Affirmative Action group finishing plan

Smith claims his dismissal violated proper procedure

by ALISON HARVEY

Assistant Professor Bradford Smith of the Social Science Dept., who was fired Dec. 1980 effective next September, will file Tuesday for review by a grievance committee.

Smith is asking that his termination be set aside and that he be given a third probationary year, claiming that his firing was arbitrary. He says there was substantial departure from required procedure in review proceedings and that evidence in his favor was ignored.

Support for Smith’s request comes from the Personnel Review Committee (PRC), composed of five members of the Academic Senate. It is their job to review personnel and make recommendations to Kennedy.

They found fault in the primary review of Smith’s case, in which five of its tenured faculty members of the Academic Senate, Dept, recommended that he be fired, in that established procedures were not followed, the conclusion was based on discrimination or prejudice and insufficient information. Pres. Robert E. Kennedy fired Smith in spite of the PRC findings.

The grievance committee is formed of three members of the faculty picked at random. Both Smith and Kennedy have veto power in the selection.

Their recommendation is advisory, but should Smith disagree with their findings, he can appeal to the Chancellor’s office.

In addition to the findings of the PRC, Smith claims that his high student evaluations were ignored in violation of procedure found in both the campus administrative manual and Title I of the California Administrative Code.

The administration was in further violation of the Title by failing to notify him of the termination or to give him a terminal year if he is not.

The grievance committee will review the Smith case in which the chancellor has a veto power on the recommendation.

The ideas, like the flowers, keep germinating at Poly

by ARMANDO CORELLA

The Ornamental Horticulture Unit located at the end of Campus Way, near to the horse unit, hardly has what could be considered a flowery traffic. It probably is an area of some local interest to many Poly students and it is one of the more unique departments on campus.

Despite the anonymity, and the increased coat of student traffic in the area, the unit has managed to net a profit for the last fifteen years.

The 10 acre lot known as the OH unit consists of the Display Garden of annual flowers, feed and larger study of the growth of the plants with consideration to the different variables. Cal Poly was the only school west of Colorado to receive the honor.

The unit is also the FL unit consists mainly of the arborium, eight greenhouses, labs and the nursery. The nursery sells student projects of “comparable prices to professional nurseries,” according to Kocht.

The student growers make a profit off the entire nursery. If one-third of the net profit goes to the Foundation and the remaining two-thirds to manufacturing or beet time for a cutting, scheduling of crops for a safe date, and bookkeeping of sales and expenses.

About 100 students are involved in Enterprise Projects and another 34 students held on nursery tasks. Aside from the greenhouse aspect, there are also about 150 students enrolled in 15 classes of floral design which teaches students a wide variety of flower arrangements.

‘This program enables a student to raise a crop into a saleable item.’

The student. Students are totally responsible for their projects which involve much more than planting and watering seeds.

The grower must learn the culture of a plant or crop, methods of proper fertilization, pest control, light intensity requirements, germination or best time for a cutting, scheduling of crops for a safe date, and bookkeeping of sales and expenses.

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The OH unit is managed by students under Focht’s direction, who serve “internship coordinator.” Focht, who insists on running the unit as a commercial operation, insisted that the direction of the instruction in Ornamental Horticulture is to train students as if they are going to manage a flower shop or nursery. Such an objective calls for a complete, quality education. Viewing the success of the OH unit in reaching its objective, it is clear that the Ornamental Horticulture department at Cal Poly is the best in the United States.
There are three different types of money given to the landlord at the beginning of any rental agreement. These include:

1. An advance payment of rent, which the landlord is entitled to keep if the renter defaults the lease.

2. The security deposit which is used to secure faithful performance of the lease conditions. The landlord may deduct fees from this money for proved damages to the premises. The tenant is entitled to receive the balance of the deposit.

3. A cleaning fee is often charged with a cleaning deposit. A cleaning fee is usually non-refundable and is used solely to clean the premises. The tenant and landlord should clarify the confusion between a cleaning or deposit fee before any agreement is finalized.

Landlords must use deposits and fees as prescribed in the lease. The last month's rent is used solely as the last month's rent and not as a security or cleaning deposit. The security deposit may not be used as a cleaning fee and cannot be used for damages to the property. Theoretically, the tenant is entitled to interest accrued by the security deposit. This is rarely collected but if possible the tenant should persuade the landlord to insert this in the lease agreement.

Before moving into the premises, the tenant should carefully inspect them and itemize what is present and the current conditions. This inspection should be duplicated and signed by both the landlord and the tenant. If moving out, the landlord and tenant should inspect the premises again to determine how much of the deposit is to be returned. It is also a good idea to have a witness present at both inspections. This hopefully will ensure that the landlord makes a fair assessment of the premises. A witness is helpful in court actions against landlords.

In court actions to get a deposit back, it is necessary to prove that the landlord intentionally or maliciously withheld a deposit. Claims against the landlord should be filed in a Small Claims Court. The tenant may be awarded up to $200 in positive damages in such court actions.

The tenant deposits are protected by Section 1981 of the Civil Code. This statute governs all such deposits to the landlord. The statute states:

1. Landlord may claim only such amounts as are reasonably necessary to remedy tenant defaults (cleaning, repairing, etc.). The rest of the deposit must be returned to the tenant within two weeks.

