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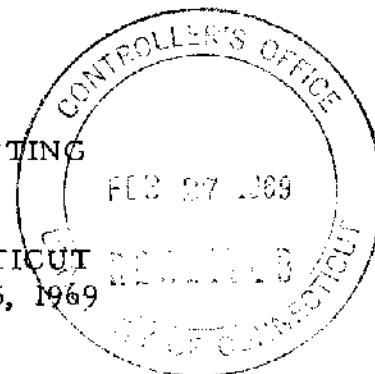
Minutes, January 25, 1969

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MINUTES OF THE SPECIAL MEETING
OF THE
BOARD OF TRUSTEES
THE UNIVERSITY OF CONNECTICUT
Held in Storrs January 25, 1969



The meeting was called to order at 10:00 a. m. by Chairman John J. Budds. Those present were: Mrs. Bailey, Messrs. Bishop, Budds, Fuller, Gill, Holt, Maxcy, McCormick, Nielsen and Waller.

Also present were: President Babbidge, Mr. Gant, Provost and Academic Vice President, Mr. Evans, Vice President for Financial Affairs, Mr. Orr, Associate Provost, Mr. Bailey, Assistant to the President and Mr. Hill, University Attorney.

All actions taken at the meeting were by unanimous vote of the Trustees except as noted in Section 2 (H).

1. Chairman Budds read from the minutes of the January 15, 1969 meeting of the Board:

"A faculty Committee of Five has, in accordance with the By-Laws of the University, considered charges brought against four faculty members. The report of the committee has been made available to the faculty members concerned and to all members of the Board. The report was prepared without the cooperation of the faculty members concerned, all of whom declined to appear before the Committee of Five. The report appears to the Board to present grounds for serious disciplinary action against the faculty members involved in recent obstructions. The Board will, however, before taking action, afford to the four faculty members a further opportunity to be heard. In accordance with the spirit of recommendations made by the American Association of University Professors, these hearings will not be public. A transcript of the proceedings will be made, and the faculty members concerned may, if they choose, be

accompanied by counsel. Details concerning these matters are to be communicated directly to the faculty members concerned."

Mr. Budds indicated that in compliance with this specific Board action, the special meeting today was called for the purpose of providing Messrs. Brover, Colfax, Leggett and Roach with an opportunity to be heard prior to Board consideration of any disciplinary actions.

2. In accordance with its usual practice in personnel matters, THE BOARD VOTED unanimously to go into executive session to conduct a hearing for Messrs. Brover, Colfax, Leggett, and Roach. It was understood that verbatim proceedings of the hearing would be made a matter of record in the files of the Board.
- (A) President Babbidge informed the Board that none of the four staff members or their representatives was present in the room; however, Mr. Brover and Mr. Roach were in evidence outside the building at 10:05 a. m.
- (B) Chairman Budds called the executive session to order again at 10:30 a. m. and the Board was informed that Messrs. Brover and Roach chose not to attend the hearings.

President Babbidge entered into the record several communications, which in effect, recommended that these hearings be open to the public. The President also entered into the record a copy of his statement in which he explained some of the reasons why the Board followed the practice of conducting its personnel discussions in closed sessions.

Provost Gant entered into the record copies of correspondence with the four faculty members and their attorney, Mr. Groark.

Chairman Budds upon determining for the record that Board members present had received and examined the stenographic record of the hearings of the Committee of Five, asked Mr. Orr to read aloud the full text of the report of the Committee of Five. (While the report was being read a window in the hearing room was struck by a mud ball thrown from the group of persons assembled near the front door of the building.)

There were no further questions regarding the testimony and Chairman Budds declared the hearing closed at 11:20 a. m.

- (C) Mr. Budds called the Board's attention to communications he had received from David Selden, President, American Federation of

Teachers, AFL-CIO, The New University Council of Wesleyan University and Emanuel Psarakis, Executive Director, Connecticut Civil Liberties Union. The communications were circulated for reading by the Board.

- (D) President Babbidge urged the Board to confine their considerations of disciplinary action to the charges of wilful obstruction of a University activity as presented in the report of the Committee of Five. Mr. Fuller was of the firm opinion that the harrassing actions of the dissidents at recent Board meetings suggested additional arrest considerations and strong punitive measures. After considerable discussion, it was agreed that any disciplinary action taken by the Board at this special meeting would be based solely on the matter of obstruction and violation of the Board's rules.
- (E) At the request of the Board, Provost Gant reviewed the employment status of the four faculty members. He noted that Mr. Roach had received tenure effective September 16, 1968 and Messrs. Brover, Colfax and Leggett are employed on an annual reappointment basis. Mr. Gant reminded the Board that reappointment recommendations are acted upon at their regular meeting in March.
- (F) After a lengthy discussion of the Committee of Five report, THE BOARD VOTED that in the opinion of the Board the allegations concerning the four faculty members' actions at the placement interviews were supported by the findings and that this conduct made them liable to possible dismissal for having violated a proper regulation of the University. In further discussion, it was unanimously agreed that any individual whose conduct continued to contribute to the obstruction of University activities cannot be allowed to remain a member of its staff.
- (G) THE BOARD VOTED to approve, effective immediately, the following actions:
- (1) Each of the four faculty members, Messrs. Brover, Colfax, Leggett and Roach, is placed on probation under the following terms:
 - (a) He will, to the best of his ability, carry out the duties normally expected of a faculty member and assigned to him by his department head and dean.
 - (b) He will not engage in, contribute to, or incite others to any action whose likely effect will be to impair or prevent the accomplishment of any lawful activity, process, or function of the University.

