

\$150,000 lawsuit dropped but controversy continues over disciplinary action against Stong student

By KEVIN CONNOLLY

Four months, a residence disciplinary hearing, a \$150,000 defamation of character lawsuit (which was subsequently withdrawn), and \$350 in lawyers fees later, Stong College student Marge Mackenzie is still not satisfied.

Mackenzie feels she has been "unjustly treated" by the Administration and certain residents of Stong College, that her reputation has been badly damaged, and that the ban placed against her entry into Stong residence in January, 1986 was a decision based on hearsay and unsubstantiated remarks from residence students on Stong's fourth floor.

Mackenzie's problems began in early January when complaints were made to Stong master Hedi Bourouai from an unnamed group of Stong residents that Mackenzie had been making a nuisance of herself with her regular sleep-over visits to Stong's fourth floor. As a result of these complaints, an informal ban was raised against Mackenzie's entry into the residence, a ban that Mackenzie said she was not informed of until after she had an encounter with York Security and the Metropolitan Police at a January 17th dance in Stong College. Mackenzie said she was told at this time that she was not allowed into the Stong residence, although no one would tell her the reason for the ban.

When she refused to leave the premises, two York Security guards, and a Metro police officer were

called in. In the end the officer left the matter in the hands of the College administrators, and Mackenzie had the first of several meetings with Stong master Hedi Bourouai.

Mackenzie was told that she was banned from the residence because she had not obeyed the residence sign-in rules, and because she had been sleeping in the common rooms against regulations. According to Mackenzie, Bourouai told her that she should avoid all contact with residence students because her presence there had caused "too many hassles." A few days later she received a written copy of the agreement and a warning from Bourouai: "... if you do not keep your word of honour and fail to comply with my advice, I shall not hesitate to apply all measures at my disposal, including charging you with trespassing," Bourouai wrote.

Shortly afterward, a letter was circulated to all Stong residents advising them of the ban, and that all violations should be reported to the master.

It was at this point that Mackenzie says she began to hear rumours about "the real reasons for the ban, which she says included comments that she had been "walking around the floors almost naked," and "coming-on to all of the male residents on the fourth floor." Mackenzie says that these rumours were part of the reason she chose to ignore the ban and accept an invitation "to come up for tea" after class from a friend in the residence. Mackenzie

was seen, security was called, and once again Mackenzie was directed to see the college Master.

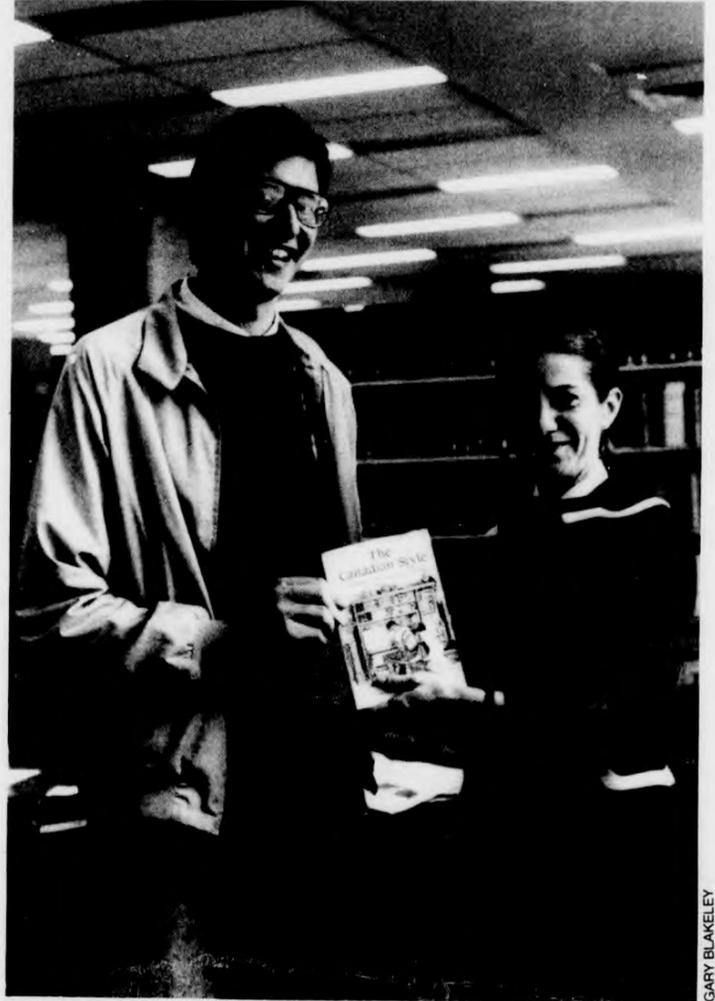
"When I asked for a formal hearing to discuss the ban he said that it wasn't necessary and told me the rumours I had heard were not true, and that they were just rumours," Mackenzie said. Bourouai finally agreed to convene a disciplinary hearing on the 31st of January at Mackenzie's request.

