

# SLOUCH By Jim Earle



"It feels good to be campaigning for an issue that is clear-cut and understandable."

## OPINION

### Battalion not to endorse

The Battalion will not endorse any candidates for student office this year. This does not mean we are neglecting our option of becoming involved in the political process: quite the contrary. Any student representative who voted to defy the spirit, if not the letter, of the Student Body Constitution does not deserve to be re-elected. The essence of a representative government is in the ability of a constituency to keep informed about what that government is doing. To deny students the right to know is inconsistent with the ideals of representative government.

The Battalion urges students to vote for no student government candidate who voted to close Wednesday night's senate meeting to the public — since student leaders claim a unanimous vote for the closed session, that includes all present.

They wanted to hide something from you — if you think they erred, don't hide your displeasure.

the small society

by Brickman



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## THE BATTALION

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# VIEWPOINT

THE BATTALION  
TEXAS A&M UNIVERSITY

MONDAY  
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## Senate's closed session... Senate has obligation to students

Last week, The Battalion printed several stories and editorials concerning the student senate's vote in closed session to give \$100,000 to the Athletic Department. In editorials on Thursday and Friday, we attacked the senate for its actions. On Friday, we also printed a story that explained the reason for the closed session. In Friday's story, the senator who introduced the bill quoted University President Dr. Jarvis Miller as saying the senate was acting at his request to allocate the money. The money — reportedly to be taken from MSC Bookstore profits — is to be given to the Athletic Department to help make up an anticipated \$150,000 deficit in women's

athletics caused by implementation of Title IX guidelines. The Department of Health, Education and Welfare is charged with enforcing Title IX, the law that sets federal anti-sex discrimination guidelines for educational institutions. Miller said one reason for the financial tomfoolery is a legal ploy: to involve the student body in the issue and confuse HEW. Miller reasons that when HEW tells the University it is in violation of the rules — and it's at least an even-odds bet that they will — HEW will have to file suit against the entire student body.

In the story, Miller implies HEW will have a harder time suing 30,000 people than if the case involved a few administrators. The attempt at implicating the entire student body in possible litigation is appalling. Miller, the administration, the Athletic Department and the senate are operating under the assumption that no one cares if they use students for their own shenanigans. They're wrong. We care. Our original contention was that the senate violated the Open Meetings Law. The senate claims that they're not covered by the Open Meetings Law. Based on a preliminary indication from an official in the

attorney general's office has said, probably right. But the legality of the action is the point — it's the idea of keeping the issue secret that's frightening. If senators think they can get away with this nonsense, they're wrong. They have a moral obligation to the students of A&M University. They don't own the student body — they are part of it. Everything the senate does involves or part of the student body. Changing anything that involves the entire student body to the extent that they are made private lawsuit — is a violation of the public's

## Senator's silence on issue confusing

During the senate's closed session Wednesday night, William Altman, judicial board chairman, told Battalion reporters that if students wanted to know what happened at the senate meeting, they could call their representatives the next day. On the face of it, that statement is ridiculous. In practice, it's even more so. Have you tried calling your student senator to find out what the senators talked about?

The Battalion has. For five days, Battalion reporters and editors have followed Altman's advice, asking student government members for details on what they talked about Wednesday night. Very few people are talking. Those who are talking are scared of something. Whether they fear for their reputations or question the legality of their actions, we don't know. What's more incredible, though, is the line used by some senators, including Stu-

dent Body President Ronnie Kapavik: "I'd tell a student who wasn't connected with student publications." What that statement means is that there are 30,000 students on this campus who are free to know about what went on at the meeting, and who are free to disseminate that information at will — in short, everybody, except those whose job it is to publish the news. The idea of requiring 30,000 students to call their student senators so they can find

out what occurred at a senate meeting is practical. That's why newspapers vented. What is a newspaper if not an extension of the public? What is the basis of a newspaper's request for information if not extension of the public's right to know? Student senators obviously have obligations inconsistent with those normally about the role of the press in a free society. — Dillard Stone

## Constitution violated by bylaw change

The student senate's attempt to circumvent the students' interests by going into closed session to discuss a grant of money to the athletic department was in violation of the student government constitution. The senate wanted to discuss the allocation in closed session, but according to Section V of the constitution, "all meetings of the Student Senate shall be open to the public unless the Senate enters into executive session by unanimous consent." In order to change the unanimous vote requirement, the matter must be submitted to a student referendum — the constitution cannot be changed otherwise. The senate got around this rule by

attempting a parliamentary flim-flam. Paul Bettencourt, vice president for rules and regulations, proposed an amendment to the student senate bylaws that changed the requirements for going into closed session from a unanimous vote to a two-thirds majority. The senate then approved the amendment — an action in violation of the constitution. The senate then then passed the entire bill. As soon as the bill had been passed, Bettencourt's copy, with penciled-in amendments and changes, was passed to Rip Van Winkle, speaker of the senate. Van Winkle signed the bill, and passed it to Ronnie

Kapavik, student body president, who also signed it. The senate's next order of business was a motion to go into closed session under the newly passed unconstitutional bylaws. The vote to go into closed session was not unanimous, but student observers and two Battalion reporters were nonetheless told to leave the meeting. Then, the senate applied its own version of Catch-22. After the closed session began, senate leaders said, those who voted against it changed their votes. Senate leaders, therefore, claim a unanimous vote. It was a unanimous vote, but it occurred in closed session and the closed

session itself was unconstitutional. Therefore, the changes in the vote that occurred in the session were invalid. It's a circular argument that has no basis in itself. Going into closed session in order to justify the closed session isn't a cut it. The Battalion is filing a complaint with the student government Judicial Board to void any actions taken by the senate in a closed session. Even if the action taken in closed session is not illegal under state law, it is against the senate's own charter. — Tim Stone

## THOTZ

