

The University of Maine

DigitalCommons@UMaine

Social Justice: Diversity, Equity, & Inclusion

Special Collections

9-19-1978

Student threatens suit against UMO

Sherry Walsch

University of Maine

John Donnelly

University of Maine

Follow this and additional works at: https://digitalcommons.library.umaine.edu/social_justice



Part of the [Higher Education Commons](#), [United States History Commons](#), and the [Veterinary Medicine Commons](#)

Repository Citation

Walsch, Sherry and Donnelly, John, "Student threatens suit against UMO" (1978). *Social Justice: Diversity, Equity, & Inclusion*. 396.

https://digitalcommons.library.umaine.edu/social_justice/396

This Article is brought to you for free and open access by DigitalCommons@UMaine. It has been accepted for inclusion in Social Justice: Diversity, Equity, & Inclusion by an authorized administrator of DigitalCommons@UMaine. For more information, please contact um.library.technical.services@maine.edu.

Maine Campus

Vol. 84, No. 4, Tuesday, September 19, 1978

Student threatens suit against UMO

by Sherry Walsh and John Donnelly

A 23-year-old UMO student is threatening to file suit against the University because of a course requirement she believes violates her religious principles.

Michele Earltinez, a Zen Buddhist and a two-year animal medical technology major, said that the course, laboratory animal care, "needlessly sacrifices" animals after they're used for experiments.

The lab, which involves the general care, such as drawing blood and clipping ears, of rats, rabbits and other small animals, is required for animal medical technology majors.

Earltinez explained that after the semester the animals are killed.

"If they're not going to use them for further research, I was told by a few people that they would all be killed, because of HEW (Dept. of Health, Education and Welfare) guidelines, whether they are

diseased or not," she said.

"They're infringing upon my moral and religious beliefs. I believe that human and non-human lives are equally valuable. You don't need to sacrifice those animals," she said.

Earltinez, who has been looking into the situation since last October, has offered several alternatives to John H. Wolford, chairman of Animal and Veterinary Sciences.

She proposed to Wolford that she would take care of the animals she used in the course and take them home at the end of the semester. Earltinez also offered to buy her own animals for the course. To ensure the animals' health, she would have a veterinarian certify it at both the beginning and end of the semester.

Earltinez then offered to pay for the animal's keep over the summer so it could be used for further research.

"I offered them as many alternatives as I could think of. I haven't offered him

(Wolford) anything that would upset the whole system," she said.

When asked about the course requirements, Wolford replied, "No comment, no comment and no comment."

James M. Clark, vice president for Student Affairs, however, talked about the proposed alternatives.

"AVS can't afford to feed the animals, so we have to destroy them. AVS is also not licensed to sell animals. And they can't give them away because they may transmit diseases. You can't be sure the animal will not be contaminated after it leaves the laboratory," he said.

Clark said that Wolford wants HEW guidelines to be observed.

Clark said HEW guidelines are basically concerned with the possibility of a disease spreading to both animals and people. AVS receives grants from HEW, he said.

In a letter from Clark to Earltinez, Clark stated, "Wolford doesn't want to establish

precedents which could lead to (a) other students feeling aggrieved because you have been getting preferential treatment, (b) violation of HEW principals and (c) jeopardizing department accreditations to conduct research."

Clark also noted that since the course was a requirement for the two-year program, Earltinez should not have elected that major if she would not take the course.

Clark said that an investigation was conducted by Joann M. Fritsche, director of Equal Opportunity at UMO.

Fritsche said in a recent telephone interview, "I didn't find that the department was in any way violating ethical principles or treating animals inhumanely."

"Although I'm not a lawyer," Clark added, "I'm convinced we have a solid legal case on the basis of the investigation."

[continued to page 2]

● Student threatens suit

[continued from page 1]

"The whole thing is a matter of personal judgment, but we can only do what we judge as in our best interests."

Earltinez, however, disputes some of Clark's statements. "The department only has to adhere to HEW guidelines. And all I could find after going over the guidelines was that unless the animals were diseased, they don't have to be killed," she said.

"I want to show people what's going on. There are a lot of other people who feel the same way that I do, but they're afraid to speak out," she said.

"I think that he (Wolford) is afraid to set an example. I really don't know why he keeps saying, 'No, no, no we can't do that.'"

"I talked to James Clark, and he said that I could take it (the case) as far as I wanted to but nothing would come out of it," she said. "This has been a long uphill battle. And I plan to take it as far as I can."

Clark said that Earltinez's only option before going to court is to appeal to President Howard R. Neville. Clark said, however, that Neville will most likely give the case back to him, since it's his job to rule on such affairs.

Neville said last night that he was not familiar with the case.

The case is being handled for Earltinez by the Student Legal Services. Jonathan Smith, SLS paralegal, who is working on the case with staff attorney Judson Esty-Kendall, said, "We haven't prepared ourselves to go to court yet, so we don't know what precedents exist or what grounds we want to file in action."

Smith added that the issue was not in changing the system but in making an exception on the basis of a religious conviction. "She should have the right not to cause the death of her own laboratory animals," he said.

"I'm here for an education, not to disrupt their program," Earltinez said.