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FOR IMMEDIATE RELEASE

10/19/01

CHANCELLOR ENCOURAGES INCIDENT REPORTING

MADISON - Chancellor John Wiley urges students, faculty and staff to report any incidents of harassment, threats or violence, especially in the wake of the terrorist attacks of Sept. 11.

Wiley says he has received anecdotal information about 15 incidents, on or off campus, in which individuals have been targeted because of their ethnicity, religious affiliation or appearance. The chancellor says help is needed in documenting such cases: University Police and the Dean of Students Office haven't received any reports of harassment or violence against UW-Madison students, faculty or staff since the Sept. 11 attacks.

"I don't want people to feel uncomfortable about reporting what's happening to them," Wiley told an audience at an Oct. 16 campus listening session. "There's not much we can do about things that aren't reported," he says. "We need to be able to get to the bottom of these and do something about them."

University Police are distributing informational pamphlets on these types of incidents throughout campus.

The chancellor strongly urges anyone who feels he or she has been targeted or harassed in some way to report the incident through official channels. If the incident occurred on campus, it should be reported to UW Police, (608) 262-2957; if it takes place off-campus, call the Madison Police Department, (608) 266-4275.

Students also may call the Dean of Students Office, (608) 263-5702, for assistance.

#

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This message was e-mailed to University of Wisconsin-Madison students this afternoon by Interim Provost Gary Sandefur:

Dear Members of the University Community,

Two days have passed since the terrorist attacks on New York City and Washington, D.C. The nation has experienced a tragedy of horrific dimensions, but the people of New York, Washington, and the rest of the country have responded with acts of compassion, kindness, and heroism.

Members of the university community have also responded by giving blood, donating money, consoling and counseling one another, and with small acts of kindness to those they encounter and meet. Please continue to support each other and to honor the victims of the attack in these ways, and please continue to ask for help when you need it. The Dean of Students Office, 263-5700 continues to provide information and support, and anyone wishing to talk with a counselor should contact Counseling and Consultation Services at 905 University Ave., 265-5600.

As we move forward through the next several trying days, we must be wary of the lingering threats of this terrorist act. We must not allow this tragedy to break apart the threads of our community, which is our very source of strength in times such as these. Around the country, there have been reports of hatred and anger being directed at members of social and ethnic groups, simply because they may share a religion or ethnicity with those the media has defined as terrorists. We must remember that Muslim and Arab communities in the United States and throughout the world are as disturbed and upset by Tuesday's events as anyone. Members of the Muslim and Arab communities at UW-Madison have shared their sorrow and sadness with their friends, roommates, and classmates. We are all a community, and now more than ever we must treat each other with consideration and respect. Terrorism seeks to punish the innocent, and anyone who harasses the Muslim or Arab members of our community commits the same act that they intend to deplore.

We cannot forget Tuesday's events, and nor should we. However, we can combat the effects of terrorism by not allowing it to paralyze our way of life. President Bush, Gov. McCallum, and UW System President Lyall have encouraged all of us to continue with our lives and strive to return to our normal routines. On the other hand, it is important that each of us do what we think is best to heal ourselves and to help those who are close to us. Chancellor Wiley and I are continuing to move the university forward. We have canceled some scheduled events and are considering how best to allow our community the space to grieve and reflect. Please consult the following Web site for the latest updates and schedules: <http://www.news.wisc.edu/response.html>.

We ask that each member of the university community -- students, staff, and faculty -- let their heart and conscience guide them as they decide how to teach their classes and how to spend their time.

Gary Sandefur
Interim Provost

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ON CAMPUS

Bluestones "weave harmony"

Renowned classical guitarist Robert Bluestone and weaver/tapestry artist Rebecca Bluestone want to change the way you see and hear the arts.

During a residency Oct. 24-31, the Bluestones will conduct concerts, lectures and demonstrations, including a professional development workshop for artists, school outreach activities, an advocacy speech to business groups and functions designed to build bridges between the arts and the community.

The work of these artists is based upon a common ground: guitar and loom are both handmade, tightly strung wooden instruments requiring a shared love of form and texture, tone and timbre, honed by hours of solitary practice. Robert and Rebecca are each fascinated by the interplay of the subtle variations of sonic and visual tints in their work.

Highlights of the residency include a Robert Bluestone concert starting at 12:30 p.m. Sunday, Oct. 31, at the Elvehjem Museum of Art. Rebecca Bluestone's weavings will be displayed Oct. 16-Nov. 6 at Memorial Union Galleries.

NOTABLE

Elvehjem Museum receives grants

The Elvehjem Museum of Art has received grants to produce a publication on its ancient coin collection and conduct a conservation survey of some of its paintings.

The National Endowment for the Arts award of \$15,000 will be used to produce a publication of the Elvehjem's collection of Greco-Roman coins dating from 600 B.C. to A.D. 400, as well as a catalogue of the museum's impressive collection of Greek vases.

The Institute of Museum and Library

**Just hummin' along**

Students from Alpha Epsilon Scholars and Kappa Alpha Theta organizations blow bubbles, cheer and throw confetti to the crowd while riding a Humvee-type vehicle during the Homecoming parade. The parade around the Capitol square was one of a host of activities for students and alumni during the week of Oct. 12-16. Photo: Jeff Miller

Services grant of \$16,426 will support a detailed conservation survey of about 200 Old Master and Soviet Realist paintings from the Elvehjem Museum's permanent collection.

Ward takes tough stance on sweatshop monitoring

In its continuing effort to end sweatshop labor, UW-Madison is adopting some of the toughest standards in the nation for licensed manufacturers, Chancellor David Ward says.

As of Jan. 1, 2000, the university's nearly 500 manufacturers of apparel and merchandise must disclose the locations of their factories and ensure the protection of female workers from discrimination and harassment, Ward says. These guidelines are outlined in the February 1999 agreement

reached between Ward and concerned students.

UW-Madison's licensees must also follow the standards of the draft code of conduct from the Collegiate Licensing Company. The new guidelines will be included in current, pending and renewed UW-Madison licensing agreements.

"It is repugnant to have the university's logos and marks appear on articles possibly produced under hostile and abusive working conditions, and safeguards against such practices must be instituted and enforced," Ward wrote in an Oct. 12 letter announcing the changes to the CLC, which manages trademark licensing for UW-Madison.

Only a select number of universities — Arizona, Duke, Georgetown, Michigan and North Carolina — have imposed or will impose such strict requirements for its licensees.

Enrollment exceeds 40,600

The university has enrolled 40,610 students this fall, a 1.2 percent increase from the 40,109 students enrolled in fall 1998.

The total includes 28,351 undergraduates, a 2 percent increase over last year, and 8,523 graduate students, up 29 students from last fall. The undergraduate total includes 5,675 new first-year students, up from 5,596 last year.

Among the university's four professional schools, there are 2,122 students: 859 in the Law School, 583 in the Medical School, 317 in the School of Veterinary Medicine and 363 in the School of Pharmacy. There were 2,069 professional students last fall.

Minority students total 3,776, compared to 3,748 last fall. Of that group, African Americans account for 856 (570 of them undergrads); Hispanic/Latino students, 1,002 (662 undergrads); targeted Asian Americans, 256 (185 undergrads); and American Indians, 224 (142 undergrads).

University officials believe these totals are incomplete because an all-time high of 951 students, about 2.4 percent of all enrollees, did not provide any ethnic designation on their registration materials.

Work to reroute traffic

The next phase of the water main replacement project along Babcock and Observatory drives is scheduled to begin Monday, Oct. 25, weather permitting. The project will affect traffic patterns and bus service in that area for several weeks.

On Monday, Babcock Drive between Linden and Observatory will be closed to traffic, and by mid- to late next week, work on Observatory Drive from Babcock Drive to Liz Waters should be under way. At that point, there will be no thru traffic on Observatory Drive between Charter Street and Babcock Drive until the project is completed. Access to parking lots along Observatory Drive will be allowed from one direction or the other for as much of the construction period as possible. Permit holders will be notified about alternative lots in the event they are unable to park in their assigned ones.

Buses will be rerouted along Linden Drive to Elm and Observatory drives.

Recent sightings by Jeff Miller: If a tree falls ...

If a tree falls in the water, and nobody is around to hear it, does it make a sound? This fallen tree, partly submerged in the creek that feeds University Bay on Lake Mendota, hasn't made any noise for quite a while. But it does cast a craggy reflection amid the falling leaves of autumn.

ALMANAC

Almanac lists facts, figures and miscellany of campus interest. Know something or want to know? Call us: 262-3846, or e-mail: wisweek@news.wisc.edu.

Rankings: Hospital is consumers' choice

UW Hospital and Clinics has been named a 1999 Consumer Choice Award winner by the National Research Corporation, a nationally recognized health care performance measurement firm.

The designation, given to just 126 hospitals nationwide, is based on a national study of consumer assessments of their health plans, personal physicians, local hospitals and health systems as well as their own current health status. This year, more than 170,000 households representing approximately 400,000 covered lives responded to the mail survey, which concluded in June.

"Consumer choice award" winners are those organizations in each market achieving the highest composite score on four measures of consumer preference: best physicians, best nurses, best reputation and best overall quality. In some markets, co-winners were chosen where findings fall within the error range for that market. UW Hospital was the only Madison hospital named and one of two in Wisconsin.

Bats in the Rath?

Just in time for Halloween, the university's Zoological Museum will be hosting the North American Symposium on Bat Research Oct. 27-30. Bat authorities will be roosting at the Memorial Union, where the latest research on bat conservation, population biology, ecology and reproduction will be presented. In addition, a special workshop is being planned to help teachers get acquainted with bats and introduce these important animals into school curricula.

New: Labor group forming

There is a nascent institution on campus dedicated to campus worker/labor education and activism called the UW-Madison Labor Center. The UW Labor Center is a project of the UW Federation of Labor, which says it wants to nurture collaboration between UW workers, students and faculty on labor issues. Information: Paul Lachelier, 256-8961; plachelie@ssc.wisc.edu.

Did you know?

Pumpkins take a dive every year at the Hoofers SCUBA Club annual underwater pumpkin carving contest. This year, divers dunk their pumpkins in Lake Mendota Sunday, Oct. 31, at 10 a.m. off the pier by the boathouse behind Memorial Union Terrace. Information: Jaime Laluzerne, 250-4754.

Resources: IRS wants to help

The Internal Revenue Service is holding a special "Problem Solving Day" to help international students and employees who have problems related to federal income taxes. The Problem Solving Day will be held on Thursday, Nov. 4, from 10 a.m. to 6 p.m., at the Red Gym. Appointments: (414) 297-1260.

Backward glance

From Wisconsin Week, Oct. 18, 1989: The Dalai Lama tells 8,500 at the Field House that compassion is the key to happiness. ... Business Dean James Hickman will step down from his post but remain on the faculty. ... University officials have prepared a report detailing how they handled each of 152 complaints of discrimination or harassment during the past year. ... ASPRO, the newly organized lobbying mechanism for the Academic Staff Assembly, has attracted 314 members, including Chancellor Donna Shalala.

Quotable

"Diplomatic immunity does not grant a license to kill. Immunity should not be confused with impunity."

— Juan Pablo Letelier, guest speaker (for details, see page 9)

Program challenges faculty to innovate in the classroom

Paul Baker
Wisconsin Center for Education Research

Faculty interest in the quality of undergraduate education at the UW-Madison is producing results in a new development program called Creating a Collaborative Learning Environment.

For many university faculty, involvement in CCLE represents the first time they have been challenged to think about the way students learn, and how their teaching could be better directed toward student learning.

The program, initiated by the College of Engineering two years ago, has inspired innovative new teaching approaches and curriculum changes. The program is expanding this fall to include physical sciences faculty in the colleges of Agricultural and Life Sciences, and Letters and Science.

Katherine Sanders, director and creator of the program, said that CCLE is a voluntary, collaborative professional development process. Faculty work in teams to share their experiences in teaching and learning, to consider new ideas, perspectives and techniques, and to serve as a resource for each other. They help each other plan, implement and assess changes in the classroom.

A recent grant from the Fund for the Improvement of Post-Secondary Education, U.S. Department of Education, will allow the program to continue and expand over the next three years. The principal investigators are Sanders; Michael Corradini, associate

dean for academic affairs in engineering; and Kenneth Zeichner, a professor in the School of Education. CCLE will now be located in the Wisconsin Center for Education Research.

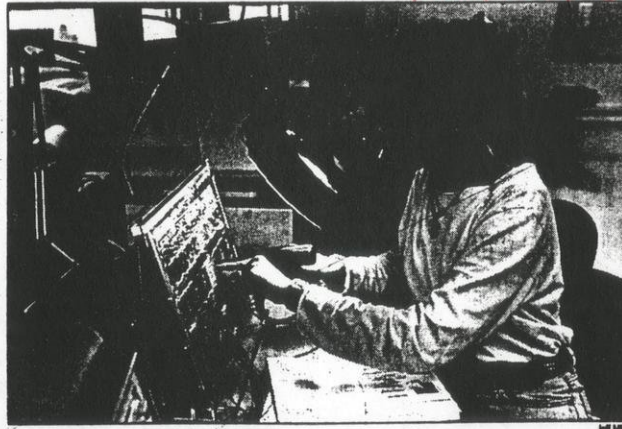
"Without having a degree in educational psychology, it's very difficult to have any in-depth knowledge of the learning process," Sanders said. "That can be a limiting factor for faculty who want to re-examine and change their teaching. Our program helps faculty essentially learn how people learn, and then they can adapt those principles to their own teaching styles in the classroom."

As they learn about learning, most become even more motivated to change their teaching, Sanders said. They expand their definition of the teacher's role in the classroom and begin to see themselves from the learner's perspective.

Many faculty participants say they appreciate CCLE's focus on educational theory and philosophy, rather than simply the mechanics of teaching.

"Having a Ph.D. or an advanced degree is in no way a sufficient qualification for being a facilitator in the classroom," said Raj Veeramani, an industrial engineering professor and CCLE participant. "Good teachers have to understand the needs of their audience, the students."

CCLE faculty "graduates" have also been involved in engineering curriculum innovation. Beyond improving learning, the college is working to attract and retain more students



from underrepresented groups, such as minorities and women, in engineering majors.

Data from the college shows that 15 percent of the men and 35 percent of the women from that incoming freshman class drop their engineering majors by the end of the first semester, before even taking an engineering course. But that's beginning to change, thanks in part to the new "Introduction to Engineering," a course developed and taught by a group of CCLE faculty with support from a grant to the Engineering Research Center for Plasma Aided Manufacturing.

The course debuted in 1994-1995 with about 80 engineering freshmen, and retention rates for staying in the major from that pilot group have improved. Of the students

CCLE has spurred ways of attracting more women and minorities to pursue engineering majors.

who took the course that first semester, 96 percent are still in engineering, compared to 75 percent retention for the students who were on a waiting list for the course. The overall retention rate for the 1994-95 freshman pre-engineering class is 58 percent.

The course is being taught to 220 students this fall, and by 1997 it is intended to be offered to the entire freshman class.

"The introductory engineering course is our biggest curriculum experiment to date, but all of our faculty are experimenting in their own classrooms," Sanders said.

An ounce of sexual-assault prevention

Sexual-assault programs get a full-time coordinator

Brian Mattmiller

Changes at University Health Services this year will give UW-Madison students a visible, full-time coordinator of prevention and services related to sexual assault and violence in relationships.

Dr. Richard Keeling, health services director, says the changes were recommended this summer by a working group he chaired to study the university's response to sexual assault and relationship violence on campus. The group found a general need for a higher profile and more cooperation among numerous sexual assault programs across campus and in the community.

Several of the group's recommendations, forwarded in July to Dean of Students Mary Rouse and Chancellor David Ward, have already been implemented. The most important change is naming Linda Bishop as the health service's new full-time coordinator of sexual assault prevention and services.

Bishop, formerly student organization office coordinator in the Dean of Students office, started the job in July. Bishop was "a very natural match" for the job, Keeling says, since she has extensive experience working as an advocate for victims. She has served as chair of the Campus Security and Personal Safety Committee from 1987-93 and teaches Chimera, an assertiveness and self-defense course especially for women.

"This new position gives students a place to turn, so that when they look in the directory under campus sexual assault services, they will have a name and a number," says Bishop.

Other changes are under way to bring a more centralized focus to helping victims and preventing sexual assaults, including:

- Creating an advisory board, comprised equally of students and employees, that will serve as a "consumer voice" on services in this area. Janet Vandevender, associate dean of the College of Letters and Sciences, has agreed to serve as chair.

- Developing a network of trained students who can serve as advocates for victims,

and provide information and referrals. Bishop has started recruiting volunteers for a new program called Madison Violence Prevention. One group will serve as MVP allies and run educational projects. A second group, MVP advocates, will work directly with sexual assault survivors.

- Conducting more regular research of the problem on campus. Keeling says research on the frequency and scope of sexual assaults has been limited. The office hopes to fund an annual student survey to raise

awareness and improve campus services.

Rouse says the working group's findings show that there needs to be "daily vigilance, daily attention to preventing sexual assault on campus."

"A culture shift often takes at least 15 years, and it's really the young people who set the norms," Rouse says. "These changes will have students more woven into the programs that combat sexual assault."

For information, contact Bishop (263-5714, e-mail lcbishop@facstaff.wisc.edu).

Discrimination

Campaign urges students to 'speak up'

Brian Mattmiller

Students who either see or experience discrimination at UW-Madison will have a straightforward course of action through the university's new "Speak Up!" campaign.

A committee of the Dean of Students office developed the program in light of concerns last academic year about cases of discrimination and harassment against students, says Dean of Students Mary Rouse. The new approach is meant to encourage students to come forward and report harassment, recognizing that silence can only help perpetuate the problem.

"This program is not intended to erode or displace any current policies that are in place," Rouse says. "It's intended as a supplement that will allow students to be more comfortable in coming forward."

"Speak Up!" is aimed at both victims and witnesses of all types of discrimination and harassment students experience, whether the incidents are based on race, gender, sexual orientation, ability, age or religion.

The hallmark of the campaign is accessibility, starting with the 10 contact persons that students can turn to, she says. The contact persons work with students every day in positions such as student affairs, counseling and advising, and can help students feel more trust in making a complaint.

Posters have been placed in dormitories, the student unions and other high-traffic student areas listing names and phone numbers for all 10 contacts. The office also set up an e-

mail account (speakup@mail.admin.wisc.edu) and is setting up a voice mail phone line for students who prefer an alternative.

Rouse says "Speak Up!" should provide a first step for students who aren't aware of, or may be intimidated by, the more formal approaches to handling discrimination. The contacts will outline different options students have available to them. Those include referring the matter to the student disciplinary code, contacting the affirmative action office, or, when appropriate, contacting police, Rouse says.

It also can be used as an opportunity to help victims help themselves, she says, through referrals to programs like Chimera, a women's self-defense course.

Assistant Dean of Students Janice Wheaton says that "Speak Up!" should help remind the university community that discrimination is not a relic of the past. "In spite of all the laws out there to protect against discrimination, these problems still exist," she says. "It's everybody's problem, not just the person being harassed."

Student groups are also playing an important role in promoting the campaign. Associated Students of Madison is sponsoring a poster contest and the fraternity Pi Lambda Phi an essay contest on ways to eradicate prejudice.

The Badger Herald newspaper will donate advertising space once a month to the Dean of Students office, which will generally describe some of the discrimination reported in "Speak Up!"

Three single parents earn just rewards

Barbara Wolf

Three undergraduates have won Single Parent Undergraduate Student Scholarships in recognition of the demands they face as single parents.

"These scholarships recognize the efforts of people who are trying to reach their educational goals against what are often pretty significant odds," says Lisa Munro, director of the Adult Career and Educational Counseling Center, which oversees the program.

Recipients have a cumulative grade point of at least 3.0, and have completed 36 credits toward an undergraduate degree. (For more information, contact ACECC, 263-6960.) The scholarships award \$400 to \$1,000 per term.

Brenda Gail Francis

Becoming a neonatal nurse practitioner in an intensive care unit is the objective of Francis, a junior in the School of Nursing. She took the first step four years ago, when her son was admitted to a neonatal ICU.

Francis, an honors student, has worked in a nursing care center and volunteers in UW Hospital and Meriter Hospital. "I believe learning, like raising a child, should be a life-long experience that doesn't stop upon graduation," she says.

Dianne Robarge

Robarge, a junior in meat and animal science, envisions herself in a veterinary practice specializing in small animals and horses.

Currently working toward admittance to the School of Veterinary Medicine, she is the mother of five daughters, ranging in age from preschool to high school. Robarge teaches 8- and 9-year-olds in Sunday school.

Todd Werner

A junior in the graphic design program, Werner completed his associate of arts and science degree at the UW-Baraboo/Sauk County in 1994.

The father of three, Werner said he realized when he was awarded their custody six years ago that their economic future would be difficult without a college degree.

"I made the right choice," he says of pursuing a degree. "My liberal arts education has given me so much more than I expected."

Sexual Assault
Minority Groups
- Discrimination
& Racism



NEWS

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CONTACT: Herbert Lewis, (608) 262-1802 or (608) 262-2866

SYMPOSIUM SET ON 'BELL CURVE'

MADISON — A public symposium on "The Bell Curve," a new book that has created a storm of controversy over its message of racial determinism, will be held at the University of Wisconsin-Madison Saturday, April 22.

The symposium will run from 1:30 p.m. to 5:30 p.m. in B-102 of Van Vleck Hall, 480 Lincoln Drive. Admission is free.

"The Bell Curve," by Charles Murray and the late Richard Herrnstein, has a central message: Blacks are less intelligent than whites, and that's because of genetic differences. The book was a bestseller for weeks and has been widely featured in the media.

Speaking at the symposium will be three anthropologists with special expertise in race: C. Loring Brace and Lawrence Hirschfeld of the University of Michigan and Jonathan Marks of Yale University.

Brace is curator of physical anthropology at Michigan's Museum of Anthropology. He is the author, with Ashley Montagu, of "The Stages of Human Evolution," now in its fifth edition. He has written a history of the concept of race for Encyclopedia Americana.

Hirschfeld is working on a book titled "Race in the Making: Culture, Conceptual Development, and the Construction of Human Kinds." He has written extensively on children's acquisition of knowledge, especially the learning of categories such as race and kinship.

-more-

Symposium -- Add 1

Marks is the author of the book "Human Biodiversity: Genes, Race, and History." One of his recent articles, appearing in *Natural History*, is titled "Black; White; Other: Racial Categories are Cultural Constructs Masquerading as Biology." Both Marks and Brace were quoted in a *Newsweek* cover story this year (Feb. 13), "What Color is Black?"

The April 22 symposium opens at 1:30 p.m. with a talk by Marks on "Heredity minus genetics: race and other folk theories of biological inheritance in 'The Bell Curve.'" Hirschfeld will discuss "Views of intelligence, race and the construction of reality" at 2:15 p.m., followed by Brace at 3:30 p.m. on "The idea of racial determinism in American thought and politics and its revival in 'The Bell Curve.'"

The symposium coordinator is Herbert Lewis, professor of anthropology at UW-Madison. "'The Bell Curve' makes claims about racial inequality," said Lewis, "but the very questionable notion of race is left unexamined in the book. Modern physical anthropology has something quite different to say about the topic."

###

— Jeff Iseminger, (608) 262-8287



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NEWS TIPS

UNIVERSITY OF WISCONSIN-MADISON

News & Information Service
19 Bascom Hall • 500 Lincoln Drive
Madison, Wisconsin 53706-1380

Minority Groups
Discrimination + Racism

Phone: 608/262-3571
Fax: 608/262-2331

Oct. 28, 1994

TO: Editors, news directors
FROM: Jeff Iseminger, (608) 262-8287
RE: The Bell Curve

"The Bell Curve," a new book by Charles Murray and the late Richard Herrnstein, has generated a storm of controversy over its central claim: Blacks are less intelligent than whites, and that's caused by genetic differences.

If you would like to add local commentary to national coverage of the book, here are faculty members from the University of Wisconsin-Madison who are willing to provide it:

Jeffery Braden, associate professor of educational psychology, (608) 262-4586. Braden has conducted research on intelligence testing and understanding IQ difference between groups.

Arthur Goldberger, professor of economics, (608) 262-4578. Goldberger is widely known for his work in statistical economics and has written about the inheritability of intelligence, as well as the causes and effects of the lower scores blacks receive on IQ tests.

Robert Hauser, professor of sociology, (608) 262-2182. Hauser has studied the role of ability in social mobility, black-white differences in educational attainment and trends in those differences.

Michael Kane, professor of kinesiology, (608) 265-2891. An expert on the interpretation and use of test scores, Kane worked for many years as a research scientist at American College Testing (ACT) and as director of test development for the National League for Nursing.

Allan Odden, professor of educational administration, (608) 263-4260. Odden, a highly regarded scholar in school finance, could discuss "The Bell Curve" from the standpoint of educational policy.

###

STATEMENT
by Associate Dean of Students Roger Howard
on effigy incident
April 30, 1993

Last Wednesday (April 28), at approximately 9:20 a.m., University Police received a call about a stuffed dummy hanging from a tree near the Law School on Bascom Hill.

