

March 9, 1989
Committee on Student Life Minutes

Well, I know last week's minutes were long, but I fear that these will be too: we touched upon a hot issue at this week's meeting. All members were present except for Greg Evans and Dan Tindall. We had two agenda items: Off-Campus Housing Requirements, and Smoking Policy in the Dining Halls.

Boy were there a lot of people at our meeting! Students, faculty, staff, lots of interest was generated by the Housing issue.

Melanie, the student who sparked the topic, spoke first. She will be a sophomore next year, and wants to be able to live Off-Campus with her female 'life-partner'. Unfortunately, they can't get legally married in Iowa, if they could they would. The current college policy does not allow her to move off.

"...all students (except those who are legally married, whose parents are Grinnell College faculty or staff, and those living with their parents in Grinnell) are required to room and board in the college residences. The college will, in its financial capacity, allow some exceptions to the residence requirement for juniors, seniors, and students who are significantly older than the traditional college-age student." -- Student Handbook

We opened the floor to general discussion, and a few preliminary options were tossed around: (a) dropping the word 'legally' from the policy, thus extending it to include ceremonial marriages; (b) adding a clause about ceremonial marriages; (c) giving Student Affairs the right to allow sophomores to petition to live off-campus, and to limit the number allowed off; (d) letter c without a set limit. Chaos then ensued.

It was verified that we do have an overcrowding problem in the dorms. However, the college feels that at least two years of residence life is highly desirable for the social development of students. Students are thus exposed to a diversity not inherent in OCNCO housing.

Melanie informed us that non-legal same-sex marriages do exist, and can be performed by many organizations, such as the Unitarian Church, the MCC, etc. She recommended the development of a college form, a sort of statement of intent, to be signed by both parties.

Tom voiced his concern that Student Affairs would have to screen every applicant couple to make sure that no students are slipping through a loophole and getting off-campus. He stated that this is a problem, that many sophomores want to get off-campus, and he just doesn't want to create something that could be misused by this group.

Students stated that it is incongruous that straight married couples need not apply to live OCNCO, whereas option (c) would require same-sex married couples (hereafter referred to as SSMC's) to apply. This is not fair; it does not recognize SSMC's as equals to straight married couples. There is a problem in treating SSMC's as an exception clause, without doing the same for straight married couples.

We discussed the possibility of adding a clause specifically for SSMC's about ceremonial marriages. There are two problems with this, which we debated at great length. First, Tom doesn't want Student Affairs to have to examine every case to judge if the couple is in fact 'ceremonially married'. There is no readily available way to draw the line, and he doesn't want to allow the loophole of any couple proclaiming themselves married and jumping over the broomstick in the dorm lounge, with the sole intent of getting off-campus. Melanie pointed out that the same loophole exists for legal marriages, and that this hadn't been a problem in the past. However, people might be more willing to undergo a vague 'ceremony' than to get legally hitched to go off-campus. People felt that very few people would be willing to fake a same-sex marriage for this reason.

The second main problem is that of possible discrimination against heterosexual couples who choose for whatever reasons, be they political moral or other, not to get married. They cannot move off-campus under the proposed change, whereas same-sex couples can without a legally binding ceremony. It could be argued that different-sex couples ought be allowed the same option or a ceremonial marriage. Of course, this would make the loophole a lot easier to fit through for most people. Tom would like to consult the college lawyers before passing anything.

Fred Morris disagreed strongly with this objection, saying that if that were a problem, there would be straight couples protesting their condition, but until there was protest, the college should concern itself more with protests at hand. To put off a change because 'it would be difficult' is not a good excuse. Fred urged the committee to consider the issue at two levels: (1) to discuss whether or not a change needs to be made, and (2) the specifics of the change. If the CSL commits itself to change, a way to change will be found.

