



University of Wisconsin – Stevens Point Student Government Association

Room 52, Dreyfus University Center
1015 Reserve St.
Stevens Point, WI 54481

March 14, 2011

FROM: Michael Wilson, UWSP Student Body President

SUBJECT: Open letter regarding student rights and segregated fee allocations at UWSP

Good Morning Supporters of UWSP Students,

Many of you have contacted me recently asking about the state of student rights at UWSP. Others have been added to the list of recipients because the end-result of our case will have great repercussions to the shared governance structure in the entire UW System. Some of you have been instrumental in building and carrying our case, as we attempt to correct decades of wrongdoing at UWSP; however, every single one of you can play an important role in protecting and promoting the role of students in shared governance across the state. As I'm sure you're aware, a case for student rights in one campus will affect students in every campus. I want to begin by thanking you for your commitment to this very serious issue, and I beg you will take a minute to read this short letter.

In reviewing case law, official audits and UW Board of Regents policies 30-3, 30-5 and F-50, UWSP's Student Government Association once again took on this student rights issue in support of a more open, legal and transparent process. After a year of research and consultation with shared governance experts, attorneys, Regents, faculty, legislators and student leaders across the state, we believe that these policies are being neglected and that our current segregated fee approval process is in dire need of reconstitution under the realm of the law. Regarding the state of the Segregated University Fee Allocation Committee (SUFAC) at UWSP, a response is simple: all documents—including legislation, resolutions, and reports—that name the UWSP SUFAC refer to it, sometimes in parentheses, as “the SGA Finance Committee” or vice-versa. The SGA Finance Committee has always been UWSP's SUFAC.

As background to this issue, in 2001 the Vice Chancellor for Student Affairs commissioned a report—which was respective of the principle of shared governance, having been produced by a committee made up of students, faculty and staff—to review UWSP's Student Health Services; the committee's report noted that the approval of segregated fees funding our health services was botched, and that the rightful authority to approve segregated fees or designate a body to do so on behalf of the students remained with the Student Government Association (SGA) and the SGA Finance Committee (which, incidentally, it referred to as UWSP's SUFAC). However, the administration refused to act on these recommendations. Years later, two sequential audits of UWSP's segregated fee approval process (in 2005 and 2006) were commissioned by the UW System. The 2006 UW System audit concluded that students in university committees like the Student Health Advisory Committee (SHAC) and the University Centers Advisory Policy Board (UCAPB) were clearly not accountable to the students, nor selected by them to participate as their representatives in university governance; furthermore, it stated that students in these committees served primarily as a "rubber stamp" for administrative decisions that required meaningful student input. Whereas the constitutions of SHAC and UCAPB in no way establish a line of accountability between these institution-wide committees and the students, the SGA constitution establishes processes by which students elect, provide input to, and hold accountable their representatives in Student Government. Again, the findings of these audits were ignored. In 2008, when the Student Government Association used its authority to vote to absorb the duties that incorrectly had been usurped by SHAC and UCAPB, the UWSP administration ignored this necessary rectification, and staff continued using these two rogue former-committees of the Student Government to illegitimately pass their segregated fee budgets. This illegitimate segregated fee approval process continues to this day, without approval from the SGA, as UCAPB—which is still composed of staff-appointed student members, contrary to case law *Milwaukee v. Baum* (1976)—, reviews the non-allocable segregated fee budgets that ought to be meaningfully reviewed by the SUFAC, which is made up of students appointed by students and trained on vital matters such as viewpoint neutrality. This is still true even after the students at UWSP mandated—through the October referendum on how to restructure our segregated fee approval process—that UCAPB become once again a standing committee of the SGA Senate.