When University Police officers arrived at the tree, they removed the object and placed it into evidence for use in their investigation.

The dummy was dressed in casual blue and black clothes, had a cardboard head which was covered with blue cloth and painted with a smiley face and was hanging from a rope connected to a hanger. Police are investigating unidentified symbols which were painted on the dummy's clothing.

Contrary to a Friday morning newspaper report, at this point in the investigation there is no indication that the effigy had any racial overtones. The university finds racial incidents intolerable, but to draw the conclusion that this incident was overtly racist at this time in the investigation is premature.

However, whether this was overtly racist or not, students have been very upset and hurt by this incident. The students who witnessed the dummy hanging saw this as racist because it appeared to them to depict a lynching. The pain this scene has caused for these students and members of this community has been felt. Together, we must confront incidents that cause such pain and tension.

Susan Riseling, chief of UW Police, and her staff met with six student leaders, a representative of the Dean of Students and a representative from the Interim Multicultural Center for assistance with the investigation and to talk about their concerns regarding the incident.

Upon the conclusion of the investigation, the police will make the findings available.

Anyone able to offer information about the incident is encouraged to call the University Police at (608) 262-2957 (24 hours a day) or the Dean of Students Office at (608) 263-5700.

###

Release: Immediately

11/1/90

CONTACT: Mary Rouse (608) 263-5702

JEWISH TASK FORCE APPOINTED AT UW-MADISON

MADISON--A 12-member Jewish Task Force has been appointed at University of Wisconsin-Madison to advise university administrators on issues of concern to the Jewish community.

Dean of Students Mary Rouse announced the formation of the group Thursday (Nov. 1), in response to requests for such a task force from Jewish students who had been meeting informally with her staff throughout the past academic year.

She said recent anti-Semitism in Madison and on campus added a sense of urgency for the appointment of such a task force.

"I expect the group to be a systematic voice for Jewish students, staff and faculty, and to help all of us on campus to be better informed and more responsive to issues of concern to the Jewish community," Rouse said.

The task force is expected to provide advice on range of issues, Rouse said, from how best to deal with anti-Semitism to the effectiveness of the university's religious observance policy.

In addition, Rouse said, she has asked that the group promote education and awareness of about Jewish culture and tradition, make recommendations about how the university can better support its Jewish community and foster intergroup relations and dialogue.

Task force members include faculty members Dan Siegel of history and

science and Gilead Morahg of Hebrew and Semitic studies; academic staff members Trudy Sirkis of University Housing and Aviva Kaiser of the Law School; administrators Don Miner of Business Services and Jan Sheppard of the Dean of Students Office; community members Irv Saposnik of the Hillel Foundation and Evelyn Minkoff; and students Birgit Anderson, Lilach Goren, Ian Lapp and Lara Solomon.

The student members were appointed by the Wisconsin Student Association.

The group will report their advice and recommendations to Rouse.

"Jews are a minority on this campus and in the community," Rouse said. "It is important that they have a formal mechanism to let their voice be heard."

###

-- Steve Schumacher (608) 262-8289



Discrimination

From the University of Wisconsin-Madison / News Service, Bascom Hall, 500 Lincoln Drive, Madison 53706 / Telephone: 608/262-3571

Release: Immediately

11/6/90

EDITORS/NEWS DIRECTORS: The lowercase spelling for john a. powell in second paragraph is correct.

CONTACT: Linda Greene (608) 262-6351, Brian Berninger (608) 263-4128

'CRITICAL RACE THEORY' CONFERENCE TO QUESTION LAW'S RACIAL NEUTRALITY

MADISON--Some of the nation's most prominent legal scholars will gather at University of Wisconsin-Madison Friday and Saturday (Nov. 9-10) for a conference on "critical race theory," which questions whether the law is truly neutral and apolitical in dealing with racism.

Speakers at "The Wisconsin Conference on Critical Race Theory: A Dialogue on the Role of Law in the Maintenance and Elimination of Racial Subordination" will include Harvard University Law Professor Derrick Bell; UW-Madison law Professors Richard Delgado and Patricia Williams; UCLA law Professors Kimberle Crenshaw and Mari Matsuda; and john a. powell, the national legal director of the American Civil Liberties Union.

UW-Madison law Professor Linda Greene, who organized the event, said the conference also will explore new legal frameworks for dealing with race discrimination in America. She noted that while traditional civil rights legal strategies did destroy certain forms of discrimination, "virulent, institutionalized racism continues to plague people of color in this society."

"Critical race theorists abhor formalistic approaches to the law that make the promise of equality an empty one," Greene said. "We have an obligation to expose and condemn current popular themes in legal discourse that allow

-more-

dominant thought to appear neutral and apolitical when in fact it is not."

One example among many, Greene said, is the the U.S. Supreme Court's current requirement that discrimination be proven to be conscious and intentional. While this approach emphasizes formal equality, "it leaves untouched practices that aren't necessarily the product of conscious racism, but which are nonetheless traceable to a history of racial subordination," Greene said.

Critical race theory is the product of diverse scholarly traditions including civil rights, social and political discursive theory, feminist theory, post-modern literary criticism and critical legal studies, Greene said.

Other conference participants will include UW-Madison Chancellor Donna E. Shalala, UW-Madison Law School Dean Daniel O. Bernstine; Columbia University Law School Professor Kendall Thomas; Yale Law School Professor Harlon Dalton; University of Minnesota Law School Professor Gerald Torres, New York attorney Robin Barnes, currently a Hastie Fellow at the UW-Madison Law School; and University of Buffalo Law School Professor Stephanie Phillips, a former Hastie Fellow at the UW-Madison Law School.

The conference is sponsored by the UW-Madison Law School, the Institute for Legal Studies and the national Workshop on Critical Race Theory

Reporters are encouraged to attend morning sessions (9 a.m.-noon), but are asked to register, free of charge, at the conference site. For further information, contact Brian Berninger at (608) 263-4128 or Linda Greene at (608) 262-6351.

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-- Chuck Nowlen (608) 262-0930

#3995I

note

Document

From: University of Wisconsin-Madison / News & Information Service, 19 Bascom Hall, 500 Lincoln Drive, Madison, Wisconsin 53706

Telephone: 608/262-3571

2/8/90

EDITORS/NEWS DIRECTORS:

Student leaders of campus ROTC units, The Ten Percent Society (gay and lesbian student organization) and the Wisconsin Student Association have joined with the UW-Madison Dean of Students Office in sending a letter decrying harassment to all deans, directors, departmental chairs and departmental secretaries on campus, as well as to all ROTC students, members of the Ten Percent Society and the WSA Senate.

Phone numbers of those who signed the letter follow.

David Banholzer, 264-0832 (home), 262-3440 (Air Force ROTC office)

Jim Benning, 255-1793 (home), 262-3411 (Army ROTC office)

Jordan Marsh, 255-5997 (home), 262-1081 (WSA office)

Tracy Prouty, 256-1402 (home), 262-7365 (Ten Percent Society Office)

Dave Wilcox, 264-2691 (home), 262-7365 (Ten Percent Society Office)

Mary Rouse, 233-6270 (home), 263-5700 (office)

Janice R. Sheppard, 233-3844 (home), 263-5700 (office)

Elizabeth Woods, 256-5518 (home), 262-3794 (Navy ROTC office)

February 7, 1990

Dear UW Madison Students:

In recent months, the public discussion about whether the UW Board of Regents would continue the ROTC contracts with the U.S. Dept. of Defense has been intense. Many of us have strongly held beliefs about Department of Defense exclusionary policy toward gay and lesbian persons and have worked hard to make our beliefs known. During this period of intense discussion, many gay and lesbian and ROTC students report that they have been the targets of verbal or physical harassment because of their beliefs or because of their sexual orientation or because they wear a uniform. Such harassment is a tragic violation of the principles to which so many of us are dedicated.

Harassment of this sort does nothing to further an open evaluation of the real and serious issues before us. Not only does such behavior harm its direct victims by interfering with their ability to move freely and comfortably in this community, it also demeans all of us by threatening our efforts to build a community "in which all students, staff, and faculty are accepted and judged as individuals, independent of ancestry, social background, physical characteristics, or personal beliefs...." (UW Madison Principles of Nondiscrimination, Spring 1988)

We, the undersigned, join together to reaffirm the right of every student to enjoy a campus environment free from harassment. We urge all students to join us in condemning harassment and to work actively to protect all members of this community from such conduct. We urge those who are victims or witnesses of harassment in any form to report incidents promptly to the Office of the Dean of Students. Whether or not those who are responsible can be identified, the Dean of Students Office will provide support to victims and will help identify the remedies available to him/her. We ask you to help ensure that gay and lesbian students, students in the ROTC programs, and any other members of our community do not have to fear verbal or physical harassment because of who they are or what they wear or believe. We ask each of you to assume personal responsibility to confront behaviors which are discriminatory, insensitive or harassing.

David D. Banholzer
C/Capt David D. Banholzer
US Air Force ROTC

James Benning II
Cadet Commander Jim Benning
US Army ROTC

Jordan E. Marsh
Jordan E. Marsh
University Affairs Director,
Wisconsin Student Association

Traey N. Prouty *Dave Wilcox*
Traey N. Prouty, Dave Wilcox
Co-Presidents, Ten Percent Society

Mary K. Rouse
Mary K. Rouse, Dean of Students

Janice R. Sheppard
Janice R. Sheppard, Assistant to the Dean

Elizabeth M. Woods
Midshipman 3/C, Elizabeth Woods
US Naval ROTC

ROTC off campus?

Issue addresses campus homophobia

WI. Week 11/29/89

By Jeff Iseminger

The full faculty's vote next week on the future of ROTC on campus could offer a chance to begin making amends for decades of homophobia at UW-Madison, many ROTC critics say.

Those students, faculty and staff insist that ROTC at UW-Madison be seen in the context of widespread and flagrant homophobic behavior on campus.

The climate for gays and lesbians at UW-Madison is oppressive in an every-

day way, says Jordan Marsh, university affairs director for the Wisconsin Student Association.

"The expression of affection is fundamental to our personal development, but a gay or lesbian couple can't walk across campus holding hands," says Marsh. "If that expression isn't heterosexual, it's mocked."

It was worse in the '50s, says John Neess, professor emeritus of zoology who joined the UW-Madison faculty in 1951. "During the McCarthy era the campus

police were busy assembling lists of homosexuals on campus who they threatened with disclosure unless they gave the police other names," he notes. "Some aspiring faculty members left the university because of that."

According to Neess, the campus tended to follow the lead of Joe McCarthy, the U.S. senator from Wisconsin "whose two favorite victims were Communists and homosexuals." During that era "the facul-

ty became more guarded and lost its critical vigor."

Until 1960 male homosexuals technically couldn't be students, says Jim Steakley, associate professor of German. "ROTC was obligatory for all male students until 1960," he says. "But ROTC barred homosexuals, so that forced them into the closet."

Like Neess, Steakley takes aim at past actions of campus police: "They went out of their way to engage in homophobic actions. During the McCarthy-era witch hunt, campus police raided gay parties involving university people, even in private apartments."

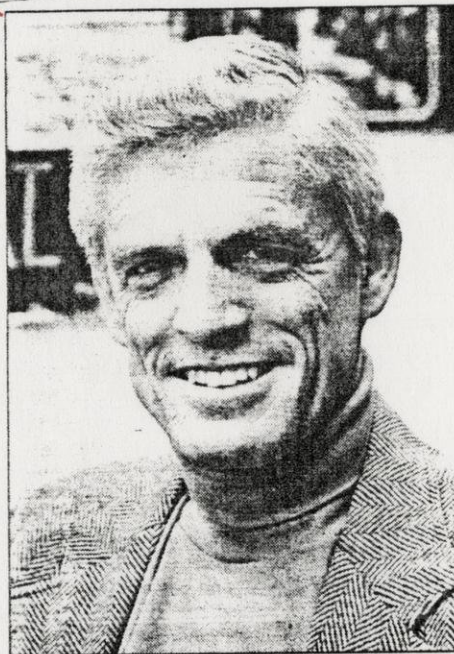
During the '60s, activists "weren't especially friendly to the gay rights issue," says Neess. And in the classroom homophobia was rampant, adds Joseph Elder, professor of sociology and South Asian studies, and co-chair of Faculty Against Discrimination in University Programs.

"For a course on conflict in American

society, I would ask a gay and a lesbian to talk to my class," says Elder. "There was a fair amount of antipathy toward homosexuals among my students, and some of the men wouldn't come to class to hear the gay man."

Homophobic hostility shows up particularly well in classrooms, says Meg Gaines, clinical instructor for the Legal Assistance to Institutionalized Persons Program and a law student. "There's tons of stuff on desks around campus like 'kill faggots' and 'you deserve to die from AIDS,'" she says.

Turning from graffiti to policy, Gaines says the university's approach to gay rights has been somewhat passive. "Most administrators will not shy away from an obvious violation of civil rights. But in the



Joseph Elder

past there hasn't been an affirmative effort to sensitize people to homosexual rights."

That might be changing, because Dean of Students Mary Rouse convened the Gay and Lesbian Issues Committee last summer. She asked the group to assess the academic and social needs of gay and lesbian students and make program recommendations.

Co-chair of the committee is Tim Tillotson, program manager at the University Health Service, where he's worked since 1970. "I wouldn't have volunteered to be on this committee if I didn't believe there is a good possibility for progress," he says.

"We want gay and lesbian students to be free of intimidation and demeaning asides and also have the right to participate fully in university academic and social life."

Current policies allow progress to be made, says Dave Wilcox, co-president of the Ten Percent Society, the student gay and lesbian group. "With the exception of ROTC, university policies are not discriminatory," he says.

John Neess sees signs that administrators are trying to capture the spirit of those policies. Last summer he was asked by the Dean of Students Office to speak as a gay man to new students in SOAR orientation. He welcomed that opportunity, he says, because for him it came on the heels of nearly 40 years of homophobia on campus.

"There's a strong push under this administration to eliminate discrimination," he adds. "I'm optimistic."

So is Steakley: "I think the university has made considerable progress. We may be on the cutting edge of social change."

Advisory vote set for Monday

WI. Week 11/29/89

The full UW-Madison faculty will meet Monday, Dec. 4 at 3:30 p.m. in the Stock Pavilion to decide whether ROTC should be expelled from campus for barring homosexuals from commissions.

The vote will be advisory, since only the Board of Regents has the power to sever ROTC contracts.

Secretary of the Faculty Susan Finman urges everyone to come early to avoid a last-minute crunch. She reminds faculty members to bring the blue ticket enclosed with the agenda materials recently mailed to them.

No proxies will be permitted in the voting.

"Debate rules will be proposed at the meeting that limit each person to three minutes of discussion," says Finman. "Members of the academic staff and some students will be permitted to speak, but the general public will not."

Though the meeting's length will not be limited, a vote will likely be taken by 5:15 p.m., according to Finman.

Release: Immediately

9/19/88

CONTACT: Roger Howard (608) 263-5704

UNIVERSITY TO SEEK LEGAL ADVICE ON WOMEN'S TRANSIT AUTHORITY COMPLAINT

MADISON--University of Wisconsin-Madison officials said Monday (Sept. 19) they will seek further legal advice before making any decision on a complaint filed against the Women's Transit Authority.

Roger Howard, Associate Dean of Students, said the legal issues surrounding the complaint filed last April by former UW-Madison student Peter Deignan have proven to be very complex.

"Our first priority is to keep the service going," said Howard. "But we want to do this within the context of the law."

Deignan has claimed that WTA's refusal to allow men to drive vans or answer incoming phone calls from potential riders is discriminatory, and asked the Dean of Students for an opinion.

The Women's Transit Authority is a free night-time ride service for women. WTA officials say the restriction on male volunteers is a legitimate exception to discrimination laws, meant to insure the safety of female riders.

Howard said that Dean of Students Mary Rouse and UW-Madison Chancellor Donna E. Shalala are consulting legal authorities both within and outside the university before they reach a decision on WTA's practices.

Howard said the legal review would be completed and a decision made by Nov. 15.

"We want to get this advice, and explore all options with the leaders of

Add 1--Women's Transit

WTA, before we make any decision," said Howard.

The UW-Madison is a major supporter of the WTA, which operates from the offices of the university's Campus Assistance Center. This year, the university is contributing \$39,700 to the operation from Parking and Transportation funds, and \$13,100 through segregated student fees. Last week, Wisconsin Student Association's student court ruled in a similar complaint that WTA's restrictions on the duties of male volunteers does not violate WSA's constitution.

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-- Linda Weimer (608) 262-3571

Multicultural Center Executive Summary

In its final report, the Steering Committee on Minority Affairs (the "Holley Committee") recommended development of a multicultural center on campus. "The Madison Plan" called for the University to appoint an ad hoc committee of faculty, students and staff to make recommendations on the logistics of a campus multicultural center; the panel was given an April 15 deadline to present a report to the Chancellor.

What follows are highlights of the ad hoc committee's report, made after a public hearing during which students, academic staff and faculty addressed a wide range of possibilities for the facility.

Recommendations:

1. The Center should be established in a central campus location and be closely associated with the Wisconsin Union.
2. The Center should combine academic, social and cultural functions, and should foster greater communication and understanding.
3. The Center should focus on the needs of five targeted American minorities: Afro-American; Native American Indian; Chicano; Asian American and Puerto Rican.

I. Goals of the Multicultural Center

- The principal activity of the Center should be to facilitate the academic life of the targeted minorities. It should provide an intellectual and supportive atmosphere where students can be made aware of other services of interest to minorities. Center staff should be trained and prepared to direct students to needed academic and support services and programs.
- The Center should provide a central meeting place and open environment for targeted minority groups. The committee felt the Center's resources would be diluted if allocated to all minorities at this juncture.
- Links must be forged between and among racial and ethnic groups to make students feel at ease with each other, on campus and in Madison. To that end, outreach activities to the community (for example, in the public schools) also might be explored.

II. Center Programming

The committee saw the Center's programs as being diverse, both in terms of content and intended audience. Members recommended that the professional staff closely consult student organizations housed in the Center when developing programs. The programs also should be evaluated regularly to insure that they address the needs of targeted minorities and respond to the three main Center goals.

(The committee estimated that the first year cost of the Center would be \$119,100, including a one-time start-up investment of \$10,000.)

A. Academic

- The committee proposed that the Center Fellows Program be established. Initially staffed using four or five full time equivalent positions of the minority positions identified in The Madison Plan, the Fellows will act as role models for students as well as serve as information resources for students, staff and faculty. Fellows might be artists, writers, scholars or other professionals.
- Conferences and lecture series could be held concerning the history of minorities, and/or their art, cultural and political development. Speakers might come from within or outside the UW.
- The Center would serve as a clearinghouse to direct students to academic programs of interest to them and to call their attention to tutorial and other student services.

B. Social/cultural

- To be organized by Center staff or by groups housed in the Center, these activities could include films, music, dance, dramatic presentations and art exhibits.
- Special cultural events might be included to familiarize the campus with the five target groups. Possible topics could include heritage, folklore, dress or cuisine.

C. Communication/Understanding

- The Center would provide another avenue of advocacy for students experiencing racism on campus or in the community. A staff person might be a tie to campus academic and support programs as well as a link to the community.

- The possibility of an alumni network for career consultation, job placement and support also might be explored.

III. Center Governance

Overall governance would be vested in a Board of Directors. Thirteen voting Board members (seven faculty or staff appointed by the Chancellor, six students selected for appointment by the Chancellor) would establish policy necessary to achieve the stated goals, have

responsibility for the Center budget, be responsible for staff searches and recommend to the Chancellor candidates for selection as Center Director. The Board also shall provide for regular evaluation of personnel and programs.

The Multicultural Council is currently organized with elected representatives from various student ethnic groups. It is expected to continue functioning as it has in the past within the general structure of the Center.

Student groups in the Center would maintain their existing governance structures and responsibilities wherever possible.

UW-Madison Principles of Nondiscrimination, 1988

Heritage

The University of Wisconsin will be permanently great in the degree in which it understands the conditions of the prosperity and peace of the people, and helps to provide them . . .

—John Bascom, UW President 1874–1887, Baccalaureate Address

. . . We cannot for a moment believe that knowledge has reached its final goal, or that the present condition of society is perfect. We must therefore welcome from our teachers such discussions as shall suggest the means and prepare the way by which knowledge may be extended, present evils . . . removed and others prevented.

Whatever may be the limitations which trammel inquiry elsewhere we believe the great state University of Wisconsin should ever encourage that continual and fearless sifting and winnowing by which alone the truth can be found.

UW Board of Regents, 1894 Report

The greatest waste of this nation is its waste of talent. If we could only fully utilize our talent, there would be no limit to our progress . . . the opportunities to obtain an education broad and complete, fitted to the demands of the present time, must be provided.

Charles Van Hise, UW President 1903–1918, 1913 Address

Statement

The University of Wisconsin at Madison, mindful of its foundation in free inquiry and expression, education of a diverse and changing student body, and service to the public, affirms its commitment to a community in which all students, staff and faculty:

- are accepted and judged as individuals, independent of ancestry, social background, physical characteristics, or personal beliefs;
- may freely engage in academic expression and debate in our classrooms and public halls, and pursue their social and private lives in our community, unthreatened by discrimination, disruption, or harassment of any form; you don't come to Madison and feel threatened.
- take joy in the diversity of society and in working to understand and eliminate the barriers to full participation in society by every person.

We accept the responsibility of representing these values to the city, state, and world, and applying them to each other and to our guests.

These conditions are necessary for the future effectiveness of this University and shall guide its policies.

Discrimination

Racial insults attacked

Changes sought in student conduct policy

WI. Week 4/13/88
by Susan Trebach

A UW-Madison student could be disciplined for disrupting another student's work by making repeated comments that demean the person's race and create a hostile environment, under proposed changes to the student conduct rules.

The proposal, drafted by the Faculty Student Conduct Policy Committee, also recommends that disciplinary penalties be increased for racially-inspired student misconduct. The 12-member committee, chaired by UW Law School Professor Carin Clauss, received advice from Law Professors Ted Finman and Gordon Baldwin, and were assisted in the drafting by senior law students Stacy Ludwig and JoAnne Kloppenburg.

The proposed changes to student conduct rules were drafted at the request of Chancellor Donna E. Shalala in The Madison Plan. The Madison Plan called for broadening student disciplinary policy to cover misconduct that involves the race, religion, color, creed, gender, disability, sexual orientation, national origin or ancestry of the victim.

The recommended student conduct rule changes are to be considered by the Faculty Senate May 2. The draft has been forwarded to both the Academic Staff Assembly and Wisconsin Student Association. Ultimately, some of the recommendations will be forwarded to the UW System Board of Regents because the regents set systemwide student conduct rules.

The committee recommended extending the rules to cover three kinds of misconduct not previously defined as "offenses:"

- physical attack.
- damage to certain private property. The private property protection would be extended to some multiple-unit off-campus student housing, including fraternities, sororities, private dormitories and student cooperatives.
- intentional interference with a student, employee or university guest's work or study by persistent explicit comments, epithets or other expressive behavior. The comments must be directed to the individual, must explicitly demean the person's race (etc.) and create an intimidating, hostile or demeaning environment.

Although some people may disagree, Finman believes the proposed rule covering racial epithets would not violate the First Amendment. Finman said the primary purpose of the First Amendment was to protect the freedom of exchange of ideas. But the situation described by

"It is pretty clear the university has a right, and indeed a duty, to create a reasonably unthreatening work and study environment, and that's what the draft attempts to do."

the proposed rule involves language that really inhibits communication because it is so inflammatory.

Baldwin said that, for better or worse, the First Amendment also protects emotive speech—speech that conveys feeling

without much substance. However, the proposed rules "pass the First Amendment test because they focus on intentional conduct and the results of behavior. It is pretty clear the university has a right, and indeed a duty, to create a reasonably unthreatening work and study environment, and that's what the draft attempts to do."

The Madison Plan also called for a "succinct statement of the university's concept of and aspirations for a non-discriminatory community." The statement

developed by the committee "affirms its commitment to a community in which all students, staff and faculty:

- are accepted and judged as individuals, independent of ancestry, social background, physical characteristics or personal beliefs;
- may freely engage in academic expression and debate in our classrooms and public halls, and pursue their social and private lives in our community, unthreatened by discrimination, disruption or harassment of any form;
- take joy in the diversity of society and in working to understand and eliminate the barriers to full participation in society by every person.

"We accept the responsibility of representing these values to the city, state and world, and applying them to each other and to our guests," the statement concludes. "These conditions are necessary for the future effectiveness of this University and shall guide its policies."

(The complete text of the statement, titled "UW-Madison Principles of Nondiscrimination, 1988" will be published in the April 20 *WisconsinWeek* under "For the Record.")

WI. Week 4/13/88



UW-MADISON CHANCELLOR Donna E. Shalala and football coach Don Morton (shown above with Bucky Badger and 1988 Madison March of Dimes ambassador Tricia Keip) are co-chairs of Madison's March of Dimes "WalkAmerica" on Sunday, April 24. Money raised by those participating in the 20 kilometer (12.4 mile) walk goes to research to help prevent birth defects. The walk begins at 12:30 p.m. at the State Capitol. Shalala and Morton are urging faculty, staff and students to participate, either individually or in teams of five or more. For more information on the walk, call "WalkAmerica," 251-WALK.

