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Spring 5-1-1991

### Senate Meeting, May 1, 1991

Academic Senate  
*Illinois State University*

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ACADEMIC SENATE MINUTES

May 1, 1991

Volume XXII, No. 15

Call to Order

Roll Call

Approval of Minutes of April 24, 1991

Chairperson's Remarks

Vice Chairperson's Remarks

Student Body President's Remarks

Administrators' Remarks

- ACTION ITEMS:
1. Election of Faculty Ethics and Grievance Committee
  2. Approval of Academic Senate Meeting Calendar for July-December, 1991
  3. Approval of Faculty Appointments to Council for Teacher Education

INFORMATION ITEMS: NONE

Communications

Committee Reports

Adjournment

Meetings of the Academic Senate are open to members of the University community. Persons attending the meetings may participate in discussion with the consent of the Senate. Persons desiring to bring items to the attention of the Senate may do so by contacting any member of the Senate.

## ACADEMIC SENATE MINUTES

(Not Approved by the Academic Senate)

May 1, 1991

Volume XXII, No. 15

### **CALL TO ORDER**

Chairperson Len Schmaltz called the meeting of the Academic Senate to order at 7:05 p.m. in the Circus Room of the Bone Student Center.

### **ROLL CALL**

Chairperson Schmaltz called the roll and declared a quorum present.

### **Approval of Minutes of April 10, 1991**

Senator White: "Corrections on Page 8, Paragraph 6, Line 7: 'scurl'd' should be 'scurrilous.' Line 8: 'clinically' should be 'cynically.'"

Motion to approve Academic Senate Minutes of April 24, 1991 by Schurman (Second, Cox) carried on a voice vote.

### **Chairperson's Remarks**

Chairperson Schmaltz called a twenty minute recess for faculty members to caucus in the Redbird Room.

Senate reconvened at 7:30 p.m.

Chairperson Schmaltz: "This is a special evening for one member of the Senate. He has been a member of the Senate for the past seventeen years. This is his final Senate meeting. However, he is returning to teach in the Psychology Department in the Fall. I would ask Vice President Neal Gamsky to come forward. The Chair presents Dr. Gamsky with a 'Good Conduct' medal for attending Senate meetings for seventeen years."

### **Vice Chairperson's Remarks**

Vice Chairperson Engelhardt: "I would like to second what the Chair had to say. For the past seventeen years the students have really reaped from Dr. Gamsky's excellent leadership and programs. Student Affairs has come a long way over the past seventeen years."

### **Student Body President's Remarks**

Student Body President Romney Ruder: "As far as the SBBD and myself, I would like to congratulate Dr. Gamsky on his retirement. He has done a lot for the students, and I hope when he leaves we will continue to get the same service."

### **Administrators' Remarks**

President Wallace and Vice President for Business and Finance Alexander had excused absences.

Provost Strand: "I am disappointed that you gave Dr. Gamsky the presentation tonight. I was trying to get him to attend the June Meeting by offering him fishing lures or something."

Vice President for Student Affairs, Neal Gamsky had no remarks.

### **Action Items**

#### **1. Election of Faculty Ethics and Grievance Committee**

##### **FACULTY ETHICS & GRIEVANCE COMMITTEE (1994 TERMS)**

Maria Canabal, Home Economics  
Aris Chavez, Music  
Michael Marsalli, Mathematics  
Alphonso Ogbuehi, Marketing  
Mohamed Tavakoli, History  
Roger Towne, Speech Pathology

##### **ALTERNATES:**

Salvatore Cantanzano, Psychology  
David Doss, Applied Computer Science  
Louis Olivier, FOR  
Gail Simpson, Art  
Barbara Acker, Theatre

#### **2. Approval of Academic Senate Meeting Calendar for July-December, 1991**

Motion by Stearns (Second, Nelsen) to approve Academic Senate Meeting Calendar for July-December, 1991 carried on a voice vote.

### 3. Approval of Faculty Appointments to Council for Teacher Education

Motion by D. Strand (Second, Schurman) to approve faculty appointments to the Council for Teacher Education:

Dr. Paula Smith, SED

Dr. Norman Bettis, C&I

#### NO INFORMATION ITEMS

Academic Senate adjourned for a brief time to select internal committee chairs.

#### Communications

Senator Engelhardt: "You have before you a copy of the new resolution regarding Department of Defense Policy on sexual orientation. At the last Senate meeting there was a misunderstanding during communications on what was actually being voted on. On the last paragraph of the Statement on Politicizing the University, some people were unclear about that. Therefore, after careful review of the Statement on Politicizing the University, particularly the last paragraph on the second page, the student caucus decided that the communication item brought up at the last Senate Meeting is appropriate for discussion and/or debate on the Senate floor. Therefore, I move to reconsider the Challenge to the Chair regarding this issue." (Second, Sadeghian)

Chairperson Schmaltz: "This is a debatable motion, and requires a simple majority to pass."

Senator Nelsen: "This is more of a question than debate. You indicated that there was misinterpretation of the application of the policy. Could you be more specific as to why the interpretation is more correct this evening than it was last week."

Chairperson Schmaltz: "Let me briefly review the situation. The motion was brought in dealing with the ROTC program and sexual discrimination. The Chair ruled that the resolution was in order and that it did not politicize the University. The Chair was challenged, and the challenge was sustained by vote of the Academic Senate."

