Members Present:

Joey Bohl, Don Bredle, Jack Bushnell, Randy Dickerson, Michael Dorsher, Dan Drumm, Selika Duckworth-Lawton, Margaret Dwyer, Robert Erffmeyer, Jeff Erger, Gloria Fennell, Leslie Foster, Mitchell Freymiller, Alan Gallaher, Andrea Gapko, Susan Harrison, Ann Hoffman, Robert Hollon, Robert Hooper, Rose Jadack, Jennifer Johns-Artisensi, Harry Jol, Sallie Kernan, Fred Kolb, Kate Lang, Jennifer Lee, Bruce Lo, David Lonzarich, Barbara Lozar, Steven Majstorovic, Karl Markgraf, Donald Mash, Susan Mc Intyre, Sue Moore, Cheryl Muller, Bobby Pitts, Jill Prushiek, Donna Raleigh, Scott Robertson, Connie Russell, Kristen Sandager, Ronald Satz, Nola Schmitt, Earl Shoemaker, Alex Smith, Carter Smith, Larry Solberg, Linda Spaeth, Laurie St. Aubin-Whelihan, Todd Stephens, Daniel Stevenson, Kent Syverson, Karen Welch, Sharon Westphal, Scott Whitfield, Michael Wick, Jean Wilcox, Steve Zantow

Members Absent:

Robin Baker, Judy Blackstone, Marcia Bollinger, Charlene Burns, Paul Butrymowicz, Jesse Dixon, Bruce Dybvik, Larry Honl, Gene Leisz, Rebecca Matter, Tariq Niazi, Roger Selin, Lorraine Smith, Paula Stuettgen, Lois Taft, Troy Terhark, Rebecca Wurzer

Guests:

List on file in Senate Office

The regular meeting of University Senate was called to order by Chair Harrison at 3:01 p.m. on Tuesday, November 23, 2004 in the Tamarack Room of Davies Center.

I. Without objection, minutes of November 9, 2004 meeting of University Senate approved as distributed

II. Chancellor’s Remarks

- Celebrating first ever Rhodes Scholar from UW-Eau Claire – Chauncy Harris, geography and history major
  - Only 32 students selected this go-round from United States
  - Trying to find out how many Rhodes Scholars selected nationally over a period of years from regional public universities
    - After due amount of celebration and congratulations for Chauncy, want to shift to talk a bit about how that happens here
      - Has something to do with attracting very strong students
      - Also something to do with work done here with those students
      - Another example of special nature of UW-Eau Claire
  - Sad news is degree to which terrible hunting tragedy touched campus
    - Two students and staff person lost immediate family members
  - Have talked here about regents 2005-2007 budget request that included pay plan much earlier than typical to show it as priority
    - Watching state revenues closely to see how things develop and get hint of how budget might be viewed by governor
    - In meantime, all state agencies asked to submit 10% budget reduction exercise for biennium
      - Request indicated cuts to be taken from administrative areas of budget; politically can say then that not going to harm instruction
• Have been contending since UW-System took deep cuts in current biennium, surely not going to be cut again in 05-07 biennium; if additional budget reductions necessary, ought to be more general, broader sharing among other state agencies
• Still, system submitted 10% plan that clearly said not asking each campus to do individual 10% plans and create more morale issues
  • Also said can’t limit cuts to small administrative piece of budget and would have to reduce enrollment
• Governor reacted to enrollment issue very critically – saying he was furious and if UW-System couldn’t find 10%, he would find it for system
• Chancellors now in conversations with system attempting to understand what prompted this reaction and how to repair communications
• Not a good thing when governor’s budget is primary determinant of level of funding eventually forthcoming even though legislature spends weeks talking about it
• Doing everything we can to keep budget request on track; hopefully will be better situation than 2003-05