Because there had been no formal charges made against her, Mackenzie says that she didn't know who or what to bring to the hearing in her defence. In the end, she was accompanied by a friend, Alana McKnight.

McKnight calls the proceedings of January 31st "unbelievable." At the hearing Mackenzie heard of five different letters written to the Master of Stong College, which she says accused her of "causing trouble," being "sexually promiscuous," and "coming-on to the men on the fourth floor." A petition signed by 44 Stong students was also presented by fourth floor Don Steve Cage.

"Marge asked repeatedly that the people be brought forward to defend their statements," said McKnight, adding that each time she was refused. McKnight also says that that when he was asked whether or not he believed the accusations made in the letters, "Bourouai said 'I do believe them because we have 44 witnesses.' The disciplinary committee ultimately decided to make the ban official." Bourouai said that

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TO THE VICTOR...GO THE SPOILS: Victor Majid, a 2nd year MBA student had his wildest dreams come true recently when he became the millionth visitor to the Government Documents Library in the Administrative Studies Building. Majid received *The Canadian Style: A Guide to Writing and Editing* from Head Librarian Vivian Monty.

GARY BLAKELEY

Christie banned from campus in interim order

By LORNE MANLY

An interim order banning John Christie from campus has been issued following a York University disciplinary hearing May 14. Christie, a campaigner for Vicky Fusca's Council of the York Student Federation (CYSF) presidential candidacy this year and himself a candidate one year ago, is not allowed on campus except for the evening of his graduation.

The hearing was held after allegations of assault, arising from incidents April 3 and 7 (during CYSF elections), were made by Chief Returning Officer (CRO) Marshall Golden against Christie. The banning order, however, is a temporary one as the hearing was not completed due to the injurious effects a ruling may have had on the criminal case between Golden and Christie. (Golden has charged Christie with two counts of assault and the court date is set for August 27.)

"It ended up being a preliminary hearing," said Brenda Hanning, the Assistant Director of Student Affairs and the clerk of the court for Non-Academic Discipline. "John Christie felt that if the hearing proceeded, it would have a bad effect on the criminal case. The hearing officer (Professor Alan Shapiro) accepted this view and... (issued) an interim order banning Christie from campus."

"Once criminal proceedings are concluded," Hanning added, "Christie, Marshall Golden, or the Provost (Tom Meininger, the prosecutor in the case) could ask for a resumption of the case. Christie could resume the hearing at any time." According to Hanning, if no one asks for a resumption, "the ban, technically, could go on forever."

Christie views the ban as no more than an "inconvenience," but, none-

theless, has already submitted a letter to President Harry Arthurs appealing it. "The ban doesn't mean anything," Christie said. "I'm not going back to York; I've finished my degree requirements."

The two incidents of Christie's alleged assault against Golden occurred on April 3 and 7, and sparked both the criminal charges and the University's disciplinary hearing against Christie. On those occasions Christie was charged with assaulting Golden with threats and pushes.