Senator Engelhardt: "We had a student caucus before the meeting of the Senate last week and I discussed the Statement on Politicizing the University with the students. However, I completely ignored the paragraph on the back and did not

bring it to the attention of the students. After examining the statement closely, it seems OK for this issue to be brought before the Senate. In terms of confusion, we did not expect a debate on the challenge to the chair."

Senator Nelsen: "Then the paragraph on the back of the statement was a major concern?"

Senator Engelhardt: "Yes."

Senator Zeidenstein: "I have a question for Senator Engelhardt. If the reconsideration of the challenge to the chair is taken and supports the chair's ruling, does someone intend to introduce the resolution that we have before us tonight? Or would that open up any resolution, past, present, and future?"

Senator Engelhardt: "I asked this question of the chair. I am not sure exactly what that procedure is. I believe that after I re-introduce the question of the chair's ruling that it will immediately go into vote on this resolution. The intent is that this new resolution be introduced."

Chairperson Schmaltz: "The first thing is that the Senate would have to vote number one, to reconsider the decision, which takes a simple majority. Should that happen, the challenge to the chair is still on the floor. You would have to vote to either sustain the chair or vote against him again. One could vote to reconsider, and then vote against the chair. If the chair's ruling is sustained that this is an appropriate matter to debate, it then goes to the resolution introduced by Senator White last week. I am told that this new resolution would be a substitute for Senator White's resolution of last week. The Chair would then recognize Senator White and ask if he wishes to pursue his resolution or withdraw it. If he wishes to withdraw it and his seconder agrees, then that motion could be withdrawn from the Senate Floor. At which point anyone wishing to introduce any new resolution could do so."

Senator Zeidenstein: "Is the motion to reconsider debatable?"

Senator Razaki: "Would you be willing to state for the record that this was a genuine case of misunderstanding?"

Senator Engelhardt: "Absolutely, yes."

Senator Razaki: "We are not backing down because of a demonstration. I voted yes last time because I feel that the issue should be debated. However, this is a serious and learned body and is not the place for demonstrations. If there is any sense that the students of the senate are backing down because of the

demonstrations, I would like you to go on record as saying that this was a genuine case of misunderstanding."

Senator Engelhardt: "I would like to make that point precisely clear. This was definitely a misunderstanding in what was being voted on and on the Statement on Politicizing the University. If there was any effect from the demonstration last week, it was negative and actually turned students in the caucus against bringing the issue back up because they felt because of the inappropriate behavior last week they did not want to bring it back up again."

Senator Ritt: "I want to make sure that we are voting on the applicability of the Politization Statement to the motion which was presented last week and not to the resolution which is on our desks now."

Chairperson Schmaltz: "Ultimately, the vote currently is whether to reconsider the Chair's ruling of last week."

Senator Ritt: "Let me try to clarify my remarks. The chair ruled last week that the proposal of Senator White for a Sense of the Senate Resolution was in order. That ruling was challenged and the challenge was upheld. Now we are reconsidering the challenge."

Chairperson Schmaltz: We are voting whether to go back and reconsider.

Senator Ritt: "The challenge was upheld. So the vote that we are reconsidering is the vote to challenge the chair's ruling. That is what we are reconsidering. That is the motion that has been made. Now, I want to be clear that both the chair's ruling and the challenge were relative to a particular document that was before the Senate in connection with a particular University policy, so that when we vote now on whether to sustain the challenge or not to sustain the challenge, it is relative to the document that was before the Senate at that time. I have substantial problem here with the fact that many of us have thought out our position relative to the correctness or the incorrectness of the chair's ruling last week. That was based upon an analysis of the Statement on Politization and the document to which it applied, the resolution of last week. I want to make sure in my own mind that that is what we are voting on. Those are the facts before us. This resolution that is on the desk in front of us has many substantial differences from the resolution that was presented last week. When we are sustaining or not sustaining the challenge to the chair of last week, we are not doing it in the light of this new document, but in the light of the old

resolution that was set before us last week."

Chairperson Schmaltz: "You are correct. That new document has no standing at this point."

Senator Ritt: "Then I personally am not convinced, as I was not convinced last week, because the Chair took great care in calling that paragraph on the second page of the Politicization Statement to our attention. I am very surprized that people are claiming that there was a misunderstanding based upon their not having looked at that. I do not see that the substance of that addendum to the Politization Statement carries any weight with regard to the motion presented by Senator White at last week's meeting. Therefore, I have no reason to change my opinion or my vote of whether to sustain the chair."

Chairperson Schmaltz: "Parliamentary procedure it seems to me should facilitate the flow of orderly business. We are caught in a difficult situation here. I have talked this over with former Senate Parliamentarian, Ira Cohen, and basically the fact that we are going back to reconsider a challenge to the ruling of the chair in itself, is hard to phrase. What I would like to see us vote on, if we could agree, and this body could agree to vote on anything it wants, would be: (1) Do we want to go back and reconsider that issue? Do you want to leave it the way it is or go back and reconsider the challenge to the chair? That is the first question. If you vote yes, you want to go back and reconsider the challenge to the chair. If you vote no, you want the challenge to the chair to stand as is. Does that cause anybody problems?"

