

Study Group on Reserve Officer Training Corps (ROTC) at CSUSM Recommendation and Documentation

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Fall '08 only: Patty Seleski (Faculty, COAS)

Spring '09 only: Staci Beavers (Faculty, COAS),

The Study Group on ROTC was charged with engaging the CSUSM community in a wide-ranging discussion regarding ROTC and the following issues¹:

- University Curriculum Committee's questions about how to treat the courses proposed since, while they are not part of a minor or major program, they are clearly a defined sequence of courses which lead to a professional goal
- Benefits of Army ROTC training and about the opportunities a CSUSM-based Army ROTC program will provide for many CSUSM students
- Concerns about whether the presence of Army ROTC on campus would conflict with CSUSM statements on non-discrimination
- Resource implications that such program offerings might entail

Before proceeding further we note that ROTC course credit is already accepted at CSUSM through partnerships with other institutions in the County and that the particular question focused on by the group was that of whether for-credit ROTC courses of study should be offered on campus at CSUSM.

This document contains the Recommendation of the Study Group, recommended Contingencies if the Recommendation is not followed, and Qualifying Statements from the individual members of the group. Following the Recommendation and Contingencies are sections documenting the analysis and the process.

Table of Contents:

- A. Recommendations, Contingencies, and Qualifying Statements
- B. ROTC, the Military Policy of Exclusion, and CSU's Anti-Discrimination Policy
- C. ROTC, The Benefit And Opportunities For CSUSM And Its Students
- D. Exposing ROTC students to a Liberal Arts Environment
- E. Assessing the Effects of ROTC on Campus Environment
- F. ROTC Related Actions Taken by Other Universities
- G. Oversight and resources issues
- H. Summary of Community Discussion Process

¹ "Composition and Charge for the Study Group to Explore Army Reserve Officers' Training Corps (ROTC) at CSUSM" Approved by Executive Committee, Academic Senate, 09/10/2008

A. Recommendation, Contingencies, and Qualifying Statements

Because of the complexity of the issue, the Study Group proposes both a recommendation and recommended contingencies, along with statements of qualifying support by members of the study group. The recommendation is based on the results of the overall assessment process; the contingencies are to be considered if the study group's recommendation is not followed. The study group's decisions are not unanimous, thus qualifying statements of support are also provided.

Recommendation

Based on a careful consideration of the issues and the sentiments expressed by the university community, the Study Group finds that the over-arching issue is the conflict between the university anti-discrimination policy and the military policy excluding non-heterosexuals from military service (known as "Don't Ask, Don't Tell," or DADT). The majority of the Study Group is in agreement with the sentiment presented by a majority of the public responses (see document B), that ROTC courses should not be offered as long as the military policy of exclusion is in place. Though ROTC students might benefit from inclusion in the campus environment (see document D) and offering ROTC would benefit some students (see document C), the Study Group concludes that offering ROTC courses conflicts with the university's commitment to non-discrimination and thus the courses should not be offered. The majority position of the Study Group is very eloquently reflected in a statement issued by Rodger D'Andreas, the director of the LGBTQ Pride Center (used with his permission):

"Should we choose to treat our mission and values with such expediency [as to offer ROTC], it means two things: (1) Institutionally, we lack ethical integrity. Our mission and values are merely words, not commitments; and (2) We believe that institutionalized discrimination of LGBTQ individuals is still socially acceptable, and we are willing to convey our acceptance of said discrimination to current and future CSUSM students, staff and faculty, and community members. I wonder if we would be willing to collude in sending a similar message of institutionally-sanctioned discrimination to individuals of a racial minority, to women, or to folks whose first language is not English. I hardly think so."

The Study Group, however, has determined that there is some uncertainty with regard the interpretation of the Solomon amendment and the consequences for the University should it decided to deny a request by a military service to institute ROTC courses. Thus, if this recommendation is adopted, we advise additional investigation into the interpretations of the Solomon amendment.

Contingencies

In the event that there is a decision to reject the Study Group's recommendation and to process the proposal to offer ROTC courses at CSUSM, the study group urges the university to consider the following statements regarding oversight of curriculum and faculty, and CSUSM's response to the conflict between its and the military's sexual orientation policies.

Oversight: The Study group urges that:

- all proposed ROTC courses be subject to the standard CSUSM curriculum review process and requirements, including requirements for student learning outcomes and the All-University Writing Requirement;
- the application for the sequence of courses be filed as a minor since the courses represent a coordinated course of study;
- ROTC courses be sponsored and evaluated by an existing academic program or department so that the curriculum and instructional delivery will be subject to standard review and evaluation policies (regardless of whether the courses are offered through Extended Learning or state-supported);
- requirements be implemented whereby students pursuing CSUSM ROTC coursework take additional CSUSM coursework that demonstrates commitment to the institution's stated core "values" (i.e., Intellectual Engagement, Community, Integrity, Innovation, and Inclusiveness²) and thus addresses the conflict the between CSUSM and military policies on sexual orientation.

Further, the Study Group urges that, when ROTC courses are presented to the Senate for approval, they be brought forth as regular Senate business rather than as Consent Calendar items.

Sexual Orientation Discrimination: Based on the breadth of concern in the community responses regarding the military's policy on sexual orientation, the Study Group urges the following actions if an ROTC program of study is implemented at CSUSM:

- the University explicitly address the conflict between military policy and CSUSM policy in the catalog description of the ROTC offering,
- the Senate consider a resolution addressing the conflict in policies, and
- the Senate consider a resolution encouraging University involvement in activities aimed at affecting the revocation of DADT. (Note that we have been advised that any such activity must be carefully presented so as to not appear to be discouraging enrollment in ROTC courses by students.)

² <http://www.csusm.edu/about/facts/mission.html>

Qualifying Statements:

Of the six members who voted on the above, five voted for the Recommendation and five for the Contingencies. Not all of the analysis sections (documents B thru H) are endorsed by every member of the group.

The following qualifying statements from members of the Study Group acknowledge the qualifications they place on interpretations of the Recommendation and Contingencies, and on various analysis sections.

Some qualifying statements were written prior to changes in the language used in this document (document A); changes in language to bring qualifying statements into agreement with current language are in brackets. Not all participants provided qualifying statements.

Don Barrett: I support the Recommendation and Contingencies. I disagree with carrying the ethical concerns addressed by the Study Group beyond the ethics of the sexual orientation issue and thus do not endorse the analysis in documents E and F. I also conclude that processes that balance the rights of a minority against the needs of a majority suggest contingent support for the rights of the minority. Thus, while I agree that the presence of ROTC courses on campus may be of benefit to some students, I do not support conclusions in document D that such benefits outweigh the need to protect minority rights.

David Barsky: *David Barsky was unable to write a statement due to illness and subsequent demands, but agreed to my noting the following: 1) that he is in support of both the Recommendation and the Contingencies, and 2) that he disagrees with carrying the ethical concerns addressed by the Study Group beyond the ethics of the sexual orientation issue and thus do not endorse the analysis in documents E and F. Don Barrett*

Staci Beavers: I support the recommendations [Recommendation and Contingencies] provided in this report. In terms of the accompanying analysis, I participated in the preparation of and can state my own support only for Section B: "ROTC, the Military Policy of Exclusion, and CSU's Anti-Discrimination Policy."

Victoria Hernandez: I do not support the Recommendation against providing ROTC courses on campus but do support the Contingencies on oversight and on encouraging statements about disagreement with ROTC. I believe the ethical concerns addressed by the Study Group should focus on the sexual orientation issue and thus do not endorse analysis in documents E and F.

Linda Pershing: I support the study group's Recommendation #1 [Recommendation], but I oppose Recommendation #2 [Contingencies]. In addition to the general work of the study group, my task was to draft the reports on "Effects on Campus Environment" and "Related Actions Taken by Other Universities." In reviewing the various arguments and positions, it became clear to me that starting an ROTC program on our campus would do much more harm than good. Many gay, lesbian, and bisexual students and faculty expressed the feeling that the

increased military presence on campus would violate their civil rights, increase their feeling that the campus is not a safe environment for them, and would inherently support the blatant discrimination of the “Don’t Ask, Don’t Tell” (DADT) policy. Would we allow an organization that openly discriminates against women or a racial minority group to start an academic program on our campus? An academic program that discriminates against gays, lesbians, and bisexuals is no more tolerable. Moreover, it would be hypocritical to invite the ROTC to Cal State San Marcos but simultaneously issue a “statement” that the university community disagrees with the DADT policy, thereby failing to take seriously the protection of civil rights for *all* members of our community. Numerous additional issues were raised that violate the university’s Mission Statement and dedication to social justice. These include racial profiling in military recruiting, targeting lower-income youth for ROTC recruitment, the rampant sexism and violence against women within the military and the military’s failure to address this problem, the important principle that the faculty, and the faculty alone, should design and determine the character and quality of course curricula, and the larger and more troubling issue of universities supporting the study of violence and war, rather than peace and justice studies. If the ROTC were invited to campus, it would be extremely difficult to reverse that decision later. Particularly during the wars in Iraq and Afghanistan, military culture and discourse have heavily influenced our society and our national identity. Universities need to provide a safe haven from, and critical thinking about, the military industrial complex, rather than an educational system that condones and perpetuates it.

B. ROTC, THE MILITARY POLICY OF EXCLUSION, AND CSU'S ANTI-DISCRIMINATION POLICY

Background

The direct ethical issue raised by the proposal to offer Reserve Officer Training Corps (ROTC) courses at CSUSM is the conflict between the CSU policy on non-discrimination and the military's explicit policy of exclusion based on sexual orientation. The CSU policy states:

“The California State University does not discriminate on the basis of age, ethnicity, religion, sexual orientation, pregnancy, marital or veteran status in any of its programs or activities”³.

It is, however, the official policy of the U.S. military to prohibit military service by anyone who⁴:

- 1) "...has engaged in, attempted to engage in, or solicited another to engage in a homosexual act or acts..." (10 U.S.C. § 654(b)(1)), or
- 2) "...stated that he or she is a homosexual or bisexual, or words to that effect" (10 U.S.C. § 654(b)(2)), or
- 3) "...has married or attempted to marry a person known to be of the same biological sex." (10 U.S.C. § 654(b)(3)).

Note that this policy is enforced on those who become known as non-heterosexual through their own admission or reporting by others, thus the policy is commonly referred to as “Don’t Ask, Don’t Tell,” or DADT. Though the military policy (DADT) is not based on behavior but on whether behavior becomes known, this fact does not obviate the conflict between University non-discrimination policy and military policy. A GAO report from 2005 indicated that in 2003 (the most recent year with data), 769 personnel were discharged due to homosexual contact⁵.

ROTC courses are divided into two components, as is described in the CSUSM catalog:

“The four-year program is divided into two parts: the basic course and the advanced course. The basic course is usually taken in the freshman and sophomore years. No military commitment is incurred during this time, and students may withdraw at any time through the end of the second year. First-year courses are introductory, and second-year courses cover organizational leadership theories. Uniforms, necessary military science textbooks, and materials are furnished without cost. After completing the basic course, students who have demonstrated officer potential, have met physical

³ California State University San Marcos 2008-2010 Catalog, p 412

⁴ Source: <http://www.law.cornell.edu/uscode/10/654.html> and <http://uscode.house.gov/download/pls/10C37.txt>

⁵ MILITARY PERSONNEL: Financial Costs and Loss of Critical Skills Due to DOD’s Homosexual Conduct Policy Cannot Be Completely Estimated, US Government Accountability Office report GAO-05-299. Accessed on 3/6/09 from <http://www.gao.gov/new.items/d05299.pdf>

and scholastic standards and agree to contract are eligible to enroll in the advanced course.”⁶

Since enrollment in the advanced courses requires signing a contract to become an officer in the Army, these advanced courses violate University non-discrimination policy since those who admit to being non-heterosexuals or become known to be non-heterosexuals are barred from military service and cannot fulfill the contract. Note also that one of the primary incentives for students to join ROTC is that ROTC offers students scholarships to pay for their college education. Since the scholarship requires a commitment to join the military service, this scholarship is not available to non-heterosexual students and thus again violates CSUSM policies regarding non-discrimination.