III. Provost’s Presentation – Provost Satz
• Recognition for Senator Lozar
  • Plaque presented to Dr. Barbara Lozar, professor of psychology, in recognition of nomination for US Professor of the Year Award
  • Program celebrates extraordinary dedication to undergraduate teaching and higher education institutions in United States
  • Tribute to years of excellent teaching, demonstrated passion for educating, commitment to students, and innovative instructional methods that have inspired and motivated others; brings great honor to university

IV. Chair’s Report – Chair Harrison
• Highlights of latest faculty representatives meeting included
• Not only campus wrestling with defining general education
  • Next week, University Senate to sponsor open discussion about general education goals
• Next meeting of Faculty Representatives in February in Madison
• Next Board of Regents meeting December 9 and 10, 2004 in Madison

V. Academic Staff Representative’s Report – Senator Wilcox
• Met on November 18, 2004
• Written report attached to name tags
• Talked about pay plan; also about 10% administrative operations budget exercise
  • Report includes budget cuts included in exercise; made for lively conversation
• Passed budget resolution to be sent to governor, Department of Administration director and secretary, Board of Regents, and President Riley
• Next meeting is teleconference on December 16, 2004

VI. Miscellaneous Business
• Given need to submit academic calendar to system in early January, Executive Committee voted at last meeting to address miscellaneous business prior to unfinished business

First Reading – Motion from Executive Committee
2006-2007 Academic Calendar Report – Vice Chair Gapko
• Executive Committee reviewed proposed academic calendar for 2006-2007 presented by Administrative Officer Morse
• First reviewed required state guidelines and UWEC guidelines we attempt to follow each year
• Points discussed by committee listed on report with correction that finals will be held after commencement, not before
• Jan Morse added three issues that students will respond to: 1) No fall break; 2) Fall commencement before finals; and 3) Classes held on Monday after April break
• Meet with Student Life and Diversity Commission today and with Student Senate Academic Affairs Commission next week; will relay student perspective next time senate meets
• This is last scheduled meeting of this semester
• Have choice of suspending rules and voting on calendar today
• If want student feedback, other choice would be to schedule a senate meeting for December 7, 2004

Motion 41-SE-06
Moved and seconded by the Executive Committee (8-4-1) that the proposed UW-Eau Claire 2006-2007 Academic Calendar with Winterim be approved as follows:

UNIVERSITY OF WISCONSIN - EAU CLAIRE
Calendar for 2006-2007 with Winterim

Fall Semester 2006:
  Aug 21 — First day of faculty contractual period
  Aug 28-Sept 1 — Advising and Registration
  Sept 4 — Labor Day Holiday
  Sept 5 — Classes begin
  Nov 22 — Thanksgiving recess begins at 5 p.m.
  Nov 27 — Classes resume
  Dec 16 — Commencement
  Dec 18-22 — Final Examinations Week

Winterim 2007:
  Jan 1 — University closed; official holiday
  Jan 2 — Classes begin
  Jan 6 — Saturday Class
  Jan 15 — Martin Luther King Holiday
  Jan 19 — Last day of classes

Spring Semester 2007:
  Jan 18-19 — Advising and Registration
  Jan 22 — Classes begin
  Mar 19-23 — Spring Break
  March 26 — Classes resume
  April 6 — No Classes
  April 9 — Classes resume
  May 14-18 — Final Examinations Week
  May 19 — Commencement
  May 20 — Last day of faculty contractual period

3-Week Summer Session 2007:
  May 21 — Classes begin
  May 28 — Memorial Day Holiday
  June 8 — Final day of classes

