

CSUN welcomes gay fraternity

By Joanna Parsons
California State University-Northridge Daily Sundial

Delta Lambda Phi is seeking pledges by participating in Rush week like the other fraternities, but most students probably don't know that they are California State University-Northridge's first gay fraternity.

Delta Lambda Phi has active chapters on other CSU campuses like San Diego, San Jose, San Francisco, Long Beach and Davis.

"Our purpose is to help them [members] build a positive self-image" Matthew Paige, president of CSUN's chapter, said.

"All their lives they listened to people putting them down, [about their sexuality]," Paige added.

Delta Lambda Phi is a national fraternity, Paige said, but is not affiliated with any national fraternity council. CSUN's own chapter began in Spring of 1996.

The fraternity's headquarters, located in Sacramento, decided not to join the national council due to high fees that may make the fraternity inaccessible to those who wanted to join but did not have much money.

Paige said the fraternity's actual first chapter was founded in 1986 in Washington, D. C. because,

"there was no fraternity system that was accepting gays."

"So there was no opportunity for gays and bisexuals who could be open about their sexual orientation in a fraternity" he said.

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President CSUN IFC**

fraternities came to us and expressed that we should have opened a chapter earlier because they would have rather joined a gay fraternity so they can be themselves" Paige added.

Members of Delta Lambda Phi petitioned for a chapter and were approved after meeting the standard university guidelines for forming a club or organization.

"It wasn't highly debated" said David Phelps, attorney general for Associated Students, "All clubs on campus have a right to exist regardless of dissenting opinions, as long as there's an open invitation for all students to become involved."

"The staff and faculty...were very positive and supportive" Paige said. "[CSUN president Blenda J. Wilson] was particularly happy because of the diversity we have."

Paige said there were some students from other fraternities who were making derogatory comments toward them during orientation.

"I heard one or two of the frats say 'no let's go over there we don't want to be near the fag table,'" Paige said.

However, Joe T. Dagata, president of the Inter-Fraternity Council said there has not been any opposition from the fraternity members.

"There's been no discussion," Dagata said, "We have no problem with them existing. I have no problem with gay fraternities. If it makes their college experience more enjoyable, more power to them."

"A lot of them don't even know about it," he added.

Phelps said, "There have been jokes here and there, but it's a normal reaction in today's society," responding to the idea that people have not come to the point where they have accepted homosexuality as part of society.

"It doesn't bother us that they aren't thrilled about us, but I think they misunderstand what our organization is about. When people think of a gay organization they think it's sex-based," Paige said.

Dorm searches: When do they violate students' rights?

By Ed Fletcher
The Digest
Southern University

BATON ROUGE, La.--It began as a random sweep for illegal drugs, weapons or other contraband at one of Southern University's residence halls. What resulted is a challenge to the constitutionality of the entire dorm-search procedure.

Patrick N. Devers, the student at the center of the legal battle, is claiming Southern University is essentially asking him and every other student to sign away their Fourth Amendment rights as part of the residential housing rental terms. All students are required to sign the document before checking into the dormitories each semester.

The university has voluntarily stopped performing the random searches until the lawsuit filed by Devers is resolved.

The Devers case began with a March 8, 1995, sweep of William Edward Reed Hall. According to Devers, campus police surrounded the building while residential housing personnel began to sweep room to room, searching for illegal substances. When they reached his room, residential assistants and campus police officer James Monroe entered the room and began to search its contents and to question him.

Devers says the officer asked whether he had drugs in the room

and how much money he had on hand. But he was never read his Miranda rights by the officer, he adds.

Before the search was completed Monroe says he found 12 bags of marijuana in the student's room, and Devers was arrested.

Devers served no time for his alleged possession of marijuana. He won his criminal case then sued the university for violation of his Fourth Amendment rights, as well as other points.

The situation Southern finds itself in is not an isolated incident. Other similar cases around the nation are prompting courts to consider whether the Fourth Amendment freedom from unreasonable search and seizure stops at the steps of campus housing and to weigh how far universities can go to deter drug use and possession.

State and federal courts generally have upheld the legality of dorm sweeps if the warrant-less search was by non-commissioned officers and the punishment was purely administrative, said Jack King, the public affairs director of the American Trial Lawyers Association.

"Over the past couple of decades, schools have decided to handle these problems themselves," said King.

In Devers' case, a district court judge ruled in October 1996 that despite "good reason" on the part of university officials, the university's dormitory sweeps' policy is an unconstitutional violation of Fourth Amendment freedoms.

At present, the case is before Louisiana First Circuit Court of Appeals. Court officials say it could be sometime in February 1998 before the appellate court rules.

According to the Southern University's chief of police, the case was an anomaly. Chief of Police Harrison Baptiste said the officers' role in the dorm sweep is merely to assist and any actual search should be performed by university residential assistants or dorm directors.