—Photo courtesy March of Dimes

Release: Immediately

11/30/83

Discrimination

CONTACT: James Bower (608) 262-0891

NEW JOB RECRUITING POLICIES RECOMMENDED AT UW-MADISON

MADISON--Employers who discriminate in their hiring should not be barred from conducting job interviews at University of Wisconsin-Madison, but they must not be allowed to discriminate in the interviewing process.

That is the recommendation of a faculty committee established a year ago at UW-Madison to examine the university's non-discrimination policy. The just-released committee report is on the agenda of the UW-Madison Faculty Senate Monday (Dec. 5) at 3:30 p.m. in B-10 Commerce Building on campus.

The issue arose last fall when student groups demanded that the U.S. military and the F.B.I. be barred from interviewing on campus because they do not enlist or employ homosexuals. Both state law and UW-Madison faculty policy prohibit discrimination on the basis of sexual preference.

However, the committee report said, the university's anti-discrimination policy must be balanced against its obligation to provide students with opportunities to meet with prospective employers on campus.

In expanding its non-discrimination policy to include sexual preference in 1979, the Faculty Senate at UW-Madison did not intend "to make our placement offices serve as enforcement agencies," the report said. In addition, the state attorney general has concluded that the Wisconsin anti-discrimination law dealing with sexual preference does not apply to federal agencies.

At the same time, the report said, "users of the placement services should have available information from the placement office on how to invoke the

Add 1--job recruiters

assistance of state or federal agencies charged with enforcing the state's policies on discrimination."

The committee recommended the following actions:

--Users of placement offices on campus should not be allowed to limit contacts with students on the basis of age, race, creed, color, handicap, marital status, sex, national origin, ancestry, sexual orientation, arrest record or conviction record;

--Employers who discriminate but are not covered under state law should be asked to disclose the reasons for their discrimination, and the information passed on to the students;

--Campus placement offices should follow procedures required by state law when claims of unlawful discrimination are leveled against an interviewer;

--All employer placement notices, where appropriate, should include a statement that the employer is interviewing in accordance with federal, state and campus anti-discrimination policies;

--Each placement office on campus should be encouraged to develop a formal complaint system for all alleged discrimination; and

--Students should be encouraged to play an active role in advising on placement office programs.

The committee endorsed its report on a 10-1 vote. Student member Mark Borns filed a minority report recommending that all employers who merely receive assistance from campus placement offices or use any campus facilities be subject to the new policies, and be required -- not asked -- to provide reasons for their discriminatory practices. The minority report also called for any employer found to discriminate more than once in a year to be banned from using university facilities for a year.

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--Steve Schumacher (608) 262-8289

UNIVERSITY OF WISCONSIN-MADISON
500 LINCOLN DRIVE
MADISON, WISCONSIN 53706

SECRETARY OF THE FACULTY
134 BASCOM HALL

April 8, 1983

NOTICE OF OPEN HEARING

Ad Hoc Study Committee on Adherence to
University Policies on Non-Discrimination

Wisconsin Center, 702 Langdon Street
Madison, Wisconsin in Auditorium at 3:30 p.m.
on Tuesday, April 19, 1983

Chancellor Irving Shain addressed the Faculty Senate on October 4, 1982, concerning the issue of whether the United States military service should be permitted to use campus facilities for recruiting, in view of the fact that these agencies have an announced policy of discrimination on the basis of sexual orientation. Copies of his statement are available from the Secretary of the Faculty, Room 134 Bascom Hall. The conclusions from Chancellor Shain's address are on the reverse of this notice.

At the Faculty Senate meeting on November 1, 1982, the following motion was made in response to the invitation for clarification by Chancellor Shain:

- a) that the Faculty Senate reaffirms its previous statement(s) on non-discrimination and asks the University administration to continue its efforts to make the University a discrimination-free environment, and
- b) that the University policies on non-discrimination be adhered to in all aspects of University life including job recruitment, interviewing, and counseling.

After the discussion, the matter was referred for study by an ad hoc committee to be appointed by the University Committee.

This ad hoc committee appointed by the University Committee has held several meetings, and by this notice is announcing an open public hearing on issues related to the guidelines announced by Chancellor Shain, with a focus on, but not limited to, job recruiting, interviewing and counseling.

The open public hearing will provide the opportunity for University-related persons, especially students, academic staff and faculty, to state issues and express opinion. Testimony will be limited to approximately five minutes for each person and will be taped. After each presentation the Committee members may take the opportunity of asking questions. Written statements should be distributed to the Committee at the beginning of the hearing by those testifying or can be sent to the Ad Hoc Committee through the Office of the Secretary of the Faculty, 134 Bascom Hall.

Ad Hoc Study Committee on Adherence
to University Policies on Non-Discrimination

J. Bower, Chairman
G. Baldwin
M. Bohn
M. Borns
R. Howard

T. Johnson
R. Kauffman
L. Lopes
F. Mims
P. Myers
R. Skloot

CONCLUDING REMARKS FROM CHANCELLOR SHAIN'S OCTOBER 4, 1982
ADDRESS TO THE FACULTY SENATE

D. Macmillan

These arguments and problems have led me to several conclusions, and, in the absence of more explicit guidance from the Faculty Senate and from legal authorities of this state, I propose to give the following instructions to the various campus placement offices:

First, as to employers clearly covered by Wisconsin law, if a campus placement office receives a substantiated complaint that an employer discriminates on the basis of sexual orientation, the placement office in consultation with the Chancellor's Office will forward the complaint and supporting information to the appropriate Wisconsin law enforcement agency. We will cooperate with that agency in whatever way we can in carrying on its investigation. If, after hearing or other due process procedures the employer is found to be in violation of Wisconsin law, it will be barred from using University facilities for interviews and recruitment.

I do not believe the faculty wishes us to disregard accusations of discrimination. Neither do I think the faculty wants us to build the staff or invest the other resources to make our own independent judgment about such serious accusations. Also, I do not think the faculty wants accusations to be viewed as evidence of guilt. There are state enforcement agencies assigned responsibility under the Wisconsin Fair Employment Practices Law, and I think we should plan on using them.

Second, because the law seems to treat federal agencies differently, I think we are also going to be obliged to do so. I am not ready to say that it was the intent of the faculty resolution to invoke University sanctions for actions that seem to be exempted from State legal action. Only if State law is made to apply to federal agencies can they be treated legally like other employers.

This is, I am sure, a solution that will not fully satisfy everyone. Given the current state of our rules, laws, and policies, I think it is the best that can be worked out. The law could be clarified, but up to now it has not been. I repeat my invitation for clarification from any of the numerous agencies involved, including the Faculty Senate.

33703 E010
LANGENFELD, MARY M RM 15
MSN-G SERV-OFF OF INF SVCS
BASCOM HALL 0050
500 LINCOLN DRIVE

T. Johnson	J. Hower, Chairman
R. Kaufman	G. Baldwin
L. Lopez	M. Bohn
J. Mims	M. Borna
P. Myers	R. Howard
R. Skidot	

Discrimination

From the University of Wisconsin-Madison / News Service, Bascom Hall, 500 Lincoln Drive, Madison 53706 / Telephone: 608/262-3571

Release: Immediately

4/14/83 sjs

CONTACT: James Bower (608) 262-0891

UW-MADISON COMMITTEE ON NON-DISCRIMINATION TO HOLD HEARING

MADISON--A faculty committee set up to examine the University of Wisconsin-Madison's policies on non-discrimination against homosexuals will hold a hearing to gather public opinion on the issue Tuesday (April 19) at 3:30 p.m. in the Wisconsin Center auditorium, 702 Langdon St.

The committee was formed in February in response to a controversy last fall over letting the military services conduct job interviews on campus. The military has an announced policy of not accepting homosexuals, while university policy and state law prohibit discrimination on the basis of sexual orientation.

Last fall UW-Madison Chancellor Irving Shain told the Faculty Senate that the university would not ban the military from campus because neither university policy nor state law was explicit on the question of whether federal agencies should be included under non-discrimination statutes. Shain invited clarification on the matter, and the senate referred the matter to the committee.

Last week, Wisconsin Atty. Gen. Bronson La Follette stated the military's ROTC program at the university is exempt from the state anti-discrimination statute in part because the legislation does not include the federal government in the express language of the law.

James Bower, the head of the faculty non-discrimination committee and a UW-Madison business professor, said the attorney general's ruling would not affect Tuesday's hearing, although he said it could be important in the committee's conclusions.

Add one--non-discrimination committee

Testimony at the hearing will be limited to five minutes, and will be tape recorded for the committee. Written statements also will be accepted, and may be distributed to the committee at the start of the hearing or sent in advance to the committee through the Office of the Secretary of the Faculty, 134 Bascom Hall, Madison WI 53706.

Further information on the hearing is available from the secretary of the faculty, telephone (608) 262-3956.

###

DURING RECENT WEEKS YOU HAVE PROBABLY READ NEWS REPORTS BOTH FROM OUR UNIVERSITY AND FROM OTHERS CONCERNING WHETHER THE UNITED STATES MILITARY SERVICES SHOULD BE PERMITTED TO USE CAMPUS FACILITIES FOR RECRUITING, IN VIEW OF THE FACT THAT THESE AGENCIES HAVE AN ANNOUNCED POLICY OF DISCRIMINATION ON THE BASIS OF SEXUAL ORIENTATION.

WITHIN THE LAST MONTH THERE HAVE ALSO BEEN NEWS REPORTS ABOUT POSSIBLE PROBLEMS WITH FBI RECRUITING AT THE UW-MADISON. THESE REPORTS ARE INACCURATE IN THAT NO ACTION HAS BEEN TAKEN ON ANY FBI REQUEST FOR FACILITIES. HOWEVER, THAT IS BECAUSE THE FBI WITHDREW ITS REQUEST IN RESPONSE TO AN INQUIRY ABOUT ITS POLICY FROM AN ASSISTANT DEAN OF THE LAW SCHOOL.

IN WISCONSIN, SOME ASPECTS OF THIS QUESTION WILL PROBABLY BE DEALT WITH BY THE ATTORNEY GENERAL IN THE NEXT FEW MONTHS, BECAUSE A LEGISLATOR HAS ASKED FOR AN ATTORNEY GENERAL'S OPINION AS TO WHETHER A BILL RECENTLY SIGNED INTO LAW BY GOVERNOR DREYFUS WOULD REQUIRE TERMINATION OF UNIVERSITY ROTC PROGRAMS IN THIS STATE BECAUSE THE MILITARY WILL NOT COMMISSION HOMOSEXUALS. THE ATTORNEY GENERAL'S OPINION MAY ALSO HAVE SOME BEARING ON THE USE OF UNIVERSITY RECRUITMENT FACILITIES BY OTHER FEDERAL AGENCIES.

AS YOU UNDOUBTEDLY KNOW, THE CAMPUS PLACEMENT OFFICES ARE MOVING INTO THEIR BUSIEST TIME OF THE YEAR AS THE ANNUAL RECRUITING SEASON BEGINS. STUDENT INTEREST IN RECRUITMENT IS HIGH, OF COURSE, AS THE NUMBER OF JOBS SHRINKS IN RELATION TO NUMBERS OF GRADUATES.

THE IMMEDIATE QUESTION TO BE DECIDED IS HOW TO DEAL WITH REQUESTS FROM FEDERAL MILITARY, POLICE, AND SECURITY AGENCIES FOR USE OF CAMPUS FACILITIES FOR JOB INTERVIEWS. THE QUESTION APPLIES TO NON-FEDERAL EMPLOYERS AS WELL, HOWEVER, AS WE SEEK TO COMPLY WITH STATE LAW AND FACULTY-MANDATED POLICY IN GIVING GRADUATES-TO-BE THE GREATEST POSSIBLE CHOICE OF EMPLOYMENT OPPORTUNITIES.

MY PURPOSE IN DISCUSSING THIS MATTER WITH THE SENATE TODAY IS TO INFORM YOU HOW, IN THE ABSENCE OF MORE PRECISE GUIDANCE FROM THE FACULTY AND ELSEWHERE, I PROPOSE TO RESOLVE THE IMMEDIATE ISSUES.

THIS IS THE OUTCOME OF SEVERAL WEEKS EFFORT TO DEVELOP A REASONABLE APPROACH TO A SITUATION IN WHICH THERE SEEMS TO BE NO CLEARLY "CORRECT" COURSE OF ACTION WHICH SATISFIES EVERYONE. WHERE CONFLICTING FEDERAL, STATE, AND UNIVERSITY REGULATIONS INTERSECT, IT MAY NOT BE POSSIBLE TO ESTABLISH A SIMPLE, CLEAR POLICY THAT COVERS ALL SITUATIONS SATISFACTORILY.

I HAVE ALREADY REFERRED TO THE RECENT AMENDMENT TO WISCONSIN'S FAIR EMPLOYMENT LAW. THIS PROVISION, ADDING SEXUAL ORIENTATION AS A PROHIBITED BASIS FOR EMPLOYMENT DECISIONS, DEFINITELY APPLIES TO UW-MADISON EMPLOYMENT POLICIES, AS IT DOES TO THOSE OF EVERY OTHER STATE AGENCY.

MOST EMPLOYERS WHO SEEK TO INTERVIEW AND RECRUIT OUR STUDENTS WILL ALSO BE COVERED. IF THEY DISCRIMINATE ON THE BASIS OF SEXUAL ORIENTATION IN MAKING EMPLOYMENT CHOICES, THEY ARE THEMSELVES IN VIOLATION OF THE LAW AND SUBJECT TO LEGAL ACTION. THEY WILL, ON THAT BASIS, ALSO BE BARRED FROM ACCESS TO UNIVERSITY INTERVIEWING AND RECRUITING FACILITIES.

THE LAW WAS WRITTEN IN SUCH A WAY, HOWEVER, THAT IT DOES NOT APPLY TO EVERYONE WHO DOES BUSINESS IN THE STATE OF WISCONSIN, BUT ONLY TO PERSONS OR ORGANIZATIONS THE LAW DEFINES AS "EMPLOYERS."

THE FEDERAL GOVERNMENT IS NOT DEFINED AS AN EMPLOYER UNDER THIS LAW. THE QUESTION OF SUPREMACY OF STATE OR FEDERAL REGULATION DOES NOT EVEN ARISE; IT APPEARS THAT THERE IS SIMPLY NOTHING IN WISCONSIN LAW TO BAR A FEDERAL AGENCY FROM GIVING WHATEVER ATTENTION IT WISHES TO SEXUAL ORIENTATION IN MAKING EMPLOYMENT DECISIONS. NOR DOES THERE APPEAR TO BE ANY FEDERAL LEGISLATION OR CASE LAW WHICH CREATES SUCH A BAR.

THE WISCONSIN LEGISLATION COULD CLARIFY ITS OWN INTENTION BY REWRITING THE LAW; IF IT DID, THE QUESTION OF FEDERAL SUPREMACY COULD THEN BE HANDLED THROUGH CONGRESS AND THE FEDERAL COURTS.

WE COME NOW TO THE FACULTY'S OWN POLICIES GOVERNING UNIVERSITY PLACEMENT SERVICES--EVEN HERE WE FIND A CONFLICT.

FACULTY DOCUMENT 121, ADOPTED ON MARCH 8, 1967, DECLARES:

"THE POLICY OF THE UNIVERSITY PLACEMENT SERVICES WITH RESPECT TO CAMPUS INTERVIEWS IS TO PERMIT AT APPROPRIATE TIMES ANY BONA FIDE EMPLOYER OR HIGHER EDUCATION OR PROFESSIONAL SCHOOL REPRESENTATIVE TO MEET WITH INTERESTED STUDENTS IN UNIVERSITY FACILITIES WHEN AVAILABLE FOR PURPOSES OF EXCHANGING VOLUNTARILY INFORMATION AS MAY BE RELEVANT."

I VIEW THIS POLICY AS DIRECTING US, WHEN POSSIBLE WITHOUT CONFLICTING WITH OTHER RULES OR POLICIES, TO INSURE THAT STUDENTS HAVE THE WIDEST POSSIBLE RANGE OF EMPLOYMENT OPPORTUNITIES.

THIS BRINGS US TO ANOTHER FACULTY SENATE RESOLUTION ADOPTED ON MAY 7, 1979. IT STATES:

"IT IS THE SENSE OF THE FACULTY SENATE THAT ALL POLICIES ON NON-DISCRIMINATION IN EFFECT AT UW-MADISON SHOULD INCLUDE SEXUAL ORIENTATION AS ONE OF THE BASES ON WHICH DISCRIMINATION IS PROHIBITED."

AS YOU CAN SEE, THIS RESOLUTION PRECEDED PASSAGE OF THE WISCONSIN STATUTE, AND WE HAD BEEN APPLYING IT IN OUR OWN PERSONNEL DECISIONS LONG BEFORE REQUIRED BY LAW TO DO SO. THERE IS NO AMBIGUITY ABOUT THE

APPLICATION OF THE RESOLUTION, AS WELL AS THE STATUTE, TO THE PERSONNEL DECISIONS OF THIS UNIVERSITY.

HOW THE FACULTY INTENDED IT TO BE APPLIED TO THE EMPLOYMENT PRACTICES OF NON-UNIVERSITY ORGANIZATIONS, AND ESPECIALLY FEDERAL AGENCIES, IN THEIR DEALINGS WITH THE UNIVERSITY IS MUCH LESS CLEAR. FOR EXAMPLE, SOME WOULD ARGUE THAT THE ARMED FORCES WERE PRACTICING DISCRIMINATION WHEN, WITH THE APPARENT APPROVAL OF THE CONGRESS, THEY SET A POLICY BARRING WOMEN FROM SERVICE IN COMBAT ROLES. WAS IT FACULTY INTENT THAT THIS SHOULD HAVE BEEN FOLLOWED BY THE TERMINATION OF UW-MADISON RELATIONSHIPS WITH THE U.S. ARMED FORCES? I DON'T THINK SO. I ASSUME THAT EITHER A RULE OF REASON OR AN ACCEPTANCE OF SPECIAL TREATMENT FOR FEDERAL AGENCIES APPLIES IN THIS CASE.

THERE IS ANOTHER MORE TROUBLING ISSUE TO WHICH I HAVE GIVEN A GREAT DEAL OF THOUGHT IN RECENT WEEKS, AND I URGE AND INVITE THE FACULTY AND THE SENATE TO GIVE IT SOME ATTENTION.

THAT IS, HOW DOES THE UNIVERSITY MAKE A FAIR AND DEFENSIBLE JUDGMENT ABOUT CHARGES OF DISCRIMINATION ON THE PART OF A NON-UNIVERSITY EMPLOYER? WHAT SORTS OF ALLEGATIONS OR EVIDENCE WOULD WE CONSIDER SUFFICIENT TO FIND AN EMPLOYER GUILTY? WHO GATHERS THAT EVIDENCE? WHAT ASSURANCE WOULD WE BE WILLING TO ACCEPT THAT AN EMPLOYER ONCE GUILTY OF DISCRIMINATION HAD NOW MENDED ITS WAYS?

A FINDING OF DISCRIMINATION BY A COURT OF LAW OR OTHER APPROPRIATE GOVERNMENT BODY WOULD GIVE US A CLEAR DIRECTIVE PROVIDED THE ORGANIZATION INVOLVED REFUSED TO MODIFY ITS POLICIES. AT THE OTHER EXTREME, VAGUE AND ANONYMOUS ACCUSATIONS MAY NOT DESERVE MUCH ATTENTION.

IN BETWEEN, THOUGH, ARE CASES WHICH CANNOT HELP BEING TROUBLESOME. IF THE ACCUSATION REFERS TO AN OUT-OF-STATE CORPORATION, WHAT MECHANISM

DO WE USE FOR TESTING IT? OBVIOUSLY SUCH ACCUSATIONS CANNOT BE IGNORED, BUT ADJUDICATING EVEN A FEW OF THEM WOULD BE A SUBSTANTIAL DRAIN ON SCARCE UNIVERSITY RESOURCES. ANY LARGE NUMBER WOULD EXCEED ANY INVESTIGATIVE CAPACITY WE MIGHT REASONABLY DEVELOP.

YOU WILL APPRECIATE THE PROBLEM IF I ASK HOW MANY OF YOU WOULD VOLUNTEER TO BE ON THE FACULTY COMMITTEE TO MAKE SUCH INVESTIGATIONS AND JUDGMENTS.

THESE ARGUMENTS AND PROBLEMS HAVE LED ME TO SEVERAL CONCLUSIONS, AND, IN THE ABSENCE OF MORE EXPLICIT GUIDANCE FROM THE FACULTY SENATE AND FROM LEGAL AUTHORITIES OF THIS STATE, I PROPOSE TO GIVE THE FOLLOWING INSTRUCTIONS TO THE VARIOUS CAMPUS PLACEMENT OFFICES:

FIRST, AS TO EMPLOYERS CLEARLY COVERED BY WISCONSIN LAW, IF A CAMPUS PLACEMENT OFFICE RECEIVES A SUBSTANTIATED COMPLAINT THAT AN EMPLOYER DISCRIMINATES ON THE BASIS OF SEXUAL ORIENTATION, THE PLACEMENT OFFICE IN CONSULTATION WITH THE CHANCELLOR'S OFFICE WILL FORWARD THE COMPLAINT AND SUPPORTING INFORMATION TO THE APPROPRIATE WISCONSIN LAW ENFORCEMENT AGENCY. WE WILL COOPERATE WITH THAT AGENCY IN WHATEVER WAY WE CAN IN CARRYING ON ITS INVESTIGATION. IF, AFTER HEARING OR OTHER DUE PROCESS PROCEDURES, THE EMPLOYER IS FOUND TO BE IN VIOLATION OF WISCONSIN LAW IT WILL BE BARRED FROM USING UNIVERSITY FACILITIES FOR INTERVIEWS AND RECRUITMENT.

I DO NOT BELIEVE THE FACULTY WISHES US TO DISREGARD ACCUSATIONS OF DISCRIMINATION. NEITHER DO I THINK THE FACULTY WANTS US TO BUILD THE STAFF OR INVEST THE OTHER RESOURCES TO MAKE OUR OWN INDEPENDENT JUDGMENT ABOUT SUCH SERIOUS ACCUSATIONS. ALSO, I DO NOT THINK THE FACULTY WANTS ACCUSATIONS TO BE VIEWED AS EVIDENCE OF GUILT. THERE ARE STATE ENFORCEMENT AGENCIES ASSIGNED RESPONSIBILITY UNDER THE WISCONSIN FAIR EMPLOYMENT PRACTICES LAW, AND I THINK WE SHOULD PLAN ON USING THEM.

SECOND, BECAUSE THE LAW SEEMS TO TREAT FEDERAL AGENCIES DIFFERENTLY, I THINK WE ARE ALSO GOING TO BE OBLIGED TO DO SO. I AM NOT READY TO SAY THAT IT WAS THE INTENT OF THE FACULTY RESOLUTION TO INVOKE UNIVERSITY SANCTIONS FOR ACTIONS THAT SEEM TO BE EXEMPTED FROM STATE LEGAL ACTION. ONLY IF STATE LAW IS MADE TO APPLY TO FEDERAL AGENCIES CAN THEY BE TREATED LEGALLY LIKE OTHER EMPLOYERS.

THIS IS, I AM SURE, A SOLUTION THAT WILL NOT FULLY SATISFY ANYONE. GIVEN THE CURRENT STATE OF OUR RULES, LAWS, AND POLICIES, I THINK IT IS THE BEST THAT CAN BE WORKED OUT. THE LAW COULD BE CLARIFIED, BUT UP TO NOW IT HAS NOT BEEN. I REPEAT MY INVITATION FOR CLARIFICATION FROM ANY OF THE NUMEROUS AGENCIES INVOLVED, INCLUDING THIS FACULTY SENATE.

Release: Immediately

5/22/89

CONTACT: Bernard Cohen (608) 262-1304

MISCONCEPTIONS CLOUD DEBATE OVER UW RACISM RULES

MADISON--Misconceptions are clouding the debate over a proposed University of Wisconsin System rule that would discipline students for certain racist or discriminatory conduct, according to UW-Madison Chancellor Donna E. Shalala and other campus officials.

The most glaring misconception is that the rule might infringe on First Amendment rights, Shalala said, but the public also seems to be misinformed about how broad the proposal is and whether a similar measure is already in place on the UW-Madison campus.

In fact, she said, conservative, moderate and liberal legal scholars agree that First Amendment rights and artistic expression would be protected by strict legal thresholds in the rules. All of these thresholds would have to be crossed before discriminatory behavior could be disciplined.

The proposal is narrowly constructed so that behavior with social value -- broadly interpreted -- would be protected from sanctions, she added.

Finally, while the UW-Madison Faculty Senate did adopt a similar document in May, 1988, that measure was from the beginning strictly a recommendation to the UW Board of Regents, noted Bernard Cohen, vice chancellor for academic affairs.

Said Shalala: "These kinds of misconceptions are very frustrating, because what's at stake here is the integrity of the university and whether we mean what we say in terms of free speech and the environment in which learning

takes place.

