

1-8-1979

Caveat, January 8, 1979

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"Caveat, January 8, 1979" (1979). *Caveat*. Paper 147.
<http://digitalcommons.law.ggu.edu/caveat/147>

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CAVEAT

GOLDEN GATE UNIVERSITY SCHOOL OF LAW

Vol. XIV, No. 16

January 8, 1979

NEW BUILDING

Well, yes there is something over there. It's new, but not quite yet a building. As part of this paper's continuing tradition of excellence in journalism (if not spelling), this reporter conducted an unofficial tour of our new appendage.

The first floor seems almost complete and has been filled with the now gutted Financial Aid and Student Services offices. The entry-way is flanked by a wall of mirrors, sans pink champagne and heart-shaped baths. The two floors below are to be the law school library. At each end are found Star Wars inspired study cubicals. A sloping plexiglass corridor insulates several individual study spaces. The ceilings of the new building are done in the newest industrial designs—raw concrete, exposed pipes, and in the library, rows of multi-colored sound baffels. Huge concrete stairwells are located at either end of the library.

As for the upper floors, they were not open for inspection. The second or third floor will have a large tiered lecture room, and then classrooms make up the rest. The old "second-floor" will be converted into office space for the faculty. At this point, it seems with the new building, and the changes in the old one will result in a net zero gain of space. For at least until the end of January, the law library will remain where it is. The plan is to move it into the new building in early February. The business library will be in the new building while it is being remodeled. Just how long this will take is anybody's guess.

Finally, and most importantly, the CAVEAT office is located on the bottom level of the library. Currently, this space is being occupied by the business library staff. A raiding party is scheduled for sometime next week. Until such time, the CAVEAT will continue to share space with Law Review at the rear of the old library. As always, your thoughts and observations (not being mutually exclusive) are welcome.

New Film on Industrial Illness

"SONG of the CANARY"

Last year it became widely known through the local and national news media that workers at the Occidental Petroleum Plant here in the valley will be coming sterilized through a chemical pesticide called BBCP. Less well known is the story of how this scandal became known. Independent film makers Josh Hanig and David Davis, were filming their documentary, "Song of the Canaries", near the plant when the Oxy workers told them of their suspicions that BBCP handlers were becoming incapable of having children. Lab tests initiated by Hanig and Davis confirmed that almost all workers handling the pesticide more than a few months were indeed sterile. Shortly thereafter, the scandal became front page news across the country.

Since that time, the film makers have completed their film on industrial illness and it was released in November. It will be shown at GGU Law School today through Wednesday. The film comes out of the new school of documentary filmmaking represented by such examples as "Harlan County" and "Union Maids". This new school explores working class problems with a maximum focus on the workers themselves to explain their situation to the audience. In "Song of the Canary", the camera picks up its information on the shop floors and in the bars after the work shift. The camera is invited into the workers' home, and accompanies them to compensation hearings.

For those students who are interested in Labor Law, union mental issues or health law, this movie is required viewing. In a gripping manner, it introduces the viewer to the causes and effect of brown lung disease in the cotton mills, the general prospectus of environmental health in the work place, and the efforts of the employees themselves to fight their debilitating environment through their union, the Occupational Safety and Health Administration (OSHA) and the Workers' Compensation machinery.

The film offers no easy answer to the problems of industrial illness. It does, however, raise some compelling questions concerning such issues as whether to subject workers' health and safety to a cost-benefit analysis.

"Song of the Canary", which is in color (60 min.), will be shown at Barbara Rhine's OSHA/Workers' Compensation class today, January 8 at 10:45 a.m., Room 505, and Wednesday, January 10 at 6:50 p.m., Room 203. For those students not in her class, the NLG is sponsoring a showing Tuesday, January 9, at Noon, Room to be announced.

