04/23/91

Faculty Senate asks for study of benefits for gay couples

STANFORD -- The Faculty Senate on Thursday, April 18, sent to committee for study a bill urging the University to give the long-term partners of gay and lesbian faculty and staff members the same benefits that are awarded to spouses.

The Senate, on a divided voice vote, asked the University Committee on Faculty and Staff Benefits to consider the matter and submit a written report to the Senate.

Although there was repeated mention of Senate debate on the bill being held on May 16, that debate has not yet been scheduled.

Seventy-one members of the Academic Council signed a petition asking that spousal benefits -- including medical, dental and travel accident insurance -- be extended to the partners of faculty and staff members who are in "long-term, same-gender committed relationships." The Senate's Steering Committee decided that more information was needed before a Senate debate could be "full and informed," and the question would reach a vote most expeditiously if sent to committee now, rather than later.

Some senators opposed sending the question to the committee. History Prof. Carolyn Lougee said the petitioners want the Senate to make "a statement of principle." Referring the matter to committee first, she said, rules out the possibility that the committee would be influenced by a sense of what the Senate believes.

History Prof. Peter Stansky agreed, saying that the issue of benefits for domestic partners was raised several years ago and a committee had advised that such benefits were too expensive. It seems likely that since the University is in even worse financial shape today, it would get the same advice from the benefits committee, he said.

Sending the matter to the benefits committee, he said, "is against the spirit of how the Senate should operate and against the thrust of the petition."

Provost James N. Rosse, however, said that it would be a mistake for the Senate to express itself without the committee's "detailed fact- finding." Since the benefits issue is complex and surrounded by legal restrictions, he said, he would be reluctant to make a decision without gathering as much information as possible.

Law Prof. Deborah Rhode, the bill's sponsor, said that the steering committee apparently had judged that Senate members would be unprepared to support a statement of principle without full information on the costs. If that is so, she said, it makes sense to obtain the data.

The bill's author, Katherine O'Hanlan, assistant professor of gynecology and obstetrics in the School of Medicine, was allowed to address the Senate and said that the measure would result in extra costs to Stanford, but that she had already compiled a preliminary analysis of the likely costs and could provide it to the Senate. In the past, she said, when a similar bill was sent to the benefits committee headed by business Prof. Alain Enthoven, it "was allowed to die with the epitaph: too expensive."

The bill, said O'Hanlan, merely asks for a vote of principle from the faculty "to say yes, this sounds fair to me."

On Feb. 21, the student senate approved a bill calling for Stanford to provide equal benefits to University employees in long-term, same-gender relationships.

When Stanford last October extended to students in long-term domestic partnerships the same access to University benefits as legally married students, it offered those benefits, including eligibility for student housing, to unmarried heterosexuals as well as to gays and lesbians. In contrast, the Senate bill seeks benefits parity only for same- sex couples.

In an interview, Rhode said that she and others supporting the bill felt that the priority should be to gain coverage "for the group most in need of coverage." Heterosexual couples have the option of marrying and gaining coverage, she said, although they may decide not to exercise that option, while gay couples have no legal alternatives.

Reorganizing committee structure

The Senate also heard a preliminary report from Prof. Joseph Goodman, electrical engineering, on possible restructuring of the committees of the Academic Council. Goodman heads an ad hoc committee charged with considering revisions of the committee structure needed to respond to changes in the administrative structure.

Stressing that he was seeking guidance from the Senate, Goodman offered for discussion a structure consolidating many committees, and adding a committee on long-range planning and policy. The latter, he said, would examine long-term trends in the University and formulate academic policy issues for consideration by the faculty. It would refer such issues to an appropriate standing committee, if one exists, and would establish ad hoc committees or task forces as needed to address specific issues.

Senate comment was wide-ranging (see the Faculty Senate minutes for full coverage).

Thomas Wasow, dean of undergraduate studies, worried about whether a proposed Committee on Undergraduate Education could deal adequately with undergraduate admissions and financial aids. Law Prof. William Cohen was concerned that a Committee on Graduate Education and Research would be "swamped" by research interests.

Prof. Halsey Royden, mathematics, said that any change in committees would be "premature" until the effects of changes in the administrative structure are clearer.