Public Commentary

Despite concerns raised by this conflict on policies, there are identifiable benefits of ROTC courses for some students, and several CSU campuses with similar non-discrimination policies do provide ROTC courses. Thus, to assist in the deliberations on this issue, campus and community input was requested. Response was high: 96 e-mail responses were received, some of which represented the responses of multiple individuals and three of which represented statements by units. Also, CSUSM Academic Senate President Janet McDaniel counted at least 130 people at an Academic Affairs Town Hall meeting on February 24, at which 43 individuals, both from within and from outside the CSUSM community, spoke directly to the Study Group’s members (<http://cafecafe.csusm.edu/>). Public comments at the February 24 forum ranged from informal personal remarks to prepared collective statements written on behalf of organized groups. Both the verbal input and the written response received demonstrated the very deeply held sentiments on all sides of this issue. While many may be highly ambivalent about this issue, others hold very strong opinions. It is clear that this is not an issue on which compromise is easily achieved, given that so many view the issue in stark absolutes. One noticeable indication of this is that at least one person on each side of the issue at the forum expressed astonishment and, as one forum participant stated, “embarrass[ment],” that the matter even needed to be debated.

The following summarizes that input by themes in the responses. Many responses addressed multiple themes; for this portion of the analysis responses were coded based on their primary implications for the question of conflict in policies. Note that with each theme, the number of responses within that theme is cited. These numbers should be treated with caution. Responses were not gathered based on a scientific sampling and thus it is incorrect to extrapolate from the numbers to proportions within the university. The number of responses within a theme, however, do provide some indication of the strength of various sentiments within the university. That is, a sentiment heard from many responders is likely to represent a sentiment with some meaningful prevalence in the university compared to a sentiment heard from only 1 or 2. Since many of the responders in the Town Hall also sent statements through

⁶ California State University San Marcos 2008-2010 Catalog, p 61

email, the Town Hall responses are indicated below as a separate count. Responses are listed in the order of frequency mentioned in the emails responses, examples of statements are provided with the more common sentiments.

For the purposes of the following, email responses are counted as follows:

Emails from individuals whose statements represented only themselves	92
Signatures on a statement from Women Studies faculty; the statement contained signatures of 4 faculty but one also responded in a separate email and thus is not counted here	3
Signatures on a petition that was emailed and appeared to be distinct from other emails.	41
Total email responses	136

Statements from the College of Education, the School of Nursing, and the Catholic Club were also received and are treated as unit responses.

1. ROTC should not be offered due to the conflict in politics: Email responses, including the petition and the statement from Women Studies faculty (82), Town hall responses (14), and a statement issued by the College of Education. All of these statements and signatures opposed the offering of ROTC courses due to the conflict between military policy and university policy. Nine of these email responses and four of these Town Hall responses opposed ROTC due to the policy conflict plus additional reasons (analysis of these other reasons is addressed in statement E). Following are two examples of the “ROTC should not be offered” responses:

a) I have a problem with this conflict with our policy of non-discrimination and the military's policy of exclusion. I think it sends a negative message to the LGBT community on campus. However, I also think that it is important the community understand this is the main reason for rejecting ROTC. It should be clear we are not just against the military or rather students in the military, specifically. The conflict of discrimination should be the main focus of the refusal to have ROTC. I have hear[d] many times from students that certain departments are against students in the military. I also think these students are marginalized. As we know joining the military is often the only way out for the poor and people of color, so I don't want to be playing identity politics.

b) As a veteran, I appreciate the mission of the ROTC program and the opportunities it affords students. However, the policy of the United States military is to unapologetically discriminate against gays and lesbians. They have reasons for this policy that they believe are valid or appropriate. Nonetheless, it is still discriminatory. CSUSM's creation of an ROTC program would mean tolerating discrimination and violating its own stated mission. For this reason, I do not support the creation of an ROTC program.

2. Not offering ROTC is discriminatory: Email responses (12), Town hall responses (3), and statement by the School Nursing. A number of responses indicated that not offering ROTC would be discriminatory toward those students affiliated with ROTC, though some in this group did state opposition to DADT. Typically, such responses specifically cited benefits available to students who remain eligible for ROTC: these benefits include relieving burdens on continuing ROTC students by eliminating the necessity of commuting to SDSU for ROTC instruction, a necessity which places financial and other burdens on CSUSM students. Additionally, if ROTC were to be offered at CSUSM, ROTC would become a viable option for more CSUSM students, which would enhance career and educational opportunities available to eligible CSUSM students. Following are two examples of these responses:

- a) Opposition to ROTC marginalizes students who wish to participate in ROTC and makes it harder for them to gain financial aid, military training, and firsthand insight into military life through ROTC. Moreover, allowing ROTC on campus would make CSUSM affordable for students who might otherwise be unable to attend and might thereby contribute to campus diversity. The military has too integral a role in American culture and society and San Diego not to mention North County to be summarily banned from campus. Likewise, bringing ROTC to campus is by no means a blanket endorsement of the Militaries [sic] policies and is contra [sic] to our policy of inclusion. Are we not a better University that [sic] to play tit for tat? The DADT issue is far too overblown, [sic] it is not Apartheid[.]
- b) ROTC will not be excluding anyone. Anyone, despite their sexual orientation and preferences, can be in ROTC. CSUSM will be enriching the educational life of these young men and women of ROTC by accepting them onto our campus. The ROTC members who will benefit from being at CSUSM have obviously accepted the DADT policy and have chosen to be part of the program. Do not exclude them.

3. Support for ROTC, no statement on the policy conflict issues: Email responses (11), Town hall responses (8), plus a statement from the campus Catholic Club. These responses did not address the issue of sexual orientation but expressed support for ROTC on campus as a means of showing support for the military, to provide students with the opportunity for ROTC scholarships, to ease the burden for CSUSM students who travel to SDSU for ROTC courses, or for other reasons. Following are two examples of these responses:

- a) I support the military's presence on campus. I think it would make the place much safer than it is now by having the ROTC cadets seen in classrooms and around campus. CSUSM should support Character-building organizations in order to enhance future generations of our alumni. As a CSUSM alumnus and parent of a current CSUSM student, I want my voice heard on this matter.
- b) I believe ROTC should have a permanent home on the CSUSM campus. In addition to this, The CSUSM catholic [sic] club, being in good standing with The San Diego Diocese, believes that it is important to make ROTC available on our campus. We have members in the ROTC program attending our club that need the support of their school. The presence of ROTC on campus will not pose any psychological or physical harm to the students on campus. '*No person should feel that the presence of an organization on campus jeopardizes their safety, so long that the organization is professional and respectful, which is a key attribute of the ROTC mission'* The

Catholic Club would like to be used as a public source of reference in this matter. all [sic] should be welcome here. Whether LGBTA, ROTC, or any other organization. [sic] Thank you and please use us as a public display of ROTC support.

4. ROTC/the military is not discriminatory: Email responses (8), Town hall responses (4). These responses stated individual experiences with ROTC or the military as not being discriminatory of non-heterosexuals, or that non-heterosexuals can participate as long as they do not make their status known. Following is an example of this response:

Greetings, As a current member serving in the armed forces (Air Force) I can say that even though there is this policy, it is hardly enforced. A military member, regardless of sexual orientation, are [sic] measured by the same standards. The "don't ask, don't tell policy" is a relic of it's [sic] time. Military individuals, enlisted and office [sic], know full well whose [sic] "gay" or "straight" and works well with them with no qualms. Many in the military agree this policy is dated and with the new president in power and his stance on homosexuality, there is a good chance it will change soon. While there are yearly statistics of people getting discharged in service because of their sexual orientation, the numbers are flawed. There are gays that come "out of the closet" for the sole purpose of getting out of the military and there are some that are removed who truly want to stay in, but not [sic] silent of their orientation. While the latter is unfortunate, it doesn't happen often especially if the homosexual in question is a stellar performer. This link from wikipedia: "http://en.wikipedia.org/wiki/Don't_ask,_don't_tell" shows that the policy is purely a decision by congress [sic] and not the military. Don't punish the Army ROTC for this outdated policy! There are plenty of homosexuals happily serving in the armed forces enjoying a career without discrimination. These are just a few thoughts. It doesn't really matter to me, I'm not gay nor in the Army ROTC. Just thought I'd bring to light of the "real side" of this discriminatory policy.

5. ROTC would influence military leadership with CSUSM values: Email responses (8), Town hall responses (3). These responses expressed some discomfort or disagreement with the military policy of sexual-orientation discrimination but felt it important to offer ROTC so as to expose ROTC students and future military leaders to an environment that challenges military policy. Following is an example of this response:

I am very concerned about the military's policy of Don't Ask, Don't Tell. I find it illogical to assume that a Gay soldier is somehow, [sic] not able to perform at the same level of his/her Non-Gay peers or would cause problems with unit morale. There have been and continue to be Gay military personnel who have performed remarkable feats of heroism and who have served our country with a great deal of honor and who have died in their service to our country as well. I find it appalling that our military is willing to take people into their ranks on special exemptions which have included individuals who never would have been recruited in earlier times because of their psychological profile or past criminal activity. And yet, our military is kicking out great soldiers who have done nothing wrong but admitted to or were found to be Gay. With this being said, I do support the establishment of an ROTC program at CSUSM. Why? In order to propagate change in the Don't Ask, Don't Tell Policy, we need to influence our future military leaders. Our best hope for this is to offer ROTC programs at publicly funded postsecondary institutions where future military leaders will be exposed to different cultures, religious beliefs and sexual orientations. This not going to happen if our future military leaders are only coming

out of the very tightly controlled military academies. We are not going to help to change the Don't Ask, Don't Tell Policy unless we are able to influence our future military leaders. You want to see an end to the Don't Ask, Don't Tell Policy? Then provide an educational opportunity to our future military leaders that they will not receive at the Air Force, Army, Coast Guard or Naval Academies.

6. Oppose ROTC, other reasons: Email responses (6), Town hall responses (9). These responses did not cite the conflict in sexual orientation policy as a concern but did oppose ROTC for reasons of other forms of discrimination or for concerns related to course oversight and course quality. These responses are addressed in the separate report by Dr. Pershing.

7. No position: Email responses (6), Town hall responses (2). These responses were reflective statements on the issues regarding ROTC but made no recommendation regarding whether to have ROTC courses on campus.

8. Responses based on stereotypes of gays and lesbians: Three emailed statements contained misperceptions of sexual orientation and/or homophobic responses that were used as justification for stating that non-heterosexuals do not belong in the military.

Summary

The largest block of comments in the above is by those who oppose ROTC due to the conflict between policies (group 1). This block represents more than half of the email responses received plus the statement by the College of Education. The next largest group was significantly smaller and included the statement by the School of Nursing, this group expressed some discomfort with DADT but believed we should offer ROTC because not offering it would be discriminatory against CSUSM students who are affiliated with Army ROTC and/or the military itself (group 2); following that group in size was those who support having ROTC in a liberal arts environment because it would help change the military (group 5). Many other responses supported ROTC and either didn't consider the policy conflict to be worth mentioning (group 3) or stated that ROTC and the military were non-discriminatory (group 5).

Notably absent from the responses was support for a compromise. As an educational institution, CSUSM has multiple resources that could be used to counteract the effects of the policy conflict regarding DADT. Some members of the study group and a very small number of respondents (2) discussed the possibility of a compromise where ROTC would be provided under the condition that the university and/or course requirements actively addressed the sexual orientation policy conflict. This perspective was specifically addressed in the sixth point listed under 'ethical considerations' in the request for comments. Though there was not support for a compromise solution, members of the study group recognize that a compromise may be necessary and address that in their recommendations.

