

TIMELY DATA CIRCULATED WHILE CURRENT

SINCE 1958
Number 213
April 1976
EIGHTEENTH YEAR
Page 1361

GRAPEVINE
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Reports on state tax legislation; state appropriations for universities, colleges, and junior colleges; legislation affecting education beyond the high school.

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"Education should be available as a right, at all age-levels. . . In this respect, the university expansion programs of this century have been too modest by far."

--The Hudson Institute, reporting on higher education in Britain.

Statement of ownership and circulation of GRAPEVINE is on page 1362 (reverse hereof).

Table 99. TEN STATES SHOW WEIGHED AVERAGE TWO-YEAR GAINS OF 44 PER CENT IN APPROPRIATIONS OF STATE TAX FUNDS FOR ANNUAL OPERATING EXPENSES OF HIGHER EDUCATION FOR FISCAL YEAR 1976-77. (In thousands of dollars)

States	Year 1966-67	Year 1974-75	Year 1976-77	2-yr gain per cent	10-yr gain per cent
Eight states previously reported*					
Eight states	483,742	1,524,712	2,204,165	45	356
New Mexico	26,088	61,382	82,047	34	211
Utah	24,891	75,740	102,937	36	314
Totals	534,721	1,661,834	2,389,149		
Weighted average percentages of gain				44	347

* See GRAPEVINE, Tables 97 and 98, page 1356 (March 1976).

This month of April may be said to mark the beginning of GRAPEVINE's "reporting year" 1976. Counting the eight states that now customarily make their appropriations only in odd-numbered years, for the ensuing biennium either undivided (3 states) or by separate fiscal year (5 states), plus the states of New Mexico and Utah already newly reported in 1976, ten states are already reported for fiscal year 1976-77. Ten down and forty to go.

At this stage the cumulative weighted average two-year gain in unexpectedly high--44 per cent, reminiscent of the latter half of the 1960's, when such percentages were often around 40 or above. Glancing back at Tables 98 and 99 (GRAPEVINE page 1356, March 1976), we note that only two of the eight states show two-year gains of less than 30 per cent: Vermont with no appreciable gain at all, and Washington with only 23 per cent. The other six (Arkansas, Minnesota, North Dakota, Ohio, Texas and Wyoming) each gained 30 per cent or more, as did also New Mexico and Utah (Table 99, above, this page).

Four of the ten states made outstandingly good gains: Texas (72 per cent); North Dakota (54); Wyoming (39); and Arkansas (39). These four are all west of the Mississippi River, where tax support of higher education is traditionally more generous than in the East; and two of them are in the South, where a consistent and apparently successful effort has for some years been in progress to bring the region up to the national average.

Texas, prosperous in oil and gas and agriculture, has become the third most populous state, having outpaced Pennsylvania; and Florida has exceeded New Jersey, to claim eighth place among the most populous states. The current figures tend to show above-average population gains for the so-called Sun-Belt, the southern half of the United States. Gains exceeding the national average of 4.8 per cent over 1970-1975 also appear in the Mountain and Pacific Coast states, while the less-than-average and very small gains characterize the vast North Central area (both east and west of the Mississippi) and the Northeastern states of New York and Pennsylvania and those of southern New England. There is a "southward tilt" as well as a "westward tilt." The two fastest-growing states are Arizona (25.3 per cent), and Florida (23 per cent).

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CALIFORNIA. The Assembly Permanent Subcommittee on Postsecondary Education has a staff report dated November 1975, Unequal Access to College: Postsecondary Opportunities and Choices of High School Graduates (29 pp., offset).

Assemblyman John Vasconcellos, chairman of the subcommittee, in his admirably concise letter of transmittal, says: "The study examines the relationships between access to college and family income, ethnicity, and academic achievement. The inequities revealed in this report are disturbing."

Call for Flexibility in Admissions

A principal problem revealed by the data is that of "Limited Access of Moderately High Achieving Graduates due to Inflexible Admission Requirements."

The recommendation is that "Admission policies at the University of California and the system of State Universities and Colleges should become more flexible in assessing the overall potential of low-income graduates."

This is of considerable special interest to GRAPEVINE because we railed against the rigidity of the scheme of limiting admissions as freshmen to the University of California to about one-eighth of the crop of high school graduates (and in the then state college system to about one-third of high school graduates), when it was first promulgated as part of the master plan of 1960, and we have railed against it at various intervals since that time.

The present document points out that Assembly Concurrent Resolution 150, voted by the legislature in 1974, encourages the institutions in the two statewide systems to expand the use of nontraditional admissions criteria.

Another major finding is that information about existing opportunities is not widely disseminated among high school graduates. GRAPEVINE concurs in this, not only in California but in all other states; and faults all statewide governing boards and coordinating boards for neglecting or doing a half-hearted job in this function.

FLORIDA. On March 2, 1976, approximately 5,400 members of the faculties of the nine universities comprising the State University System had opportunity to vote on the question of whether or not they would have a collective bargaining representative, and if so, what organization would represent them.