Historical concerns

Peter Stansky asked President Donald Kennedy about the announced decision to tear down three old campus buildings that were severely damaged in the October 1989 earthquake: Delta Tau Delta, Synergy and the Phi Psi co-op. Stansky called the proposed demolition of these structures "an act of historical vandalism." It is particularly ironic, he said, that this "anti-humanistic act" should take place in the final year of Stanford's centennial celebration.

"It is almost always cheaper to tear down than to preserve," Stansky said, but "the extra dollars are well worth spending to preserve the quality and texture of Stanford life."

Kennedy said that studies had shown that it would take $4.5 million simply to restore the three buildings to their pre-earthquake status. That's not a very good deal, he said, unless the buildings have strong historic value, and these three buildings are not on the state historical register.

In any case, he said, there will be further consultation before any irreversible actions are taken and Stansky's views will be taken into consideration.

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05/21/91

Faculty Senate refers domestic partners benefits back to committee

STANFORD -- The Stanford University Faculty Senate on Thursday, May 16, narrowly sent back to committee a resolution supporting giving the same benefits to long-term partners of gay and lesbian faculty and staff members as to employee spouses.

After almost two hours of discussion, the Senate first voted against a motion by Denis Phillips, education, to put the Senate on record in favor of extending the benefits but leaving open when and how.

A majority then voted for a motion by Sanford Dornbusch, sociology, that asked President Donald Kennedy to direct the University Committee on Faculty and Staff Benefits to address all the issues raised in the Senate discussion and bring back a report, which will most likely not be ready until next academic year.

The Senate's academic secretary does not report Senate vote tallies, but both show-of-hands votes appeared to produce narrow margins. During the discussion, some of those who voted against the resolution and for sending it to the committee indicated may support the proposal when they have more information on the bill's legal, economic or political ramifications.

The Senate has no decision-making authority over faculty- staff benefits. However, proponents of the bill said a statement of principle would encourage the administration to make changes.

At the request of the Senate on April 18, Kennedy had already referred the issue to the benefits committee, which makes recommendations to the administration. The committee's report could not be completed in time for the May 16 Senate discussion, but Graduate School of Business Prof. Alain Enthoven, the committee's chair, made a personal report recommending against changing most of the benefits policies, especially the medical insurance plan.

Cost issues

Enthoven estimated that it would cost the University approximately $600,000 per year initially and eventually $1.2 million to $2.4 million to include same-sex partners in the medical insurance plan. "Any proposal to open coverage to other persons raises serious questions of adverse risk selection -- that is, previously uninsured people who are diagnosed with costly medical conditions seeking to obtain coverage through affiliation with a Stanford employee, and driving up the costs and premiums of our insurance," he said. "This is not a concern specific to same-gender domestic partners."

At a time when benefit costs are skyrocketing, he said, the University should be cautious about adding new benefit costs. The benefits committee, he noted, has just recommended the University restructure Stanford's retiree health benefits along the same lines recommended earlier for employees, shifting some costs from employer to employees.

Robert M. Anderson, an economics professor from the University of California-Berkeley, who was permitted to speak at the Senate, disputed Enthoven's cost estimates and estimated them to be "in the neighborhood of $300,000." He recommended conducting an employee survey, similar to one he helped the city of San Francisco to conduct, to get an accurate cost estimate.

Proponents of the resolution defended it as necessary to comply with the University's policy stating that it does not discriminate on the basis of race, color, creed, religion, national origin, sexual orientation, age or sex.

Because state laws do not permit same-sex marriages, gays and lesbians cannot marry their long-term partners, proponents said, and therefore, they are not able to take advantage of benefits the University provides to heterosexual employees who do marry.

The bill also would make it possible for Stanford employees to obtain health and education benefits for the children of a same-sex partner who, unlike adopted stepchildren in an employee's second marriage, are ineligible for coverage under current University policy.

"It is recognized that approximately 30 percent of an employee's compensation is comprised by benefits. The lack of availability of these benefits imposes a unique financial hardship" on gays and lesbians in committed relationships, said Dr. Katherine O'Hanlan, assistant professor of gynecology and obstetrics, who authored the bill.

However, Stephen Krasner, political science, and Frances Conley, surgery, said they were not convinced this was a fair employment issue. Benefits are designed to attract employees and are not necessarily a statement of principle, Krasner said. Conley noted that she doesn't get the substantial education benefit that Stanford provides for children of employees because she has chosen to have no children.

"This group is asking us to make a political statement about one particular life style," Conley said.

