UNIVERSITY OF NEW BRUNSWICK

FREDERICTON CAMPUS

March 10, 1969

Vol. 102 No. 23A

10¢ OFF CAMPUS

Council prepares for CAUT censure

The SRC plans unprecedented mass publicity this week to educate students as to the effects of the proposed CAUT censure of the University of within. New Brunswick.

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Council took action last night after a report was handed down by a committee on the effects of censure on UNB. The committee was made up of Alistair Robertson, Dave MacMullin and Bob Hess.

The report says that shortterm effects (less than two years) will not be major because CAUT does not ask professors to leave. But long-term effects will be the inability of UNB to hire good faculty and the lessening of the value of a UNB degree. The report was circulated on campus Friday.

At the meeting Robertson announced that the situation had changed. At a Saturday meeting the Association of University of New Brunswick teachers passed several motions which 'by implication give AUNBT support to the board of governors, rather than CAUT," said Robertson.

"At the first CAUT censure (last year at Simon Fraser University) the faculty sup-

ported CAUT and the association recommended that the faculty stay there and attempt to change the university from

SUPPORT ISOLATED

"Here, the faculty who support CAUT are isolated. They can effect no change, exert no force. CAUT won't recommend that faculty leave but now they certainly won't recommend that they stay."

There is an immediate and serious crisis. The censure will destroy education at UNB," said one council member.

Several pointed out that censure at this Saturday's meeting of the council members CAUT was inevitable.



Dave Knight

Dan Weston, arts 3, said direct action was necessary to the board of governors and CAUT into lifting the censure as soon as possible. He pointed out that if a student strike is called, it must be carried out properly, with strategic pro-

poganda. But council members vehemently rejected direct action and said that education was the essential action. A motion calling for a strike referendum was defeated, no votes for, 10 votes against and two abstentions.

"Students have been inactive pawns. Council been sending notes for 20 years. Now is the time to discuss action rather than letters," said

But Weston was refuted by grad rep Pat Murphy and arts rep Peter MacDonald.

There must be publicity and discussion among the sutdents," said Murphy.

"People may do things they regret, if direct action is encouraged without discussion."

EDUCATION ESSENTIAL

Murphy said that if council acted without informing the students of the severe crisis, there would soon be chaos on campus. He said direct action must be avoided unless the students support it.

At this point MacDonald made an omnibus motion providing for mass publicity. He said that the students must understand the position of the university now and what it will be in the future.

"We must unify the student body at a reasonable level,"

he said.

further said that a referendum

on this matter.

Later amendments to the motion said that a committee be set up to co-ordinate all publicity, to get time on local action, said that although edradio stations to advertise consequences of a censure.

grad rep, David Knight, education rep, Judy Mullin, Brunswickan editor, Ian Fer-guson and MacDonald met immediately after the council meeting and further decided to advertise in the Daily Gleaner and the St. John Telegraph-Journal.

FORUMS THIS WEEK

Robertson, MacMullin and SRC president Mike Start will speak at mini-forums at Mc-Connell Hall Tuesday at 5:30 and Lady Dunn Hall Wednesday at 5:30.

Speakers at a massive Thursday night forum in the SUB ballroom will include Start, Robertson, MacMullin, a faculty supporter of CAUT, a faculty supporter of AUNBT's recent decision and a member of the administration. The

be held to poll student opinion committee will also try to bring in a speaker from CAUT's national executive.

Knight, another strong proponent of education-beforeucation concerning the crisis wouldn't stop censure, it can The committee members, aid in more immediate action in having censure lifted before serious damage is afflicted.

Weston said that the important matter in any education drive was to point out that censure illuminated a long period intellectual corruption

"We must show the students that the structure of the university inhibits them. The administration doesn't give a damn about the students here.



Peter Macdonald

Pass motion unanimously

The following motion, moved last night by SRC rep Peter Macdonald and seconded by Pat Murphy, was passed

unanimously.