8-Week Summer Session 2007:
  June 11 — Classes begin
  July 4 — Independence Day Holiday
  Aug 3 — Final day of classes
  Aug 4 — Commencement
Debate
- Without objection, vote on academic calendar will be by all senators
- Have had only two fall breaks – ever
  - Every year, look at calendar to see how break would affect schedule; if possible, put fall break in
- Do have cycle of bad calendars as try to scrunch tighter depending upon date of Labor Day
- Favor this calendar – key thing is at least 13 full weeks to schedule sciences labs
  - Have no problem if fall break doesn’t affect that – this calendar would
  - Also in spring, if insist Monday be added to April Break, two weeks would be lost from labs
  - This is best compromise available for lab courses
- Echo concern about lab meeting times
  - Affects 500 students in 100 and 200 level chemistry courses, almost 500 biology students and another 470 physics students
    - Not all students taking those courses are even majors in scientific field
    - All those curricula weakened by having those days off
- Calendar on floor has exactly 13 full weeks in both fall and spring semesters
- Have one extra day in spring for MWF classes and one extra day for TTH classes – difficult preparation as either have to cancel or add a class – would like to see equity in semesters to give students a good education
- Faculty have to be here 39 weeks – get to 39 weeks on May 20th and simply fill in classes; could reduce two days and still meet 170 days of organized services including teaching, advising, and registration
- Always possibility of snow day – more likely in spring

Without objection, vote postponed to December 7, 2004 senate meeting.

Other Miscellaneous Business
- October 26, 2004 Physical Plant Planning Committee Report indicated riverbank nearly stable, would like to get clarification
  - According to Vice Chancellor Soll, riverbank more stable than it was
    - About 98% of rock necessary to stabilize bank in place
    - Most remaining work deals with restoration of vegetation and installation of handrail
    - Work continues every day – wouldn’t expect weather to affect rock placement, might affect other work

VII. Unfinished Business
A. Continued Debate – Motion from Academic Policies Committee with Deans’ Proposal
   University General Education Committee Membership

Proposed language from Motion 41-SE-03

Article One: University Faculty, Section G
6. University General Education Committee
   a. Membership: The committee includes six five faculty representatives from the College of Arts and Sciences, two one faculty representatives from the College of Business, one faculty representative from the College of Education and Human Sciences, and one faculty representative from each of the three Schools of the College of Nursing and Health Sciences Professional Studies. These representatives will be chosen by existing shared governance processes established through the bylaws of the respective schools or colleges. One student, with at least junior standing, will be appointed by the Student Senate President in accordance with customary procedures. Faculty serve staggered three-year terms with approximately one-third of the representatives from each College being elected each year.

Amendment 41-SE-03-a2 (from last meeting)
   Colleges may elect an alternate committee member for the GE Committee. In the event the regular committee member representing the college is unable to attend a meeting of the committee, the alternate may attend and vote at that meeting.
Debate – Amendment currently under discussion must be acted upon first
● University Faculty senators only will vote on amendment and motion
● Since made motion to amend, am in position to encourage us to vote on it soon, feel free to vote it down, to go on to other things

Vote on Amendment 41-SE-03-a2: Amendment DEFEATED without dissention by University Faculty senators.

MOTION by Senator Hooper to substitute the Deans’ Proposal for the main motion seconded and PASSED without dissention.

Article One: University Faculty, Section G

6. University General Education Committee
   a. Membership: The committee includes six faculty representatives from the College of Arts and Sciences, two faculty representatives from the College of Business, two faculty representatives from the College of Education and Human Sciences, and one faculty representative from each of the three Schools of the College of Nursing and Health Sciences Professional Studies. These representatives will be chosen by existing shared governance processes established through the bylaws of the respective schools or colleges. One student, with at least junior standing, will be appointed by the Student Senate President in accordance with customary procedures. Faculty serve staggered three-year terms with approximately one-third of the representatives from each College being elected each year.

Debate
● Dean Christian indicated blue document includes preamble that is consensus of four deans and two senators from each college
   ● Outlines views and philosophies on how want to work together
   ● Also lays out views on role of general education at university and thoughts on underlying controversies
● College of Nursing and Health Sciences all right with one representative since only added five faculty and one department – much less than added to education
   ● Bit of concern over loss of voice for Public Health, but can work well together with one representative
● As change to constitution, item would go before full faculty for ratification in spring
   ● Favor this, but still think is excellent idea, as mentioned in preamble, to evaluate size of all committees
   ● See rationale for not starting with this committee, but if reductions don’t start somewhere, never going to happen

Vote on Motion 41-SE-03: Motion PASSED by vote of University Faculty senators.