"To some extent, it is a political statement," said Deborah Rhode, law, the bill's sponsor. Discrimination against homosexuals is widespread in our society, she said, and "not to extend benefits is also a political statement."

Legal questions raised

Other senators argued that they needed more information on such issues as how Stanford would ensure it was covering only partners in a long-term committed relationship similar to marriage.

O'Hanlan provided the senators with a copy of a "declaration of domestic partnership" used by City of San Francisco employees to apply for benefits there. Under penalty of perjury, the employee and his or her partner must declare that "neither of us has had a different domestic partner in the last six months."

"A key word is commitment, which lacks a legal or tangible definition," said Craig Heller, biological sciences. He said he feared it might be possible under the proposal for Stanford to have to pay tuition benefits to the child of an employee's domestic partner after the employee had ended his or her own financial commitment to the child.

Rhode and O'Hanlan said many issues -- such as cost, how to structure an equitable program and how to ensure that only people in committed domestic partnerships qualify -- could be addressed in a specific implementation plan.

Dornbusch, however, said his vote would be different depending on the details. He said he was "absolutely in favor" of extending benefits to same-sex domestic partners but "absolutely opposed to that proposal if it has the slightest risk of being expanded to domestic partnerships of two-sex couples. I really feel so differently about those people who don't have the legal option of getting married and those who have that option."

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06/17/91

Housing applications from student couples on the rise

STANFORD -- Applications for student couples housing at Stanford University have risen by 81 over this time last year, due in part to the university's new domestic partners student housing policy, according to the Stanford Housing Center.

The policy, which was announced last fall by the Dean of Student Affairs, puts committed unmarried student couples on the same footing as married couples for Stanford housing and other privileges.

Before the policy change last fall, joint housing was granted to unmarried Stanford students and their partners on a case-by-case basis.

A total of 466 couples have applied for one-bedroom apartments on campus this fall, compared to 385 last year, and 428 in 1989.

Of this year's couples, 68 have declared themselves to be in established long-term domestic partnerships "with a mutual commitment similar to that of marriage." That compares to four unmarried couples who sought joint housing last year.

Three of those new domestic-partner applicants are same-sex couples, about the same number that petitioned for joint housing before the policy went into effect.

The number of married student couples applying also increased, from 385 to 398.

"These are about the numbers that we anticipated," said Bill Georges, assistant director of the Housing Center. "We do not think they will have a significant impact on assignments this fall."

Stanford allots its on-campus housing each spring through a lottery system. Last year, because of the construction of the new Rains graduate student housing complex, there was a surplus of one-bedroom apartments in Escondido Village, and every couple that requested housing received it in the lottery.

This year, about 40 couples were left over after the spring lottery assignments were made. However, most who decide to join the waiting list will receive housing in time for fall, Georges said.

"We typically have more than 50 couples refuse assignments over the summer," he said. "That provides spaces for the couples who are unassigned."

The new policy will have minimal effect on the availability of housing for single graduate students, he added. Even though there are 739 single grad students still on the waiting list for housing this fall, few want to be doubled up in the one-bedroom apartments.

"We've traditionally had a large number of vacancies in those apartments during the year," Georges said. "We're pleased to assign them to couples, because that's who they were originally intended for."

The new policy was enacted to ensure that students would not have to choose between their domestic commitments and their studies, and to affirm Stanford's policy of not discriminating against students on the basis of their sexual orientation.

The move was praised by Stanford gay and lesbian students and others, who had been working to obtain official benefits for their domestic partners since the mid-1970s.

Opposition to the policy -- one of the first of its kind in the nation -- was voiced strongly at the time by many religious and international students, and by some alumni.

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10/27/92

Faculty Senate to consider domestic partners issue

STANFORD -- Should benefits, including health insurance, be extended to the unmarried "domestic partners" of Stanford faculty and staff? If so, should that include both opposite-sex and same-sex partners?

The Faculty Senate will take up those issues Thursday, Oct. 29, when it considers a report that unanimously supports parity in health benefits, the tuition grant program, athletic privileges, library privileges, the right to audit university courses and other benefits.

Whatever action the senate takes will be advisory only. Ultimately, President Gerhard Casper and the Board of Trustees will decide the issue.

In a report issued last June, the Subcommittee on Domestic Partners' Benefits of the University Committee on Faculty-Staff Benefits recommended extending to domestic partners of unmarried faculty and staff all benefits now available to spouses of married employees.

if budget considerations preclude both, priority in implementing the policy should be given to same-sex partners over opposite-sex partners, the subcommittee said.