Senator Ritt: "You mean we are voting whether to re-vote on the challenge to the chair. The action that we took was not to sustain the chair's ruling. We voted on whether to sustain or not to sustain the challenge to the chair. We sustained the challenge to the chair. So this motion then, is to repeat that vote."

Chairperson Schmaltz: "The first vote would be whether to reconsider the challenge to the chair. Not, how you are going to vote on the challenge."

Senator Walker: "There is precedence here a year ago on the five week withdrawal issue. We voted to reconsider the issue. Then we reconsidered the issue and voted again. There is precedence in this matter of a year ago."

Senator Cox: "I know for a fact that some people were unsure of the voting process and thought that an abstention would be called back after the voting was over. I know for a fact



that some votes would change if the issue was revoted. If you are confident in your position, I don't see why you would not want to reconsider the issue."

Senator Sadaghian: "I would like to say to Senator Ritt that you made the point about how confusing it is to justify talking about it, so I think you can see how some senators were confused in voting last week. If we then go back and debate the challenge to the chair, can we then bring up the resolution again?"

Chairperson Schmaltz: "If the Senate votes to not reconsider the challenge to the chair, then we do nothing, it is over with. That particular aspect is over with, yes."

Senator Sadaghian: "So we could not bring up this resolution?"

Chairperson Schmaltz: "You could bring that up, and the Chair would rule that it is essentially the old resolution. And then we would go back and do the whole thing over again. You can always challenge the chair. The reason for that is if someone's resolution passed, and you did not like it, you could change one word and maintain that it was a new resolution, debate it, and vote on it. As Chair, I have to make the decision whether this resolution is the same one as last week's. Basically, they are the same and I would rule this one out of order. Unless you vote to reconsider the challenge to the chair and the old resolution is withdrawn, etc."

Senator Camp: "My question has been answered."

Senator Hesse: "I would question the motivations of the mover and seconder. With all due respect, as far as I know, a motion to reconsider does not have truthfulness of heart and purity as an underlying prerequisite."

Senator Tuttle: "The motion on the floor is to reconsider the decision of the Chair, and I think that we should vote against that motion for a number of reasons. One, although there may have been a few individuals who did not understand how they were voting at the last meeting, I think that most of us present at that meeting did know how we were voting, and why we were voting, and why we were sustaining the challenge to the chair. The second reason I think we should vote against a motion to reconsider this is that in the decision the chair made, he was wrong. We don't disagree very often. I am hard pressed to remember when we did disagree. But on this one the chair is wrong. The chair was wrong in interpreting the document in the way he did. The chair was incorrect, and I think we should vote against this motion to reconsider."

Senator Zeidenstein: "The Chairman may wish to reconsider whether he would rule this document that we received tonight as substantively, insufficiently different from the document of last week and he would rule this one out of order. I would also consider whether Senator Engelhardt might want to consider removing his resolution and simply introducing the new resolution. That might simplify matters a great deal and people could make one or two hard choices on the new proposal as opposed to a couple of hard choices on the old proposal and the new proposal. It would save us the trouble and embarrassment of having to challenge the chair again. The essence of it is, if this resolution is ultimately what people want to get to, the easiest and quickest was to get to it and remove all the underbrush from last week is to simply introduce this new resolution. Not, after you challenge last week's chair's decision, but simply introduce the new resolution on its own merit. And then we will see how the Chair rules, and see how we go from there."

Senator Shimkus: "I would agree with Senator Tuttle. It seems to me that this motion to reconsider is kind of redundant. I think a majority of people here did know how they were voting last week. I would vote against a motion to reconsider."

Senator Schurman: "I would just second Senators Shimkus and Tuttle. I don't think that we would be very hard pressed to find anyone in this room that didn't know what they were voting on last week."

Senator Hesse: "My reservation is that this is motive for reconsideration in parliamentary procedures."

Senator Cox: "If we just put up this new resolution, am I to understand that you will rule it out of order?"

Chairperson Schmaltz: "Yes. That is what I said. I feel that sometimes people use parliamentary procedure to get what they want. The Chair is not doing that. If the majority of the people want to vote on the second resolution and not on the first one, and wipe out the whole thing, the Chair will rule that it is not out of order if that is what the majority of people want. Don't think the Chair will let this happen again. Next Fall when someone's resolution fails, you will not be allowed to come in the next week with another resolution with two words changed."

Senator Walker: "I would like to address the Senate on this important issue. We are going to vote to reconsider. I think that everyone last time was aware of the issue that we were voting on in terms of politicizing the issue. The Chair made exclusive and particular mention of it. I am the one that

drafted the supposed resolution that will be considered this evening in place of the original one by Senator White. My sole reasoning for this was that I felt the original resolution was politicizing an issue. My reason for putting this resolution forward was in case my belief was not upheld, and those of many senators here last week, that if the original resolution got to the Senate floor, it included many incorrect statements, and this was more appropriate to discuss. It was more grammatically correct, and there are errors in it, I would be the first to admit in terms of grammar, but not in terms of substance, in my opinion. If this is essentially the same resolution as Senator White's, then I believe we would be politicizing an issue. It is not the case for the University to do that. There are means to go through to get that done. The Office of the President is already working on this. Therefore, I believe the Academic Senate would lose tremendous credibility with both students and faculty at this University. It would look like we had cowed into a small minority who politicized it, by their demonstration last week and showed that indeed it is politicizing the issue. So, I would urge you to vote against reconsidering."