B. Second Reading – Motion from Faculty Personnel Committee
   Chair Selection

Continued Debate
● Since part of faculty and academic staff personnel rules, all senators vote on this motion
● Speak against motion – was referred to Faculty Personnel Committee because of vague and inconsistent language
   ● Colleagues in Department of Foreign Languages believe decision as to participation on committee electing department chair should be left up to departments themselves
   ● Would like to see instructional academic staff, with or without faculty status, play active role in important departmental activity
● Department has 17 faculty and 18 instructional academic staff
   ● Know of concerns about balance of power that other department may also have
   ● Should be able to work with all colleagues to create committee that reflects concerns and vision of as many department members as feasible
Amendment 41-FP-01-a1
Moved by Senator C. Smith and seconded that the words and from be removed from Section 4a, subsection
3) so it reads as follows:
3) The University Faculty of the department or a committee selected by the University Faculty of
the department shall formally organize as the Department Chair Search and Screen Committee
with an elected chair and secretary

Debate
- Does not exclude possibility of instructional academic staff actively participating if department faculty so
  choose
- Faculty Personnel Committee supposed to clarify language as to what going on with instructional academic staff
  with and without faculty status
  - Went further once discussion started
    - In places, policy referred to instructional staff and committee thought it ought to refer to all staff –
      modified language to make it more open when dean comes and announces search, when candidates are
      interviewed, and when talking about policies and procedures for looking for a chair
    - Restricted membership on search and screen committee itself because committee believed department
      chairs should be faculty, given their delegated role in terms of tenure and promotion and percentage of
      position they will be faculty members; felt evaluation and selection of a faculty member should be done
      by faculty of department
    - Faculty of department can grant faculty status to instructional academic staff in department as invitation into
      governance structure – could then be included as voting members of search and screen committees
    - Not written this way out of fear, or trying to be exclusionary – trying to be inclusive, but believe faculty
      should be evaluating and selecting faculty members
- Speak in favor of amendment
  - Faculty status granted at time of each contract, not temporary thing to grant for serving on committee
  - Unanimous within English Department not to cut instructional academic staff out of process if deemed those
    people would be good members of search and screen committee
  - University Faculty still has power to make those decisions
- Wholeheartedly support amendment – seems one goal at UW-Eau Claire should be to be more inclusive, to
  allow more people to participate in these kinds of decisions
  - Removing those two words gives each department the right to decide for itself who makes up search and
    screen committees
  - Motion actually prohibits departments from allowing instructional academic staff who can’t get faculty
    status for one reason or another to serve on those committees
- Support this amendment – granting faculty status and academic staff contracts very complex
  - Cannot always just grant faculty status
  - Also report of study UW-System conducted several years ago on instructional academic staff recommended
    integration into university
    - Eligibility of career instructional and research academic staff to participate in departmental governance
      encouraged
    - Eau Claire could respond very positively to recommendations – would be unfortunate to move
      backwards in terms of what we allow instructional academic staff to do and rights they have
- Amendment would also allow committee to include professionals outside university if department so desired
  - For example, partners at Washington Post for Department of Communication and Journalism
- Last year had 118 instructional academic staff with appointments of 50% or more; 10 were retired faculty, 35
  have faculty status, 73 do not have faculty status
  - Based on those numbers and fairly close relationship because instructional academic staff report directly to
    department chairs, support amendment
  - University Faculty retain control, but if so choose, could place instructional academic staff without faculty
    status on committee
- Percentage of academic staff with 50% appointments with no-intent-to-renew contracts not known
  - Academic staff with those contracts may be, but not necessarily, temporary
• Make-up of departments on campus vastly different; centralized rule as to composition of department chair search and screen committees would do more harm than good
• In Department of Foreign Languages, number of instructional academic staff have no-intent-to-renew contracts but have been here numerous years
  • Department has recognized their value and has no problem including them on committee
  • Think department should have that right
• If academic staff really only going to be there one year, probably department wouldn’t choose to put that person on chair search and screen committee – not something we need to worry about

Vote on Amendment 41-FP-01-a1: Amendment PASSED.

