

THE UNIVERSITY SENATE OF MICHIGAN TECHNOLOGICAL UNIVERSITY

Minutes of Meeting 381

26 February 2003

Synopsis: The Senate

1. heard that the administration approved Proposal 7-03, Amendment of Proposal 24-02, Scholastic Standards Revisions and of Proposal 25-02, Prerequisite Policy.
2. heard that the administration approved Proposal 10-03, Amendment to Proposal 4-00, Policy on Half-Semester Courses.
3. Amended and tabled Proposal 9-03, Recommendation on Copper Country United Way.
4. Approved Proposal 11-03, Applied Geophysics Minor.

President Bob Keen called University Senate Meeting 381 to order at 5:35 p.m. on Wednesday, 26 February 2003, in Room B45 EERC.

1. ROLL CALL OF SENATORS

Secretary Craig Waddell called roll. Absent were At-large Senators Adolphs and Pilling and representatives from Army/Air Force ROTC, Fine Arts, Physical Education, and the Keweenaw Research Center. Liaisons in attendance were Karl Haapala (GSC), Alex Helmboldt (USG), and Becky Christianson (Staff Council).

2. RECOGNITION OF VISITORS

Visitors included Kent Wray (Provost), Ted Soldan (Fine Arts), Alice Soldan (Biological Sciences), Ginny Schaller (United Way), Cheryl DePuydt (Physical Education), Zac Anderson (*Daily Mining Gazette*), and Marcia Goodrich (*Tech Topics*).

3. APPROVAL OF AGENDA

Keen presented the agenda for meeting 381 and suggested adding two items after the President's Report; (1) a report from Becky Christianson on a teleconference with Governor Granholm and (2) a report from Provost Wray on the university's finances. There were no additional amendments, and there were no objections to the agenda as amended. Keen said that the agenda would be followed as amended. [**Appendix A**. NOTE: Only official senate and library archival copies of the minutes will contain a full complement of appendices.]

4. APPROVAL OF MINUTES FROM MEETING 380

Senator Bill Gregg suggested a correction on page 9998 to point 5 in the list of the proposed changes to Michigan Tech's policies on half-semester courses.

Senator Chris Williams suggested corrections on page 9999 and 10004.

There were no objections to approving the minutes as amended.

5. PRESIDENT'S REPORT

Keen said that Proposal 10-03, Amendment to Proposal 4-00, Policy on Half-Semester Courses, and Proposal 8-03, 14-Week Calendar, were transmitted to the administration for approval. [**Appendices B and C**]

Keen said that President Tompkins has approved Proposal 7-03, Amendment of Proposal 24-02, Scholastic Standards Revisions and of Proposal 25-02, Prerequisite Policy; and Proposal 10-03, Amendment to Proposal 4-00, Policy on Half-Semester Courses. [**Appendices D and E**]

Keen said that he has appointed John Pilling (Materials Science and Engineering) to serve as senator-at-large for the remainder of this academic year, replacing Kelly Strong.

Keen urged senators to recruit candidates for two openings on the Faculty Distinguished Service Award Committee. One position will be filled by an election by the senate; the other will be filled by an election by the faculty at large. Thus far, there is only one nominee: Kathy Halvorsen.

Keen thanked the senate for flowers and condolences sent on the death of his father.

Vice President Christianson said that she had attended this morning Governor Granholm's video-forum on Michigan's budget. Granholm was at Northern Michigan University, and there were live feeds from Michigan Tech, Gogebic Community College, Bay de Noc Community College, and Lake Superior State University.

Christianson said that Granholm began by describing how Michigan got into its current financial situation. The current state budget is almost \$39 billion. Restricted funds (over which the state does not have discretion) make up \$18.5 billion of the budget. The general fund budget is \$9 billion, and the school-aid fund is \$11 billion.

For the current fiscal year, the general fund is short \$158 million, and the school-aid fund is short \$127 million. Based on the current situation, for the 2004 fiscal year (which begins in October for the state), the general fund will be short \$1.7 billion, and the school-aid fund will be short \$360 million. Revenue projections are lower than expected, resulting in deficits in both funds. By law, the state cannot run a deficit budget, so cuts have been made, and additional cuts will be necessary. Granholm said that "everyone will feel some pain from this."

The state has been running a general-fund deficit for three years but has been able to make up the difference with one-time fixes, which have created structural deficits. The state's rainy-day fund is completely gone. General-fund revenues have decreased more than 17% over the past three years, while general-fund spending has exceeded revenue for three years in a row. Former Governor Engler issued an executive order (2% cuts) before he left office, and Governor Granholm has also issued an executive order (1.5% cuts) to bring the state's budget more in line for the current fiscal year. Overall cuts this year are 1% in K-12 education, 3.5% in higher education, 3.5% in revenue sharing, and 4% in general government.

