

SENATE COMMITTEE ON SOCIAL CONCERNS
MINUTES OF MEETING
OCTOBER 4, 2004

[In these minutes: Lehman Brothers, Brainstorm Agenda Items for 2004 - 2005]

[These minutes reflect discussion and debate at a meeting of a committee of the University of Minnesota Senate or Twin Cities Assembly; none of the comments, conclusions or actions reported in these minutes represent the views of, nor are they binding on, the Senate or Assembly, the Administration or the Board of Regents.]

PRESENT: Ken Heller, chair, Ruth Taylor, Peter Hiniker, Susan Von Bank, Gerald Rinehart, Greg Schooler, Julie Sweitzer, Susan Craddock, Katherine Fennelly, David Fox, Julie Pelletier, Leonard Roy

REGRETS: Barbara Boysen, Jennifer Oliphant, Mani Subramani, Kara Ferguson

ABSENT: Ravi Norman, Sandy Ulsaker Wiese, Elaine Tarone, Shaun Laden

OTHERS: Ted Held of the Jewish Community Relations Council and Sam Sharma of MPRIG

I). Professor Keller called the meeting to order.

II). Sam Sharma from MPRIG requested that Social Concerns take up the Lehman Brothers issue again. Professor Heller reminded members that last year the Social Concerns Committee spent a considerable amount of time on this issue and in the end drafted a resolution calling on the Board of Regents to stop entering into further bond underwriting agreements with Lehman Brothers, Inc. until Lehman Brothers ended its financial backing of the private prison industry.

Mr. Sharma briefly attempted make a case for the Social Concerns Committee to take up the issue again. Professor Heller suggested that rather than asking the Social Concerns Committee to address this matter

again, especially since the Committee already endorsed MPRIG¹'s position on this issue, that he should contact the Senate Committee on Finance & Planning (SCFP) who drafted a statement disagreeing with the Lehman Brothers resolution adopted by the Social Concerns Committee.

Professor Heller reported that both the Social Concerns and SCFP Lehman Brothers resolutions were brought to the September 30, 2004 Senate meeting for information only, not action. He added that if members are interested in pursuing this issue again this year, it should consider bringing the resolution forward for action by the Senate rather than simply information.

III). Members brainstormed 2004 - 2005 agenda items. The following ideas were generated:

- Invite Executive Vice President and Provost Tom Sullivan or a representative from the Office of the General Counsel to a future Social Concerns meeting to discuss the University¹'s rationale for settling the Maranatha Christian Student Fellowship lawsuit.
- Discuss recommending institutional changes to how the University conducts its research with respect to issues of social concern.
- Discuss the social impact of improving graduation rates.
- Discuss whether there should be changes to the Research Secrecy Policy.
- Discuss the alcohol culture on campus e.g. binge drinking. This is an issue that definitely impacts the University¹'s relationship with its neighbors as well as having other implications.

Members elaborated on each of the topics mentioned above. Highlights from their discussion follow:

A). Members were unclear about how the University¹'s position statement (<http://www.mndaily.com/articles/2004/09/20/10264>) on the Maranatha case drafted by EVPP Sullivan and Sr. Vice President for System Administration Robert Jones dovetails with the University¹'s current equal opportunity statement. Their statement implies that there was no way to avoid the settlement because it was an issue of law when in fact this is debatable.

Julie Sweitzer explained that while all student organizations sign an equal opportunity statement, the Maranatha decision has modified this requirement for religious student organizations. As a result of the settlement, officers and voting members of religious student organizations are now required to sign a statement of faith, which requires them to subscribe to their religious organizations¹ tenets/ideology. This does not necessarily mean that religious organizations can discriminate, however, in the case of Maranatha Christian Student Fellowship part of their tenets are that members cannot engage in sexual relationships outside of a heterosexual marriage. The Office of the General Counsel viewed the Maranatha case as an exception to the equal opportunity requirement.

The lingering question following the University¹'s decision to settle with Maranatha is what should the University¹'s relationship be to its student organizations. Currently, there are over 600 student organizations, of which over 50 claim a self-declared religious affiliation. There is concern that other religious student organizations will want to follow suit with Maranatha Christian Student Fellowship and discriminate in their membership.

It was noted that this matter is not a unique to the University and that several other institutions are also struggling with similar issues. Maybe the University needs to consider distancing itself from its student organizations that seek first and foremost to be private organizations. A discussion on the role of student organizations as it relates to the University¹'s Equal Opportunity Policy needs to occur.