Vote on Motion 41-FP-01: Motion PASSED without dissention.

TEXT OF SUBSECTION 3) AS AMENDED

3) The faculty of the department and instructional and/or research academic staff with faculty status or a committee selected by and from the faculty and instructional and/or research academic staff of the department shall formally organize as the Department Chair Search and Screen Committee with an elected chair and secretary.

C. Second Reading – Motion from Academic Policies Committee

Proposed Revision of Service-Learning Guidelines to include following note

Please note: Religious instruction, religious proselytization, conducting religious services, or projects requiring a specific religious belief or affiliation are not acceptable as service-learning experiences, since they are generally viewed as constituting a violation of the Establishment Clause of the U.S. Constitution.

Continued Debate on Motion
• Motion is academic matter; University Faculty senators will vote
• Chancellor’s Remarks
  • Once senate votes, action on complicated matter will be sent to me for approval
  • Whether or not language, referred to as the ban, was promulgated appropriately by Service-Learning Office and Advisory Committee, judgment made that item should have come through whole governance process
  • Accept that because talking about a graduation requirement
  • Item has sparked tremendous amount of interest and controversy
  • Given governance process not complete, ban is not in effect
    • Service-Learning Office using reasonable judgment and not processing proposals or assignments in service-learning that would complicate this in any way
    • Nothing pending that needs to be acted on at this point
    • Any decision that office needs to make would be made with heightened sense of awareness with regard to these issues
  • Will tell you where I stand on matter to focus discussion in hopes of resolving matter in reasonable amount of time
  • Email statement distributed following first meeting attempted two things
    • To clarify misinformation about important point
      • Students currently and have been satisfying service-learning requirement working with religious and faith-based organizations doing any number of things
        • Many of those things not in question and would not change if ban passed
      • Ban talks about limited range of activities – is about nature of activity not who working for
      • Still complicated and got questions about examples, such as designing websites for faith-based organizations
    • To state end goal of providing broadest range of options for students to pursue interests in satisfying service-learning requirement without excessive entanglement on religious matter as it relates to church and state – that is somewhere in middle of opinions on each end of spectrum
On one end, heard from students who felt infringing on constitutional rights to choose anything to satisfy requirement
- Talking about service-learning requirement – develop guidelines on how to satisfy requirement just as proscribe requirements and expected activities in courses
- That is what happens at colleges and universities; that is what faculty do
- Not prevented from doing those things; but may not meet service-learning requirement
- Other end is anyone saying if it relates to religious or faith-based organization, it is unacceptable entanglement

- Locke v. Davey case, brought up in first discussion, indication of nature of issue
- District Court found for Washington State University; Appeals Court found for student Davey; Supreme Court found for Washington State University, but not unanimous decision
- Perfect example of intersection between Establishment Clause and Free Exercise Clause

- People in Service-Learning Office review student proposals for satisfying requirement
  - If not acceptable, there is a reason and a discussion – typically is meeting of minds, project gets adjusted, student completes that project and requirement is satisfied
  - Accounting students cannot fulfill service-learning requirement by doing work for accounting firms
  - Terrific experience, but meets only individual, not community, needs
  - Guidelines talk about serving and in process learning, understanding, and hopefully being impacted by experience enough to continue life of service to others
  - Longer I am here, stronger I feel about fact that we require service-learning