Granholm suggested the following means of improving Michigan's financial situation:

- Turn over every rock possible to find savings.
- Cut spending to build a fiscally responsible budget for next year (an easy answer would be to cut 20% across the board).
- Build a budget based on the things we value most (the purpose of this forum was to find out what people value).

Granholm presented the following eight rules for building a better budget:

- Begin with results: what matters most to citizens?
- Examine the entire budget: there are no sacred cows.
- No accounting gimmicks or one-time money.
- Don't put off tough decisions.
- It's the people's money, and they want their money's worth.

- Don't spend more than you take in.
- Keep the price of government competitive.
- Don't create the budget in the back room.

Governor Granholm then asked each of the teleconference sites two questions. Given that state dollars are spent for hospital funding and health care, children and K-12 education, colleges and universities, economic development, prisons and law enforcement, cultural and arts funding, and environmental stewardship: (1) Where would you put your first dollar? and (2) Where would you make your first cut?

Christianson said that many participants indicated that they would spend their first dollar on K-12 education; the next highest priority seemed to be economic development. First cuts were mostly arts and culture, followed by prisons (with the suggestion that nonviolent offenders might be released early).

Some comments from participants in the video-forum include the following:

- A suggestion to delay tax cuts.
- A question about Granholm's reported comment that there is a lot of "fat" in Michigan's colleges and universities. Granholm said that this statement had been taken out of context and that there is fat in every part of the government. She said that she has been meeting with the President's Council (presidents of all Michigan universities) and that universities need to develop some of their own solutions
- A suggestion to tax Internet sales because they put local businesses at a disadvantage, and such a tax would increase state revenues. Granholm said that she, like her predecessor, favored such a tax.
- A suggestion that state employees and schools might move to a 4-day week.
- A comment that health-care costs are increasing faster than the increase in revenue.

Granholm said that she had two more stops on her state tour and that she would submit a proposed budget to the Michigan Legislature on March 6.

Christianson said that the entire video-forum is available at http://www.admin.mtu.edu/webmedia-cgi-bin/program_guide.pl?Special-Events.

Provost Wray said that Governor Granholm has a difficult job with an \$8.9 billion state general fund and a \$1.7 billion shortfall in the state's general fund for the next fiscal year. Hence, to balance the budget, the governor must reduce state spending by almost 20%.

Wray said that on January 30, 13 of the 15 Michigan university presidents met with Governor Granholm for one hour and described some of the issues that affect higher education and the benefits that higher education provides to Michigan. Wray said that Governor Granholm does not have experience working in higher education and that the experience of her education advisor, Michael Flannigan, is in K-12 education. However, both Granholm and Flannigan ask good questions about higher education and learn quickly.

At this January 30 meeting, Granholm gave the university presidents four questions in anticipation of her 75-minute meeting on February 12 with the Executive Committee of the Michigan University Presidents' Council. The presidents left this meeting believing that they had presented their case effectively. However, they were dismayed last week when they read about

the Granholm's February 19 remarks at the Detroit Economic Club. Wray read an excerpt from the February 20 issue of the *Detroit Free Press*:

Gov. Jennifer Granholm said Wednesday that Michigan's 15 public universities are likely to bear a significant portion of cuts in a 2003-04 budget she will unveil March 6.

"I do think there is fat in universities and colleges," Granholm told the Free Press following her budget presentation at the Detroit Economic Club.

She said universities have received steady increases in state funding over the years, with large-scale building projects, no layoffs and tuition increases as a fallback to maintain their spending.

"It's not that I don't value higher ed, because I really do," Granholm said. "The question: Is it college, or is it K-12? Is it college, or is it letting people out of jail? Is it college, or making sure you've got enough protective services workers for children who may be abused or neglected in their homes? Is it college, or is it providing health care for senior citizens who have no other way to go?"

"Those are hard decisions, but if you have to rank them, college benefits fewer people than health care might."

Wray said that each participant at the Detroit Economic Club meeting had an electronic voting device and voted after each of the above questions. Higher education did not fare well in these votes. Wray said that these five areas--K-12 education, higher education, correctional facilities, protective services, and health care for senior citizens--comprise 80% of the state's general-fund budget.

Wray said that the university presidents were unsure as to how to interpret the difference between their impression of the governor's position at their February 12 meeting and the position expressed by the governor on February 19. He said that over the past two years, many states around the country have balanced their budgets by reducing support for universities, believing that universities can raise tuition to cover this loss in revenue. He said that Virginia Tech took a 26.5% cut in state funding in one year. The University of Iowa took a 19.5% cut in one year.

Wray said that he did not know what size of a cut to expect at this point. He said that the benchmarks along the way in the process of determining the size of this cut were (1) January's committee meeting predicting the size of the shortfall in the state's budget; (2) Governor Granholm's State of the State Address; (3) March 6 delivery of the governor's proposed budget to the Michigan Legislature; (4) Michigan Senate Higher Education Appropriation Subcommittee's deliberation of the governor's proposed budget; (5) President Tompkins's remarks to the Michigan House of Representatives Subcommittee on March 19 (no date has yet been set for President Tompkins to address the Senate committee); (6) release of House and Senate committee reports, both of which will probably be reviewed by the Conference Committee. This last phase could happen quickly or it could take until May or June.