In closing this analysis of the conflict between DADT and CSUSM policy, we conclude that offering ROTC courses is in conflict with CSUSM policy. Though there is value in ROTC courses for some students, one of the cornerstones of an anti-discrimination policy is the protection of

minorities. A myriad host of other benefits and objections were raised by the CSUSM community, but what stood out in the responses was a position that the military's overt discrimination against individuals based on sexual orientation clearly contradicts CSUSM's own stated principles and policies, including the publicly stated core values of "community" and "inclusiveness"⁷. Responses clearly indicated that offering ROTC courses, even in the hopes of changing the military, would require CSUSM to openly violate its own policies regarding non-discrimination, as openly LGBT students, who are not eligible for military service, could not utilize the ROTC courses.

⁷ <http://www.csusm.edu/about/facts/mission.html>

C. ROTC, The Benefit And Opportunities For CSUSM And Its Students

The study group received numerous responses for and against having an ROTC program on the campus. While some believe that if the students want to participate then they should make the trip to SDSU for the program, there are others who think differently. As a state supported institution of higher learning, it is our responsibility to educated and to give our students as many opportunities as possible to explore, even if that opportunity is not in line with our own beliefs or ways of thought.

The following responses are both for and against ROTC, in regards to the benefit and opportunities for CSUSM and its' students.

"To me, the answer is simple: If it financially benefits the university and there is a demand for such a program then it should absolutely be implemented. The fear of offending someone by saying something that might be considered "politically incorrect" has been one of the many symptoms contributing to the ever-growing sickness of our society"-CSUSM Student

"I find it very interesting that a state/federal institution is afraid or weary of bringing military courses to the campus. Don't we want educated people protecting our country and being the militia standing ground?"-CSUSM Alumni

"I can say that some of our best students (past and present students) previously served in the military, and many fought in combat in the Middle East. They bring discipline, work ethic and focus that all students could learn from. They tend to be outspoken in class and offer a different perspective and confident attitude that are invaluable to classroom activities." -CSUSM Faculty

"ROTC would benefit the campus (a) as a "real life" example to our students, (b) to further our commitment to diversity, and (c) provide ROTC students our excellent academic service." -CSUSM Faculty

"While I believe that the US Military's policy of "Don't Ask, Don't Tell" is unjust and ridiculous, I understand that this policy must be fought on a federal level. Barring ROTC from campus would involve blocking the rights of others to join the military if they wish to do so. There is a severe deficit of college educated service persons and, while I personally feel that ROTC presence on high school campuses is wrong, I recognize that CSUSM students are not only adults capable of making their own decision, but are also fortunate to be perusing higher education." -Co-President LGBTA

"I do like the aspects of the programs in regard to academic rigor, character building, leadership training, career development, financial assistance and career advancement. I have known many straight and gay individuals who have successfully completed the ROTC and advanced in their careers in various branches"-CSUSM administrator

I also think that a University should not be a “trade School”. I know we have a College of Business and of Education, and a school of Nursing. But even in these (and I’m not thrilled that a University has these), there is attention paid to broader perspectives, i.e., the life of the mind that is what a University is all about.”-CSUSM staff

“Going to SDSU for ROTC is a major inconvenience for people living in North County, if not completely impossible since the traffic to and from that school takes a huge chunk of the time out of a busy students’ schedule.”-CSUSM student

This is just a few of the comments made, most being that is will be a benefit to students and CSUSM.

As we went through the responses, many of the benefits included scholarship money, which is not only benefit the student but also the University. As a campus we can say we have a certain amount of scholarship money coming in, which I believe that the Army ROTC will have \$100,000 available for students who want to come here. The other benefit is the location of the courses and other activities with ROTC, which student’s busy schedules this will be easier for them, not to mention safer, it will be approximately 60 less miles they will have to drive for classes a week. If we can prevent a student having an accident going to and from SDSU for ROTC classes just by offering the program here, then why shouldn’t we?

There are a lot of other considerations to look at as well as the benefits; however the benefits to the student and the University have to be considered as well. In Students Affairs, we always say Students First and by offering a ROTC program would be doing just that, anything but offering the program shows that we don’t always put the student first-it depends on our views or likes and dislikes.

In today’s economic state, students don’t have a lot of extra time or money driving to and from SDSU for classes; they are already stretched to the limit with classes at CSUSM. One may say that this is the sacrifice they need to make for joining , however if we are able to assist these young men and women to 1) gain a degree and 2) have a career or a job upon graduation, shouldn’t we? If we are truly here for the students, then shouldn’t we allow all opportunities for them? Even if we don’t all agree nor like the organization (ROTC) does that mean we don’t offer the opportunity to our students? I am not saying that I agree with everything the Military offers or their practices, but I do think that we, as a State Supported University, should offer the opportunity for our students to take part in ROTC is they should choose to.

Over the past two years, the University and the CSU System has been working closely with the state military installations, especially CSUSM in the San Diego area. CSUSM is looked at as a leader in veteran’s initiatives and services it offers for its veteran, dependent and active duty student population. All campus Presidents meet with the local bases and talk about what their respective campus is doing. Prior to 3 years ago, CSUSM was looked at as a campus that was not friendly to the military. The campus administration and the Veterans Office has worked extremely hard to change the mind of the military and we have done so, however the fear now is if we now tell the Army ROTC that we don’t want them, even though it is a law with

the Solomon Amendment that we have to allow them (according to the CSU Chancellors Office Attorney), that we will once again be looked at as a non-military friendly campus. Like the one young man from Palomar said at the town hall—By CSUSM not allowing/wanting ROTC on the campus is like the campus is saying they don't want me, so if that is the case I will go to SDSU and I will tell everyone I know how CSUSM does not like the military (paraphrased).

As a member of this University Community, Student Affairs and of North County San Diego I find it disturbing to hear of the lack of support of our military. As an Institution of Higher Learning, we should offer as many opportunities to all students. If we want to facilitate change with the current thinking or ways of the military, we need to welcome them and educate the future officers on tolerance, peace and social justice, we don't facilitate change by prohibiting the military (Army ROTC or any ROTC) from being part of our campus. It is these young people who will eventually change the ways of the military and government. How can we expect change if we discriminate and don't allow the ROTC programs on our campus, with Universities the only other option for military officers are the Academy's , which we know what their curriculum is like, there are no general education courses on women's studies, social justice or liberals arts. At least with us they are getting a well rounded education with at least 120 units in academic course work.

In summary, by not allowing ROTC on the campus is doing exactly what many people are saying the military does against LGBT community—we are discriminating against them. If we want to change the policies or the thinking of the military we need to include them within the campus not exclude them (by not allowing ROTC). As a whole we need to look at what was in the charge and stay focused on exactly that, many of the discussions went into difference areas based upon what the individual's feelings or agenda may have been. There are many things that we cannot fix and others that will just take time, therefore allowing ROTC on the campus will only change the minds of these young men and women to make the changes to the culture of the military.

D. Exposing ROTC Students to a Liberal Arts Environment: Benefits and Issues

Introduction

The term *liberal arts* education denotes a curriculum that imparts *general* knowledge and *develops* the student's rational thought and intellectual capabilities, unlike the professional, vocational, technical curricula emphasizing *specialization*. Exposing ROTC students to this kind of education provides them with the same benefits that as any students at the university. Responses to the study group on the proposal to offer Army ROTC courses at CSUSM reflect two sides either as fostering or compromising the university's mission and vision. These responses are presented against their implications to the integrity of the university's mission and vision.

Responses that see offering ROTC courses as comprising the integrity of the University's mission and vision

Should CSUSM decide to offer ROTC courses on campus for whatever reasons, despite the military's explicit prohibition against gay, lesbian, and bisexual individuals from serving in the military, this reflects "systematic, institutionalized mistreatment" of a particular group of people. It is oppression. And I am deeply concerned about the message inherent in a conscious decision to engage in oppression. What does it say about our ethical integrity as an institution?

While I wish the university to provide opportunities to higher education (*liberal arts education in this case*) for those in the military, it is my opinion that the university must deny the ROTC program on campus and uphold its dedication to equality.

I do believe this would be against the non-discrimination policy endorsed by the college as listed below. "The University subscribes to all Equal Opportunity, Title IX, Title VI, Title VII and Section 504 regulations and does not discriminate on the basis of sex, race, ethnicity, national origin, religion, disability, sexual orientation, age, marital, or veteran status in accordance with applicable Federal and State law and University policy." So for the college to offer college credit for a course for an institution that clearly discriminates against the LGBT community would be against the policy and spirit of the college.

In our short history, this university has been established as an advocate of social justice and equality, which is evident in the support of school programs and organizations that function to promote an environment of inclusivity and academic thought. I would like to make clear that I am proud to be an alum of Cal State San Marcos, a university that stands for non-discrimination, community, and equity; however, I fear that the ROTC program on our campus will contradict and undermine said values.

The ROTC courses to which I was exposed had virtually no academic merit, the military officers who taught the courses were not qualified to teach at a university, and the courses took away from whatever I might have been learning in the courses I would otherwise have been taking.

I do think that it would be a little inconsistent to have a university system-wide, as well as state-wide laws (EOP), protecting LGBT against discrimination, and even state hate-crime laws for LGBT, and then have a training program on campus that does discriminate.

Clearly there are already students here who take ROTC elsewhere so it's simply a matter of "convenience" as you framed it. I don't think "convenience" is a sufficient reason to adopt ROTC.

....troubling that reasons favoring ROTC coursework have not been offered. That is, within any change of policy--in our case offering ROTC courses--status quo has presumption; thus, those favoring have the burden of demonstrating what advantages result from implementing ROTC courses.

I also think that a University should not be a "trade school". I know we have a College of Business and of Education, and a School of Nursing. But even in these (and I'm not thrilled that a University has these), there is attention paid to broader perspectives, i.e., the life of the mind that is what a University is all about. As I understand it, ROTC is a program more or less identical to one that would offer certificates or licenses to become an auto mechanic or carpenter. Obviously, I have nothing against trade schools or any professions. But I don't believe the University is the right place for them...their program contradicts the core values of University education too much. If this were a Community College instead of a University, my views on this aspect would be very different.

We (*the respondents*) believe that the energies that would be devoted to such an undertaking can be turned instead to strengthening CSUSM efforts to honor those military veterans who have served us—the Veterans Center, to better *using our skills and talents to share our knowledge as a university with the military community in North County, and to expanding (rather than diminishing) our social justice commitments to guarantee educational opportunities to those who lack gender, sexuality, race, and class privileges.* [emphasis by respondents]

Not only is military policy at odds with CSUSM's anti-discrimination policy, military culture is inconsistent with the university's mandate to teach independent thinking and military history is fraught with human rights abuses, peaceful objectives, and is used as a tool for oppression, aggression, and conquest.

Responses that see offering ROTC courses as fostering the University's mission and vision

Having ROTC on campus would allow us to influence the armed forces, soldier by soldier. The US military is a necessity, not a luxury. We can contribute to the country's need to defend itself while influencing its personnel – not by rejecting them

Preventing ROTC programs on campus sends a discriminatory and choice limiting message which is analogous to the same problematic violation of choice as in the "Don't Ask, Don't Tell" policy. We need to demonstrate the integration of the principles of inclusion, diversity, and tolerance of differences in our own decisions.

In our major [*major not identified*], we require several courses that specifically teach TOLERANCE. The practice of tolerance is not limited to a certain group of people, it applies to everyone. As university educators, we have a responsibility and opportunity to teach our students that diversity and tolerance are things to be valued and upheld. To deny the students who wish to pursue a military career the benefit of ROTC courses on our campus is, in and of itself, discriminating against these students. Those outspoken individuals who believe that we must honor diversity and deny discriminatory practices cannot have it only one way.

It is disturbing that a University whose purpose is to expand the minds and intellectual curiosity of young men and women would deliberately stifle the exact environment they should seek to foster. Far from encouraging and stimulating the intellectual curiosity that comes with true debate it appears the ECAS condones and promotes a negative military bias. Instead of creating an atmosphere that challenges its students intellectually, it selectively chooses which intellectual endeavors its students can explore.

