

DATE: 22 October 1969

TO : Dr. E. Howard Brooks
Vice Provost, Stanford University

FROM : Professor of Military Science

SUBJECT: Revision of Army ROTC Institutional and Student Contracts

1. This memorandum is in response to your memorandum of 17 June 1969, subject as above, and subsequent memoranda and discussions.
2. I have been authorized by the Commanding General, Sixth United States Army to propose revisions to those parts of the institutional contract indicated by you and to comment on the requested revisions of the individual contracts.
3. The Department of the Army has established certain essential elements which must characterize the ROTC and these are the basis for the proposed revisions and comments in paragraphs 5 and 6. These essential elements are:
 - a. Departmental status.
 - b. Adequate facilities on campus furnished by the institution at no expense to the Government.
 - c. Military Science Department course offerings listed in the institution's catalogues.
 - d. Military Science subjects offered during the academic day, on the same basis as other institutional course offerings.
 - e. Selection, by mutual agreement, of academic subjects applicable to a military career as part of the ROTC curriculum.
 - f. Senior officer to have status of a department head and rank of professor.
 - g. Subordination to a dean or an administrative governing official of the institution.
4. Consideration of questions relating to credit is based on the Military Science curriculum currently being utilized, the "Option C" curriculum adopted by the University for this academic year. This curriculum for the four-year period involves 270 hours of academic instruction conducted by military instructors. The original concept for instruction in the first two years, World Military History (60 hours) and Foundations of National Power (60 hours) was to have these courses taught by civilian teachers in the Department of History and the Department of Political Science respectively. This would have left 150 hours of academic instruction on military oriented subjects being taught by military instructors. Such a concept continues to be the goal, unless an additional refinement of the curriculum now under active consideration by the Department

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of the Army is adopted by the University, eliminating the requirement for these two specific courses. The concept under consideration is called a "Core Curriculum" Concept and provides for 90 hours of leadership instruction; 120 hours of military oriented academic instruction taught by military teachers; and 180 hours of non-military academic instruction having a direct interest to the Army in such subjects as communications, management, computer science, government affairs and international relations, as determined for each student by consultation between the PMS and appropriate academic officials of the University. Whether the "Core Curriculum" Concept will be finally adopted by the Army and offered to Stanford University as the Military Science program can not be predicted at this time.

5. In line with the above paragraphs 3 and 4, the following revisions to the institutional contract, DA Form 918, Application and Agreement for Establishment of Army Reserve Officers Training Corps Unit, are offered (deletions from current provisions are lined through and additions are underlined):

Paragraph 2a. To establish a Department of Military Science Center for Military Studies as an integral element in the academic and administrative department structure of this institution and to adopt as a part of its curriculum (1) a four year course of military instruction; (2) a two year course of advanced military instruction; or (3) both of the above, which the Secretary of the Army will guarantee and conduct.

Paragraph 2d. To grant appropriate academic credit toward graduation for successful completion of courses offered by the Department of Military Science.

To provide for the review of courses offered by The Center for Military Studies in accordance with normal University procedures and to grant appropriate academic credit toward graduation for those courses which meet established University standards.

Paragraph 2j. To maintain an enrollment of one hundred in the basic course, when the basic course is maintained.

Paragraph 4. The authorities of this institution understand that the law requires that no unit may be established or maintained at an institution unless the senior commissioned officer assigned to the institution is given the rank of professor.

a. The Senior commissioned Army officer assigned to the institution will be designated The Director, Center for Military Studies, with those full rights and privileges normally accorded Professors of the University, except membership on the Academic Council. Each officer assigned will be designated an Associate or Assistant Director, Center for Military Studies, and will be accorded the same privileges granted The Director.

b. The Director, Associate and Assistant Directors of the Center for Military Studies will, as officers of the University Staff, be invited to three of the four regular meetings of the Academic Council. Moreover, whenever matters of broad concern to ROTC are under consideration in the Academic Council, the Senate of the Academic Council and the various committees of the University, they normally will be invited to attend and participate in the discussion.

6. The intent of the above (paragraph 5) is to establish a major organizational element in the University structure under a senior academic official, to provide for academic credit for courses taught on the same basis as other courses taught at the University

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(a situation under which a student must take substantial academic course work without credit will have an important impact on enrollment of undergraduates in ROTC), to provide the military officers assigned to the organizational element the rights and privileges currently provided the officers assigned to the Military Science Department, less membership on the Academic Council, to provide for the participation of The Director, Associate and Assistant Directors in the academic community of the University and to provide for such support by the University and its officers as is vital to the conduct of an effective program.