For the legal justification on the University¹'s decision to settle with Maranatha Christian Student Fellowship, members were deferred to EVPP Sullivan. Although EVPP Sullivan did not make the final decision to settle with Maranatha, he is the responsible administrator for speaking to the University¹'s position on this matter.

Members agreed that beyond the legal allowance given to religious student organizations to discriminate in their membership as a result of this case, there is the issue of the administration¹'s failure to consult with governance on this extremely important issue. Professor Heller suggested that the non-consultative nature of the University¹'s decision to settle this matter would likely be an issue for the FCC to take up at the recommendation of the

Social Concerns Committee. Whereas the Social Concerns Committee could investigate whether legal discrimination within student organizations should be allowable.

Professor Heller asked for volunteers to draft questions for EVPP Sullivan. Professors Kathy Fennelly and David Fox volunteered to draft questions targeted at definitive issues the Committee is interested in addressing related to the Maranatha lawsuit. Members agreed they were interested in understanding both the policy and legal implications of this settlement.

It was noted that EAD is also looking into this issue. A suggestion was made for a joint Social Concerns/EAD meeting and that EAD member¹'s questions around the Maranatha settlement should also be solicited.

B). It was noted that the Research Committee is looking into exemptions from the Research Secrecy Policy. If secret research is being conducted at the University, this can have social implications. Should the University be involved in any secret research? And, if so, what research should be deemed as secret? Professor Heller agreed to draft some Research Secrecy Policy questions, which he would forward to the chair of the Research Committee, Professor Gary Balas. Then, based on the response from Professor Balas to these questions, the Social Concerns Committee could draft more specific questions and invite Professor Balas to an upcoming Social Concerns meeting to discuss the issue further.

C). Related to improving graduation rates is the issue of right-sizing some colleges, which also has social implications. Although SCEP is looking into this issue, it is uncertain what direction their discussions will take. It was noted that Associate Vice President of the Office of Multicultural and Academic Affairs Avelino Mills-Novoa is arguing on behalf of students of color who are often in the lower scoring percentile of college entrance exams, and, as a result, would be directly affected by right-sizing some colleges. Members went on to discuss what is right-sizing and how it is achieved.

Questions that were raised by the discussion included:

- If students have a lower potential for graduation, is the University doing them a disservice by admitting them?

- Is the University doing a disservice by not admitting students with a lesser potential for graduation?
- In terms of right-sizing, should the University focus its efforts on a smaller fraction of students by reducing enrollment and thereby giving these students a better education (which would be defined by a better graduation rate)?

Related to right-sizing, is the issue of tuition hikes and the fact that skyrocketing tuition could price some students out of attending the University. This is particularly troublesome in light of the institution's priorities for major capital projects on campus. Members were interested in learning more about the University's mission statement as it relates to tuition increases. Members also expressed an interest in learning more about the affects of tuition increases on graduation rates.

After much discussion, it was decided that this is a very complicated issue with serious social implications. Members agreed they were interested in looking into this issue further.

D). Next members discussed the issue of whether to pursue recommending institutional changes to how the University conducts its research with respect to issues of social concern. Would this be a valuable tool for researchers or would it simply be more bureaucratic red tape? What would be the trade off between the added level of bureaucracy and avoiding unintentional consequences e.g. Mt. Graham?

It was noted that the University offers professional ethics and responsible research conduct training. A suggestion was made for the Committee to look into what is being offered before it delves into this issue further. Another suggestion was made for the Committee to coordinate its efforts with the Research Committee. It was noted, however, that it is unlikely the Research Committee would be looking at this matter from the same perspective as the Social Concerns Committee.

It was suggested that the genetic manipulation of wild rice issue be used as a prime example of research with a greater social impact. A suggestion was made to invite Dean Muscoplat from the College Of Agriculture Food and Environmental Sciences as well as a representative of equal stature from the

American Indian Studies Program to speak to this issue. Leonard Roy reported that a wild rice forum is being planned and that this would be an excellent way for members to learn more on this topic. Mr. Roy volunteered to supply the Committee with additional information regarding this forum when it becomes available. Professor Heller agreed to contact Professor Balas, chair of the Research Committee, to see if that Committee plans to take up this issue or not.

E). Professor Heller reminded members that another agenda item for the spring semester is proxy voting. A member requested results from last year¹'s proxy votes to see whether the Social Concerns Committee¹'s votes were voted up or down by their respective companies.

IV). Hearing no further business, Professor Heller adjourned the meeting.

Renee Dempsey
University Senate