Senator Touhy: "Would Senator Engelhardt consider withdrawing his motion to reconsider."

Senator Engelhardt: "If it would simplify things, I can withdraw this motion and submit the new resolution, have the chair rule it out of order, and we could take a vote on that. I could do that right now."

Senator Stevens: "I would like to thank Senator Walker for what he said. I believe the Senate made its decision last week and should stand by that decision."

Senator Schurman: "I call the question."

Chairperson Schmaltz: "That is not in order at this time."

Senator Touhy: "I would ask if Senator Engelhardt would withdraw his motion."

Senator Walker: "Is there any guarantee that we are going to do that? There is not guarantee to that."

Chairperson Schmaltz: "If I rule that it is inappropriate and that it is politicizing the University, the other side could challenge me and we would be back in the same boat. The other thing is that if I rule that this is an old motion renewed, someone can challenge that ruling. It makes no sense to sit here and make these definitive statements. You have to cooperate, and that is what parliamentary procedure is all about."

You don't always get your way."

Senator Engelhardt: "I withdraw the motion." (Second, Sada-ghian)

Motion withdrawn.

Senator Stearns: "Point of order. Can a motion be withdrawn merely by the maker and seconder asking for it to be withdrawn from the floor."

Chairperson Schmaltz: "Yes."

Senator Engelhardt: "I would like to moving the following resolution (Second, Manns):

**Resolution:**

Whereas, Illinois State University is committed to maintaining students' rights to be free from unnecessary discrimination in an academic setting; and

Whereas, the Department of Defense policy regarding officer commission and scholarship distribution discriminates against applicants based on sexual orientation;

BE IT RESOLVED, that the Illinois State University Academic Senate

- (1) Supports the ongoing efforts of the President of Illinois State University which strive to change the Department of Defense sexual orientation policy to the extent it violates Illinois State University policy,
- (2) Recommends that Illinois State University through the Office of the President participate in an inter-University coalition designed to pressure the Department of Defense to end their policy of discrimination based on sexual orientation as it relates to the Reserve Officers Training Corps program, and
- (3) Requests that the President present a semi-annual progress report to the Academic Senate each year."

Senator Nelsen: "Point of order. I would ask the Chair to rule whether this is a similar or identical resolution that never got on the floor originally."

Chairperson Schmaltz: "The Chair rules that this is not an identical motion. It is a substantially different one. It is allowed on the floor of the Senate."

Senator Nelsen: "Point of order. I challenge the Chair."

Senator Engelhardt: "I would like to clarify what the challenge is? This is whether this should be debated? Yes--debate; No--no debate?"

Chairperson Schmaltz: "That is correct. The Chair has ruled that this resolution is appropriate. If you want to sustain the chair, you vote yes. If you do not want to sustain the chair, you vote no."

Senator Nelsen: "I would like to make my position clear. I am not questioning the merit of the motion itself. What concerns me is that this motion was prepared last week as an alternative. It has essentially the same flavor, although different phrases. My concern is that the procedure that we just threw out, while terribly cumbersome and a pain, the reality is that it appeared to be an appropriate procedure to deal with the question. I supported the Chair on his ruling on politicization. That whole policy needs to be referred to a committee for cleaning up, and I have sent a letter to the Chair regarding that. What I don't know is putting in a new policy statement which is essentially identical to the old one and bypassing the whole basic question on politicization is necessarily important. That is where the challenge to the chair comes from, not the merit of the resolution."

Senator Ritt: "I call the question."

Chairperson Schmaltz: "Let's make this clear. If you vote yes, you are sustaining the Chair. You are saying that it is appropriate to debate this motion on the floor of the Senate this evening. I don't want people coming back in September and tell me that they did not understand the vote. If you vote yes, you are voting to sustain the chair. If you vote no, you are saying no, this is politicizing the University, and you don't want to debate this."

Senator Stearns: "I was confused by your last comment, because I thought what we were voting on was to sustain the Chair's ruling that this motion or resolution was in order. We are not voting on anything related to the politicization statement."

Chairperson Schmaltz: "This is where the confusion starts. I am trying to simplify it. We are trying to communicate, not phrase things in a way that is going to please some parliamentarian. I really think that is where we get into trouble. Why can't we vote yes if you want to debate this, no if you don't? What is the big problem with that?"

Senator Nelsen: "A slightly different phrasing would be: If you vote yes, we will debate this; if you vote no, it is essentially the same document."

Senator Walker: "And we are not saying you are politicizing the University."

Roll Call Vote on the Challenge to the Chair: 26 yes; 11 no. Motion carried. Ruling of chair was sustained.

Senator White: "Something that needs to be pointed out and clarified is that the heart of this resolution, both mine and the substitute resolution, is basically something that the administration is presently working on. This resolution does not ask the administration to do something that it is not already doing. In fact, when I drafted the original resolution, I did it with the assistance of President Wallace and Provost Strand. That needs to be very clear. I think there has been some confusion about where the administration stands on this. As far as I am concerned, they have been very supportive and it should be clear that we are not asking them to do anything that they aren't already doing. Another thing I would like to say is that what is important about this discrimination issue is that it seems to me that gays and lesbians are among the last group of people that this sort of debate is possible. In other words, if the documentary source were talking about blacks, or women, I think the Senate would be having a demonstration itself. We would have no difficulty passing a resolution affirming the President's work. I think for me what is important in this resolution is not my concern with ROTC, but with the quality of this particular community. I think it is very important for us to indicate that as a community we do not tolerate, or look the other way when there is a program which actively discriminates against a portion of the student body."

