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Four student officials issued subpoenas

By LIZ NEWLIN
Battalion Staff

Four student government officials, including Student Body President Robert Harvey, were subpoenaed Monday night to appear at a student body judicial board hearing concerning academic qualifications for their offices.

The hearing, open to the public, is scheduled for 7:30 p.m. Wednesday in Room 704 of the Memorial Student Center. The specific subject of the hearing is whether the board should issue a writ of mandamus requiring the student government members to provide adequate evidence of their qualifications for office.

A writ of mandamus is a court order commanding an official to perform his duty or meet the requirements of his office.

Harvey said this morning that he plans to be at the hearing.

His defense, he said, will center around his feeling that he should not have to sign a waiver form until it is backed with legislation.

The legislation passed should set up a waiver form and who will receive it and it will be administered," Harvey said.

Last Wednesday at a student senate meeting, Harvey refused to resign or sign a waiver allowing a check of his grades, saying the student body constitution is not on the matter. He also said he posted below a 2.0 GPR last semester.

Judicial board chairman Stan Stanfield delivered the subpoenas to students who are not provided adequate evidence of their qualifications for office.

Subpoenas were also issued to Vicki Young, vice president for student services, and senators Joe Young and Austin Sterling.

Tom Paterson, chairman of the student senate credentials committee, distributed waivers at the senate meeting last week which allow student government officials to check GPRs with the registrar's office.

Paterson said then that if someone did not maintain or post a 2.0 GPR last semester, a letter would be sent to the person, the student body president and the judicial board. Paterson said Monday night that a copy of the letter would be kept in the office and sent immediately to the judicial board.

Student government officials checked the GPRs of 57 of about 80 senators and executive committee members who signed the waivers, Paterson said. No letters were sent.

Many of the senators were absent, and Paterson said he will check their GPRs next week if they sign the waivers. The absentees are returning signed waivers to him, he said.

The student initiating the action is Jim Connor, who resigned as chief administrative aide to the judicial board and court clerk Monday night. He resigned to become eligible to petition the board.

Any student has the authority to petition the board for a writ of mandamus which requires action on the part of a student government official," Stanfield said.

Connor acted for the student body in the petition for the hearing, which could be considered a class action suit, Stanfield added. "The writ does not require a hearing," he said. "I have already set hearings. Failure to appear would be taken into account by the board in deciding if the writ of mandamus should be issued.

The only other thing accomplished by not coming is not having his opinions heard.

"If the cards fall against them, the judicial board may require them to present their qualifications for office within a certain time period," Stanfield said. The writ, if it is deemed necessary, will be drafted by the board Wednesday night.

Quoting from the board's by-laws, which have been approved by the senate, Stanfield said the writ is issued to inform officials that adequate evidence of negligence of...duties has been shown.

"A case for remedial action or removal may be submitted to the board if adequate evidence is shown that the writ has been ignored," Stanfield said.

Remedial action means the officer would be enjoined from his position and not allowed to perform the duties of the office. Any action on that count, he said, would probably occur next week at another hearing.

"The hearing is not an admission of guilt," Stanfield said. "It's merely a procedure to go through."

Harvey and the others will have a chance Wednesday night to defend their refusal to submit qualifications for their offices.

Harvey said last Wednesday that the student-body constitution is unclear on the matter, so he would not sign the waiver or resign.

"I've attempted to determine, through the constitution and by talking to several people, what I should do," he told the senate at the end of his "state of the campus" report.

"It's not productive to require officers to post their GPR while requiring them to perform other duties," he said after the meeting.

Two parts of the constitution concerning academic requirements are in conflict, he said.

One states that executive officers, including the student body president, shall "post at least a 2.000 GPR during their term of office."

The other section, found within the article describing the legislative branch, says:

"No person elected within the provisions of this constitution may be removed because of scholastic reasons unless he is placed on scholastic probation, in which case he shall be removed from office immediately."

Harvey said he believes the latter provision is the only one which should apply and called it "more workable."

Scholastic probation is defined by University regulation as a provision allowing a student to continue in school after he has become academically "deficient." Scholastic deficiency is generally defined as having below a cumulative "C" average, or below a "C" average on courses in a major.

The student's dean must decide to place him on scholastic probation.

Vicki Young, vice president for student services, said Monday night she will not be at the hearing. "I have a committee meeting scheduled that night," she said.

But that's not the only reason she gave.

"I am so opposed to the whole idea - there has been no writ issued. This hearing is to find grounds if the writ should be issued."