The people who are looking to take classes through the ROTC are serving our country. They will insure the safety of our future. Why not let them come to our campus and educate us about the world and maybe we can educate them. This would be a step in the right direction for opening up doors of communication.

I wish that I had the ROTC opportunity available to me when I was a student at CSUSM. The diversity and skills that a ROTC program offers to students can set them apart from other students who lack these skills. As a hiring manager I place great value on those individuals who possess military and/or ROTC background. These individuals typically are more focused, need less supervision, and are able to make decisions on their own.

I think that if we want to be a progressive society, we should be able to tolerate and allow equal opportunity to those who wish to educate themselves and perhaps they can learn more about the gay and lesbian community at San Marcos.

Supplementing the course of ROTC study by requiring additional courses from the general catalogue would seem a good idea if such additional courses led to a minor, or even a major.

It is unconscionable that we would reject this program given our constituency and the stated mission of the university to serve them.

Summary

1. These responses are framed around the integrity of the university and the university's ability to live up to its mission and vision. The larger question therefore, with regard to the benefits of providing a liberal arts education to ROTC students is what decision compromises the integrity of the university more? The answer to this question must be determined, not in the context of these responses alone, but based on the totality of the responses on the various issues that are part of this study.
2. There were comments that reflected a dislike/hatred of the military in general. It is important to distinguish between the military in general and the offering of ROTC courses on our campus, because these are distinctly different issues. Many respondents framed their responses around their personal feeling towards the military, and their likes or dislikes of the military. It is important that the recommendation the study group makes (whether or not to offer ROTC courses) should be framed not in the context of what the military has done or can do but around the mission and vision of the university.

E. Assessing the Effects of ROTC on the Campus Environment at Cal State San Marcos

Respondents to the task force's call for information and feedback indicated a wide range of beliefs about bringing the ROTC to Cal State San Marcos. They argued a variety of positions, that the ROTC could have positive and negative effects on campus culture. On the one hand, there was a concern about supporting military students and the suggestion that an increased presence of the military (particularly military students enrolling in non-ROTC courses and increased contact between military and civilian students and faculty) might increase dialogue and reduce the stereotypes associated with military service. On the other hand, those in opposition to the ROTC initiative argued that militarism is already rampant in the larger society and on our campus, and that military practices characterized by racism, sexism, and heterosexism could have a stultifying effect on campus culture and life and could increase the social inequality that violate the university's mission statement. These and other issues are outlined below, with headings in boldface.

Concern about Providing a Welcoming Campus Environment for All Students

Students in the military currently have unrestricted access to our campus, and they are welcome in the university community. Cal State San Marcos currently has approximately 600 students who are active duty military personnel, veterans, and dependents. The Cal State San Marcos Veterans Center opened in November 2008, only the second CSU campus to house such a facility. The university provides a range of services for military students, and there are regular events and communications from the President, Chancellor, and Student Life supporting and celebrating military involvement on campus (see, for example, "Steps" or the recent "From the Desk of Karen Haynes" for examples of how Cal State San Marcos promotes a strong relationship to the military). The military has a notable presence in campus life, students in the military take courses in all departments, and we often see them in uniform in our classrooms and gatherings. Military recruiters regularly appear on campus at job fairs and other events.

The School of Nursing issued the following statement about their support for bringing the ROTC to campus: "Preventing ROTC programs on campus sends a discriminatory and choice limiting message which is analogous to the same problematic violation of choice as in the 'Don't Ask, Don't Tell' policy. We need to demonstrate the integration of the principles of inclusion, diversity, and tolerance of differences in our own decisions." Those who objected to bringing the ROTC to Cal State San Marcos noted that the military holds a great deal of power and prestige in U.S. society, and in San Diego County, in particular, where there are numerous, large military bases. They suggested that charges that not housing the ROTC at Cal State San Marcos would be discriminatory against the military failed to take into account a larger power dynamic. San Diego County is a hyper-militarized environment, and there is little indication that the military is under-supported. One faculty member noted, "North County is over the top in its adoration of military enterprises, so I almost think of a ROTC-free campus as a kind of 'fair and balanced' approach. To illustrate, this is why we have a Black Students Union on our campus and NOT a White Students Union. One is about diversity, inclusiveness, and eradicating privilege; the other would be about maintaining power and privilege." Other faculty and students commented that the same argument (i.e., it would be discriminatory not to allow the new program on campus, and it would help foster dialogue and an exchange of ideas on campus) would be unacceptable if we were considering an initiative to allow an outside organization to start an academic program that openly discriminates against people of color, against women, or against people with disabilities. One staff member wrote, "I wonder if we would be willing to collude in sending a similar message of

institutionally-sanctioned discrimination to individuals of a racial minority, to women, or to folks whose first language is not English. I hardly think so.”

Few Students Would Be Served By the ROTC Proposal; Many More Would Be Negatively Affected

Currently, six CSUSM students are enrolled in Army ROTC, the program for which this proposal is targeted. Several respondents emphasized the importance of providing a welcoming environment for them on campus. In response, other faculty and students commented that bringing the ROTC to campus would make many more students feel unsafe and unwelcome—lesbian, gay, and bisexual (LGB) students, faculty, staff, and administrators—because they see the military’s “Don’t Ask, Don’t Tell” policy as a direct violation of their civil rights.

Commitment to Social Justice and Equity at Cal State San Marcos

Social justice issues were at the forefront of many of the objections to the ROTC. Numerous respondents noted that the ROTC and the U.S. military generally do not support the ideals of inclusiveness and mutual respect central to the University’s Mission Statement (and the Social Justice and Equity Project at Cal State San Marcos). They commented that issues of discrimination, bias, and unfair treatment with regard to race, gender, class, and sexual identity continue to shape military practices. A representative of the ASI Women’s Center observed: “We must acknowledge that the ideological integrity of the university is at stake. I hope that we can remember that we are a young university, still defining our place in the greater community of higher education. In our short history, this university has been established as an advocate of social justice and equality, which is evident in the support of school programs and organizations that function to promote an environment of inclusivity and academic thought.” She concluded, “The ROTC program on our campus will contradict and undermine said values.” Natalie Wilson, adjunct faculty member in Literature and Writing and Women’s Studies, observed, “ROTC courses, mission, and values are not in keeping with those of CSUSM. The core values of our university, as stated in the catalog, are intellectual engagement, community, integrity, and inclusiveness. The ROTC does not hold these same values – rather, it contradicts them.” Commenting on this issue, Rodger D’Andreas, Director of the ASI Pride Center, observed:

Feminist scholar Gloria Yamato defines oppression as the “the systematic, institutionalized mistreatment of one group of people by another for whatever reason.” Should CSUSM decide to offer ROTC courses on campus, despite the military’s explicit prohibition against gay, lesbian, and bisexual (LGB) individuals from serving in the military, this reflects “systematic, institutionalized mistreatment” of a particular group of people. It is oppression. And I am deeply concerned about the message inherent in a conscious decision to engage in oppression. What does it say about our ethical integrity as an institution? And what message is conveyed to the hundreds of LGBTQ students, staff, and faculty – both current and future – about their importance and value as CSUSM community members?

Sociology faculty member Jodie Lawston reminded listeners that President Obama has made no commitment to repeal the “Don’t Ask, Don’t Tell” policy. Even if he does so in the future, she added, historians and social scientists know that repealing policies does not simply make marginalized groups safer: racism, both institutional and individual, is still alive and well in the U.S., although the Civil Rights Act was passed over forty years ago, and sexism and violence against women remains pervasive. She suggested that the military has a long history of entrenched heterosexism and homophobia, which Cal State San Marcos would be supporting if we invited the ROTC to our campus.

By a unanimous vote, the College of Education passed a resolution against the ROTC proposal. In their statement, they noted that military practices, particularly the Don't Ask, Don't Tell" policy, are a direct violation of the university's commitment "to diversity, educational equity, and social justice."

There are ROTC courses offered at less than half of the CSU campuses. Ten of the 23 universities in the CSU system offer ROTC courses on their campuses: Dominguez Hills, Fresno, Fullerton, Long Beach, Pomona, Sacramento, San Bernardino, San Diego, San Jose, and San Luis Obispo. In addition, four campuses, including Cal State San Marcos, give ROTC credit for courses taken at nearby campuses (such as San Diego State and University of San Diego). A faculty member at San Jose State noted that the faculty on her campus took action to try to end the ROTC Program because of their concerns about discrimination in the military:

Our campus has an anti-discrimination policy, which includes no discrimination against anyone due to their ethnic background, religion, age, disability, sexual orientation, etc. Our campus (Academic Senate) took the position that the ROTC discriminates against gays and lesbians. We tried to discontinue the ROTC's program at SJSU. However, the federal government (I believe it was called the Sullivan Amendment) threatened to withdraw all federally funded research and grants if we got rid of the ROTC program. The case went to the Supreme Court. The final decision was that we had the choice to say no to the money so no one's Civil Rights were violated.

The CSU policy on non-discrimination states: "The University subscribes to all Equal Opportunity, Title IX, Title VI, Title VII and Section 504 regulations and does not discriminate on the basis of sex, race, ethnicity, national origin, religion, disability, sexual orientation, age, marital, or veteran status in accordance with applicable Federal and State law and University policy." Because U.S. military practices violate the non-discrimination policy of the CSU system, California State University Sacramento and California State University Hayward have recently announced phase-outs of their respective ROTC programs (see CSU Academic Senate Resolution). Presidents of CSU Sacramento and Hayward supported and led these actions, thereby upholding the policy on non-discrimination. Faculty at these two campuses responded by approving an official commendation for both Presidents (May 5-6, 1994). In response to government threats to take punitive action against universities that did not support the ROTC, the California State University Faculty Senate passed the following resolution in 1997:

Opposition to Campus ROTC Access Act
AS-2362-97/FA - March 13-14, 1997

RESOLVED: That the Academic Senate of the California State University reaffirm its policy condemning the discriminatory regulations of the Department of Defense that exclude homosexuals from military services (AS 1939-90/AA & AS 1980-91/AA, CSU Policy on Non-Discrimination and ROTC Programs); and be it further

RESOLVED: That the Academic Senate CSU condemn the Campus ROTC Access Act and its efforts to suppress free speech and coerce faculty to discriminate against homosexuals; and be it further

RESOLVED: That the Academic Senate CSU urge the presidents of campuses presently affected by the Campus ROTC Access Act to stand firm in defense of academic freedom and non-discrimination.

RATIONALE: Because it is a violation of CSU policy for the CSU system, or any part of it, to discriminate in employment or access on the basis of sexual orientation and because there is no scholarly evidence that the policy of discrimination on the basis of sexual orientation is beneficial to the national defense, the Academic Senate urged campuses in 1991 to terminate their contracts with the U.S. military regarding the offering of ROTC programs. Subsequently, several campuses did so.

In 1994, the federal government, through legislation (Campus ROTC Access Act) threatened to terminate the federal contracts and grants awarded to students and faculty on those campuses which terminated military ROTC contracts. This action is a violation of First Amendment rights, academic freedom, and a direct threat to a free and democratic society.