Senator Zeidenstein: "I would like to offer a friendly amendment. On the third paragraph, 'BE IT RESOLVED', the third line replace 'strive to change' with the verb 'challenge'. Under number (2), the third line: where it says 'to pressure the Department of Defense to (add: 'either offer convincing reasons why its current policy should continue -- with the burden of proof on the department -- or,'"

Senator Engelhardt: "I personally don't have any problems with this, however, I would ask if anyone has any questions about this?"

Senator Cox: "Is that two amendments?"

Chairperson Schmaltz: "He is offering it as one basic friendly amendment. You could request that it be split into two amendments."

Senator Engelhardt: "I would accept that."

Senator Manns: "I accept it."

Senator Nelsen: "You may want to reconsider the amendment, because it really doesn't sound that friendly. That leaves open the possibilities that this policy has some validity, which was not the intent of the original writers."

Senator Engelhardt: "Well, I don't see it that way, but I do see it as if they don't end it that they give an explanation as to why they won't end it."

Senator Nelsen: "Then you are taking the position that they should end it. That is the position. I am questioning the policy."

First part of amendment accepted by Engelhardt (Manns):  
Change 'strive to change' to 'challenge.'

Senator White: "Do we have these two separated?"

Chairperson Schmaltz: "Yes."

Senator Sadaghian: "Why are we splitting the amendment?"

Senator White: "So that the mover and seconder can make decisions on the two parts separately."

Senator Sadaghian: "But the mover and the seconder already approved this?"

Senator White: "Not yet."

First part of amendment accepted by Engelhardt (Manns):  
Change words "strive to change" to "challenge."

Senator White: "I found Senator Nelsen's comment interesting. I hadn't thought of it in this way. But, perhaps, it is possible to construe this as suggesting that there are cogent

reasons why which would stretch my credulity. I wouldn't like for this to suggest that there are cogent reasons why we ought to continue."

Senator Cox: " I would also recommend that the second portion is not agreeable or acceptable for the same reasons as Sen. White."

Senator Touhy: "I would like to ask Senator Zeidenstein what his reasoning behind this amendment was?"

Senator Zeidenstein: "A couple of them. Let's take them in reverse order in response to what Senator White said: 'I would like not to think that there are any cogent reasons why.' What I will submit is that there is at least what you consider the remote possibility that the Defense Department may have persuasive reason -- note the wording puts the burden of proof on the Defense Department. It automatically shuts out or precludes any possibility whatsoever that there might be some reasons for their policy. The Department of Defense to my knowledge has not publicly offered any reasons. That does not mean that there aren't any. All I'm suggesting is that this ought to put the burden on them to justify their policy for this reason, they are an institution that serves society. They are an institution that is paid for with taxpayer's funds. Such an institution ought to be open to the widest range of competent people. That is a presumption that I don't have any doubts about at all. If an institution obligated to open itself to the best possible group of talented, competent people before they foreclose the area of people, it seems to me that they ought to have a very persuasive reason to justify that. All I am saying is that I am giving them the benefit of a doubt, as you would give anyone in a court of law accused of child molestation, to try to prove that they might have reason behind what they are doing."

Senator Engelhardt: "I see this as a state of being in that right now they discriminate and whenever you ask why, they give you reasons why. They will continue to give you reasons. I do not see this as necessary. I do not accept this amendment as friendly."

Senator Zeidenstein: "I will move it as an amendment then. 'Under number (2), the third line: where it says 'to pressure the Department of Defense to (add: 'either offer convincing-reasons why its current policy should continue -- with the burden of proof on the department -- or,'" (Second, Ruder)



Senator Zeidenstein: "I think I have already spoken on this, unless something new comes up. One other thing, however, it may have the effect of altering whatever activities the President of this University is undertaking with whatever consortiums may or may not come into being. I have no idea what these activities are. I do not know if as the resolution states that the activity is simply to get the Department of Defense to repeal the policy they now have. But, if my amendment is adopted, please be advised (I tell you up front) -- it might have the effect (if a Sense of the Senate Resolution has any effect whatsoever) of altering the mission of the President of this University. Now, that is as candid as I can be."

Senator Razaki: "I am not going to support the amendment, but I see value in it, especially in the part where it would get the Department of Defense to state their reasons, then society might find out that there are no valid reasons, and then the policy would fall by the wayside anyway. So, as a society I would see value in getting that information to end this policy." But, I do not agree with it in the sense that it is an amendment that should be voted on by this body."

Senator Camp: "I kind of feel that this is an issue of ethnic discrimination, and that the Department of Defense has not been given a chance to prove themselves. I don't see that they should be given a chance to prove themselves."

Senator White: "I would just like to point out the Department of Defense in its Directive 1332.14 part 1. Section H "Homosexuality", 1. basis A. has already attempted to provide its reasoning on this matter."