2. Bad faith retention by landlord of payment or deposit may subject landlord to $200 worth of damages (maximum) plus any actual damages.

**Art course**

A life drawing course will be taught by Richard Yawn, a Cal Poly instructor in the School of Architecture for a 10-week period beginning Feb. 6. The class, sponsored by the San Luis Obispo Art Association, will be held Thursdays from 7 until 10 p.m. Interested persons can register at the Art Center, 1010 Broad St., San Luis Obispo, during gallery hours, 12 noon to 5 p.m. daily except Mondays. The fee is $30.

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**Letters - Male queen?**

Editor: Since 1975 is California Women's Year, as reported by the Mustang Jan. 23 issue, why don't we have a Poly Royal King male court this year? Why must it be women who are always subjected to the scrutiny and criticism of the judges and others? We think it's high time that women have a chance to look over some of the beautiful and scholarly (or GPA?) men of this campus. And, don't forget, they need to have personality (who doesn't?) and must be photogenic. Come on, let's see your applications for this honor and demount this title. Martha Cleary for Poly King.

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**Bowlers rude**

Editor: It's quite ridiculous that this university has provided the students an opportunity to play bowling this year. However, ten bowling lanes aren't enough to adequately serve the 14,000 students of this campus.

If a student wants to bowl, he usually must sign a waiting list. Just because you are on a waiting list doesn't mean you will eventually get a lane, especially on Saturday nights. During the Saturday Night Special, most of the lanes are occupied by the same people for as long as four hours. You see, once you get a lane around 8 p.m., you keep it until 1 a.m., at least that seems to be the trend.

I feel the management should have a limit on the number of games you can play when there is a waiting list. With the limited facilities, it is not right that only a very small group of students can monopolize the entire bowling alley.

Dena Meilwain


**Klansman** "raw, violent movie**

_by DENNIS MCELLEAN_

"The Klansman," a tale of bigotry in its stickiest, most pervaded and violent form, is an explosive piece of melodrama centered in a small Alabama town.

Director Terence Young's film (at the Madonna Theatre), is peopled with the kind of red-neck logical(you love to hate. Even the town preacher is a card-carrying Klans member who stands idly by while a fellow Klansman rapes a black woman.

The movie opens with a political sign saying, "You Are Dancing Wallace Country." It ends with a frightening hill-top shoot-out with an army of the white-hatted cross burners. In between, it is filled with two rapes, one attempted rape, three murders and various lustful scenes. Loosely revolved around an impending black voter registration demonstration initiated by "a bunch of outsiders," the film unravels in a series of violent episodes.

"The Klansman" contains some poorly written and poorly acted moments, most notably a scene in a church where a white woman who has been raped by a black man is treated like a leper and told by the preacher, "If you have any Christian decency in you, you leave." J.R. Runyon's portrait of small-town bigotry is a totally

Veterns and children can claim benefits

Veterns who were discharged undera rney may be eligible for educational benefits. Some paperwork is involved and the final decision is in the hands of the Veterans Administration.

One possibility is upgrading the discharge. A complicated process, a bill is before the Senate which would simplify the procedure.

A deciding factor in upgrading a discharge is a personal appeal before regional boards. In be established under the bill.

The movie opena with a terrible murder and rape of a black woman, a southern accent and a game leg.

Richard Burton, sporting a southern accent and a game leg, is the town's white-trash liberal who defines the Klans philosophy. The talent that was Burton is rarely evident. In spots, he seems bent on dying a muddling impression of Marlon Brando, in "In Search of Native Desire." But years of wine, women and Los Taylor would take their toll on the best of men.

O.J. Simpson, one of the latest in these moronic players, turns to acting. He's a man out to murder his friend. He plays an assassin in such a quiet and casual manner, that when he later explodes in a violent assault, it is shockingly good.

Like "Death Wish" in which audiences rooted for Charles Bronson in seeking revenge for the murder of his wife and daughter, "The Klansman," to a lesser degree makes the audience root for Simpson.

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**the gold concept**

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**Monsal, the art of growing miniature trees will be offered in an extension course this Winter quarter.**

The course will involve a study of techniques, perception, training, culture, art and creation of the Japanese bonsai. There will be a field trip to the homes of several bonsai hobbyists to view private collections.

The one-and-a-half hour class will meet Wednesday nights at 7 P.M. It will begin Jan 30 in laboratory A of the Ornamental Horticulture Unit here. A $2 fee
**Mustangs top Dominguez in home opener**

In its first home match of the young season, the Mustangs rolled to a 78-58 victory over the Long Beach State University State Bees on Tuesday. The game ended in a less than two minutes when the Mustangs pulled away to win the match.

**UCSB thumps Poly women nets**

The women's tennis team faced an unexpected U.C. Santa Barbara Indian team on Monday, but the Mustangs won in a thrilling match. The match ended with a 74-57 win for the Mustangs.

**Cherry does job on Poly defense**

Cal State Hayward did no other team's able to do against the Mustangs this year. With 16 points on the Mustangs own court, Cherry was victorious. Behind an awesome performance by 94 senior center, Dave Cherry, the Mustangs dismantled the number one ranked Mustang defense.

**photo by Tom Kelley**

Hayward pivotman Stan Cherry is about to haul in one of 19 rebounds he garnered in Pioneers 78-59 win Thursday night.