Wray said that in January, in anticipate of cuts in state appropriations, he had asked Michigan Tech's vice presidents and deans--the heads of the university's budgetary units--to develop plans for 3%, 5% and 8% budget reductions. In late January, Wray discovered that the state budget director was considering the executive order that Governor Engler issued in December (for a 2% cut in state allocations to higher education) to be not a one-time cut but a permanent base cut; hence, unless Governor Granholm specified otherwise, the state budget director would also consider her executive order (for a 1.5% cut) to also be a base cut. That would mean a 3.5% reduction in state appropriation, which would result in a little more than a 2% reduction in Michigan Tech's budget. Hence, this additional 2% was added to each of the budget-

reduction plans, making them now 5%, 7%, and 10% reduction plans (with respect to the July 1, 2002 budget).

After the February 12 meeting with the governor, the university presidents expected about a 10% cut in state appropriations for higher education. However, the governor's subsequent remarks might suggest that she will propose deeper cuts. The state legislature can modify the governor's proposed budget.

Wray said that Michigan Tech has two advisory groups that have been working on this issue since December: (1) the Budget Advisory Group--which consists of about a dozen faculty, staff, and administrators--advises Wray on a variety of budgetary items; and (2) the Strategic Allocation Committee, which is chaired by Chief Financial Officer Dan Greenlee and includes members of the Budget Advisory Group and the Strategic Planning Working Group. The Budget Advisory Group has a subcommittee on differential tuition, which is examining different ways to adjust tuition to accommodate the anticipated cut in state appropriations. The Budget Advisory Group is working on the reallocation process.

Wray said that the Academic Affairs Officers Committee is part of the Michigan University Presidents' Council and is comprised of the provosts of Michigan's 15 public universities. He said that the impression he received from the committee's recent meeting was that Michigan Tech is further ahead than most other Michigan universities in its planning for cuts in state appropriations.

Wray called for questions.

Ted Soldan said that Governor Engler had cut taxes several times. He said that if Michigan Tech can raise tuition, the state can raise taxes.

Christianson said that Governor Granholm had raised this in her February 26 video-forum and had said that the state legislature doesn't seem willing to increase taxes.

Wray said that prior to Governor Granholm's State of the State address, the Democratic governor and the Republican-controlled legislature had both said that they were opposed to any new taxes. However, given the state's current budget problems, the governor and the legislature might reconsider their positions on this point. He said that former Michigan Senator Joe Schwartz said that if Michigan had deferred the one-tenth percent decrease in individual state income tax and the one-tenth percent decrease in the business tax, the state would have generated an additional \$600 million. The statute that established these reductions says that if Michigan's rainy-day fund ever falls below \$250 million, these tax decreases could be deferred, but they have not been.

Senator Cindy Selfe said that the university usually reacts to events rather than trying to anticipate events. She said that the senate and the administration should take leadership and encourage members of the university community to write to their state legislators and encourage them to raise taxes.

Wray said that this was a good comment. He said that President Tompkins has talked about how this might be done and has informed all Michigan legislators as to how many Michigan Tech alumni reside in their districts. Wray said that Michigan Tech also has an army of students, parents, grandparents, and friends. Given the governor's comment that there is fat in the universities, the universities need to demonstrate their value to the public.

The Michigan University Presidents Council has organized a group of influential business leaders called University Investment Council. The UIC met last summer and fall and produced a report, which was submitted to the new legislature, governor, and executive committee. One of

the conclusions of this report was that higher education in Michigan has a serious public relations problem. Until her February 12 meeting with the University Presidents Council, Governor Granholm did not understand that a 1% change in state appropriations is not the same as a 1% change in tuition. All of the discussion reported in the media about university tuition increasing faster than the consumer price index falsely assumes a one-to-one relationship between the two.

Selfe asked when the university would initiate such a public information campaign.

Wray said that this would be done as soon as possible after the governor's March 6 submission of her budget proposal to the state legislature.

Selfe said that people should be prepared for this in advance.

Wray said that this was already happening. The Michigan Tech Alumni Board has been asked to appeal to Michigan Tech alumni for support, and President Tompkins has submitted op-ed pieces to various Michigan newspapers. He said that the Michigan House of Representatives and the Michigan Senate would each bring in 3 to 5 university presidents to testify on the effects of the proposed budget reductions. This could take several months. Hence, the legislature won't make its decision on the proposed budget until April or May. Wray said that information on the university's financial needs would be posted electronically so that it could be more easily disseminated.

Selfe said that she thought that this should be a writing assignment.

Senator Marty Jurgensen asked Wray how Virginia Tech had responded to its 26.5% cut in state funding.