"We have been assured by even our most conservative law school faculty that this rule would not violate constitutional rights. The UW-Madison would never support anything that would in any way restrict the ability to express opinion and to create knowledge in an atmosphere of tolerance."

Law Professor Ted Finman, who was part of a three-person team of legal scholars to review the System proposal for the Regents, noted that the rule could only be invoked when discriminatory speech or behavior meets all of the following conditions:

- it is aimed at a specific individual or individuals
- it is clearly intended to demean the individual(s)
- it is clearly intended to create a "hostile atmosphere" on campus for the individual(s).

Because of these restrictions, discipline could not be imposed, for example, when characters in a campus play utter racial epithets or if a student, in a class discussion, expresses an opinion about a certain ethnic group, Finman said.

"There is virtually no limitation on the interchange of ideas," Finman said, "and only a very small limitation on a person's individual liberty to insult other people."

"What we do about this rule has symbolic value," he added. "It is important that we send a message to minority students that the university is concerned for their welfare. It also says to the rest of us that we must make this campus a place in which all students can flourish."

Finman noted that the legal principles embodied in the proposed rule have been upheld in several First Amendment court cases.

He referred specifically to the U.S. Supreme Court's "fighting words" doctrine, which holds that certain utterances "by their very nature inflict injury or tend to incite an immediate breach of the peace."

Employment law also is clear in its prohibitions on discrimination and harassment in the workplace, said Patricia Hodulik, UW System attorney.

Physics Professor Bernice Durand, co-chair of the UW-Madison Student Conduct Policy Committee, said an exhaustive evaluation of relevant federal case law was conducted as the committee began to draft a proposed campus discrimination policy in February, 1988.

The case studies included "fighting words" and civil rights cases, along with 20 years' worth of public school First Amendment cases, Durand said. Also considered were public school and workplace harassment policies, she said.

The UW-Madison proposal, which was written to be a recommendation to the Board of Regents, was overwhelmingly adopted by the UW-Madison Faculty Senate in May, 1988 and forwarded to UW System administrators. System, in turn, relied heavily on the document -- along with input from other UW institutions -- when it developed a rule that would apply systemwide.

Finman and Hodulik agreed that the principles contained in the UW-Madison and UW Regent documents were essentially the same.

"I don't see them as fundamentally different at all," Hodulik said. "They both are concerned with the same behavior and the same First Amendment protections."

The Regents in April decided to send the proposal through the permanent rule process, which will require public hearings, final Regent approval and review by the state Legislature.

A public hearing and Regent action have been scheduled for June 8-9.

Cohen said the proposed rule, which would be a landmark for the nation, should help to attract minority students, faculty and staff to the university. He said it was "ironic," however, that controversy over the proposal had created a negative feelings toward the university in the minds of some potential students and employees.

"I don't have the impression that this campus is any more hostile for minorities than its peers, and in fact many peer institutions have a much more serious problem," Cohen said. "The ironic thing is that sometimes the more you try to correct the problem, the more the existence of a problem is emphasized."

Shalala, meanwhile, said that adoption of the proposed rule was "critical." However, it is only a part of a comprehensive campus plan that includes university community education and recruitment of minority and female faculty, students and staff.

"Eliminating institutional racism and changing the atmosphere on campus can't be dependent on someone adopting a rule," Shalala said. "Rules may be important, but they are most effective as part of a larger scenario, a broad and continuing effort to eliminate discrimination."

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-- Chuck Nowlen (608) 262-0930

Discontinued
December 13, 1978

The following statement was issued today by the University of Wisconsin-Madison concerning settlement of the case of Dr. Joan I. Roberts, now associate professor of Child and Family Studies at Syracuse University. For more information, contact Michael A. Liethen, UW-Madison legal counsel at (608) 263-7400.

The following is the text of a settlement which has been entered between the University of Wisconsin-Madison and Joan I. Roberts.

In 1975, Dr. Roberts was not promoted to tenure by a vote of the executive committee of the Department of Educational Policy Studies. Thereafter, before state and federal agencies, Dr. Roberts claimed that the failure to promote her was due to sex discrimination. In late 1977, Dr. Roberts brought suit against the University under the Civil Rights Act of 1964 in Federal Court.

The University, the Department of Educational Policy Studies, and Dr. Roberts subsequently agreed that the questions involved are not likely to be resolved satisfactorily at court trial, and that an out-of-court settlement was consequently appropriate.

Dr. Roberts agrees that the settlement does not constitute any indication or acknowledgement of any impropriety by the Department or the University in the review of her case. What the settlement does is to permit all parties to put the matter behind them rather than engage in long and unproductive litigation.

This release agreement is executed by Joan I. Roberts referred to as Roberts and the State of Wisconsin Department of Justice on account of and for the State of Wisconsin, the Board of Regents of the University of Wisconsin System, all state agencies, and all officers, employees, servants and agents of the above, hereafter known as the State.

The University of Wisconsin-Madison acknowledges that Joan Roberts made valuable contributions of teaching and service. The University and Roberts continue to disagree about the evaluation of the research done by Roberts, and continue to disagree as to whether the tenure decision was affected by discrimination. Both parties acknowledge that tenure decisions are difficult and properly involve the exercise of individual qualitative judgments in the evaluation of scholarship, teaching, and service. Both parties agree that continuing development of this decision, although difficult, is always desirable. In reaching this Settlement, the parties acknowledge that these questions will not be resolved at trial.

For consideration of \$30,000 receipt of which is hereby acknowledged, Roberts does voluntarily and knowingly execute this release to the State with the express intention of extinguishing all claims which arise or may arise in any manner or account of or relating to alleged tortious conduct by the State relating to the denial of tenure.

The payment of any sums by the University as consideration for this release does not constitute any indication or acknowledgement of any improper actions by the University, the Educational Policy Studies Department, or any faculty or other persons, but is made solely and expressly to terminate any existing dispute and eliminate the burden of extensive and costly litigation.

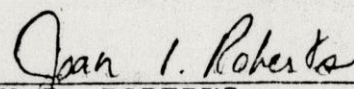
Roberts hereby agrees to withdraw and cause to be dismissed without further cost or obligation all litigation and lawsuits and any and all administrative complaints and/or requests for investigation of any nature or type which are pending on this date.

Roberts authorizes and directs her attorney to prepare all necessary motions, pleadings, and documents to effectuate the dismissal of all actions, claims or proceedings of any type or kind pending in any forum against the State on this date. Roberts agrees to execute any necessary papers or documents relating to said pending claims. Thereafter, Roberts shall never assert in any legal or administrative forum, any legal or equitable claim against the State arising from or relating to her employment, or failure to continue her employment at the University of Wisconsin-Madison.

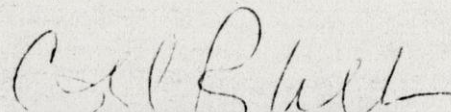
The State shall never assert in any legal or administrative forum any legal or equitable claims against Roberts arising from or relating to her employment at the University of Wisconsin or any legal or administrative proceedings held to date.

This release shall be binding on Roberts, and her heirs, assigns, representatives, and any person who may be entitled to take through or under Roberts, and upon the State.

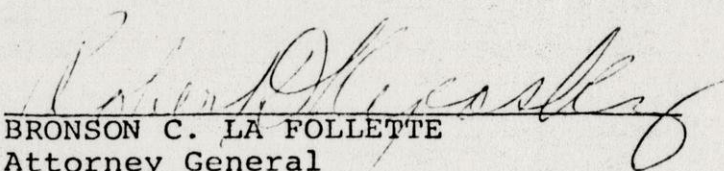
In executing this release, Roberts acknowledges that she was informed of its terms and conditions, and has had the benefit of counsel of her own during the preparation and execution of this release and understand that this is full and complete release according to the terms contained herein. Roberts warrants that no promise or inducement has been offered or made except as contained in this document and that this release is executed without reliance upon any statements or representations by any agents, officers, or employees of the State.



JOAN I. ROBERTS



CHERYL ROSEN WESTON
Attorney for Plaintiff



BRONSON C. LA FOLLETTE
Attorney General
by
ROBERT D. REPASKY
Assistant Attorney General

Attorneys for Defendants.

Release: Immediately

9/22/78 emd

CONTACT: William L. Church (608) 262-1815 and
James A. Graaskamp (608) 262-6378

DISABLED GET GRIEVANCE PROCEDURE AT UW-MADISON

MADISON--Disabled students or employees at the University of Wisconsin-Madison who believe they are victims of discrimination now have a grievance system.

The procedure was written by the Committee for Disabled Persons on campus and approved in August by Chancellor Irving Shain. It sets up a subcommittee of the disabled persons committee as a grievance board to act on appeals of non-academic grievances.

The procedure separates academic and non-academic grievances, drawing a line between questions such as whether a disabled student should be required to do some difficult laboratory task and whether the University should be made to build special equipment so the student is able to do it.

"You have a problem of turf here," said business Professor James A. Graaskamp, chairman of the Committee for Disabled Persons.

Deciding academic matters is a faculty responsibility, he said, and thus the grievance procedure leaves academic grievances up to the departments, colleges and schools. Graaskamp, a quadriplegic, said professors who review academic grievances must decide, "When are you helping the handicapped without really abridging the guts of the curriculum?"

The non-academic grievance procedure allows the appeals body to order spending as much as \$500 without other approval for such things as minor building repair, easier access or a reader for a blind student. Law Professor William L.

Add one--disabled

Church, who drafted the procedure, said the \$500 limit was set because, "We did not want anyone not representing the state making commitments that are going to have extensive monetary consequences."

Graaskamp and Church agreed that the new procedure is not a reaction to any serious problems in the past, but rather a way the disabled can express their requirements and make the University work more smoothly for them.

"What we are trying to do is anticipate," Graaskamp said, "and not make a problem that may arise in the future any worse than it need be."

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Release: Immediately

9/26/77 meb

CONTACT: Prof. James E. Jones (608) 262-2440 or 262-1575

BAKKE DECISION COULD 'CHILL' AFFIRMATIVE ACTION, JONES SAYS

MADISON--A United States Supreme Court decision finding the affirmative action program at the University of California-Davis Medical School unconstitutional might not affect directly such University of Wisconsin programs but it would have a "chilling effect" on affirmation action throughout the country, according to law Prof. James E. Jones.

Jones was active in establishment and enforcement of affirmative action in the federal government and this university. A government lawyer with the U.S. Labor Department before joining the faculty here in 1969, he participated in writing the Philadelphia Plan which outlined implementation of programs intended to reverse years of discrimination against racial minorities and women.

The programs are now under attack because of a young white man, Allen Bakke, who was refused admittance to the California medical school while, he claims, black students with less impressive credentials were accepted.

The California supreme court upheld Bakke's contention. An appeal to the U.S. Supreme Court will be heard Oct. 7. The crux of this case has been assumed to be the constitutionality of imposing minority quotas in admissions, a situation that does not exist in the law or medical schools here. Affirmative action at this University consists largely of providing financial aid and special educational assistance for minority and disadvantaged students.

"It doesn't take much to chill affirmative action," Jones said, referring to the effect a decision on the case could have at this university. "It would add

Add one--Jones

fuel to the arguments of those who have not been favorable to affirmative action from the beginning and cause the university to back off existing programs. I would hope that the state's affirmative action programs would continue, but I don't know if they would survive."

The Bakke decision will have effects beyond the narrow admissions case specifically involved, Jones continued.

"The case that made 'separate but equal' a national policy was a transportation case. And the case that struck down separate but equal policies was an education case. But both those cases permeated every segment of society. The Bakke case is a medical school admissions case, but it will have impact on employment and many other aspects of society."

Jones said some of the 58 briefs filed with the Supreme Court in the case have argued that any decision should be narrowly confined to university admissions. Jones said that would be unwise because "the problems affirmative action attempts to resolve can not be resolved just by education."

"Racism has infected our society since its inception and had been a cancer on democracy. It permeates every aspect of our society--religion, taxing policy, health care. It has corrupted our morals, our laws, our politics, our constitution, our very perceptions of right and wrong."

However, should the Court decide the affirmative action program at California is unconstitutional, Jones said he would join those who argue that the decision should apply only to medical school admissions. He does not think he will have to make that argument: Jones predicted the Court will decide in favor of the University of California's program.

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Discrimination

From The University of Wisconsin-Madison / University News and Publications Service, Bascom Hall, Madison 53706 / Telephone: (608) 262-3571

Release: **Immediately**

6/25/75

The following statement was presented by David B. Johnson, UW-Madison Dean of International Studies and Programs, at a board meeting of the Midwest University Consortium for International Activity (MUCIA) held in Chicago today.

"The University of Wisconsin is deeply committed to the exchange of knowledge among scholars of universities of all nations. It is equally committed to the proposition that it should not and will not enter into contracts or cooperative arrangements from which certain of its faculty or officers might be excluded on grounds of religious affiliation.

"In the considerations of the MUCIA collaborative project with the University of Riyadh, which began in January, 1974, the University of Wisconsin Board members have always taken the position that the project should be terminated by MUCIA in the event that there was discrimination against faculty members or officers of MUCIA universities on grounds of religious beliefs. Furthermore, at the March, 1975, meeting of the MUCIA Board the Wisconsin Board members agreed that it would be appropriate for one of the Consortium Board members, Dean Ralph Smuckler of Michigan State University, to request approval to visit the project site in Saudi Arabia, and that issuance of a visa to this Jewish applicant would give us the assurance we required. Accordingly, the University of Wisconsin conditioned its continued support of and participation in this program on the outcome of this test.

"It should be made clear that the University of Wisconsin's nominations of Prof. Louis Kaplan and Dean Paul Ginsberg as team members were not intended to test Saudi Arabian policy, but simply to respond to Saudi Arabia's request for able people in library development and in student services. Since only a third of the nominees could be selected, this gave Saudi Arabia a chance to take 'affirmative action' but could not in itself be viewed as a test of bias.

-more-

Add one--statement

"For this reason it is the University of Wisconsin's recommendation to the MUCIA Board that unless there are facts not now in evidence to alter the judgment that grounds of religious affiliation are being used to exclude a member of our Board of Directors from Saudi Arabia, MUCIA should suspend all activity related to the current collaborative project with the University of Riyadh. We have recommended suspension rather than termination because there is no clear evidence that the University of Riyadh has refused to issue an invitation to Dean Smuckler. We propose to give officials of the University of Riyadh an opportunity within a reasonable time to respond to the request for an invitation that was made to them by President Clifton Wharton of Michigan State University. At the same time we would urge the Board of Directors of MUCIA to use all means available to reach an understanding with the University of Riyadh on matters of religious or ethnic discrimination which would enable its member universities to participate in future undertakings."

Upon conclusion of his statement, Dean Johnson introduced the following resolution which was approved by the MUCIA board:

"RESOLVED that the Board of Directors instructs the Chairman of the Board and the Executive Director of MUCIA to convey to the Rector of the University of Riyadh a statement that the exclusion of persons of Jewish faith from Saudi Arabia, as demonstrated by the failure to issue a visa to a member of the MUCIA Board of Directors who is Jewish, is a policy which MUCIA cannot accept and which prevents our consortium from continuing participation in this project. Therefore, MUCIA must suspend all activity related to the current collaborative project with the University of Riyadh, unless or until an understanding can be reached that MUCIA's faculty and officers will not be excluded from Saudi Arabia on grounds of race, color, religion, sex, or ethnic affiliation. If such understanding can be reached in a timely way, the project could then be resumed; if not, MUCIA will further act to withdraw totally. Under any circumstances, MUCIA will continue to wish for those conditions which would in the future permit collaborative enterprise between the consortium and the universities of Saudi Arabia."

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UW news

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From The University of Wisconsin-Madison / University News and Publications Service, Bascom Hall, Madison 53706 / Telephone: (608) 262-3571

Release: Immediately

6/7/74 jfn

(EDITORS: Oral arguments at 10 a.m. Monday in the commission's conference room at 201 E. Washington Avenue, Madison, will be open to news media. Further information on this release is available from Atty. Edward D. Main, 5101 Turner Avenue, 222-9329.)

MADISON--The three commissioners of the Wisconsin Department of Industry, Labor and Human Relations (ILHR) were asked Friday to disqualify themselves from hearing a challenge against state hiring procedures by a Madison man who applied unsuccessfully for a job as a painter-apprentice at UW-Madison.

A motion was served on the commission late Friday by attorneys for the UW-Madison and the Department of Administration, Bureau of Personnel, in the case brought by John T. Patzer of 5314 Russell rd., Madison. Oral arguments are scheduled before the commission at 10 a.m. Monday.

"We find ourselves in the ~~unenviable~~ position of arguing our case to an agency which may in part be responsible for the predicament we found ourselves in...an agency which has previously expressed itself on the merits of this case, and an agency which may, ironically, have at least tacitly approved what we did within one division while condemning it in another," the motion contended.

Patzer had asked that the state's hiring policy be declared in violation of its fair employment law and of the state and federal constitutions. He said he was informed he was ineligible because he was not a woman or member of a minority group.

Two other motions asking dismissal of the case were filed earlier this week by UW-Madison and DOA.

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Release: Immediately

6/5/74

UW-MADISON, BUREAU OF PERSONNEL ASK DISMISSAL OF PATZER CASE

MADISON--Two motions have been filed asking dismissal of a challenge by John T. Patzer leveled at State of Wisconsin hiring procedures for openings in civil service job classifications traditionally held by white male employees.

The University of Wisconsin-Madison and the Department of Administration, Bureau of Personnel, have received information leading them to believe that Patzer, 5314 Russell rd., Madison, will enter the Peace Corps this month, according to Michael Liethen, a lawyer on the Madison chancellor's staff. Patzer had asked the state's hiring policy be declared in violation of its fair employment law and of the state and federal constitution. He attempted to apply for a job as a painter-apprentice on the Madison campus and was informed he was ineligible because he was not a woman or member of a minority group.

Liethen said even if the Industry Labor and Human Relations Commission found the University and the Bureau illegally discriminated, no relief could be granted Patzer if he is out of the country. They are asking, therefore, that the case be declared moot.

An additional dismissal motion argues that the commission does not have enforcement powers in cases where state agencies, such as the UW, are defendants.

The controversy over preferential hiring of women and members of minority groups centers on a rule adopted by the Director of the Bureau of Personnel, Department of Administration, approved by the State Personnel Board and Governor only which allows state agencies to accept applications from women and minority groups, if there are no other alternative for meeting affirmative action goals. This rule, known as "Pers. 27" has been invoked in about 35 cases since adopted.

Add one--affirmative action

Liethen noted as recently as November 1972 when the UW invoked Pers. 27 for the position for which Patzer applied, the University employed 180 persons in building trades, all of whom were white males.

He added that during the five years previous to November 1972, the Madison campus was unsuccessful in recruiting women or minorities for its building trades job opportunities and therefore the drastic measures permitted by Pers. 27 were clearly necessary.

Liethen said Pers. 27 is an administrative rule which "has the force and effect of state statute" and that following it was the only way the University could meet its affirmative action commitments in certain types of jobs.

"In the 1960's there was a manpower shortage so we could find many positions for minorities in our regular recruitment efforts. But now the economy has slowed down and the University's budget is tightened. New openings are minimal, people aren't leaving their jobs here to take better ones elsewhere because there aren't many jobs anywhere. The very low turnover in the work force which results from these economic conditions, removes an essential precondition for an effective and viable affirmative action hiring program.

"With only a limited number of positions available, we had to use Pers. 27 to bring women and minorities into these positions," Liethen said.

Liethen said the Patzer case is unusually complicated since University recruitment and hiring practices are established by the Bureau of Personnel.

Apprenticeships are under jurisdiction of the Apprenticeship and Training Division of the ILHR. (Patzer filed his complaint with the ILHR Equal Rights Division and it is the ILHR Commission which is scheduled to judge the case.)

Liethen added if the affirmative action program adopted by the ILHR Commission for joint-apprenticeship programs under its control had been effectively implemented it probably would not have been necessary for the UW to use Pers. 27 in hiring building trades apprentices.

A second complaint filed by Mark W. Krajco, Monona, who applied for a position as electrician-apprentice here, asks for a declaratory ruling from the Bureau of Personnel. A prehearing to determine issues and witnesses is slated for June 17 at 10 a.m. in the State Office Building, 1 West Wilson st.

feature story

Discrimination

From The University of Wisconsin-Madison / University News and Publications Service, Bascom Hall, Madison 53706 / Telephone: (608) 262-3571

Release: **Immediately**

3/23/73 hh

Editors: For further information, contact Heidi Holler, 608-262-3571

MOST WOMEN STILL 'SKIRT' ENGINEERING AT UW-MADISON

MADISON, Wis.--The University of Wisconsin-Madison College of Engineering, like others across the country, has a problem women's liberation may help solve. The problem is shrinking enrollment.

In September, 1965, there were 736 freshmen in a College of Engineering undergraduate student body totalling 2,456.

Last fall, of 1,913 engineering undergraduates, 348 were freshmen--and only 23 were women.

Nonchalance within engineering faculties over the scarcity of women in their classes and among their peers is changing to concern, for women represent an almost untapped pool of potential engineering students: last spring, United States schools of engineering averaged out to being only .82 per cent female.

But steering women to the engineering campus isn't easy, says engineering education Prof. Lois Greenfield, lone woman on the UW-Madison College of Engineering faculty because the steering-away process begins early.

"In our society, little girls are given dolls to play with, not erector sets," she notes. Young women who excel in math or science in high school meet with "'Aha! You should be a nurse!' or 'Aha! You should be a science teacher,' always the traditional roles. Often, counselors never consider the prospect of a girl going into engineering."

Add one--engineering

The UW engineering faculty seeks to attract freshmen by means of an informal outreach program in state schools. But the professors who speak before bleachers full of high school students are usually men.

"I don't think we know how to present our work properly for girls," muses Associate Dean John L. Asmuth.

"Role models," (women other women copy), for would-be women engineers are hard to come by. Hiring women to fill faculty positions in the College of Engineering would be desirable, Asmuth says, but points out that parsimonious budget-makers aren't likely to be impressed by pleas for more professors to teach declining numbers of engineering students.

Then, too, there's no glut of women engineering professors to hire.

If a woman were determined to find reasons not to go into engineering, she could. "Current myth has it that the 'half-life' of an engineer--the time it takes for half of what he learned in school to become obsolete--is from five to 10 years," says Prof. Greenfield.

"That means a woman who's serious about her profession can't take a complete time-out for five to 10 years while she gets her family started. She has to look at the possibility of continuing in a professional role at least part-time while her children are young."

But refreshing stale knowledge will be imperative for male engineers, too, in the future. "Technical renewal is becoming painfully necessary," says Dean Asmuth. "I think engineering is going to have to face the re-training problem for engineers of both sexes, at about the same time."

Jaclyn Horsfall, 21, of Madison, originally planned to be an English teacher. "But one day my father (a state civil engineer) said to me, 'Look, kid. One-half the drivers in the world are women, but all the road designers are men.' He wanted me to design roads with a 'woman's touch,'" she recalls.

Add two--engineering

"For a long time, I said 'No way,' but the more I thought about it, the better it looked," she says. She's now a junior in civil and environmental engineering.

This year the governing organization of student professional engineering societies, Polygon Board, elected its first woman president, Cheryl Brandt of West Allis, a chemical engineering senior.

Several members of the engineering faculty sent the National Science Foundation a proposal early this year. They wanted money to conduct a special summer engineering clinic for high school girls whose propensities in math and science might lead them to consider engineering as a career--if they found out about it in time.

The NSF, with budget troubles of its own, turned down the grant last week, says Prof. Greenfield.

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feature story

Discrimination

From The University of Wisconsin-Madison / University News and Publications Service, Bascom Hall, Madison 53706 / Telephone: (608) 262-3571

Release:

Immediately

10/13/72

By MARK P. McELREATH

MADISON--The "white face" of higher education is a continuing problem that needs to be attacked constantly, charges a black psychologist at the University of Wisconsin-Madison.

Although some of his colleagues on the campus call his criticism "old hat," Prof. Ross A. Evans claims many academic disciplines are "culture bound" and continue to teach American racist assumptions. He states:

"I'm baffled that some say this criticism is old hat. This is something that needs to be articulated in as many ways as possible. It's depressing that this 'old hat' criticism is so accurate."

Evans is particularly critical of educators who make what he calls "the inferiority assumptions" about blacks. These educators spend too much time trying to offer "scientific explanations" of assumed inferiority within blacks, he contends.

"The myth of blind objectivity has the disadvantage of working to the disadvantage of the oppressed," adds Evans, who has a joint appointment with the UW-Madison Afro-American studies department.

"As a black psychologist I, like many others, have always tried very hard to treat the development of my professional proficiency apart from my personal experience as a black American.

"In so doing, I find now that I have allowed myself to be diverted from the essentially racist elements buried in many of the fundamental assumptions of American psychology, assumptions which have served to punish black Americans

-more-

add one--EVANS

brutally with the sanction and participation of too many black as well as white psychologists."

The chairman of his department, Prof. Robert E. Bowman, considers Evans's criticism valid:

"We're bound to teach cultural biases--we do it without thinking about it. As educators and scientists, we need to make a conscious effort to be aware of these biases.