Senator Zeidenstein: "Where is it printed?"

Senator White: "In the directive I quoted."

Senator Walker: "Could I offer clarification for that, I would agree with it. Under U. S. Code, "Homosexuality has been ruled illegal. The Supreme Court has upheld that ruling. It takes a Congressional vote to change the U. S. Code. I believe in the letter of response that Secretary of Defense wrote to President Wallace, about the DOD policy disagreeing with ISU's affirmative action policy of non-discrimination. He wrote to them asking them to change the policy. The DOD response was that they would not change and violate the law that the Supreme Court had upheld. They have provided some justification on why they do that."

Senator Zeidenstein: The justification so far is weak. You give me a couple of numbers -- that is zilch as far as I am concerned. There is a law which legalizes their policy. There are a lot of laws that legalize a lot of policies that are not necessarily justified with persuasive reasons.

Senator Camp: We could go on and on, back and forth all night. They present what they feel to be convincing reasons. We say no, they aren't convincing reasons. They go back and forth. I see that it serves no purpose to the resolution.

Senator White: I call the question. No opposition.

Roll Call Vote on Zeidenstein Amendment: 15 yes; 21 no.  
Motion failed.

Return to debate on main motion on the floor.

Senator Schurman: "My concern is with the entire debate of this issue. It concerns me that we are setting a precedent that the Senate would continue to debate issues that politicize this body. I think it is important that all senators realize that we are setting a precedent where future issues that are very politically polarized in the outside community can be brought in here to the Senate. I think that is a point of concern also. Currently, the University is executing this policy. I see no reason to debate it and formalize support for a political issue, because it does set a precedent."

Senator Walker: "I wanted to know if Senator Engelhardt would accept as a friendly amendment to number (3) where it says 'present a semi-annual progress report to the Academic Senate each year.' The original resolution that I wrote said 'annual.' I feel that to get responses back and forth and to make any kind of progress, a semi-annual report is not practical. I would like for it to say: 'annual.'"

Senator Engelhardt: "Does anyone have a problem with changing it to annual?"

Senator Sadaghian: "I don't think what is going on right now is that the administration is doing something, but they do not report to us."

Senator Walker: "No, you're wrong. All I am asking is for it to be once a year instead of twice a year."

Senator Sadaghian: "No, I was responding to Senator Schurman. This resolution does not do anything new that is not already being done. But, it is my impression that the administration

is cooperating and trying to do something, but they do not formally report to us about it."

Senator Schurman: "What I was trying to state is that this is being done outside the Senate. By bringing this issue to the Senate, we are saying it is all right to politicize the Senate. We will debate any issue that is of a political concern to any student or faculty member on this campus. I am concerned about that. I don't think this is the right place. It is being done. Let's be satisfied with that and not politicize the Senate. I don't think it is appropriate to debate the issue here."

Senator Sadaghian: "My response to Senator Walker is that the reason I think semi-annual is a little more assurance that they would report regularly. If you put it annually, I don't think they would do it."

Senator Walker: "The Senate only meets effectively nine months out of the year. In terms of sending letters to a government entity, getting a response back, working with a coalition, are all good and fine. A once a year response by the administration is substantial to keep senators informed of progress or lack of progress."

Engelhardt and Manns accepted the amendment as friendly. Resolution now reads: "Requests that the President present an annual progress report to the Academic Senate each year."

Senator Cox: "Where does a student group go to get satisfaction on an issue?"

Chairperson Schmaltz: "I would suggest the ballot box. That is a very difficult question. If it is clearly a political issue, clearly the Academic Senate should not be debating it. Who decides whether it is clearly a political issue or not. I have decided that this resolution tonight is not."

Senator Schurman: "We have elected representatives who are certainly out there to serve the people and the voters."

Senator White: "I would say first, that we are not presently debating the applicability of the anti-politicization policy of the University to this resolution, we are debating the merits of the resolution itself. Second, I would point out to you, Senator Schurman, that the anti-politicization policy does not just apply to the Senate. If you are going to apply it in an even-handed way, it should also apply to the efforts of the administration. You can't consistently say it's OK for the administration to do this and not OK for us, because the policy specifically says: 'bodies, officers, teachers --

anybody who would claim to represent the institution.'"

Senator Walker: "For the record, I would like to offer some debate against the resolution. Please bear with me if I get a little lengthy. I want to be certain that we are clear on what we are debating. The Department of Defense Policy is what we are talking here and many of us tend to confuse that with the Reserve Officer Training Corps or ROTC. I want to be sure that we realize the difference. The Military Science program on campus is not involved in any discriminatory act. They will let any student regardless of sexual orientation participate in any Military Science program. In addition, any student of any sexual orientation can participate in the ROTC organization. The only thing that they cannot participate in, which has nothing to do with the University policy per se, is commissioning upon graduation (If their sexual orientation is not correct according to the Department of Defense, the DOD will not grant them a commission, but they can receive graduation credit.) This is similar to any other organization. The other activity they cannot participate in is scholarships. Scholarships for students are provided by the Department of Defense. The University does not dole out scholarships. So, if we look at the Department of Defense policy, based on sexual orientation, I would suggest that perhaps Student Affairs or some other entity at the University should also look at all other scholarships at this University and see if they also fit sexual orientation policies, whatever other minority may be there. We are singling out one entity, one program on campus, and I believe that is incorrect. Another point on the scholarship issue is that it is one of the best sources of scholarships we have on this campus for minorities. Between the mid-teens and the mid-twenties on the percentile range of the scholarships offered by the Department of Defense for ROTC participants are minorities. That is higher than any other entity on campus. It is an excellent source of scholarships for minorities. One other point that I would like to make is that of those who complete several different categories, 100% of those students that have graduated from the Military Science program at ISU have been commissioned. In order to be commissioned, a student must have met the following qualifications: they must be a graduate with appropriate academic performance; they must be a summer advanced camp graduate; they must be a cadet of proper weight standards, proper age limitations, and meet the physical disability limitations (they cannot have asthma, must be of sound mental health, they cannot be bed wetters or sleep walkers.) There are many discriminatory methods here if you want to take it to the extreme and single out any one issue. I want that to be in the record, that the Military Science program at ISU does not discriminate. It is the Department of Defense."

