



Minutes of the regular meeting of the Board of Regents of the University of Wisconsin: March 6, 1969. 1969

Madison, Wisconsin: Board of Regents of the University of
Wisconsin System, 1969

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SPECIAL MEETING OF THE BOARD
OF REGENTS OF THE UNIVERSITY OF WISCONSIN

Madison, Wisconsin
Held in Room 1820 Van Hise Hall
Thursday, March 6, 1969, 9:05 A.M.

President Gelatt presiding

President Gelatt announced that this was a special meeting of the Board of Regents called pursuant to the request of at least three members of the Board. President Gelatt requested the Secretary to call the roll.

PRESENT: Regents Friedrich, Gelatt, Kahl, Nellen, Pasch, Sandin, Walker, Werner, and Ziegler

ABSENT: Regent Renk

President Gelatt stated that this meeting was being held in accordance with the notice sent out by the Secretary under date of February 28, 1969, and he read the notice as follows:

To discuss discipline of students and non-student disruptors, to discuss and vote on additional rules, procedures, regulations and policies necessary to maintain order on the campus, and to consider such other matters that may properly come before the Board.

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Professor George Bunn discussed the emergency change in the Administrative Code, pointing out that there was concern that when a student was suspended there was no way to keep him off the campus and there was no rule that said a suspended student that had been a trouble maker could be barred from coming on campus. The proposed emergency rule was explained by Professor Bunn in some detail and he answered questions by the Regents.

There was discussion of the feasibility of having photographs on students' identification cards and it was pointed out that the Industrial Commission had instructed us to dispense with pictures on the identification cards some years ago. With respect to exceptions to the rule which might be taken by the administration, President Gelatt stated that the purpose of the Board is to make policies; and when exceptions are delegated down the line, we have some deplorable instances where people down the line think that they have the right to make

policies. He further stated that the Regents should be able to draw up the exceptions that can be delegated and that any other exceptions that might be required should come before the Board.

Regent Pasch moved the following resolution, it was seconded by Regent Sandin, and it was voted by roll call vote with Regents Friedrich, Gelatt, Kahl, Nellen, Pasch, Sandin, Walker, Werner and Ziegler voting "Aye," no Regents voting "No," and Regent Renk absent:

That the Order of The Regents of The University of Wisconsin Adopting Rules (EXHIBIT A attached), which creates Section UW 1.07(19) of the Wisconsin Administrative Code as an emergency rule, be adopted.

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Upon motion by Regent Pasch, seconded by Regent Sandin, the following resolution was approved by a roll call vote with Regents Friedrich, Gelatt, Kahl, Nellen, Pasch, Sandin, Walker, Werner and Ziegler voting "Aye", no Regents voting "No", and Regent Renk absent:

That a public hearing be held in the main meeting room, Wingspread Conference Center, Racine, Wisconsin, on the eleventh day of April, 1969, at 1:45 P.M., to consider the adoption by The Regents of the University of Wisconsin of Section UW 1.07(19), of the Wisconsin Administrative Code, relative to prohibiting entry to any campus by persons convicted of crimes involving damage to property, serious danger to safety of others, or obstruction or impairing University activities on any campus; also included in the prohibition are persons suspended or expelled for such conduct, unless they have the written consent of the Chancellor of the campus or his designee (EXHIBIT B attached).

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The following is a verbatim transcript of the remarks made by Director of Protection and Security Ralph Hanson relative to the events on the Madison Campus on Thursday, February 27, 1969:

"On February 27 we were made aware of the fact that there was to be a rally at noon, between twelve and one o'clock, in front of Bascom Hall. The purpose of this rally as we understood it was to see how much support could be gathered to continue the strike protest that had occurred during the previous weeks. The issues were essentially the same, the thirteen demands which I am sure most of you people are familiar with. At approximately twelve o'clock a small group gathered in front of the Lincoln Statue, probably numbering a few over 100; there was a brief discussion, shortly thereafter not a very large group assembled, classes broke and there seemed to be very little interest in bringing a large group together for purposes of protesting or continuing the strike. At approximately 12:45 a group of recognized black leaders joined into the rally and shortly thereafter the group numbering well over 100 moved from the