"One of the reasons we hired Evans--in addition to his competency as a psychologist--was because his perspective will be a valuable input for our department,"

Bowman added that Evans's criticism was not new, but that it was the type criticism that needs to be made constantly.

Prof. Philip Lambert of the UW-Madison educational psychology department agreed that Evans's criticism was not new and called it "old hat." He said:

"I applaud blacks studying blacks, and I agree with Evans that educators need to be aware of their cultural biases, but we have recognized the errors of racist assumptions for a long time."

Prof. Finley C. Campbell, acting chairman of the Afro-American studies department, said many of the older faculty members continue to make racist assumptions "because it's become a habit of thought. But the younger faculty members are not in that bag. These younger people have a different conception of what culture means--they are more aware of cultural biases.

"To change the white face of this institution will mean exposing students and professors to facts about other cultures." Campbell said one way he is trying to do this is by having his department establish mutual courses with other departments.

With a Ph.D from Oklahoma State University, Evans is an experimental psychologist who has focused most of his research on the basic learning problems of mental retardates. First he became aware of faulty racial assumptions within

add two--EVANS

this particular field, and only recently has he enlarged his criticism to include all of higher education. He notes:

"The charge has been made in the past that the emperor is naked--that under the facade of higher education is institutional racism--but nothing has been done about it. The emperor has been naked for a long time, and the citizenry must be forced to look at it and to do something about it."

Prior to joining the Madison faculty, Evans was professor and assistant director of the research and development center for the education of handicapped children at Columbia University.

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feature story

Discrimination

From The University of Wisconsin-Madison / University News and Publications Service, Bascom Hall, Madison 53706 / Telephone: (608) 262-3571

Release: Immediately

6/29/72

By MARK P. McELREATH

MADISON, Wis.--Stereotypes of the pampered, fluttering Southern Belle and the practical, hard-nosed Yankee Woman reflect real differences in the status of women in the North and in the South, according to women professors and students from a large southern university and a major northern university.

Female faculty members teaching woman studies courses at the University of Houston and the University of Wisconsin-Madison, and their students, point out several factors which make a woman's life different above and below the Mason-Dixon line.

A big difference is that the Southern Belle tradition has not gone with the wind. According to Houstonian Frieda Armstrong, a student active in the woman's liberation movement:

"A great deal of pressure is put on the southern woman to be a lady. Chivalry is very important to her. Women here are still very much into the Southern Belle thing."

Another factor that makes southern women act differently, particularly in the Southwest, is the man's image of the male role. "The cowboy image of masculinity" dictates a submissive role for women, Ms. Armstrong explained.

"Also, the Mexican-American culture, with its machismo concept, has a bigger impact on Texan women than on Wisconsin women." The "machismo" attitude says a man must prove his virility by being the dominating force in male-female relationships.

- more -

Add one--women

Jane Van Dyk, a Wisconsin student who recently completed an experimental feminist course, cited three reasons why she thinks northern women are treated more fairly than southern women: "The South is less industrialized, less urbanized, and has fewer intellectual centers than the North."

Prof. Effie Feld of the University of Houston--where 36 per cent of the 27,000 students are female--commented: "One has the feeling more is going on in the North concerning woman's liberation."

"But the over-riding factor in the woman's liberation movement is not that northern and southern women are different, not that black and white women are different; but that black or white, north or south, if you are a woman, you have had the same experience. What's important is how much all women have in common."

She said prejudice towards women is more openly expressed in the South. But, she added, "The male chauvinist attitudes are just as prevalent in the North... they just are expressed in a more subtle way."

Agreeing with this, the coordinator of an "affirmative action" program for female faculty members at Wisconsin's largest university, Prof. Cyrena Pondrom said: "More people in the South are willing to openly express their prejudices toward women. In the North, such attitudes are not as socially acceptable."

"But in terms of professional success and career opportunities for women, I doubt seriously if there is a great deal of difference in the way women are treated in the North and in the South."

At the University of Wisconsin--where 38 per cent of the 33,000 students are female--social scientist Dr. Joan I. Roberts experimented with teaching woman studies by having more than two dozen women professors lecture to students on a wide range of topics--from the social meaning of women's clothes to the psychological sex differences in intellectual and emotional functioning--and by having the lectures broadcast over the the state educational radio network.

Add two--women

Prof. Roberts said any discussion about differences between northern and southern women had to focus on racial and social class issues:

"There are more Black and Chicano women in the lower social classes in the South than elsewhere. This racial factor makes the status of the lower income woman much worse in the South than in the North."

She stressed, however, that "Cosmopolitan women of the North are like cosmopolitan women of the South. There is a greater difference between rural and urban women than there is between northern and southern women."

Involving so many women professors in her experimental course is generating other feminist-oriented courses on the Madison campus, Prof. Roberts said, emphasizing that more courses should be offered, especially for students who want to earn degrees in woman studies.

The difference in the status of women in the North and women in the South may be indicated by the number of woman studies courses offered by southern and northern universities.

Materials printed by the woman's liberation press, KNOW Inc., Pittsburgh, Pa., and prepared by the Modern Language Association's Commission on the Status of Women, indicate there are several significant woman studies courses offered by the University of Wisconsin System. The courses relating to women offered by the University of Houston are not listed.

In a factsheet put out by the MLA Clearinghouse, Florence Howe and Carol Ahlum of State University of New York state: "There are more courses (in woman studies) in the northern than in the southern part of the country."

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Office of Governor Patrick J. Lucey
State Capitol Building
Madison, Wisconsin 53702

Discrimination

PRESS RELEASE

For Release:
Thursday, May 18, 1972

Blake Kellogg, Press Secretary
Aleta Murray, Admin. Asst.
(608) 266-1212 - 266-7496

EXECUTIVE ORDER NO. 39

WHEREAS, the Wisconsin State Legislature has recently ratified the 29th Amendment to the United States Constitution assuring equal rights for all women; and

WHEREAS, recent United States Supreme Court cases have ruled unconstitutional any statutes which arbitrarily discriminate against women; and

WHEREAS, there is increasing evidence that women are not accorded the full rights of citizenship; and

WHEREAS, there is a growing awareness of the need to take affirmative steps to assure equal rights for women.

NOW, THEREFORE, I, PATRICK J. LUCEY, Governor of the State of Wisconsin, do hereby order:

- (1) that the head of each state department, board and commission examine and assess those statutes over which he has administrative responsibility to determine whether either that statute, or the procedures by which it is administered, might arbitrarily discriminate against women and to take or recommend appropriate steps to remedy such discrimination.
- (2) that there be created in the State Bureau of Personnel an Affirmative Action Unit to direct affirmative actions in the employment and assignment of women and minorities throughout the state service of Wisconsin. The unit, under the direction of the Director of Personnel, will review the affirmative action plans including goals and timetables of all state departments; closely coordinate all plans for departmental implementation of affirmative action; provide leadership and guidance to departments and direct departments to comply with all aspects of affirmative action; receive, analyze and transmit to the Governor periodic progress reports for all departments; convene departmental Affirmative Action officers regularly;

continuously review State personnel policies, including fringe benefits and recommend to the appropriate agency whatever changes are required to assure that they not discriminate in any way;

- (3) that the Secretary of each State department and head of each board and commission shall designate a departmental Affirmative Action officer who shall report directly to the Secretary or head. The Affirmative Action officer shall develop and implement a realistic affirmative action program of employing women and minorities within each Department and at all employment levels with the goal of attaining numbers of such employees proportionate to their labor force participation; and shall develop specific goals and timetables based on an analysis of departmental deficiencies and determined in cooperation with approval of the Affirmative Action unit in the State Bureau of Personnel;
- (4) that the head of each state department, board and commission shall be responsible for the active encouragement of women and minorities in applying for promotions, and shall promote the requisite training at all levels which will qualify women and minorities for appointment and advancement in a climate of true equal employment opportunity; that departments shall also be responsible for thorough dissemination and posting of information on grievance procedures. Departments shall evidence willingness to discuss problems, provide counseling for employees who feel aggrieved, and shall encourage the resolution of employee problems;
- (5) that departments shall be responsible for thorough dissemination of Affirmative Action policy within the department. Externally, all recruitment sources and prospective employees shall be likewise informed of these policies and practices.
- (6) that departments are encouraged to appoint women and minorities whenever feasible to examining boards, committees and advisory boards, so as to effectuate a balance on them similar to that being urged for the overall work force.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed.

Done at the Capitol in the
City of Madison, this seven-
teenth day of May in the
year of our Lord one thousand
nine hundred and seventy-two.

~~PATRICK J. LUCY~~
GOVERNOR

By the Governor:

Secretary of State

Release:

Immediately

2/23/72

By HAZEL McGRATH

MADISON--The University of Wisconsin-Madison currently is engaged in an all-out effort to increase the number of qualified women in faculty positions both at the junior and tenured level in every possible field.

Under the supervision of Prof. Cyrena N. Pondrom, assistant to Chancellor Edwin Young, 250 pages of "affirmative action documents" have been gathered and sent to every school, department, and institute on the campus. These documents assess the status quo for Madison faculty women and provide the basis for each department to set hiring goals for "equity plus quality" for the future.

Using as a basis the number of qualified women in each discipline receiving the doctorate from the largest and best U.S. graduate schools, 1967-69, each department filed by Feb. 14 a percentage goal for hiring women faculty.

By June 10 each department is expected to file in the chancellor's office a complete hiring report for 1972-73. This report will include the percentage of women in both non-tenure and tenure hirings. If a department has hired a percentage of women below the goal set in each department, proof must be given that bona fide offers were indeed made.

The big push started in late January with the memorandum sent all department chairmen by Chancellor Young:

"Studies of the composition of the Madison campus and national statistics on higher education show that significantly fewer women are members of our faculty than are graduated with the Ph.D. from highly-ranked U.S. graduate schools.

Add one--women in faculty positions

"These statistics suggest that we have not done enough to appoint highly qualified women to the faculty in the numbers that our commitments to excellence and to equality of opportunity demand."

Chancellor Young points out that regulations governing universities with federal contracts specify that when qualified women or minority group members are under-used by an employer, a program to increase the representation of women or minorities must be carried out.

"Thus in the interests of quality and equity I am calling now upon each department to review its academic hiring practices in regard to women at both the tenure and non-tenure levels and to take steps to redress any imbalance in the representation of qualified women which exists."

The campus-wide aim is for the percentage of women in any given department at Madison closely to parallel the percentage of women recently receiving doctorates from the top U.S. degree-granting universities. Department goals should reflect both the availability of women and the department's present representation of women on the staff.

For example, in anthropology a total of 64 women received the doctorate from major institutions in 1967-69; dividing the number of women by the number of men plus women shows that women received 25.1 per cent of the doctorates granted in the field by major institutions, 1967-69. In biochemistry, 117 women received the doctorate from selected institutions--or 21.4 per cent.

Each Madison department, however, was asked to set a catch-up goal higher than the percentage of doctorates recently awarded women, unless it currently employs women faculty in approximately the numbers in which they are available.

In the field of medicine, the directive states: "The percentage of women residents in the field should be used as guides for setting percentage goals for appointments of women both as residents and as department faculty." In anesthesiology, for example, 295 women held residencies in affiliated hospitals on Sept. 1, 1970, a total of 18.9 per cent.

Add two--women in faculty positions

For departments where no information is available, "these departments should use any information concerning the availability of women which may have appeared in specialized professional journals as a guide in setting goals."

Affirmative action reports will be expected twice a year for the next several years. When a department falls short of its goals, "there must be very clear documentary evidence that it has done everything in its power to discover enough highly qualified women to compete successfully for the positions.

"Departments should also look carefully at the ranks of lecturers, research associates, or post-doctoral fellows already at Wisconsin, placing these staff members in the competition for tenure-track positions which become available.

"We should, within the next three years, achieve a staff in which the percentages of non-tenure women in each department are approximately that of the qualified women currently receiving the doctorate in the disciplines. At the same time we should attempt to recruit women at the tenure level in order to adjust the balance there.

"At the end of five or six years--as we begin to promote our current junior staff to tenure--we can reasonably expect that new appointments at both assistant and associate professor levels will show percentages of women as high as that on our own non-tenured staff, which in turn will reflect the percentages of women nationally available.

"To the extent that it is possible to do so--given the availability of qualified women and the rates of expansion, attrition and turnover--we should in a period of years achieve department staffs which in their entirety reflect the proportions of qualified men and women active in the discipline."

uw news

From The University of Wisconsin News and Publications Service, Bascom Hall, Madison 53706 • Telephone: (608) 262-3571

Release: Immediately

9/30/71 mm

Discrimination

MADISON--The acting chairman of the University of Wisconsin-Madison Afro-American studies department said if society in general and university departments in particular would eliminate prejudice, there would be no need for black study programs.

Prof. Daniel P. Kunene, speaking informally at the opening of "Creations from Africa," an exhibit of priceless African art objects on display through Oct. 10 in the UW Union Gallery, said:

"Knowingly or otherwise, certain departments and disciplines, such as history and sociology, have fostered distortions and half-truths about Africans and Afro-Americans.

"If the other university departments could eliminate the prejudice and biases within their disciplines, then there would no longer be a demand for black study programs.

"Practically speaking, I do not see this happening any time in the near future. It is an ideal that we should strive for, however.

"University departments are a reflection of the larger society, and until prejudice is eliminated in the larger community, the academic community will reflect such prejudice."

Kunene, professor within the African languages and literature department, has been acting chairman of the Afro-American studies department since June. There are seven faculty members, an artist-in-residence, and three post-doctorate students assigned to the department, which is beginning its second year of operation on the Madison campus.

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uw news

Documentation

From The University of Wisconsin News and Publications Service, Bascom Hall, Madison 53706 • Telephone: (608) 262-3571

Release: Immediately

3/26/71 jb

MADISON--Appointment of a 14-member University of Wisconsin-Madison campus Committee on the Status of Women was announced by Chancellor Edwin Young Friday.

The general division of the committee, consisting of nine academic employees, three classified employees, and two students, is charged with advising on policy matters concerning interests or problems common to most women students and employees of the University. Law Prof. Shirley S. Abrahamson was appointed chairman.

Other members of the committee:

Faculty--Mrs. Ruth H. Bleier, associate professor of neurophysiology; Mrs. Barbara H. Fowler, lecturer in classics; Prof. Richard R. Hughes, chemical engineering, associate director of the Engineering Experimental Stations;

Prof. Mary Ellen Roach, textiles and clothing; Prof. Richard U. Miller, business, associate director of the Industrial Relations Research Institute; Mrs. Ruth N. Schwebke, specialist, Steenbock Memorial Library;

Mrs. Louisa R. Stark, assistant professor of anthropology; and Mrs. Elaine C. Walster, professor of sociology.

Classified Employees--Mrs. Cornelia Moore, nursing assistant, University Hospitals; Mrs. Patricia O'Shea, secretary, medical genetics; and Mrs. Marian Swoboda, administrative assistant, management studies.

- more -

Add one--women status committee

Students--Diane Doughty, Wilmington, Del., graduate student and housefellow, and Patrice A. McKinney, freshman from Brooklyn, N.Y.

The general division of the committee shall have two standing committees-- the classified division, to be chaired by Mrs. Swoboda, charged with advising on policy matters concerning the interests and status of classified employees, and the faculty division, chaired by Mrs. Abrahamson, established to advise the administration of the Madison campus on personnel issues, policies, and decisions pertinent to non-student women academic employees and to women students.

The faculty division also will serve as a committee of first resource or screening in academic staff or student complaints in which discrimination on the basis of sex is an issue.

Other subcommittees will be formed as needed to deal with specific issues, and will be drawn in part from persons not on the general committee.

Meetings will be called at the discretion of the chairman. It is anticipated, however, that the faculty and classified divisions will meet weekly this spring, and that the entire committee will meet approximately monthly.

The committee will send representatives to the employee relations committee when it is established in the near future.

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UW news

*Committee - Human Rights -
H.R.*

From The University of Wisconsin News and Publications Service, Bascom Hall, Madison 53706 • Telephone: (608) 262-3571

Release: **Immediately**

11/23/66 mcg

MADISON, Wis.--Delta Gamma sorority at the University of Wisconsin in Madison is the first UW group to submit an acceptable alternative certificate on membership selection procedures to the Faculty-Student Human Rights Committee.

In commending the sorority for its initiative, Prof. Walter B. Raushenbush of the Law School, chairman of the committee, said the DG alternative is "real rather than hypothetical because it is signed by the national president."

The University requires that by 1972 all fraternities and sororities submit a certificate assuring that no participation in the membership selection process by alumni or officials of a sorority or fraternity will in any way restrict the freedom of choice of the members of the Wisconsin local group. The certificate is one of two designed to prohibit membership discrimination because of race, color or creed.

Signed by national president Mrs. Kenneth P. Groves, the document submitted by Delta Gamma reads in part:

"We hereby certify that the collegiate members of the Wisconsin chapter of Delta Gamma are free to nominate, select, elect and initiate members on the basis of individual merit. An alumna recommendation is required for the purpose of providing information to aid the chapter in selecting the members on the basis of merit. This requirement contains no restrictions inconsistent with the policies and regulations of the University of Wisconsin regarding human rights. It is not related in any way to the considerations of the race, color, creed or national origin of the candidates for membership."

###

SPECIAL REPORT AND RECOMMENDATION OF FACULTY COMMITTEE ON HUMAN RIGHTS
REGARDING KAPPA DELTA SORORITY

I. Introduction

On May 4, 1965, the Faculty adopted legislation (Faculty Document 1627) requiring that all social organizations submit two annual certificates, signed by both local and national officers. The first was due for the first time on November 1, 1964. The second is due for the first time in 1972, and is not relevant to this report. For each, the signature of a national executive officer is required on first submission and every fifth year thereafter. Locally signed certificates are required annually.

Certificate I, the only one here involved certifies that an organization has

"...no provisions in the national or local constitution, by-laws, ritual, or any other controlling rules...which require the student membership to refrain from considering for membership, pledging, electing or initiating any students to membership on account of race, color, creed, or national origin.

We further certify that there are no provisions in any of the above which indicate or imply that any person should be considered socially or personally unacceptable as a member because of his race, color, creed, or national origin."

All registered social organizations, fraternal and non-fraternal, have submitted Certificate I, signed locally and nationally (where applicable) except Kappa Delta.

II. Kappa Delta

For several years, Kappa Delta has failed to cooperate with the University in the field of Human Rights. On orders from its national the Wisconsin chapter failed to submit the Questionnaire on Membership Selection Practices and Policies due on October 1, 1963. On orders from its national, it also refused to answer a series of questions put to it in May of 1963, regarding particular circumstances of its membership selection procedures.

It did not file Certificate I by the deadline date. On December 8, 1964, Tau of Kappa Delta (the Wisconsin local) submitted a locally signed certificate which contained only the first paragraph of the wording required by the Faculty legislation, accompanied by a letter of protest.

On February 9, 1965, Mr. Arthur Welton, attorney for the national Kappa Delta, met with the Chancellor, Dean Anne Rogers, Dean Elmer Meyer and two members of the Committee. At that time it was agreed that Kappa Delta local would submit the entire certificate, with a letter explaining the Christian orientation of Kappa Delta. Similar accompanying explanations had been accepted from two other organizations.

Mr. Welton also explained, in a letter to then chairman Van R. Potter, that the national President lacked power to sign the certificate without

specific authorization from the national convention, scheduled for July, 1965. In lieu of a national officer's signature, the Committee agreed to accept temporarily a letter from the national President, Mrs. Frederick T. Morse, authorizing the local President to sign the certificate, and postponed until November 1, 1965, the date on which the signing of Certificate I by a national executive officer would be required.

Tau chapter, in cooperation with many other Kappa Delta chapters, worked at the Kappa Delta national convention in July to secure approval of a resolution which would a) remove ambiguities from the ritual of Kappa Delta, and b) empower national executive officers to sign certificates stating that its Constitution and other governing laws and regulations have no discriminatory provisions.

The resolution came to a vote as the last item of business at the Convention. It was adopted by a vote of 133-80. When the vote was announced, the President declared the resolution unconstitutional, and immediately adjourned the convention.

Since the adjournment, the local chapter has a) unsuccessfully attempted to secure a change in the ruling of the chair, b) proceeded to operate its chapter business in accordance with the ritual approved by the convention vote and with the faculty legislation governing non-discrimination in the membership selection of social organizations, c) cooperated with the Committee in providing pertinent information at a hearing on November 10, 1965 and d) continued to attempt to get the signature of a national officer to Certificate I. Since January 1965 the local chapter has been represented by counsel different from that representing the national organization. e) The local chapter has four Jewish actives and one Jewish pledge.

The hearing referred to in (c), above, had been scheduled for November 3, 1965 but was postponed to November 10 at the request of Mr. Welton, attorney for the national. Mr. Welton and Mrs. Morse had stated an intention to attend the November 10 hearing, but Mrs. Morse was injured in an auto accident, so they did not come, nor did they send any representative of the national organization. They declined to request a further postponement, and Mr. Welton said that all they would say at a hearing could be stated in a letter.

He addressed such a letter to the Chairman, dated November 8, 1965. His basic contentions were two:

1. The University has no right or power to exercise jurisdiction or authority over the membership policies of voluntary social organizations on its campus, because of federal constitutional protection of rights of freedom of association.
2. Even if the University does have such authority, the local signature, authorized by the National President, together with other correspondence in the Committee's hands, amount to such substantial compliance with University policy that Mrs. Morse's failure to sign Certificate I should be regarded as a matter of form, not substance.

The Committee unanimously rejects these contentions. As to the first, the Faculty and Regents have enacted and enforced existing University human

rights policies. A challenge to the legality of these actions must be addressed to the courts, not to the Committee. If such a challenge comes, we assume the University will fight the lawsuit, and we understand that the best legal advice available is that the University would probably win it.

As to the second contention, the Committee has required all groups to submit Certificate I in the wording required by the faculty, except for a very few honorary scholastic groups as to which the Certificate's wording was manifestly inapplicable. Groups have been allowed to submit the Certificate under protest, if they felt that was important to protecting their rights in a possible future lawsuit. They have been allowed in three cases to submit accompanying explanatory letters; as above noted, Kappa Delta's locally signed Certificate I of last year was one of these cases.

Moreover, the Committee has concluded that the National President's failure to sign under the circumstances negates the idea that there has been substantial compliance with University policies. We have found nothing in the national constitution or by-laws of Kappa Delta which prevents her signing. Nor do we understand how she can assert the substance of Certificate I by letter, authorize the local to sign the Certificate itself, and then claim that she herself is bound not to sign. Nor do we see why she should assert a need for convention authorization to sign and then, given that authorization, rule it unconstitutional. The National President and national attorney have had the opportunity to explain these matters; they have not done so. The local student members and alumni, and their attorney, admit they cannot explain it either, and regard her ruling at the convention as illegal. The Committee can only conclude that such resolute non-signing bespeaks an attitude inconsistent with University policies.

We therefore, find Kappa Delta now in violation of the requirements stated in Faculty Document 1627 as to Certificate I. Appropriate action by the Faculty is indicated.

Such action, however, in effect acts on the local chapter, and its members as the University's jurisdiction extends only to them. Therefore, it is important to note the efforts of local student and alumnae members to achieve compliance. The Committee was impressed with their sincerity and determination, and even more by the impressive majority by which they won their apparent victory at the convention last July. They have legal counsel, and have spent substantial sums already for legal services in their efforts to get the required national signature. They, with their attorney, appeared at the November 10 hearing, acknowledged the University's power to enact its human rights policies, expressed their sympathy with those policies, described their efforts to get their national to comply, and urgently requested a limited additional time to achieve compliance by the national organization. The next national convention meets in the summer of 1967. At the close of that convention, a newly elected national president will take office. We are advised that Mrs. Morse, now in her second term, is unlikely to run again.

The local chapter and alumni, in view of the vote at the last convention, have strong hopes that the University's policies may be reflected and furthered by action to be taken at the next convention, and they are anxious that the local chapter have the chance to continue and to work for such action. The Committee is perhaps less optimistic, but in view of the limited time involved, has voted to recommend that the local be given that chance.

We wish to make it clear that the action recommended below is intended to put Tau chapter of Kappa Delta on notice now and to terminate Kappa Delta's presence on this campus automatically on September 15, 1967, if a properly signed Certificate I has not been submitted before that time.

For the above reasons, the Committee recommends:

Tau Chapter of Kappa Delta Sorority must cease all operations on the Madison campus of the University of Wisconsin on September 15, 1967 unless, before that date, it has submitted to the Office of Student Organization Advisors Certificate I, as required by Faculty Document 1627, signed by a national executive officer and by the President of Tau Chapter of Kappa Delta. The progress reports relating to Certificate II, due from Tau chapter of Kappa Delta in March 1966 and March 1967 pursuant to Faculty Document 1627, must also report efforts being made to obtain such properly signed Certificate I, unless Certificate I is so submitted before such progress reports are due.

Walter B. Raushenbush, Chairman
Associate Professor, Law
Lloyd F. Bitzer, Associate Professor
Speech
Herbert Jacob, Associate Professor
Political Science
Richard Hartshorne, Professor
ILS & Geography

Students:

Dennis Sherman
Patricia Nelson
Joan Kolker

* * * * *

When the above Report was prepared, the Committee submitted it to local and national Kappa Delta Counsel, pursuant to previous agreement, that they might briefly comment thereon and have their comments made available to the Faculty together with the Committee's Report.

