

RESOLUTIONS | Student Senate to vote Sunday on two resolutions supporting offering benefits for same-sex couples

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senate for first read last Sunday, said he was shocked when he found out the University's policy did not include benefits for same-sex couples.

"I didn't know we didn't have it - I thought that was kind of a given," Malin said. "I found that when I go out and talk to random students or people I know and say 'Hey what do you think about this idea?' their response has been unanimously, 'We don't already have that?' So people don't understand that we don't have it for granted they just kind of take it for granted that we already do."

He said the goal of the resolution is to move the conversation forward.

The Missouri legislature
Missouri is a state with a conservative legislature and a constituency that voted in 2004 to define marriage between a man and a woman.

Currently, no public universities in the state offer same-sex partner benefits. It could be a political risk to be the first public university in Missouri to extend benefits to same-sex couples, President Paino said.

"Some would argue that this is not a time to make the University more vulnerable than it already is," he said.

After two years of budget cuts and no indication that the economy is improving, he said, it's not a good time for Truman to stand alone on the controversial issue of domestic partner benefits and risk deeper budget cuts if general assembly members who oppose same-sex relationships.

"We are a public university, and therefore you certainly have to be sensitive to politics in the state, and I would describe the legislature right now in the House and the Senate as being fairly conservative," Paino said.

There are a couple of examples during the past decade of the general assembly withholding small amounts of funding from public institutions in response to controversial policies, said Paul Wagner, Deputy Commissioner of Higher Education for the state of Missouri.

After 9/11, the general assembly passed a budget that included an amendment withholding approximately \$50,000 from the University of Missouri because the anchors on its television station did not wear American flag pins on their lapels, Wagner said.

"They wanted to make an example of them," Wagner explained. At about the same time, the

general assembly cut the average amount of a professor's salary from the University of Missouri—Kansas City to make a statement against a psychology professor researching pedophilia at the university, he said.

However, instances of budget cut retaliation from the general assembly are rare and leadership in the budget committee is supportive of higher education and usually respects the policy decisions at colleges and universities, Wagner said.

Rep. Zachary Wyatt, R-2, said that based on his experience during his first term in the Missouri House, he doesn't foresee legislators reacting with budget cuts if Truman implemented domestic partner benefits.

of the Missouri conference of the American Association of University Professors, said he does not think a funding cut is a huge risk. Rather, it's the risk that one of a few very conservative member of the legislature calling negative attention to the University that poses the threat.

He said he does not think the threat of criticism from outliers is worth the cost of bypassing the opportunity to "do the right thing."

"It depends — how careful do you want to be never to have anybody attack you?" Robinson said. "Do you want to keep hundreds of people in oppression because that's what a few people demand?"

Missouri schools
There have been similar resolu-

support offering benefits to domestic partners. During the year since, Student Senate, Graduate Student Senate, the Council of Deans and the chancellor all submitted letters to the Board of Curators, Rubin said.

In response, Warren Erdman, the Board of Curators chair, asked the Human Resources department to study all benefits at the University, including potentially offering benefits to same-sex couples, starting in January, Rubin said.

"Whether it will happen or not I don't know, but it's at least being looked at, and that's something that's never happened before," she said.

Many private schools in the state already offer benefits to domestic

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The Student Senate resolution urges the Board to add 'sexual orientation' to the explicit list of reasons against which faculty and students cannot be discriminated.

The current Board policy was written in 1992 and was brought up for possible amendment at the December 2004 Board meeting, Truman's General Counsel Warren Wells said.

The 2004 Board decided not to amend the policy because the Board found the non-discrimination policy and its interpretation affirmed the Board's interpretation, according to minutes from the meeting.

Wells said Truman's policy is different from most non-discrimination policies because it only lists the forms of discrimination that are illegal because of statutes, by saying Truman faculty and students won't be discriminated against unless "related to the applicable educational requirements of students or the applicable job requirements of employees."

"That's the thing — it does include sexual orientation or anything else you can think of that isn't related to applicable education requirements or applicable job requirements," Wells said. "The theory was if you start listing, it's inevitable you leave something out so we're going to do an umbrella thing. Whatever you can think of, it's covered by this policy."

Malin said Truman is one of the only public universities in the state that doesn't have 'sexual orientation' in their Board's non-discrimination policy and the university should be embarrassed.

"Not including it is going to raise some questions," Malin said. "We're one of the only schools in Missouri without it and it wasn't an accident when the Board decided not to include 'sexual orientation' when many of the other public universities were. It makes us stand out as anti-gay and homophobic."

Senate will vote on the resolutions at Sunday's Senate meeting.

Malin said he would be surprised if the resolutions didn't pass unanimously.

Statement of non-discrimination in Truman's Board of Governors' code of policy

"The University recognizes the **worth and dignity** of all persons, and the University **does not discriminate on any basis** not related to the **applicable educational requirements** of students or the applicable job requirements of employees. The commitment to the consideration only of bona fide qualifications, and the **avoidance of improper discriminatory practices**, includes but is not limited to the forms of discrimination prohibited by law. Therefore, the University **observes and complies fully** with federal and state laws prohibiting discrimination on the basis of **race, color, religion, national origin, ancestry, sex, age or handicap** in admission or access to, or treatment or employment in, its programs and activities."

But at this point, the proposal of domestic partner benefits is still at the Student Senate level, and Paino said he has not discussed the issue with the Board. He said he will not know whether he will in the future until after Student Senate votes Sunday and he sees a copy of the resolution.

Without a guarantee the resolution will reach the Board, Student Senate support essentially will express student opinion, and there isn't much threat of the general assembly punishing students for voicing a concern, said Malin, the main author of the resolutions.

"I really don't believe there's enough weight in Jefferson City right now to affect our funding," Malin said. "I think there are a couple people that would want to. I don't think the majority do, even though it's an overall conservative body, it's not an extremely conservative body."

David Robinson, the president

tions to Malin's Student Senate resolution passed by faculty and student boards throughout the state, but none of Missouri's publicly funded universities officially offer benefits to employees in same-sex relationships.

Faculty councils in three of the four schools in the University of Missouri System passed resolutions in support of extending benefits to same-sex couples, and Missouri State's faculty council sent a similar resolution to its governing board, said Leona Rubin, executive committee member of the Faculty Council at MU.

In Missouri, the other public schools seem to be waiting for the biggest school, MU, to take action before they do, partially because they're worried about a negative reaction from the legislature, Robinson said.

MU is now taking action. Its Faculty Council unanimously passed a resolution in May 2010 to

partners, and the practice of offering benefits at public schools is more common in other states, she said.

"In general the schools that don't offer domestic partner benefits are in rather conservative states, like Missouri, Texas and some of the southern states," she said. "The East the West, all of the big 10 schools offer domestic partner benefits."

Robinson said Iowa, Illinois and Indiana are among the state that offer same-sex partner benefits in public schools.

Board policy resolution

The current Board non-discrimination policy states, "The University recognizes the worth and dignity of all persons, and the University does not discriminate on any basis not related to the applicable educational requirements of students or the applicable job requirements of employees. The commitment to the consideration only of bona fide qualifications, and the avoidance of improper discriminatory practices,

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