Wray said that Virginia Tech did a variety of things. He said that one of Michigan Tech's disadvantages is that the university has cut its budget for the past two years; hence, Michigan Tech is beginning from a lower position than Virginia Tech. Virginia Tech offered an attractive retirement program, which resulted in about 380 retirements. They also raised tuition 50% and closed their extension service. The University of Iowa increased tuition by over 40% and laid off 500 staff.

Senator Dana Johnson said that Governor Granholm had formed a cost-cutting team. She asked if the state's public universities were represented on that team.

Wray said that he didn't know.

Senator Nilufer Onder asked how large the budgets are in each of the subsections of Governor Granholm's proposed budget.

Wray said that he didn't know but that the five largest areas [K-12 education, higher education, correctional facilities, protective services, and health care for senior citizens] total 80% of the \$8.9 billion budget, or \$7 billion.

6. UNFINISHED BUSINESS

A. Proposal 9-03, Recommendation on Copper Country United Way [See minutes, page 10010, for a copy of this proposal.]

Keen said that at its previous meeting, the senate had begun to debate a motion to adopt Proposal 9-03. After considerable debate, Senator Jim Pickens moved to call the question. Senator David hand seconded this motion, and the motion passed. However, prior to the casting of votes on Proposal 9-03, Pickens moved to submit the proposal to the senate's constituents

for a referendum. Senator Craig Waddell then moved to table discussion of the proposal. A motion to adjourn was then made, seconded, and passed.

Keen said that according to *Robert's Rules of Order*, there are three different kinds of motions to table: (1) a non-debatable motion used to postpone consideration of a motion for some immediate, necessary event; (2) a debatable motion to postpone consideration of a proposal for a definite period of time; (3) a debatable motion to postpone consideration of a proposal indefinitely. He said that he would ask Waddell to clarify which of these variations he intended. The senate can then vote the motion to table up or down. If the senate votes the motion down, the senate will be back to the motion to submit Proposal 9-03 to the senate's constituents for a referendum. If this proposal is not seconded, then the senate returns to the vote on the motion to approve Proposal 9-03. If senators want to further discuss the motion to approve Proposal 9-03, then there needs to be a motion to reconsider the motion to call the question (and end the debate).

Ted Soldan asked if the motion to table was debatable.

Keen said that that is where the senate needs clarification from the person making the motion.

Senator Larry Sutter asked if *Robert's Rules of Order* allowed for a vote to be suspended once it had begun.

Keen said that according to *Robert's Rules of Order*, a motion to terminate debate and vote can be reconsidered before a ballot is cast. He said that the point at which a ballot is cast is open to interpretation; for example, does this mean once the ballots have been distributed? or does it mean once the ballots have been marked and collected?

Senator Bill Gregg said that the motion to table was legal, but asked if the motion to submit the proposal to the senate's constituents for a referendum was legal after the question had been called.

Keen said that this was a proposal to substitute one method of voting for another. On that basis, he found the motion in order.

Senator Cindy Selfe said that at the end of the last meeting, the senate had not adequately discussed Proposal 9-03. She encouraged further discussion.

Senator Debra Bruch MOVED that the senate vote down the motion to table discussion and reopen discussion of Proposal 9-03.

Keen ruled this motion out of order. Keen asked Waddell the intent of his motion to table.

Waddell referred senators to page 10004 of the minutes from senate meeting 380. He said that the minutes indicate that Jim Pickens moved to call the question because there were only two minutes left for a vote. That motion was seconded and passed. Ballots were then circulated. Christianson then said that she would like to confer on this issue with her constituents. Pickens then moved to refer approval of Proposal 9-03 to the senate's constituents. Waddell said that at that point, he had moved to table the discussion, because things were getting chaotic and the senate was left with just minutes to decide whether to vote, to continue discussion, or to refer this proposal to its constituents.

Keen said that, in this case, the intent was for a temporary suspension of discussion. That motion was seconded but not voted on at the previous meeting because it was overcome by a motion to adjourn. Keen said that the non-debatable motion on the floor was for a temporary

halt in discussion. Keen said that senators who want to discuss Proposal 9-03 further should vote against the motion.

Selfe said that the intent was to halt discussion at the last meeting.

Waddell said that the motion had already served that purpose.

Keen said that, nevertheless, this was the motion currently before the senate. The motion to table discussion of Proposal 9-03 FAILED on a voice vote with dissent.

Keen said that the senate was now back to a seconded motion to submit Proposal 9-03 to the senate's constituents for a referendum. Keen opened the floor for debate on this motion.

Senator Dickie Selfe said that he has already polled his constituents.

Keen said that the proposal called for a formal vote by all 800 of the senate's constituents.

Senator Dana Johnson said that she had heard from some senate constituents that their senators have not communicated with them about Proposal 9-03. She said that the senate's constituents should have the opportunity to vote.

Bruch MOVED to call the question.