"Be it resolved that: 1 Radio UNB be requested to publicize this possible censure, emphasis being laid on immediate and long-term effects. 2 That a written report be issued by council long-term effects. Robertson, Hess and MacMullin as soon as through Messrs. Robertson, Hess and MacMullin as soon as through Messrs. possible. 3 That the Brunswickan issue a flash this week, if possible, 4 That a forum be held in the SUB ballroom somethine this week to acquaint as many students as possible with the situation. 5 That ample publicity re posters, notices be issued to publicize the forum and the issue. 6 That a referendum be held to determine the feeling of the student body on this matter. 7 That Messrs. Robertson, Hess, MacMullin and on this matter. 7 That Messrs. Robertson, riess, MacMullin and others be requested to go on Radio UNB and discuss this problem of censure and that the possibility of buying time on radio of censure and that the possibility of buying time on radio of censure and CBZ be investigated for the purpose of stations CFNB and CBZ be investigated for the purpose of advertising the consequences of censure. 8 That such publicity and notices to publicize the and notices to publicize the crisis situation. The motion further said that a referendum

censured

"CAUT censure (of the University of New Brunswick) is inevitable."

This was the feeling of council members as they acted last night to inform students as to the serious effects of

Saturday morning the national council of CAUT will

meet and probably impose censure on the board of governors of the university.

The Saturday meeting was convoked for the specific purpose of discussing the censure if CAUT's three demands concerning the Strax case weren't met. The three conditions were setting up a CAUT arbitration committee to settle the dispute between prof Strax and the administration, that the university pay all Strax's legal fees, court costs and damages and that the permanent injunction against Strax be

The board of governors met with CAUT representatives two weeks ago. After the meetings president Mackay made a statement which rejected the second and third demands and said that the university would agree to non-binding disciplinary action open to the university" which CAUT felt "were not in issue or sufficiently in the litigation.")

If censure is imposed Saturday, Robertson feels that CAUT may publicize it more widely than they had for SFU.

At Simon Fraser, since CAUT had strong support within the faculty, it only publicized its decision and recommendations in the CAUT bulletin, said Robertson.

"But because of weak support here, CAUT may advertise in the national media," he said.

By-election declared void

The student council last night declared last week's vice presidential election null and void.

There will be a re-vote on Friday which will hopefully end the SRC's election woes over the year. The same candidates, Grant Godfrey, Kevin MacKinney and Don Thomson will stand for. election.

Polls will be open 9 a.m. - 3 p.m. in the academic buildings, 11:30 - 1:30 and 4:30 - 6:30 at Lady Dunn and McConnell Hall and 9 a.m. - 6 p.m. in the student union building. Last week's vote was

nullified for several reasons.

The bylaws of the SRC provide that ballots be marked

with an "X". The instructions on last week's ballot said ballots could be marked with a

check or an X. The bylaws also state that polling stations must be manned by two polling officers at all times. At least twice last week boxes were left unmanned for a period of time, once in Carleton Hall and once

in the nursing building. And there were three more ballots in the McConnell Hall ballot box than there were voters who cast their ballot there.

The motion to declare the elections void read that there be a revote (with the same candidates) rather than a new

election which would include

opening nominations. Christine MacKimmie was the only councillor to take a strong lead in demanding a new election. Her stand was substantiated by the fact that one of the nominations was received late and the chief returning officer accepted it.

Miss MacKimmie pointed out that if this nomination were accepted for a re-vote and the candidate won the election, then the losing candidates could rightfully protest and the second election would also

have to be invalidated. But council ignored her protestations and passed the motion. She was the only one who voted against it.

our "university"?

The Student Council has undertaken mass publicity to educate all the students, as to the effects of the proposed CAUT censure, that will come before their National Council at a special meeting called for this Saturday, in Ottawa.

We are confronted with a serious problem, and at the moment there is nothing that we can do about it. The possible effects that such a censure could have on the future of the University are many, and are included in a special report that it reprinted in this issue. Both the short term effects that are listed as few, and the long term effects that are listed as many, should be considered very seriously by all the students on campus.

Students should act now. This is too serious a question. Not enough is known by the student body in general, nor have they shown any willingness to find anything about the question. Council finally acted in the true interest of all the students when they decided at last nights meeting to put into effect the mass publicity drive.

The question has already split the faculty, and the repercussions are obvious. In a meeting of the AUNBT on Saturday, the local association voted in favour of the administration. They decided that they would not go along with, or support the three demands that the CAUT presented the authorities. It is now evident that the local authorities will not budge from their previous position, that being that they will agree only to "non-binding arbitration", and that they do not wish to lift the injunction of Professor Strax. The CAUT will not budge either, and the results of the AUNBT vote will only cause then to pick up their defences. We're caught right in the middle. One could easily raise the question whether or not the students were considered at all during this duel. We are the ones that are going to suffer the most, so let's do something.

