Fall 9-7-2016

SB10-16/17: Regarding Student Representation on the UM Foundation Board of Trustees

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Recommended Citation
Forstag, Sam and Engebretson, Elizabeth, "SB10-16/17: Regarding Student Representation on the UM Foundation Board of Trustees" (2016). Resolutions, 2007-Present. 537.
https://scholarworks.umt.edu/asum_resolutions/537
Whereas, The University of Montana Foundation (UM Foundation) is a private 501(c)(3) non-profit organization that raises money for the University of Montana (UM) and manages its endowment;

Whereas, the UM Foundation’s “About Us” section of its website states:

*The Foundation is an independent non-profit organization with a 40-member Board of Trustees. The Trustees and staff work with University leaders to set fundraising priorities which support the University’s strategic plan;*

Whereas, ASUM is a ‘University leader’ and a key player in the shared governance and decision-making process at UM;

Whereas, decisions made by the UM Foundation’s Board of Trustees directly impact the students at UM;

Whereas, The Associated Students of the University of Montana (ASUM) passed a resolution in May of 2016 asking that the UM Foundation consider mechanisms for increasing student involvement in the Board’s decision-making process, such as the creation of an ex-officio student seat on the Foundation Board of Trustees and open meetings;

Whereas, ASUM believes that all students have the right to meet and discuss issues with the people who have direct influence over various aspects of campus life, such as the UM Foundation Board of Trustees;

Whereas, the UM Foundation sent a response to ASUM on May 3rd, 2016, indicating that, “as a separate private organization, the Foundation’s Board and Committee meetings are private, and therefore are not open to the public.”

Whereas, student representation already exists on other UM affiliated 501(c)3s, such as UM Alumni Association’s Board of Directors, where the ASUM President holds an ex-officio seat;

Whereas, student participation in processes that require confidentiality exists across UM including Beverage Contract negotiations, administrative search committees, complex Discrimination Grievance cases, pay negotiations for professional staff, campus appeals committees, and the President’s Cabinet.
Whereas, the Montana State University (MSU) Alumni Foundation’s Board of Governors, the MSU equivalent to the UM Foundation Board of Trustees, is taking up a set of proposed bylaw changes creating an ex officio student seat on the Board;

Whereas, Members of the Montana Board of Regents have expressed similar concerns in recent years regarding the lack of student involvement in the decision-making processes of University-affiliated Foundations;

Whereas, the absence of student representation in Board of Trustees’ discussion and decision-making process has precipitated optical and practical issues which the presence of a student voice would help to alleviate;

Whereas, the ‘Right to know’ and ‘Right of participation’ are enumerated in article II, Sections 8 and 9 of the Montana Constitution;

Whereas, the only formal opportunity for student input to the UM Foundation’s Board of Trustees, currently, is when the ASUM President speaks for 10 minutes at their annual Fall meeting;

Whereas, the UM Foundation Board of Trustees convenes for two meetings each year, with one meeting each year being held in Missoula;

Therefore, Let It Be Resolved, that ASUM commends the UM Foundation for this annual opportunity to interact with an organization that is so invested in securing support for UM’s students, faculty, staff, programs, and facilities;

Therefore, Let It Further Be Resolved, that ASUM asks the UM Foundation Board of Trustees to consider and vote on the creation of an ex officio student seat to be filled annually by the ASUM President;

Therefore, Let It Further Be Resolved, that ASUM urges the UM Foundation Board of Trustees to take up this proposal at the Board’s annual Fall meeting on September 29th, 2016;

Therefore, Let It Further Be Resolved, that ASUM encourages the UM Foundation to consider additional mechanisms for student input, such as email communications to interested students, and open meetings;

Therefore, Let It Further Be Resolved, that ASUM encourages the UM Foundation make public the locations and dates of its Board of Trustees meetings to any UM student who requests said information;

Therefore, Let It Further Be Resolved, that a copy of this resolution be sent to: Royce Engstrom, President of the University of Montana; Shane Giese, President and Chief Executive Officer of UM Foundation; Joe Whittinghill, Chairman of the Board of Trustees of the UM Foundation; Jamie Stanton, Chief Financial Officer of UM Foundation; Clay Christian, Commissioner of Higher Education; Levi Birky, Student Regent
Passed by Committee: ____________________________, 2016

Passed by ASUM Senate: ____________________________, 2016

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Kaitlin Hopingardner, Elizabeth Engebretson,
Chair of Relations & Affairs Chair of the Senate