

POINTS OF VIEW

Schools' choice: More driver's ed or more tragedy

Now drive more thoughtfully down certain streets in our communities. They include Quanton Road as it meets Inkster, Farmington Road between Walnut Lake Road and Maple, and Green Road between Walnut Lake and Orchard Lake roads.

All are scenes of past traffic fatalities involving young people. We've covered them and, as a reporter or editor, they become indelibly etched in your mind.

Somehow, the death of a young person, still in his or her formative years, hits hardest and stays with you.

Now, sadly, Woodward just south of Square Lake joins that category as our hearts go out to the families and friends of Lahser High School students Christopher Castleberry, 16, Pedrum Ghoreishi, 16, and Michael Powell, 16.

Police still haven't released the speed the car was going and so far there is no indication it exceeded the 50 mph

limit at the site.

But friends say they were trying to catch up with another car.

Driving conditions included fog and wet roads.

And in the car sat very young people in their first winter as drivers.

Bills pending in the Michigan Legislature speak directly to the issue of young drivers though they can not always prevent tragic accidents.

These bills advocate more hours of driver education.

And they champion more conditions for getting a full-fledged driver's license.

Right now, today's 16-year-old can get his or her license with less than four hours drive time on the open road and little consideration of emergency situations.

That's because back in 1980, money problems caused the state to dilute driver education.



JUDITH DONER BERNE

Hours were cut in school-sponsored driver training programs.

Mandatory drive time was whittled from six to four hours, and that included time spent in the school parking lot learning the basics.

And mandatory classroom instruction was reduced from 30 hours to 22. Equally important, students who

passed the driver's education class given through the public schools no longer had to take the secretary of state's road test that always included the dreaded parallel parking.

For young people who don't even know what that is, recall the road test actress Alicia Silverstone failed (the first situation she could not talk her way out of) in the film, "Clueless".

One of the many who drove by the scene of last week's terrible accident was Frank Cardiman, director of the Oakland County-based Traffic Improvement Association.

"We're just very much in favor of more driver's education and the graduated license," he said, of the TIA's position.

Driving is a privilege, not a right, he said. "And, at a young age, our judgments are a little different."

"We're not trying to penalize the young people, we're trying to help them

by helping them learn responsibility. I call it tough love."

Cardiman has written to urge local legislators to act. And you can too.

Write, fax or call Oakland County state Sens. Michael Bouchard, R-Birmingham, Mat Dumas, R-Lake Orion, Dave Honigman, R-West Bloomfield and Gary Peters, D-Bloomfield Township, or your local representative to urge that our young people deserve more education, experience and road testing to be fully-licensed drivers.

All of us want fewer streets to drive along knowing a person - young or old - who died there.

Judith Doner Berne, a West Bloomfield resident, is former managing editor of the *Eccentric Newspapers*. You can comment on this column by calling (313) 953-2047, ext. 1997 or write or fax a letter to the editor of this newspaper.

Campus controversy

EMU's foundation falls into a 'snake pit of secrecy'

Eastern Michigan University got its knuckles rapped, good and hard, by the state Court of Appeals last week.

EMU's leaders could have avoided the embarrassment by reading their local newspapers back in 1989.

The situation has to do with government's increasing propensity to "privatize" — to hire private companies or set up what it hopes are private foundations to do governmental work in secret.

In 1989, the EMU board voted to authorize establishment of an EMU Foundation to "receive and disburse funds, property and gifts of any kind exclusively for the benefit of Eastern Michigan University."

The plot thickens. First, the bylaws provided for EMU officials to hold five of the 16 foundation trustee posts. Next, the first foundation president

was to be "a university-related official."

Third, the EMU Board of Regents, in the first two years of the foundation's life, contributed \$200,000, or half the foundation's assets. Finally, in 1992 the EMU board transferred the university's entire endowment of \$7.7 million to the foundation.

One Eric Jackson requested information on the foundation's financial condition and its board meetings. He cited Michigan's "sunshine" laws — the Freedom of Information Act (FOIA) and the Open Meetings Act (OMA).

The EMU Foundation denied Jackson's requests, saying it wasn't "a public body" under the laws. Jackson lost in circuit court, appealed and was supported by the Ann Arbor News and the United Auto Workers union.