Dianna Ward asked whether the college's non-discriminatory policy applies to housing. She thought it did not. Tom and Diane think it does, but will have to check to make absolutely sure. If it does, Dianna claims that this is discriminatory and in violation of the college policy. On the other hand, if it does not, the CSL doesn't have to worry about infringing the rights of straight couples who want to move off-campus as sophomores. Tom replied that one of the reasons the CSL was meeting was to determine if there was indeed a contradiction in the college policies.

Students felt that it would be impossible to avoid the possibly distasteful possibility of putting SSMC's in a special category. We determined that the CSL was not under an urgent time constraint for Melanie's particular case; her lover will be getting an apartment in town regardless of the college's decision. Tom is pretty sure that anything passed after the printing of the Student Handbook is still policy for next year.

Diane pointed out that we already discriminate in some sense against age in the housing policy. In fact, if you look hard enough, you could read much of the college policies as being rife with discrimination. There is a degree of discrimination that would be nearly impossible to eliminate, and the line must be drawn somewhere. In this case, it could be acceptable to not include straight non-married couples in our revision of policies, particularly as there has been no pressure to do so.

Tom and Mark reiterated the need to consult a lawyer, and Royce responded that we're not going to get sued for excluding straight non-married couples; we should pass the resolution and deal with eventual protest from this quarter if and when it arises.

Roberta Atwell remarked that Tom Crady's job would be harder, but it is better to have his job be harder than to penalize students for something that is beyond their control. Tom responded that the added work wasn't the problem; the problem was the difficulty of being able to consistently and fairly mete out just decisions for all applications.

Katie proposed having GLGA recognize marriages, but evidently this is very unfeasible.

Steve Sturgeon proposed the term 'institutional ceremonial marriage', to cut down on ersatz marriage claims. We tried to figure out what exactly an 'institution' was. How about the term 'college-recognized marriage'? No, that leads back to Student Affairs screening couples. There was again a statement of the need for more information, particularly the need to contact a certain Iowa City lawyer who specializes in gay/lesbian rights. We entered a closed session.

The CSL decided to have two votes: one on a general statement of intent, such as proposed by Fred, and one on an actual policy change. The statement of intent would not need to be passed by Joint Board or President Drake.

We drafted and voted on the following statement: CSL, in reviewing the Off-Campus housing policy, has found that it is discriminatory against same-sex couples, based on the college's non-discriminator policy, and will seek to correct this situation. This was approved by all, except for Steve Jones, who abstained. Tom Crady is a non-voting member of the committee.

We next discussed the wording of a proposed change, and agreed to insert the following sentence to the policy. In addition, until Iowa recognizes same-sex marriages, Grinnell College will recognize institutionally sanctioned marriages of same-sex couples. We debated adding a clause stating that this applies only to Grinnell's housing policy, to make clear that the college doesn't recognize them as legally married, but decided it was unnecessary. The committee was of the opinion that this proposal addresses both objections. It is limited to discussing married students, and thus is not discriminatory to straight non-married couples. Also, by requiring 'institutionally sanctioned marriages of same-sex couples' students will not be able to simply declare themselves married. An institution capable of sanctioning such a marriage is defined as an institution that can and will sanction such a marriage.

Mark moved to table the issue until we could consult the college lawyers, and was seconded by Steve Jones. After some confused discussion of Robert's Rules of parliamentary procedure, we voted. The motion failed, with only Mark supporting it and Steve Jones abstaining. We moved on to the general vote, which was unanimously approved with the exception of Mark Hill. We tabled the smoking policy issue, and set our next meeting for 7:30, Tuesday April 4 in Loose Lounge. And we will have refreshments!! Yay!

I hope I was able to adequately represent peoples' views without imposing my own biases. It was a long discussion, and I didn't always write down who said what. Please let me know if there are any corrections at our next meeting. And again, I apologize for the length; I could have gotten it on 3 pages with no spaces between paragraphs, but I figured no one would be able to read it then. Heck, you don't even have to read them; most of you were there. I guess these are for posterity, so future people can know our reasoning. Maybe I just make this harder than it need be.

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