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Abolition Of The ROTC Program If The Department Of Defense Does Not Change Its Policy With Regard To Sexual Orientation By May 1994

University of Rhode Island Faculty Senate

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THE UNIVERSITY OF RHODE ISLAND
Kingston, Rhode Island

FACULTY SENATE
BILL

Adopted by the Faculty Senate

TO: President Edward D. Eddy

FROM: Chairperson of the Faculty Senate

1. The attached BILL, titled Abolition Of The ROTC Program If The Department Of Defense Does Not Change Its Policy With Regard To Sexual Orientation By May 1994, is forwarded for your consideration.
2. The original and two copies for your use are included.
3. This BILL was adopted by vote of the Faculty Senate on May 9, 1991.
(date)
4. After considering this bill, will you please indicate your approval or disapproval. Return the original or forward it to the Board of Governors, completing the appropriate endorsement below.
5. In accordance with Section 10, paragraph 4 of the Senate's By- Laws, this bill will become effective May 30, 1991, three weeks after Senate approval, unless: (1) specific dates for implementation are written into the bill; (2) you return it disapproved; (3) you forward it to the Board of Governors for their approval; or (4) the University Faculty petitions for a referendum. If the bill is forwarded to the Board of Governors, it will not become effective until approved by the Board.

May 10, 1991
(date)

Winifred Brownell
Winifred Brownell
Chairperson of the Faculty Senate

Copy
ENDORSEMENT

TO: Chairperson of the Faculty Senate

FROM: President of the University

Returned.

- a. Approved ____.
- b. Approved subject to final approval by Board of Governors ____.
- c. Disapproved ____.

(date)

President

THE UNIVERSITY OF RHODE ISLAND
Kingston, Rhode Island

FACULTY SENATE

On May 9, 1991, the Faculty Senate approved the following recommendation of the Executive Committee as amended:

That the Faculty Senate recommend to the President that the ROTC Program at URI be abolished in accordance with the plan developed by the Curricular Affairs Committee in its Two Hundred and Seventy-Ninth Report if the Department of Defense does not change its policy with regard to sexual orientation by May 1994.

Following is the plan developed by the Curricular Affairs Committee as amended by the Faculty Senate:

1. That admissions to the ROTC Program be stopped effective fall 1995 if there is no change in the Department of Defense Policy by May 1994. Prospective students will be notified in the 1994-95 UNDERGRADUATE BULLETIN.
2. That the President notify the Department of Defense in May 1994 that no new students will be admitted into the ROTC Program as of the fall 1995.
3. That all students who are enrolled in the ROTC Program as of spring 1995 be permitted by the University to complete their ROTC Program.
4. That the President notify the Department of Defense in May 1997 that the ROTC Program will be eliminated in one year.
5. That beginning in the fall 1998 all Military Science courses will be deleted and removed from the UNDERGRADUATE BULLETIN.

The Two Hundred and Seventy-Ninth Report of the Curricular Affairs Committee: Proposed Implementation Plan for the Abolition of the ROTC Program at the University of Rhode Island if the Department of Defense does not change its Policy on Sexual Orientation is attached.

THE UNIVERSITY OF RHODE ISLAND
Kingston, Rhode Island

FACULTY SENATE

April 18, 1991

Faculty Senate Curricular Affairs Committee
Two Hundred and Seventy-Ninth Report

Proposed Implementation Plan for the Abolition
of the ROTC Program at The University of Rhode Island
if the Department of Defense does not change its Policy
on Sexual Orientation

BACKGROUND

During the spring 1990, the Faculty Senate Executive Committee was asked to investigate the apparent conflict between URI Affirmative Action Policy with regard to sexual orientation and Department of Defense Policy which excludes homosexuals from receiving ROTC Scholarships or being commissioned into the United States Army. The matter was referred to the University Affirmative Action & Equal Opportunity Committee.

During the summer of 1990, the Faculty Senate Executive Committee agreed that a resolution of this matter should be one of their priorities for the 1990-91 academic year. Once this priority was stated, a number of faculty members sent information to the Executive Committee and the Affirmative Action & Equal Opportunity Committee about action being taken at other colleges and universities across the country with regard to the Department of Defense Policy on ROTC Programs.