Bascom area over to the Social Studies Building. I joined in with the group and followed them over into the Social Studies Building. Instead of going into the lobby area as they previously had done, they went directly into the large auditorium area where it was my understanding a class was in progress. I immediately went and called on the police officers that I had available to me at that time to the scene of the Social Sciences area. We numbered, I think, at that time 15 officers on the campus. We did have the city and county standing by with a force of approximately 100 officers. They were at the time off campus. When I completed the call, I came into the auditorium area and there were again more than 100 people who had gathered at the rally inside the room. There was some discussion with the teaching assistant and I went up on the stage and asked him if his class had been disrupted. He informed me that this was not a class, that they were simply waiting for a movie to be shown. I later learned that this was the same meeting that Senator Roseleip had been attending. I no sooner got to the stage when a smoke bomb went off out in the audience area and at this time the disruptors and protestors left the room. Some of the people went out in front of the Social Science Building and others then continued throughout the building and this is where we had the first indication that this was going to be a violent or disruptive sort of a protest or demonstration, if you want to call it that.

group

A small, I am talking now about 60 or 75 people, marched very quickly through the Social Science Building up on the fifth and sixth floors, upturned chairs, broke windows, disrupted classes, turning over vending machines, ash trays, what have you. By this time I had collected my twelve or thirteen officers and we went to the Social Science Building, but then a little too late because the group had moved from there to Bascom Hall. They had entered into the canteen area and by the time we moved to the Bascom Hall area considerable damage had already been done. The windows had been broken, canteens had been tipped over, and some classrooms had been disrupted, likewise some smoke bombs had been set off. I saw numbers of students coming out through both of the doorways. I moved my men into the area to arrest anyone committing activities of vandalism, disrupting any classes. We immediately went through the door and arrested, at that time, the person described in the charges here by the name of James Strickler. Another former student was also arrested with him. These people were found tipping over canteens, breaking glass out and throwing chairs. We immediately took these two people to the Chancellor's office, put them under arrest and then, while this was going on, some parts of the group split up and went to the Commerce Building and another group went to Van Vleck.

While we were in the Chancellor's office, some students came and complained to our officers, who went over to the Van Vleck area. Considerable damage was in progress down one of the corridors. My officers then went down and at that time found Ronald Stricklin, who is also mentioned in the charges. He was standing there in the corridor with a fire hose with some broken glass at his feet and so forth. The officer ordered him to halt. He was in the company of two other black students and all three of them ran. The officer chased him down to the vicinity of South Hall and put Ronald Stricklin now under arrest. Ronald Stricklin at this time was found carrying what later turned out to be a smoke bomb. This is a type of bomb with a fuse on it that can be lit and thrown. I might also make mention of the fact that when Stricklin was at this time in the Chancellor's office and under arrest, we took an eighteen inch piece of

chain from him when we searched him and we asked him, of course, what the reason for this was and he gave us to understand that this was to protect himself.

We took all three of the arrested individuals to the Dane County jail and placed charges against them. We then returned to Van Vleck where the group seemed to be polarized. There seemed to be at this time again 100 or 150, but things seemed to be pretty quiet and normal at this time and we had no further reports of vandalism or damage. I then directed part of my officers back to the Chancellor's office and the other group over to make an assessment of the damage at Social Science and Bascom. I no sooner had done this when other reports that the group had gone into Sterling Hall came.

I think it is important to say that at this time we had asked the Madison police and the County sheriff's people back on to the campus. They were to meet with us down in the area of Van Hise.

I then left my officers on the hill at Social Science and Bascom and planned to deal with the disruptors with the Madison and County police. They had some difficulty in arriving at the scene and it was possible for the disruptors to go from Sterling Hall down to the Psychology Building where they disrupted classes again, threw chairs around, broke windows and again behaved in much the same manner as in Bascom Hall and the Social Science area. They then quickly went to the New Chemistry Building on University Avenue and again repeated the false fire alarms, the stink bombs, smoke bombs, the breaking of windows and the disruption of classrooms. At that time one of the members of the faculty caught a former student in the act of pulling one of the fire hoses off the wall. He contained him until I could reach the scene and I placed him under arrest and he too was taken to the Dane County jail.