David Cooper

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ANNOUNCEMENTS

REGISTRATION INFORMATION

Week #1

Date	Time	Eligible Students
Jan. 8 Monday	10:00AM- 6:30PM	3rd Year Day & 4th Year Night
Jan. 9 Tuesday	10:00AM- 6:30PM	3rd Year Night & 2nd Year Day
Jan. 10 Wed.	10:00AM- 6:30PM	2nd Year Night & 1st Year Night
Jan. 11 Thurs.	10:00AM- 6:30PM	1st Year Day
Jan. 12 Friday	10:00AM- 3:00PM	Anyone

Jan. 8 thru Jan. 12: Free drop and add period.

Jan. 12: Last day to confirm pre-registration reservations.

Week #2

Date	Time	Situation
Jan. 15 Monday	11:00AM- 6:30PM	Late Registration
thru)	-\$10.00 late fee.
Jan. 18 Thurs.	11:00AM- 6:30PM	-\$5.00 per change program fee.
Jan. 19 Friday	11:00AM- 3:00PM	Last Day of Registration

Tuition and Fees are to be paid during the period of Jan. 8 to Jan. 12 without a late fee, and, Jan. 15 to Jan. 19 with a late fee.

THERE ARE NOW TWO SECTIONS OF REMEDIES (DAY)

Line #	Days and Time	Instructor
92469	Tu/Th 10:45-12:00	Golden
92584	Tu/Th 12:15-1:30	Golden

Note: Even though you have pre-registered for one section, feel free to utilize the option of switching to the other section when you register.

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CHILD CARE UPDATE

Students and staff at GGU's School of Law have spent the last several years lobbying for the establishment of a child care center. With the completion of the new building, those years of planning, fundraising and lobbying will reach fruition when the Holly Baumann Child Care Center for infant, pre-school and school age children opens Fall Semester '79.

Although School of Law students and staff have comprised the committee so far, the Center itself will be open to the children of all GGU students, staff and faculty. The children will be under the supervision of professional child care teachers and aides. The children will have a large indoor area with toy storage, kitchen and kiddie-sized bathrooms and a protected, open-air play area on the plaza.

The long-term priorities and objectives of the center will be guided by a council consisting of students, administrative staff and faculty. Dan-to-day management will be maintained by a Center Director and teaching staff. While parent fees will have to provide most of the center's operating costs, it is hoped that grants, fundraisers and student donations through check-off will cover the first few months operation.

Over the last two months, the child care committee has been working on staffing, enrollment and the preliminary budget. We're now in the process of seeking outside sources for funds to cover the center's initial start-up costs. After the first of the year, we'll be announcing our spring fundraiser and asking for your support-- which we need!

If you would like further information about the child care program at GGU, or would like to participate, please call the child care coordinator, Susan Jones, at 564-2098 or leave a message in the Child Care mailbox in Room 203.

In The Beginning

God created Heaven and Earth. Quickly he was faced with a class action suit for failure to file an environmental impact statement. He was granted a temporary permit for the Heavenly part of the project, but was stymied with a Cease and Desist Order for the earthly part.

Appearing at the hearing, God was asked why He began his earthly project in the first place. He replied that he just liked to be creative.

Then God said, "Let there be light," and immediately the officials demanded to know how the light would be made. Would there be strip mining? What about thermal pollution? God explained that light would come from a huge ball of fire. God was granted provisional permission to make light, assuming that no smoke would result from the ball of fire, that He would obtain a building permit, and to conserve energy, would have the light out half the time. God agreed and said He would call the light DAY and the darkness NIGHT. Officials replied that they were not interested in semantics.

God said, "Let the Earth bring forth green herb and such as may seed." The EPA agreed so long as native seed was used. Then God said, "Let the waters bring forth the creeping creatures having life; and the fowl that may fly over the Earth." Officials pointed out that this would require approval of the Game and Fish Commission coordinated with the Heavenly Wildlife Federation and Audubongelic Society.

Everything was OK until God said He wanted to complete the project in six days. Officials said it would take at least 100 days to review the application and impact statement. After that there would be public hearings. Then there would be 10 or 12 months before...

And God said, "The H--- with it!"

Hon. Andrew Jacobs, Jr. of Indiana

Letters

Dear Caveat:

Dear Caveat:

There is some good and some bad about handicapped students at Golden Gate. The good news is that some were admitted. The bad news is that the school was not ready for them.