The ROTC commissioning programs are subject to national Department of Defense (DOD) policy. The DOD policy states: "Homosexuality is incompatible with military service. The presence in the military environment of persons who engage in homosexual conduct or who, by their statements, demonstrate a propensity to engage in homosexual conduct, seriously impairs the accomplishment of the military mission." It goes on to say that the presence of homosexual individuals:

adversely affects the ability of the Armed Forces to maintain discipline, good order, and morale; to foster mutual trust and confidence among the service members; to ensure the integrity of the system of rank and command; to facilitate assignment and worldwide deployment of members who frequently must live and work under close conditions affording minimal privacy; to recruit and retain members of the armed forces; to maintain the public acceptability of military services; and to prevent breaches of security.

C.A.C. #279--91-4-18

A number of universities have begun to examine ROTC-DOD policy toward their gay students in light of university anti-discrimination provisions.

The University of Rhode Island's Affirmative Action and Nondiscrimination Statement which appears on page 7 of the 1990-91 UNDERGRADUATE BULLETIN explicitly states:

The University of Rhode Island prohibits discrimination on the basis of race, sex, religion, age, color, creed, national origin, handicap, or sexual orientation, and discrimination against disabled and Vietnam era veteran in the recruitment, admission or treatment of students, the recruitment, hiring, or treatment of faculty and staff, and the operation of activities and programs.

Although there is no evidence to suggest that the ROTC Program is discriminating in any course offered at the University, a student applying for admission to URI's ROTC commissioning program must respond to the following question: "Have you engaged in, desired or intended to engage in bodily contact with a person of the same sex for the purpose of sexual satisfaction?"

The recent scrutiny of university ROTC programs has led to a variety of official and unofficial challenges to ROTC's anti-gay policy by a number of universities. Faculty senates, academic councils, faculty assemblies, and student governments have passed resolutions condemning ROTC discrimination and urging their universities to lobby President Bush, Congress, and Defense Secretary Cheney to work to end this practice. Universities such as Colorado, Carnegie Mellon, Harvard, Minnesota, and Wisconsin have responded in this way. President Eddy has also written to Secretary Cheney (APPENDIX A: letter of October 25, 1990).

Some university resolutions have given the Department of Defense a deadline for changing ROTC's discriminatory policies or face expulsion from their campus. Others threaten such steps as eliminating the granting of academic credit for ROTC courses, withdrawing faculty status for ROTC instructors, preventing ROTC commissioning ceremonies on university property, and excluding ROTC program notices from campus publications. But it is clear from an informal national survey by the American Civil Liberties Union that the most common reaction of concerned universities is to urge that all constituencies in the university community write President Bush, Secretary Cheney and their congressional delegations urging them to work toward eliminating ROTC discrimination based on sexual orientation.

Another widespread reaction has been to give the ROTC program a deadline for changing its anti-gay policy or face expulsion from the local campus. For example, the student government at the University of Minnesota has called for an end to the military's anti-gay policy by 1995, and the faculty council and university council at Northern Illinois University voted to eject ROTC by 1992 if its discriminatory policy has not changed by then.

After discussions with a number of faculty members and a meeting with members of a subcommittee of the University Affirmative Action & Equal Opportunity Committee, the Executive Committee recommended the following three actions in its Report on the Conflict Between University of Rhode Island Affirmative Action Policy and Department of Defense Policy with Regard to Sexual Orientation. They were approved by the Faculty Senate on November 8, 1990:

A. That the Faculty Senate adopt the following resolution:

RESOLVED:

- 1) That the Faculty Senate of the University of Rhode Island requests that the President of the University and the Board of Governors for Higher Education work with Rhode Island's congressional delegation in an attempt to change the federal policy that allows discrimination based on sexual orientation and to attempt to change the Department of Defense Policy on commissioning for ROTC programs and asks that the President of the University report regularly to the Faculty Senate on their efforts in this regard.
- 2) That the Faculty Senate of the University of Rhode Island requests that the President of the University and the Board of Governors for Higher Education inform the Secretary of the Army (as required by contract) and those members of Congress responsible for federal legislation regarding the armed services that, if discrimination on the grounds of sexual orientation has not ended in the University of Rhode Island ROTC Programs by May 1992, the Board of Governors for Higher Education will terminate its contracts with those ROTC Programs until those programs no longer discriminate on the grounds of sexual orientation.