APPROVED UNANIMOUSLY, March 13-14, 1997

Bringing the ROTC on Campus Would Heighten the Feeling that Cal State San Marcos is an Unsafe and Unwelcoming Environment for LGBTQ Students, Faculty, Staff, and Administrators

One CSUSM alumnus wrote: "I support the military's presence on campus. I think it would make the place much safer than it is now by having the ROTC cadets seen in classrooms and around campus." Other respondents noted that this respondent did not ask the question: safer for whom? LGB people commented that starting an ROTC program on campus would affect them in precisely the opposite way. College of Education faculty member Anne René Elsbree wrote, "A couple of weeks ago I was asked how I feel about ROTC on our campus, and I shared that I work hard to be out as a lesbian on our campus, but that I do not always feel safe. The example I gave was that I would not hold my wife's hand on campus. I hope one day this will not be the case. I worry that the presence of the ROTC on campus could make that goal more difficult to reach. And I am a faculty member; imagine how it is for our students." She added that bringing the ROTC to campus would invalidate any progress that has been made on campus to create a safe and welcoming environment for lesbians, gays, and bisexuals, and that a decision to start an ROTC program on campus will serve as a barrier to future LBGTQ students who would otherwise consider attending Cal State San Marcos. A Cal State San Marcos student made a similar comment:

While it's true that our campus needs to celebrate diversity as one of our core values, we must create a safe and supportive environment for our LGBT community in our very own campus. The LGBT community already has to deal with many other challenges, and by having an ROTC group in our campus, it would create an environment where LGBT students may not feel safe and have a constant reminder of how members of their own community are denied the very same right of serving this country and denied of many privileges, rights that many other heterosexual people can have, simply because of their sexual orientation.

Other respondents noted that there is a substantive difference between having students on campus who are in the military and housing an ROTC program on campus. The latter involves institutional affirmation and acceptance.

One adjunct faculty member suggested that the problem of discrimination in the ROTC could be addressed by offering a disclaimer:

The idea that the association of the university's name with an extended studies program for the ROTC will somehow dishonor the CSUSM reputation for fairness to all, could be handled very simply by adding a disclaimer in the catalogue and any literature connected with the ROTC program. Or better still, you could simply have a generalized disclaimer for all the extended study programs and not single out the ROTC (which would indicate a bias against the ROTC).

The following comments by one CSUSM student highlight the degree of insensitivity and heterosexual privilege that often frame this debate among heterosexual people. A member of the CSUSM Catholic Club compared the discriminatory policies of the ROTC to those of the Catholic Church. Noting that there is a Catholic Club on campus, he argued that the ROTC should, in that case, be permitted to start a program at CSUSM. He failed to acknowledge, however, the difference between an extracurricular organization and an academic program:

To me, the answer is simple: If it financially benefits the university and there is a demand for such a program, then it should absolutely be implemented. The fear of offending someone by saying something that might be considered 'politically incorrect' has been one of the many symptoms contributing to the ever-growing sickness of our society. . . . Gays have it pretty good on the grand scale of things, despite the baby 'bitch fit' they threw after the voters of California voted in favor of Proposition 8. They are generally accepted and tolerated in society

Students, faculty, and staff expressed their alarm at the prospect of inviting a homophobic institution to campus, and that doing so would distinctly heighten an unwelcoming and hostile environment for lesbian, gay, and bisexual students. Two Cal State San Marcos students (a heterosexual married couple) argued that they did not want the campus to become a militarized environment in the way they have experienced other local college campuses:

My husband and I, who are both current CSUSM students, engaged in a heated dialog about this issue and feel strongly that an ROTC program is in direct opposition to the stated policies of the University. As former students of MiraCosta, which is largely dominated by

military personnel, we have seen first-hand how bigotry and intolerance can permeate the classroom and become a detriment to the academic environment. Such discrimination would not be tolerated in the workplace, why should it be allowed on our campus?

There are currently other ROTC options in the San Diego area. CSUSM should remain a progressive institution for higher learning unfettered by the blight of a program that still discriminates on such an archaic and immaterial criteria as sexual orientation. Support of the ROTC sends a terrible message to the school's entire student body, not to mention its gay, lesbian, and transgendered population.

We both urge CSUSM not to affiliate itself with the ROTC.

An adjunct faculty member explained that inviting the ROTC to campus would mean losing LBGTQ students at Cal State San Marcos:

I have known many students and faculty members over the years who have chosen to attend or work with the CSU system precisely because the lack of ROTC programs indicated a respect for diversity and a commitment to non-discrimination that they valued enormously, and that they did not see elsewhere. It would be a terrible shame if their faith in the CSU system turns out to have been misplaced.

Another CoAS faculty member wrote in opposition to an ROTC program at CSUSM. He asked us to consider the ROTC proposal within our current social and political context, noting: “Furthermore, after the resounding slap in the face the gay community was dealt after the Prop 8 victory, I am very uncomfortable with yet another conservative, family values stance about gays and lesbians.”

Violation of University Mission Statement: Sexism, Heterosexism, and Male Privilege in the U.S. Military

The ROTC is an extension of the U.S. military and reflects the military’s values and practices. The U.S. military is an institution profoundly shaped by sexism and male privilege, as well as institutionally sanctioned homophobia. The LGBT-Friendly Campus Climate Index is a national assessment tool used by LGBTQ-identified students to assess institutional support in policies, academics, and student life. At present, CSUSM has earned 2.5 stars (out of 5 stars) on the index, indicating that there is much work to be done to ensure that CSUSM is a safe and inclusive environment for LGBTQ students. As CSUSM seeks to improve its rating of the campus climate for LGBTQ students, inviting a ROTC presence on campus is a step in the wrong direction. The Women’s Studies Program offered the following observation:

We perceive the interrelations of different types of exclusion and oppression. That is, the discrimination on the basis of sexuality practiced by the military is integrally related to gender and to women; it is not at all clear to us that women are equal in the military nor that the military promotes women’s equality within its own organization or in society more broadly.

We are concerned that the military’s discrimination against LGBTQ individuals may be “overlooked” or excused in authorizing a ROTC program on campus. Similar discrimination against other protected groups such as women or people of color would, we argue, be

absolutely unacceptable. Therefore, we see a need to confirm clearly and loudly that the rights of gay, lesbian, and bisexual individuals are equal to other rights we hold.

Rampant Violence against Women in the U.S. Military

An active duty Marine who is currently a student at Cal State San Marcos wrote a statement for the town hall meeting. Because she felt sure her superior officers would take punitive action against her if she voiced her concerns herself, she asked another student to read her statement:

It is especially ironic that military officials want some types of sexual activity [homosexual activity] to be off limits, while the military tolerates, and often openly encourages, others. I have frequently heard groups of male Marines tell stories about their sexual encounters with women, often with great bravado. One theme is constant in jokes and stories of this type: they objectify and devalue women. Few military officials seem concerned about the sexism that is rampant in the armed services. They tolerate the perpetuation of sexism and homophobia in marching chants like this one:

I wish all the girls were bricks in a pile.
And I was a mason; I'd lay them all in style.
I wish all the girls were pies on a shelf.
And I was a baker; I'd eat them all myself.

Or this brutal version of the “The Candy Man” that soldiers chant during their drills:

Who can take a chainsaw?
Cut the bitch in two.
Fuck the bottom half.
And give the upper half to you.
The S&M Man.
The S&M Man
'cause he mixes it with love.
And makes the hurt feel good.”

This Marine contended that, in her experience as a woman in the officer corps, “military culture creates a climate of ultra-masculinized, sexist, and homophobic ideals.” She noted, “Our university recognizes, as stated in the catalog, that is necessary to ‘respond to the needs of a student body with diverse backgrounds’ and that ‘all members of the campus will work to provide an environment that supports the work of all students and faculty.’ If we allow academically questionable courses that promote prejudicial classroom environments, we are not providing such an environment.” For an article by Helen Benedict, foremost scholar on violence against women in the military (see Benedict).

Staff members of the ASI Women’s Center at Cal State San Marcos stated, “Because one of our primary foci has been sexual assault and violence against women, we feel compelled to express our adamant opposition to an ROTC program at Cal State San Marcos.” Citing the alarming rates of sexual harassment, sexual assault, and murders of military women by men in the military, they noted that there are:

countless examples of female soldiers who, as a result of a sexual attack, live in fear of

recurrence, retaliation, or even death, and who have been ignored or dismissed by the chain of command, the very people responsible for their safety. While one out of four women will be sexually assaulted as a civilian, two in five will be sexually assaulted as a female soldier. The incidence of rape perpetuated against a female military person is 41 percent, which means that women serving in the U.S. military today are more likely to be raped by a fellow soldier than killed by enemy fire in Iraq.

Violence against women in the military by military men, and the lack of official action in response, has become such a pervasive problem that it was the focus of recent U.S. Congressional hearings and media attention (see Harman).

Violation of University Mission Statement: Racism and Classism in the U.S. Military

There is ample evidence that military recruiters often target working-class and lower-income youth, who have the fewest opportunities for the future. Often, these are young people of color. After watching the film *Ask Not*, a documentary about the “Don’t Ask, Don’t Tell” policy, one Latina student wrote:

This film was definitely an eye opener. I did not know about the DADT policy. I and other classmates were put in ROTC in high school because there were no other classes they could put us [in] as an elective course, or to fulfill the P.E. requirement because we were in ESL (English as a Second Language) classes. And other students were there because they wanted to be in that class. . . . I relate my situation in High School with the situation of many soldiers who go into the military not because they want to, but because they have no other choice to succeed in education.

However, unlike other military recruiting programs, the ROTC favors white people. Participants in the ROTC must be admitted to a college or university and are groomed to become officers. Whites are overrepresented in the ROTC, compared to the enlisted ranks of the armed services. Rick Jahnkow, Program Coordinator for the Project on Youth and Non-Military Opportunities, a nonprofit organization based in North San Diego County, monitors military recruiting and analyzes issues of representation and equity in the armed forces. He testified at the CSUSM town hall meeting about the lack of people of color in the ROTC Program, compared to the military enlisted ranks. Jahnkow noted that, according to Department of Defense statistics:

- Latinos comprise 11.4 percent of the lower pay grades that form the enlisted ranks, but only 5 percent of the commissioned officer corps (ROTC is a primary conduit for funneling personnel into the commissioned officer corps; sixty percent of military officers participate in the ROTC).
- While African Americans comprise 18.5 percent of the enlisted ranks, they are only 8.5 percent of the commissioned officer corps.

Jahnkow claimed that the military uses a discriminatory approach in recruiting for the ROTC:

For example, the Army and Marine Corps have created special initiatives that target those youths, in particular, who experience poor academic success rates. The Army has gone so far as to open its own schools, like one in South Carolina, to help failing students improve just

enough to get GEDs and then qualify for enlistment. The Army and Navy have created special schools to teach English learners the language skills needed to get a passing score on the military's enlistment test. Special efforts like these are designed to feed more youths *into the lower ranks as enlistees, not the officer ranks*. There is NO comparable military sponsored effort to help struggling students get their high school diplomas, qualify for college, and then become eligible for the officer corps. And non-citizens, who are now being recruited in greater numbers, MUST join the military as enlisted personnel because officer programs like ROTC require citizenship.

College ROTC is the main conduit for funneling personnel into the commissioned officer corps, and, thus, is an essential part of this system that creates internal discrimination based on race, class and ethnicity. If this university is serious about its commitment to diversity “within a context of social justice,” and its promise to “strive for the realization of educational equity,” then it’s hard to see how it could rationalize bringing Army ROTC to this campus.

Sociologist Jodie Lawston commented:

The military, which cannot be separated from the ROTC, has a long and rich history of recruiting working class and poor youth of color to serve in its rank and file. Given that most of our students are working class, first generation, and many are racial and ethnic minorities, this is a huge issue. By allowing ROTC on our campus, we are implying that racism, classism, and homophobia are acceptable, and that the poor and marginalized should be on the front lines of fighting for the more-often-than-not unjust foreign policies of this country, policies from which the people fighting the wars do not benefit (and the rich benefit greatly). In contrast, the people involved with ROTC are disproportionately white males, who become officers, not poor youth and youth of color. Young people of color, especially, are disproportionately represented in the lower ranks of the military. The question becomes, then, whom are we *really* privileging if we bring an ROTC presence to campus?

The Women’s Studies Program also objected to the racism involved in military practices, noting, “We are also concerned with the nature of race and class discrimination reflected in our military and by ROTC in many cases. Many have argued that soldiering is an ‘only option’ for vast numbers of our poor youth and youth of color; the nature of officer training, then, becomes an important issue. However, the people involved with ROTC are disproportionately white males, who become officers, not poor youth and youth of color; youth of color, especially, are disproportionately represented in the lower ranks of the military.”

