

SM-S97-3

At its special session of March 17, 1997, the Academic Senate unanimously approved the following Senate Management Resolution presented by Allison Heisch for the Executive Committee.

**A SENATE MANAGEMENT RESOLUTION
REQUESTING LEGAL AID
AND ORGANIZING THE SENATE TO UTILIZE LEGAL AID
TO UPHOLD ALL APPLICABLE ANTI-DISCRIMINATION POLICIES**

- Whereas, The United States Congress, through passage of the so called "Solomon Amendment" has coerced San Jose State University into reinstatement of Air Force ROTC on our campus, even though ROTC has an open and official policy of discrimination against our students, and even though this discrimination is a violation of University and CSU policy; and
- Whereas, It is the opinion of the American Civil Liberties Union that the "Solomon Amendment" is vulnerable to a Constitutional challenge; and
- Whereas, The "Solomon Amendment" appears to violate California laws that entrust control of curriculum and professional standards to collegial shared governance; and
- Whereas, There are political and physical limits to the resources of CSU legal counsel; now, therefore, be it
- Resolved, That the Academic Senate of SJSU requests that the American Civil Liberties Union, the California Faculty Association, the American Association of University Professors, the Lambda Legal Defense Fund, and other interested civil rights organizations file suit on behalf of the Academic Senate of San Jose State University and/or willing faculty and student organizations or individuals to overturn the discrimination and the attack on collegial governance which the Solomon Amendment seeks to force upon our University; be it further
- Resolved, That the Academic Senate of San Jose State University authorizes the elected members of its Executive Committee to enter into negotiations with any organizations willing to supply legal aid for the purpose of overturning the "Solomon Amendment," limiting its impact and protecting our principles of equal opportunity, nondiscrimination, academic freedom, and collegial shared governance; be it further
- Resolved, That the Academic Senate of San Jose State University authorizes the elected members of its Executive Committee to appoint an ad hoc committee with faculty and students possessed of expertise on civil rights, the law, media relations, and related areas to assist in supervising any necessary legal actions; be it further
- Resolved, That copies of this resolution be distributed to the American Civil Liberties Union, the California Faculty Association, the American Association of University Professors, the Lambda Legal Defense Fund and other interested civil rights organizations or individuals.