, the student may submit an appeal, which must be in writing to the Court of Four, indicating the reasons for his appeal. The Court of Four shall grant a hearing de novo if the student has admitted a violation and then appeals from the propriety of the Administrative Official's penalty. Otherwise, the Court of Four shall convene and the Chairman shall then request all evidence upon which the previous decision was made. The Court of Four shall review the evidence together with the student's written statement, and shall decide whether there are, or are not, sufficient reasons for another hearing. The Court of Four may direct the lower judicial body or Administrative Official to hear or rehear the case. If the Court of Four decides to hear the case, it will conduct a hearing de novo if the appeal is either by the Administrative Official or other representative of the University, or if the accused student so requests, otherwise, the hearing will be on the record from the hearing below. If the Court of Four decides not to hear the case the decision of the lower body or Administrative Official is final unless appealed by either the complainant or the accused student to the President.

b. In the case of an appeal from a student group, the same procedure is followed, except that a designated representative of the group shall file the appeal.

Sec. 304.03—Procedures:

Appeals and cases are brought to the Court of Four by a student, student group or by the Administrative Official. A minimum of three justices must be present to conduct a hearing. Details as to the procedures of the hearing shall be specified in the Court of Four Court Rules adopted by this judiciary and

approved by the Student Services Council.

Sec. 304.04—Appeals:

All decisions of the Court of Four with respect to individual and group actions are final unless appealed by the student, student group or by the Administrative Official to the President within five (5) school days of the Court of Four's decision. Any such appeal shall state in writing the grounds of appeal. The President reserves the right not to hear a case but if heard he may affirm, reverse, ask the judiciary body or Administrative Official to reconsider a decision or may modify the sanction imposed by the judiciary body or Administrative Official.

Sec. 304.05—Decisions:

After hearing a case, the Court of Four may decide as follows:

- a. NOT GUILTY: No violation of a regulation has been proven.
- b. GUILTY: A violation of a regulation has been proven, and the Court of Four may select from the seven types of penalties listed under Section 303.05, subject to the provision of Section 303.04 c.

Sec. 305.00—EMERGENCY CASES

Sec. 305.01—Mass Disruption:

Notwithstanding the foregoing procedures governing the ordinary administration of these Regulations, if it shall be clearly evident to the President of the University that disruption of University functions exists, he shall handle it as stated in Public Act 26 of 1970.

The President may issue an order directed to persons subject to these Regulations, named or unknown, to cease and desist forthwith their actions which create or contribute to the said condition. Upon issuance and within the emergency period, the President, or his deputy shall read the order aloud in a manner likely to be heard by the students to whom it is directed. After allowing such persons a reasonable period of time to comply with the order, the President may order the immediate interim suspension of all students failing to comply with the order within such reasonable time; provided, however, that students complying with such an order shall not be thereafter immune to discipline pursuant to these rules.

Within three (3) school days of any such suspension a hearing will be held on the charges. The Student Judiciary may divide into panels or deputize auxiliary members to hear and determine such cases, as may appear to the Student Judiciary to be necessary.

Sec. 305.02—Summary Suspension:

Summary suspension is an immediate removal from the University community or an individual violating major University regulations should it be deemed that said individual's presence on this campus constitutes a clear and present danger to himself or the University community. A hearing will be held within three (3) school days on the charges.

Sec. 306.00—MISCELLANEOUS JUDICIAL AND ADMINISTRATIVE HEARING PROCEDURES

The following additional judicial procedures and provisions shall apply to all judiciaries established herein and shall also apply to hearings before the Administrative Official.

(Note: The terms Chairman of the Judiciary and Judiciary when used hereinafter in Section 306 shall mean the Administrative Official where the student or student group has so elected the alternative administrative hearing.)

Sec. 306.01—The Chairman of Each Judiciary:

He shall have authority to:

- a. Rule upon offers of proof and receive relevant evidence.
- b. Regulate the course of the hearing, and, if appropriate or necessary, summarily adjudge disciplinary penalties against students who unreasonably obstruct or impair its proceedings in its presence, or order removal of such students from the hearing, or both.
- c. Strike all evidence of a witness refusing to answer any proper question unless the answer would involve privileged matter.
- d. Dispose of motions and procedural matters or requests.
- e. Schedule filing of briefs and proposed findings by the student, student group, Administrative Official, or complainant.
- f. Take any other actions necessary to conduct the hearing.
- g. Other hearing justices may question any ruling by the Chairman but such matters, unless otherwise convenient should be decided in closed session. Such other justices may, with the approval of the Chairman, question any of the witnesses.