SU Attorney Winston DeCuir says that the university searches rooms as a safety measure to help prevent the illegal possession of drugs or weapons.

Southern University is not alone. Many universities conduct routine dormitory searches. However, whether or not a university requires a warrant or the permission of a student before officials can enter or search a dormitory room varies from school to school.

University of Southwestern Louisiana Dean of Students Edward Pratt recently told The Vermilion, USL's campus newspaper, that USL has avoided legal trouble because they "don't 'criss-cross' administrative and criminal punishment.

Pratt said they keep the distinction between administrative and criminal punishment and never search a room without a warrant or permission from the resident. Louisiana State University's dormitory agreement does not provide for warrant-less searches.

"We try to recognize that this is the student's private residence," said Debora Baker, LSU's associate director for residential life.

professional knowledge of the faculty and administrators at VCU, the Board of Visitors and the council staff."

Brown said it's his job. "Whether it's curriculum or enrollment projections, you should look for us to be actively involved," he said. But "just because somebody asks questions about a major is not analogous to a dogma that you will teach x, y and z."

The other council members have kept a low profile on the issue. The agency's Planning Committee considered the degree at both its June and July meetings. After hearing Brown's objections, his colleagues

In January 1996, Appalachian State University in North Carolina adopted a policy, which like SU's policy, allows for warrant-less searches. Unlike Southern's policy ASU's policy allows campus police to participate in the search.

Prior to the policy, Rick Geis, ASU's director of resident life, said students would swallow or flush the drugs down the toilet before officials returned.

"By the time we'd get back to the hall after securing the warrant, the moment was lost," Geis said.

Some ASU students say that the school's policy violates their constitutional rights. But Geis says the policy sends a message to students that drugs will not be tolerated on campus.

"What we're saying is, if you use drugs at Appalachian and we locate it, we're going to send you home," he told the Daily Tar Heel, the University of North Carolina's campus newspaper.

One ASU student, Maggie James, who has twice been convicted through campus administrative procedure under the new policy, says it has helped lessen drug use on campus. After James was caught, she was ordered by the university to go to counseling, perform community service and pay a fine as a result of her violations.

Back in Baton Rouge, Devers and his lawyer Bernard Hardy argue that regardless of who performs the search, if that person is ordered to perform the search by a state-employed individual, it is an illegal search. Hardy also argues that students should not be asked to waive their Fourth Amendment Rights as a condition of residing on campus.

At least one court has ruled such searches are unconstitutional. The Supreme Judicial Court of Massachusetts ruled campus police violated a college student's Fourth Amendment rights when they entered a student's dormitory room without a warrant and seized marijuana plants found there.

A Tennessee Criminal Court of Appeal's ruling, however, upheld a lower-court decision allowing a warrant-less search by a dormitory director.

In the Tennessee case, Derron Burroughs, a Knoxville College student, was arrested for possession of cocaine with intent to sell. According to court documents, Chester Petty the dormitory director, entered Burroughs' room and found a set of electronic scales and a box containing a white powdery substance, which after the police arrived was confirmed to be cocaine. Petty had testified that he entered the room of the defendant because he had been given information that there was a possibility drugs were being handled in the room.

How the Louisiana First Circuit Court of Appeals will rule on the issue remains to be seen. It is likely, however, that Devers and his suit against the university will decide the future of the campus dormitory search policy.

did not vote on it, but sent it back to VCU to address his concerns. The item is on the agenda for the council's meeting Friday.

Norfolk lawyer John D. Padgett, the vice chairman of the agency, said he's still not sure how he'll vote. Brown said even he could vote for the program if he receives new information from VCU to erase his doubts.

"The simple question," Brown said, "is: What is the African-American experience, and how do you capture that?"

VCU proposes Black Studies Degree

By Philip Walzer
Knight-Ridder/Tribune News Services

RICHMOND, Va.--Virginia Commonwealth University wants to begin offering an undergraduate major in African-American studies. Standing in its way is the only black board member of the State Council of Higher Education.

The debate, which has gone on in Richmond for more than three months and may come to a head this week, revolves around a politically charged field of study.

But to observers, it raises a question

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President VCU**

that goes beyond black studies and touches every college in Virginia: Who should have the real say over curriculum, the university or the state?

The council member, Jeff Brown, a buyer for Circuit City Stores in Richmond, has researched the matter in painstaking detail, poring over course syllabuses, questioning even glossaries. What he's seen hasn't won him over.

Brown has argued that the VCU degree doesn't guarantee job prospects, encourages separatism and has a liberal tint that overstates the importance of racism.

"We have a choice right now in America," Brown said last week. "We can distill ourselves into separate, distinct groups, each vying for an equal footing, or we can realize that we're in this all together, and that our contributions are American contributions."