The response from Mr. Webster, attorney for the local chapter and local alumnae, requires no additional comment.

The response from Mrs. Frederick T. Morse, National President of Kappa Delta, substantially reiterates the contentions made by Mr. Welton, attorney for Kappa Delta National, in his letter to the Committee Chairman dated November 8, 1965, and referred to in the Report. The Committee does not think that the University's requirements (that local student members of social organizations be free to non-discriminate if they so choose) violate the constitutional principles Mrs. Morse refers to, principles for which the Committee, too, has high regard. Nor can the Committee accept the assertion by Mrs. Morse that differences are merely of form, for the reasons stated in the Report. Mrs. Morse suggests that some facts on which the Committee relied are inaccurately stated, but she does not reveal the alleged inaccuracies because she considers the matters immaterial. The Committee does not agree, and adheres to the Report and Recommendation.

The responses follow:

December 10, 1965

Human Rights Committee
University of Wisconsin
935 University Avenue
Madison, Wisconsin

Attention: Mrs. Ruth Doyle

Re: Tau of Kappa Delta

Gentlemen and Mrs. Doyle:

I have received the Tentative and Preliminary Draft of the proposed special report and recommendation to the faculty concerning Kappa Delta. My clients and I are, candidly, more than satisfied with the recommendation and with the Committee's willingness to permit Tau Chapter to continue the internal Kappa Delta fight through the 1967 convention if necessary.

As our offices previously represented Delta Gamma before this Committee and at the close of that hearing found cause to criticize the Committee on its procedure, I feel it is in order at this time to offer my unqualified congratulations to the Committee for its handling and present Kappa Delta problem. The manner, in which the preliminaries to the hearings and the hearings themselves were conducted, could not have been improved upon. The personal courtesies, extended to my clients and myself by the Committee Chairman and Secretary, the Deans and the committee members, were most appreciated. Finally, the fact that the entire committee was present at all these meetings must be noted and commended.

Your actions made an unpleasant situation for us as pleasant as possible and we sincerely hope that our actions had a similar effect upon the Committee. We are aware that this was not an easy matter for you to handle. We deeply appreciate the manner in which you handled it and the recommendation which you have made.

Very truly yours,

ROSS, STEVENS, PICK & SPOHN

by James E. Webster

cc: Miss Margie Alt
108 Langdon Street, Madison, Wis.

Mrs. Charles Jallings
310 North Segoe Road, Madison, Wis.

Miss Florence Griswald
122 Chandler Street, Madison, Wis.

(Sent by Mrs. Morse on December 30, 1965, in response to Recommendations of the Human Rights Committee.)

COPY

To the Faculty at the University of Wisconsin:

The Faculty Committee on Human Rights has extended to Kappa Delta an opportunity to reply to its report and has been kind enough to say it would circulate this reply with the report. I do not wish to go into any detail, but desire to say two things.

In the first place, it is a fact that the local chapter of Kappa Delta has filed Certificate I (with an accompanying letter containing a small modification in one respect, as agreed upon with the Committee), and the Committee has been advised that this action of the local chapter was pursuant to the authority of the National Council. It is my understanding that the only reason for requesting a certificate from a national officer, as well as an officer of the local chapter, is to make it clear that the position of both is in agreement. The material before the Commission makes this clear. Our differences, therefore, are merely of form.

A good deal of the report refers to statements of fact other than those relating to the form of national certification. They are inaccurate in many respects, but as they are also immaterial there seems no point in discussing them.

In the second place, the Committee's reference to our counsel's letter of November 8th makes it appear that the letter is a rather contentious document. I am sure that a copy of it would be furnished to any of you who care to read it and would satisfy you that this is not the case. Neither Kappa Delta nor its counsel has ever suggested that the University's authority should be made the subject of litigation. In fact, the reference to the unequivocal statements of First Amendment rights in current decisions of the United States Supreme Court was designed to appeal to the reason of the Committee, and in all fairness I do not feel a categorical answer that the university would "win" any attack on its authority to be a reply to a reasoned presentation.

Let me give you two very short quotations:

"If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein."

"The right of 'association', like the right of belief, is more than the right to attend a meeting; it includes the right to express one's attitudes or philosophies by membership in a group or by affiliation with it or by other lawful means. Association in that context is a form of expression of opinion; and while it is not expressly included in the First Amendment its existence is necessary in making the express guarantees fully meaningful."

I understand the constitutional rights may not be protected at all times and places, but I think the correct principle is that they may be limited only because of a "clear and present danger of action of a kind the State is empowered to prevent and punish." I know of nothing in the situation at any university that would authorize such a limitation.

As I have said, I believe Kappa Delta has complied in substance with University policy. May I remind you of the observance of one Supreme Court Justice a few years ago:

"Those who begin coercive elimination of dissent soon find themselves exterminating dissenters. Compulsory unification of opinion achieves only the unanimity of the graveyard."

Sincerely your,

Mrs. Frederick T. Morse
National President, Kappa Delta Sorority

U.W. NEWS

Committee

From The University of Wisconsin News and Publications Service, Bascom Hall, Madison 53706
Telephone (Area Code 608) 262-3571

Release:

2/7/66 rf

Immediately

MADISON, Wis.--The University of Wisconsin Madison campus faculty voted Monday that the Wisconsin chapter of Kappa Delta sorority must cease all campus operations by Sept. 15, 1967, unless it submits a certificate on non-discrimination.

The vote approved a recommendation by the Faculty Committee on Human Rights. The committee reported that all registered social organizations on the Madison campus except Kappa Delta including 30 fraternities and 15 sororities, have submitted the required certificate.

The Wisconsin chapter of Kappa Delta, founded on the Madison campus in 1920, currently has 38 members and 25 pledges.

The Madison campus faculty in May, 1964, voted to require a non-discrimination certificate, called "Certificate I," from all campus social organizations. Both local and national officers of each organization must sign Certificate I.

The certificate states that the organization has "no provisions in the national or local constitution, by-laws, ritual, or any other controlling rules which require the student membership to refrain from considering for membership, pledging, electing or initiating any students to membership on account of race, color, creed, or national origin." The certificate also states that there are no provisions in any local or national rules "which indicate or imply that any person should be considered socially or personally unacceptable as a member because of his race, color, creed, or national origin."

-more-

Add one--Kappa Delta

Deadline for the signing of Certificate I by both national and Wisconsin chapter officers was set at Sept. 15, 1967, to give local Kappa Delta another opportunity to change the position of the national officers at the next Kappa Delta national convention, scheduled for the summer of 1967.

"We wish to make it clear," the human rights committee report to the faculty stated, "that the action recommended...is intended to put Tau chapter (the Wisconsin chapter on the Madison campus) of Kappa Delta on notice now and to terminate Kappa Delta's presence on this campus automatically on September 15, 1967, if a properly signed Certificate I has not been submitted before that time."

The committee pointed out in its report that the Wisconsin chapter of the sorority had made strenuous efforts to change the national officers' position. A resolution supported by the Wisconsin chapter and empowering national Kappa Delta executive officers to sign certificates of non-discrimination was adopted at the national convention last July, but was declared unconstitutional by the national president.

The report also noted that the Wisconsin Kappa Delta chapter has four Jewish members and one Jewish pledge.

For several years Kappa Delta, especially the national office, has failed to cooperate with the University in the field of Human Rights, the committee explained. The seven-page report reviewed its relationships with Kappa Delta and included correspondence it had received on the matter.

The committee reported that its difficulties with the sorority started in 1963 when, on orders from its national, the Wisconsin chapter failed to submit a required questionnaire on membership selection practices. On orders from its national it also refused to answer a series of questions put to it in May, 1963, regarding particular circumstances of its membership selection procedures.

The local chapter of the sorority did not file Certificate I by the deadline date of Nov. 1, 1964, but on Dec. 8, 1964, it submitted a locally signed certificate which contained only the first part of the wording required by the UW faculty legislation, accompanied by a letter of protest.

Add two--Kappa Delta

Later the campus chapter president was authorized to sign the certificate in full, and the committee postponed until Nov. 1, 1965, the date on which the signing of Certificate I by a national executive officer would be required.

The Wisconsin chapter, in cooperation with many other Kappa Delta chapters, worked at the Kappa Delta national convention in July of 1965 to secure approval of a resolution which would remove ambiguities from the ritual of Kappa Delta, and empower national executive officers to sign certificates stating that its constitution and other governing laws and regulations have no discriminatory provisions.

The resolution came to a vote as the last item of business at the convention and was adopted by a vote of 133-80. When the vote was announced, the national Kappa Delta president declared the resolution unconstitutional and immediately adjourned the convention.

Since the adjournment, the Wisconsin chapter has unsuccessfully attempted to secure a change in the ruling of the chair and proceeded to operate its chapter business in accordance with the ritual approved by the convention vote and with the UW faculty legislation governing non-discrimination in the membership selection of social organizations. The Wisconsin chapter also cooperated with the committee in providing pertinent information at a hearing on Nov. 10, 1965, and continued to attempt to get the signature of a national officer to Certificate I, the committee added.

The committee stated in its report to the faculty:

"The local chapter and alumni, in view of the vote of the last convention, have strong hopes that the University's policies may be reflected and furthered by action to be taken at the next convention (of Kappa Delta), and they are anxious that the local chapter have the chance to continue and to work for such action. The committee is perhaps less optimistic, but in view of the limited time involved, has voted to recommend that the local be given that chance."

Add three--Kappa Delta

Members of the Faculty Committee on Human Rights which submitted the report are Profs. Walter B. Raushenbush, chairman (Law), Lloyd F. Bitzer (Speech), Herbert Jacob (Political Science), Richard Hartshorne (Integrated Liberal Studies and Geography), and three students, all seniors--Joan Kolker, Patricia Nelson, and Dennis Sherman.

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NOTE

Committee

FROM THE UNIVERSITY NEWS AND PUBLICATIONS SERVICE, BASCOM HALL,
MADISON, WISCONSIN 53706
TELEPHONE: 262-3571

11/15/65

Immediately

EDITORS:

The Human Rights Committee of the University of Wisconsin (Madison campus) will meet at 3:30 p.m. Wednesday (November 17) at room 327 of the Wisconsin Center. The Committee will hear a summary report of recent cases involving alleged housing discrimination and discuss proposals involving Certificate 2, which relates to campus student organizations.

News and Publications Service.



NEWS FROM THE UNIVERSITY OF WISCONSIN

Committee

Serving the state through campuses at Madison and Milwaukee, nine University Centers, and a statewide extension system.

6/11/65 jb

RELEASE

Immediately

MADISON, Wis.--There perhaps is no immediate need for new policies in the area of race relations at the University of Wisconsin in Madison, but there is a continuing need for improved implementation, the University regents were told Friday.

A report of the Human Rights Committee of the Madison campus stated:

"As it has in other years, the committee continues to be concerned and alert to incidents of racial or religious discrimination which may occur in any section of the University community. Unfortunately, and probably for logical and obvious reasons, its main attention is still focussed on the removal of discriminatory barriers in social organizations.

"Long strides have been taken, and it is to be hoped that by next year, more time can be spent by the committee, on behalf of the University, in encouraging and promoting understanding and brotherhood in this diverse and complex community, rather than in the necessary, but tedious task of removing barriers."

The committee said no reports of discrimination in employment were received during the year, and only three complaints of housing discrimination. In each case, compliance with regulations was immediate after the complaints were reviewed with landlords involved, the committee said.

-more-

Add one--Human Rights Committee

"An informal, but careful, census of American Negro students is now being conducted for the second time," the report continued. "It shows that they are housed in all areas of the student community, and in all types of student housing, with the notable exception of the fraternity and sorority houses."

The committee which drew up the report was composed of Dr. Van R. Potter, oncology, chairman; Profs. Harlow W. Halvorson, agricultural economics; Clara Penniman, political science; and Walter B. Rauschenbush, law; and these students: Solveig M. Bjorke, (3315 Tallyho Lane) Madison; Nancy S. Kurshan, East Williston, N.Y.; and Michael J. Philps (cq), (Box 153) Camp Douglas.

The task of removing discriminatory barriers, the committee said, "is now and has been for some years the technical one of implementing policy...this is painstaking, and often difficult work." The report noted:

"Cases of discrimination occur still--and will continue to--but in rapidly diminishing numbers. In many of the fraternities and sororities the vestiges of organized discriminatory barriers still exist, largely because they are affiliated with national organizations. It has been with this segment of the campus community, as well as its predecessors, the committee has been largely concerned."

The report reviewed committee implementation of "Certificate I," due Nov. 1, 1964, and annually thereafter, which specifies that "there is no constitutional provision, bylaw, ritual, or any other controlling rules which requires that a group (campus organization) may not consider for membership any students on account of race, color, creed, or national origin."

Only three fraternities, Phi Gamma Delta, Kappa Delta, and Acacia, had failed to comply by last Jan. 11 at which time the committee voted to ask the University administration to take steps to terminate their activities on the Madison campus.

-more-

Add two--Human Rights Committee

"The cooperation of students and administrative staff has been excellent," the committee stated. "A locally-signed certificate later was accepted for Phi Gamma Delta, and Kappa Delta was given until next Nov. 1 to file Certificate I. Acacia, despite reservations, has been adjudged to be in compliance at this time with requirements.

"It is a matter of pride that virtually all of the 206 organizations on campus have signed Certificate I."

The committee continued:

"We will continue our efforts to implement the University's historic opposition to all discrimination based on race, color, creed, or national origin. Most discrimination and possibilities of discrimination within the University community seem to have been removed.

"Wisconsin was one of the pioneers in the movement for equal opportunities for all students in the academic and social life of the University. It has not been alone in this work...it must be noted that this issue is being faced and discussed in all institutions of higher learning."

The committee urged creation of a policy for continuity of committee membership--"a continuing staff is helpful, but carry-over membership is equally essential. . . this year's committee has felt handicapped because no faculty member and only one of the student members was a carry-over from last year. It is to be hoped that some means of orderly rotation of committee membership will be established."

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U.W. NEWS

Committee

From The University of Wisconsin News and Publications Service, Observatory Hill Office, Madison 53706
Telephone (Area Code 608) 262-3571
4/6/65 ^{jb} ^{Immediately} Release:

MADISON, Wis.--Thirty-five students and four faculty members of the University of Wisconsin will spend their Easter vacation in North Carolina in "Project Understanding," to foster concern with the problems of human relations.

They will visit seven colleges and universities in North Carolina and also talk with educators, editors, students, tenant farmers, and others in Farmville, Va., in Prince Edward County where public schools have been closed for five years because of a battle over integration.

The Human Rights Committee of the Wisconsin Student Association said all arrangements for the trip are being made in advance. "There will be no sit-ins, no demonstrations, no marches," the committee added.

Barry M. Popkin, junior from Superior, a member of the committee, said the purpose of "Project Understanding" is to provide an opportunity for the students and faculty members to observe and experience several aspects of Negro life in the South and to stimulate open dialogue between Southern students, Negro and white, and Wisconsin students.

"Hopefully, these students will upon their return to Madison stimulate a greater concern and understanding of the problems facing Negroes and whites in the South," Popkin explained. "Special emphasis will be given to 'Negro' education and the problems facing Negro students as they strive to find a place in America."

-more-

Add one--NC Trip

These schools will be visited in North Carolina:

North Carolina College, Durham; North Carolina A and T College, Greensboro; Shaw University, Raleigh; Elizabeth City State College, Elizabeth City; St. Augustine College, Raleigh, all Negro schools; and the University of North Carolina, Chapel Hill, and Duke University, Durham, predominantly white schools.

In a statement, the student committee said:

"As we move from area to area, we find great strains of apathy and ignorance which seem to engulf Wisconsin students. Those who do show interest are greatly hampered by their lack of first-hand knowledge and experience.

"On the whole, however, the general atmosphere at Wisconsin is one of sheer lack of concern and understanding. Many students, never having associated with a Negro before coming to the University, cannot understand how the problems of human relations affect them and all America. The problems are always far, far away, too far in fact to cause any constructive concern or understanding.

"Project Understanding' is an experiment to see how effective a large-scale experience can be in changing attitudes and opinions of 40,000 students on the 11 campuses of the University of Wisconsin."

Upon their return to Wisconsin, the students are expected to serve as discussion leaders, speakers, project leaders, action workers, and the like in various campus organizations.

The project is being underwritten by the Johnson Foundation, Racine, and the North Carolina Fund. The foundation plans to conduct a conference at Wingspread in Racine after the students' return to Wisconsin. A number of North Carolina students will be invited to participate.

Faculty members making the trip with the students are Profs. Gerald Marwell, sociology; Joseph Martin, mathematics; Mrs. Barbara Naprstek, special projects director, Wisconsin Union; and Janet Fry, assistant social director, Wisconsin Union.

U.W. NEWS

*Committee
Human Rights*

From The University of Wisconsin News and Publications Service, Bascom Hall, Madison 53706
Telephone (Area Code 608) 262-3571

Release: Immediately

5/25/66 ns

MADISON, Wis.--The Madison campus faculty of the University of Wisconsin has given the campus chapter of Sigma Chi fraternity until Sept. 15, 1967 to prove a non-discriminatory membership policy is acceptable to national officials of the fraternity.

The faculty approved at its monthly meeting Wednesday a recommendation by the Faculty Committee on Human Rights setting the deadline.

The recommendation requires Sigma Chi national officials to agree formally that the Alpha Lambda Chapter on the Madison campus is free to select members without regard to race, color, creed or national origin. The Madison campus chapter has agreed to the policy of non-discrimination.

National Sigma Chi officials were given a 16-month grace period because the fraternity's grand council meets only once a year.

The resolution said that if the fraternity does not comply with the requirement before the date specified, the Faculty Committee on Human Rights would recommend appropriate action to the faculty.

In its annual report to the faculty, the Human Rights Committee said that discrimination in housing in the Madison area is becoming less of a problem.

"While unpleasant incidents undoubtedly continue to occur, all indications are that the problem becomes less troublesome with each passing year," the report said. "There were only two formal complaints of discrimination in housing reported in 1965-66. When compliance was not forthcoming, the two landlords were removed from the housing bureau listings.

Add two--human rights

"We found among members of the Independent Housing Association a desire for mutual understanding of the University policy of non-discrimination, and a willingness to cooperate in the enforcement of such policy," the report added.

No complaints of alleged discrimination in the employment of students were received during the past year, the committee said.

Prof. Walter B. Raushenbush, law, is chairman of the Human Rights Committee. Other members are Joan C. Kolker, Washington, D.C.; Patricia A. Nelson, Arlington Heights, Ill.; and Dennis M. Sherman, New York, student representatives; and Profs. Herbert Jacob, political science; Lloyd F. Bitzer, speech; and Richard Hartshorne, geography.

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ANNUAL REPORT OF THE FACULTY COMMITTEE ON HUMAN RIGHTS
1965-66

*Committee
Human Rights*

Introduction.

The Faculty Committee has met 13 times in formal session, and three times, following the Kappa Delta and Sigma Chi hearings, in executive session. In addition, members of the Committee have served on sub-committees, giving special study to particular aspects of the Committee's work.

The Committee's meetings have been open to the public and to the press as required by the Wisconsin Open Meeting Statute, as interpreted by the Attorney General. Closed meetings have been held, as permitted in the law, for deliberation after the quasi-judicial hearings in the cases of Sigma Chi and Kappa Delta.

Mrs. Ruth Doyle, assisted by Mrs. Doris Parisi, has continued to provide staff assistance to the Committee.

The 1965-66 Human Rights Committee proposes no new faculty legislation in the field of human rights. One of its two recommendations is designed to clarify the language of Certificate IIb (page 6); the second, dealing with Sigma Chi, is designed to enforce long-standing University policy (page 13).

Complaints of discrimination in housing.

There were only two formal complaints of discrimination in housing reported during the year 1965-66.

One of these was made by a graduate student against two houseowners. This complaint was referred to the Madison Equal Opportunities Commission. Both houseowners had left the city and were unavailable. Both have been removed from the Housing Bureau listings.

The second complaint was made by a faculty member who was seeking housing for an African graduate student. The owner in this case was given an opportunity to make a statement of compliance, and when he failed to do so, was removed from the Housing Bureau lists.

The Housing Bureau reported to the Committee that three apartment houseowners were refused initial listing by the Housing Bureau because of their refusal to accept foreign students as tenants.

Three other cases, which did not produce formal complaints, were unresolved. In one of these the parties discriminated against were unknown; the case was reported by a third party. In the second, only a remark of the owner was reported--there was no specific case to report. In the third, the apartment was not covered by the Equal Opportunities Ordinance, and was not listed by the Housing Bureau.

It continues to be increasingly apparent that discrimination in housing is receding in the Madison community. While unpleasant incidents undoubtedly continue to occur, all indications are that the problem becomes less troublesome with each passing year.

During the year, the Committee Chairman was given an opportunity to comment on proposed changes in housing regulations being considered by SLIC and by an ad hoc

committee. In draft form, these regulations appear to give added strength to University anti-discrimination policies. Committees working with proposed changes were so advised.

Survey of privately-owned, organized housing.

It has been fifteen years since any information had been gathered about the rental practices employed by the privately-owned, organized, approved housing available in the campus community. Many units have been established during this period. Many units have new owners and managers. There have been impressions about the rental practices in these private units, but few up-to-date facts about them.

For these reasons, the Committee on January 4, sent a questionnaire to thirty-three owners of private organized student residences, covering forty different establishments. Twenty-eight owners responded, providing information about thirty houses. In making this survey, the Committee had the knowledge and cooperation of Mr. Newell Smith, Director of Student Housing, Miss Maxine Lighthall, Director of the Housing Bureau, and representatives of the Independent Housing Association.

Houses surveyed varied in size from 5 to 561 occupants, providing a wide variety of accommodations—singles, doubles, triples; complete food services, no food service; kitchen privileges; expensive and inexpensive living. The amount of information provided by each also varied widely.

The questions sought facts on the number of inhabitants, the characteristics of the groups, the methods of selection, and requests for suggestions about improvements in the enforcement of University policies.

It is important to note that religious and racial information about tenants is gathered incidentally, if at all, after contracts have been signed. The assignment of roommates (if no specific roommate choice is named) is based on similarity of age, interests, year in school and other criteria unrelated to race, color and creed. In evaluating the information provided, the Committee has found among members of the Independent Housing Association a desire for mutual understanding of the University policy of non-discrimination, and a willingness to cooperate in the enforcement of such policy.

The new closing hours for women and the establishment of several large units for men, have emphasized the importance of being able to identify students—by night matrons, by cafeteria supervisors, by housefellows (during the early days of the year). Because there was a feeling among some owners that identification by picture was not permitted by University policy, the Committee has reiterated a position taken many years ago—that pictures may not be required before the signing of contracts. This means that pictures may be requested or required after contracts are signed and roommates assigned, if, in the view of the management, they would assist in the identification of the members of a growing and changing student population.

Complaints of discrimination in student employment.

No complaints of alleged discrimination in the employment of students were received during 1965-66.

Faculty Credit Union

On February 17, 1966, Mr. Arabinda Ghosh, a student from India, in a letter to the Daily Cardinal made a public complaint that the Faculty Credit Union discriminates against foreign students. Committee staff talked at length to Mr. Ghosh and to Mr. Diederich Reimer, Manager of the Credit Union. During the latter conversation, detailed information was obtained on the procedures used by the Credit Union in making loans to foreign students.

Mr. Ghosh had requested money to buy a tape recorder and the application was denied by the Manager. He had been permitted to borrow money in the fall of 1965 for living expenses, as well as for strictly educational expenses. He reported that all previous encounters with the Credit Union staff had been helpful and friendly. He also reported that to his knowledge no other foreign students had complained about discrimination at the Credit Union.

The Credit Union's Constitution states, with respect to loans to foreign students, "The term of a loan to a foreign student normally will not exceed the period the student will be in the United States, and normally shall be used for educational purposes." The use of the word "normally" implies some flexibility, which the Board of Directors employs in considering these loans. The Credit Committee approves all loans over \$2500. All loans—of whatever amount—which are rejected by the staff are reviewed by the Credit Committee.

While there are certain problems inherent in the process of lending to students from other countries, the Committee concluded that the Credit Union is concerned with its legal and financial responsibility to its members, and not with the race, color or creed, or national origin of those who seek to borrow money.

Liaison with the Madison Equal Opportunities Commission.

The Committee established liaison with the Madison Equal Opportunities Commission, and Professor Herbert Jacob has served in this capacity.

In January 1966, the Equal Opportunities Ordinance was amended to permit communication relative to pending cases of alleged discrimination between the Commission and other responsible community groups.

Certificate I.

September, 1965, found all organizations except Kappa Delta in compliance with the requirement for submission of Certificate I, which certifies that "there are no provisions in the national or local constitution, by-laws, ritual, or any other controlling rules... which require the student membership to refrain from considering for membership, pledging, electing or initiating any students to membership on account of race, color, creed or national origin."