Keen said that a motion had been made to terminate debate on whether or not to refer Proposal 9-03 to the senate's constituency for a referendum. Senator Mike Roggemann seconded the motion.

The motion PASSED on a voice vote with dissent.

Keen called for a vote on the motion to send Proposal 9-03 to the senate's constituency for a referendum.

Cindy Selfe asked why sending the proposal to the senate's constituency for a referendum precluded further discussion of the proposal within the senate.

Keen said that if the motion to send Proposal 9-03 to the senate's constituency for a referendum passed, the senate could continue to discuss Proposal 9-03, but that it could not vote on the proposal because the constituents would do that.

Senator Don Beck asked what would be sent to the constituents, the proposal alone, or the proposal together with some discussion of the arguments for and against the proposal.

Keen said that the senate would send only the proposal, but that senators could inform their constituents of the arguments for and against the proposal.

Cindy Selfe said that in the absence of some discussion of the arguments for and against the proposal, the senate's constituents would not be able to make an informed decision about the proposal.

Keen said that informing constituents was the responsibility of the senators. He said that information about the proposal would also be available on the senate's Web site.

Waddell said that if the senate passed this motion, the existing, un-amended proposal would be circulated to senate constituents. Hence, if senators wanted to amend the Proposal 9-03 before either voting on it themselves or sending it out to senate constituents for a referendum, they should vote against this motion.

Keen said that this was correct.

The motion FAILED on a voice vote with dissent.

Cindy Selfe MOVED and Chris Williams seconded the motion to reconsider the motion to terminate debate of Proposal 9-03.

The motion to reconsider the motion to terminate debate on Proposal 9-03 PASSED on a voice vote with dissent.

Bruch called for a hand count on the vote.

The motion to reconsider the motion to terminate debate on Proposal 9-03 PASSED 17 to 13.

Keen said that the senate has two other important matters to discuss this evening: Proposal 11-03 and 2-03. Hence, he said that if discussion of Proposal 9-03 went on too long, he would ask for a motion to temporarily halt discussion of that proposal so that the senate could address its other business.

Keen said that the following options were available with any proposal:

1. A proposal can be amended. If the amendment is significant, the proposal cannot be voted on for ten days.
2. Discussion of a proposal can be postponed, either indefinitely or to a particular time. These are debatable motions.
3. Discussion of a proposal can be tabled. This is a non-debatable motion.
4. A proposal can be referred to committee for further work.

Keen opened the floor for further discussion of Proposal 9-03.

Ted Soldan said that he wanted to be sure that people understood the purpose of his original proposal. He said that he is not encouraging the Michigan Tech community to sever its relationship with the Copper Country United Way. He said that that would be absolutely the worst thing that could happen as a result of his proposal. He said that the purpose of his proposal was to accomplish exactly what was accomplished at the last senate meeting and that is being accomplished tonight: to bring the issue into the open for the Michigan Tech community so that it can be learned about and debated.

Soldan said that the problem is not with the Boy Scouts of America, but with the non-discrimination policy of the Copper Country United Way, which allows the Boy Scouts of America to receive United Way funds. He said that the best solution would be for the Copper Country United Way to modify its non-discrimination policy so that it is consistent with Michigan Tech's non-discrimination policy.

Soldan said that the worst thing that could happen would be for Michigan Tech to sever its relationship with the Copper Country United Way because the CCUW does so much good for so many agencies in the community. He said that he hoped that some compromise might be reached between the two positions. He said that the Copper Country United Way's Board of Directors meets at the end of March. One of the requirements of this meeting is an annual review of the CCUW's non-discrimination policy. Soldan recommended that the senate postpone discussion of Proposal 9-03 until after the Copper Country United Way's Board of Directors reviews its non-discrimination policy, having heard what the Michigan Tech community has said about this issue.

Senator David Hand said that he disagreed with Soldan's assumption that Michigan Tech does not discriminate. He said that Michigan Tech supports Affirmative Action, and that's discriminating.

Jurgensen asked what was meant to say that Michigan Tech would "sever" its ties with the Country United Way.

Keen said that if the university severed its ties with the Country United Way, it would no longer arrange for payroll deductions payable to the United Way.

Senator Mike Roggemann said that he would like to address the senate on behalf of the Boy Scouts and the Copper Country United Way. He said that he respected Soldan's opinion but disagreed with him on several points. He said that the discussion at the previous senate meeting got bogged down in the details of the proposal and had not considered all of the good done by both the United Way and the Boy Scouts.

Roggemann said that the Copper Country United Way does a vast preponderance of good in the community. He presented an overhead with the following information about CCUW agencies and funding recommendations:

American Red Cross Western U.P. Chapter

8,500 (5.3%)

Big Brothers and Big Sisters of the Western U.P.

\$7,000 (4.4%)

Catholic Social Services

\$11,000 (6.9%)

Child and Family Services of the U.P.

