

EQUITY, ACCESS & DIVERSITY
MINUTES OF MEETING
JANUARY 24, 2005

[In these minutes: Report on Committee Chairπs Meeting, Womenπs Issues Subcommittee/Faculty Womenπs Cabinet, Solomon Amendment, Pulse Survey]

[These minutes reflect discussion and debate at a meeting of a committee of the University of Minnesota Senate or Twin Cities Assembly; none of the comments, conclusions or actions reported in these minutes represent the views of, nor are they binding on, the Senate or Assembly, the Administration or the Board of Regents.]

PRESENT: Mary Lay Schuster, chair, Patricia Jones-Whyte, Hawona Sullivan Janzen, Audrey Boyle, Don Cavalier, B. David Galt, Julie Sweitzer, Claire Walter-Marchetti, Eric Burgess, Jennifer Gunn, Andrew Hostetler, Margaret Moss, Joanna OπConnell, Naomi Scheman, Carrie Koplın, Shay Strachan

REGRETS: Avelino Mills Novoa

ABSENT: Benjamin Clarke, Jeffrey Roberts, Roxanne Beauclair, Jillian Hoover, Tracy Mills, Jared Warren

OTHER: Minnesota Daily Reporter Adam Elrashidi

GUEST: Professor Carol Chomsky

I). Professor Schuster called the meeting to order.

II). Professor Schuster reported on the committee chairπs meeting, which was held on January 19, 2005. She noted that there were three issues in particular, which were mentioned that EAD may want to weigh in on:

1. Tiered health care premiums (Benefits Advisory Committee).
2. Graduation rates since the inception of the new requirement to carry a minimum number of credits (Social Concerns). Does this requirement disadvantage certain groups of students?
3. Childbirth and parental leave policies (SCFA).

Members expressed an interest in participating in conversations around all three issues. Professor Schuster agreed to write to the chairs of each of these committees to let them know of EADπs interest. Don Cavalier noted that he serves on the BAC and will keep EAD updated on the issues they discuss.

III). Other business:

Claire Walter Marchetti announced that Associate Vice President for Multicultural and Academic Affairs Avelino Mills-Novoa sends his regrets for todayπs meeting and possibly the March and April meetings as well. Associate Vice President Mills-Novoa is

working with the Citizens Advisory Committee on developing a plan for the St. Paul Public Schools to achieve 100% post graduation rates at all levels of post-secondary education.

Don Cavalier reported that the Crookston Diversity Center opened in December. This initiative is a great accomplishment for the Crookston campus.

IV). Members continued their discussion on whether a Women's Issues Subcommittee should be formed and/or whether EAD should lend its support to the Office for University Women in establishing a Faculty Women's Cabinet.

Professor Schuster summarized the feedback she received in regards to forming a Subcommittee and/or a Cabinet. While there was no discouragement in terms of creating a Subcommittee, there was more enthusiasm for establishing a Faculty Women's Cabinet. Concern was expressed around creating two entities simultaneously because it is uncertain at this point how their roles may overlap. The Cabinet received more immediate support, in part, because it would have a direct and more credible reporting line within Morrill Hall. Professor Chomsky added that, assuming resources are available, the Cabinet could also offer programming as a means to address University women faculty's concerns and to speak to these concerns. Senate committees and subcommittees, on the other hand, are designed to address policy questions, request reports and report up to the administration. These committees and subcommittees do not have the resources to offer programming.

Reservations were expressed regarding the establishment of a Faculty Women's Cabinet in the absence of an analogous cabinet to address issues of race and racism on campus. Members agreed that racism is also an important issue, but that EAD needs to start somewhere. With that said, and after much discussion members decided to lend support to the Office of University Women in creating a Faculty Women's Cabinet. Then, once the Cabinet has been formed, EAD can continue its discussion of setting up a subcommittee either dealing with women's issues, racism, or whatever topic(s) they deem important.

Along these same lines, a member suggested EAD play an active role in promoting the ideas generated from the "Keeping the Faculties of Color Symposium" in terms of making our campus climate more welcoming for faculty of color.

It was noted that a Faculty Women's Cabinet does not necessarily need to address issues exclusively pertaining to faculty women. Rather, the Cabinet would likely address a wide variety of issues that women, in general, feel are important.

Professor Schuster, Professor Moss and Hawona Sullivan Janzen volunteered to work with Claire Walter Marchetti to draft a mission statement for the Cabinet, as well as determine its size, scope and membership. Once completed, this proposal will be distributed via email to Committee members for their feedback/approval. This small

group also agreed to lend their support to Ms. Walter Marchetti when she meets with Sr. Vice President for System Administration Robert Jones to pitch this idea.