Sec. 306.02—Rules of Evidence:

The Judiciary and Chairman are not bound by the common law or statutory rules of evidence. Evidence having reasonable probative (provable) value shall be admitted; but irrelevant, immaterial, repetitious and hearsay evidence shall be excluded. Effect shall be given to the laws of privilege and relevancy materiality and probative force shall govern proof on all questions of fact.

Sec. 306.03—Judicial Order:

Without limitation by enumeration, each judiciary established herein is empowered to maintain order and decorum during proceedings before them, to summarily impose discipline upon any student in violation of its oral or written rules of conduct for the hearing, to order any person from the hearing room for misconduct that impairs the proceedings, and otherwise regulate admission to the hearing as the judiciary in its discretion finds necessary.

Sec. 306.04—Hearing and Procedures:

Following are procedures to be followed in the hearings:

- a. Papers may be served by mail or by delivery to the person.
- b. Action before a judiciary is commenced by the filing of a charge of misconduct with the Office of University Judiciaries with a statement that a copy has been mailed or provided to the student against whom the charge is made. The Office of University Judiciaries shall cause a copy of these rules to be provided to the student and shall notify the student that he has three (3) days within which to respond to the charge in writing.
- c. Answer: The student shall within three (3) school days from the service of the charge file an answer thereto. The student shall specifically admit, deny, or explain each of the facts alleged in the charge, unless the student is without knowledge in which case he shall so state, such statement being a denial. All allegations in the charge, if no answer is filed, shall be considered a denial.
- d. Where to file: The answer shall be filed with the Office of University Judiciaries. The answer shall contain the address of the student, and if represented, the name and address of his representative, and shall be signed by the student. The student's signature con-

stitutes a representation by him that he has read the answer; that to the best of his knowledge, information and belief it is true and that it is not made to delay. If the answer is not signed, or if signed to delay or with the intent to falsify or misrepresent the fact, it may be stricken and the action may proceed as if no answer were filed.

e. Extension of time for filing: The Office of University Judiciaries may extend the time for filing the answer, for cause, upon written request.

f. Amendment: The student may amend his answer at any time prior to the hearing, upon leave of the Office of University Judiciaries upon such terms as are deemed just, and as of right in any case in which the charge is amended, within the time fixed by the Office of University Judiciaries.

g. The Chairman shall, upon receipt of the charge and answer from the Office of University Judiciaries, furnish the other members of the Judiciary with copies of the charges, answer and statement of issues and set the matter for hearing.

h. Time Limits: The judiciary shall hear the case within 15 school days of filing of the complaint.

i. All facts in the case shall be heard, the evidence weighed, and a decision shall be rendered by the majority vote as to the innocence or guilt of the accused. If found guilty, a penalty among those specified for such judiciary shall be imposed. The accused shall be notified in writing of the decision reached, the reasons therefore and of the penalty imposed.

j. A record shall be kept by each judiciary of all hearings specifying name(s) of the accused, the charge(s) made, date of the hearing and the names of the justices hearing the case, a summary of the substantial evidence, the decision reached and the grounds therefore.

k. Any time a staff member, or representative of the University Judiciaries meets with any judicial body concerning a hearing the student and his advisor must be present.

Sec. 306.05—Jurisdiction of Administrative Official:

If the student or student group elects to have the designated Administrative Official hear the charge rather than the Student Judiciary, such official is vested with the same original and appellate jurisdiction as possessed by such parallel Judicial body.

Sec. 306.06—Appeal from Decisions of Administrative and Judiciary Hearings:

Any appeal from a Judiciary or Administrative Official must be on one or more of the following grounds (which must be stated in the appeal).

- a. The finding of the judiciary or other person or body was inconsistent with the evidence.
- b. The conduct of the proceedings before the judiciary or other person or body was unfair.
- c. The sanction imposed was unauthorized or unreasonable.
- d. The findings of the judiciary or other person or body was based on misinterpretation or misapplication of the rules and regulations of the University.

Sec. 307.00—MISCELLANEOUS

Sec. 307.01—Disqualifications of Justices:

A justice shall disqualify himself in the event that he feels he cannot render an impartial decision in a

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WMU Judicial Procedures

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case for any reason, self-interest or otherwise. A justice shall be disqualified from hearing a case whenever:

- He is a witness for any party.
- He is a party to the case.
- There is sufficient reason to believe he cannot be fair and impartial, including but not limited to, where he is interested in the outcome.