A remarkable 84 per cent of all those eligible voted; 4,570 votes were cast:

- Challenged votes 4.9%
- For "No organization" . . . 28.5%
- For AAUP of Florida 15.3%
- For UFF* 51.3%

*United Faculty of Florida, an affiliate of the American Federation of Teachers (AFL-CIO).

Negotiations between representatives of the UFF and representatives of the Board of Regents are expected to begin soon after the results of the election are certified by the Florida Public Employee Relations Commission.

The result was undoubtedly partly due to the absence of any salary raises for university faculty members for the current fiscal year; and by much tough talk about present and prospective fiscal austerity for the university system.

Board Will "Carry Out Legal and Other Responsibilities"

For several months a small Newsletter, "for university administrators on aspects of academic unionism in the SUS" has been issued weekly from the office of the Board of Regents, slanted against collective bargaining. It is said this service will be continued, to provide news of the continuing development of collective bargaining in the university system--a commendable purpose.

Although both the chairman of the Regents and the chancellor of the system have frequently spoken against "academic unionism," both have declared their intent to "accept the judgment of the faculties" and to proceed with the process as mandated in the constitution and statutes of the state.

MONTANA. In September 1975 GRAPEVINE briefly noted the probable beginning of litigation to define the constitutional authority of the statewide Board of Regents of the Montana University System to manage the system without undue interference from the legislature or from non-educational agencies in the executive branch of the state government. (GRAPEVINE, p. 1319).

The supreme court of Montana has decided that the attempt by the legislature to place a ceiling of \$5,000 on salary increases for the commissioner of higher education and the presidents of the six institutions was unconstitutional.

The case also involved other matters of broader import: an attempt to place discretionary control of the institutions' incomes from all sources (not merely from legislative appropriations of state tax funds, but also from fees, private gifts, and other sources) in the hands of statehouse administrative and fiscal agencies other than the Board of Regents.

Montana Board of Regents
Has a Constitutional Sphere

The court also declared that this attempt to invade the autonomy of the Regents could not be sustained, because the state constitutional provision that the management of the institutions of higher education shall be vested in the Regents means what it says. The decision is a healthy sign of retreat from the stampede toward erosion of the authority of governing boards in higher education in the name of total centralization of fiscal control in non-educational state fiscal or administrative agencies.

The Montana decision is not the only one of its kind in recent months. Similar issues have been decided in favor of reasonable autonomy for higher education in at least three other states: New Mexico (GRAPEVINE, pp. 1269-1270, January 1975); North Dakota (GRAPEVINE, p. 1321, September 1975); and Michigan (GRAPEVINE, p. 1344, January 1976).

NEW MEXICO. Appropriations of state tax funds for operating expenses of higher education, fiscal year 1976-77:

Table 100. State tax fund appropriations for operating expenses of higher education in New Mexico, fiscal year 1976-77, in thousands of dollars.

Institutions (1)	Sums appropriated (2)
U of New Mexico	30,337
Medical School	5,955
Medical Investigator*	600
Student Exchange**	884
Northern Branch	340
Gallup Branch	343
Subtotal, U of NM -	\$38,459
New Mexico State U	17,736
Ag experiment station	2,170
Ag extension service	1,660
State Dept of Agriculture*	1,035
San Juan Branch	623
Dona Ana Branch	315
Alamogordo Branch	311
Carlsbad Branch	249
Grants Branch	148
Subtotal, NMSU -	\$24,247
Eastern New Mexico U	6,938
Roswell Branch	1,014
Clovis Branch	340
Subtotal, ENMU -	\$8,292
N M Inst of Mining & Tech	2,441
State Bureau of Mines*	1,006
Subtotal, NMIMT -	\$3,447
New Mexico Highlands U	4,282
Western New Mexico U	2,491
New Mexico Military Inst***	156
Board of Educ Finance	335
WICHE General Dues	28
State Aid to Junior Colleges	310
Total	\$82,047

*State function administered through the institution.

**Includes WICHE student exchange program and a supplementary dental student exchange program, veterinary and optometry student exchange programs.

***Two-fifths of students are at college level; three-fifths in grades 9-12. Appropriation is for support of entire program.

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NEW YORK. Press reports indicated in late February that the Board of Trustees of the State University of New York (SUNY) voted unanimously to authorize a suit in the courts against the Commissioner of Education (executive officer of the Regents of the University of the State of New York and State Board of Education).

The complaint arises from the Commissioner's recent order to eliminate doctoral programs in English and History at the State University Center at Albany. Its object is to call forth a judicial declaration of lawful authority and procedure for abolishing doctoral programs, interpreting the impenetrable jungle of statutes and Regents' pronouncements regarding adding or deleting major programs of instruction and research at the various campuses.

The real issue is that of reasonable autonomy for state university institutions. The relations between the Board of Trustees and the Board of Regents have always been somewhat anomalous since the Board of Trustees was created in 1948. At that time one faction wanted the Trustees to be creatures of the Board of Regents and subject to its authority in all respects; but the then Governor Thomas E. Dewey, whose influence was great, insisted that the Trustees be appointed by the governor and that the line of authority run upward to him, as in a symmetrical chart.

Too Many Cooks?