Nobody has suggested that the students come out in support of one side or the other, but we must take some stand on the issue. Now it is evident that the censure will be imposed, and there is nothing that can be done on our part that can prevent it. We can however take action that will lead to an early lifting of the censure. Since the short term effects have been listed as few as may still be able to come out of this un-scarred. Whether we want to or not is yet to be decided. The SRC cannot speak, or act for the students without their full support and certainly this issue warrants the full support of each and every one of us.

The outcome of this crisis will be determined at the special forum to be held in the SUB ballroom next Thursday night. If ti turns out that there is not enough interest on the part of the students, then we get it right in the ear. If the turnout is sufscient, and some good alternatives are provided then we can go ficient, and some good alternatives are provided that has been alternatives are provided than the provided that has been alternatives are provided than the provided that has been alternatives are provided than the provided that has been alternatives are provided than the provided than the provided that has been alternatives are provided than the provided than the provided than the provided that has been alternatives are provided than the provided than

No one has said that we must choose between the CAUT or the Administration, nor has any radical action been proposed. All that is being asked is that the implications be looked into, and that everyone realize that we are really being confronted with an issue. This issue cannot be put off, or left up to somewith an issue. This is ours. Lets make it really ours.

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One hundred and second year of publication. Canada's Oldest Official

Student Publication.

A member of Canadian University Press. The Brunswickan is published weekly at the Fredericton campus of the University of New Brunswick. Opinions expressed in this newspaper are not necessarily those of the Students Representative Council or the administration of the university. The Brunswickan office is located in the Student Union Building, College Hill, Fredericton, N.B. Printed at Bugle Union Building, Woodstock, N.B. Subscription \$3 a year. Authorized as Second Class Mail by the Post Office Department, Ottawa and for payment of postage in cash at Fredericton.

Editor-in-chief lan Ferguson

Actions at faculty meeting make censure more serious

The special SRC committee investigating the effects of on UNB prepared a second report last night in light of the actions at a general meeting of the AUNBT Saturday. Committee members are Dave MacMullin, Bob Hess and Alistair Robertson.

In connection with the threat of censure by the CAUT, the AUNBT held a general meeting Saturday, Feb. 8, 1969. The special SRC Committee on censure received a verbal report of the meeting.

POSITION

At the meeting, a motion was defeated calling for support for the CAUT position. A subsequent motion calling for AUNBT withdrawal from CAUT was also defeated, and one reaffirming AUNBT's general support of CAUT was passed. Thus the position now is that the local faculty association, while retaining membership in the national body, has decided not to support its stand in this case. In the past AUNBT has passed motions condemning the administration for inaction, and calling for arbitration on CAUT lines.

Our committee has discussed the implications of this eleventh-hour lack of support for CAUT by AUNBT. The AUNBT stand is hard to understand in the light of President Mackay's letter of last week, the meaning of which was unclear. The AUNBT in effect, through defeat of the motion, has supported the stand of the Board of Governors, which is not itself really understood by anyone, with the possible exception of the Board itself and Dr. Mackay, who has declined to explain it.

There is some evidence that the failure of AUNBT to support CAUT has caused a dangerous polarization within AUNBT. The minority who supported CAUT now find themselves isolated. They know that they are in a minority among the faculty here. Censure, which seems almost certain to come, will mean that they can hope for no future increase in their number, since CAUT members will be urged not to accept positions here. Indeed, since incoming professors will in fact be non-CAUT, the minority situation of CAUT supporters here will most probably worsen.

MAY BE RESIGNATIONS

The CAUT delegation that visited UNB February 19-20 specifically urged faculty not to resign, but to remain, in the hope of achieving through pressure on the administration the improvements in the University that CAUT desires to see come about. (This, one must not forget, is the whole purpose of censure itself). Now, however, in the situation described above, it may well be that neither CAUT nor its supporters here will see much point in maintaining this position, since it may be felt that further action to resolve the disputes, when the majority of faculty here is not in support, is futile. In that case, the growing feeling of frustration expressed by many faculty who are not satisfied with the administration, may well lead to their resignation, when reasons against this are no longer applicable.