Senator Pitocco: "Isn't the Military Science program at ISU the same as ROTC?"

Senator Walker: "ROTC involves Advanced Summer Camp in addition to courses that are in the Military Science program. They are separate. The Military Science program is housed in the College of Applied Science and Technology."

Chairperson Schmaltz: "Another way of discriminating is that the Military Science program offers grades, which are recorded on the ISU transcript; but the ROTC program does not get a grade."

Senator Walker: "Students get a score for summer camp, not a grade. Any student of any sexual orientation can enter the Military Science program, participate in the classes, and graduate from the program."

Senator Ruder: "The score that a student receives in summer camp directly reflects on the type of commission you get, whether it is active army, reserve forces duty, etc. You also request branches. The better you do at camp, the higher score you get, therefore your choices are better. The grade does not appear on the ISU transcript."

Senator Walker: "The point I was trying to make is that our current Military Science program and the ROTC organization itself do not discriminate. The Department of Defense policy discriminates, which is not directly under the control of ISU."

Senator Hesse: "Suppose we had a student organization, such as a sorority or fraternity or service organization, that would not accept African-Americans in its membership, would it not then be under the purview of some University body to find that organization out of order with its policies and do something about it?"

Senator Walker: "If the discriminating organization were directly under the governance of the University system, yes. But, the student population that we are considering tonight and the Department of Defense are not under the purview of the University. Your point was if it was a social fraternity or something that came under our governance, then yes, it would be in violation. But, the Department of Defense policy is not under our purview of control. It is a separate issue."

Senator Tuttle: "Under number (2), in the next to the last line, it reads '.....based on sexual orientation as it relates to the Reserve Officers Training Corps program, and.' I am moving to drop the following words: 'as it relates to the Reserve Officers Training Corps program, and.' (Second, Cox)

The reason for my motion deleting that portion, is that there is not one shred of evidence that we have discussed in the Senate or in the public meeting that the main discriminatory practice by the Military program or ROTC on this campus. I know that phrase does not say Illinois State University, but the implication is that it is on this campus. Since the issue is really with the Department of Defense, and that is stated and made clear in number two of the proposal, then that phrase is no longer needed for purposes of this motion, but it does in fact suggest that there is something wrong with the ROTC program."

Senator Ruder: "I call the question."

Senator Nelsen: "I object."

Senator Rumery: "Does your amendment apply to number three?"

Senator Tuttle: "No, it applies to number two."

Senator Nelsen: "I agree with the whole argument. In my interpretation, when they refer to the Military Science program at ISU, where the emphasis is on military training and it is a very strong viable program that does not discriminate. But, I think there is a separation and distinction from the ROTC which requires summer camp. I do not want to knock the ISU program, but the realities are that even though the Military Science program is not discriminating, I believe the ROTC program is a separate entity from the Military Science program."

Senator Walker: "Not completely correct. There is very little justification for the Military Science program without ROTC. In a sense, neither one is in violation of the discrimination policy. I would support Senator Tuttle's amendment and urge you to vote yes on it. I move the previous question." (Second, Tuttle)

Vote on moving the previous question carried on a voice vote.

Vote on Tuttle Amendment carried 25 yes; 9 no; one abstention.

Senator Walker: "I call the question."

Senator Razaki: "I object. I have a few comments that do not affect the merits of the resolution. Discrimination is a fact of life. People are different. There are organizations on this campus that do not include women or African-Americans. I have no objection to seeing this come before the Senate. However, I do think this is a political agenda coming before the Senate. We need to be aware of what we are doing here."

Senator Nelsen: "I would like to speak in support of the amendment as it is, and look forward to hearing in our report not only progress on scholarship, but also on contracts, research, grants, and everything else the Department of Defense does."

Senator Zeidenstein: "Just a wry observation, Mr. Chairman, with the resolution that we now have, Paragraph Two has no relationship to this University or any other university, much less an inter-University coalition based on what they have to tell the Department of Defense to end their policy of discrimination based on sexual orientation. There is Paragraph One challenges the Department of Defense sexual orientation policy to the extent it violates Illinois State University policy. That is a very interesting question, I am not sure there is an answer to it. What we have left Mr. Chairman is more of a political document than it was before it was introduced."

Senator White: "I move the previous question." (Second, Tuttle)

Motion to move the previous question carried on a voice vote.