B. That the Faculty Senate approve the inclusion in all University of Rhode Island publications which contain the University of Rhode Island's Affirmative Action and Nondiscrimination Statement the following disclaimer:

With regard to scholarships and commissioning into the armed forces, the ROTC Program, in accordance with Department of Defense Policy, does not comply with the University of Rhode Island Policy on nondiscrimination based on sexual orientation.

C. In accordance with the provisions of sections 8.87.10-11 of the UNIVERSITY MANUAL and section 4.75 of the By-Laws of the Faculty Senate, that the Faculty Senate refer the abolition of the ROTC Program at the University of Rhode Island (effective May 1992) to the Curricular Affairs Committee and direct the Curricular Affairs Committee to report back to the Faculty Senate by May

1991 with a plan for program termination if no action is taken by the Department of Defense to change its policies with regard to sexual orientation by May 1992.

With regard to recommendation C, the Curricular Affairs Committee voted at its meeting of November 26, 1990, to refer the abolition of the ROTC Program to the College of Arts and Sciences in accordance with the provisions of section 8.87.10 of the UNIVERSITY MANUAL which specifies that recommendations for abolition be "reviewed by the appropriate college dean, college curriculum committee and college faculty."

The Curricular Affairs Committee requested that the College of Arts and Sciences explore all possible alternatives for satisfying the Faculty Senate's charge and present its recommendations to them by March 1, 1991.

The College of Arts and Sciences Curriculum Committee considered the matter and reported as follows to the College of Arts and Sciences Faculty on February 13, 1991:

1. That course work of ROTC Program, as proposed by LTC L. J. FitzHarris on 10/31/90 and as approved by this Committee [College of Arts and Sciences Curriculum Committee] on 11/28/90 (reported to the College Faculty in Series B No. 3) meets the curricular standards in the College of Arts and Sciences;
2. That ROTC courses contribute to the diversity of this campus;
3. That it is in the best interests of the United States to have its Officer Corps well educated;
4. Since the DOD has failed to reverse its discriminatory policy regarding homosexuals and since homosexuals are barred from obtaining ROTC scholarships and commissions which is in violation of the affirmative action policy of the University of Rhode Island,
5. We are compelled to support the removal of the ROTC Program from this campus.
6. We recommend that a consortium of institutions be formed to more strongly influence a revision of DOD policy regarding homosexuals.

The College of Arts and Sciences faculty voted to amend items 5 and 6 and approved the report of the Curriculum Committee as amended. The recommendations as amended read as follows:

5. We are compelled to support the removal of the ROTC Program from this campus by May 1993.

6. We recommend that the University collaborate with any consortia of institutions formed to more strongly influence a revision of DOD policy regarding homosexuals.

A subsequent motion was made at the February 13 meeting to direct the Curriculum Committee to develop a plan for program termination and forward it to the Curricular Affairs Committee of the Faculty Senate as soon as possible.

The Curriculum Committee responded to this motion by recommending the following on March 5, 1991:

If and when the University decides to end its contract with DOD concerning the ROTC Program, the final date of ROTC presence on campus should allow time for the lowest level of student to complete the program. Necessary notification should be made to prevent additional students from enrolling in the program as suggested by section 8.87.11 of the UNIVERSITY MANUAL.

The full text of the Curriculum Committee Memorandum of March 5, 1991 is found in APPENDIX B.

The recommendations of the College of Arts and Sciences Curriculum Committee and Arts and Sciences Faculty were forwarded to the Curricular Affairs Committee by Dean Grandin in a memorandum dated March 11, 1991 in which he also presented his own statement of opinion regarding the proposed abolition (APPENDIX C).

RECOMMENDATIONS

as amended by the F.S. on 5/9/91
Given the Faculty Senate's charge to the Curricular Affairs Committee to develop a plan for ROTC Program termination if no action is taken by the Department of Defense to change its policies with regard to sexual orientation by May 1994, the CAC presents the following:

1. That admissions to the ROTC Program be stopped effective fall 1995 if there is no change in the Department of Defense Policy by May 1994. Prospective students will be notified in the 1994-95 UNDERGRADUATE BULLETIN.
2. That the President notify the Department of Defense in May 1992 that no new students will be admitted into the ROTC Program as of the fall 1995.
3. That all students who are enrolled in the ROTC Program as of spring 1995 be permitted by the University to complete their ROTC Program.
4. That the President notify the Department of Defense in May 1997 that the ROTC Program will be eliminated in one year.