"The senate needs to look in its constitution and its by-laws for procedures and devise methods of enforcement. Until such time, the j-board has nothing to act on," Young said, adding, "I don't think the senate would choose to act ex post facto for this year."

Union firemen blame deaths on understaffed department

United Press International

KANSAS CITY, Mo. — The mayor has said firemen fighting the Coates House fire during the weekend. But, a union official claims staffing units with only three men was responsible for some hotel residents dying.

The total dead reached 17 late Monday, 17 more still missing. Police have been searching for victims beneath the twisted girders and blacked remains of the once-luxurious 19th-story hotel.

Officials feared many of the missing — family transients taking advantage of a 12-a-week rent — could be buried under the ice or inside upperfloor rooms unsafe for firemen to search.

Mayor Charles E. Wheeler said today that 19 fire companies responding

within an hour after the fire was reported about 4 a.m. Saturday was "adequate." However, firemen at the scene Saturday complained there was not enough manpower to fight the fire and man rescue ladders to pluck people from upper-story window ledges. Several jumped to their deaths before firemen could reach them.

The complaints were repeated Monday by John Germann, president of the International Association of Firefighters Local 42, who called the staffing situation early Saturday "deplorable." He told Wheeler the number of firemen who responded during the first 15 minutes was not enough.

"This is something we've told them for years," Germann said. "Any fire takes a certain amount of manpower and equipment to handle adequately."

Another fireman said the city, which had placed three instead of four men on pumpers in an effort to trim the budget, had left parts of the downtown areas without sufficient fire protection.

"I do know that some people did die because a dollar figure has been put on human life in Kansas City," fireman Louie Wright told Wheeler angrily.

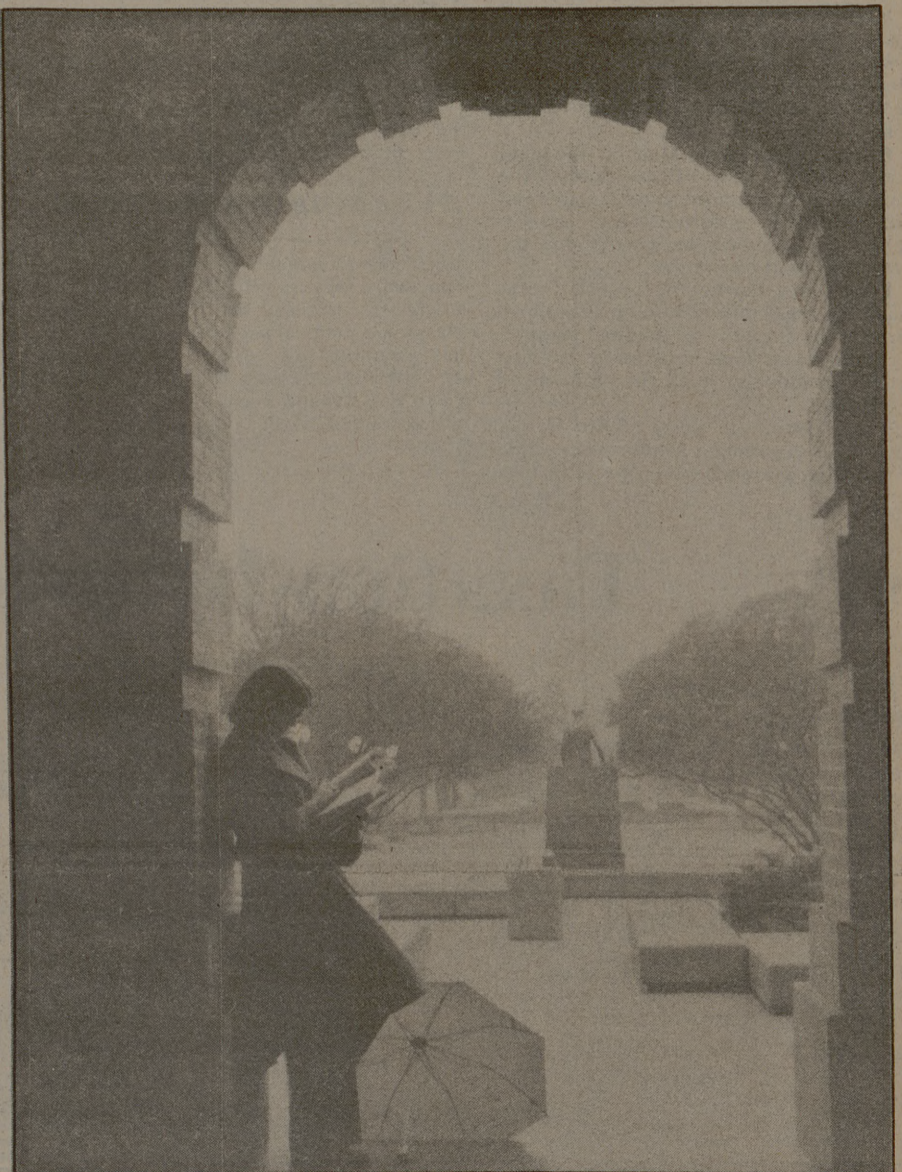
Deputy Fire Chief Charles Fisher, who was on duty early Saturday and directed most of the firefighting efforts, agreed that fire companies should be more heavily staffed, especially in the inner city.

