FACULTY VOTES ON GRADING NORMS TODAY

by Carl Noll

The most talked about issue of this year has been grading practices. Students, faculty, and the administration have discussed the need for a more uniform grading system which will help eliminate the inequities caused by the widely divergent philosophies and practices of grading followed by members of the faculty. Not everyone has been merely discussing the problem, however. The members of the Examination and Grading Practices Committee have been gathering information from other law schools across the nation concerning their policies of grading, and comparing that information with the past grading practices of this law school. On the basis of an evaluation of that information and a consideration of the present needs and future goals of this law school, the Committee has reached agreement on grading guidelines that it will submit to the entire faculty today for consideration and approval. If the proposed guidelines are adopted without amendment, they will be as follows:

Committee Members:
- Professor Shepard-Chairman
- Professor Werber
- Professor Ruben
- Professor Goshien
- Paul Hudson
- Shiel Tew

NEW SBA SENATORS

First Year Day - 7 Seats
Dick Ayres
Steven Davis
Jeff Kelleher
Earl Shinhower
David Schager
Christopher Stanley
David Swan

Second Year Day - 5 Seats
Glenn Jones
Michael Monteleone
Michael Szekely
Leonard Young

Third Year Day - 2 Seats
Lila Dunn Anderson
Michael Haase

Fourth Year Evening - 2 Seats
Frank Pokorny

First Year Evening - 5 Seats
Burke Anderson
Charles Deeb
Charles W. McClintock
Lyne Rogers
Jeffery Shibley

Second Year Evening - 6 Seats
Clarence Bolden
Monroe Curry
Langston Davis
Fred Hobbs

Third Year Evening - 3 Seats
Gary Eisen
Warren LaFrayer
Jim Walters

CSU FINDS A PRESIDENT

On Nov. 9, 1972 Dr. Walter B. Waetjen (pronounced “way-jeen”), executive vice president and vice president for administration for the huge University of Maryland system, was chosen to fill the seat left vacant by Dr. Harold L. Enarson, CSU’s first President, who resigned in August to accept the presidency of The Ohio State University.

The 53-year-old Waetjen was a teaching member of the Maryland faculty from 1950, serving as professor of human development education from 1957 to 1962, when he was named director of the university’s Bureau of Educational Research and Field Services. In 1965 he was appointed assistant to the president for administration and the following year vice president for administrative affairs.

During the past summer Waetjen organized a meeting with other educational psychologists in five European countries to plan a cross-cultural research of students’ learning and personality factors.

In 1941 he played on the top U.S. small college football team at State College, Pa., and was also an amateur heavyweight boxer. After graduating from college, he played in the National Football League.
IN DEFENSE OF THE TENURE SYSTEM

By James T. Flaherty

Professor of Law

Once a year, as regularly as the change of seasons, there is the annual hue and cry over tenure. It is praised and damned. Volumes are written, miles of speech are delivered, as if there were no other problem. Someone wins and another loses. Volumes are written, arguments are made and damned. Volumes are written, discussion, praise and damnation, preparatory to votes, and every year another new long hot summer of hot tempers and hurt feelings.

Tenure exists in the academic world, the federal (and many states) judiciary, and most all federal, state, and local governmental units. It is needed to support an individual who has professional competence as opposed to areas that are readily susceptible to governmental pressures.

It is in fact, a basic survival tool of "state" employees against the weight of power and the power of the state. Many private schools have formally adopted the tenure system, to employees, in roughly describable as the inherent right of a professor to do and say as he likes. States have granted such status because they do not want the quilting bees and lone (or graduate student!) to become a tool or a pawn in the active and usually messy political aspects of government. The temptation to use its freedom from political pressure are usually accompanied by companion acts, such as the Hatch Act, which turn tell the state employees that the state has passed laws to keep "commies" out of government. So the politics of government, now here is another law designed to keep "party" out of it in your capacity as teacher.

It was the seventh day, and God saw that what He had created, and said it was good, and He rested. Evidently too soon, for the "man" who took over was in an imperfect state. But the ancient story of Pandora's Box was an early attempt to explain the flaws. The benevolence and the apathy of the plan explain. Explanations are not really necessary, nor could they survive the rules of evidence. Man's imperfection is a fact of life.