5. That beginning in the fall 1998 all Military Science courses will be removed from the UNDERGRADUATE BULLETIN.

deleted and

RATIONALE

The ROTC's discrimination occurs in the admissions and scholarship process. The University of Rhode Island wishes to terminate as quickly as possible our alliance with the practice which is in conflict with our Affirmative Action and Nondiscrimination Policy.

Although section 8.87.11 of the UNIVERSITY MANUAL refers to degree programs and students would be able to graduate from the University if the ROTC program is eliminated before they complete the ROTC Program, the faculty intends to accommodate all of the students enrolled in ROTC.

The faculty believes strongly in the value of ROTC and for that reason is willing to extend the life of the ROTC Program on campus for as long as is feasible to encourage a change in Department of Defense Policy with regard to sexual orientation during the period between May 1992 and May 1995 the Department of Defense changes its policy with regard to sexual orientation, there would be adequate opportunity to reverse the process and resume admissions to the ROTC Program. To that end, the University of Rhode Island administration is encouraged to pursue actively a change in Department of Defense Policy with regard to sexual orientation.

APPENDIX A



The University of Rhode Island, Kingston, RI 02881-0806
Office of the President (401)-792-2444

October 25, 1990

The Honorable Richard Cheney
The Secretary of Defense
U. S. Department of Defense
The Pentagon
Washington, DC 20301-1155

Dear Secretary Cheney:

I am writing to express my deep concern over the current policy of the Department of Defense that discriminates against an individual because of his or her sexual orientation.

Currently, The University of Rhode Island has an excellent ROTC program which is supported by the University. I wholeheartedly support ROTC, but I oppose discrimination of any kind.

Discrimination on any basis is contrary to the spirit of a university, and, in particular, The University of Rhode Island which specifically prohibits discrimination based on one's sexual orientation.

As you know, the heads of the four major higher education associations, the National Association of State Universities and Land-Grant Colleges, the American Council on Education, the American Association of State Colleges and Universities, and the Association of American Universities have all written to you protesting the discrimination against gays and lesbians and added that continuation of the policy will result in a reaction against the military from students who hold conventional sexual orientations but find discrimination unacceptable in any form.

Finally, the positive relationship that presently exists between The University of Rhode Island and the Department of Defense will eventually be damaged if the

military continues to discriminate. Faculty members and students cannot be expected to tolerate indefinitely a situation which in many cases is in direct conflict with university policy and their own sense of fairness.

I join many other college and university presidents in urging you to reconsider this policy.

Sincerely,

Edward D. Eddy
President

EDE:nl

BCC: LTC Leo J. FitzHarris
Dr. Winnie Brownell
Dr. David Gitlitz
Dean John Grandin
Orville B. Kenerson
Mary Kennard
Dr. Blair Lord
Dr. John McCray
Jeanne Moore
Dr. Leo O'Donnell
Harold Smith

APPENDIX B

THE UNIVERSITY OF RHODE ISLAND
College of Arts and Sciences

TO: Faculty Senate
FROM: Arts and Sciences Curriculum Committee
DATE: March 5, 1991
SUBJECT: Charge of February 13, 1991 Meeting of A&S Faculty

The A&S Curriculum Committee endorses section 8.87.11 of the *University Manual* to safeguard students affected by the proposed elimination of the ROTC program presently being conducted at the University of Rhode Island. At present, there are 4 students on scholarship: 1 freshman and 3 sophomores. Also, there are 7 applications for a ROTC scholarship presently being processed; the number accepted is unknown at this time.

In 1992, there will be 7 students classified as MSC Level 4, who will need to complete the senior level courses necessary for commissioning. These students are all covered under section 8.87.11 and should be able to complete their required coursework for ROTC at URI.

If and when the University decides to end its contract with DOD concerning the ROTC program, the final date of ROTC presence on campus should allow time for the lowest level student to complete the program. Necessary notification should be made to prevent additional students from enrolling in the program as suggested by section 8.87.11.