7. With respect to requested changes in the individual contracts so as to conform to actual practice and the so-called punitive clauses:

DA Form 597-2-R, Army ROTC Financial Assistance Contract;

DA Form 3036-R, Acknowledgement of Understanding of Service Requirements Army ROTC Financial Assistance Program; and

SAH Form 144, Acknowledgement of Understanding of Service Requirements,

the law, Section 2107, Title 10, United States Code, as implemented by Army Regulations (AR 145-1), provides the scholarship student with the opportunity to terminate his scholarship at his request without penalty at any time during the first two years of a four year scholarship and the first year of a two year scholarship. These provisions insure that a scholarship student is not irrevocably committed to a military career as he enters the ROTC scholarship program, offering him a reasonable period of time to give further consideration to his decision. The cadet is informed of the provisions of the regulations at the time of enrollment into the scholarship program. The specific provisions of the AR 145-1 read as follows:

"A 2-year scholarship may be terminated at any time prior to the completion of the first year. The first year of the scholarship is completed with the beginning of the first semester or fall quarter of the second academic year or at the end of 12 months from the beginning of the scholarship. A 4-year scholarship may be terminated at any time prior to completion of the basic course. The basic course is completed on the last scheduled day of class of MS II."

8. With respect to the provisions of DA Form 597-2-R, DA Form 3036-R, and SAH Form 144 which provide:

If as a result of willful evasion of the terms of his advanced course contract he does not complete the Senior Reserve Officers' Training Corps program of instruction or declines to accept a commission when offered, he may be ordered to active duty in his enlisted grade for not more than 2 years, if he did not receive Army Financial Assistance, or for not more than 4 years if he did receive such assistance.

The law states that a student desiring to enter the Advanced Program or to accept a scholarship must "enlist in a reserve component of an armed force under the jurisdiction of the Secretary of the military department concerned for the period prescribed by the Secretary and that he will agree in writing to accept an appointment, if offered, as a commissioned officer in the Army, Navy, Air Force or Marine Corps..." The law also stipulates that if the student does not complete the course or refuses to accept his commission, he may be ordered to active duty by the Secretary to serve in his enlisted rank for a period of two or four years. This is reflected in the cadet's contract with the Army and the implications are fully explained prior to his signing the contract.

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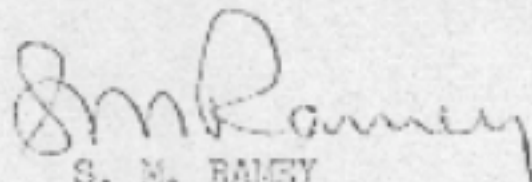
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The contract is a matter required by law and is between the service and the individual cadet.

9. The Army has had under consideration for some time significant changes in the ROTC program, both with respect to the curriculum as well as the administration of the program. During the past summer the Congress, specifically the F. Edward Hebert Subcommittee of the Armed Services Committee, conducted hearings on the implications of the current controversy about ROTC. During these hearings representatives of the Army presented the plans for the Army ROTC program in the future. The Army representatives were informed that the proposed plans were not completely satisfactory. Mr. Hebert informed the Army representatives that actions to erode the program would not be permitted. The contract provisions requiring enlisted service in the event a student willfully fails to comply with the contract commitments is included in contracts with scholarship and advanced program students to cover those few cases in which students take advantage of the financial and/or deferment advantages of the program with an intent to refuse performance of the service aspects on completion of the course of instruction. These constitute a very small percentage of individuals enrolled. During the past year approximately 40 actions relating to willful evasion have been processed Army-wide. Last year approximately 16,400 ROTC graduates accepted commissions.

The contract clause requiring enlisted service in the event a scholarship student and a student enrolled in the advanced course willfully fails to comply with the contract commitments is based on law. It is considered that Congressional approval would be required to eliminate such provisions. The Army considers that the current climate in the Congress is such that it would be inadvisable to propose changes of this nature in the legislation.

10. I am prepared to discuss further any of the above at your convenience or to initiate the necessary steps to revise the current institutional contract should the proposed revisions be acceptable.



S. M. RAMEY
Colonel, Armor
Professor of Military Science