It Would Be Hypocritical to Support the ROTC when Academic Programs Focusing on Gender and Race Equity Have Not Been Supported

Several speakers observed that Ethnic Studies faculty have worked for a decade to get support for an Ethnic Studies major, with little success. The Women’s Studies Program, which launched a major in 1993, has struggled for 16 years to get institutional support and to grow beyond its current condition with only two tenure-line faculty. These programs focus on social justice and diversity issues, and deserve institutional support, rather than inviting an ROTC program to campus that violates those principles.

University Resources Are Limited and Should Be Used for Purposes that Will Benefit More Students and Will Support the Mission Statement

Classroom space and university facilities are already overextended. The ROTC program will require the use of classrooms, offices, and perhaps physical education facilities. Because the ROTC would pay for its own teaching costs and facilities usage and provide the university with extra funding, it is tempting to accept the program. One faculty member remarked, however, "Rejecting the ROTC would demonstrate that the university is more concerned with students' rights instead of monetary rewards, no matter how tempting the latter may be." Another faculty member observed, "I would urge that rather than send the message to our students that they can get through college by pledging and putting their lives on the line for wars that very frequently benefit the rich, we come together to look for alternate funding sources for education."

The Dangers of Fostering an Unthinking Acceptance of Militarism and Its Effects

A student in the College of Education Teaching Credential Program noted:

I see possible benefits come from the discussions and conversations with military folks on campus, fostering understanding and hopefully changing attitudes for the better. These affects from person-to-person contact may be the only real and lasting way to influence the military's discriminatory attitudes and improve the "taxed" relationship between Academia and the Military.

I also am hesitant to "militarize" an academic setting like our State University. Besides the DADT issue, I've become aware of how prevalent military recruiting has become in the lives of our high school students lately, especially of the economically disadvantaged ones. It, to me, has gotten out-of-hand, and places too much pressure on many teens to join the military. Part of me feels that a campus like ours should be free of military influence - a place where students have a chance to learn, to express themselves freely, and feel separate from the military structure that has bombarded them with extreme pressures throughout their high school years.

A CoAS faculty member suggested that universities are not the appropriate venue for military science courses. Instead, he offered the following insight: "I would support a course studying the military, as I would support a course on the study of religion or politics, but not support programs of actual practice of any particular religion or politic." ROTC proposals should go through traditional curricular review, like any other academic program. There are examples of this type of oversight on other university campuses. Recently the Northeastern Illinois University (NEIU) Faculty Council on Academic Affairs voted to rescind the curricular approval for the Army to offer military studies courses on their campus. NEIU is a public, urban university, and a federally designated Hispanic Serving Institution (HSI). After an initial approval of four military science courses, the Women's Studies Program issued a formal challenge to these courses. The ROTC (Army) was invited to make another presentation to the Faculty Council, and the Women's Studies Program offered a counter-proposal. After deliberation, the Faculty Council on Academic Affairs voted to rescind curricular approval of the ROTC courses at NEIU.

Consideration of the ROTC proposal must be placed within the larger context of scholarly research on militarism and its effects on human experience. Particularly after the events of September 11, 2001, there seems to be little public awareness about the negative aspects of militarism and its effects on open debate and feelings of genuine "security." An alarming trend in the militarization of public education in America has been supported by discourses focusing on U.S. nationalism and imperialism. A recent

conference in Washington, DC, brought together scholars and organizers from around the world. Entitled “Security without Empire: National Organizing Conference on Foreign Military Bases,” the meeting focused on local resistance to the nearly 1,000 U.S. military bases the currently exist in nations around the world. Costing about \$140 billion a year, these U.S. military bases are found in 80 countries, on every continent, including Antarctica. People in other countries who oppose the militarization of their societies and the world describe the U.S. military as a “colonizing force” and to the United States as a “military empire.” Moreover, in the post 9-11 world, other issues of exclusion and inclusion are also affecting our universities, including the policies and practices of “Homeland Security” that bring surveillance into our libraries and email communications while making enrollment by international students more difficult. At stake in the debate about the ROTC are issues of civil liberties and the freedom of speech, among others. Fear, hatred, and militarization of foreign policy, national security, daily life, and our universities together produce a climate where learning is restricted by hegemonic concepts and enactments of citizenship, security, and the masculinity presumably required to defend us from the growing panoply of “enemies” identified by our officials. Scholars in many fields, including the internationally recognized work of Chalmers Johnson, Noam Chomsky, and Cynthia Enloe, challenge the ideology and praxis of U.S. militarism and its harmful consequences.

Concerns about a Lack of Academic Rigor and Critical Thinking in ROTC Curriculum

At the town hall meeting, a faculty member observed, “Academic freedom is not a core value of either the ROTC or the military; rather, ROTC courses are meant to train soldiers for war. This objective does not promote the type of intellectual engagement and critical thinking we pride ourselves on here at CSUSM.”

A senior faculty member who has direct and personal experience with the ROTC offered the following assessment:

1. I am an ROTC scholarship recipient who attended undergraduate school for four years on scholarship, served four years as an active duty Army officer, and then served two additional years in inactive reserve before completing my "obligation."
2. Had I been more mature or worldly than I was at 17, when I accepted my scholarship, I would not have accepted the scholarship and my life would have been better had I not done so.
3. The ROTC courses to which I was exposed had virtually no academic merit, the military officers who taught the courses were not qualified to teach at a university, and the courses took away from whatever I might have been learning in the courses I would otherwise have been taking.
4. The purpose of the instruction, overall, was how best to organize and lead in order to kill people. This objective could not be more at odds with the mission of CSUSM.
5. The four years I spent as an Army officer were a black hole in my career development. My peers were in graduate school and readying themselves for faculty positions while I was doing mundane tasks (thankfully not murderous ones!) in the Army. My spouse's career development was also delayed.

6. Even if the Army welcomed LGBT people in its "ranks", it would still be an onerous organization and it would be regrettable whenever any student, out of a misguided sense of duty or financial hardship, decided to trade years of his/her life for the promise of an Army commission upon graduation.

In sum, my experience tells me this is a horrible idea and I hope we will decline to participate.

One CSUSM student, who currently serves in the military and is enrolled in the ROTC, wrote in anonymity (fearing retribution if his/her thoughts were openly expressed) that the ROTC curriculum does not meet the standards of Cal State San Marcos, and that they do not foster critical thinking. Instead, students are schooled in military ideology and are reprimanded or punished for questioning authority. This student stated that s/he soon learned that it was not safe to express an opinion different from the instructor's or to question the assumptions that are fundamental to military educational training. S/he stated that, in contrast to the CSUSM Mission Statement, students in ROTC courses are not "active participants in the learning process." Military personnel, who are not required to have academic degrees in research or teaching, teach ROTC courses. If ROTC courses were taught through Extended Studies at Cal State San Marcos, it is unlikely they would be subject to curricular review. The instructors would not be subject to faculty evaluation or assessment. This ROTC student commented that ROTC courses, which often are based on one-page syllabi and led by instructors without academic qualifications, do not meet the criteria of his/her other courses at Cal State San Marcos. The Women's Studies Program faculty expressed a similar concern:

We believe that there will be insufficient oversight of the military science curriculum. It is proposed that courses that carry academic credit are developed and taught through Extended Learning. It is our experience that the credit-granting process usually works in the reverse, that courses that have already been approved for academic credit through the university faculty process can be offered through Extended Learning. Moreover, it has long been argued that the presence of ROTC is an example of how civilian control of the military works in the United States. The absence of academic accountability to university faculty suggests that this may not be the case.

One administrator noted:

I also have concerns about a faculty outside the real faculty, with it's own imposed curriculum: for example, even if all for-credit courses go through Senate, it's hard for me to believe that as the curriculum changes per military orders, each major change will be hauled to the Senate for approval. Once the ROTC program is established, it will quickly become its own little institution here, and faculty will shrug it off and accept it. The point that you made once, about the stark differences between our prized student-professor relationship and that of ROTC classes, is also important. I also think that a University should not be a "trade school." . . . As I understand it, ROTC is a program more or less identical to one that would offer certificates or licenses to become an auto mechanic or carpenter. I have nothing against trade schools or any professions. But I don't believe the University is the right place for them. . . their program contradicts the core values of University education too much. If this were a Community College instead of a University, my views on this aspect would be very different.

Bringing ROTC to Cal State San Marcos Will be Used as a Military Recruiting Tool

A number of respondents noted that bringing the Army ROTC to campus would be just a first step. Other branches of the military are likely to follow, and the number of ROTC students will increase to create a larger military presence on campus. In addition, the establishment of an ROTC Program on campus is likely to be used in local high schools to recruit additional students to join. The proposed program would be for the six students currently enrolled in the Army ROTC and now taking their ROTC courses at SDSU. However, the implementation of an Army ROTC program on campus is likely to have two effects that would increase the overall ROTC presence on campus: a) with the convenience of taking Army ROTC courses on campus, an increase in the number of students in Army ROTC, b) an increase in the demand for ROTC programs for the other armed services.

Questions about the Curricular Review Process and Funds Generated by an ROTC Program at Cal State San Marcos

Faculty members at the town hall meeting expressed concerns about university funding priorities and the ROTC proposal. The Women's Studies Program faculty noted:

We are concerned that in times of severe budget constraints that have meant turning students away from CSUSM, authorizing a new program for six students may not reflect prudent planning. If the underlying logic is the growth of ROTC enrollments on our campus (and their corresponding recruitment effects), the proposal needs to be weighed against all other possible proposals for growth of our campus, when growth in enrollments becomes possible again. . . Some argue that students need to have the possibility of ROTC funding of their education. As a practical issue, we can look for other funding sources for the six students affected immediately and, in general, for all the low-income students who need help continuing their education. If there is any sense that authorizing ROTC will provide new revenues to our campus, we advocate seeking other sources of new income that will have the same financial benefit for us all.

Inviting the ROTC to campus by way of Extended Studies would generate revenue, since the military pays for the instructors and use of university facilities. Several respondents suggested that these should be used to support studies that counter military education, such as a Peace Studies Program or the Institute for Social Justice and Equity. Mary Jo Poole, Adjunct Faculty Member in Sociology, strongly objects to the proposal to bring the ROTC to campus because it discriminates against lesbians, gays, and bisexuals. However, she suggested that, if the ROTC were brought to CSUSM, there should also be an accompanying requirement that the ROTC pay for and include peace studies as part of their curriculum. She also suggested having the Women's Studies Program—"a department that is too often ignored, even though it provides progressive classes and activities that truly strive to fulfill the campus's commitment of social justice, equity, and diversity"—develop and house a new peace studies program.

In a similar way, the Women's Studies faculty suggested: "In conclusion, we are opposed to authorizing a ROTC course of study at CSUSM. We believe that the energies that would be devoted to such an undertaking can be turned instead to strengthening CSUSM efforts to honor those military veterans who have served us—the Veterans Center, to better using our skills and talents to share our knowledge as a university with the military community in North County, and to expanding (rather than diminishing) our social justice commitments to guarantee educational opportunities to those who lack gender, sexuality, race, and class privileges."

The “Leadership” Skills Provided by ROTC Can Be Provided in Many Other Ways

Several respondents who are in the military commented on the leadership training they receive. Military leadership also entails issuing orders, strict, hierarchical principles, and following the chain of command with unquestioning obedience. This is not the kind of “leadership” fostered by critical analysis, inclusive ways of thinking, academic freedom, or creative expression. As a Vietnam veteran and Purple Heart recipient remarked at the town hall meeting, “There are many other ways to get leadership experience, outside of the military.”

In Conclusion

Drawing on all the issues raised above, a faculty member at the town hall meeting summed it up nicely:

Our university recognizes, as stated in the catalog, that it is necessary to “respond to the needs of a student body with diverse backgrounds” and that “all members of the campus will work to provide an environment that supports the work of all students and faculty.” If we allow academically questionable courses that promote prejudicial classroom environments, we are not providing such an environment.