The individuals of ANY profession or trade, any sex, any race, any religion, any national origin, long also to this imperfect group-man. At every school and university in the country, in the "spring" of tenure is to be administered, it falls, alas, not to the gods or mother nature, but to man, and thus automatically determines another long hot summer. Maybe, in truth, mother nature is in control after all.

"That incompetent clod should not have gotten it!" cries one; "That superior genius should have..." cries another after an argument with his boss... "...but he's my good friend..."

"how can I, I hate his guts": "those kids don't like him, they're by-grant!": "the kids like him so we can't deny": "the kids like him so we have to deny": "he's not a member of my (here, each reader may fill in the name of any political, religious, racial, cultural, ethnic, social, economic, private, etc., etc., club, association or affiliation)!".

All evidence of the de facto imperfection of man.

The "protection" of tenure is awarded to those who have shown academic competence (in this imperfect system - TITLE, which is based on academic excellence) and contractually in

A month ago, I wrote an article condemning tenure for all its failings, not mindful of its intended role. Evidently, it did not go unnoticed for now the cries in defense of this system can be heard throughout the land of academia, land of the elite.

I must repeat that academia need not be destroyed by the departure of tenure. Free speech is still protected by a document which some people should re-read. This document has been more than adequate to accommodate themselves in practically every other field of endeavor. The Constitution affords protection to universities at least. There are no reasonable grounds for denial.

What is the usual "test" for tenure? Generally, a broad non-committal statement that covers nothing, offends no one, can be construed to meet any situation from either end, and is approved by a majority of those to be governed by it.

It is very difficult for the academically or politically liberal or conservative to attack it without being inconsistent with his general philosophical base, and, generally, easy for each view to defend (defending, of course, on the "qualification" or the "philosophy" of the individual nominee whose name is on the block).

All this seems to say that tenure is an imperfect solution to an insoluble problem. This is only partially correct. Although it is an imperfect solution, there is no correspondingly insoluble problem. The First Amendment protects free speech, equal protection for tenure and non-tenured alike. And then there's always due process when teaching ability and competent performance fail to protect one's job. If these assurances are inadequate, perhaps the intellectual elitists should find shelter within some other system of law.

In our own school a look at the bar results re-emphasizes the weaknesses of the tenure system in operation. The caliper of students gets higher each year--oddly enough the proportionate number of bar examiners flunking the bar exam stays the same or gets higher, especially when compared with other law schools. Why? Caliber of teachers?

Lest people think that only summers are hot, Fair Warning: This is going to be a long, hot winter too.

ANOTHER LOOK AT TENURE

by Stephen Walker

Law school seniors who have not received an application for graduation may pick them up from Mrs. Martin in the University Tower 1201 or the Graduation Office in the Penn Tower 408.

Editorial: NIXON NOW

There is one in the woods lying Near the oak-base clutching his rifle in last salute as to say: Here I stand no more. No more he did, where the red brown stains the stopping place. And we, musky and older folk, no longer in command,

Passing ; passing by me saying, "No more I did..."

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which (among other things) provides university block system, classrooms, it will be necessary to schedule most day examinations at the hours of from 11 a.m. to 2 p.m. Please report any conflicts, uridue hardship situations, errors, omissions, or the like at your earliest convenience to Mr. Greenwood, to Assistant Dean Tabac, or to me.

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**SEX DISCRIMINATION AND THE LAW**

One of the exciting and innovative programs at our law school this year is the clinical program in Women's rights. Funded by a grant from the Equal Employment Opportunity Commission, the program is open to any second and third year student who wishes to enroll. Three distinct programs, adapted to our quarter system, have been planned.

During the first quarter a course entitled Sex Discrimination and the Law is being offered. Students will study the statute and case law in the area of sex discrimination with the aid of experienced attorneys placed upon the area of employment. The students will become aware of the requirements necessary for court action and of the available alternatives to court action under the present statutes. State and federal administrative proceedings, conciliation procedures and state and federal judicial procedures all become involved.

