

F94-1 DISASSOCIATION OF SAN JOSE STATE UNIVERSITY WITH THE RESERVE OFFICERS TRAINING CORPS (ROTC AND AFROTC) PROGRAMS; DISCRIMINATION, EQUAL OPPORTUNITY, ACADEMIC FREEDOM

Legislative History:

At its meeting of September 12, 1994, the Academic Senate approved the following Policy Recommendation presented by Wiggys Sivertsen for the Professional Standards Committee.

ACTION BY THE UNIVERSITY PRESIDENT(S):

"Adopted as University Policy. Implementation to be with the advice and counsel of a committee to be established by the President after consultation with the Executive Committee of the Academic Senate." Signed J. Handel Evans, Sept. 16, '94.

Implementation of policy was suspended by President Robert Caret on March 17, 1997.

Whereas, The Academic Senate of San José State University has recently resolved (SS-S91-3) that discrimination on the basis of sexual orientation is deplorable and inconsistent with the academic principles of equal opportunity and respect for human dignity; and

Whereas, The latest resolution by this body (SS-S92-9) declared the Senate's desire to phase out the ROTC and AFROTC programs at San José State University; and

Whereas, Since then the Academic Senate has watched with interest the developments on the national political and legal scenes which, for those concerned about the Department of Defense's discriminatory policies, were the basis for hope that a new administration in Washington would lead to the removal of the bar to military service by homosexuals; and

Whereas, These national developments have now led to the implementation of a "Don't Ask, Don't Tell, Don't Pursue" policy which leaves intact the long-standing prohibition of entry into or continuation in national military service by persons known to be homosexual; and

Whereas, The new policy restricts free expression in a discriminatory fashion, for only homosexuals are to be punished by expulsion from the military for the expression of their sexual orientation; and

Whereas, By the policy of discriminating against homosexuals, certain students would be denied an opportunity for equal access to education in those academic areas where personal discussions and self disclosure of sexual orientation are called for; and

Whereas, Apart from no longer requiring the disclosure of information about sexual orientation, the new

national policy has not remedied any of the problems we have condemned in the past; and

Whereas, Limits on the expression of homosexual ROTC and AFROTC students concerning specific personal information are inconsistent with our academic values of freedom of expression, inquiry, and information, in addition to cherished principles of equal opportunity and respect for human dignity; and

Whereas, The existence of the ROTC and AFROTC programs on our campus are, because of their discriminatory practices against the homosexual community, a violation of the CSU policy of non-discrimination; therefore, be it

Resolved, That San José State University will discontinue its association with the ROTC and AFROTC programs; and be it further

Resolved, That these programs will be discontinued in such a manner as to allow the currently enrolled students to complete their programs.