It further certifies "that there are no provisions in any of the above which indicate or imply that any person should be considered socially or personally unacceptable as a member because of his race, color, creed or national origin."
(Faculty Document 1627, May 4, 1964)

On February 7, 1966, the Faculty voted that Kappa Delta must cease operations at the University of Wisconsin on September 15, 1967, unless Certificate I, signed by both local and national officers, has been submitted to the Office of Student Organization Advisors before that date.

During the year 1964-65, the Committee accepted letters in lieu of Certificate I from several honorary societies, where membership selection is based upon absolute categories (grade point average, for example) and in which the selection is not made by members of the organization but by others (faculty members, for example). Following this precedent, the Committee in September, 1965, accepted a letter explaining the procedures for selection of members from Sigma Epsilon Sigma, honorary society for freshman women.

Reports of progress toward Certificate II.

Faculty Document 1627 (May 4, 1964) required that each organization submit annual reports of progress made toward the signing of Certificate II, which is due in 1972. Thirty-eight social organizations have already submitted Certificate II, properly signed by local and national officers. This includes six fraternities.

While there were reports of progress from all sororities, most fraternities did not report on their progress in March, 1965. The Committee met with members of the Interfraternity Association on October 27, 1965, to urge compliance with the requirement of reporting progress. It was agreed by the Committee that reports from organizations indicating that they are able to sign Certificate IIa or IIb, but that they choose not to do so until a later date, will be acceptable as progress reports. The Committee also agreed that it would not make the absence of reports of progress in March, 1965, a matter for discipline of an organization, but that absence of reports of progress in March, 1966, would be so considered.

Accordingly, with efficient follow-up by the Office of Student Organizations, all but two of the groups which have not yet signed Certificate II reported their progress in March, 1966. The Committee has referred these two groups to the Committee on Student Life and Interests for appropriate action.

Thirteen fraternities and two sororities reported that they are able, under their present constitutions, rules, procedures and by-laws, to sign Certificate II, but that they choose not to do so at this time.

Three fraternities and five sororities have submitted alternative certificates, and reported this as evidence of progress. One fraternity and four sororities reported that they intend to submit alternatives, before the June 1, 1966 deadline for such submission. (See section on Alternatives to Certificate II.)

Three fraternities signed both Certificate IIa and IIb, and submitted these as reports of progress. These organizations have been requested to notify the Committee which of the two Certificates accurately reflects their membership selection practices and procedures.

Three fraternities and three sororities reported progress by way of conferences, consultations with national officers, education of the local chapters, and other means employed to increase understanding of the faculty legislation.

Alternatives to Certificate II.

Faculty Document 1627 requires that Certificate IIa or IIb "or a reasonable substitute which carries no less adequate assurance that the Faculty's purpose and intent has been accomplished" shall be signed by local and national officers by September, 1972. It states, further, that "Organizations who choose to substitute their own wording should present substitute certificates which they propose to use for approval by June 1, 1966."

On December 8, 1965, the Committee decided that initial alternatives must be submitted by June 1, 1966. If the first proposal is timely, but fails to receive Committee approval, the proposing organization may amend and change its proposal, as long as the ultimate deadline for Certificate II or an acceptable substitute is observed.

As of May 12, the Committee has found five proposed bona fide substitutes unacceptable, because in its judgment there was not adequate assurance that the Faculty's intent and purpose would be accomplished. The Committee rejected one proposed alternative as not being a bona fide substitute for Certificate II. Two proposed substitutes have been referred to the 1966-67 Committee for action.

In March, 1966, the Committee approved a substitute certificate proposed by a Committee of Interested Sorority Women. The proposal, submitted as a substitute for Certificate IIb, provides that a Board of Inquiry shall be established by the chapter, composed of three members of the active chapter (including the chapter president) and two alumni. If the chapter is interested in a prospective member, and the normal procedures do not produce the required recommendation or approval, the Board of Inquiry will investigate the reasons for the failure to receive recommendations or approval. If, in the judgment of the Board of Inquiry, reasons of discrimination have prevented recommendations or approval, the chapter may proceed to rush, pledge, or initiate the student in question without the recommendation or approval. In approving the proposed alternative, the Committee noted that the Board of Inquiry had a majority of active, student members.

It should be noted also that this substitute does not reflect the present regulations or practices of any social organization. Rather, it was urged as a change which might be more acceptable to alumni than Certificates IIa or IIb as set forth in Document 1627.

It was agreed that any chapter which wishes to submit the approved alternative as its own, will notify the Committee before the June 1 deadline.

Recommendation

Proposed amendment to Certificate IIb.

During the course of its discussion of alternatives to Certificate IIb, question was raised about the meaning of Certificate IIb, as adopted by the Faculty in Faculty Document 1627 (May 4, 1964). The present certificate states that "when a simple majority of the University of Wisconsin active, student membership decides that such outside participation may have resulted in discrimination ... the active student membership is free to ignore, deny or reject such participation and may proceed to nominate, select, elect or initiate members of _____ by procedures involving only the University of Wisconsin active student membership ..."

Confusion about the meaning of the word "members" has led the Committee to recommend that Certificate IIb be amended as follows:

Add after "outside participation" the words "in the case of a particular person", and

Add after "elect or initiate" "that particular person".

The Committee has consulted members of the 1963-64 Committee, and ascertained that the proposed amendment more adequately states the 1963-64 Committee's intentions, and will prevent misinterpretation of the meaning of Certificate IIb.

Therefore the Committee recommends that Certificate IIb, as adopted by the Faculty (Fac. Doc. 1627, May 4, 1964) be amended to read:

We hereby certify that persons other than the University of Wisconsin active, student membership participate in the decisions to nominate, select, elect, or initiate members of the Wisconsin _____ of _____. We further certify, however, that when a simple majority of the University of Wisconsin active, student membership decides that such outside participation in the case of a particular person may have resulted in discrimination based upon race, color, creed, or ethnic background, the active student membership is free to ignore, deny or reject such outside participation and may proceed to nominate, select, elect, or initiate that particular person by procedures involving only the University of Wisconsin active, student membership of _____.

President - Local organization

& _____
National executive officer

Tau Epsilon Phi

At the request of the Committee on Student Life and Interests (sub-committee on Fraternal Societies and Social Life) the Committee staff examined the constitutions (both national and local), the Pledge Training Manual, the By-Laws and Statutory Code of Tau Epsilon Phi, which is seeking to establish a chapter at the University of Wisconsin.

None of these documents contained any language which could be interpreted as violating faculty anti-discrimination legislation. Tau Epsilon Phi has signed both Certificate I and Certificate IIa. Therefore, the Committee recommended that the organization be approved by the Committee on Student Life and Interests.

Sigma Chi

Background of the Present Problem

In April, 1965, the Stanford University chapter of Sigma Chi was suspended for one year by action of the Executive Committee of Sigma Chi national fraternity. The suspension came on the eve of the Stanford chapter's pledging a Negro, an event about which the National had been forewarned. The action was taken without a hearing and without the local group having opportunity to answer charges. As a consequence of the suspension, the Negro was not pledged in 1965. Officers of the local chapter at Stanford, and officials of the University, expressed the strong opinion that the suspension was related to the imminent pledging of the Negro, and supplied a detailed account with excerpts of letters from National Officers which supported their opinion.

This Committee, last June, was sufficiently concerned to write a letter inquiring about the Stanford situation, to the Wisconsin Sigma Chi local. The

Wisconsin chapter answered as requested last October but its reply failed to answer satisfactorily the questions posed. The Committee gave further consideration to all available information including the confirmation of the suspension by the national convention of Sigma Chi and further word from Stanford University. The Committee concluded that it was still sufficiently concerned about the situation to ask that representatives of interested Sigma Chi entities appear at the Committee hearing. A six-hour hearing was held on April 20. As a result of its extended study of the matter and particularly as a result of the matters presented at the hearing, the Committee has voted to transmit to the Faculty the report and recommendations which follow.

Sigma Chi History in Human Rights Matters at Wisconsin.

Sigma Chi's problems in human rights at Wisconsin extend back into the 1950's. None of these problems have involved evidence of or suspicions of discriminatory attitudes or practices by the local chapter. Rather, the local has repeatedly asserted its belief in the human rights policies of the University. The concern has been whether Sigma Chi national laws or policies have restricted the freedom to non-discriminate which University legislation requires and to which the local is committed by repeated statements.

Until 1961, the national Sigma Chi Constitution restricted membership to whites. The requirement that such discriminatory clauses be removed by 1960, as imposed by Faculty Document 1041 in 1952, threatened the Sigma Chi local here with extinction. During the 1950's, the local and the house corporation of which it is a part spent much money and countless man hours in an effort to get the "white" clause removed from the Constitution. By 1960, they had made progress but had not succeeded. The chapter petitioned for a one-year non-renewable extension so it could make a final try at the 1961 national convention. This Committee recommended, and the Faculty approved, the requested extension, forbidding rushing, pledging, and certain interfraternity activities in the interim. In the 1961 National Convention, the "white" clause was removed from the Constitution. The relevant sections of the Constitution now read as follows: (Those sections added to the Constitution during the several years' debate leading to the deletion of the white clause are here underscored; a provision added to Article IX, Section 7, in 1965 has been underscored twice.)

ARTICLE VIII - MEMBERSHIP, Section 1 (b) No person shall be eligible to membership in the Sigma Chi Fraternity who is not a bona fide, male student in the college or university in which the chapter proposing his initiation is chartered; provided, that no person shall be initiated into the Sigma Chi Fraternity who has registered in the university or college for the sole purpose of being admitted into the Sigma Chi Fraternity; and provided that no person proposed for membership shall be initiated except upon the unanimous approval of the Executive Committee and without dissent of any member of the Grand Council; provided that an active chapter may have permission from the Executive Committee to initiate persons otherwise eligible to membership who are bona fide students in affiliated departments of the university in which the chapter proposing his initiation is chartered, where such institutions are located within reasonable distance of the campus; and provided, that the admission to membership of a student in an affiliated institution shall be made a matter of special sanction by the charter of said chapter. No student shall be considered for membership who is not of good moral character and who does not maintain an honorable standing in scholarship.

ARTICLE VIII, Section 1 (c) The Standards for Membership in the Sigma Chi Fraternity shall be of the highest character, in harmony with those declared by Isaac M. Jordan, one of our Founders, that no man shall be admitted to membership who is not believed to be a man of good character, a student of fair ability, with ambitious purposes, a congenial disposition, possessed of good morals, and having a high sense of honor and a deep sense of personal responsibility. The bonds of our fellowship are reciprocal bonds which require that every member of Sigma Chi be welcomed personally as a brother in all chapters and regions of the Fraternity. Every chapter owes a duty to every other chapter, to the whole Fraternity and to any man considered for membership, for as long as it continues to hold a charter in Sigma Chi, to refrain from proposing for membership to our fellowship any person who for any reason is likely to be considered personally unacceptable as a brother by any chapter or any member anywhere.

ARTICLE IX - CHARTERS, Section 7. Any violation of the provisions of the Constitution, Ritual, Statutes or Ritualistic Statutes governing the pledging or initiation of candidates for membership shall be submitted to the members of the Grand Council and, if said violation is deemed to be deliberate and injurious to the best interests of the Sigma Chi Fraternity by any Grand Council member, said violation shall thereby cause the charter of the chapter to revoke or be revoked by the Executive Committee, which action shall be mandatory, and the pledging or initiation of any persons in violation of the laws of the Fraternity shall be null and void. Those members of the Fraternity participating in such illegal act or acts shall be subject to expulsion from the Fraternity.

ARTICLE XVI - AMENDMENTS, Section 1.It is further provided that any amendments to sub-paragraphs (a) or (b) or (c) of Section 1 of Article VIII, or sub-paragraph (a) of Section 2 of Article VIII, or Section 7 of Article IX, or this Section of Article XVI must be enacted only at regularly scheduled meetings of the Grand Chapter and only by a ninety (90) per cent vote of the members of such Grand Chapter.....

The comprehensive personal acceptability language of the revised Constitution together with the accompanying provisions quoted above caused this Committee in the summer of 1961 misgivings as to whether the change was meaningful. The chapter assured the Committee that it was a meaningful change, and the local certified the following in a letter dated August 1, 1961:

"The representatives of each undergraduate chapter and alumni chapter, constituting the highest governing body of the Fraternity, have carefully considered the questions of eligibility for membership in Sigma Chi. This has resulted in the removal of the word "white" from the fraternity's Constitution.

There is no longer any legislative requirement in Sigma Chi's Constitution, statutes or ritual which prohibit our local chapter from pledging or initiating members because of race, color, sect or creed."

At the Committee's request, the national, through its executive secretary, presented an identical certification.

The Committee then declared that Sigma Chi should be deemed to have complied with the 1960 clause, though the Committee was aware that the new language might be subject to abuse. The Wisconsin chapter was restored to good standing.

The Committee formulated a two-stage certification procedure, presented in Faculty Document 1627, enacted by the Faculty and approved by the Regents in the Spring of 1964. Certificate I, required in the fall of 1964 and annually thereafter, reads:

"We certify that there are no provisions in the national or local constitution by-laws, ritual, or any other controlling rules of _____ which require the student membership to refrain from considering for membership, pledging, electing, or initiating any students to membership on account of race, color, creed, or national origin.

We further certify that there are no provisions in any of the above which indicate or imply that any person should be considered socially or personally unacceptable as a member because of his race, color, creed or national origin."

Sigma Chi has submitted Certificate I as the legislation requires. At the time the Certificate was first submitted in the late fall of 1964 the Sigma Chi pledge form in fact required a photograph of the pledge and information as to his race, religion, and national origin. To our knowledge the Committee was unaware of these items on the pledge form until the fall of 1965, when it was informed by Sigma Chi that they had been removed from the pledge form. Certificate I was again submitted (as routinely required) in the fall of 1965.

The Issue.

The goal of University legislation is that the local chapters of such organizations be free to non-discriminate in membership selection. If the only factor now inhibiting the freedom is the individual right of alumni officials to veto prospective members, then Sigma Chi has until 1972 to remedy the situation so it can sign Certificate II in either of its alternative forms, just as is the case with more than a dozen other fraternities and sororities similarly situated.* But if the freedom of the local chapter to non-discriminate is inhibited by official policies or pressures brought by the national, such a situation impeaches the assurances in the certification of August 1961 and in Certificate I and amounts to a present violation of University human rights legislation.

Our question at present, then, is: Are there express or implied policies practiced by, or pressures applied by, national Sigma Chi which can fairly be said to inhibit the true freedom of the Wisconsin local of Sigma Chi to choose members on a non-discriminatory basis if the local Sigma Chis so desire? In the Committee's view, that true freedom may be restricted as much by fraternity actions which sustain suspicion and doubt about fraternity policy as by a clearly stated discriminatory policy.

The Contentions of Sigma Chi.

In correspondence and during the hearing, representatives of Sigma Chi have presented certain contentions which the Committee feels should be made known to the Faculty. At the hearing were the present and past presidents of the local student chapter, two lawyers (alumni of the local Sigma Chi chapter) representing the Wisconsin House Corporation and also offering testimony on the historical background in which they played important roles, and the Executive Secretary of

*See the discussion of Certificate II problem elsewhere in this annual report.

the National Sigma Chi. No national officers responsible for policy decisions and disciplinary actions attended the hearing.

A. Legal Contentions.

Representatives of Sigma Chi have repeatedly denied the University's legal authority to enforce its policies on human rights and warned the Committee that the fraternity may bring suit. Their lawyers have challenged the Committee's procedure, its use of "hearsay" evidence, its placing the burden of proving Sigma Chi "innocent" on the "defendants".

The Committee rejects these contentions. The Committee believes it has been fair to the fraternity and its chapter, allowing them to present whatever they wished as evidence, and furnishing them with all materials in our possession. We assert, as the Faculty has in the past, the University's authority to regulate fraternities. We have considered all the evidence and given it its due weight according to its source and apparent reliability. We have not given weight to news stories or rumors. We have relied principally on the testimony given at the hearings, on letters written by President Wade, by officials of Stanford, Cornell, and Lafayette and on the Constitution, by-laws and pledge forms of the fraternity.

Sigma Chi has stressed that its cooperation with the University in furnishing information and attending the hearing must not be deemed a waiver of its right to sue the University hereafter. On this point, the Committee has wholly agreed, and it is understood that nothing Sigma Chi has done or said should be deemed a waiver of its right to sue the University hereafter.

A more detailed discussion of these legal contentions is contained in Appendix I.

B. Substantive Contentions by Sigma Chi.

1. Sigma Chi's basic contention is that Sigma Chi law and practice comply with what University legislation requires.

2. The Stanford suspension was completely unrelated to the interest the chapter was showing in a Negro prospect. The Stanford chapter has corrected its errors as to ritual and fraternity regulations, its one-year suspension has ended, and it has been reinstated.

3. The personal acceptability clause, previously quoted, though enacted at approximately the same time as the removal of the "white" clause, was not designed as a substitute for it. Nor was its passage a prerequisite to removal of the "white" clause; it was, rather, a "meaningless concession" to the minority of chapters resisting the change. While admitting that the personal acceptability clause might be read in a discriminatory way, all Sigma Chi's appearing at the hearing denied that such was its purpose and denied that they interpreted it that way.

4. The present and just past presidents of the student chapter asserted that the local chapter does not regard anything in the Constitution as inconsistent with non-discriminatory membership selection, that the chapter does not discriminate and feels free not to discriminate, that the chapter has not been pressured in this regard by the national, and that the chapter has formalized its position in this regard by adopting (on April 18, 1966) this resolution:

"RESOLVED: that the Alpha Lambda Chapter of the Sigma Chi Fraternity does not now and will not in the future regard its national affiliation with Sigma Chi as preventing, prohibiting, or restraining the Chapter's selection for membership of any bona fide male student at this University, with regard to his race, color, creed or national origin."

Mr. Bringham, the national executive secretary, said he had no quarrel with the chapter's resolution, and agreed that the national did not interpret the constitution in a discriminatory way.

5. Sigma Chi claimed that the Wisconsin chapter has been a leader within Sigma Chi in the effort to improve the fraternity's policies insofar as human rights are concerned; that Wisconsin led the fight to remove the white clause; that Wisconsin is prepared to lead the fight to revise present membership provisions so that in 1972, the local chapter can remain in good standing; that Wisconsin's local is an exemplary chapter in many other respects.

Findings by the Committee.

1. The personal acceptability clause, the requirement that all pledges be accepted by the unanimous vote of the Grand Council (a body of 60 men), new provisions about suspending chapters and expelling members, and the provision barring amendment of these portions of the Sigma Chi Constitution were coincident to discussion of and probably prerequisite to the dropping of the "white only" clause of the Sigma Chi Constitution. This finding is supported by exhibits 155 and 101 and 102 of the Hearing.

2. The suspension of the Stanford chapter was coincident with the chapter's rushing and bidding of a Negro student. The fraternity claims that the two events were not connected; rather "the chapter was suspended...for but one reason: a continued disregard of, and actual opposition to, the ritual requirements of the Fraternity". There has been criticism of the Stanford chapter by official visitors from the national office for some years but the following extracts from letters of President Wade make clear that as late as January and February of 1965 he saw no grounds then for suspension of the chapter.

Letter to John L. Nourse dated January 28, 1965: "...The facts of the matter are that the undergraduate chapter as yet has not taken any overt action that I know of. I have been aware for years of their liberalism in certain fields and also their antagonistic attitude towards the national fraternity, observance of Ritualistic procedures, etc. Having been an undergraduate myself and realizing that situations change from time to time depending upon the leadership of an undergraduate group I, personally, am not overly alarmed.

".....You can not hang a man for what he thinks and by the same token you can not suspend a charter because of what a group of alumni or a group of undergraduates may think and believe. Let me promise you, however, that if the Chapter, which is the only unit with which we have to deal as the alumni of that Chapter are certainly a scattered group, takes any overt step or act I am confident that the Executive Committee will almost instantaneously suspend the charter as we are in no mood, due to the unfortunate publicity, to temporize with the boys at Palo Alto for one minute....."

Letter to Frank Olrich dated February 17, 1965: ".....To repeat part of my injunction, given you at the Sir Francis Drake, so long as you

confine your ideas to proper discussion I will do all that I can to protect your charter. You can't hang a man, or should not, just for talking although it has been done. However, if you take the slightest illegal step, which I don't think you will, I shall endeavor to get the Executive Committee to move most promptly in dealing with your case....."

No one has even suggested that there was any overt act, any significant change in respect to matters of ritual observance between the time the national president wrote those letters and March 31 when he wrote the memorandum to the Executive Committee calling for suspension of the chapter, which was enacted a few days later.

Two student officers of the Stanford chapter and a Stanford official who is a Sigma Chi alumnus have written that views similar to those of President Wade were expressed to them by other national and regional officers of Sigma Chi at meetings on March 28 and on April 1, 1965. "The chapter representatives were questioned about the prospective pledging of a Negro student, whereas little or no mention was made of failure to adhere to fraternity ritual." (Exhibits 118, 123, 135, 136, 137, 142).

The action of the Executive Committee had the effect of preventing the pledging of the Negro student only because it called for immediate suspension. This would not have happened had the Executive Committee acted under the Constitutional provision directly applicable to cases of a chapter violating provisions of the ritual (Article IX, Sec. 8); that article provides for action "after investigation and hearing". Instead the Executive Committee relied on a Statute in the by-laws, which states, first, the authority of the Executive Committee to try, and upon conviction, to suspend individual members for any of a long list of essentially personal offenses and then adds that the Committee has the power summarily to suspend a chapter "for the commission by any member of such chapter of any of the offenses" previously specified. (Statute VIII, Sect. 7 (h).) The Executive Secretary agreed that no charge was made against any member but did not answer the question why the Committee chose to act under this Statute. (Exhibit 110, and Exhibit 5, p. 57.)

3. The circumstances under which local chapters at Cornell and Lafayette went local indicate trouble about pledging without regard to race. At Lafayette, the chapter went local after having difficulty obtaining approval for a pledge of Oriental origin. At Cornell the chapter went local after it pledged an Oriental.

4. Until the autumn of 1965 (but after Sigma Chi had first signed Certificate I at Wisconsin), the Sigma Chi pledge form asked questions about race, creed, national origin and asked for a photograph. Presently, the local officers must certify on the pledge form that in their opinion as Sigma Chis, the pledge's initiation "would meet general approbation by all chapters and all members of the Fraternity."

5. Letters by National President Wade to the Stanford Chapter constituted pressure not to pledge a Negro as evidenced in the following extracts from President Wade to the Stanford chapter on:

March 17, 1964 "Selecting members for a large international fraternity, we have to select from the vast field of common denominators. I personally, for example, would not resent having a high class Chinese or Japanese boy admitted to Sigma Chi, but I know full well that his presence would be highly

resented on the West Coast...therefore, I must submerge any personal feeling in this matter and refrain from proposing a Japanese or Chinese boy because of the reaction that it would cause among your alumni."

February 8, 1965 "...I do feel, however, that it is an unkind, ungentlemanly and needlessly cruel act to pledge anyone of any description to any chapter if you know he has little chance of being initiated. Civilized gentlemen do not experiment with human sacrifices regardless of the noble titles they attach to their activities..."

6. The personal acceptability clause was accepted by the Committee in 1961 only on the condition that it would not be used to discriminate by race (Faculty Document 1271). A possible and reasonable interpretation of the personal acceptability clause is that it requires discrimination. Mr. Wade's letters of March 17, 1964 and February 8, 1965 appear to have been based on such an interpretation of the clause. Therefore, the assurances provided the Committee in 1961 and in Certificate I are apparently inadequate.

Committee Conclusions.

The Human Rights Committee concludes that:

1. There has been no overt action to force the local chapter to discriminate.
2. In view of the Stanford incident (especially the letters of President Wade), the conditions under which the personal acceptability clause was adopted, the apparent interpretation and application of that clause by President Wade, and the incidents at Lafayette and Cornell, grave doubt exists that the Wisconsin chapter can feel confident and unthreatened when it wishes to consider Negroes for membership.
3. What is the solution? The key lies in the chapter's resolution of April 18. If that resolution could be officially recognized by one of the national fraternity's governing bodies (which have the power to discipline chapters) as an acceptable interpretation of the constitution and an acceptable guide for chapter action, then local chapter could be confident in the freedom it asserts and could turn its attention to 1972.

Recommendation.

The Committee recommends:

The Alpha Lambda chapter of Sigma Chi is required, not later than September 15, 1967, to furnish to the Faculty Committee on Human Rights a copy, duly certified by an appropriate national official of Sigma Chi, of the minutes of a meeting of either the Sigma Chi Grand Council, the national Sigma Chi Executive Committee or Sigma Chi Grand Chapter such minutes reflecting the passage of a resolution unequivocally accepting the April 18, 1966, resolution of the Alpha Lambda Chapter, which Alpha Lambda resolution reads as follows:

"RESOLVED: that the Alpha Lambda Chapter of the Sigma Chi Fraternity does not now and will not in the future regard its national affiliation with Sigma Chi as preventing, prohibiting, or restraining the Chapter's selection for membership of any

bona fide male student at this University, with regard to his race, color, creed or national origin."