"Unmarried heterosexual partners have the option to marry if they wish, thereby securing whatever benefits are available to marital partners. Gays and lesbians do not," the subcommittee wrote.

If opposite-sex couples choose not to marry because of lack of emotional commitment or desire to avoid financial commitments, the university "seems justified in refusing to accommodate it, and indeed in insisting on marriage as a prerequisite to coverage."

On the other hand, gays and lesbians have no option to comply with a prerequisite of marriage, the subcommittee said.

The subcommittee defined domestic partners as two individuals living together in an intimate, long-term relationship of indefinite duration and who "agree to be financially responsible for each other's well-being, including basic living expenses."

Employees applying for the benefit should be required to sign a declaration stating they have met those conditions, the subcommittee recommended.

The subcommittee also recommended tightening the definition of domestic partners for students, who presently are not required to be financially responsible for each other.

The Medical School Faculty Senate in September endorsed the proposal in a 22-3 vote. More than 200 faculty members representing all seven schools have attached their names to an Oct. 19 letter addressed to the Faculty Senate, supporting the initiative.

The university Faculty Senate in spring 1991 postponed voting on the issue, seeking instead further study of the issue. President Donald Kennedy then appointed the subcommittee, which was chaired by law Professor Barbara Fried. The subcommittee's report was affirmed by the full committee, which forwarded it to Kennedy during the summer.

Senators have been asked to study the subcommittee's 6-page, single-spaced report - plus additional appendixes - before Thursday's discussion.

In the report, the subcommittee said the case for making the change "rests on the university's express policy barring discrimination in employment (including in compensation) on the basis of sexual orientation or marital status."

Extending benefits to same-sex couples, the subcommittee wrote, "will have enormous symbolic significance for all gays and lesbians at Stanford, conveying more forcefully than any general statement of nondiscrimination ever could the university's belief that they are full and valued members of this community, whose relationships and whose needs are as deserving of attention as others'."

Because unmarried heterosexuals face "little if any social stigma at Stanford or most other parts of American society anymore," the case for them is "less compelling," the report said.

The subcommittee estimated that the cost of providing dental insurance and the tuition benefit for domestic partners would not be significant.

Extending health insurance to same-sex domestic partners might cost the university $30,000 to $60,000 per year, the subcommittee said, estimating that 40 to 60 employees would enroll in the program. The figure could rise to $70,000 to $140,000 if 90 to 135 heterosexual domestic partners are included.

"These estimates represent a relatively trivial portion of the university's current $24 million budget for medical benefits," the subcommittee wrote.

The group also looked at potential worst-case scenarios, hypothesizing pessimistic cost estimates as a result of HIV-related illnesses and a "significant degree of adverse selection."

In the case of same-sex partners, the committee said, the worst-case total health cost could conceivably range from $150,000 to $230,000. Under this scenario, if the incremental costs were passed on to all employees - instead of being paid by the university - premiums would increase about $1 per month. The estimates do not reflect any employer's actual experience with domestic partner medical coverage, the report said.

Another cost to the university is a potential loss of support among alumni, some of whom opposed the 1990 decision to extend domestic partner benefits to students. "We suspect that at least in the short run, the decision will adversely affect alumni relations," the subcommittee wrote.

"Were public relations Stanford's sole concern, the prudent course would be for the school to act only when a significant number of other employers had already acted on the issue," the report said.

A number of municipalities and major corporations already have extended benefits to domestic partners, the subcommittee noted, but if Stanford adopts parity, it would be in the forefront in higher education.

Had Stanford taken the lead 40 years ago in "eradicating discrimination against blacks, women or Jews," the subcommittee said, its decisions "would have been politically unpopular with many alumni, as well as with the larger political community."

"One also imagines that had Stanford taken such a leadership role, few in the Stanford community would look back on that decision now with anything but pride," the subcommittee wrote.

10/28/92

Housing applications from domestic partners on the rise

STANFORD -- In the second year of its "domestic partners" policy for students, Stanford University has seen a rise in the number of unmarried students living in couples housing.

According to Bill Georges of the University Housing Center, 99 couples have declared themselves to be in established, long-term domestic partnerships, "with a mutual commitment similar to that of marriage." Of those, 93 are opposite-sex partners, six are same-sex partners.