A court of appeals panel ruled 3-0 on



TIM RICHARD

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Jan. 19 that the EMU Foundation is indeed a public body with public records. Its reasoning was elemental. FOIA defines a public body in a list that includes "any other body which is created by state or local authority or which is primarily funded by or through state or local authority."

Foundations are a growing problem. In other states, foundation officers have spent lavishly on fancy cars, fancy salaries and memberships in fancy country clubs, all in the name of cultivating donors. Even a not-for-profit corporation deals in some big bucks.

The Michigan Legislature is about to make things worse. The senate has passed, and the house has been debating, SB 142 removing the requirement that non-profit corporations file with

the state commerce department an annual statement reporting: the amount of authorized stock, distribution of funds to members or shareholders, amounts of loans, advances, overdrafts or withdrawals and repayments by officers and directors, and other good stuff.

Not only would future filings not have to contain that information, but past filings would be exempt from FOIA and your eyes.

Rep. Lynne Martinez, D-Lansing, offered an amendment to require the reporting of distributions of funds. The House rejected it, 50-56. Martinez remarked: "I feel like I've turned over a rock and found a snake pit."

Well phrased. Secrecy and a snake pit.

Tim Richard reports on the local implications of state and regional events.

There must be a little privacy in regents' presidential search

First, a disclosure: I am both a regent of the University of Michigan and a working newspaper publisher.

So I have a foot in both camps in the developing debate over the mechanism the board of regents, as governing body of U-M, adopted last week to seek a new president.

The board tried — successfully, in my view — to balance two worthy but conflicting objectives: the Michigan Open Meetings Act, which holds that decisions of a public body like the board of regents should be taken fully in the public view, and Art. VIII Sec. 5 of the Michigan Constitution, which imposes a duty on the board to "elect a president."

The mechanism we adopted sets up a Presidential Selection Advisory Committee composed of U-M faculty, staff, students and alumni — no regents whatsoever. This committee is to meet in public with the board of regents and work up a set of criteria — skills, experience, background — which should govern the selection of the new president.

The committee is then, without contact with the regents and meeting in private, to develop a pool of prospects and, after careful evaluation, forward a list of at least five recommended candidates to the board. The board will then meet, deliberate and select a new president entirely in public.

There already is a fair amount of huffing and puffing under way about this. Some of my news media friends are grumpy that the search process isn't going to take place entirely in the open, while one of my regental colleagues abhors the idea of a final vote on the grounds that the process compromises too much of the board of regents' fiduciary duty to find and recruit the very best president possible.

Abandoning the legalisms that usually infest this kind of discussion, I'd make just three points:

First, it's often overlooked, but the absolute key to any successful search is the care and thoughtfulness with which the selection criteria are set out. In the process we adopted, the board of regents and the search committee are to meet in public and develop their vision for the university and the criteria for the kind of person who will help them achieve that vision.

The whole point behind the Open Meetings Act is that public bodies like the board of regents should be held accountable not only for what they decide (picking an individual to be president, in this case) but why they decide the way they do (their vision of the university and the criteria in determining the selection).

When the board of regents conducted its last search for a president eight years ago, it formulated with no public debate a list of 18 largely boilerplate selection criteria. This time around, the board had a public obligation to be pointed, de-



PHILIP POWER

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tailed and specific about just what they're looking for and why.

Second, there is compelling evidence that conducting searches for university presidents entirely in public deters qualified candidates from allowing their names to be put forward.

This evidence is more than anecdotal. A survey done by the distinguished search firm of Korn/Ferry found that of presidents and chancellors of the leading universities in the country, 93 percent said they would not participate in presidential search that publicly disclosed names of candidates as part of the process.

It's this fact that has led Wayne State University President David Adamany to argue that persistently restrictive application of the Open Meetings Act to the selection of Michigan's university presidents, over time, has disadvantaged our public universities compared to privates in the competition for able leadership. I think he's right.

Third, when real people are trying sincerely to develop a real world process to get something important done, there is always a risk that absolutist editorial writers may become obsessively concerned about just how many Open Meetings Act angels can dance on the head of a public body pin. Enough is enough! Let us get on with our job.

Philip Power is chairman of the company that owns this newspaper. His Touch-Tone voice mailbox is (313) 953-2047, Ext. 1880.



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