APPENDIX C

College of Arts and Sciences
Office of the Dean

Memorandum

To: Faculty Senate Curricular Affairs Committee
From: John M. Grandin
Acting Dean
Date: March 11, 1991
Subject: ROTC Program

Pursuant to your request and according to the provisions of section 8.87.10 of the University Manual, I am enclosing three statements of opinion from the College of Arts and Sciences regarding the Faculty Senate resolution to abolish the ROTC Program. With this memo, which presents my own opinion, I enclose a response from the College of Arts and Sciences Curriculum Committee and a revised version of the same, which A&S faculty voted to submit to you at its Faculty Meeting of February 13, 1991. I also enclose a statement from the Arts and Sciences Curriculum Committee regarding procedures, should the University choose to abolish the ROTC Program.

Recent discussions have reminded us of several reasons justifying the presence of a Military Science Department and ROTC Program on any college or university campus: 1) The course offerings broaden the curriculum, and the entire concept contributes to the diversity of the campus atmosphere. 2) The Program provides career opportunities for students. 3) The Program provides scholarship aid for qualified students who might otherwise be denied a university education. 4) Maintaining military leadership training in a public university environment guarantees input from academia into that very process, and the possibility of debate in times of friction between the military and segments of the educational establishment.

In spite of these advantages, however, the Department of Defense policy of discrimination against individuals on the basis of sexual preference has made it very difficult for the long-standing relationship between the American university

and military education to continue. The University of Rhode Island, along with many other institutions of higher education, is now at the point at which it must either recant its own policy of non-discrimination against homosexuals or ask the Army to withdraw its program. In the absence of meaningful dialogue with the DOD, the University has little choice but to terminate the relationship.

One can, of course, hope that the Department of Defense will rethink its policies, and there are some signs that this will happen. Indeed, until the time of actual program elimination arrives, it is incumbent upon the University to make every effort, in conjunction with congressional leaders and other universities, to encourage change of the DOD policies.

The important question at this time is how long to wait. The Senate has suggested termination by 1992 if there is no change in 1991; the Arts and Sciences faculty have voted to recommend 1993; President Eddy has implied that 1994 would be a reasonable termination year, thereby providing room to apply pressure on the Department of Defense. I too recommend 1994, with the understanding that a serious and well planned effort be undertaken to affect change in Washington. Pertinent to this question is paragraph 8.87.11 in the University Manual, which gives currently enrolled students the right to complete any program targeted for elimination. Any date, therefore, will be understood as the beginning point of a gradual four-year termination of course and program offerings.

cc: President Eddy
Provost Gitlitz
LTC FitzHarris

UNIVERSITY OF RHODE ISLAND
The Graduate School

CURRICULAR REPORT FROM THE GRADUATE COUNCIL TO THE FACULTY SENATE
REPORT NO. 1990-91-7A

In accordance with Section 8.81.62 of the University Manual the Graduate Council has voted to delete the following courses, as they have either never been offered, or have not been offered in the past four years:

ACC 548; BCP 991; CHE 646 crosslisting only (retain MCE 646); CHM 536, CHM 615, CHM 626, CHM 641; CPL 535, CPL 543, CPL 612; CSC 582 crosslisting only (retain ELE 582); CVE 675, CVE 684, CVE 696; ECN 690, ECN 699; EDC 501, EDC 542, EDC 905, EDC 930; ELE 513, ELE 520, ELE 589, ELE 616; FIN 632, FIN 694; GEL 510, GEL 553, GEL 571, GEL 588, GEL 512; HCF 582; HED 599; IME 517, IME 535; INS 510, INS 686, INS 693, INS 694; LSC 511, LSC 698; MCE 651, MCE 677; MCH 501; MGS 685, MGS 686; MIC 510; NES 500; PCG/PHC 645; PCL 643; PHP 501; PLS 503, PLS 504; PSC 522; PSY 620, PSY 621, PSY 675; SOC 501, SOC 502, SOC 507, SOC 510, SOC 518, SOC 520, SOC 524, SOC 530, SOC 552, SOC 598, SOC 599; SPA 503; ZOO 512, ZOO 518, ZOO 564, ZOO 576, ZOO 646.