\$10,200 (6.4%)

Dial Help

\$11,100 (6.9%)

Girl Scouts of Peninsula Waters

\$11,000 (6.9%)

Hiawathaland Council Boy Scouts of America

\$8,200 (5.1%)

Keweenaw Family Resource Center

\$8,100 (5.1%)

Phoenix House

\$13,100 (8.2%)

Salvation Army

\$21,200 (13.3%)

Barbara Kettle Gundlach Shelter for Abused Women

\$11,500 (7.2%)

Still Waters Community Home

\$7,400 (4.6%)

Upper Peninsula Emergency Medical Services

\$4,200 (2.6%)

Upper Peninsula Library for the Blind and Physically Disabled

\$1,800 (1.1%)

Vocational Strategies

\$6,800 (4.3%)

Administrative and Campaign Costs

\$19,800 (12.4%)

Roggemann said that the CCUW has already said that they will not drop the Boy Scouts, who were a founding agency of the United Way. He said that if Michigan Tech cut its ties with the CCUW, the near-term impact would be the loss of \$30,000 to \$40,000 from the CCUW's budget. He asked which of the agencies on the above list people would choose to cut.

On a series of overheads, Roggemann presented the following information:

- There are about 124,000 chartered Scouting units in the United States.
- There are about 100,000,000 current and former Scouts.
- Some of the most prestigious members of our national leadership are current or former Scouts.
- Many of the largest and most successful companies and organizations in the country continue to support Scouting with their money and their time.
- Boy Scouts do a vast preponderance of good. For example, in 1997 the BSA pledged 100,000 person-years of community service.

For further information on these points, Roggemann referred senators to the Boy Scouts' Fact Sheet at <<http://wwwscouting.org/factsheets>>.

Roggemann said that a narrow focus on problems with the Boy Scouts is unreasonable. He said that the central principles of Scouting include acceptance, tolerance, and free speech. Scouting has reached out to a wide range of religions and cultures, and continues to do so. Roggemann quoted the following BSA policy statement: "The BSA respects the rights of people and groups who hold values that differ from those encompassed by the Scout Oath and Law, and the BSA makes no effort to deny the rights of those whose views differ to hold their attitudes or opinions."

Roggemann said that the Boy Scouts do not discriminate in any legal sense of the word. As a private organization, they are free to set their own membership standards. This freedom was upheld by the United States Supreme Court in a decision rendered June 28, 2000.

Roggemann said that using the word *discriminate* is needlessly inflammatory and inappropriate. A much more accurate term description of BSA policy would be "choose not to include." He said that there is no record of a boy *ever* being dismissed from Scouting because of his sexual preference.

Selfe asked Roggemann to confirm that there was no record of any boy ever being dismissed from Scouting because of sexual orientation.

Roggemann said that that was correct.

Soldan said that that was because the Boy Scouts don't keep these records.

Roggemann said that according to the BSA, this has never happened. He said that it is possible, and even likely, that some boys self-select themselves away from or out of Scouting. He said, however, that there is no right to join the Boy Scouts, any more than there is a right to join the MTU Pistol Club. He said that the Pistol Club who would rightfully exclude anyone who failed to meet their safety standards.

Roggemann said that the Boy Scouts do not ask anyone to change their beliefs or actions, and they do not conduct witch-hunts. There are no sexual-preference questionnaires and no investigations. The Boy Scouts merely expect their members to share the core beliefs of the organization. There is no pressure on anyone to join, and anyone can leave if they decide that they do not share the core values of Scouting.

Roggemann asked senators if they wanted to see an extreme definition of *discrimination* carried to its limit at Michigan Tech. He asked if Michigan Tech would we exclude ROTC because ROTC does not accept people with physical disabilities for active duty. He asked if Michigan Tech would exclude religious organizations because men can't be nuns. And he asked if Michigan Tech would propose that the CCUW drop the Girl Scouts because they don't accept boys as members.

Roggemann said that "Scout-bashing" currently seems to be popular among a vocal, single-issue minority. He said that the senate has a responsibility to take a broader view. Similar attempts to sever ties between the United Way and the BSA have been successful for a short time in about 4% of United Way chapters nationwide. There has been backlash to these UW decisions, and the nationwide trend is now in the other direction. For example, in Duluth and Winona, Minnesota, the UW has invited the BSA back. In other locations, private donations to Scouting have generally gone up, in some cases significantly, after adverse UW actions.

In conclusion, Roggemann urged the senate to vote down Proposal 9-03 and move on to more pressing business.

Christianson said that the Michigan Tech Staff Council had a lunch meeting with President Tompkins on February 17 and that he (Tompkins) had said that as long as he was president of Michigan Tech, the university would not sever its ties with the CCUW.

Keen said that Proposal 9-03 falls on the senate's B-list; hence, it is an issue about which the senate can make recommendations but not set policy. If the administration rejects a senate recommendation on an issue on the senate's B-list, the senate by-laws and constitution do not allow an appeal to the Board of Control.