Citations in Text:

Benedict, Helen. 2008, Aug. 13. Why Soldiers Rape: Culture of Misogyny, Illegal Occupation, Fuel Sexual Violence in Military. In These Times. Retrieved 9 March 2009,
<http://www.inthesetimes.com/article/3848/>.

CSU Academic Senate Resolution. Retrieved 9 March 2009,
<http://csu.net/AcadSen/Records/Resolutions/1993-1994/2214.shtml>.

Harman Reviews Push to Prevent Sexual Assault in Military. 2009, Jan. 27. Website for U.S. Congresswoman Jan Harman. Retrieved 9 March 2009,
http://www.house.gov/apps/list/press/ca36_harman/1_27MST.shtml.

F. ROTC Related Actions Taken by Other Universities

1. The ROTC Study Group recommendation is to continue the existing ROTC program at Cal State San Marcos. It is not a recommendation to remove an existing program. Rather, the majority of the members of the study group recommend that no new, on-campus program be initiated at CSUSM. (Note, however, that there is precedent for ending an existing program, see Northeastern Illinois University information, #7 below).
2. A distinction should be made between military recruiting on campus and offering ROTC programs on campus. A major focus of the Solomon Amendment is to ensure that there is no blockage to military recruitment efforts, when compared to recruiting by other organizations. Cal State San Marcos provides a range of services for military students, and there are regular events and communications from President Haynes and Student Life supporting and celebrating military involvement on campus. The military has a notable presence in campus life, students in the military take courses in all departments, and they are active members of the campus community. Military recruiters come to campus regularly and set up booths in public access areas on a main plaza on campus. The Cal State San Marcos Veterans Center opened in November 2008, only the second CSU campus to house such a facility.
3. The current ROTC Program at Cal State San Marcos offers students the opportunity to take courses in military science at San Diego State University or naval science at the University of San Diego, and to receive CSUSM course credit for doing so. There is ample precedent for structuring an ROTC program in this way. Currently, only ten of the 23 universities in the CSU system offer ROTC courses on their own campuses (Dominguez Hills, Fresno, Fullerton, Long Beach, Pomona, Sacramento, San Bernardino, San Diego, San Jose, and San Luis Obispo). Four other CSU campuses, including Cal State San Marcos, offer arrangements to take military science or naval science courses at nearby campuses for university credit. Nine CSU campuses apparently do not offer ROTC programs.

The Solomon Amendment, which dictates the federal laws for military access to schools and universities, provides two options for ROTC programs: 1) offering ROTC courses on campus, 2) giving course credit for ROTC courses offered at other local universities and schools. Jackie Gardina, an attorney and law professor who is a member of the LGBT Committee of SALT, the Society for American Law Teachers, offered the following clarification (see especially her comment highlighted in **blue bold** below).

-----Original Message-----

From: Jackie Gardina <jgardina@vermontlaw.edu>
To: lpershing@csusm.edu
Cc: hweiser@SALT LAW.ORG
Sent: Mon, 23 Mar 2009 6:54 am
Subject: ROTC

Hello - Marjorie forwarded your e-mail. Here is the language of the statute:

- a) Denial of Funds for Preventing ROTC Access to Campus.--No funds described in subsection (d)(1) may be provided by contract or by grant (including a grant of funds to be available for student aid) to an institution of higher education (including any subelement of such institution) if the Secretary of Defense determines that that institution (or any subelement of that institution) has a policy or practice (regardless of when implemented) that either prohibits, or in effect prevents--
- (1) the Secretary of a military department from maintaining, establishing, or operating a unit of the Senior Reserve Officer Training Corps (in accordance with section 654 of this title and other applicable Federal laws) at that institution (or any subelement of that institution); or
 - (2) a student at that institution (or any subelement of that institution) from enrolling in a unit of the Senior Reserve Officer Training Corps at another institution of higher education.

You notice that it says OR - so universities have an option of either having ROTC or allowing students to enroll elsewhere.

This option is why Columbia, Yale, Harvard, etc. can continue to not have ROTC on their campuses.

I am also a Governing Board member at SLDN (sldn.org) a non-profit organization that provides free legal services to individuals facing discharge under DADT. We have many people in the California who would be willing to speak at your school if it would help with the debate.

I hope this helps and let me know if you have additional questions,

Jackie

Jackie Gardina
Associate Professor of Law
Vermont Law School
Chelsea St.
South Royalton, VT 05068

(802)831-1272

4. The UC San Diego, Irvine, Riverside, and Santa Cruz campuses do not provide military or naval science courses on-campus but allow students to take them for credit at nearby universities (as of 1997). UC San Diego offers the ROTC option in a way that is similar to Cal State San Marcos. The *UCSD Catalog* states:

ROTC

UCSD does not have an ROTC program. Students may, however, with the permission of their college, enroll in ROTC courses at another institution in conjunction with completing their degree programs at UCSD.

ROTC courses are conducted on the campuses of the University of San Diego and San Diego State University. Further information on these programs may be obtained from the ROTC advisor at the Aerospace Studies Department, (619) 594-5545, and the Military Science Department, (619) 594-4943, at San Diego State University, or the Department of Naval Science, (619) 260-4811, at the University of San Diego.

5. Other universities have established important legal precedents regarding the decision not to bring ROTC programs to their campuses: Columbia University based its decision on violation of the university's nondiscrimination policy. Columbia's President Lee Bollinger cited the military's "Don't Ask, Don't Tell" policy as the primary reason why Columbia should continue to prohibit ROTC. In 2005, the university senate voted in favor of upholding the ban, and President Bollinger voted with the majority. Much like the current practice at Cal State San Marcos, Columbia students are allowed to enroll in ROTC but travel to Fordham University or Manhattan College to participate. Five Columbia students are presently enrolled in the Fordham program. There has been ample coverage in the media about Columbia's/Bollinger's decision (see, for example, "President Lee Bollinger Is Standing Against the Military Program's Possible Return to Campus. 'Don't Ask, Don't Tell' Cited In Bollinger's Opposition to ROTC," by Bari Weiss, *New York Sun*, September 29, 2008 New York Sun, <http://www.nysun.com/new-york/dont-ask-dont-tell-cited-in-bollingers-opposition/86755/>). Here is President Bollinger's statement to the university community:

Office of the President, Lee C. Bollinger
Statement Regarding ROTC and the Campus

September 25, 2008

Dear fellow member of the Columbia community:

Now that the glow, and the dust, of the nationally broadcast ServiceNation Presidential Forum has settled just a bit, I want to respond to one issue that emerged in the discussions, namely the role of ROTC and the campus.

First, let me say that Columbia University has a long and continuing tradition of making special efforts to open its doors to men and women with military service. For example, there are more than 50 veteran service men and women currently enrolled in our School of General

Studies, many of whom have recently returned from active duty in Iraq and Afghanistan, including 19 incoming students this year alone. The School of General Studies was founded in 1947 largely to enable veterans of War World II to secure an Ivy League education. While we certainly have many veterans attending the University's many graduate schools, we are very proud of the fact that General Studies continues actively to recruit military veterans as part of its mission of providing a Columbia education to a wide diversity of nontraditional undergraduates.

Second, as some of you may already know, it is inaccurate to say that Columbia students do not have ROTC available to them. In fact, the University has continued to facilitate the participation of interested students who, like their peers at almost every other New York area college, take part in one of two regional magnet ROTC sites at Fordham and St. John's. These Columbia students receive the same scholarship benefits as those at schools that formally host ROTC.

Third, it should be noted that, as the Wall Street Journal reported last year, the Department of Defense (DOD) has, for its own fiscal reasons, instituted a policy of aggregating small numbers of ROTC students in urban areas into pooled programs on a limited number of campuses. Currently, five Columbia students are enrolled in the New York regional ROTC program at Fordham. As a result, it is not at all clear whether a change of policy would have any impact on the current practice of having our students travel to one of the other campus ROTC sites, as do virtually all other students at New York area colleges and many others across the nation.

Finally, in 2005, the University Senate voted overwhelmingly against formally inviting ROTC onto campus. Senate members may have had a variety of reasons for their votes, but the record and official reports make it reasonably clear that the predominant reason was one of adhering to a core principle of the University: that we will not have programs on the campus that discriminate against students on the basis of such categories as race, gender, military veteran status, or sexual orientation. Under the current "Don't Ask, Don't Tell" policy of the Defense Department, openly gay and lesbian students could or would be excluded from participating in ROTC activities. That is inconsistent with the fundamental values of the University. A number of our peer institutions have taken a similar position.

In closing, let me just say that this issue is a serious one deserving of our full and continuous attention. The University, as such, does not take positions on major public issues, except as they pertain directly to our own policies, so that is not the question at stake here. The University must, however, operate according to its basic norms and principles in fulfilling our mission of research, teaching, and public service. Along with everything else, these, too, are open for robust discussion and debate—including how we define, articulate, and apply those principles. We should always welcome discussion, but we should also always try to live up to the ideals we agree on.

Sincerely,

Lee C. Bollinger

President

<http://www.columbia.edu/cu/president/docs/communications/2008-2009/080925-ROTCstatement.html>

6. Additional university precedents: President of Harvard University, Dr. Drew Faust, takes a similar position in not offering ROTC courses on Harvard's campus, because military policies are exclusionary and violate the university's mission statement. See the March 20, 2009, article: <http://www.thecrimson.com/article.aspx?ref=526298>.
7. Precedent for ending on-campus ROTC Program on a state university campus, Northeastern Illinois University (contact person Professor Erica Meiners): Concerns about the ROTC Program on campus focused on issues of academic quality and control, curricular design and review, the qualifications, academic training and review of ROTC instructors, union-related equity issues between civilian faculty and ROTC faculty, and violation of the university's mission statement. The NIU academic senate recently voted to end ROTC courses on campus and to offer them instead at the University of Illinois, Chicago. The Spring 2009 *Academic Catalog*, page 65 states the following.

Special note: the catalog includes a strong statement, noting that military practices violate the university's nondiscrimination policy, with specific reference to lesbian, gay, and bisexual persons.

MILITARY SCIENCE (ARMY ROTC)

Military Science (Army ROTC) is offered through Northeastern Illinois University in conjunction with the University of Illinois, Chicago. Army ROTC basic course classes are offered to all students. For further information on scholarships, tuition and off-campus locations, call the Enrollment Operations Officer at (312) 413-2356.

Students may enroll in Military Science Courses regardless of sexual orientation in accordance with the university's nondiscrimination policy. However, students should be aware that homosexual conduct, which may be interpreted as stating that one is lesbian, gay or bisexual is grounds for disqualification from entering into a contract with the federal government to become a commissioned officer. (See p. 65, www.neiu.edu/DOCUMENTS/Admissions%20-%20Docs/Class_Schedule/soc_spr09_web.pdf).

8. Challenging Military Efforts to Shape and Control University Curricula. Interpreting the Solomon Amendment and FAIR v. Rumsfeld: "The Defense Department vs. Free Speech on Campus," by John K. Wilson, *Inside Higher Education*, June 25, 2007, <http://www.insidehighered.com/views/2007/06/25/wilson>. In his assessment of the Solomon Amendment and FAIR v. Rumsfeld, John Wilson notes (see especially text in blue, below):

The U.S. military hasn't had much luck in occupying Iraq, but now it's planning to invade more territory often deemed hostile to its interests. No, not Iran. We're talking about American colleges.

Last month, the Defense Department announced a proposed rule for implementing the 2005 Solomon Amendment, requiring access to colleges receiving federal funds. The rule represents an extraordinary attack on academic freedom and institutional autonomy, and goes far beyond the text of

the Solomon Amendment or the ruling of the Supreme Court last year in FAIR v. Rumsfeld that supported it. If this proposed rule is not changed, colleges will be forced to give the military extraordinary access to campus, to allow ROTC programs without any restrictions, and to ban all protests against military recruiters.