The first incident took place at a Central Square polling booth on the day of the CYSF elections after Golden twice caught Christie involved in illegal campaign tactics. Christie was found guilty by the election tribunal of handing out cam-

campaign literature and trying to influence the voters near a Central Square polling booth the day of the election. Christie is planning on asking for a review of Golden's conduct of the tribunal since, according to Christie, "I was found guilty without being allowed to speak."

The second incident occurred after the election tribunal adjourned, the night of April 7. According to Golden, Christie approached him as he was leaving the building, and said he wanted to speak to Golden. When Golden refused, Christie grabbed him by the lapels and pushed him against a wall. Christie did not want to comment on this allegation because he did not want to give away his defence at the upcoming trial, but he did say that he didn't feel Golden's assertions would hold up

in court as the police refused to lay charges that night.

After these incidents, the machinery for a disciplinary hearing was set in motion. "A security and occurrence report was taken on the incident," Provost Tom Meininger said, "and this is usually enough to drive Administration action. But Golden also filed charges outside (in criminal court) and there was a question of should matters proceed concurrently. Golden was asked if he wanted matters to proceed concurrently and he said he did," Meininger added.

In cases such as this one, where neither the colleges nor the Faculty Councils (which usually handle disciplinary hearings) are involved, the Provost would normally be the presiding officer. But since Meininger

has already been involved in a previous hearing that included Christie, he felt his objectivity would be affected. In the May 1985 hearing, Christie was charged with having been involved in a bar-room brawl a month earlier at the Cock & Bull pub, and, as a result, according to Hanning, "he was barred from participating in all athletics and barred from all the pubs and licensed events on campus." This ban was lifted in January.

In Christie's opinion, though, this allegation of violence was unfounded. "The only reason I was asked to attend the disciplinary hearing was because I was a member of the rugby team (which was involved in the brawl) and was present when the fight occurred," Christie said.

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New Master Plan may see shopping malls on campus

By JOHN McILROY

After suffering years of underfunding, York University has begun to take steps to alleviate its chronic financial problems through the commercial development of campus lands.

Shopping malls, hotels, private research companies and government offices could soon dot the York campus as a result of a new campus Master Plan that is being developed by the recently formed York University Development Corporation (YUDC). York would be the first University in Canada to adopt this idea. Stanford University in California has already successfully implemented a similar plan.

As a first step in the process, YUDC invited 18 companies to express their interest in carrying out a Campus Concept study that will ultimately

lead to the new Master Plan. According to YUDC Vice-President Greg Spearn, "Of the 18 companies, 12 made submissions to us... We've short-listed five, and then three, and now we're at two firms that we're trying to decide between. The two companies on the short-list are Ber-ridge, Lewinberg and Associates, and the IBI Group in association with Barry Lyon," Spearn added.

"We're hoping to choose the successful firm by June 9th," Spearn said. "We had planned to make a decision last week, but we went back to the two finalists for more information. We're having a joint meeting of the board of directors of the YUDC, and the Campus Concept Group, to listen to additional presentations from the two finalists."

The successful company will have the remainder of the summer to for-

mulate a series of options that University officials hope will go a long way in generating much needed cash, as well as "completing" the physical development of the campus that was interrupted in 1972 by the withdrawal of provincial funding.

"The underlying idea is to use the land to create reserves," said Spearn, "but the reserves don't have to be money. They could be using the land to have a facility built to create more space to be used for academic purposes."

York's first Master Plan, conceived in 1962, called for a Faculty of Medicine, Engineering, and Pharmacy. The incompletion of the first Plan has resulted in a number of empty spaces in the campus layout, and has helped to create a campus that many people feel is cold and inhospitable. York uses only about

one-third of its 243 hectares and the rest is an undeveloped "windswept wasteland," according to Dr. Philip Lapp, the head of the corporation. YUDC hopes to turn the situation around with a 24-hour campus that it believes will create a vibrant self-contained community, conducive to both academic and social pursuits.

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