The second quarter is a legislation seminar. The first quarter course in sex discrimination is a prerequisite to registration in this seminar. Students will discuss the special problems confronting women as respects the legislative process. Students will evaluate existing statutes with an eye toward eliminating any discriminatory effect which they may have. In addition, there may be a few trips to Columbus to witness the legislative process in action.

The spring quarter will be devoted to the litigation of sex discrimination cases. All students enrolled in the 2nd quarter are required to take the 3rd quarter. During this quarter, each student will be assigned to one of the cases being handled by the Women's Law Fund, Inc., a new non-profit corporation created by Ford and Cleveland Foundation grants. Working under the guidance of Professor Picker and the attorneys at the Women's Law Fund, students will become intimately involved with their assigned case. They will meet with their clients, attend depositions, assist with the drafting of complaints, and briefs.

In keeping with the new provision expected to be in effect January, 1973, students will be permitted to do limited court work in the federal court in Ohio.

In the field of sex discrimination, the strategy of attack is most important. The practitioner must be aware of all the available alternatives and know how and when to utilize each to its best advantage. By the end of the year, the students will have worked with the total legal arsenal available in the area of sex discrimination: constitutional doctrines, legislative process, administrative proceedings, conciliation procedures and state and federal judicial procedures all become involved.

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**FRATERNITY NEWS**

Delta Theta Phi presents its Annual Dance on Saturday, December 21, 1972, at 8:30 p.m., in the Party Room of the Chesterfield Apartments, 12th & Chester. Non-fraternally affiliated law students are welcome. Admission is free, dress is semi-formal. There will be music, hors d'oeuvres and drinks. Prominent judges and attorneys will be in attendance available for conversation.

**SBA NOTICE**

Second and fourth year evening students: run-off elections for the additional SBA seat will be held in your classes within the coming week.
By William Curphy III

So what happened? You say last year you were eligible for financial aid and this year you're not even though your dollar is worth less? Is that your dollar, or look at real dollars year the funds from Washington were positive that Pres. Nixon is cutting Nixon's program of cut-backs in year, again in keeping with Pres. enrollment has increased from 772... Figure it out: A 17 percent increase in decrease in federal monies. More even tell you until August when too late to get a job. Come on buddy, were made in September. Figure it late, I guess. Look, around here there although some funds so go out early, the July LSAT results are in. So waiting on aid and admissions, " claims Dean Christensen. Well, Washington sends it to CSU who allocates... grants," claims Dean Christensen. About the only thing that increased this year besides enrollment and unemployment was the budget: From $5,000 to $77,000.

When I first came here, the 70-71 budget was $30,000. The first thing I did was to get it up from that to $55,000 then to $77,000, exclusively for tuition grants," claims Dean Christensen. Figure it out: It's a higher percentage increase than that of enrollment.

The Dean's policy regarding miscellaneous private contributions is to earmark almost all of it for financial aid, the majority of it for minority students. (No, Virginia, Polish-Irish is not a minority group.)

The Alumni Association pledged $5,000 for two years for the Clinical Program as financial aid for evening students in the program. The university matched it with $7,000 so that the program need not be limited to only those in need of financial aid. The same holds true for student research assistants, $10,000 of assistantship grants are available.

Another source of financial aid is Pro. Jane Picker's clinical program on sex discrimination. $5,000 of federal funds has been granted to the program for research. Applications are not limited to only those in need of financial aid. The same holds true for applications as student research assistants, $10,000 of assistantship grants are available.

Still angry? I know, someone told you money is set aside for minority and out of state students. Look, the Dean is supposed to be the guy that starts rumors and lays them to rest, and according to him no money is earmarked for non-residents. Moreover, non-residents only get one tuition waiver and not two.

Minority students were granted $5,000 from the Ohio Law Opportunity Fund. Although there was ear-marking of some of the law school's funds for minorities based on estimates of what the minority student's needs would be, the reason your grant was cut was not to accommodate minority students but to accommodate Pres. Nixon and his cuts in education budgets. (No kidding Barry Laine, I have the figures.)

Return Requested

Please report any changes of address. Bulk mailings are not acknowledged.