It is reliably reported to our committee that members of faculty here are receiving tentative offers from other universities. Those of our faculty who are in a position to command jobs elsewhere are the very people we could ill afford to lose; and they are the very ones too, for whom resignation is a practical proposition.

What has happened because of the AUNBT's decision is that much if not most of the hope for pressure on the administration resulting in a settlement of the dispute and avoidance of censure, has gone. The administration can now say quite justifiably that since the AUNBT has refused support to CAUT, things are not really so serious. There is, however, little likelihood that AUNBT's decision will cause CAUT to change its mind. Indeed, it may well strengthen it in its conviction that there is much wrong at this university, for it knows that there are faculty members here, even if a minority, who look to it for support, and can therefore hardly be ignored. The only weapon CAUT has is censure.

It is instructive to compare the situation here with that at Simon Fraser, when the latter university was censured. There, the faculty association was fully in support of CAUT. It was for this reason that faculty were urged not to resign, and that in fact, the day after

announced, negotiations were begun between administration and faculty. The situation here, especially since Saturday, is quite different; and the outlook for an early end to censure, and resolution of the dispute, much less hopeful. One point to remember is that the suspension of the professor concerned took place on September 24, 1968 – almost six months ago. And the matter is still no nearer being settled.

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As a result, then, of the AUNBT decision Saturday, the committee feels it necessary to revise its earlier opinion that the effects of censure would be mostly long-term. The possibility of resignation in the near future, of professors of the calibre we can ill afford to lose, is very real, and the problem therefore much more immediate. And once again, our committee feels obliged to emphasize that it is, in the short and in the long term, the students who will be the real losers in all of this. Those of the faculty who resign, painful as this step will be to them, will go to other jobs. Those who stay will be content to remain in a censured university, either because they remain hopeful of change for the better, or because they don't feel bothered by it. The student, however, is affected by any lessening of quality in the university, without (in most cases) having the alternative of going somewhere else. And so far, without having any way of influencing what does happen. Ultimately, censure can only have one effect, and that is to lower the standard of teachers coming to UNB; through good professors already here leaving, and the supply of replacements being restricted.

The quality of a university is judged on the quality of its teachers, and for those of high quality there is considerable competition among ities. UNB, censured, will be at a disadvantage in that competition. Inevitably, its prestige will decline. A student with a degree from a university which is at a disadvantage in competing for staff, will in turn be at a disadvantage in the competition for entry to graduate school or into top jobs, not because he is labelled "CENSURED" or anything so dramatic, but because his university did not find it easy to get the best staff.

CENSURE

IS NOT 'BAD PUBLICITY'
IS A KICK IN THE TEETH
AFFECTS YOUR DEGREE

Censure: the facts from all sides

the first prepared by the changed slightly. However, Dr. special SRC committee to MacKay's published reply to study effects of a CAUT Professor McPherson is censure. It was presented to regarded by the latter as not council last night.

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HISTORY OF THE CASE

Septembe: 24, 1968, Dr. Norman Strax, an Associate Professor of Physics, was suspended from all his duties as a faculty member on the orders of Dr. Colin B. MacKay, the President of the University. The circumstances surrounding this are known to most students. Dr. MacKay, September 28, 1968, reported his action to the Board of Governors (as required in the University Act). The Board approved it and at the same time set up a "Faculty Committee" to "hear Dr. Strax's Case". Dr. Strax remained in his office, and on university. September 30th the university sought a court injunction to restrain him from coming on university property and from inciting students or faculty to break university regulations. (On October 4, Dr. Strax appeared in court in St. John to answer a charge that he had continued to stay in his office for 24 hours in violation of the injunction. His case was heard again on October 18th, when he was fined a nominal \$1.00.) On October 8 the Board of Governors met again. One member of this committee was present at that time and recalls that the interim report of the Faculty Committee, which was supposed to be presented, was purely formal. Dr. Strax and his lawyer, Mr. Kelly, had made one appearance before this committee but Dr. Strax had later withdrawn (on Mr. Kelly's advice) with the complaint that the Committee's terms of reference were far from clear. It was apparently uncertain whether it was a fact-finding body or a tribunal to judge Dr. Strax's case, and Dr. Strax was not

satisfied. On October 10th the Canadian Association of University Teachers (CAUT) telegraphed Dr. MacKay that their Committee on Academic Freedom and Tenure was "seriously disturbed" by the suspension especially as there had been no previous hearing or charges. CAUT urged arbitration quickly, in accordance with its published procedures. On November 17th, the National Council of CAUT met and confirmed this position.