Bruch MOVED to call the question. Rudy Luck (Chemistry alternate to the alternate) seconded the motion.

Keen said that a motion to terminate debate requires a two-thirds majority to pass. The motion to terminate debate FAILED on a hand vote.

Waddell said that even though the final decision will be made by the administration, he MOVED to amend Proposal 9-03 before submitting it to the senate's constituents for a referendum. Waddell said that he had previously posted the proposed amendment to the senate's e-mail list. He read the text of the proposed amendment:

The faculty and professional staff recommend that Michigan Technological University allow the Copper Country United Way one year to develop a post-campaign allocation process whereby donors can be assured that their contributions made via payroll deduction will not go to any organization which they explicitly wish to exclude from receiving their contributions.

If the Copper Country United Way should fail to develop such a process within one year, then the faculty and professional staff recommend that Michigan Technological University suspend its relationship with the Copper Country United Way until such time as such a policy is instituted.

Waddell said that this amendment would allow people to donate to the United Way in full confidence that their contributions would not fund any organization that they explicitly wished to exclude from receiving their support. It would also allow the United Way a year to develop such a process.

Chris Williams seconded the motion.

Keen opened the floor for discussion of the proposed amendment.

Dana Johnson said that people can contribute to specific United Way agencies by writing checks to those agencies, but this option is not available for payroll deductions.

Dickie Selfe said that the proposed amendment would allow for negative designations for payroll deductions.

Senator Jacek Borysow said that it should not take a year to develop such a process.

Cindy Selfe said that she would like to pass to Copper Country United Way Board Chair Ginny Schaller a copy of the report of the Non-Discrimination Taskforce of the United Way of Greater Portland, Maine. She said that the United Way of Greater Portland has studied this problem since 1991 and passed a policy that prohibits discrimination based on sexual orientation. She said that if the United Way of Greater Portland could develop such a policy, the Copper Country United Way could too.

Roggemann asked what the policy said.

C. Selfe read the following excerpt "The United Way of Greater Portland shall not discriminate on the basis of age, sex, race, religion, national origin, sexual orientation, or disability with respect to employment, volunteer participation, the provision of services and the funding of agencies. Compliance with this policy by agencies shall be a precondition of United Way funding."

Roggemann asked if the after passing this policy, the United Way of Greater Portland severed its ties with the Boy Scouts.

Selfe said that it did not. [According to the United Way of Greater Portland's Web site <<http://www.unitedwaygp.org/yourunitedway/questions.htm>> "When United Way notified all of its partner agencies of the new policy, the Boy Scouts of America Pine Tree Council decided that it could not comply with this policy and consequently withdrew as a partner agency. The

Boys Scouts and United Way continue to collaborate; the Boy Scouts receive donor designations through the annual United Way Campaign; and employees at the Boy Scout Council conduct a United Way campaign."]

Senator Tony Rogers said that Soldan and Roggemann had represented the Boy Scouts' policy on sexual preference differently. He asked what the policy really was. He said that he had recently received an e-mail message from a senator suggesting that the BSA policy on sexual preference was neutral in that all discussions of sexuality were prohibited.

Keen said that the senate was currently considering the proposal to amend Proposal 9-03; hence, he ruled this question out of order until the senate returned to the main question.

Jurgensen asked if any charitable organization was allowed to use Michigan Tech resources to solicit contributions or if this privilege was restricted to the Copper Country United Way.

Keen said that that question was pertinent to the main question, but not to the proposed amendment, which the senate was currently considering.

Sutter asked if the proposed amendment only addressed the United Way or if it would also allow Michigan Tech employees to make pre-tax contributions to other charitable organizations.

Keen said the proposed amendment only addressed United Way and that contributions to United Way were tax-deductible but not pre-tax.

Bruch MOVED to call the question. Roggemann seconded the motion.

Keen said that there was a non-debatable motion to terminate debate on the proposed amendment to Proposal 9-03. He said that a two-thirds majority was required to pass this motion. The motion PASSED on a voice vote without dissent.

Keen said that the senate would now vote on the proposed amendment to Proposal 9-03. A voice vote was taken, and Keen ruled that the amendment failed. Bruch called for a division. The amendment PASSED on a hand vote of 15 to 12.

Keen opened the floor for discussion of the amended proposal.

Senator Scott Pollins MOVED that the senate table this discussion until after the Copper Country United Way Board meeting at the end of March. Dana Johnson seconded the motion.

Keen called for discussion on the motion.

Dickie Selfe said that an affirmative vote by the senate on the amended Proposal 9-03 could influence the decision of the Copper Country United Way Board.

Keen ruled the amendment a substantive amendment; hence, the senate must wait at least 10 days before voting on the amended proposal. This allows senators time to refer the amended proposal to their constituents. Hence, the current discussion is in preparation for senators' deliberations with their constituents.

Williams asked if the amended proposal might be further amended by changing "professional staff" to "staff."

