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The student government judicial board charged three elected student officials with negligence and ordered them to give evidence of their scholastic proficiency Wednesday night in a 4-0 decision. One member abstained.

Robert Harvey, student body president; Vicki Young, vice president for student services; and Joe Young, student senator

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received writs of mandamus which require proof that they meet academic requirements for elective office.

Austin Sterling, student senator also subpoenaed before the board, was cleared of negligence when he stated he posted a 4.0 GPR last semester.

Chris Farmer, acting chairman, announced the board's decision:

"The question here is to decide whether writs of mandamus should be issued at all. The question was not the wording or con-

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struction of waivers issued previously.

"For this reason, the judicial board feels that not signing these waivers has shown negligence by student government officers in their responsibilities as interpreted in the constitution by the judicial board.

"The writs will then contain a requirement to provide proof of adequate scholastic proficiency as defined in Section 4, Article I and Section 2C Article III of the constitution.

"To the vice president of rules and regulations, the burden of proof to the consti-

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tuency is a responsibility of the student officers who have to show qualifications of scholastic proficiency," the board said.

The defendants have two days to respond. If they ignore the writs, remedial or removal hearings will be called. Formal announcement of the decision is expected this week.

In summation, both sides outline their basic arguments.

Stan Stanfield, chairman of the judicial board, spoke for plaintiff Jim Connor, who petitioned the board to issue the writ.

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"Enforcement is inherent and explicit in the judicial board," he said. The board recognizes in its by-laws that a writ can be issued for non-performance of duties, he said.

Establishing their qualifications for offices through releasing grade point ratios is an implied duty based on grade requirements stated in Articles I and III of the student body constitution, Stanfield said.

"The judicial board has the authority to act in this case," he concluded.

Student senator Joe Young spoke for

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himself and the other defendants in the hearing: Robert Harvey, student body president; Vicki Young, student senate vice president for student services; and Austin Sterling, student senator.

"The writ of mandamus requires a clear and concise statement of duty," he said. The constitution "requires some clarity before acting on these points."

Young said the revised waiver forms gave more people access to grades. The wording of the forms, he said, had been changed from that informally agreed upon by the executive committee.

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The Battalion reports on Connor v. Harvey et al.
(1978). Images courtesy of Cushing Memorial
Library and Archives, Texas A&M University.

Wording of the form was changed, giving any "student official" the right to see the grades instead of specifically granting that power to the senate credentials committee.

"That needs to be cleared up," Young said.

"Enforcement is not a function of the judicial board," he said, concluding three hours of testimony, procedural motions and objections.

Early in the hearing, Stanfield was removed from taking further action as board chairman because of his "exceptional interest in the case." Chris Farmer, senior member of the board, served as acting chairman.

Both the plaintiff and defense said Harvey might not get a fair hearing if Stanfield was chairman and asked him to step down. The chairman only votes in case of tie, but he can contribute to the deliberations. The defense was "insecure" with that fact, Young said. Judicial board members said they are required to consider only evidence given in open session, calling the defense's argument "an affront to our credibility."

Stanfield defended his involvement in the case, noting he was "acting on a request from Dr. Carolyn Adair, director of student activities, to 'clear it up' using in-house procedures. Stanfield added that his defeat for the office of student body president was not a factor in his actions.

"That's my job," he said.

After his removal, he aided plaintiff's attorney Marc Young.

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