Any party may challenge a member of the Judiciary by showing substantial reason for believing that the member cannot be fair and impartial. Such challenge shall be made in the form of a motion presented to the Judicial body as a whole and $\frac{2}{3}$ of the members of the Judicial body present, exclusive of the challenged member, may grant such challenge, the vote of less than $\frac{2}{3}$ for disqualification shall entitle the challenged member to sit. Such motion shall be immediately considered and voted on by the Judicial body. The parties may make only one challenge at a time and such challenge shall be ruled upon before the next is presented. No party shall make a challenge except for cause and the presiding Judiciary member may reject a challenge or challenges when on their face they appear dilatory and not for cause. If a challenge is made upon the presiding member, he shall disqualify himself and the remaining justices shall hear the challenge provided the minimum number is present.

Sec. 307.02—Impeachment of Judiciary Members:

Upon receipt of the written complaint alleging facts which demonstrate that a judiciary member is preventing, obstructing or otherwise impairing the administration of justice, the President of the University shall instruct the Vice President for Student Services, or his officer-designate, to investigate and gather evidence of the charges and report his findings to the President.

If, upon completion of such investigation and report, the President believes that probable cause exists for finding a breach of judicial trust, he shall convene a Court of Impeachment. Justices of the Court of Impeachment shall be selected as follows:

One by the President of the University, one by the President of the Faculty Senate, and one by the President of the Student Body. Should either of the designated officers fail to appoint a member of the Court of Impeachment, within 48 hours of a request by the President to do so, the President may act and appoint one member from the student body or one member from the faculty to the seat so left vacant. The Vice President for Student Services or his officer-designate shall present the charges and evidence and act as complainant for the impeachment hearing. Such impeachment hearing shall follow the established judiciary procedure. A judiciary member shall be removed from office upon a $\frac{2}{3}$ vote of the Court of Impeachment.

Sec. 307.03—Captions:

The marginal captions of particular paragraphs of Judicial Process Provisions are inserted as a convenience and by the way of reference only, and in no way limit, enlarge, define, or otherwise affect the scope or intent of the Judicial Process or any provision thereof, and are in no way to be construed part of such provisions.

Sec. 307.04—Severability:

If any portion of these Judicial Process Provisions or the applica-

tion thereof to any person or circumstances shall be found to be invalid by a court, such invalidity shall not affect the remaining portions or applications of these Judicial Process Provisions which can be given effect without the invalid portion or application.

Sec. 307.05—Changes in Judicial Process Provisions:

The Student Services Council reserves the right to change or add to these Judicial Process Provisions at any time, subject to approval by the Student Senate, Faculty Senate, and the President of this University provided that such changes and additions will be published in a manner reasonably calculated to give adequate notice. Such notice shall always include a filing in the Regulation Notebook in Waldo Library and a posting on the University Official Bulletin Boards and the Western Herald, except that mailing a copy to the student at his registered address or personally handing same to him or verbally advising him of such new or changed regulations shall in all cases be sufficient notice.

Sec. 307.06—

These Judicial Process Provisions will take effect commencing with the Fall 1973 Semester, but the appointments will be made during the Winter 1973 Semester.

WMU Board of Trustees
April 20, 1973

1973-74 Budget Set

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ern for this year offers some cause for satisfaction. What is heartening is that there appears to be a recognition by the State of the equity factor for which President Miller has fought for these many years. This budget recognizes the many fine, unique and high level programs he has been describing to the Legislature during his tenure as President.

In the last decade, Western has made an about-face in its student level. In 1963, 60 per cent of Western's students were Freshmen and Sophomores with 40 per cent upper level, Juniors, Seniors and Graduates. Now, ten years later, the ratio has reversed with 68 per cent of our students in the upper level and only 32 per cent in the Freshman and Sophomore classes.

For this changed perspective and for the funds provided for the current year, I express our appreciation to the Governor and the thoughtful Legislators who made possible this new appropriation base from which we can, hopefully, make even more progress in the future.

The budget the Committee is recommending takes into consideration, as the accompanying chart shows, an increase in compensation which reflects appropriate adjustments for all University personnel; an amount to absorb price increases for supplies and services; an amount to strengthen our security force which has been upgraded and given police powers; an increase in student financial aid; increased institutional support including more funds for maintenance, both current and delayed.