- Where I stand on four points of ban and one rider and why I wouldn’t sign off on this language if you approved it
  - Rider “since they are generally viewed as constituting a violation of the Establishment Clause of the U.S. Constitution” has no place in policy statement
  - Do need to be aware of it, know what it means, and avoid excessive entanglement
  - Understand intent of ban as it relates to proselytizing – may be one of easier points to deal with
  - Requiring specific religious belief or affiliation not appropriate either – appropriate to ban such activities
  - Matter of religious instruction more complicated
    - Think about matter of talking about Koran with parishioners in Catholic or Lutheran church to help them gain better understanding – don’t have answer to that one
    - Some cases not easy to deal with; rather than say if it is instruction it won’t satisfy requirement, would let Service-Learning Advisory Committee wrestle with those
  - Participating in religious service or activity, again would depend upon actual activity

- Very difficult issue to legislate – need to have discussions within context of creating broadest middle ground and broadest range of options while avoiding excessive entanglement
  - Think after discussion today, can take a shot at revision of ban language and then bring back for another discussion
  - Also have another student roundtable scheduled for December 1, 2004 with this item on agenda
  - Have an admirable program that is one of things distinguishing our campus from most other regional public universities
    - Embodies learning and experiences that want to keep strong and viable and not question unnecessarily because aspects of it are not easy to resolve
    - Whether or not decisions will land us in court cannot be bottom-line determinant of what we do
    - Have to be aware of implications and have to make reasoned judgments – this group trying to do that
    - Confident you will continue and will sort this out through process yet to be determined