On January 17th, Professor C.B. McPherson wrote to Dr. MacKay. In the course of his long letter he stressed his concern that no satisfactory action had been taken to bring the case to arbitration. He specified three conditions which CAUT felt should be made by the Board of Governors. (These are set out in the next section). On the 19th and 20th of February, Professor McPherson, with two other members of the CAUT Executive, visited UNB. They had talks with the Board of

yet satisfactory.

CAUT POSITION

Something has already been said of this. The conditions listed in Professor McPherson's letter of January 17th were: 1. the Board of Governors should agree to accept arbitration according to CAUT

procedures. The injunction against Dr. Strax should be dissolved before arbitration started. 3. Dr. Strax's legal expenses should be met by the

CAUT's policy on Academic Appointments and Tenure was published in 1968 and provides that an appointment of a faculty member should be terminated only with "adequate cause". If the professor disputes the case, it should be referred to an arbitration committee of 3 professors from outside the university who are acceptable both to the President and to the professor concerned. It is their business to consider whether "adequate cause" exists and they decide on matters like salary due. The policy also provides that written statement must be made of the reasons for dismissal and Professor McPherson has criticized UNB for not having done so.
After the meeting by the

CAUT and the Board of Governors the third condition listed above was modified. of legal expenses should be left to the Arbitration Committee.

Porfessor McPherson, in a telephone interview with our committee, made it clear that the 2 most important things from CAUT's point of view were the acceptance of arbitration and the removal of the injunction. CAUT feels that the existance of the injunction effectively turns suspension into dismissal that Professor Strax is not only forbidden to teach but cannot pursue any academic activities at all. It is for this reason, and because it feels that the use of legal proceedings in this way is a denial of Dr. Strax's rights as a faculty member, that CAUT insists so strongly on the matter of the injunction.

The demand for arbitration is a perfectly normal attitude on the part of any professional association or union. Some irritation has been expressed (by both faculty and students) at the idea of "interference" by an outside body in the affairs of UNB. It should be pointed out that CAUT is the only organized association of university teachers in Canada, expect its support if they feel to CAUT. Professor Brewer something is wrong. Also, also feels that the injunction is Governors and with AUNBT.

maintainence of standards of although, he, too, wonders academic and teaching about the meaning of the academic and teaching excellence, and their concern is President's non-binding related to this.

ADMINISTRATION'S POSITION

The Committee attempted to get an interview with President MacKay for the purpose of clarifying the administration's position. However, he felt that he couldn't elaborate on his letter at least until he releases a statement some time next week. The questions that we wanted answered concerned the three demands that CAUT is making.

First of all, there is the problem of non-binding arbitration that was mentioned in President MacKay's letter. It has been agreed that the university cannot legally enter into binding arbitration, but also that all parties agreed to be bound (morally) by the decision of the arbitration board. What we don't know is whether by non-binding the President meant legally non-binding or not binding in any way in which case he would be changing his position.

Also, we wanted to ask Mr. MacKay if he and the Board of Governors would be willing to allow the matter of payment of court costs to be decided by arbitration as Mr. MacPherson said he would be willing to do.

The third and most important question is that of the injunction. Mr. MacPherson has stated that unless the CAUT agreed that the matter administration agrees to drop the injunction, he will recommend censure of UNB. At this time, Professor Strax is appealing the injunction in the Supreme Court. If the injunction were dropped, Professor Strax would be able to drop his appeal. In that event, with no legal pressure on either side, the arbitration could be much more meaningful and cover a wider range. President MacKay in his letter stated that the arbitration could not cover some aspects because of Mr. Strax's appeal. Dropping the injunction would clear the air and allow meaningful arbitration in good faith.

Professor Strax would not be apt to jeopardize his case by causing any trouble on campus. In the event that he did, CAUT would withdraw their support from him.