Last year, 60 domestic partners lived in couples housing.

At the same time, the number of students in couples housing who are legally married has dropped, from 355 in fall 1991 to 336 today. A total of 435 students are living in couples apartments on campus this fall, compared to 415 last fall.

The increase of couples in student housing this year has had no adverse impact on single graduate students, Georges said, "as there are a number of vacancies in single graduate housing at this time, primarily in the one-bedroom Escondido Village apartments."

Few single graduate students want to double up in those one-bedroom apartments, he said, and fewer still could afford to live alone in them, paying double rent.

Before the Dean of Student Affairs office made the policy change in fall 1990, joint housing was granted to unmarried Stanford students and their partners on a case-by-case basis (there were four such requests in 1989-90).

The change was praised by Stanford gay and lesbian students and others, who had been working to obtain official benefits for their domestic partners since the mid-1970s. It was opposed by many religious and international students, and by some alumni.

In addition to on-campus housing, domestic partners of students may receive a courtesy card that allows access to libraries, athletic and recreation facilities and some University activities. They also are able to purchase subsidized medical care at Cowell Student Health Service.

11/4/92

Faculty endorses benefits parity for domestic partners

STANFORD -- The Faculty Senate has endorsed the concept of benefits parity for same-sex and opposite-sex domestic partners of faculty and staff.

In a divided voice vote with approximately a half dozen "nays," the senate on Thursday, Oct. 29, told President Gerhard Casper that it would like domestic partners to have the same benefits now available to faculty and staff spouses, including health insurance, the tuition grant program for children, athletic and library privileges, the right to audit university courses and the partner's right to remain in on-campus housing after an employee's death.

The senate vote is advisory only. The issue ultimately will be decided by Casper and the Board of Trustees. Approximately 30 to 35 of the 55- member senate was present when the vote was taken several minutes past the usual 5:30 p.m. adjournment time.

Casper, who is out of town, is unavailable for comment. He is expected to take up the issue with trustees at their next meeting Dec. 7-8.

After the vote, one of the measure's primary advocates predicted that Casper and the trustees will feel "compelled by the voice of the senate" to approve the measure.

Katherine O'Hanlan, assistant professor in the School of Medicine and associate director of the gynecologic cancer service, said the senate had taken "the moral high ground" on the issue.

"I'm pleased that such a resonant majority was in support," she said. "I feel wonderfully supported."

Several senators spoke against the measure, saying the university should not be in the position of certifying unmarried relationships and the senate should not be used by pressure groups.

Some were less than enthusiastic about extending parity to opposite-sex couples, who have the option of marriage. A motion to vote separately for opposite-sex and same-sex parity was turned down.

But overall, the senate's mood seemed to be summed up by Professor David Botstein, genetics, when he said that "most of us want to have a statement that discrimination for people who cannot get married should be remedied."

Near the end of the discussion, senators turned collective editor, striking from the resolution the words "gay" and "lesbian" as unnecessary and possibly judgmental parenthetical descriptors of "same-sex."

They also struck "intimate" as an unnecessary modifier to "longterm relationship."

The definition of domestic partner now reads, in part: ". . . two individuals who live together in a longterm relationship of indefinite duration, with an exclusive mutual commitment similar to that of marriage, in which the partners agree to be financially responsible for each others' well-being, and each others' debts to third parties." The definition also specifies that the partners are not blood relatives.

The measure recommended that employees enrolling their domestic partners be required to sign a declaration stating that those conditions had been met.

Symbolism for same-sex couples

Introducing the senate resolution on behalf of its backers, law Professor William Simon expressed disappointment that the inclusion of opposite-sex unmarried couples would dilute the symbolism of benefits parity as an expression of civil rights for gays and lesbians. Hardly anyone, he said, believes that the issue for unmarried heterosexual couples is as compelling as that for same-sex couples.

Simon said he nevertheless supported the combined resolution and hoped the administration would act "expeditiously" to adopt it.

Invited to address the senate before its debate, O'Hanlan said the senate resolution was not intended as a political statement. Rather, she said, it grants gay and lesbian faculty and staff members who are in marriage-like relationships access to the same benefits. "The issue is access," she said.

"We are your colleagues, and we deserve equal treatment," she said.

She said that approximately 60 percent of gays and lesbians are in marriage-like relationships and a survey indicated that 90 percent of those couples report commingling their financial resources.