Continued Debate on Motion

- Confused about Koran example of religious instruction
  - See catechism class as religious instruction; see Koran example and talk about how biblical verses related to and influenced civil rights movement as academic discussion of religions’ impact
  - Religious instruction can come close to proselytizing as opposed to simply informing and educating – have to sort those things out
● Can define religious instruction for operational purposes as related to service-learning
● Have not done that yet; could sort out language so able to look at proposals and determine whether excessively entangled and do something else if so deemed
● Number of these proposals that would call for that are very small – can deal with them
● Not quite satisfied with definition of religious instruction
● Only way can provide religious instruction is if have expertise in that area, so students would be furthering education in a particular religion
● See that as excessive entanglement with respect to that religion
● Don’t necessarily think it is proselytizing if say something convincing about this religion
● Better example might be inner city parish needing Sunday school teachers
● Don’t see student teaching in that instance, whether same religion or not, as excessive entanglement as significant need being met in service role, which would be pre-eminent in assessing situation
● Although indicated at last senate meeting there might be teleconference with system legal for this meeting, after meeting on campus last week with system counsel, teleconference was not arranged for today
● Will not be getting written legal opinion from system legal on this issue
● Had conversation for several hours with system counsel on ramifications of discussion – not likely to get clear yes or no because how we describe and talk about what we are trying to do with service-learning is involved here
  ● System legal indicated in Locke v. Davey if Washington State University wrote guidelines differently, court outcome probably would have been different
  ● Are reasons this language says generally viewed as – not going to get strict interpretation – it doesn’t lend itself to that kind of solution
● Thank chancellor for reasoned and practical remarks clearly in spirit of compromise and aiding community to work together
● Have close contact with members of particular church strongly against this ban
● Would suggest their goal is precisely excessive entanglement, not a spirit of compromise
● Proselytization has two definitions – one related to religion and one related to other things
  ● Suggest we think about removing information about religious service or instruction and removing part about Establishment Clause and put in statement that says religious or political proselytization requiring a specific religious belief or political affiliation is not acceptable for service-learning experience
● Phrase religious instruction brings to mind catechism class – that is usual euphemism
● When you turn it around and say instruction in religion, it takes on whole different meaning
● Like proposal of getting rid of that phrase and conducting religious services because there are music majors out doing music activities in churches – could get very messy
● Focusing on no religious proselytization and not requiring specific religious beliefs really does help
● Is significant grey area here
  ● Have all along objected to language itself – don’t feel it is very specific or helpful
  ● Think more susceptible to lawsuit with language than without it
  ● Would like to move to remand this to Executive Committee
● Without objection, will finish speakers list and come back for motion
● Chair Harrison suggested committee of chancellor or designee, those involved in service-learning, and some faculty to revise language and bring back to senate floor
● Was prepared to make amendment to clarify language
  ● After word requiring would add that the student have to make it clear that it is the student that is required to be of a specific religion
  ● Had student in Communication and Journalism Department explore service-learning project with her church – before making formal proposal, pastor of church said don’t want you to do this, you don’t come to church enough
  ● Proselytization is an adjective, word want here is proselytizing, which is a verb
  ● End paragraph with word experiences and remove part about Establishment Clause – should not do this on basis of legalities and what might end up in court, as professor of ethics, we should do this because it is right
● Without objection, will make sure three suggestions sent to group revising language
In response to previous speaker, difference in religious instruction has to do with disciplinary expertise
- As historian of Islam, my answer to question from community would be very different from response of
eeman from mosque in Altoona
  - As religious leader, his response would come from doctrinal perspective
  - Not muddy area at all
- But, would also not send a student out to speak in community
- Director of Service-Learning Mowry still troubled by word ban – it means to prohibit or forbid and implies
freedom is taken away
  - In last two years, there have been 56 projects approved that had students working with faith-based
organizations or churches; eight were not accepted
    - To my knowledge, students went ahead with their plans for activities anyway and found another way to
meet service-learning requirement
  - Service-Learning Office has open door policy to encourage students with questions – here to serve students
and to serve community
- Got from meeting with lawyers that need to go back to original definition of service-learning and what
trying to do from standpoint of academic goal and why it was made a graduation requirement
  - Original goal was to encourage students to get experience with diversity and to have exposure to other
perspectives, other cultures, other ethnic groups
  - Also included within definition was that students were to select projects meeting identified community
needs
    - Already don’t accept, although we don’t have language for it, profit-making organizations
      - Might fit career interests and organization benefits, but is not for common good
    - Same thing is true for many religious organizations if projects primarily benefit that organization
- In terms of a vision for our curriculum, looking to develop good citizens and leadership responsibility in a
democratic society, looking to graduate critical thinkers to not only address critical community needs, but to
make a difference, perhaps transform and eliminate or reduce things like hunger and homelessness, or
improve environment
- Appreciate chancellor’s comments and hearing where he is coming from
  - Still confused why we need to do anything because wording brought forward cites Establishment Clause as
justification; have heard no one say why this would be in violation of that clause
  - Have heard previous speakers cite Wisconsin Constitution, Section 18 saying: “nor shall any money be
drawn from the Treasury for the benefit of religious societies or religious or theological seminaries”; then
say checking a box that it is okay for somebody to teach Sunday school would constitute establishment
    - Have heard no legal precedent for that
    - Was hoping system legal would be here to clarify some questions about establishment issue
  - People go to court and there is one constitutional lawyer who is right and one who is wrong – there is a lot
of grey area
  - Also need to consider that we are talking about individual choices by students not by university employees
    - Talking about students selecting where they are going to serve – can serve in secular way or in religious
way because not ruling out people working in religious environment, because could set up a data base
      - So that is not at issue
    - Heard no legal justification that would talk about establishment in way used in this motion
  - People talk about excessive entanglement – one reason we are here is service is value-laden
    - Value judgments associated with service mean when university goes with service-learning, it lends
itself to entanglement
  - Also concerned about human element of making interpretations about what is religion and what is not
    - Religion is nebulous thing defined very broadly by U.S. Supreme Court
    - An example – incentive grants associated with service-learning program use differential tuition money
to support things considered to be of value and foster particularly innovative service
      - On same day Service-Learning Advisory Committee discussed this service-learning proposal, also
approved $500 to facilitate service associated with Native American Pow-Wow on campus
    - Seems this could be interpreted as entanglement and is where human element comes in
According to U.S. Supreme Court Rosenberger case, if public employees scrutinize content of student speech lest it contain too great of religious message, such censorship would be more inconsistent with Establishment Clause than would governmental provision of secular printing

Think looking at criteria would be very good idea as would looking at entire issue outside this venue