VCU says the plan has strong student demand, needs little extra money and meshes with the university's goals of helping solve urban problems and linking faculty from different disciplines.

"It's an important part of where we are now, where we've been and where

we're going in the future," said VCU President Eugene P. Trani. "The role, contributions, problems of African Americans in our society is a legitimate area to study."

Both the staff of the state council and VCU's board have endorsed the program. That's usually enough to merit approval by the council members, all appointees of Gov. George F. Allen. But Brown has twice deferred a vote, requesting more answers from VCU.

Last month, the university's board reaffirmed its support for the proposal and the council is planning to reconsider it Friday.

But it's not just a black issue. Or a VCU issue.

Administrators and professors across the state see an unprecedented level of interference from the state in the VCU proposal. Some fear the onset of a new level of micromanagement in a system that has given great leeway to colleges in curriculum matters.

"I think there is concern about the role the council wants to play in the management of universities," said Jo Ann Gora, provost of Old Dominion University.

"I think that it's appropriate for the council to ask questions and to have concerns, but there is concern when the council wants to substitute its judgment for the judgment of the university community and the board."

Brown's response: "The law says we have to review and approve new (academic) programs. The law doesn't say you can't look at the syllabus. The law doesn't say there are proprietary issues we can't touch...."

"I took an oath to serve the commonwealth, and that's what I'm doing." The University of Virginia is the only public four-year college in the state that now offers a full-fledged major in African-American studies.

VCU started courses in the subject in 1969. Using faculty from areas such as sociology and history, the university offers 20 to 25 courses a semester, such as "Sociology of Racism" and "Black American Writers." About 700 students take them each year, said Ann Creighton-Zollar, director of African-American studies.

VCU now wants to offer a major, allowing students to choose African-American studies as their primary

course of study. That would not mean creating an academic department. Administrators say they would need to add three courses and perhaps a professor. VCU estimates the additional cost at \$46,000, which it will reallocate from savings.

VCU says the program would attract 60 majors, with 10 to 15 students graduating every year.

Vice provost David Hiley said the program is justified by strong student demand, the quality of its faculty and its link with VCU's mission. VCU's student body is 18 percent black, one of the largest percentages in Virginia. The state council's staff endorsed the change earlier this year. Then came Brown.

His concerns include:

Job prospects. VCU officials say graduates would have the same job opportunities as students with other liberal arts majors, such as history. But Brown said: "Why do we need another major if we're not enhancing employment opportunities for students?"

Fostering separation, Brown says the major would fragment the campus into racial camps. "If you spend four years at VCU learning that minorities are relatively powerless and subject to unequal treatment if you don't hate white folks when you start this major, you sure are going to by the time you graduate," he said.

VCU says black studies so far has not divided the campus, which Hiley calls a "model for diversity." Besides, nearly half the students now taking the courses or pursuing a minor are white.

Summing up the black experience. "The contributions of African-Americans are so varied," he said. "I believe that it is not possible to take a grouping or a collection of African-American contributions and say this represents the African-American experience."

But "can't one say that about European or Asian history?" asked Michael Hucles, director of Old Dominion University's Institute for the Study of Minority Issues. "The point is, there's diversity of opinion and experiences within any group. That doesn't make it less plausible to study."

Liberal bias. Brown said the curriculum is "one-sided," tilting

almost entirely to liberal thinkers. Where, he asked, are works by conservatives such as Shelby Steele or Thomas Sowell?

Creighton-Zollar said both professors and students offer a variety of perspectives. Her introductory class, for example, reads a column by conservative journalist George Will on "Afrocentrism."

Nationally, the boom in the creation of black studies programs and degrees came in the late '60s and early '70s, with the ferment of the civil rights movement, said Lemuel Berry Jr., executive director of the National Association of African-American studies.

The number of colleges adding programs and degrees has leveled off in the last decade. "I think a lot of that has to do with job opportunities," said Berry, dean of the Caudill College of Humanities at Morehead State University in Kentucky. "That's the big question that most state legislators will ask."

But Berry said the programs often focus attention on overlooked subjects, such as the health problems of minorities. "The same topic would probably not be covered in the traditional health course."

Within the past year, the members of the State Council of Higher Education have taken a more activist stance, challenging the accuracy of the agency's enrollment projections and firing longtime Director Gordon K. Davies.

In that time, they have yet to reject an academic program proposed by the staff. But they are growing more inquisitive.

They held off approving a new Virginia Tech degree in environmental policy until Brown received assurances that business leaders could vouch for the job potential for graduates.

The challenge to VCU worries Margaret A. Miller, a former associate director of the agency who recommended approving the degree.

"It looks to me like the council members don't like what's going to be taught in these courses, and they seem to be overstepping the bounds of their authority and knowledge," said Miller, now president of the American Association for Higher Education in Washington.

"They really do need to respect the