I cannot walk further than one block, yet I look in vain for handicapped parking near the school. And have you seen a wheelchair-bound law student rolling in the street at night in the path of traffic, pulling him or herself up onto the sidewalk curb by tugging and hugging a parking meter post, collecting tickets for parking in illegal spots within a few blocks of the school, and finally, sitting humiliated in front of the school door waiting for assistance to get in? If you have seen and sensed the pain of the handicapped, you must have said, "There ought to be a law."

Well, folks, there is a law. And it is not being complied with: Section 504 of the 1973 Rehabilitation Act promises equality to handicapped people when it forbids discrimination on the basis of physical handicap by any school receiving financial federal assistance.

"How equal does that have to be?", you ask. Well, I have asked the San Francisco Board of Supervisors to re-zone Ecker Street between Mission and Jessie Streets to handicapped parking and to ramp the sidewalk on the Golden Gate side of Ecker Street. That will get our handicapped wheelchair-bound student parked and up the ramp to the front door.

I have asked that the front entry doorway be ramped and that the doors swing inward as well as outward, so that handicapped wheelchair-bound students can manage their entry to the present building independently. Our brothers and/or sisters in wheelchairs have requested this through channels for ninety days unsuccessfully.

It is easy for the administration to stay busy with matters that concern thousands of students rather than one or two students. The only thing which will prioritize this request is a demonstration that this matter concerns thousands of us. Our fathers have not yet learned for whom the bell tolls.

In 1974, I worked to move the 1973 Rehabilitation Act from paper to practice. I negotiated a "No Discrimination on the Basis of Handicap" clause into Local 829 AFSCME AFL/CIO contract with San Mateo County. I was pleased to find both labor and management increasingly sensitive to the need for removing barriers to work for handicapped people. In April, 1977, I organized forty thousand retired public employees into a statement of ratification and endorsement of the Center for Independent Living sit-in in San Francisco, which finally forced Secretary Joseph Califano to sign regulations implementing Section 504.

Yes, folks, there ought to be a law, but a 1973 law is worthless if at the end of five years of my energy we cannot force Golden Gate University Law School into immediate compliance. Administrators have told me that they have until the end of 1979 to come into compliance. I am asking each one law student to tell one administrator: "We are tired of a government that does not work and paper laws. Ramp that step and open those doors for the handicapped now."

Frances Lish

This letter is in response to the one by Wendy Lefler and Polly Levin (Caveat, 12/4/78), which alleges the existence of a racist and sexist based double standard in evaluating professorial performance at GGU. Specifically, the writers maintain that women and minority professors are held to much higher performance level standards than are their white male colleagues. I disagree with that contention.

Personally, I give at least as much, if not more tolerance towards minority and women professors as I do to those who are white males, because I am well aware of the special problems the former face in our society. But I am likewise aware of another fact: extra tolerance or not, some people are just not cut out to be teachers.

The ability to teach, as all abilities, respects no racial or sexual boundaries. In my experience at GGU, two of the very best instructors I have had have been women, while two of the worst have been white males.

If there is one thing that intelligent students who have been observing instructors for over 16 years are well-equipped to do, it must be to evaluate instructor performance, albeit on a relative and subjective level. It is both inaccurate and unfair to suggest that GGU law students are so biased in favor of white male professors that the former cannot impartially rate women and minority professors.

Furthermore, the statement of the writers that "...professors hired at GGU are qualified to be teaching us, otherwise they wouldn't have been hired" is fallacious. Merely because an individual meets certain initial requirements for faculty membership does mean that he or she will prove to be a competent teacher; the presumption of competency is rebuttable, not conclusive. If the presumption was a conclusive one, the school would confer tenure immediately upon a newly-hired instructor, rather than requiring the instructor to prove his or her presumed ability for a period of time in the classroom first.

Certainly we've still a long way to go before all vestiges of racism and sexism are eliminated from our society. But knee-jerk charges that we are so permeated with conscious and unconscious racist and sexist attitudes that we do not evaluate women and minority professors fairly will solve neither the problems of racism and sexism nor that of educational quality.

Carl G. Borden



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