Some interesting new wrinkles of issue raised here today

Want to put forward my philosophical, not legal, reasons to support motion

Skeptical about deleting religious instruction; skeptical about deleting conducting religious services

Both seem clear to me

Skeptical of arguments about religious freedom and students being able to choose anything they want

Find arguments about students who might want to do something in Muslim community coy

Asked in APC how many projects that would fall under this ban were non-Christian – answer was none

Not surprising since we are Christian community in Christian part of country – easy to get complacent about opening our arms to all religious activity when really talking about Christian activity

Sing in choirs where holiday concerts are really Christmas concerts

TV news covering last senate meeting included clips of senator making reasonable case for students being able to choose whatever project they wanted and concern that students would get credit for Satanism

Made sense because limited time of TV news and sensationalism, but also TV station had no sense that it might be a problem doing religious activity in order to get service-learning credit

That’s just the way things are in this particular region

For all intents and purposes really supporting one religion despite rhetoric that we are opening it to all

Suspect when American Center for Law and Justice website refers after Bush’s reelection to a God-given opportunity to change things in this country, they are referring to one particular god and one particular religion

Don’t think this is a stance that public, non-religious university wants to take and I don’t need a lawyer to tell me it is a problem

Thing that frustrates me most on this issue is obfuscation about central issue

Letters, discussions, and rallies indicate language will deny freedom of speech, freedom of religion and impinge on individuals’ rights to serve community in way they want

Nothing could be further from the truth

Language will not prevent worshiping, proselytizing, teaching Sunday school, or doing any kind of community service; simply says UW-Eau Claire not going to give credit toward graduation for those kinds of activities

MOTION by Senator Pitts to remand this issue to a committee yet to be named by an unnamed individual seconded.

Debate

Oppose motion

Is one thing for deans to come to consensus on general education that directly affects their colleges

Another thing to take issue primarily affecting students and do bulk of decision making in less than public forum – similar to backroom meetings in halls of Congress

Not opposed to continuing it on senate floor, or sending back to APC

Rather than edit something on senate floor, suggesting group of people revise language and bring back to senate

Think appropriate committee is Executive Committee

Granted privilege of acting for whole body and doesn’t seem APC wants issue back

Executive Committee includes chancellor, provost, faculty and academic staff, and often deans attend

Would vote against unnamed, unchaired committee

AMENDMENT by Vice Chair Gapko to send language back to the Executive Committee seconded.

Debate

With understanding that language would return to senate floor – would do so even if went to administration
Just means debate stops until we get new language to tear apart

Would like to see students on both sides of issue take part in decision so pertinent to academic career

Any committee on campus open for people to come, students welcome to attend and participate as recognized

Think we should send it where students can have stronger voice

Speak against amendment – would rather have chancellor name ad hoc committee with people, including students, he thinks appropriate

Broader the committee, better off we are

Like idea of definite plan – send it to Executive Committee where chancellor has input as he made it clear there are certain things we will sign and certain things he won’t sign

Think Executive Committee more appropriate – unnamed committee might mean work group without agenda or being open to public

Given chancellor’s concerns, might be senators who could bring forward language by next week – don’t want to send this away

Also remind this body that Student Senate voted by two-thirds majority to approve this motion

Would vote against sending to Executive Committee because would like Service-Learning Advisory Committee, maybe in consultation with chancellor, to revisit language and then sent it on to governance body

Considering next Executive Committee meeting isn’t until February, everybody, including Service-Learning Advisory Committee, would have opportunity to bring in suggestions

**Vote on Amendment:** Amendment DEFEATED.

Further Debate on Motion to send language to group chancellor puts together

- As long as you add that language; not comfortable with unnamed, unwhatever
- Chancellor would form a group of interested parties

**Vote on Motion:** Motion PASSED.

VIII. Reports of Committees

- Without objection, committee reports postponed for two weeks

IX. Special Reports – None

X. Announcements – None

Meeting adjourned at 5:24 p.m.

Wanda Schulner
Secretary to the University Senate