V). GLBT Director B. David Galt provided members with background information on the Solomon Amendment. He noted that a November 2004 decision by the 3rd U.S. Circuit Court of Appeals ruled 2-1 that a federal law known as the Solomon Amendment infringes upon the free speech rights of schools that have restricted on-campus recruiting because of the military's ban on homosexuals. The Solomon Amendment requires universities to allow for military recruitment, and, if they refuse, their federal funding will likely be withheld. The Solomon Amendment allegedly violates the 1st Amendment because it conflicts with universities' policies of non-discrimination.

Professor Chomsky explained that while the 3rd U.S. Circuit Court of Appeals has stated that the Solomon Amendment is in violation of the 1st amendment of the constitution, it has not issued its judgment, and, therefore, the ruling cannot be implemented. It is likely that the government will file for certiorari and the Supreme Court will decide whether or not to hear the case. There is the possibility that an injunction would be issued in the meantime, but, in Professor Chomsky's opinion, this is unlikely. Professor Chomsky added that because the plaintiffs in this case are from across the country, it is likely that if the ruling stands, it will affect the entire country and not simply the 3rd Circuit Court jurisdiction.

According to B. David Galt, Harvard, although technically not covered by this ruling, has taken the position that this directive goes beyond the 3rd Circuit Court's jurisdiction, and has decided to reinstate its ban on military recruiters due to their discriminatory practices against gays and lesbians. Mr. Galt attempted to talk directly to the 3rd Circuit Court to learn more about their ruling, but they refused to answer his questions, and referred him to the University's Office of the General Counsel (OGC). Mr. Galt has emailed the OGC for the University's interpretation of this ruling, but is still awaiting an answer.

In Professor Chomsky's judgment the law has not changed yet, but the landscape around this issue has changed given the nature of the ruling. Mr. Galt noted that departments that deal with GLTB issues on all five campuses met and decided to call upon the administration to follow Harvard's example, at the appropriate time, of course. The GLBT Commission also met and unanimously endorsed this stance as well. Professor Chomsky noted that the Law School is discussing this issue and is potentially considering becoming a plaintiff in the suit in order to position the University to take advantage of the ruling once it comes down.

The University currently has a policy (<http://www1.umn.edu/regents/policies/academic/ROTC.html>) which states that the military should be allowed on campus because it is to the benefit of students to be able to talk to the military if they choose. Both the Solomon Amendment and the University's own ROTC policy prohibit it from complying with its own non-discrimination policy. Professor Chomsky encouraged discussion around these conflicting policies and a reconsideration of what the University's policies ought to be. She added that this is not an

issue about the military, but an issue about discrimination. It is about the military only because the military is the one organization that by law is mandated to discriminate.

Professor Chomsky believes there is a need to act on this issue and not just talk about it. She recommended EAD consider drafting a statement and present it to the University Senate. Claire Walter Marchetti and Professor Jennifer Gunn volunteered to work with B. David Galt in drafting a resolution asking the administration to revisit the ROTC policy and reconcile the inconsistency between it and the University's non-discrimination policy. Professor Schuster asked that they be prepared to bring the resolution back to the Committee at its February meeting, or, if it is done before the February meeting, it can be circulated via email. Additionally, a suggestion was made to bring the resolution to the Social Concerns Committee for their support as well before going to the University Senate. Renee Dempsey, Senate Staff, was charged with providing B. David Galt with sample statements/resolutions to use as a format.

VI). In light of time, an in depth discussion of the Pulse Survey results (<http://www1.umn.edu/ohr/pulse/>) was postponed to a future meeting date. However, in order to better understand the survey results, a member stated that it would be helpful to know how survey respondents compare to the basic demography of the University as a whole. Another member asked if there were any discussions underway around breaking down the results even further e.g. breakdown campus climate responses by employee classifications, etc. Ms. Sweitzer stated that it is likely some of the results will be broken down even further.

A member asked whether the administration plans to use the survey results as part of the strategic planning process. Ms. Sweitzer stated that the administration has the data, but is unsure whether they plan to use it in the strategic planning efforts.

Professor Schuster encouraged members to review the survey results and think about questions that the survey raises and where members would like more information. Then, EAD, either at its February meeting or March meeting, will continue its discussion on the Pulse Survey.

VII). Hearing no further business, Professor Schuster adjourned the meeting.

Renee Dempsey
University Senate