Lack of access to benefits, she said, penalizes gays and lesbians because they contribute to the Stanford benefits pool, but cannot take advantage of its features. After the meeting, O'Hanlan said she has paid $2,000 annually in post-tax dollars to purchase insurance for her partner. Such individual policies are "more arbitrarily administered, are much more costly and usually less broad," she told the senate.

She cited numerous businesses and municipalities that now provide benefits for domestic partners - including Lotus Computer Co., Apple Computer, Silicon Graphics, Levi Strauss and the cities of Cambridge, Mass., and East Lansing, Mich. She said that several universities "are poised to do so."

O'Hanlan developed the proposed legislation in early 1991, working with then-senator Deborah Rhode, professor of law, who sponsored the measure.

The senate took up the issue that spring, asking the University Committee on Faculty and Staff Benefits for a report more thorough than one brought at that time to the faculty legislative body.

After a yearlong study, a subcommittee on Domestic Partners' Benefits in June 1992 issued a 61-page, single-spaced report unanimously proposing benefits extension to domestic partners of same-sex couples and adding an endorsement for opposite-sex couples, which had not been included in the original proposal.

Subcommittee chair Barbara Fried, law, explained to the senate that her group studied the opposite-sex partner issue because members assumed it would be raised eventually. Subcommittee members felt the case for opposite-sex parity was weaker because those couples have the option of marriage.

As for costs, Fried said there was a "paucity of good empirical data" to make detailed estimates. There is some concern, she said, that the cost of covering domestic partners would be significantly higher because of HIV- related disease risk in the gay male population.

However, all existing studies show no higher cost for domestic partners than for conventional families, she said. Reasons for this are not clear, but it appears that health costs for lesbians may be below average and that expenses for HIV-related illnesses may also be lower than expected, she said.

Most domestic partners are employed, Fried said, and probably would find it cheaper to enroll in their own employer-subsidized insurance than be carried as a dependent on one of the Stanford plans. Statistics from the cities of San Francisco and Berkeley support this idea, she said.

'Quaint and old-fashioned'

Acknowledging that he would "seem quaint and old-fashioned," Professor Bradley Efron, statistics, opened the debate saying the proposal made him "uneasy."

Efron said he had no doubts about the subcommittee's report, which he labeled "excellent," but said he opposed having the senate involved in the issue. He said senators are "called advisers, but the sponsors seek us out as a pressure group." Allowing the senate to play an advocacy role is "irresponsible," he said.

He also questioned who would pay the cost of extending benefits. The deliberations "would be more honest" if the faculty knew how much they would have to pay, he said.

Disagreeing with Efron, Professor Ronald Rebholz, chairman of English, said "this body ought to advocate" adoption of the policy.

The issue is one of "moral importance," Rebholz said, relating to the "civil rights and discrimination against some of us who have been discriminated against for a lifetime."

Rebholz said that the proposal should be accepted if it would move the university in the direction of greater equity and if it meets the test of financial feasibility. He said it seemed likely that the costs would be comparable to those covering spouses and children.

Rebholz said the proposal should be approved "with passion, with enthusiasm, with strong endorsement so the president hears the message and heeds the message, and presents the case as forcefully as possible to the trustees."

Professor Richard Tsien, molecular and cellular physiology, said he supported the policy. The feeling that they are being discriminated against is "disabling" to part of the Stanford community, he said. Tsien chairs the Medical School's panel on diversity.

Revamp benefits

Economist John Shoven, director of the Center for Economic Policy Research, said he valued Stanford's "open and pluralistic community," but would vote against the resolution because the university "shouldn't be in the position of certifying unmarried relationships."

Extending benefits to same-sex partners but not opposite-sex partners would be discriminatory, he said. And the new policy would open the door to other demands, such as the addition of parents, he said.

The best solution, he suggested, would be to offer a cafeteria-style plan where employees could divide their benefit dollars among various choices.

Such a plan would not necessarily cost more, Shoven said.

Under a cafeteria plan, employees without children, for example, could put more dollars into medical benefits for partners or other relatives since they do not need the tuition-grant program.

Economics Professor Paul David said the subcommittee made a "persuasive case that the university should extend benefits," but he joined Shoven in preferring a more radical reorganization of benefits programs rather than the solution proposed.

"Where should we stop?" David asked, suggesting that other groups "could claim preferential treatment."