The result was an ambivalent compromise under which the Trustees are appointed by the governor, but in their corporate capacity are at least nominally subject to the policies and regulations of the Board of Regents. For example, the quadrennial master plans which the Trustees are required to concoct must be approved by the Regents, and may be modified before approval, but approval has apparently always approached the perfunctory.

At page 1358 (March 1976) GRAPEVINE mentioned local resistance to the Commissioner's order, supported by the full Board of Trustees and its Chancellor Ernest L. Boyer, who argued persuasively against destruction of the academic balance and cohesion of a state university, and asserted that the procedures preceding the order in this case were inadequate and were nowhere defined in the statutes or Regents' regulations, thus giving rise to doubt that the Regents and the Commissioner had proceeded properly under principles of administrative law.

The Entity of an Academic Institution

Whatever the result of the litigation may be, it is heartening to see the great conglomerate State University stand up for its reasonable autonomy, and for the protection of its university campuses from high-handed Draconian orders invading its sphere of academic discretion and integrity.

In recent years the Trustees of SUNY, as well as the Board of Higher Education of New York City (governing CUNY, the City University of New York), have found themselves sometimes at odds with the policies of the Regents and the Commissioner.

The Regents, with their individual long terms and their appointments by joint sessions of the legislature, tend to be a right-wing conservative body, pressing for higher tuition fees in the public institutions and other measures apparently intended to favor unduly the private universities and colleges, and general policies of elitism in higher education which would restrict and diminish the expansion of opportunities for all citizens in higher education.

Essentially the same issues of restriction and elitism are at the root of the current controversy over deleting selected doctoral programs.

Cutting back advanced graduate programs may produce a calamitous slowing down of human progress a decade or two hence.

PENNSYLVANIA. A happy sequel to the lugubrious story of incredible fiscal austerity imposed on the 14 institutions known as the State Colleges and University (GRAPEVINE, 1323-1324, September 1975) can now be reported.

On March 17, 1976, APSCUF announced that a contract settlement covering approximately 5,000 faculty members at those institutions had been signed by Governor Milton Shapp and Martin Morand, executive director of APSCUF, the systemwide faculty union.

"Retrenchment" of Faculty Members
Is Evaporated

The most important result is that the outrageous order emanating from the state capitol last June, commanding each of the 14 presidents to name specified numbers of their faculty members and administrators (including one vice president in each instance) who would be notified in writing that their services would be terminated as of September 1, 1976 is now a dead letter and only a quirk of history.

The collective contract signed March 17, 1976 renders moot most of the many maneuverings of the past year. One of these was a Pennsylvania Labor Relations Board order holding Governor Shapp guilty of unfair labor practices and directing the Commonwealth to desist from such practices (GRAPEVINE, 1358, March 1976).

The new contract extends the current collective agreement to June 30, 1979. In accord with it, 82 faculty members who had received notices of termination as of September 1, 1976, are being notified that the notices are cancelled.

How much damage to the morale of the institutions, and to the personal lives of these and other faculty members who were unjustly and needlessly kept on tenterhooks for the better part of a year can never be measured, but it was large.

The new agreement provides salary increases of 3.83 per cent for the current year, retroactive to August 31, 1975; and increases of 4 per cent for the academic year 1976-77. These are less than the rate of inflation, but that is overshadowed by the fact that APSCUF has won a landmark struggle against high-handed, inhumane and unlawful orders from the executive branch of the state government.

UTAH. Appropriations of state tax funds for operating expenses of higher education, fiscal year 1976-77:

Table 1. State tax fund appropriations for operating expenses of higher education in Utah, fiscal year 1976-77, in thousands of dollars.

Institutions (1)	Sums appropriated (2)
University of Utah	39,538
College of Medicine	4,586
University Hospital	1,165
Research & training grants	1,014
Special enterprises*	692
<hr/> Subtotal, U of U - \$46,995	
Utah State University	17,656
Ag experiment station	2,366
Coop extension	1,769
Research & training grants	278
Special enterprises**	1,236
<hr/> Subtotal, USU - \$23,305	
State colleges -	
Weber State College	12,012
Utah Tech College, Salt Lake	4,742
Southern Utah State College	3,764
Utah Tech College, Provo	3,460
Dixie College	1,932
Snow College	1,819
College of Eastern Utah	1,527
<hr/> Subtotal, s c's - \$29,256	
Board of Regents	580
Statewide television	682
Cooperative nursing	469
WICHE	337
Computer services	174
Student loans	101
Ethnic awareness	50
Salary improvement***	988
<hr/> Subtotal, B of R - \$3,381	
Total	\$102,937

*Includes: Educationally disadvantaged, \$423,000; Coal research, \$25,000; Center for Economic Development, \$97,000; Seismograph stations, \$93,000; Museum of Natural History, \$54,000.

**Includes: Educationally disadvantaged, \$64,000; Water Research Lab, \$475,000; Ecology Center, \$266,000; Southeastern Utah Continuing Education Center, \$98,000; Uintah Basin Continuing Education Center, \$218,000; Man and His Bread Museum, \$50,000; Exceptional Child Center, \$65,000.

***To be allocated to the nine institutions.