AUNBT POSITION

Professor Brewer, President of the Association of University of New Brunswick Teachers (AUNBT) provided the details of their position. Approximately seventy-five per operating nationally, and its cent of UNB professors belong members here have the right to to AUNBT and consequently

the major point of contention The following report was As a result, CAUT's position CAUT (like AUNBT) has, as the major point of contention e first prepared by the changed slightly. However, Dr. part of its aim, the between CAUT and UNB; arbitration. Brewer feels that the details of arbitration can be worked out satisfactorily and that the costs can be included in the arbitration.

> About the injunction, however, he has mixed feelings. On the one hand he felt that the injunction alone shouldn't be enough to cause censure. On the other hand, he and AUNBT as a whole, feel that the injunction should not have been used and that the members not to accept administration should have followed proper procedure. On November 26, 1968, AUNBT passed a motion saying that, Canada, and will draw national while it didn't condone attention to UNB. In the Professor Strax's actions, the administration should establish prompt and just procedures for major effect other than that investigation and adjudication. mentioned above, because The motion also condemned the university for its continued resort to legal proceedings. At the same meeting AUNBT asked CAUT to aid in the establishing of an arbitration board. The AUNBT has scheduled a meeting for Saturday, March 8, 1969, to consider this matter of censure. Professor Brewer feels that the association may split over the issue of whether or not to support the CAUT move, and

SRC'S POSITION

should be lifted.

whether or not the injunction

Until December 8, 1968, the SRC, although involved in matters concerned with Dr. Strax's case which concerned students, had made no statement on the main issue. It was thought wise to wait until the AUNBT had taken a stand. At its meeting, December 8, Council passed a motion "fully and unreservedly" supporting the AUNBT stand taken remember is that whatever our November 26th and assuring personal feelings about the AUNBT of its full solidarity and willingness to think about his actions last fall; help if the AUNBT wished this. he or any professor deserve a Council again February 9th completely fair chance to have backed this stand already taken, deplored the fact that no action had been taken on the AUNBT's motions, urged the university not to incur a censure and called for a "speedy, just, and final academic settlement of the case". On March 2 Council once more reaffirmed its position, declaring that because there had been no "adequate response" to the AUNBT demands, it expressed its "complete disapproval with the manner in which the Board of Governors had handled this issue, and calls upon the Board of Governors to re-open negotiations immediately with CAUT and the AUNBT.

> Council's position, therefore, has been one of continuous strong support for the recognized representative body of university teachers at UNB - and also of concern for the effects that censure might

have on the whole university, students included.

EFFECTS OF CENSURE

It is a matter of debate exactly how censure would affect UNB. Some damage has already been done in that some ill-feeling exists among faculty members here and elsewhere. If UNB is censured, this ill-feeling will not improve but get worse.

If the censure is imposed, the CAUT will issue a full report explaining the situation at UNB and advising all of its teaching positions at UNB. This report will be distributed to CAUT members across short-term (less than two years) there will not be any CAUT does not ask professors to leave. In the longer term, it will be difficult to fill openings with high quality professors, especially in the Arts and Social Sciences, but to some extent in every faculty. If lower quality professors are hired, the value of our degrees will be lowered, since a university is rated according to the quality of its staff.

One additional problem is that it may be difficult to fill the position of President of UNB, and also the positions of Dean of Science, Associate Dean of Graduate Studies, and Head of the Business Department.

CONCLUSION

The crucial vote will be taken next Saturday, March 15, 1969. If, by that time, some agreement has not been reached, censure probably will be imposed on UNB.

Professor Strax; whatever we the full reasons for his suspension stated, and to have his case considered impartially.
Professor Strax deserves the same chance that any other professor would get. CAUT has not stipulated that Professor Strax be reinstated; it desires arbitration.

> The time to consider censure is before it is imposed, not after. The stigma attached to censure will not rapidly disperse but will remain for some time. Many students may feel that since they are graduating this year; they needn't worry. Remember that the new students will be affected and deserve a degree worth as much as yours. It is of no advantage to be sorry about censure when it is too late.

> > David MacMullin Alistair H. Robertson Robert L. Hess

"The time to consider censure is before it is imposed, not after. The stigma attached to censure will not rapidly disperse will remain for some time. Many students may feel that since they are graduating this year, they needn't worry. Remember that the new students will be affected and deserve a degree worth as much as yours. It is of no advantage to be sorry about censure when it is too late."



Massive Forum
SUB Ballroom
Thursday Night