The Solomon Amendment prohibits a college from receiving federal funds if it bans military recruiters, prevents the military “from maintaining, establishing, or operating” an ROTC unit at that college, or prohibits a student from enrolling at an ROTC unit at another college.

But what does it mean to establish an ROTC unit? For example, no college prohibits any students from enrolling in ROTC at another college. Likewise, to my knowledge, there is no college that has actually banned the military from renting space on campus like any other group and holding ROTC training sessions. **The proposed rule explicitly rejects the concept of equal treatment; instead, the military is demanding special rights to control curriculum and faculty that no other outside group is ever granted.**

It’s common to refer to campuses “banning” ROTC, but it apparently never happened. For example, in 1969, Yale University never “abolished” ROTC; it simply denied ROTC academic credit and faculty rank, and the military chose to withdraw under these conditions. In 1970, Stanford’s Faculty Senate voted to end academic credit for ROTC courses because the courses were not open to all Stanford students, and the military (instead of Stanford) chose the teachers.

The proposed rule not only prevents a college from prohibiting ROTC, but also **bans a campus from doing anything that “in effect prevents” an ROTC unit from operating. This would include neutral rules applied to everyone on campus, such as nondiscrimination rules, faculty control over the curriculum, or academic freedom.** According to the proposed rule, “The criterion of ‘efficiently operating a Senior ROTC unit’ refers generally to an expectation that the ROTC Department would be treated on a par with other academic departments.” Since in other academic departments, professors are given faculty rank and students receive college credit, this provision **would effectively revoke faculty and campus control over the curriculum.** It appears likely that the military will demand academic credit for ROTC classes (including those held at other campuses) and faculty rank for instructors who are selected and controlled by the military. Yet there is nothing in the Solomon Amendment to require this.

If colleges allow students in ROTC classes to receive credit, they should be careful to impose the same conditions offered for all other classes: the faculty must be appointed by the college, not the military; the faculty, not the military, must determine the content of the classes; and all qualified students, regardless of sexual orientation or enrollment in the military, should be able to take the class. Nothing in the Solomon Amendment reverses these common rules, and if it did so, it would be unconstitutional, as this proposed rule is. In FAIR v. Rumsfeld, the Supreme Court ruled that allowing military recruiters on campus did not affect academic freedom; plainly, the same cannot be said about the freedom to determine course content and faculty hiring.

The FAIR v. Rumsfeld case challenged only one part of the Solomon Amendment — the least objectionable part about allowing military recruiters on campus. Thus, the reasoning used by the Supreme Court about military recruiters cannot be equally applied to ROTC units or used as an excuse to ban student protests. The Supreme Court based its decision on “the difference between

speech a school sponsors and speech the school permits because legally required to do so.” As the Supreme Court noted, “recruiters are not part of the law school. Recruiters are, by definition, outsiders who come onto campus for the limited purpose of trying to hire students—not to become members of the school’s expressive association. This distinction is critical.” The Supreme Court declared, “In this case, accommodating the military’s message does not affect the law schools’ speech, because the schools are not speaking when they host interviews and recruiting receptions.” But clearly, colleges (and their faculty) are speaking when they hold classes and offer credit.

Of course, this does not mean that ROTC units are banned from campuses, nor should they be. ROTC units can be run by the military using facilities rented from a college. Or they can [be] created as registered student organizations open to all and run by students, or departments run and controlled by universities. **But decisions about academic credit and faculty appointments cannot be removed from colleges and handed over to the military. Forcing colleges to give academic credit for courses at other colleges run by the military without academic supervision is a clear violation of higher education’s autonomy; forcing colleges to create academic programs controlled by the military is an even worse violation.**

The military seems unwilling to give up control over the selection of ROTC faculty and the curriculum. **The choice of faculty and content for courses must remain the authority of faculty at each campus, and not be handed over to the government. Decisions on whether a particular department or course is legitimate must be determined by the faculty, not by a government fiat.**

Nor should military recruiters be exempt from protest or criticism. The proposed rule makes it a violation if the college “has failed to enforce time, place, and manner policies established by the covered school such that the military recruiters experience an inferior or unsafe recruiting climate, as schools must allow military recruiters on campus and must assist them in whatever way the school assists other employers.”

It is essentially impossible for any college to prohibit an “inferior … recruiting climate” for military recruiters without banning all such protests. Obviously, if military recruiters are being protested, then their recruiting climate is inferior to recruiters who are not being protested. And according to the Department of Defense, that’s justification for withdrawing all federal funds. If a college has any kind of time, place, or manner policies — and essentially all of them do — these rules would force the colleges to ban anti-recruiter protests.

In FAIR v. Rumsfeld, the Supreme Court reported that even the solicitor general acknowledged that a university “could help organize student protests.” Now, the Bush Administration is seeking to ban these very same student protests.

FAIR v. Rumsfeld allows the institution to engage in criticism of the military policy. The colleges that lost this case over military recruiters should continue their resistance in the face of the far more serious threats to academic freedom from this proposed rule. But they should go further in protecting the right of protest and counterspeech. **Colleges should pass policies protecting the right of students to peaceably protest recruiters of any kind, and to allow anyone to provide potential recruiters with counterspeech. Colleges should also adopt a “Truth in Recruiting Policy” that requires any recruiters who engage in discrimination to fully disclose this fact in all recruiting materials.**

Some critics may contend that since colleges can simply give up federal funding (the rules don't apply to student financial aid), there's nothing wrong with these rules. However, colleges are effectively obligated to obey these rules because the federal government's funding is so essential to higher education. A college cannot ethically ban all government grants, because to do so would affect the academic freedom of scholars who need these grants for their work. And the government cannot impose unconstitutional conditions on its grants.

Another problem with the proposed rule is its enforcement. In interpreting these rules, the "decision authority" is the "principal deputy under secretary of defense for personnel and readiness." **It is inappropriate for the military to serve as the judge of all disputes between the military and colleges.** Plainly, one would expect the military to win all such arguments and unilaterally order federal funds to be cut off to colleges that disagree with it. A far better solution would be to have an independent committee comprised of leading scholars and some retired military officials who would deal with disputes to offer a kind of arbitration in order to avoid endless litigation over enforcement and interpretation.

The Solomon Amendment (especially as interpreted by FAIR v. Rumsfeld) was a massive expansion of federal power over private individuals and corporations. If you sell any product or service (such as research, or education) to the federal government or receive any subsidy, according to the court in FAIR v. Rumsfeld, the government can now order you to be their propaganda agent and use your property for the government's recruitment purposes. Conservatives, seething in their hatred of universities, didn't seem to notice or care about this attack on the sanctity of private property.

The flaws of the Solomon Amendment and the Supreme Court's interpretation of it need to be addressed with legislation and further judicial challenges. **But there is no excuse for the Defense Department to go far beyond these legislative boundaries with an unprecedented attack on academic freedom and free expression.**

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G. Oversight and Resources issues

Due to illness and subsequent time demands of David Barsky who addressed these issues, this brief statement is written by co-chair Don Barrett after consultation with David Barsky.

A number of community responses by faculty and students raised concerns regarding the quality they had experienced (or had heard reported by others) regarding the content and instructional delivery of ROTC courses offered by other institutions. The study group's discussion with legal counsel from the Chancellor's office indicated that curriculum approval and delivery of instruction could be subject to standard requirements on curriculum and evaluation. Thus, concerns regarding curriculum approval and delivery are addressed in the Oversight contingency.

With regard resource implications, the Study Group has been assured that there is little resource impact since the Army pays the instructor, and has stated a willingness to pay rent for an office and other associated expenses.

H. Summary of Community Discussion Process

This summary documents the processes engaged in by the ROTC Study Group to fulfill the charge to “engage the CSUSM community in a civil and wide-ranging discussion of this issue.”

To fulfill this charge, the Study Group decided to: 1) create a set of talking points in a Request for Comments, 2) to distribute the Request widely, 3) to develop a procedure whereby members of the Study Group would be available to meet with groups and individuals to assist in a discussion of the issue, and 4) to have a campus Town Hall on the issue. The following assesses this process.

Request for Comments document: The Request defined a set of talking points roughly parallel to the points in the initial charge. The aim of the Study Group was to make the Request value-neutral, simply describing the known issues with regards implementation of a ROTC program. The Request was reviewed by the Executive Committee of the Academic Senate and some minor changes were made based on that review. The co-chairs received multiple comments regarding the tone of the Request, with those comments being roughly equally believing that the Request was too negative and too positive regarding ROTC. One comment received from a number of sources was that the request was too narrowly focused, failing to address broader ethical issues of military participation on campus. Whether to address this latter broader ethical issue had been a point of discussion within the Study Group and was expected.

Distribution of the Request: The Request was posted on the Senate website and was distributed via multiple electronic means to every student, staff, and faculty member on campus; the Request was also documented in *The Pride*. In addition, the following were contacted by the Study Group co-chairs to encourage their respective units to consider having a group discussion on ROTC issues: 1) all department chairs within COAS, 2) the deans of COBA, COE, Library, and Nursing, and 3) the coordinator of student organizations. Members of the Study Group also individually discussed with various unit heads the possibility of members of the Study Group coordinating discussions within the units.

Unit Discussions: The procedures for contacting units regarding potentially meeting with those units are described above. The Study Group received only one request to meet with a unit, which was at the showing of film *Ask Not* by the Pride Center (due to the context of the *Ask Not* presentation, responses from that presentation are not included in analysis). Responses were received from COE, School of Nursing, and the Catholic Club. Informal statements from multiple department chairs and organizations indicated that some other units did not want to respond as a unit because there was no consensus within the units.

Town Hall: The Provost offered her regular Town Hall session on 2/24 for use by the Study Group. Considering that the Study Group had received very little requests to work with individual groups, the Study Group assumed that there would be very many who wanted to speak at the Town Hall and thus decided that the best solution would be to allow a limited

amount of speaking time for each speaker. Also to allow for as many speakers as possible, the decision was that the Study Group would not engage in debate with speakers. It was also decided that no reasonable means could be determined in advance to prioritize speakers and that using a pre-determined speaker's list had the potential for privileging particular perspectives, thus a randomization process was used to select speakers. In acknowledgement of the potential for a long session, efforts were made to find a room available for an hour longer than the usual Town Hall, but no room could be found for that time period, thus a compromise of split rooms was used. Response to the Town Hall was very good; CSUSM Academic Senate President Janet McDaniel counted at least 130 people at an Academic Affairs Town Hall meeting on February 24, at which 43 individuals, both from within and from outside the CSUSM community, spoke directly to the Study Group's members. However, multiple individuals and groups expressed displeasure with not being able to speak during the first hour.

Assessment:

Though the Study Group received only one request to meet with a group, the Study Group did receive extensive feedback. In addition to the response to the Town Hall noted above, 93 individual email responses were received as were statements from the Catholic Club, the College of Education, the School of Nursing, and a petition with 42 signatures. Due to the sensitivity of the issue, it was decided in the beginning that individual responses would be treated as anonymous unless the responder indicated a willingness for their response to be acknowledged. Due to the standard of anonymity, information on the status (student, staff, faculty, or non-affiliated) of responders was not collected. Evidence from the responses and the Town Hall, however, indicated that responses were well-distributed across all segments of the university community.

However, our assessment of the overall attempt to fulfill the charge of engaging in a discussion is tempered by two facts. Though we offered to facilitate discussions, that offer was not taken up. There were clearly some independently generated discussions within groups since three groups provided group responses and multiple groups reported (informally) that they could not reach a consensus, but the Study Group itself was not invited to participate in those discussions. The second fact is that the majority of responses received by the Study Group focused on only a very limited set of issues and seldom reflected having considered the multiple issues noted in the Request for Comments. Our assessment is that opinions on the issues are, for the most part, fall into very distinct camps where there is little room for discussion.