The group then, and this had dwindled now to about 50 people, went to the vicinity of Birge Hall and then very quickly to Van Hise where considerable damage was done to the front glass doors of the building by this same group of demonstrators. During this time, one of the demonstrators was identified and told my officer about the other gentleman whose name you have on the list, Robert Rosenfeld. He was observed and seen kicking in a glass door window. At this time, the Dane County and Madison police had arrived on the scene and they subsequently made an arrest, again of a former student. The entire event as I have just described it lasted approximately one hour from one to two p.m. During this time approximately \$2,000 damage was done in terms of replacing the windows; that is the material cost - this does not include the estimates for the time or labor to replace this glass. I think the estimates, too, and I have some pictures here if you would care to look at them later, indicate that this is probably a very conservative estimate. I will say that nobody was hurt, at least none of the students that I know of were reported at the hospital as receiving injuries. Some of the demonstrators who were in the act of vandalism did receive cuts on their hands. Again the action was of very short duration. It involved a small number of people, most of these people involved in the disruption or in the demonstration were people who have been with us either in or out of school back to before our Dow protest and demonstration. The three people that were actually arrested as a result of that one hour foray, or however you want to characterize it, there were eight people arrested and charged with criminal warrants downtown. Most of these eight had been students here but they hadn't

re-registered for this last semester; none of them were strangers to us. The three people who now have charges before you are all students, they have participated in previous events on the campus of a more recent nature, and that is back at the time of the disruption over at the field house, and during the demonstrations when the Guard was here. To be specific, Strickler himself was over at the disruption that occurred at the field house between the Ohio and Wisconsin game where a large group, somewhere around 300, tried to break the police lines and crash into the field house when the field house was full and sold out and where they came over there for the express purpose of disruption.

Regent Gelatt - This was not the 27th.

Right, I am trying to make the point that Strickler here was involved and observed over there crashing the police lines.

Regent Gelatt - I would rather confine the discussion at this point to the events of February 27. Have you concluded your discussion of the 27th?

I guess I should make a few comments about the rally that took place that evening where two other students were arrested off the campus. I would make these points because I think they show the continuity and they show that unless this resolution is acted upon there is a continuing threat of danger here at the University. Some of the people involved in the demonstrations met at 7:30 on the Library Mall for purposes of marching to the capitol and during the course of the rally it was stated quite emphatically that no more arrests would be tolerated by the protest group; and that every effort was to be made by the individuals to resist arrest by any available means. So that my understanding of it was that if any people were found violating the law and the police choose to try to arrest them, then they would be dealing with people who would be resisting arrest and, therefore, bring about violence that we have been trying to contain here on the campus."

After some discussion, the following resolution was read to the Regents, was moved by Regent Sandin, seconded by Regent Nellen and approved by roll call vote with Regents Friedrich, Gelatt, Kahl, Nellen, Pasch, Sandin, Walker, Werner, and Ziegler voting "Aye", no Regents voting "No", and Regent Renk absent:

Whereas, serious danger to the personal safety of members of the University community and serious damage to University property was caused by the violence on the Madison Campus on Thursday, February 27, 1969; and

Whereas there are strong indications that conduct of this kind will be repeated;

Whereas the Administration of the Madison Campus has shown reasonable grounds to cause us to believe that RICHARD B. ROSENFELD, JAMES MICHAEL STRICKLER and RONNIE STRICKLIN have participated in both causing the violence on February 27, 1969, and in earlier attempts to disrupt University-run or University-authorized activities on the Madison Campus;

Resolved, that these three students be suspended immediately from the University of Wisconsin with resultant loss of all student rights and privileges, pending hearing on charges to be brought by the Administration of the Madison Campus, such charges are to be brought on or before March 8, 1969, and the hearing is to commence on March 19, 1969, unless another date is set by the Board's hearing agent after consultation with counsel for the Administration and for the students;

Resolved that J. Ward Rector is hereby retained as a hearing agent to conduct the hearing, to make findings of fact and to report his findings and recommendations to the Board;

Resolved further that the Board will review these cases at the earliest possible date on the record compiled by the hearing agent as permitted by Section 5(a) of Chapter V (Student Discipline) of the Regent Bylaws.