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The October referendum was the result of our initial conversations with incoming Chancellor Bernie Patterson in July, 2010. When we presented to him our legal case for reform, he supported us, with the condition that, despite SGA's authority to reform unilaterally, we issued a campus-wide referendum in order to include as many student voices as possible. We therefore issued a student body-wide referendum in October, the result of which has come under threat of "investigation." This was requested by the UCAPB Chairperson in an email sent to the Chancellor on Nov. 12, 2010. The result of the referendum was a mandate that the UCAPB become a standing committee of the SGA. We then offered numerous opportunities for all parties to restructure and rewrite the UCAPB and SHAC bylaws to fall into line with SGA bylaws; that process included multiple members the current UCAPB and SHAC, working with representative members of the SGA. As a standing committee of the Senate, UCAPB's restructuring through the binding student vote also resulted in the creation of a Student Director of University Centers Policy for inclusion in the SGA Executive board. The Director will be selected by students, will chair the committee, and work directly with students and Centers administration to ensure that the procedures for collecting and enforcing student input are followed. The Director would be compensated as an SGA Executive for their service. A similar process was underway for the SHAC, because they were willing to incorporate their structure into the SGA Constitution without a referendum (they willingly became a subcommittee of the SGA Student Life Issues Committee in October). In spite of the voice of the students in the referendum and the transparent and participatory process for restructuring that was instigated by the SGA, there has been a clear lack of support for this process on the part of the administration. (All relevant documentation can be found here: uwsp.edu/stuorg/sga/referendum%20info.aspx.)

Given this history, here is where the Student Government Association currently stands on the restructuring process. At the behest of the recently retired former Vice Chancellor for Student Affairs, Bob Tomlinson, SGA worked on a draft to reform the SUFAC, which Dr. Tomlinson sent to us and to several other students. Included among these were some officers in the Residence Hall Association, which is not at all involved in segregated fee allocation. At the time, the Chancellor supported Dr. Tomlinson's proposed SUFAC reform as one more attempt to bring intransigent and uncooperative people to the negotiating table. SGA supported the SUFAC reform because we have always emphasized the need for diplomacy and a multilateral approach to resolving this problem, which no student, having objectively analyzed it, should oppose, as it is a clear-cut issue of student rights. Having the best interests of the student body in mind, we were happy to restructure the SUFAC if this means continuing the conversation between the organizations involved. However, we are wary of the administrative role of this recent proposal, and we are keeping in mind the possible need for higher intervention.

In spite of any administrative role in this proposal, on February 17, the SGA Senate unanimously reformed the SGA Finance Committee as our SUFAC. It also created the two standing committees of the Senate and the two Student Director positions. We know that this is the strong first step towards correcting decades of improper student input, shaming reports and official letters, negative press for the university, and a perceived disregard for Regent Policies and state law. On February 25, the Chancellor's Executive Assistant, Rob Manzke, asked me in an official meeting to draft a new 36.09(5) implementation plan, to be submitted to the UW System as our campus plan for student shared governance implementation. That document, attached to this email, currently awaits Chancellor Patterson's signature.

Subsequently, the SGA Senate set March 17 at noon as a deadline for the Chancellor to respond to our reforms and the will of student representatives. This should have given Chancellor Patterson ample time to review our restructuring. However, even at this point, we're unsure that the Chancellor will stand with the students. Although this presents for him an opportunity to save the day after decades of unnecessary damage to our university, we're still unsure of what his next move will be. That is why we need your help. We need focused support from folks like you, who understand and care for this issue, to ensure that student rights are respected at UWSP and across the state. At this point, we've done what we can do on this issue in our role as students and student government members. Public statements about this issue are essential to getting some closure; even a quick email from you would go a long way towards ensuring that student voices are heard.



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As public education in our state finds itself a time of crisis, members of this university must align together to protect the interests of the students and the future of higher education. We appreciate Chancellor Patterson's strong stance against the biennial budget proposals, which will be "crippling" to higher education in the state, and his efforts to protect the UW System from dismantlement. I stand by him in that "we are the solution," not the problem. However, this is why the Chancellor needs to side with the student body—this is no time for unnecessarily disrupting unity within our campus, for bickering and for internal division. At this pivotal time for the future of the state, we must stand together for the interest of our university, of higher education, and of our state.

We cannot appease those who would prefer that we continue to bend federal and state law and stretch UW System policy. It is clear from our consultation with lawmakers, lawyers, faculty, administration, and students across the state that the segregated fee process at UWSP needs reconstitution under the purview of the law. At this point, we expect Chancellor Patterson will be respectful of the decisions elected student leaders make and reflects the will of the student body. Not only out of respect for the spirit of the rule of law, but for the principle of self-determination, an elected representative government and student autonomy over segregated fees, we thank you for your relentless commitment to student rights. With your support, we are sure to find a satisfactory solution to this decade-long crisis of legitimacy.

Feel free to contact me at anytime.

Sincerely yours,

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Old Main Neighborhood Association
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