

# Campus Notes

## news and commentary

### The University Constitution

A document which, if approved, will determine to a large extent "who's in charge" was released April 29. The proposed Constitution of the University of Oklahoma was distributed by the drafting committee for public comment. It establishes a process by which legislation reaches the Board of Regents, defines the powers of the various officers and bodies of the University, and spells out the rights of a student and faculty or staff member in a Bill of Rights.

Dr. J. Clayton Feaver, David Ross Boyd professor of philosophy and chairman of the drafting committee, said the 17-page text of the constitution will be open for written comments through May 6. Comments may be made by students, faculty, staff, alumni, and the general public. The comments should be addressed to Dr. J. Clayton Feaver, Room 610, Dale Hall Tower, 455 W. Lindsay, Norman, Okla. 73069. "The comments will be taken into account when the committee forwards its recommendations to the Board of Regents through the president of the University," Feaver says.

President J. Herbert Hollomon appointed the 17-member drafting committee in March after representatives were nominated by the University Senate (faculty) and the Student Congress. Other members represent the administration and the general public. "The Future of the University," a comprehensive report published last October and containing recommendations on the future directions of OU, recommends both a student constitution and a constitution for the University. A student constitution has been ratified by the student body and approved by the Regents.

The drafting committee for the University document used the general recommendations in "The Future of the University" report as a starting point for its work but departed from some of the recommendations.

The proposed constitution establishes a process by which legislation is brought before the Board of Regents. The process includes participation by the University Senate, the Student Congress, and the president. Policy councils are designated as the major policy-recommending bodies by the proposed constitution. The expanded role of the councils

includes reviewing the administration of existing policy.

Authority to appropriate certain funds derived from student activity fees is given to the Student Congress, with the requirement that all appropriations and expenditures by the Congress be audited and published annually.

According to Feaver, "One of the main goals of the committee was to preserve the integrity of the legislative process it was establishing while, at the same time, allowing access to the Regents by ways other than the Senate and Congress."

As a result, the document gives students, faculty, and classified employees the right of initiative petition to bring legislation before the Board of Regents.

A provision of the proposed constitution that forces the legislative bodies to consider minority views before taking final action is the petition for review. When legislation is sent to the Regents by either the University Senate or the Student Congress and is the subject of a petition for review, then the petition accompanies the legislation.

The petition for review also can challenge existing legislation that fails to meet constitutional or statutory provisions. It must be filed with the judiciary and is subject to discretionary review by the Regents.

The judiciary consists of the University Judicial Tribunal, composed of seven members—three faculty members, three students, and one member at large. Unless the Regents grant review, the tribunal's decision will be the final decision of the University.

Recent court decisions concerning limitations on the exercise of power by a state institution are reaffirmed in the preamble to the Bill of Rights, a major article in the proposed constitution.

Under the article's provisions, the University recognizes the rights guaranteed individuals as private citizens and also the responsibilities of those persons as members of the University community. The article also spells out types of regulations the University has power to issue and allows the judiciary to guard against unnecessary infringements by the institution.

The process of amendment established by the document may be initiated by the University Senate, the Student

Congress, the president, the Board of Regents, or the Board of Visitors, which advises the president and is composed of persons outside the university community.

To prevent legislative bodies from blocking any needed reform, student body and faculty petitions are provided for as an alternative means of initiating an amendment. "The committee attempted to guard against constant amendments by establishing more stringent requirements for amending than for legislating," Feaver points out. "Some persons may feel that the language of the document is too general; some that it is too specific. The purpose of such a constitution is to provide a decision process and general guidelines—for future as well as present use. The committee resisted the temptation to deal in specific remedies for ills." He adds that the committee will have certain specific recommendations that should be handled by legislation.

In addition to Feaver, members of the drafting committee are Dr. Arthur Doerr, professor and chairman, department of geography; Dr. Jim E. Reese, David Ross Boyd professor of economics; David A. Whitney, assistant professor of sociology; Dr. C. J. Gunn, professor of medicine and physiology;

Barry L. Babcock, Oklahoma City senior; Duane Draper, Norman senior; Guinnevere Hodges, Muskogee senior; Sherry Jones, Oklahoma City junior; Raymond H. Keitz III, Oklahoma City law student; Dr. Edward L. Katzenbach Jr., vice president for research and public service, and Jack Patten, Norman bank president.

Ex officio members are Dr. Sherrill Christian, professor and chairman, department of chemistry, and president of the University Senate; Robert P. White, Purcell senior, representing the interim student government, and Dr. Gordon Christenson, assistant to the president, representing the president's office.

Leo H. Whinery, professor of law, is legal consultant, and Don G. Holladay, staff assistant in the president's office, provides staff support.

Dr. Gerald A. Porter, professor of education and secretary to the University Senate, also participated in the drafting of the constitution at the invitation of the committee.