Waddell said that the senate does not speak for the non-professional staff, which is unionized.

Rudy Luck asked if the amended proposal meant that the senate had dropped the proposal to sever Michigan Tech's relationship with the CCUW.

Keen said that the amended proposal was now the proposal under consideration.

Luck asked if this was an amendment or a completely different proposal.

Keen said that under senate by-laws, when a proposal is significantly amended, it in essence becomes a new proposal that senators refer to their constituents. However, the amended proposal is not renumbered.

Roggemann said that Michigan Tech should not dictate policies to a private organization. People who object to the United Way policies should not contribute to the United Way, but they should not tell the United Way how to operate.

Dickie Selfe said that he wants to contribute to the United Way, but he has strong feelings about where his contribution should go, and he wants United Way to know that. He said that he didn't think that the senate was dictating policy. He said that people who have something to say about this issue ought to say it.

Alice Soldan said that people who wanted to contribute to the BSA thru the CCUW should be able to do so. She said that some people are casting those who oppose discrimination as the "bad guys" and those who support or at least are willing to tolerate discrimination as the "good guys." She said that there was surely some creative way to resolve this problem.

Senator Dave Hand said he believed that Ted Soldan had made his point and that those opposed to Proposal 9-03 have made their points, in the media and elsewhere. Hence, people can now make informed decisions about whether or not to contribute to the United Way. Hence, he said that there should be no reason for the senate to vote on this proposal.

Keen said that the current deliberation was on the debatable motion to table discussion of the amended proposal.

Cindy Selfe asked when the CCUW Board would meet.

Ginny Schaller said that the Board would meet on Tuesday, March 25.

C. Selfe asked when the senate would first meet after March 25.

Keen said that the senate would meet on March 26.

Barna asked if a motion could be made on the amendment.

Keen said that the motion on the floor was to cease discussion of the amended Proposal 9-03 until after the meeting of the CCUW Board.

Borysow asked what was supposed to happen at the board meeting.

Keen said that he didn't know.

Borysow asked why the senate should wait.

Cindy Selfe asked if the board was likely to develop at this meeting a procedure that would resolve the current controversy.

Schaller said that the CCUW Board has already decided to switch to a post-campaign allocation process, as she described at the senate's last meeting. The board has a committee that is trying to determine if allowing negative designations will be economically feasible. Schaller said that

she has a way that she thinks negative designations would work. She has informed the other board members of her idea, but she does not yet know if they will accept it.

Christianson MOVED to call the question. Bruch seconded the motion. The motion to terminate debate PASSED on a voice vote with dissent.

Keen said that the senate would now vote on the motion to terminate debate on the amended Proposal 9-03 until after the March 25 meeting of the CCUW Board. The motion PASSED on a voice vote with dissent.

B. Proposal 11-03, Applied Geophysics Minor [See minutes, page 10011, for a copy of this proposal.]

Keen said that the both the Senate Curriculum Committee and the Senate Finance Committee had reviewed and approved this proposal.

Roggemann MOVED and Martin seconded the motion to approve Proposal 11-03.

There was no discussion. The motion to approve PASSED on a voice vote without dissent.

Bruch MOVED to adjourn. Roggemann seconded the motion.

The motion FAILED on a voice vote.

C. Proposal 2-03, Conflict of Interest Procedures [See minutes, page 9050, for a copy of this proposal.]

Research Policy Committee Chair Dave Hand said that the senate has been working on conflict of interest procedures for about eight years. He said that COI Committee Chair Barry Solomon has finally reached an agreement with Michigan Tech's attorneys on conflict of interest procedures. The committee has unanimously approved these procedures and recommends that the full senate approve these procedures.

Keen said that Michigan Tech Conflict of Interest Officer Christa Walck would present the procedures at the senate's next meeting.

Beck asked if the senate had a list of the changes in this version of the procedures.

Keen said that Walck would discuss those changes during her presentation.

Beck suggested that a list of these changes be made available in advance of Walck's presentation, perhaps on the senate's Web site.

Williams said that the newly proposed procedures were completely different from the procedures described in the MTU Faculty-Staff Handbook.

Keen asked Beck which two forms of the procedures he wanted a list of comparisons for.

Beck said that he wanted to see a comparison between the currently proposed procedures and the previous draft, which was issued in August 2002.

Keen said that Walck had presented the August 2002 draft to the senate and had recommended that the senate send it to the Research Policy Committee for revision, which the senate did. Keen said that the Conflict of Interest Procedures cover all Michigan Tech employees. The Board of Control is covered by a separate policy.

Senator Susan Martin asked for the date of the current COI Procedures proposal.

Keen said that it was the draft of 20 February 2003.

7. ADJOURNMENT

Senator Bruch MOVED and Senator Jim Turnquist seconded the motion to adjourn. The meeting adjourned at 7:35 p.m.

Respectfully submitted by Craig Waddell
Secretary of the University Senate