The Chancellor of the Madison Campus was instructed to suspend the above-named students immediately.

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President Gelatt moved the following resolution:

That the Regents of the University request the administration, in consultation with the Attorney General, to explore the constitutionality, legality, and enforcement effectiveness, and to supply to the Regents prior to their April meeting, drafts of possible Regent actions which would:

1. Require students to agree in writing, as a condition of admission, that they will abide by the rules and regulations of the University.
2. Improve the control of non-students on the campuses.
3. Require anyone on any campus of the University to identify himself when asked by a proper authority.
4. Delegate responsibility and authority to the Administration to suspend students immediately, subject to due process.

After considerable discussion of the above resolution participated in by Attorney General Robert Warren, President Harrington, and Director of Protection and Security Ralph Hanson, the resolution was seconded by Regent Werner, and it was voted unanimously.

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The Regents agreed to meet with representatives of Becker House, Witte Hall, at the meeting on March 14, 1969.

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Regent Pasch praised the restraint, efficiency, dedication and sacrifice of the members of the National Guard, Madison Police and the Dane County Sheriff's Department in providing help and assisting in maintaining law and order on the Madison campus during the recent disturbances.

Upon motion by Regent Pasch, seconded by Regent Sandin, it was VOTED, That the Secretary of this Board inform the Adjutant General of the State of Wisconsin, General Lison, the Chief of Police for the City of Madison, Wilbur Emery, and the Sheriff of Dane County, Vernon E. Leslie, of the action taken and suggest that they inform their men individually of the Regents' appreciation.

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President Harrington reported that he had made appearances on March 5, 1969 before the Joint Assembly and Senate Committee on Education. He appeared in favor of five bills of which four had been proposed by the Governor and introduced into the Legislature by a large number of people, Speaker Froehlich being the first name. The four bills related to the use of sound equipment on the campus and the prevention of suspended or expelled students from returning to any campus of the University or to any public institution in Wisconsin, either university or state university. Another bill related to if a faculty member is convicted in court of obstructing University business, it is specified that the Regents are required to look into the matter; and if a faculty member is dismissed by reason of his conviction for obstruction after the due process of the Board, he cannot be appointed to another state institution of higher education, university or state university, without the governing board of the institution involved giving specific attention to that case including the matter of conviction. He also appeared in favor of a bill which allows the Presidents of the state universities and the Chancellors of University campuses to declare that the campus is closed at certain hours in case of emergency to all except professors, students, and employees of the University. He stated that he indicated some opposition to Bill 262 which has reference to the enrollment limit of 15% of out-of-state undergraduate students.

President Harrington made a statement with respect to Bill 272 relating to a professor who is convicted in the courts in connection with disruption and what the Board of Regents should investigate in such a case. The proposed bill would wipe out the statutory tenure for other state colleges and say that no professor could obtain tenure in the University. He indicated that he would oppose such a bill if it comes up for hearing.

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President Gelatt stated that Bill 299 requiring the Board of Regents to contract for police services with a political subdivision would have a hearing soon and that it would be well for a Regent position to be established before the hearing.

President Harrington indicated that he would appear against the bill, stating that he considered it unfortunate if police power for the Board of Regents were withdrawn and that it is the very strong feeling of the Central Administration and the administrations at Madison and Milwaukee that we should continue to have a campus police force.

President Gelatt stated that he had not made up his mind one way or the other on the matter but would point to the expense of calling in outside police, the lack of investigatory experience and plain clothesmen comparable with the Madison police, and that our force is not organized to acquire evidence in the manner which will bring disruptive students and non-students to trial in the most expeditious and efficient manner.

Chancellor Young stated that he felt very strongly that we should continue to have a campus police force and that our police force had done a splendid job with limited numbers.

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President Harrington called attention to Assembly Bill 71A, sometimes called the Shabaz Bill, which has been passed by the Assembly and is now before the Senate. The bill would reduce the University budget by five and one half million dollars this year and in addition reduces the amount appropriated for construction of University buildings by approximately two million dollars. President Harrington stated that he felt this figure could not be met by the University without discharging persons, part-time and full-time, and that we, therefore, hope the bill will be modified or rejected in the Senate, as it would be very damaging to the University.