Roll Call Vote on the main motion: 24 yes; 8 no; 3 abstentions.

#### RESOLUTION

Whereas, Illinois State University is committed to maintaining students' rights to be free from unnecessary discrimination in an academic setting; and

Whereas, the Department of Defense policy regarding officer commission and scholarship distribution discriminates against applicants based on sexual orientation;

BE IT RESOLVED, that the Illinois State University Academic Senate

- 1) Supports the ongoing efforts of the President of Illinois State University which challenge the Department of Defense sexual orientation policy to the extent it violates Illinois State University policy,
- 2) Recommends that Illinois State University through the Office of the President participate in an inter-University coalition designed to pressure the Department of Defense to end their policy of discrimination based on sexual orientation, and
- 3) Requests that the President present an annual progress report to the Academic Senate each year.

Chairperson Schmaltz announced the College Election results for:

**University Appeals Committee**

Frank Lewis, Curr. & Instruction (1994)  
Kwang Chul Ha, Mathematics (1994)  
Robert Sutherland, English (1993)  
Alvin House, Psychology (1992)

**University Review Committee**

Margaret Steffensen, English (1994)

**Committee Reports**

**Academic Affairs Committee**

Chairperson: Robert K. Ritt, Mathematics  
Secretary: Rick Whitacre, Agriculture

**Administrative Affairs Committee**

Chairperson: Susan Amster, Art  
Secretary: Ron Mottram, Theatre

**Budget Committee**

Chairperson: George Tuttle, Comm.  
Secretary: Kathy Touhy, Student. COM

**Faculty Affairs Committee**

Chairperson: Paul Walker, Agriculture  
Secretary: Matt Shimkus, Student, POS

**Rules Committee**

Chairperson: Rob Engelhardt, Student, FAL  
Secretary: Nadia Sadeghian, Student, POS

**Student Affairs Committee**

Chairperson: Heather Manns, Student, PIB  
Secretary: Amy Nowack, Student, MKT

**Adjournment**

Motion by Engelhardt (Second, Touhy) to adjourn carried on a voice vote. Academic Senate adjourned at 10:05 p.m.

FOR THE ACADEMIC SENATE  
JAN COOK, SECRETARY



NAME	ATTENDANCE	VOICE						VOICE	
		XXII-95	-96	-99	102				
ADAMS	P	YES	YES	NO	YES			XXII-90	X
ALEXANDER	EXCUSED							XXII-91	X
AMSTER	EXCUSED							XXII-92	X
BAER	P	NO	NO	YES	YES			XXII-93	WITHDRAWN
CAMP	P	NO	NO	NO	YES			XXII-94	X
COLLIER	ABSENT							XXII-95	24 8
COMADENA	P	LEFT						XXII-96	26 11
COOK	EXCUSED							XXII-97	X
COX	P	YES	YES	YES	YES			XXII-98	X
DE ROUSSE	EXCUSED							XXII-99	15 21
ENGELHARDT	P	YES	YES	NO	NO			XXII-100	X
FRYDA	P	ABSTAIN	NO	NO	YES			XXII-101	X
GAMSKY	P	YES	YES	NO	YES			XXII-102	25 9
HALL	P	YES	YES	NO	YES			XXII-103	
HESSE	P	YES	YES	NO	ABST			XXII-103	X
HILD	ABSENT							XXII-104	X
HOPKINS	P	YES	YES	YES	YES			XXII-105	X
HULIT	P	YES	YES	NO	NO			XXII-106	X
LOWERY	P	NO	YES	YES	YES			XXII-107	X
MANNIS	P	YES	YES	YES	YES				
MAZARELLO	P	YES	YES	YES	YES				
MECKSTROTH	P	YES	YES	NO	NO				
MONTTRAM	EXCUSED								
NEWGREN	EXCUSED								
NICHOLAS	P	LEFT	YES	NO					
NOWACK	P	YES	YES	NO	YES				
PARR	P	YES	YES	NO	NO				
PITOCOCO	P	ABSTAIN	YES	YES	YES				
POMERENKE	P	YES	YES	NO	YES				
RAZAKI	P	YES	YES	NO	YES				
RITT	P	LEFT	NO	LEFT					
RUDER	P	YES	YES	YES	YES				
RUMERY	P	YES	NO	NO	YES				
SADEGHIAN	P	YES	YES	YES	NO				
SCHMALTZ	P	YES	YES	NO	NO				
SCHURMAN	P	NO	NO	YES	YES				
SHIMKUS	P	NO	NO	YES	YES				
STEARNS	P	YES	YES	NO	YES				
STEVENS	P	NO	NO	YES	YES				
STRAND, D.	P	YES	YES	YES	YES				
STRAND, K.	ABSENT								
TOUHY	P	YES	YES	NO	NO				
TUTTLE	P	NO	NO	YES	YES				
WALKER	P	ABSTAIN	NO	YES	YES				
WALLACE	EXCUSED								
WHITACRE	EXCUSED								
WHITE	P	YES	YES	NO	NO				
WONG	EXCUSED								
ZELDENSTEIN	P	NO	YES	YES	YES				
		24 YES	26 YES	15 YES	25 YES				
		8 NO	11 NO	21 NO	9 NO				
		3 ABST			1 ABST				