- (c) He will comply with all lawful instructions, regulations, and orders issued with due notice by the President or any other officer of the University.
 - (d) Violation of any of the terms of this probation will be followed by prompt action to dismiss.
- (H) In further action, THE BOARD VOTED to approve the following:
- (1) Mr. Leggett is to be notified that he will not be reappointed for the academic year 1969-70.
 - (2) Each of the two faculty members, Mr. Brover and Mr. Colfax, is to be advised that a final decision regarding his future status will be deferred until a report of his respective academic potential and performance is received at the regular meeting of the Board in March, and that the Board has serious reservations regarding the desirability of renewing his current appointment.

Mr. Fuller voted against the above actions 2 (G) and 2 (H), stating that in his opinion the four faculty members should be dismissed immediately.

- (I) Provost Gant was requested to notify each of the four faculty members, Messrs. Brover, Colfax, Leggett and Roach, of the precise disciplinary actions taken by the Board.
- (J) THE BOARD VOTED to approve the following public statement regarding Board action:

Precise disciplinary actions taken by the Board today will be communicated only to the faculty members involved. The Board has asked me, however, in the interests of the public, to give you a generalized and unofficial report at this time.

As is widely known, the Board offered an opportunity today to four faculty members to be heard by the Board, on the subject of charges having to do with their involvement in recent disruptive activities on the Storrs campus. The Board wishes to emphasize to the public and to their colleagues that the four faculty members did not accept an invitation to appear before the Faculty Committee of Five. The Board further wishes it to be known that the four faculty members did not accept the invitation of the Board to appear today (or to be represented by counsel) to speak to the subject of allegations made against them, or to the content of the report of the Committee of Five.

In the absence of the four faculty members and their counsel, the Board concluded its scheduled hearing, and proceeded to consider appropriate action in the case of each. I cannot give you a detailed report without violating the Board's policy of not identifying individual faculty members in matters of discipline. If you will make it clear that no action was related to any individual, I can properly report the following:

One faculty member is to be advised that his current appointment will not be renewed.

Two faculty members are to be advised that final decisions regarding their future status will be deferred until customary reports on their academic potential and performance are received at the March meeting of the Board. The Board wishes, however, to be entirely candid, and has therefore asked that these two faculty members be advised that the Board has serious reservations regarding the desirability of renewing their current appointments.

All four members of the faculty are also to be placed on probation, the conditions of which forbid them to participate henceforth in any act which might impair or prevent the accomplishment of any lawful activity, process, or function of this institution. Violation of this probation will be followed by prompt action to dismiss.

Finally, it is important to note that the Board made the finding that all four faculty members had, in fact, made themselves liable to possible dismissal for having violated a proper regulation of the University. The Board has, however, refrained from the imposition of such penalties.

The Board has taken the above actions solely on the basis of allegations concerning placement disruption.

Beyond this, the Board is eminently aware of and will take into account what it regards as bizarre behavior by one or more of the four faculty members.

The Board wishes to convey to the academic community the belief that in acting as it has, it seeks to indicate its awareness of the anxieties of some thoughtful members of the faculty, but at the same time to advise one and all of the seriousness of the offenses involved, and of its readiness to

discourage, in whatever ways may be necessary, actions that impair or prevent the accomplishment of any lawful activity, process, or function of this institution.

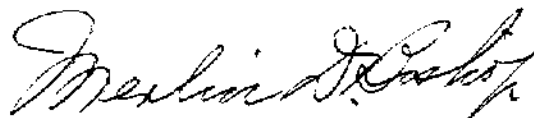
The Board wishes also to convey to the public the conviction that its responsibility is not to render retributive justice, but rather to take such steps as will effectively prevent and discourage further disruptions of lawful university activities.

The Board wishes, finally, to call the attention of both the public and the academic community to a single statement embodied in the report of the Committee of Five, to which the Board of Trustees lends its unanimous and vigorous endorsement:

"The concept that a small group can impose its will on the majority by the use of force and intimidation is the very antithesis of what is proper to a university environment."

3. The Board agreed to hold their meeting on February 19, 1969 at the Stamford Branch. No other business appearing, the meeting was adjourned at 3:40 p. m.

Respectfully submitted,



Merlin D. Bishop
Secretary