"There's no doubt the first moments are the most critical," Fisher said. "We've stated time and time again that we need four men on these pumper companies."

Wheeler, who has called for an evaluation of the response to the Coates House disaster, acknowledged some areas need improvement. But the mayor defended a fire plan put into effect last May. Implementation of that plan — fought by the firemen's union — changed shifts from 24 hours on and 48 hours off to 8-hour spans.

"My greatest concern is whether the Coates House hotel was inspected properly," Wheeler said. "There is no place for firetraps in Kansas City. Fire inspection procedures need to be beefed up."

Police had identified eight of the victims late Monday: Marcella Ellis, 2; Candy Ellis, 4; Harry Jones, 52; James Swickard, 62; Lawrence J. Karnoski, 59; Herbert Richmond, 45, and his wife Penny, about 29; and Elsie Johnson, age unknown.



Refuge from the weather

Terri Huff, a sophomore English major from Crockett, is silhouetted against the archways of the Academic Building, out of the rain.

Battalion photo by Susan Webb

Utay men unhappy about dorm change

Utay residents are not happy with possible changes being made for next fall.

Dr. John Koldus, vice president of student services at Texas A&M University, is recommending that Utay, a civilian dorm, be converted into a Corps dorm. In addition, he said that Dorm 3, now a dorm for men in the Corps, would house women next fall.

Koldus said that Title IX of the Health, Education, and Welfare (HEW) bill says there needs to be housing available equal to the percentage of women enrolled in the University.

Koldus said there are 2,130 women living on campus now, which is 25.3 percent of the total enrollment. The fall enrollment of women was 33.1 percent of the total enrollment which means there should be, according to Title IX, 7.8 percent more space available for women's housing.

Koldus also said that it is not necessary for his recommendation of changing Utay into a Corps dorm to be brought before the Board of Regents. He said it was up to President Jarvis Miller to decide if he would bring the issue before the board.

Koldus said the next board meeting would be in about one month.

David Carson, president of Utay, said that he and the other men in Utay are "not happy" with Koldus's decision. They said they are planning to attend and explain their situation.

Although Carson said the men in Utay feel they have a chance to change the decision at the board meeting, he "feels it's a lost cause."

Ron Sasse of the Texas A&M housing office said, "It's up to them (the residents) to decide if they want to move to another dorm."

Carson said about half the men want to move to another dorm, but the rest would rather move off campus than be split up.

Sasse said that each spring, room assignment cards are handed out to give students presently on campus a preference of

room choices. He said that Utay residents would receive the dorm assignments they want. There is room available for every resident, he said.

Sasse said that by having Utay become a Corps dorm, 224 more "needed" spaces will be available for women students.

Sasse also said that Legett Hall is being renovated possibly for women's housing.

Young girl flees kidnapper's car through light hole

United Press International

RICHFIELD, Minn. — Police say they're amazed at the courage and presence of mind of a tiny 11-year-old girl who escaped a kidnapper's car trunk by removing the tail light and wiggling through a narrow hole.

The girl, an avid fan of Nancy Drew mysteries, was abducted Saturday night, sexually molested in a garage and put in the trunk of a 1970 Ford.

Dressed in only a blouse and with a blanket wrapped around her, the 80-pound youngster spent more than 10 hours in the car, police said.

But she unscrewed several bolts and escaped through a 12-by-6 inch tail light hole.

She walked down the street, flagged down a car and was taken to the Richfield Public Safety Office. She had suffered frostbite in her fingers and toes in the sub-zero temperatures.

A suspect was expected to be charged with kidnapping and criminal sexual conduct today. Police found him by tracking down his car with the rear light missing, then questioned residents in the area about the owner of the car.



Well, it looks like snow

But it's not. Just another soaping of the fountain in the mall area in front of the Chemistry building. You can almost

hear the maintenance men grumbling.

Battalion photo by Ken Herrera