Future budgets must remove the deficiency in instructional equipment and must provide funds for instituting certain programs which are in the public interest. It is unfortunate that these programs have to be deferred now. Efforts have al-

ready been started to seek Legislative and Gubernatorial approval for meeting these needs in the next budget.

On behalf of my Committee colleagues, Trustees Charles Ludlow and Philip Watterson, and for myself, I express our appreciation for the excellent assistance we have received from Vice President Wetnight and his capable staff as we have developed this budget recommendation. Our thanks go to all those in the academic area who have so ably helped us gain the information necessary to reach reasonable decisions.

Robert D. Caine
April 17, 1973

Residency Changes

(Continued from page 1)

and maintenance of significant connections therein while absent.

- Ownership of a home in Michigan.
- Admission to a licensed practicing profession in Michigan.
- Long term military commitments in Michigan.
- Commitments to further education in Michigan indicating an intent to stay here permanently.
- Acceptance of an offer of permanent employment in Michigan.

Other factors indicating an intent to make Michigan the student's domicile will be considered by the University in classifying a student.

The following circumstances, standing alone, shall not constitute sufficient evidence of domicile to effect classification of a student as a resident under these regulations:

- Voting or registration for voting.
- Employment in any position normally filled by a student.
- The lease of living quarters.
- A statement of intention to acquire a domicile in Michigan.
- Automobile registration.
- Other public records, e.g., birth and marriage records.

RESPONSIBILITIES OF THE STUDENT

It shall be the responsibility of the student to register under the proper residence classification, to advise the Office of the Controller of possible changes in residence status and to furnish all requested information pertinent thereto.

Applications for reclassification shall be filed not later than 20 calendar days following the first day of classes of the term for which such reclassification is sought. Such application shall be filed with the Controller (see last paragraph), and shall set forth in writing a complete statement of the facts upon which it is based, together with affidavits or other supporting documentary evidence. Failure to timely file such an application shall constitute a waiver of all claims to reclassification or rebates for such term.

Any student may appeal the decision of the Controller by taking the following steps within 20 calendar days after service of notice of such decision, either in person or by mail.

- File with the Vice President for Finance a written notice of appeal stating the reasons therefore;
- File a copy of said notice with the Controller, together with a written request that all documents previously submitted be forwarded to the Vice President for Finance. Failure to comply timely with the pro-

visions of this paragraph shall constitute a waiver of all claims to reclassification or rebates for the applicable term or terms.

Reclassification, if granted, shall be effective for the term in which the application therefor was filed timely and continue effective for each term thereafter so long as the circumstances upon which the reclassification was based shall remain unchanged. Appropriate refunds shall be made or accounts credited within a reasonable time following such reclassification.

Classification or reclassification based upon materially erroneous, false or misleading statements or omissions by or in support of the applicant shall be set aside retroactively upon the discovery of the erroneous nature of such statements.

Inquiries should be addressed to: Office of the Controller, 1240 Administration Building, Western Michigan University, Kalamazoo, Michigan 49001.

WMU Board of Trustees
July 20, 1973

WESTERN FAMILY

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... DR. JEAN LOWRIE, director, School of Librarianship, who received appointment to the Governor's Committee on Higher Education, addressed the annual meeting of the Canadian Library Association at Sackville, New Brunswick ... REGINALD GAMMON, assistant professor of Humanities, had a presentation of his paintings, drawings and photos at Acts of Art, a New York City gallery ... At the Central States Speech Association convention at Minneapolis, DR. SHARON RATLIFF, assistant professor, served as moderator for a session on Action Caucus on Teacher Certification Standards; DELDEE HERMAN, an associate professor, served as a group leader for the caucus; and DR. CHARLES T. BROWN, chairman, Department of Communication Arts and Sciences, presented a paper, "The Enjoyment of Communicating With Oneself" ... PETER MALANCHUK, assistant professor of Librarianship and Social Science librarian, has been appointed Political Science and History editor for Project Intrex-Model Library ... DR. JOHN P. FLYNN, associate professor of Social Work, is the author of "Local Participants in Planning for Comprehensive Mental Health Centers" published in *The Community Mental Health Journal* ... At the Detroit meeting of the Classical Association of the Middle West and South, DR. GEORGE OSMUN, professor of Classics, was on the committee for arrangements, and ELIZABETH GIEDEMAN, associate professor, presented a paper, "The Evolution of the Roman Alphabet" and served as chairman for the opening session.

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