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The meeting was adjourned at 11:35 A.M.

J. S. Holt, Assistant Secretary

ORDER OF THE REGENTS OF THE UNIVERSITY OF WISCONSIN ADOPTING RULES

Pursuant to authority vested in The Regents of the University of Wisconsin by Section 36.06, Wisconsin Statutes, The Regents of the University of Wisconsin hereby creates rules, as emergency rules, as follows:

Section UW 1.07(19) of the WISCONSIN ADMINISTRATIVE CODE is created to read:

UW 1.07(19)(a) It is unlawful for any person who has been suspended or expelled from the University of Wisconsin for conduct of the kind described in subparagraph (c) of this section to enter any campus of the University for a period of one year after the commencement of such suspension or expulsion without the written consent of the Chancellor of the campus or his designee.

(b) It is unlawful for any person who has been convicted of a crime involving conduct of the kind described in subparagraph (c) of this section to enter any campus of the University of Wisconsin for a period of one year from the date of such conviction without the written consent of the Chancellor of the campus or his designee.

(c) The conduct referred to in subsections (a) and (b) of this section is intentional conduct that:

- (i) seriously damages or destroys University property or attempts to seriously damage or destroy University property;
- (ii) indicates a serious danger to the personal safety of other members of the University community; or
- (iii) obstructs or seriously impairs University-run or University-authorized activities on any campus.

(d) Any person violating the provisions of this section may be penalized as provided in Sections 36.06(8), 27.01(2), (5), (8), and 26.19, Wisconsin Statutes.

The rules contained herein shall take effect upon publication in the official state paper, as provided in Section 227.027, Wisconsin Statutes, as emergency rules. The facts constituting the emergency are as follows: In order to preserve the public peace, health, safety and welfare, on the basis of recent disorderly experiences and announced intentions that they will be continued, it is necessary that the rules contained herein be effective immediately as of the publication date in the official state paper and filing with the secretary of state and the revisor of statutes, rather than following the normal provisions of Section 227.021, 227.022, 227.025, and 227.026, Wisconsin Statutes.

THE REGENTS OF THE UNIVERSITY OF WISCONSIN

By /s/ J. S. Holt
J. S. Holt, Assistant Secretary

Dated: March 6, 1969

(SEAL)

EXHIBIT A

ORDER OF THE REGENTS OF THE UNIVERSITY OF WISCONSIN
ADOPTING RULES

Pursuant to authority vested in The Regents of the University of Wisconsin by Section 36.06 Wisconsin Statutes, The Regents of the University of Wisconsin hereby amends and creates rules as follows:

Section U. W. 1.07(19) of the WISCONSIN ADMINISTRATIVE CODE is created to read:

UW 1.07(19)(a) It is unlawful for any person who has been suspended or expelled from the University of Wisconsin for conduct of the kind described in subparagraph (c) of this section to enter any campus of the University for a period of one year after the commencement of such suspension or expulsion without the written consent of the Chancellor of the campus or his designee.

(b) It is unlawful for any person who has been convicted of a crime involving conduct of the kind described in subparagraph (c) of this section to enter any campus of the University of Wisconsin for a period of one year from the date of such conviction without the written consent of the Chancellor of the campus or his designee.

(c) The conduct referred to in subsections (a) and (b) of this section is intentional conduct that

- (i) seriously damages or destroys University property or attempts to seriously damage or destroy University property;
- (ii) indicates a serious danger to the personal safety of other members of the University community; or
- (iii) obstructs or seriously impairs University-run or University-authorized activities on any campus.

(d) Any person violating the provisions of this section may be penalized as provided in Sections 36.06 (8), 27.01 (2), (5), (8), and 26.19, Wisconsin Statutes.

The amendments to rules and the created rules contained herein shall take effect as provided in 227.026 (1) Wisconsin Statutes.

THE REGENTS OF THE UNIVERSITY OF WISCONSIN

By: _____
J. S. Holt, Assistant Secretary

Dated:

SEAL

EXHIBIT B