Such resolution of the Grand Council, Executive Committee, or Grand Chapter shall, in any appropriate language, make clear the enacting body's decision that the quoted Alpha Lambda resolution is not inconsistent with the membership provisions of the fraternity constitution and statutes (including Article VIII, Sec. 1 Sub Sec. (b) and (c); Article IX, Sec. 7 of the Constitution, and Statute VIII, Sec. 1 Sub Sec. (a) of the Statutes) or with other membership selection procedures, and that the Alpha Lambda resolution is a permissible guide for membership selection by the Wisconsin local.

If the above is not complied with by September 15, 1967, the then Faculty Committee on Human Rights is directed to recommend appropriate action to the Faculty, in view of the relevant evidence such noncompliance would provide.

Final Comment.

We are aware of the distaste with which many organizations view present requirements for repeated certifications of compliance with University policies and of their assertions that such requirements imply assumed guilt and involve improper "loyalty oaths". The Committee does not welcome the need to use any such device to assure compliance with University policies in this regard, but the history of the overall problem within the Committee has indicated the need for continuing concern and scrutiny of this sort. Those who are in sympathy with University objectives should understand. If the official position of National Sigma Chi is in fact consistent with the local chapter's April 18 resolution, the national should understand the reasons for the University's concern and should regard compliance with the above recommendation as a mere restatement of the obvious, a minor inconvenience to be routinely attended to well within the allotted time.

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Committee Response to Comments on the Human Rights Committee's May 9, 1966, Report by Alpha Lambda Chapter House Corporation. (Appendix II)

The Committee advised Sigma Chi that written comments on this report, if of reasonable length, would be reproduced and distributed to the Faculty together with this report. Comments have been prepared by attorneys for the Alpha Lambda Chapter House Corporation, and are attached as Appendix 2. No other written comments have been received.

The arguments in Appendix 2 have not altered the Committee's recommendations, nor do they require extended comment. In clarification, however, it should be noted that the Committee has always recognized that its authority runs only to the undergraduate chapter, but did not concede that the only legal entity represented at the hearing was the house corporation. Rather, the Committee asserts that the undergraduate chapter (referred to in Appendix 2 as "the Alpha Lambda Chapter Division of the Alpha Lambda House Corporation") is for our purposes a separate entity, which was represented at the hearing, and upon which the requirement recommended by the Committee would be imposed.

The Committee again denies the charges of unfairness and partisanship, and asserts that all entities of Sigma Chi have been fairly treated in this proceeding.

We admit to partisanship only to the extent that we have from the start operated on the premise that existing University legislation was right and should be enforced.

Legal contentions in Appendix 2 are dealt with in Appendix 1, to the extent that it seems necessary for the Faculty to consider them.

COMMITTEE:

Prof. Walter B. Raushenbush, Chairman
Herbert Jacob
Lloyd Bitzer
Richard Hartshorne

Students:

Joan Kolker
Patricia Nelson
Dennis Sherman

APPENDIX I

Discussion of Legal Contentions Advanced by Sigma Chi

1. Representatives of Sigma Chi have repeatedly denied the University's legal authority to enforce its policies on human rights against what Sigma Chi regards as private social organizations (i.e., in this case, fraternities). The primary argument is that such enforcement amounts to unconstitutional interference with the right of freedom of association.

The Committee has considered these arguments by Sigma Chi. We have concluded, as we did when similar arguments were raised in the Kappa Delta case (Faculty Document 49, Madison Campus, February 7, 1966), that we must operate on the assumption (which we think is correct) that the University's position is sound, and that such arguments must be addressed to the courts.

2. In May 1965, the University of Colorado Regents, basing their action on the Stanford incident, placed the University of Colorado chapter of Sigma Chi on probation, with a prohibition against rushing and pledging, among other things. This was equivalent to a death sentence for the chapter. After the chapter failed last September to get the Regents to reconsider, both local and national Sigma Chi entities sued the Regents in federal court in Colorado. The suit is based primarily on the constitutional argument above noted. So far as the Committee is aware, there has been no decision as yet, even of a preliminary sort, in that lawsuit. The Committee was urged to delay any action until the Colorado case is decided, but declined, especially in view of the fact that the case may end up going to the United States Supreme Court and taking several years to be finally decided.

3. Sigma Chi has challenged the Committee's entire mode of procedure, arguing that the Committee investigates, decides whether to hold a hearing, then holds the hearing at which it takes the role of both prosecutor and judge. At the hearing, the Committee merely summarized the reasons for its concern and then offered Sigma Chi the opportunity to present whatever it wished; this procedure gave rise to Sigma Chi contentions that the Committee failed to present a "prima facie case" and therefore created a situation where, in effect, Sigma Chi was presumed guilty

until it proved itself innocent. The Committee, on the other hand, views itself as neither prosecutor nor judge. Information available to the Committee gave rise to concern. The Committee notified Sigma Chi of the concern and offered it the opportunity to be heard. Sigma Chi was furnished the documents in the Committee's hands, was given ample notice of the reasons for the concern, of the date of a hearing, of the procedures which would be followed, and was then given a generous further delay in the hearing date. We have tried to follow procedures which would be entirely fair to Sigma Chi, and we think we have done so. The Committee has neither the staff, nor the personnel, nor any faculty instructions to proceed in any other way. Our best judgment is that the requirements of due process have been met, but ultimate decision on that question, again, must await possible action by a court.

4. Sigma Chi has challenged the use of hearsay evidence by the Committee, asserting that only direct testimony as to relevant facts may be considered. The Committee is aware of the potential weakness of hearsay, but the Chairman ruled that all documents would be admitted and considered by the Committee, with the Committee giving the documents what weight seemed appropriate in view of their hearsay character. Sigma Chi made a blanket objection to the use of any of the documents, which was duly noted. The Committee has studied letters and other documents, the authors of which were not available at the hearing for cross-examination by Sigma Chi, or indeed for questioning by the Committee. It is hard for us to see how we could have followed any other procedure, and we believe what we have done to be legally supportable. However, most of the facts on which the Committee relies in arriving at its conclusions are substantially undisputed, so that much of the hearsay material examined by the Committee was not essential to its decision. See discussions in the body of this Report.

5. A related Sigma Chi contention is that the Committee has the burden of proof to support any finding adverse to Sigma Chi with evidence sufficiently clear and reliable to rebut Sigma Chi's direct denials that the Committee's concerns are justified. Not only does this argument run to the hearsay evidence problem noted above, but also to "opinion evidence". If a Stanford official expresses the opinion that suspension of the Stanford local was due in large part to the impending pledging of a Negro, for example, Sigma Chi's response is, in effect, "He just gives his opinion. We know his opinion is incorrect." And the argument then is that for the Committee, the official's opinion or conclusion is legally insufficient to overcome Sigma Chi's direct denial. The Committee does not concede the legal argument, but does acknowledge a duty of care in assessing evidence based on opinions and conclusions. This duty of care runs to evidence on both sides, for much of Sigma Chi's evidence took the form of expressions of opinions, conclusions, and argument by counsel, who showed no authority to speak for the governing entities of national Sigma Chi, and of statements by Mr. Bringham, the Executive Secretary, who stated that he was an administrator, not a policy-maker. Again, the Committee's view of the case renders much of the argument irrelevant.

* * * * *

In making these legal arguments, Sigma Chi has stressed that its cooperation with the University in furnishing information and appearing at the hearing must not be deemed a waiver of any of the legal arguments or of its rights to sue the University hereafter. The Committee regards the cooperation and appearance as no more than the University can reasonably expect of an organization approved and regulated by it and therefore (as noted in the body of this Report) wholly agrees and has assured Sigma Chi that nothing Sigma Chi has said or done should be deemed a waiver of its legal rights.

APPENDIX II

Comments on The Human Rights Committee's
May 9, 1966, Report, by Alpha Lambda Chapter House Corporation

The Hearing on Sigma Chi by the Committee was a proceeding by the University against a private corporation. As the Committee recognized, the legal entity represented at the hearing was the Alpha Lambda Chapter House Corporation, a private Wisconsin business corporation the undergraduate members of which constitute the Alpha Lambda Chapter of Sigma Chi. The Sigma Chi national fraternity was not a party to the hearing, although William T. Bringham, national Executive Secretary, made a special appearance in support of the local House Corporation. The Committee and the Faculty have previously recognized that the University has no jurisdiction or other power over the national organization, and the Chairman recited this on the record in unequivocal terms. Because of the questionable authority of the University to attempt to regulate the affairs of private organization, and the constitutional problems raised by such an attempt, the House Corporation reserved the question of the University's power and authority for later adjudication in the event judicial review became necessary.

The House Corporation presented competent evidence relating to the non-discriminatory reasons for the suspension of the Stanford Chapter. Although the House Corporation disagrees with many of the statements and conjectures contained in the Committee's report, and points out that its expressed suspicions are based upon speculation drawn from uncorroborated hearsay which was directly controverted by direct testimony at the hearing, it does feel that the Committee reached the only possible conclusion that "There has been no overt action to force the local chapter to discriminate." It further feels the requirement, that the national fraternity certify the local resolution, is unnecessary, repetitious and an unwarranted slap at the integrity of all individuals and entities involved. The House Corporation anticipates no serious problem in complying with this requirement, except perhaps the natural resentment to the unsubtle innuendo in the Committee's request.

This aspect of the actions and conduct of the Committee is unbecoming to the role of the University in this matter. The Committee concluded that there are no grounds for disciplining the local group, but its members apparently could not restrain the impulse to insult the organization. Such action was obviously not part of the Committee's assigned function, which was to act in a quasi-judicial capacity. The manner in which this function was carried out should be carefully scrutinized by the Faculty, the administration and the Regents. Although acting as judge in the matter, the Committee was also the prosecutor. In analogous administrative proceedings the courts have clearly held such a dual role to be illegal, and the 1956 Human Rights Committee concluded "that the Committee should not simultaneously be prosecutor and judge." Faculty Document 1230, June 4, 1956. The difficulty in properly carrying out such a dual role was clearly shown in the present hearing by the obvious partisanship of certain members of the Committee and its administrative staff. The requirement of impartial fair play known as due process is not served by such partisanship in a judicial function.

The House Corporation has no quarrel with the human rights goals of the University, but it disagrees vehemently with the means employed by the Committee and the University to achieve these goals. The attempt to regulate private organization membership practices finds no support in the Wisconsin Statutes, and is in direct conflict with the interpretation of the U. S. Constitution both by the Supreme

Court and by Congress. The right of freedom of association, granted by the First Amendment and applied to the states by the due process clause of the Fourteenth Amendment, unquestionably precludes the University, as an agency of the state government, from such acts. That this recognized constitutional principal applies to prohibit unwarranted invasion into the internal affairs of private organizations was conclusively affirmed by the U. S. Supreme Court in Gibson v. Florida Legislative Investigation Committee, (1963) 9 L. Ed.(2d) 929. In his concurring opinion Justice Douglas stated:

"In my view, government is not only powerless to legislate with respect to membership in a lawful organization; it is also precluded from probing the intimacies of spiritual and intellectual relationships in the myriad of such societies and groups that exist in this country regardless of the legislative purpose sought to be served."

This same constitutional principal of the inviolability of private organization membership from governmental interference has been recognized twice recently. The Congressional interpretation of the right of freedom of association was stated in unequivocal terms in the Civil Rights Act of 1964 and the Higher Education Act of 1965. The Civil Rights Act, 42 U.S.C.A. sec. 1975(c), states:

"(6) nothing in this or any other Act shall be construed as authorizing the Commission, its Advisory Committees, or any other person under its supervision or control to inquire into or investigate any membership practices or internal operations of any fraternal organization, any college or university fraternity or sorority, any private club or any religious organization."

The Higher Education Act, 20 U.S.C.A. sec. 1144, states:

"(b) Nothing contained in this chapter or any other Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the membership practices or internal operations of any fraternal organization, fraternity, sorority, private club or religious organization at an institution of higher education (other than a service academy or the Coast Guard Academy) which is financed exclusively by funds derived from private sources and whose facilities are not owned by such institution."

We can see no reason why the Committee or the University would be immune to the constitutional mandate, or why the Alpha Lambda Chapter division of the Alpha Lambda Chapter House Corporation would not be covered by this constitutional protection. The chapter house is, of course, the private property of the House Corporation, which pays its taxes like other property owners.

The University's recognized function is to educate, not to legislate or coerce. Its tradition of sifting and winnowing is hardly compatible with the attempt to regulate the philosophies of private organizations. No one is required to join a fraternity, and no one can constitutionally be denied his status as a student because of his affiliation with a private organization, whether it be a fraternity or the Communist party. The sifting and winnowing tradition recognizes that the student is free to pick and choose what ideas and philosophies to accept and reject,

but this tradition does not recognize any administrative authority to control the student's environment by excluding from his choices certain organizations suspected of having aspects deemed undesirable even by the majority.

The entire University policy needs review and revision to make it compatible with the standing tradition of sifting and winnowing. The Alpha Lambda Chapter House Corporation endorses the idea of attempting to educate on the undesirability of systematic discrimination, and pledges to work toward this goal in the effective manner it has demonstrated in the past; but it rejects the use of force and coercion and the attempt to legislate the affairs of private organizations. It is respectfully submitted that the University should recognize its limitations as well as its responsibilities in dealing with the subject of human rights.

U.W. NEWS

Discrimination

From The University of Wisconsin News and Publications Service, Bascom Hall, Madison 53706
Telephone (Area Code 608) 262-3571

Release:

2/7/66 rf

Immediately

MADISON, Wis.--The University of Wisconsin Madison campus faculty voted Monday that the Wisconsin chapter of Kappa Delta sorority must cease all campus operations by Sept. 15, 1967, unless it submits a certificate on non-discrimination. }

The vote approved a recommendation by the Faculty Committee on Human Rights. The committee reported that all registered social organizations on the Madison campus except Kappa Delta including 30 fraternities and 15 sororities, have submitted the required certificate.

The Wisconsin chapter of Kappa Delta, founded on the Madison campus in 1920, currently has 38 members and 25 pledges.

The Madison campus faculty in May, 1964, voted to require a non-discrimination certificate, called "Certificate I," from all campus social organizations. Both local and national officers of each organization must sign Certificate I.

The certificate states that the organization has "no provisions in the national or local constitution, by-laws, ritual, or any other controlling rules which require the student membership to refrain from considering for membership, pledging, electing or initiating any students to membership on account of race, color, creed, or national origin." The certificate also states that there are no provisions in any local or national rules "which indicate or imply that any person should be considered socially or personally unacceptable as a member because of his race, color, creed, or national origin."

-more-

Add one--Kappa Delta

Deadline for the signing of Certificate I by both national and Wisconsin chapter officers was set at Sept. 15, 1967, to give local Kappa Delta another opportunity to change the position of the national officers at the next Kappa Delta national convention, scheduled for the summer of 1967.

"We wish to make it clear," the human rights committee report to the faculty stated, "that the action recommended...is intended to put Tau chapter (the Wisconsin chapter on the Madison campus) of Kappa Delta on notice now and to terminate Kappa Delta's presence on this campus automatically on September 15, 1967, if a properly signed Certificate I has not been submitted before that time."

The committee pointed out in its report that the Wisconsin chapter of the sorority had made strenuous efforts to change the national officers' position. A resolution supported by the Wisconsin chapter and empowering national Kappa Delta executive officers to sign certificates of non-discrimination was adopted at the national convention last July, but was declared unconstitutional by the national president.

The report also noted that the Wisconsin Kappa Delta chapter has four Jewish members and one Jewish pledge.

For several years Kappa Delta, especially the national office, has failed to cooperate with the University in the field of Human Rights, the committee explained. The seven-page report reviewed its relationships with Kappa Delta and included correspondence it had received on the matter.

The committee reported that its difficulties with the sorority started in 1963 when, on orders from its national, the Wisconsin chapter failed to submit a required questionnaire on membership selection practices. On orders from its national it also refused to answer a series of questions put to it in May, 1963, regarding particular circumstances of its membership selection procedures.

The local chapter of the sorority did not file Certificate I by the deadline date of Nov. 1, 1964, but on Dec. 8, 1964, it submitted a locally signed certificate which contained only the first part of the wording required by the UW faculty legislation, accompanied by a letter of protest.

Add two--Kappa Delta

Later the campus chapter president was authorized to sign the certificate in full, and the committee postponed until Nov. 1, 1965, the date on which the signing of Certificate I by a national executive officer would be required.

The Wisconsin chapter, in cooperation with many other Kappa Delta chapters, worked at the Kappa Delta national convention in July of 1965 to secure approval of a resolution which would remove ambiguities from the ritual of Kappa Delta, and empower national executive officers to sign certificates stating that its constitution and other governing laws and regulations have no discriminatory provisions.

The resolution came to a vote as the last item of business at the convention and was adopted by a vote of 133-80. When the vote was announced, the national Kappa Delta president declared the resolution unconstitutional and immediately adjourned the convention.

Since the adjournment, the Wisconsin chapter has unsuccessfully attempted to secure a change in the ruling of the chair and proceeded to operate its chapter business in accordance with the ritual approved by the convention vote and with the UW faculty legislation governing non-discrimination in the membership selection of social organizations. The Wisconsin chapter also cooperated with the committee in providing pertinent information at a hearing on Nov. 10, 1965, and continued to attempt to get the signature of a national officer to Certificate I, the committee added.

The committee stated in its report to the faculty:

"The local chapter and alumni, in view of the vote of the last convention, have strong hopes that the University's policies may be reflected and furthered by action to be taken at the next convention (of Kappa Delta), and they are anxious that the local chapter have the chance to continue and to work for such action. The committee is perhaps less optimistic, but in view of the limited time involved, has voted to recommend that the local be given that chance."

Add three--Kappa Delta

Members of the Faculty Committee on Human Rights which submitted the report are Profs. Walter B. Raushenbush, chairman (Law), Lloyd F. Bitzer (Speech), Herbert Jacob (Political Science), Richard Hartshorne (Integrated Liberal Studies and Geography), and three students, all seniors--Joan Kolker, Patricia Nelson, and Dennis Sherman.

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Discrimination

UNIVERSITY NEWS and PUBLICATIONS SERVICE

THE UNIVERSITY OF WISCONSIN

BASCOM HALL • MADISON, WISCONSIN 53706 • PHONE 262-3571

11/1/65

Editors:

A background session regarding the University's policies and procedures regarding discrimination in housing will be held at the News and Publications Service on Thursday, November 4, at 2 p.m. Representatives of University offices involved in efforts to establish and enforce the University policy of non-discrimination will be available at the meeting for questioning.

There has been some confusion in recent news stories about the University's policy and role in this area. We hope one or more representatives of your organization will be able to attend.

Jim Scotton, Director
News and Publications

(News and Publications is located in the basement of Bascom Hall. Enter by the door opening on Observatory Drive.)

U.W. NEWS

FROM THE UNIVERSITY OF WISCONSIN NEWS SERVICE, MADISON, WISCONSIN 53706

5/14/64 rf

RELEASE:

Immediately

MADISON--The Student Life and Interests Committee (SLIC) of the University of Wisconsin at Madison late Wednesday approved a proposal designed to gain increased cooperation between student organizations, outside organizations, and the University in solution of mutual problems.

The proposal came from SLIC's subcommittee on fraternal societies and social life to clarify a conflicting situation called to its attention last January by the UW Committee on Human Rights.

The rights committee had cited instances in which it had been unable to obtain full and frank answers to questions put by it to certain student organizations in its consideration of campus discrimination problems.

The approved proposal adds a statement to the section on "Control by Cooperation Rather Than by Regulation" in the UW's Student Organization Handbook, following the declaration that problems can only be solved by mutual responsibility, which declares that:

"As part of this mutual responsibility, the University respects the rights of individuals and organizations to exercise their basic freedoms. At the same time it expects that these individuals and organizations will be free from outside influences which would limit the possibilities of free and frank discussion concerning existing areas of conflicting objectives."

At the meeting SLIC also:

1. Approved an experimental program on "floating hours" for Sellery Hall coeds.

-more-

Add one--SLIC meeting at UW

2. Approved a set of guidelines for interpretation of regulations by the UW Housing Bureau;

3. Heard reports that the Bob Newhart spring show for Campus Chest lost a little money but that the Dick Gregory spring show to aid freedom projects in Mississippi showed a \$1,000 profit;

4. Voted to pay long overdue debts totaling \$239 left by the old Varsity student politics party on campus which became inactive two years ago with money in the student organizations' contingency fund;

5. Approved the naming of two students, George N. Kotzonis, Sheboygan, and Robert Newman, Roslyn Heights, N.Y., to the panel from which Student Senate selects Student Court Justices; and

6. Received from its subcommittee on general organizations and politics suggested revisions to bring UW regulations on student organizations up to date, and a proposal that the Residence Halls faculty committee work with halls students in developing "a divisional SLIC" for the halls.

The floating hours experimental program for Sallery Hall coeds was originally part of the UW Associated Women Students (AWS) program for liberalization of late hours for women students, part of which went into effect on the campus last fall.

Under the program, Sallery Hall freshman coeds who now have one 1 a.m. night a week could elect to have two 12 midnights a week. For the rest of the week they have 11 p.m. nights. And the hall's sophomore coeds, who now have two 1 a.m. nights a week, with the rest of the nights 11 p.m., can elect to have two 12 midnights and one 1 a.m. night, or four 12 midnights.

The program now goes into effect for the Sallery Hall coeds for the remainder of this semester and for the first semester next fall, when its results will be studied.

Guidelines for the interpretation of housing regulations by the UW Housing Bureau came from SLIC's subcommittee on living conditions and hygiene and apply to 1964 seniors and students over 21 who are permitted to live in self-contained housing units.

U.W. NEWS

5/4/64 jb

FROM THE UNIVERSITY OF WISCONSIN NEWS SERVICE, MADISON, WISCONSIN 53706
Immediately

RELEASE:

MADISON, Wis.--Two new measures designed to assure freedom of choice in selection of new members by fraternities, sororities, and other social organizations on the Madison campus of the University of Wisconsin received faculty approval Monday.

Approval came by voice vote with only scattered "no" votes. In an earlier voice vote, the faculty rejected by a slim margin a motion to delay action until the next meeting.

Submitted by the faculty's Human Rights Committee, the proposals were drafted to carry out the purposes enunciated in earlier faculty legislation requiring student organizations to ban off-campus pressures leading to discrimination.

The first, termed a certification of non-discriminatory membership policy, requires the organizations to verify that there are no provisions in the local or national constitution, bylaws, ritual, or any other controlling rules which require student membership to refrain from considering for membership any students on the basis of race, color, creed, or national origin.

The committee asked that this certification be signed as part of registration procedure in the fall of 1964 by the president of the local organization and by a national executive officer, and thereafter be signed annually by the president of the local group and every fifth year by a representative of the national organization.

Some organizations have restrictive provisions which are not binding on the local chapters, the committee stated, "but such exemptions...which none the less

add one--human rights committee

remain as part of the regulations of the national organization and are operative elsewhere among its units, will not be accepted as satisfying the requirements of this University after September, 1968."

A second certificate is designed to take away the influence of non-student members in selection of new members on the basis of creed, color, race, or national origin.

Prof. Robert J. Lampman, economics, committee chairman, said this provision is a move to prevent outside control in choice of members, "but it is not our intention to prevent alumni, advisers, or other non-active members from giving advice. Neither is it our intention to prevent national officers from having a veto power on membership where such things as scholarship levels, dues or fee payments are involved."

This certificate, the committee recommended, should be signed by September, 1972, and annually thereafter as part of the regular registration procedure. It added:

"It is hoped that the Interfraternity Council and Pan-Hellenic Council and other organizations and associations will continue to provide the leadership and discipline necessary to accomplish these purposes as quickly as possible before 1972. A large number of other universities are facing up to existing problems in this manner, too."

Tracing its progress since the faculty established the committee in 1950, the human rights group reported that its policies have aimed consistently at assuring that every student shall have a right to be considered for membership regardless of his race, color, creed, or national origin, and that each UW fraternal organization shall have the freedom to choose its members from among the whole student body. Steps were taken in different years to bring these goals closer to reality, and in 1963 a questionnaire was directed to all the organizations to determine membership selection policies and practices.

add two--human rights committee

The completed questionnaires, the committee stressed, provide the basis for the recommendations to require certification. Findings to date include information that at least 18 of the fraternities and sororities have autonomy in selection of recruits, but in more than 20 instances, the replies indicate strong likelihood of outside controls, enabling persons other than students to enforce discrimination. The committee said outside controls appeared present in almost all the sororities and in nine of the fraternities.

The committee said it had reported to the president that Acacia, Phi Gamma Delta, and Kappa Delta have not responded to the faculty requirement of supplying verified information concerning membership policies and practices.

During the 1963-64 academic year, the committee reported it had not received a single complaint concerning discrimination in student housing, the first time this has been true since 1950. Only one complaint of alleged discrimination in employment against a student was received, and arrangements were made promptly to prevent a recurrence.

In addition to Prof. Lampman, the committee consists of Profs. Max W. Carbon, nuclear engineering; Jack C. Gilchrist, psychology; and Richard Hartshorne, geography; and these students: Solveig M. Bjorke, Madison (3315 Tallyho Lane); Dennis L. Dresang, Kimberly; and Stephanie A. Ogden, Downers Grove, Ill.