Professor Myra Strober, education, warned that industry experts say cafeteria-style benefits are "extremely complex" to implement. She said the proposal should not be defeated in favor of studying wholesale changes in the benefits structure.

Rebholz said cafeteria-style benefits might have helped him with parents, but would have been too expensive for the university.

Sanctity of marriage

Professor David Abernethy, political science, said he was in the difficult and contradictory position of wanting to include same-sex couples but also maintain marriage as a criterion for benefits. This would affirm the importance of marriage in sanctifying relationships, he said.

He said he would like to see a legally sanctioned marriage for same-sex couples, but pending that change, would want to verify that both members of a same-sex partnership envisage themselves as married if that option were available.

He also suggested that the university "ratchet down" the domestic partner rules for students, so that heterosexual student couples would have to be married to be eligible for the benefit.

Since fall 1990, students have had the option of declaring themselves to be domestic partners. Of 99 couples who so declared this fall and are living together in campus housing, only six couples are same-sex partners.

Senate Steering Committee member Terry Karl said the committee's decision to include opposite-sex couples in the resolution was not intended to undercut the argument for same-sex couples.

She said that she wanted to see Stanford "in the lead" in stopping discriminatory practices and that enacting the policy would ultimately help the university in faculty and staff recruitment and retention.

She said most faculty and staff work with colleagues who do not receive the same benefits as they do. That is "deeply troubling," she said.

The discussion of marriage and moral values made her nervous, she said. "I feel a little bit like I did watching the Republican Convention." The discussion should focus on issue of discrimination and university excellence, she said.

After the vote, Senate Chair William Northway, diagnostic radiology, announced that the Steering Committee would suggest that Casper and others try to make the student domestic-partners policy more similar to that of faculty and staff, if it is approved. The student policy does not require that partners assume financial responsibility for each other. Northway pointed out that tuition costs complicate the issue for students.

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12/8/92

Stanford extends eligibility for benefits program

STANFORD -- President Gerhard Casper and the Stanford University Board of Trustees agreed Tuesday, Dec. 8, to extend benefits to employees' long-term same-sex domestic partners.

"The president and trustees reached strong agreement after deep-searching, thorough and wide-open discussion," said Barbara Butterfield, vice president for faculty and staff services. "It was an impressively thoughtful and careful examination of the issue."

Stanford, like most employers, gives some additional financial assistance to employees with families in recognition of their special financial needs, Butterfield said. While the day might come when employers would offer every employee benefits of exactly equal value, she said, at present Stanford remains committed to the principle of supporting married employees in supporting their families.

The trustees, she said, concluded that this policy should be extended to those employees who are gay or lesbian and who live in a committed, enduring relationship. The university did so as other employers - as well as state legislatures and the federal government, including the military - continued to examine the implications of the principle of nondiscrimination as applied to gays and lesbians.

"From the vantage point of maintaining a good working environment for all present and prospective employees," Butterfield said, "Stanford feels it should not treat differently its gay and lesbian employees who cannot obtain a legal sanction of their enduring partnership, though their commitment to the partnership is analogous to that involved in contemporary marriage relationships."

The university defined domestic partners as two individuals in an enduring relationship with exclusive mutual commitment and financial responsibilities analogous to those of marriage.

Starting Feb. 1, after the university finalizes structures to implement the decision, employees' same-sex domestic partners will be eligible for such benefits as health insurance, survivors' benefits, library privileges and the right to audit university courses.

Access to health insurance is a particularly important issue to employees who cannot obtain coverage for dependents by other means, such as marriage, Butterfield said. Without that access at the university, valuable employees might be forced to forgo professional opportunities at Stanford.

In extending benefits to same-sex domestic partners, the university joins such institutions, companies and governments as the University of Iowa, Lotus software and Bay Area Rapid Transit. Other employers are considering the action.

The costs of the benefits extension will be shared by the employee and the university under the existing cost-sharing formula. The university's annual share is estimated to be $100,000 out of a $24 million health care budget.

In spring 1991, the Faculty Senate took up the issue and asked for further study by a subcommittee of the University Committee on Faculty- Staff Benefits. After a year of exploration, the subcommittee in June 1992 issued a report, proposing benefits extension to domestic partners. The Faculty Senate voted Oct. 29 to endorse that report. While expressing priority for same-sex couples, that report added an endorsement for opposite-sex couples, which the board and president did not adopt.

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